

MEMBER'S WRITTEN QUESTION



Member submitting the question: Mary Aspinall

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To the Cabinet Member for: Richard.Bingley@plymouth.gov.uk

Question: I note that according to information coming from the Local Government Association that "Traditional log burning stoves in people's homes which are in designated 'Smoke Control Areas' - most towns and cities - will now only be allowed to emit 3 grams (g) of smoke per hour, down from 5g, as part of government plans to reduce air pollution. Anyone found to be in breach could now be liable for an on-the-spot fine of up to £300 and even face criminal prosecution if they refuse to cut back their chimney smoke. " Please would the relevant Cabinet member advise me of the following - what plans have Plymouth City Council put in place to respond to this new legislation? - Which department will be responsible to monitor and prosecute breaches of this legislation? - will councillors be made aware of any prosecutions in their ward?

Answer:

Plymouth has no Smoke Control Areas.

It has not been judged to be necessary, mainly because the particulate levels (PM2.5) in Plymouth are already low, and have fallen, and there has not been judged to be an issue with substantial amounts of smoke from chimneys.

There are already powers to investigate and enforce against smoke emissions for chimneys or bonfires (etc) if it is judged to be a statutory nuisance under Part 3 of the Environmental Protection Act 1990. This is enforced through the Environmental Protection team.

The declaration of a Smoke Control Area does bring in additional rules, and therefore additional powers to enforce, however the experience of other local authorities appears to be that these additional powers are difficult to use to enforce.

We will not be planning to apply to be a Smoke Control Area.

Signed:

Date: 16 February 2023

