

Orleton Parish Council

Advice about domestic bonfires.

There have been quite a few reports of bonfires causing problems in the village due to smoke enveloping houses.

The parish council respectfully asks that you take care not to endanger yourself or cause a nuisance to your neighbours when burning domestic waste. Please bear in mind the following advice from GOV.UK and a local council information leaflet.

Garden bonfires: the rules

There are no laws against having a bonfire, but there are laws for the nuisance they can cause. Bonfires can be very irritating to neighbours if the smoke stops them enjoying their gardens, opening windows or hanging out washing etc. Ask yourself the question – “would I like it if one of my neighbours was having a fire and my house was full of the smoke from it?”

Burning garden waste can produce a dense smoke, especially when the material being burnt is damp and smoulders. Depending on the material being burnt smoke from garden bonfires may contain toxic chemicals including carbon monoxide, nitrogen oxides, hydrocarbons and particulate matter. Burning plastic and painted wood will release these and other toxic compounds into the air.

Local weather conditions will affect the impact the smoke has on your neighbours. Still conditions will prevent the smoke from dispersing while windy conditions will blow smoke into neighbouring properties and across roads causing annoyance and possibly danger.

Bonfires can be a fire hazard; fire can spread to fences or buildings and scorch trees and plants.

Burning domestic waste

You can't get rid of household waste if it will cause pollution or harm people's health. This includes burning it.

You can get rid of household or garden waste by composting or recycling it. You can also take your garden waste free of charge to the household recycling centre at Leominster for composting. If you do need a collection of garden waste, please use the special Herefordshire Council green garden waste sacks.

Danger to traffic by smoke

You could be fined if you light a fire and you allow the smoke to drift across the road and become a danger to traffic.

Complain about a neighbour's bonfire

Herefordshire Council can issue an 'abatement notice' if a neighbour's bonfire is causing a nuisance. Section 79 in Part 3 of the Environmental Protection Act 1990 states that a statutory nuisance includes 'smoke, fumes or gasses emitted from premises so as to be prejudicial to health or a nuisance'.

To be a nuisance smoke must be substantially interfering with a person's enjoyment of their property. Where smoke is drifting across or into someone's property, if they can't open windows or hang their washing out for example, then it can easily be judged to be causing a nuisance. If necessary, a notice can be served requiring that the smoke nuisance is abated.

A bonfire must happen frequently to be considered a nuisance. Your neighbour can be fined up to £5,000 if they don't stick to the notice.