Bonfires and smoke

Crystal Mark 18051
Clarity approved by Plain English Campaign

Every year we receive a large number of complaints about bonfires that cause a nuisance. This leaflet explains the law and gives some suggestions on how to prevent causing a nuisance to neighbours.

The law

Currently there are no bye-laws which restrict or ban bonfires. However, we can investigate complaints about smoke from bonfires.

Under the Environmental Protection Act 1990, we can take action against anyone whose bonfire causes a statutory smoke nuisance to their neighbours. A statutory nuisance is much more than just being able to smell or see smoke, it has to have an unreasonable effect on a person's enjoyment of their home or garden.

If your bonfire causes a statutory smoke nuisance, we will issue an abatement notice telling you to stop causing the nuisance, or to prevent it from happening again. If you do not keep to the conditions in that notice, you could be fined up to £20,000.

Under the Clean Air Act 1993, it is an offence for any business to have a bonfire which causes dark smoke, regardless of whether anybody else is affected. The fines could be up to £20,000 for each offence.

We will ask anyone who complains about a bonfire nuisance to fill in a set of diary sheets to record when, and how, the bonfire affects them.

Do's and don'ts

First of all you should consider whether it is necessary to burn your waste.

You can recycle many items, including food and garden waste, by using our kerbside recycling scheme, the Recycling centres for household waste, and the various recycling banks around the district. To find out more about recycling in Rochford, or recycling in general, there are some contact details on the back page of this leaflet.

If you do decide to have a bonfire, follow the simple rules below.

- **Do not** burn damp grass cuttings, hedge clippings and so on as this creates thick smoke.
- **Do not** burn any oily rags, rubber, plastics, damp garden waste or other materials which would create heavy smoke or toxic fumes.
- **Do not** light a bonfire when your neighbours have washing out to dry, or have their windows open.
- **Do not** light bonfires within the hour before dusk, or leave them burning overnight. Choose the time of day and weather conditions that will cause the least inconvenience to neighbours.
- **Do not** leave your fire smouldering for a long time. Hose it down until it is cold before you leave it.

- **Do** tell your nearest neighbours before you light a bonfire, so they can be prepared for any minor inconvenience that may arise.
- **Do** burn material quickly in small amounts so the minimum amount of smoke is created. An incinerator makes this much easier.
- **Do** choose your bonfire site carefully. It should be well away from trees, fences and windows. Do not have a bonfire on a very windy day as it can easily get out of control. Have a hosepipe and buckets of water handy just in case.
- When the ashes are cold, you can rake them into the soil as a useful fertiliser. You can include small pieces of charcoal, but pick larger pieces out first.

Recycling Centre for Household Waste

Castle Road, Rayleigh, Essex

Open seven days a week

For more information call Essex County Council Waste Recycling Helpline
0845 603 7625

Did you know?

Residents who live in the Great Wakering or Rochford areas of the district can use the Recycling Centre for Household Waste in Southend. This is on Stock Road. There is a charge for using this site. However, Essex County Council, who run this site, will refund this charge if you send a receipt, and proof that you live in the Rochford district, to:

Essex County Council
Waste & Recycling
County Hall
Chelmsford
Essex
CM1 1QH

You may find the website at www.dontrubbishessex.gov.uk useful

For more information about your kerbside recycling scheme you can contact our customer service team

Phone: 01702 318111
Email: customerservices@rochford.gov.uk

Our 'Dark smoke' leaflet gives information on dark smoke and smoke from business premises.

Rochford District Council
Council Offices, South Street, Rochford,
Essex SS4 1BW

Phone: **01702 318111**
Email: **customerservices@rochford.gov.uk**
Website: **www.rochford.gov.uk/bonfires**

If you would like this information in large print, Braille or another language phone us on

01702 318111

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