1969 No. 412

CLEAN AIR

The Clean Air (Height of Chimneys) (Prescribed Form) Regulations 1969

Made - - -	*20th March* 1969
Laid before Parliament	*27th March* 1969
Coming into Operation	*1st April* 1969

The Minister of Housing and Local Government, in exercise of the powers conferred on him by sections 6(3) and 13(1) of the Clean Air Act 1968(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Title and commencement

1. These regulations may be cited as the Clean Air (Height of Chimneys) (Prescribed Form) Regulations 1969 and shall come into operation on 1st April 1969.

Interpretation

2. The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Prescribed form for purposes of section 6(3) *of Clean Air Act* 1968

3. For the purposes of section 6(3) of the Clean Air Act 1968 (which requires an application for approval of the height of a chimney to be made to the local authority on the prescribed form and to be accompanied by the prescribed particulars), the prescribed form shall be the form set out in schedule 1 to these regulations and the prescribed particulars shall be the particulars set out in schedule 2.

(a) 1968 c. 62. (b) 1889 c. 63.

SCHEDULE 1

CLEAN AIR ACT 1968

Section 6—CHIMNEY HEIGHTS (Note 1)

Application for approval by the local authority of the height of a chimney serving a furnace or furnaces

Name and address of local authority

A. *Full name and address of applicant.*

Telephone No.

Address of premises where chimney is or will be constructed (if different from above).

Name and address of consultant, contractor or other agent (if employed).

Telephone No.

B. *Brief description of proposed works.*

C. *Category under which chimney height approval is sought* (Note 2)

(a) Construction of new chimney.		Insert YES or , NO
(b) Increase of combustion space of existing furnace. (Note 3)		
(c) Replacement of furnace by one having larger combustion space.		

(Signed by or on behalf of the applicant)

Date (Note 4)

Notes 1 *to* 4

1. An Explanatory Memorandum on the Clean Air Act 1968, with notes on Section 6, is contained in a Joint Circular (Ministry of Housing and Local Government 69/68, Welsh Office 62/68) available from H.M.S.O. price 1s. 9d. net.

2. The exact terms of section 6(10) of the Clean Air Act 1968 are—

"This section applies to the following furnaces:—

(a) any furnace served by a chimney other than a chimney the construction of which was begun or the plans for which were passed before the commencement of this section;

(b) any furnace the combustion space of which has been increased since the commencement of this section; and

(c) any furnace the installation of which was begun after the commencement of this section and which replaces a furnace which had a smaller combustion space;

not being a furnace forming part of a generating station as defined in the Electricity (Supply) Act 1919, other than a private generating station as so defined."

The commencement date referred to is 1st April 1969.

An application may cover more than one category.

3. Including addition of a new furnace to an existing installation.

4. Section 6(6) of the Clean Air Act 1968 provides as follows:

"If a local authority to whom an application is duly made for approval under this section fail to determine the application and to give a written notification of their decision to the applicant within four weeks of receiving the application or such longer period as may be agreed in writing between the applicant and the authority, the approval applied for shall be deemed to have been granted without qualification".

SCHEDULE 2

Particulars to accompany application for approval

A. *Description and use of furnace(s)*

1. Intended use of furnace(s) (e.g. boiler plant, metal melting or reheating, calcining, drying etc.) (Note 5)

2. Type and description of furnace(s) (Note 5)

3. (*a*) Particulars of furnaces to be installed.

(*b*) Particulars of changes intended to existing furnaces.

(*c*) Particulars of furnaces to be removed.

B. *Rating and fuel consumption* (*Note* 5)

4. (*a*) Maximum continuous rating of boiler(s) (pounds steam per hour from and at 100°C., or B.t.u.'s per hour).

(*b*) Maximum rate of fuel consumption in pounds per hour (separately for different fuels).

5. Type(s) of fuel to be used (Note 6)

6. Sulphur content of fuel %.

C. *Particulars of emissions*

7. Quantity and quality of emission (if any) from the material being heated e.g. fume, sulphur trioxide, hydrogen sulphide.

8. (*a*) Volume of chimney gases at working temperature (cubic ft. per second, calculated from paragraph 4(*b*) above).

(*b*) Working temperature of chimney gases in degrees C. (State point of measurement).

(*c*) Efflux velocity of chimney gases at working temperature and at maximum loading of plant (ft. per sec.).

D. *Particulars of buildings*

9. Height of building to which the chimney is attached.

10. Length of building to which the chimney is attached.

11. Height(s) of adjacent building(s).

12. Distance of adjacent buildings from proposed chimney.

E. *Particulars of chimney for which approval required*

13. Height of chimney above ground level.

14. Details of construction of chimney (materials, insulation, single or multi-flue, internal diameter of chimney top).

F. *Supplementary information*

15. Brief description and/or sketch plan of other emission sources on same site with heights of chimneys and approximate distances from chimney for which approval is sought.

16. Any other information relevant to the application.

Notes 5 and 6

5. The information should relate to the total furnace or boiler plant which the proposed chimney will serve after all the works have been completed.

6. If oil specify type and viscosity. If solid fuel give Coal Board specification, or colliery source, if known.

Given under the official seal of the Minister of Housing and Local Government on 20th March 1969.

(L.S.)

Anthony Greenwood,
Minister of Housing
and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations prescribe (i) the form of application for the approval of the local authority to the height of a chimney serving a furnace to which section 6 of the Clean Air Act 1968 applies, and (ii) the particulars to accompany that form. The section applies to furnaces which are being enlarged, or the chimneys serving which are being constructed, after 1st April 1969.