GARDEN BONFIRES

Advice for householders suffering bonfire smoke from inconsiderate neighbours and for anyone thinking of having a bonfire of their own.

WHAT IS WRONG WITH BONFIRES?

Air Pollution and Nuisance
Burning garden waste produces smoke, especially if it is damp and smouldering. The smoke, smuts and smell from bonfires are the subject of many complaints to local authorities. Smoke prevents your neighbours from enjoying their gardens, opening windows or hanging washing out. It reduces visibility in the neighbourhood and on roads. Once smoke has entered someone’s home, it can be difficult to eradicate the smell, because it impregnates soft furnishings and clothing. Allotments near homes can cause particular problems, if plot holders burn waste. In short, bonfires are an antisocial way of disposing of your waste and should be avoided as a matter of course.

WHAT ARE THE ALTERNATIVES?

Composting and Recycling
Rather than burning garden waste or putting it in the dustbin where it will end up buried or incinerated, a compost bin can be used and will produce a useful soil conditioner, saving money over commercial products. If you do use a compost bin, you should not put food waste in it, as the smell can attract rats and mice. Woody waste can be shredded to make it suitable for composting or mulching. You can buy or hire shredders and some allotment societies have their own. If using a shredder, be considerate; they can be very noisy. Take care not to replace one nuisance with another. Household waste should certainly not be burned on a bonfire. Many items can be recycled. Garden waste should not be mixed with other household waste. Old beds and sofas are not suitable for burning as they give off toxic fumes. You could arrange a special collection by your local council for such items, although there is usually a charge for this. In addition, some voluntary groups collect old furniture for repair and re-use.

Information on compost bins and recycling is available from your local council. Garden waste can also be disposed of in some districts via their garden waste collection service. For further information or advice, including information on what you can recycle locally at various recycling points, contact the Worcestershire Hub on 01905 822799.

BONFIRES AND THE LAW

It is a common misconception that there are specific bylaws to prohibit bonfires, but there aren’t. However, where a neighbour is causing a problem with their bonfires, the law is on your side. Under the Environmental Protection Act 1990 (EPA), a statutory nuisance can include smoke, fumes or gases emitted from premises so as to be prejudicial to health or a nuisance. If bothered by smoke, the best thing to do is to approach your neighbour and explain the problem. You might feel awkward, but they may not be aware of the problem they are causing and it may make them more considerate in the future. If this fails, contact the Worcestershire Hub on 01905 822799. Officers from Worcestershire Regulatory Services will investigate your complaint and can issue an Abatement Notice under the EPA if they feel that the situation warrants it. The EPA also allows you to take private action in the Magistrates Court, should you wish to do so, although you may wish to seek advice from your local Citizens’ Advice Bureau as a first step. Finally, under the Highways Act 1980, anyone lighting a fire and allowing smoke to drift across a road faces a fine if it endangers traffic. Contact the police in those particular cases..

BARBECUES

Barbecues can also cause a smoke problem – especially if you use lighter fuel. Again, be considerate. If you are having a barbecue, tell your neighbours. Don’t ignite it when they’ve got their washing out, and if it’s windy, check smoke won’t blow straight into their properties.

TO SUMMARISE, THE ALTERNATIVE OPTIONS TO HAVING A BONFIRE ARE:–

- Taking items to the local waste disposal site.
- Arranging for a special collection, e.g., by your local council.
- Placing garden plant waste in a special green-waste bin provided by your local council (may only be available in some areas).
- Chipping larger items of garden waste, such as tree branches.

Remember, if you choose to ignore the advice given in this leaflet and you subsequently cause a nuisance to your neighbours as a result of allowing smoke to drift across their properties, you may be served with an Abatement Notice by the local authority. Failure to comply with such a Notice would be likely to result in the case being referred to the local Magistrates Court and could result in a fine of up to £5,000 for each breach of the Notice.