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## SCHEDULES

### SCHEDULE 2

#### RELAXATION OF CONTROLS OVER FUNCTIONS RELATING TO CLEAN AIR AND POLLUTION

##### *Clean Air Act 1956 (c.52)*

- 1 The following provisions, namely—
- (a) section 4 (regulations about density meters);
  - (b) section 6(3), (reference to Secretary of State of applications for approval of plant for arresting grit and dust),
- shall cease to have effect.
- 2 In section 11 (smoke control), except in its application—
- (a) to orders made but not confirmed before the passing of this Act; and
  - (b) to orders made after the passing of this Act which revoke or vary orders made before its passing,
- the following words—
- (i) in subsection (1), " confirmed by the Minister " ;
  - (ii) in subsection (5), " and confirmed ", in both places where they occur;
  - (iii) in subsection (6), " confirmation and ",
- shall cease to have effect; and accordingly, in sections 12(1) and 15(1), except in their applications to such orders, the words " making of an order" shall be substituted for the words " confirmation of an order made ".
- 3 (1) In section 31(6), (application of Public Health Act 1936 &c.) the words from " or ", in the second place where it occurs, to the end shall cease to have effect.
- (2) Sub-paragraph (1) above shall not apply to Scotland.
- 4 Section 35(4) (power to repeal local statutory provisions) shall cease to have effect.
- 5 The following Schedule shall be substituted for Schedule 1 (smoke control orders) except in relation—
- (a) to orders made but not confirmed before the passing of this Act; and
  - (b) to orders made after the passing of this Act which revoke or vary orders made before its passing: —

“SCHEDULE

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#### COMING INTO OPERATION OF ORDERS OF LOCAL AUTHORITIES UNDER SECTION ELEVEN

- 1 Before making an order under section 11 of this Act the local authority shall publish in the; London Gazette and once at least

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in each of two successive weeks in some newspaper circulating in the area to which the order will relate a notice—

- (a) stating that the local authority propose to make the order, and its general effect;
- (b) specifying a place in the district of the local authority where a copy of the order and of any map or plan referred to in it may be inspected by any person free of charge at all reasonable times during a period of not less than six weeks from the date of the last publication of the notice ; and
- (c) stating that within the said period any person who will be affected by the order may by notice in writing to the local authority object to the making of the order.

2 Besides publishing such a notice, the local authority shall post, and keep posted throughout the said period, copies of the notice in such number of conspicuous places within the area to which the order will relate as appear to them necessary for the purpose of bringing the proposal to make the order to the notice of persons who will be affected.

3 If an objection is duly made to the local authority within the said period, and is not withdrawn, the local authority shall not make the order without first considering the objection.

4 Subject to paragraphs 5 and 6 below, an order shall come into operation on such date not less than six months after it is made as may be specified in it.

5 An order varying a previous order so as to exempt specified buildings or classes of building or specified fireplaces or classes of fireplace from the operation of section 11 of this Act may come into operation on, or at any time after, the date on which it is made.

6 If, before the date on which the order is to come into operation, the local authority—

- (a) pass a resolution postponing its coming into operation ; and
- (b) publish a notice stating the effect of the resolution in the London Gazette and once at least in each of two successive weeks in some newspaper circulating in the area to which the order will relate,

the order shall, unless its coming into operation is again postponed under this paragraph, come into operation on the date specified in the resolution.

7 In the application of this Schedule to Scotland, for any reference to the London Gazette there shall be substituted a reference to the Edinburgh Gazette.”.