LONDON BOROUGH OF SOUTHWARK

PROPOSAL FOR A VARIATION OF LONDON BOROUGH OF SOUTHWARK SMOKE CONTROL ORDER 2009

TO BE MADE UNDER SECTION 18 OF THE CLEAN AIR ACT 1993

The London Borough of Southwark Smoke Control Order 2027

1. Southwark Council hereby GIVES NOTICE that it proposes to make the above Order, in the exercise of its powers under Section 18 of the Clean Air Act 1993 ("the Act"), as amended by Section 73 of the Environment Act 2021, to vary the previous Smoke Control Order listed in Schedule 1 and to declare its area to be a Smoke Control Area.

2. The proposed Order entitled the London Borough of Southwark Smoke Control Order 2027 would come into force on a date not less than six months after it is confirmed by the Secretary of State, or such later date as the Council may specify.

3. The area covered by the proposed Order is to be within the administrative boundary of the London Borough of Southwark, including any waterways where vessels may be moored, subject to consideration by the Council of any objections, which are not withdrawn.

4. If, on any day after the proposed Order comes into operation, smoke is emitted from a chimney of any building or from the chimney of any vessel moored within the area covered by the Order, the occupier of that building or vessel will be guilty of an offence and liable to a fine under Schedule 1A to "the Act" (Penalty for Emission of Smoke in Smoke Control Area in England) unless they can demonstrate that the emission of smoke falls under one of the specific defences outlined in "the Act".

5. If, on any day after the proposed Order comes into operation, any person acquires for use in a fireplace other than an exempted fireplace, or sells by retail for delivery, unauthorised fuel within the area covered by the Order, they will be guilty of an offence and liable to a Level 3 fine on the standard scale for acquiring, or an unlimited fine for the other offences. However, in the case of an offence involving the sale of unauthorised fuel for delivery, it must be a defence to prove that they believed, and had reasonable grounds for believing, that the fuel was acquired for use in an exempted appliance (commonly also referred to as a "fireplace").

6. The Order ("London Borough of Southwark Smoke Control Order 2009"), specified in the First Schedule varied by the Proposed Order, will cease to have effect from the date the proposed Order comes into operation. Reference Note to 2009 Smoke Control Order, for information only and not forming part of the above Proposal for a Variation of London Borough of Southwark Smoke Control Order 2009:

   The 2009 Order referred to above may be inspected on the London Borough of Southwark website:
   https://www.southwark.gov.uk/sites/default/files/2024-08/Smoke%20Control%20Order%202009.pdf

7. Full copies of the proposed Order, and of the map referred to in it, may be inspected free of charge at **160 Tooley Street, London SE1 2QH** from 0845hrs to 1700hrs Monday to Friday from 28th October 2026 to the 13th January 2027, or on the London Borough of Southwark website www.southwark.gov.uk/smoke-rules-for-boats.

8. Within this period 29th October 2026 to the 13th January 2027, any person who will be affected by the proposed Order, may object to the Council making the Order. Any objections must be in writing and addressed to the Council at Environmental Protection Unit, Regulatory Services, Community Safety & Integrated Enforcement, Environment, Sustainability & Leisure, 3rd Floor, Hub 1 PO Box 64529, London SE1P 5LX, or email environmental.protection@southwark.gov.uk. All objections should be clearly headed ' Objection to the Variation of Smoke Control Order in Southwark'.

9. Within this period, 29th October 2026 to the 13th January 2027, any person who will be affected by the Order may object to the variation of the previous Smoke Control Order. Any objections must be in writing and addressed to Defra at Air Quality and Industrial Emissions,Defra Seacole Building. 2 Marsham Street, London SW1P 4DF, or email Air.Quality@defra.gov.uk. All objections should be clearly headed 'Objection to the Variation of Smoke Control Order in Southwark'.

10. Under requirements of current access to information legislation, any letter, form or e-mail sent to the Council in response to this Notice may be subject to publication or disclosure, or both, including communication to other persons affected.

Dated 5 November 2026
Environmental Protection Unit, Regulatory Services, Community Safety & Integrated Enforcement, Environment, Sustainability & Leisure