

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

19th January, 2017

Proposition No. P.2016/67

AMENDMENT

Proposed by: Deputy B L Brehaut

Seconded by: Deputy M H Dorey

Committee for the Environment & Infrastructure

Environmental Pollution (Guernsey) Law, 2004 Part VII – Air Pollution

To delete Proposition 1 and replace it with –

“1. To approve the proposals set out in the policy letter “Environmental Pollution (Guernsey) Law, 2004 Part VII – Air Pollution” (including appendices) to: -

- a) commence part VII of the 2004 Law:
- b) set standards for local air quality consistent with those in the UK as proposed by section 3 of the report of the Director of Environmental Health and Pollution Regulation ("the Director") as appended at Appendix 1 to the policy letter, (“the Director’s report”);
- c) prescribe the operations listed in paragraph 4.1 of the Director’s report as operations requiring a licence under Part III of the 2004 Law, subject to provisions for exemptions as set out in paragraphs 4.3 & 4.4 of the Director’s report;
- d) prohibit emissions of dark smoke subject to the exemptions listed in paragraph 5.4 of the Director’s report;
- e) require the prior approval of the installation of new commercial boilers and furnaces and to impose controls on emissions from existing commercial boilers and furnaces, subject to exemptions, as proposed in section 6 of the Director’s report;
- f) prohibit the uncontrolled burning of non-garden waste in the open air subject to exemptions as proposed in section 7 of the Director’s report;
- g) prohibit the use of gas oils and fuels oils with a sulphur content above the levels set

out in paragraph 8.3 of the Director's report subject to the exemptions as proposed in paragraphs 8.4 of the Director's report;

- h) provide for powers for the Director to require information concerning air pollution by notice as proposed in section 9 of the Director's report;
- i) provide for the appeal, standard procedural and enforcement provisions, transitional and fees provisions relating to the above proposals as set out in section 14 of the Director's report; and
- j) direct the preparation of the necessary legislation to give effect to the above proposals."

Explanatory Note

This amendment corrects references to paragraphs of the Director's report within the propositions. The cross referencing had become confused following changes to the formatting and numbering of the policy letter and appended Director's report prior to submission.

There are also minor amendments to the wording of paragraph i) of the Proposition.