

Report to Council

1 March 2022

Subject:	The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020
Director:	Lisa McNally – Director of Public Health
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1 Recommendations

- 1.1 That both Directors of Public Health and Borough Economy are granted delegated authority to exercise the statutory provisions of The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020.
- 1.2 That the Director of Law and Governance be authorised to revise the Scheme of Delegation to Officers in the Council’s Constitution with the following:-

The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020







To act and authorise other to act on his/her behalf under the Council’s functions under the provisions of the Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020.

2 Reasons for Recommendations

- 2.1 The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020 are new regulations and authorisation will be needed for both Trading Standards and Pollution Control Officers to act.
- 2.2 The local authority can authorise officers to act in order that the Council can be compliant with any statutory provisions.



3 How does this deliver objectives of the Corporate Plan?

		There are no direct implications arising from this report. The decision is required to enable enforcement of the new regulations.
		
		

4 Context and Key Issues

- 4.1 The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020 came into force on 1st May 2021.
- 4.2 These Regulations introduce restrictions on the sale of wet wood for domestic burning, limits on the emission of sulphur and smoke from manufactured solid fuels and phases out the sale of bituminous coal (traditional house coal). The restrictions have criminal sanctions if breached, which are to be enforced by local authorities. Such action is necessary since domestic burning through wood burning stoves and open fires is a major contributor to national emissions of fine particulate matter (PM2.5).
- 4.3 In order to exercise enforcement, the local authority may appoint an officer to discharge its enforcement functions under these Regulations. The powers of enforcement are set out in the Regulations <https://www.legislation.gov.uk/ukxi/2020/1095/regulation/17/made>

5 Implications

Resources:	There are no resource implications arising directly from this report.
Legal and Governance:	The report seeks authority for enforcement officers to act in connection with The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020
Risk:	Authority is requested to authorise the officers to enforce the Regulations.
Equality:	There are no equality implications arising directly from this report.



Health and Wellbeing:	There are no implications arising directly from this report.
Social Value	There are no social value implications arising directly from this report.

6 Appendices

None

7. Background Papers

<https://www.legislation.gov.uk/ukxi/2020/1095/regulation/17/made>

