

Smoke Control Area Consultation Analysis

RESULT OF CONSULTATION AND THE COUNCIL
RESPONSE TO THE PROPOSAL TO REVOKE ALL
EXISTING SMOKE CONTROL ORDERS AND
REPLACE THEM WITH A SINGLE BOROUGH-WIDE
ORDER

Consultation Period: 19 JUNE – 7 AUGUST 2023

Background

An on-line public consultation was held between 19 June to 7 August 2023. The consultation asked residents and business owner to have their say on Broxtowe's intention to declare a borough-wide Smoke Control Area. Specifically, the public was consulted on whether the new proposed Order should also include moored vessels.

The consultation matter was brought to the public's attention using social media, advertising, liaison with locally related business and affected organisations detailed below. A copy of the leaflet which was dropped to canal boat users is provided in **Annex A**, and the following information channels were used to advertise the proposal:

- 2 formal public notices in two local newspapers, Beeston News and the Eastwood and Kimberley Advertiser over two weeks.
- Formal public notice in the London Gazette
- Consultation details listed on the Council website including a survey monkey questionnaire and invitation to make specific comments directly.
- Details in the Latest News and Environmental Update bulletin issued to residents.
- Council press release.
- Social media posts on Broxtowe Borough Council's Facebook page.
- Copies of the notice made available at the Council Offices.
- Consultation with local sellers of stoves and fireplaces, Kimberley Fireplaces and the Fireplace Shop, Queens Road.
- Consultation with sellers of fuel locally, namely Fernwood Fuels who displayed the consultation poster in their customer shop.
- Emails and information sent to the Canal and Rivers Trust – they placed this on their Twitter page which attracted over 5,300 views.
- Leafleting of canal boats at Beeston Lock, owned by Canal and Rivers Trust.
- Liaison with the owner of the largest location of permanent vessels, Beeston Marina and advertising of the consultation leaflet.
- Liaison and the inviting of comments from canal boat and vessel related bodies including the National Barge Travellers Association, Canal and River Trusts, Boat Safety Scheme, HETAS, The Solid Fuel Association and Erewash Canal Preservation and Development Association.
- Emails sent to all Councillors and Town and Parish Council's.

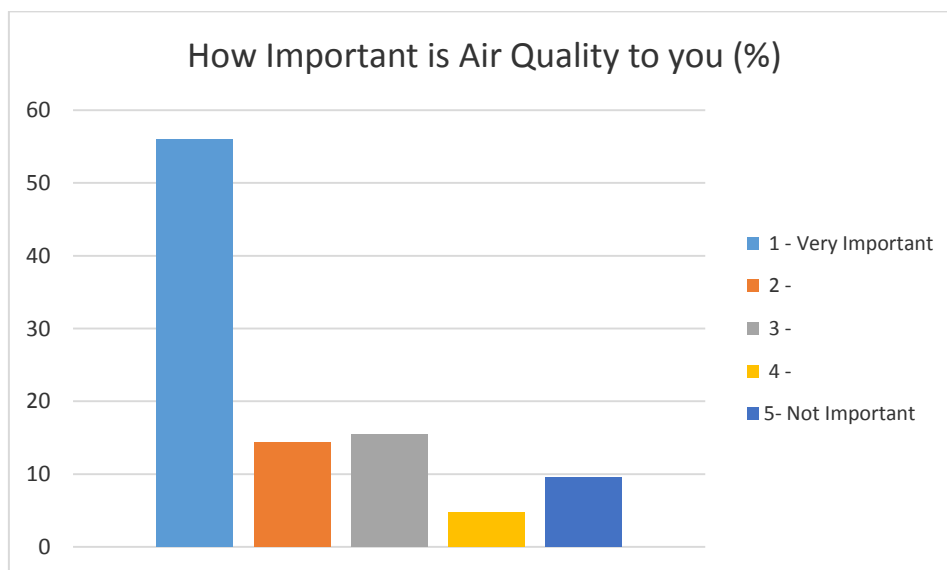
- Liaison with DEFRA, the Environment Agency, Clean Air Nottingham, Nottinghamshire local authority pollution control teams, Nottingham County Council and public health.
- Letter sent to all Council owned housing stock known to use solid fuels.

Following this consultation, the responses were reviewed before putting this proposal to Cabinet.

Consultation Results

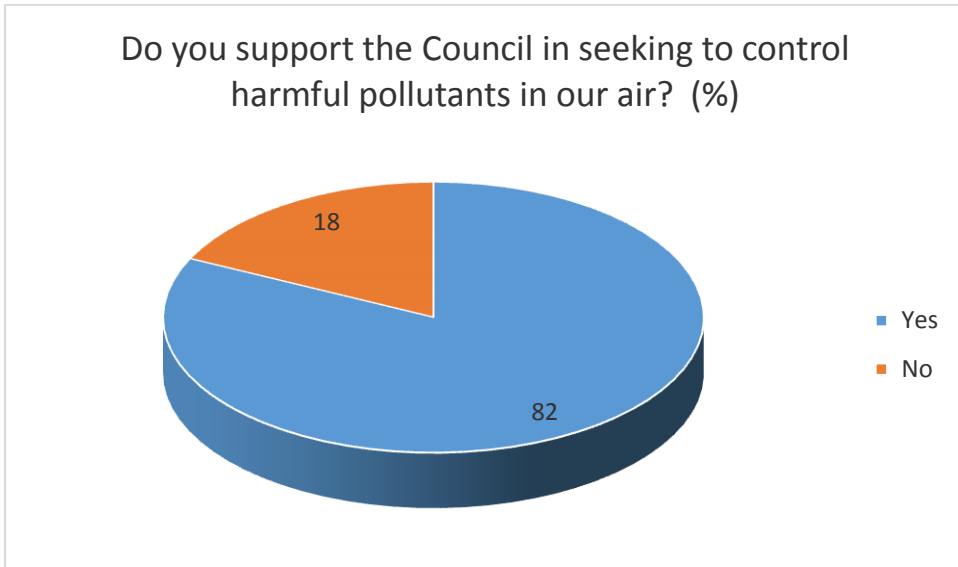
1. How important to you is your local air quality?

(84 responses received)



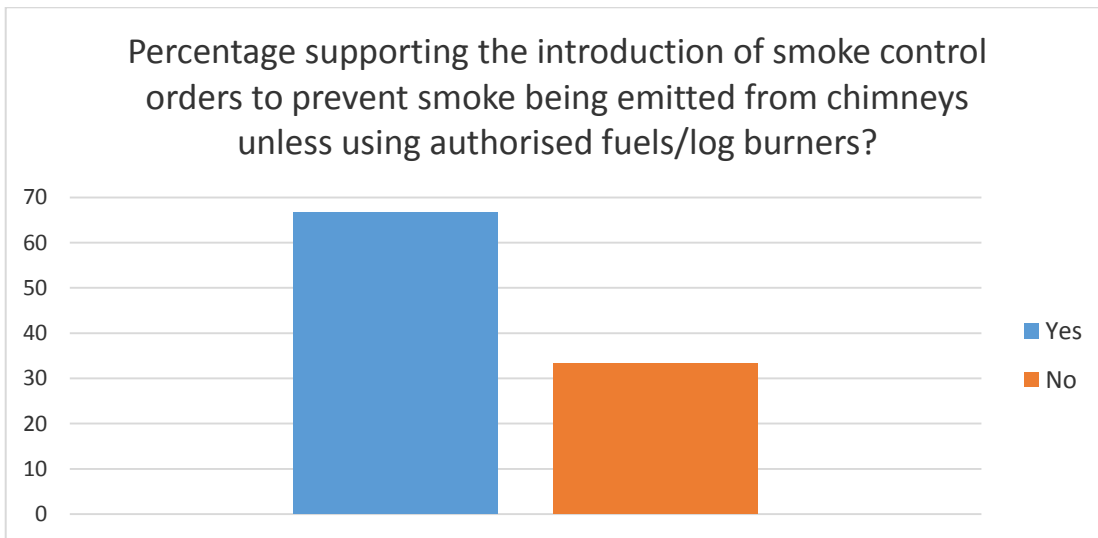
2. Do you support the Council in seeking to control harmful pollutants in our air?

(84 responses received)

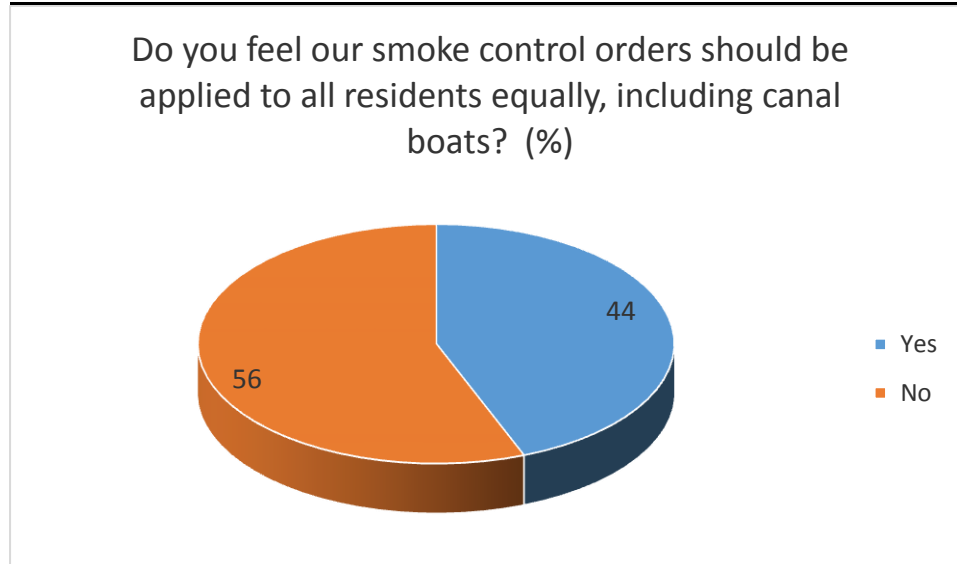


3. Do you support the Council in introducing smoke control orders to prevent smoke being emitted from chimneys unless using authorised fuels/log burners?

(84 responses received – 67% Yes, 33% No)




4. Do you feel our smoke control orders should be applied to all residents equally, including canal boats?



Key Issues/Concerns Raised

- A total of 105 were received, including 84 survey responders and 21 direct additional comments.
- Of the direct comments, 9 responders were against, 9 were in support, and 3 indifferent or seeking advice.
- The two most common concerns were:
 - the financial impact of requiring canal boat owners to use an authorised appliance or authorised fuel against the rising costs of living. Concern was specifically raised about bringing moored vessels into a scope as most responders who raised this issue felt they would be unfairly affected if they are financial hardship as there heating options are generally more limited.
 - The statistics around why this was required, and how log burners contribute to particulate emissions was questioned despite it being central government data. Some felt road traffic etc should be targeted and there was some general distrust of the data published by government.

Details of all comments received to the consultation the Council response to them is provided in **Annex B**.

 Broxtowe
Borough
COUNCIL

IMPROVING LOCAL AIR QUALITY HAVE YOUR SAY SMOKE CONTROL AREA CONSULTATION

What do you think about Broxtowe Councils proposal
to create a boroughwide Smoke Control Area?

A Smoke Control Area could help improve local air quality by
reducing the amount of harmful air pollution that can be emitted
from wood and coal burning stoves and fireplaces in homes,
canal boats and businesses.

FIND OUT MORE AND HAVE YOUR SAY AT:
www.broxtowe.gov.uk/smokecontrolconsultation

www.broxtowe.gov.uk

ANNEX B

Summary of Comments and Responses

	Summary of Comments Received from the Public	Broxtowe Borough Council Response
1.	Overall happy with the proposal although expressed concern over canal boat dwellers who may be affected as they may be on breadline. Already uses smokeless fuel.	In support of the proposal, no response required.
2.	Certainly in support of the proposal. Already in SCA but did not know. has log burner installed 3 years ago and will check its exempt status.	sent list of appliances via email, advice given.
3.	supports and will be discussed at town Council meeting	In support of the proposal, no response required.
4.	in existing area in Beeston in Council property, may have non-compliant burner. Concerned over cost as fuel source would not be exempt.	In support of the proposal, no response required.
5	overall supportive but unsure if appliance affected. When BCC checked her appliance she had a non-complaint burner in place already - already in existing SCA	

6	<p>Why are you targeting people who have log burners? They are a minority. Are factories and industries being checked and monitored too? It would be better to ban garden bonfires as some people burn anything on them. It would also be good to ban people smoking in doorways to pubs, shops, hospitals etc. We breathe in far more foul stuff that way than when people heat their homes!</p>	<p>Thank you for your submitted response and your comments. As you may or not be aware the Broxtowe Council area is already largely covered by these Orders as we currently have 21 in place dating back to the 60's and therefore log burners in these areas are already covered. DEFRA approved log burners will continue to be able to be used or smokeless fuel should be used so there is an alternative available for those who wish to have open fires or use a log burner. The aim is to improve air quality and raise awareness with domestic burning being a major contributor to our national emissions of fine particulate matter (PM2.5). This pollutant has been identified by the World Health Organization as the most damaging to human health. Domestic burning accounted for 27.3% of total PM2.5 emissions in 2021. The use of wood alone in domestic indoor burning activities accounted for 20.5% of PM2.5 emissions in 2021. I can confirm that emissions from factories etc are already regulated by both the Council and the Environment Agency who undertaker checks on a regular basis depending on their risk.</p>
7	no do not support.	
8	<p>I do not support the smoke control order. I believe it hits to poor the most. Compensation was not mentioned for people who have bought stoves that are not on your list of approved stoves and boats people burn coal because its cheap and smokeless isn't.</p>	<p>If you wanted to contact me regarding your comment I would be grateful to hear from you. I am unsure if you live on a canal boat currently and if so, we can discuss any possible grant for the cost of replacement stoves etc. As you may be aware the sale of house or bituminous coal for home heating etc was banned from 1 May 2023. My contact details are below or you may reply to this email.</p>
9	no I don't support	

10	<p>Dear Broxtowe Council, This is one of the most badly-written and biased surveys I have ever seen in my long life. There is no space to give an opinion or reasons for choices, they're all leading questions (all 4 of them!), and they all make the assumption that if you don't agree with introducing a Smoke Control Order you're a danger to community health. You may not realise that the only way boaters can keep ourselves warm is to burn smokeless coal (which still causes smoke until the chimney warms up), logs, diesel or butane gas. All of these are polluting, yes. But unless your boat is on a permanent mooring, plugged into the electricity supply, nice "clean" electricity is not an option (and it's only as clean as the power station that produces it, anyway). So, unless you want boaters dying of cold, you must at least allow us to use smokeless coal (and produce a small amount of smoke when the stove is first lit), diesel or gas. Those are our only options, so that is your only option. Unless, of course, what you really want is to get rid of all the boats...</p>	<p>Thank you for your comments. The questions are designed to encourage all members of the public into commenting. We have invited further comments on the proposal to be made by email, telephone or by visiting the Council offices. If you have further comments, we will certainly consider them and value your opinion. The proposed Order does not prevent the use of smokeless fuel. You would be able to use a DEFRA approved appliance/log burner (see list here) or you could use smokeless fuel. You would of course be able to have a 15 minute lit up period whilst the stove gets up to temperature or use wood for kindling etc to light any fire. The Order applies only to smoke from chimneys only so would not apply to the use of calor gas heaters etc for space heating. I hope this clarifies this but if you have any further queries please contact us at health@broxtowe.gov.uk</p>
11	<p>I am in full support of the proposed changes to smoke emissions. I would also like a ban to be placed on garden fires especially when there are adequate facilities within Broxtowe to take the rubbish to. It is particularly annoying on a summer's day / evening or when putting washing out to dry or when you have your windows open.</p>	<p>Reply to the above: Thank you for taking the trouble to reply. Your email certainly gives a better impression than the survey did, and I am glad to see that a sensible approach is being taken to the very real difficulties of keeping boats warm.</p>

12	<p>Yes I support these changes. How will this be enforced? Will it mean neighbours 'snitching'? I live near to a place with a woodburner and when it is lit I cannot be in the garden, it smokes so much. I am told it is only when it starts up but in reality the smell lasts until the fire goes out. I could not report this as it would destroy neighbourly relations. Re the exemption for boats' smoke 'created to propel the vessel or to generate electricity' - how will it be proved? Is it realistic to have an exemption? It won't be much comfort to the people living close to the boats.</p>	<p>Thank you for your comments. Neighbours will be able to report substantial smoke from chimneys which Council officers can investigate as a statutory nuisance in addition to Council officers acting on smoke they may witness themselves. In respect of canal boat owners we are liaising with all the necessary canal boating bodies to ensure this consultation reaches as many people as possible. Many local marinas already recommend the use of smokeless coal and we are working with local businesses to assist them in complying. The exemption you have referenced is written into the legislation itself and is not something which the Council can ignore. Officers will be able to visit marinas and moorings etc to ensure the smoke being emitted is covered by the Order, i.e. from space heating.</p>
13	<p>I looked at the order and I do need a lot more info in order to come to a decision whether or not I can support current proposal:1) I live in a 1908-built semi detached house with central heating using gas for fuel, including a gas fire and also a gas cooker. To what extent would this order affect heating facilities in my home — if at all? The house is not suitable for other fuel systems, and financing anything beyond what is there now is another issue as well. What does that order mean in practical terms for ordinary residents, like myself? This is not clear to me from the jargon in the order. I wish proper clarification please. I also don't know what classifies as smoke. Does that include gas fires and central heating systems? Or only would burners/coal fuelled systems??? 2) It is all well wanting to protect the air, and I am all for good air quality. The big polluters are in industry, I do take it that you no that. The big polluters are not the little people, individuals. They contribute a fraction of pollution in relation to the big players. As individuals we can do a lot of little things to serve our conscience of doing better saving</p>	<p>1)This Order applies to smoke from chimneys from using solid fuel, such as log burners and open fires etc. So if you have a gas fire, gas fired central heating and gas cooker there will be no impact on you. We are consulting directly with those persons living in canal boats etc who may be affected and working with representative agencies and local associated businesses to advise them of the impact of the proposals. The Council and Environment Agency do inspect emissions from industry and there has been an inspection regime and emissions target covering these for many years. As mentioned the aim is to improve air quality and raise awareness with domestic burning being the major contributor to our national emissions of fine particulate matter(PM2.5). I would like to direct you to the Environmental Improvement Plan 2023 which discusses the longer term and wider plan for ensuring environmental improvement via a range of measures. This also includes maintaining and reducing industrial emission levels.</p>

the planet, or in this case cutting on air pollution, but what counts is the big picture. A proposal like yours needs to be thought through to the minute detail!!! What are your solutions for the canal boats? I am not a boater but I assume that people who depend on their barge may not have the funds themselves for adapting their vessels. So how would YOU ensure, they don't end up being disadvantaged, stressed/getting ill over their new situation. How will YOU help them adapt. Where do the finances come from and will they cover individual needs for adapting of vessels - or houses etc. How do you ensure that people who have not the funds to deal with/execute what you are proposing will be okay and not left worse off??? One must not ever leave others/ordinary people out stranded for one's own ambitions. Such ambitions can amount to poorly bureaucratic results if people's situation gets worse by such proposals. The Council may look more environmentally friendly but if people suffer as a consequence, then this cannot be justified and is exposed as a political project rather than sth that truly cares for people's health. Environment is important but not at the cost of human health/ life! So these things need to absolutely be thought together. Nice to have clean air when people cannot afford to build in suitable systems to comply with order for example, so that people won't benefit from clean air if they end up with ill health as a result of that order because they can no longer afford where they live or afford to heat or any such things. They would suffer whether in their physical or mental health. You can only bring in something like that in if you do not disadvantage poorer people - who may not be able to afford something else etc. have not seen anything that would address such concerns, but

	<p>maybe I just did not look in the right place. In your info bullet there was very little info and in the order proposal pdf I could not find any further reference to the concerns. It is all rather opaque how this would be handled. I (dis)agree with/ vote on something that I don't fully understand and would expect clarification from you so that I can shape my view. You risk default votes against such proposals if people don't have a full understanding given that the consultation period is only five weeks or so. I would like answers for both queries please.</p>	
14	<p>I do not support the proposals for a smoke control order to cover all of the borough. My reasons are set out below.</p> <p>You have not set out how this would reduce in "particulates". What level are they at now, and what levels are allegedly produced in domestic fires. Your assertion to increase air quality is therefore without foundation Neither have you set out How many wood burning fires are there in the borough which this will affect Cars stopped at traffic lights pump out much more pollution than fires, what are your plans for dealing with that? Your proposals will, disproportionately affect those from a minority community, ie boat dwellers. Please provide details on your mitigation strategy from your EIA. We are in a cost of living crisis, with fuel prices significantly higher than previous years. For many people, an open fire is the only and cheapest source of heat. Please set out how you would mitigate the proposal. I have lived in the borough for many years, and have, at no point, been affected by poor air quality driven by domestic fires. This proposal is draconian and unwanted</p>	

15	Here is a simple Yes.	
16	We are about to have a log burner which can also use coal installed in our house in Beeston. I have read in your newsletter about proposed new smoke controls. Can you please clarify that as long as we use correctly dried wood and smokeless coal that we will be ok using it.	Beeston is already a smoke control area so therefore you are able to use either smokeless fuel, details here. You can burn wood but only in an appliance which is suitable for use in a smoke control area and you use the fuel recommended by the manufacturer or Ready to Burn wood. A list of these 'exempt' appliances can be found below. https://smokecontrol.defra.gov.uk/appliances.php?country=england
17	No	
18	have no comment to make on this	
19	The online survey doesn't give opportunity to submit any comments. The reason I said no, it shouldn't be applied equally to all, including canal boats, is that canal boats are few enough in number to be treated as a special case. Even on a cold winter day, there are few enough boats with stoves burning that the wood smoke has a negligible impact on air quality, and they are very easy to avoid for anyone who is particularly irritated by wood smoke. The smoke control legislation dates from a time when thousands of houses had open coal fires. It seems disproportionate to put boat owners to the expense of buying certain DEFRA approved stoves, and at a time of increasingly stretched resources I struggle to understand why this is a priority for the Council. I neither own nor live on a canal boat, nor have I ever travelled on one.	<p>Thank you for your comments. Your views will be taken into account when deciding on the Council's next course of action. Although the original smoke control legislation dates back many decades the Environment Act 2021 updated this legislation and many residents are unaware they in fact already live in a smoke control area. It is therefore hoped having a single Order would make it clearer for residents. PM 2.5 emissions pose significant health risks and are the most dangerous among air pollutants. Wood burning, in particular, has become the fastest-growing contributor to PM 2.5 emissions, while most other sources are decreasing. Domestic combustion is a major source of particulate matter emissions in 2021, accounting for 27 per cent of PM2.5 emissions. Most emissions from this source come from households burning wood in closed stoves and open fires. In the 1970s, 1980s and 1990s, coal use in domestic combustion was the largest source of particulate matter emissions; coal now accounts for a very small proportion of emissions from this source (13 per cent in 2021), while the use of wood as a fuel accounted for 75 per cent of PM2.5 emissions from domestic combustion in 2021. Emissions of PM2.5 from domestic wood burning increased by 124 per cent between 2011 and 2021, to represent 21 per cent of total PM2.5 emissions in 2021. We are consulting directly with those persons living in canal boats etc who may be affected and working with representative agencies and local associated businesses to advise them of the impact of the proposals and their options. I hope this clarifies matters for you. Please let me know if you have further queries.</p> <p>Further reply: Thanks for taking the time to respond and supply some further information. I agree that</p>

		<p>awareness of the existing smoke control orders is patchy, and it may give people more clarity to have a single order covering the whole borough. Although posters, bus stop adverts, social media etc. could perhaps have achieved a similar result. I still think it is disproportionate to bring canal boats into scope, given the negligible amount of wood smoke they produce.</p>
20	<p>Thank you for previous correspondence regarding the Clean Air Act 1993 and consultation for the area of Broxtowe including Eastwood Wards. I write on behalf of Eastwood Town Council who considered the proposals at its last meeting held 10th July 2023. I can confirm the Town Council supports the proposed changes to the smoke control area for the benefit of both the community and Broxtowe. I trust this response is sufficient for your requirements.</p>	