

The Law

Environmental Protection Act 1990

The Council can take action if you, or others, are causing problems by burning rubbish under the Environmental Protection Act 1990.

If the Council is satisfied a statutory nuisance exists, an abatement notice can be served prohibiting future nuisances for which an unlimited fine can be imposed. The act also allows you to take private action in the magistrate's court.

The burning of commercial waste is also an offence under the Act. All commercial waste should be disposed of in a lawful manner.

Clean Air Act 1993

If commercial waste is burnt and gives rise to dark smoke, as outlined in the Clean Air Act 1993, the person responsible will be guilty of an offence, regardless of whether anyone is affected. If found guilty, penalties can include unlimited fine for each offence.

The burning of cable in order to extract the recovered metals inside is an offence under the Act. The smoke from the burning gives off highly polluting and toxic smoke. The person responsible will be guilty of an offence, regardless of whether anyone is affected. If found guilty, penalties can include unlimited fines for each offence.

Highway Act 1980

Under the Highways Act 1980, anyone lighting a fire and allowing smoke to drift across a road faces a fine if it endangers traffic or causes injury. Contact the police if this is the case.

How do I Complain About a Bonfire?

If affected by smoke, approach your neighbour and explain the problem. You might feel awkward but they may not be aware of the distress they are causing and it will hopefully make them more considerate in the future.

If your neighbour doesn't respond well, contact the Environmental Protection Team who will offer advice on whether a formal investigation is appropriate. The Council will take reasonable steps to investigate your complaint and your co-operation will be essential.

You may be asked to keep a log of events and it is important that you fill in the diary supplied accurately and truthfully. This will be used in evidence if legal proceedings are necessary.

Further Information

If you would like to register a complaint or would like further information please contact the Environmental Protection Team:

Redcar and Cleveland Borough Council,

Environmental Protection Team,

Kirkleatham Street,

Redcar,

Yorkshire,

TS10 1RT

01642 774774

environmental.protection@redcar-cleveland.gov.uk

www.redcar-cleveland.gov.uk



Environmental Protection Team

Bonfire and Smoke Nuisance



Facts, Help and Advice

Bonfires And Smoke Nuisance — Facts, Help and Advice

Smoke and soot emitted from bonfires have long been a source of a significant number of complaints to Local Authorities. Smoke prevents neighbours from enjoying their gardens, opening windows or hanging washing out, and reduces visibility in the neighbourhood and on roads.

It is a common misconception that there are specific bylaws that prohibit garden bonfires or specify times they can be lit - there aren't. Very occasionally a bonfire is the best practicable way to dispose of garden waste that cannot be composted - such as diseased plant material or tough woody waste. If only dry garden waste is burnt the occasional bonfire should not cause a nuisance.

What is wrong with Bonfires?



Air Pollution

- Burning garden waste produces smoke, especially if it is damp and smouldering. This will contain pollutants including carbon monoxide, dioxins and particles.
- Burning plastic, rubber or painted materials not only creates an unpleasant smell but also produces a range of toxic compounds.
- The materials released into the atmosphere by a garden bonfire will damage the quality of the air.

Health Effects

- Emissions from bonfires can have damaging health effects.
- People with existing health problems are especially vulnerable, e.g. asthmatics, bronchitis sufferers, people with heart conditions, children and the elderly.

Safety

- Fire can spread to fences or buildings and scorch trees and plants.
- Exploding bottles and cans are a hazard when rubbish is burned.



Alternatives to Burning

There are a number of alternative ways to dispose of waste rather than lighting a bonfire. The Council strongly encourages the disposal of garden waste through alternative methods which are less environmentally damaging and much safer.

Recycling is an effective and environmentally friendly way to dispose of non-garden waste (unwanted plastic bottles, papers, cans, books, clothing, etc.) by either taking them to Dunsdale Household Waste Recycling Centre or making use of the kerbside collection schemes which help to alleviate the problems associated with landfill. Most households have a weekly collection.

For further information visit Dunsdale Household Waste Recycling Centre.

Composting is by far the best way to dispose of garden waste. After a few months, the garden waste will be converted into an excellent soil conditioner and peat substitute.

Garden Waste can also be disposed of through the Council's Green Waste collection service.



Bonfire Guidelines

If you decide to have a bonfire, then you have to be **considerate!** It is important that you do not cause a nuisance and that you do not endanger your neighbours' property, therefore:

- Be courteous and forewarn your neighbours that you are going to have a bonfire so they may take some precautions such as closing the windows or not hanging the washing outside.
- Avoid burning when the wind is strong or blowing towards your neighbours' property, or at weekends and on bank holidays when people want to enjoy their gardens. Choose a time that will cause the least inconvenience to your neighbours.
- Only burn dry material. **Never burn** any oily rags, rubber, tyres, treated wood, chipboard, painted materials, plastics, damp garden waste or materials likely to create heavy smoke or toxic fumes.
- Never leave a fire unattended or leave it to smoulder. Be sure to hose it down completely before you leave it.