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Mark Roberts

17 December 2025

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Sent via email

Our Ref: Clean Air Act 1993 Review

Dear Mr Roberts,

Clean Air Act 1993 Review.

Please find below an update on the review of the Clean Air Act 1993 (CAA 1993) that you requested.

Cleaner Air for Scotland 2 – Towards a Better Place for Everyone (CAFS2) was published in July 2021, setting out Scotland’s air quality policy framework through to 2026. One of its actions is to ‘work with local government and SEPA to consider revision of the CAA 1993’.

The Cleaner Air for Scotland 2 Progress Report, published in June 2025, highlighted this action has been completed ‘Following discussions with SEPA, local authorities and wider industry stakeholders a review of the Clean Air Act 1993 has been undertaken. The review identified four areas to consider on domestic burning more generally; this will be taken forward as part of the development work for the next air quality framework’. This letter sets out more detail on how the review was undertaken, and the next steps as part of the development of the next air quality framework.

Review of the CAA 1993

An initial review of the CAA 1993 began in October 2022 with a survey of local authorities to assess whether the Act remains fit for purpose. Specifically the survey sought views on whether the provisions in the Act effectively allow local authorities to control emissions from chimneys/furnaces that are prejudicial to health, cause nuisance and/or worsen air quality. With the feedback received from the survey a short-life working group was formed, comprising representatives from SEPA, local authorities, and the Scottish Government to discuss in more detail. The working group, supported by the findings from the survey, identified four priority areas for consideration in relation to the CAA 1993 and domestic burning more generally:

- Enforcement – Practical challenges in applying existing provisions.
- Emissions – PM_{2.5} emissions from domestic burning negatively impacting local air quality.
- Nuisance – Persistent smoke nuisance complaints, both within and out with Smoke Control Areas (SCAs).
- Installation – Need for clearer standards and guidance for appliance installation and use.

To explore the four priority areas further and to discuss the Scotland-specific issues, a workshop with local authorities was held in July 2024. The key conclusion was that a strategic, coordinated approach is needed to tackle the challenges identified. It was also acknowledged that revising the Act alone will not resolve concerns such as nuisance, which fall under separate legislation.

In addition, one element of the review was to address the regulatory gap between the CAA 1993 and the Medium Combustion Plant Directive. This regulatory gap has now been closed through the general aims of the Environmental Authorisations (Scotland) Amendment Regulations 2025, approved by the Scottish Parliament on 30 April 2025

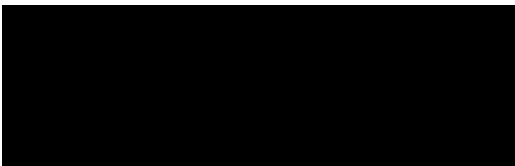
Next Steps

In response to the CAA 1993 review outcomes, from the short-life working group and workshop with local authorities, a set of potential policy options was developed and shared with the CAFS2 Domestic Emissions Working Group for discussion in March 2025. These options, to prompt and support discussion, included amending the Environment Protection Act 1990 to address smoke nuisance in SCAs, introducing a voluntary assurance scheme for stoves, and supporting these measures with public engagement on efficient stove use.

We will continue to engage with stakeholders to explore the feasibility of such measures as part of the development work for the next air quality framework.

I hope this is helpful in setting out the approach we have taken to the review.

Yours sincerely



Anne Aitken
Deputy Director
Environmental Quality & Resilience Division