GARDEN BONFIRES

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 difficult to eradicate the smell because it impregnates soft furnishings and clothing. Allotments near homes can cause particular problems, if plot holders persistently burn waste.

WHATS THE ALTERNATIVE?

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 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. Some voluntary groups collect old furniture for repair and re-use. Information on compost bins and recycling is available on our Web site. We also provide information on what you can recycle locally at our various recycling points. For further information or advice, contact the Malvern Household Waste Site (tel: 01684 892785), which is located on the A449 on the northern edge of the town. Advice on composting can also be obtained from the following:-

Centre for Alternative Technology, Machynlleth, Powys, SY20 9AZ  Telephone: 01654 702400.

Garden waste can also be disposed of at a competitive price via Malvern Hills District Council’s garden waste collection service. This can be arranged via the customer service team on 01684 862151.

BONFIRES AND THE LAW

It is a common misconception that there are specific bylaws to prohibit bonfires, but there aren’t. An outright ban would be difficult to enforce. If used sensitively, the occasional bonfire should not cause a major problem. However, where a neighbour is causing a problem by burning rubbish, 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. In practice, to be considered a statutory nuisance, a bonfire would have to be a persistent problem, interfering substantially with your well-being, comfort or enjoyment of your property. If bothered by smoke, 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 Environment Team of Malvern Hills District Council via the Worcestershire Hub in Great Malvern Library (tel: 01684 862151). Officers from the Environment Team 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. If the fire is only occasional, it is unlikely to be considered a nuisance in law. Similarly, if you are being troubled by bonfires from different neighbours, each only burning occasionally, a nuisance action would be difficult as there are several offenders. In this situation you may wish to try to encourage them to consider the alternatives, as explained further on in this document. 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 this case.

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.

BONFIRE GUIDELINES

If a bonfire is the best practicable option for disposing of garden waste, follow these guidelines and the chances are you won’t annoy your neighbours or cause a serious nuisance:-

* Only burn dry material.
* In rural areas and other places of low population density, try to light fires only when the wind is blowing away from neighbouring property.
* Never burn household rubbish, rubber tyres, or anything containing plastic, foam or paint.
* Never use old engine oil, methylated spirits or similar products to light the fire or to encourage it.
* For your own safety NEVER use petrol on or near a bonfire. Remember also that petrol fumes can penetrate your clothing if you have been using it prior to going near an open fire, with potentially disastrous consequences.
* Avoid lighting a fire in unsuitable weather conditions; smoke hangs in the air on damp, still days and in the evening. If it is windy, smoke may be blown into neighbours’ gardens and across roads. If the weather is hot, people do not want to close their windows just so a neighbour can have a bonfire.
* Avoid burning at weekends and on bank holidays when people want to enjoy their gardens.
* Avoid burning when air pollution is high or very high. This information is often included in local and national weather forecasts.
* Never leave a fire unattended or leave it to smoulder – douse it with water if necessary. Try to keep the total duration of the fire to less than one hour.
* Aim to have no more than one bonfire in any three month period.
* Before lighting a fire, check to see if any close neighbours have windows open or washing on their clothes lines. Only light your fire if you are able to contact the neighbours to suggest that they close their windows and if no-one has any washing out.