

Amenity Disposal Sites



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Rother District Council



Bonfires and Smoke Nuisance



Rother District Council

Environmental Protection

The Law

Every year the Council's Environmental Health Division receive a large number of complaints about bonfires causing a repeated nuisance. Such nuisances need never arise if due consideration is shown to our neighbours. This leaflet explains the law and gives some suggestions to help prevent a nuisance being caused.

The Environmental Protection Act 1990 allows the Local Authority to take offenders to court should their bonfires cause a nuisance to neighbours (i.e. have an unreasonable effect on their enjoyment of their home or garden). Moreover any bonfire on trade premises which causes **dark** smoke is an offence regardless of whether anybody else is affected (section 2, 1993 Clean Air Act). The fines could be up to £20,000 for each offence. Persons complaining to the Council will likely be asked to keep a diary of events to assist officers investigating the matter.

Currently there are no byelaws which allow or prohibit burning.

Do's and Don'ts

Should you decide though to have a bonfire, kindly note these recommendations:-

- **DO NOT** burn damp grass clippings or 'green' material as this creates thick smoke
- **DO NOT** burn any oily rags, rubber, plastics, damp garden waste or other materials which would inevitably create heavy smoke or toxic fumes.
- **DO NOT** light a bonfire when your neighbours have washing drying, or are out enjoying their gardens or have windows wide open.
- **DO NOT** light bonfires one 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 to smoulder for long periods. Never leave a fire unattended. Hose it down until cold before you leave.
- **DO** Advise 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 quantities so the minimum amount of smoke is created. An incinerator makes this much easier.
- **DO** Choose your bonfire site carefully, well away from trees, fences and windows. Beware of attempting bonfires on very windy days as it can so easily get out of control. Have a hose-pipe and buckets of water handy just in case.

The ashes, when cold, can be raked into the soil as a useful fertiliser. Small pieces of charcoal can be included, but larger pieces should be picked out first.

