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Our Ref: 24/01002/PHAIR
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Date: 28th June 2024



**Broxtowe
Borough
COUNCIL**

Kimberley Town Council
Parish Hall
23 Newdigate Street
Kimberley
Nottingham
NG16 2NJ

Dear Sir/Madam

ENVIRONMENTAL PROTECTION ACT 1990
NUISANCE FROM BONFIRE(S) – Allotments Knowle Hill Kimberley
Nottinghamshire

I write with reference to complaints we have received about bonfires on the allotments on Knowle Hill Kimberley that are owned by Kimberley Town Council, causing a nuisance to occupiers of neighbouring properties.

Domestic bonfires cause a number of problems. The most obvious one is smoke, especially if the fire is damp and smouldering.

There are invisible pollutants from fires as well, which can harm the air quality. There may not be obvious health effects to you briefly breathing in your garden smoke, but it can cause health problems for neighbours who may be asthmatic, have bronchitis or heart conditions. Children can be badly affected.

Smoke and smell from bonfires cause many complaints to the Council. Smoke prevents your neighbours from the enjoyment of their gardens, smell can ruin washing hanging on lines.

Fire can and does spread to fences and scorch trees and plants. Grass and weeds can catch fire and spread it rapidly in dry conditions.

Rubbish should never be burned as bottles and cans can explode, and can carry fire to neighbours. Plastic materials cause black smoke, smell, and can give off dangerous fumes that are invisible and may not smell. Never burn plastic.

Alternatives to bonfires

Composting

You can compost garden waste and food scraps. Don't add cooked meats as it attracts rats. The "Recyclenow" campaign sponsors low cost composters.



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They can be ordered on 0845 0770760 or you can make your own. Information on how best to compost will be found in your local library. If you use a shredder, please be considerate, as they can be very noisy.

If you are having tree surgery or major hedge cutting done by a contractor, insist that they either shred the material for your use as mulch, or remove the materials as part of the contract. If you are doing it yourself please shred it or take it to a local tip. You may have to pay for it if the amount is large.

Recycling

Recycling bins are available in the borough. Garden waste taken to the tip is composted for reuse. Do not try to burn old beds and sofas, they will give off toxic fumes. If you are unable to take them to the tip yourself, the council has a bulky refuse service. There is a charge for this service, if you think the furniture can be reused some charities may collect.

The Law and Garden Bonfires

There are no byelaws banning garden bonfires, however where a neighbour is causing a problem by burning rubbish there are legal remedies. Regular fires that interfere with the enjoyment of someone's garden, or cause them to keep windows closed all the time may become a "statutory nuisance" under the Environmental Protection Act 1990.

Bonfires affecting neighbours can be dealt with using the Anti-social Behaviour and Policing Act 2014 and if they continue and a warning notice and Community Protection Notice has been served, can result in prosecution or the issue of fixed penalty notices.

How to have a bonfire safely

If you must have a bonfire –

- Only burn dry material - green wood should be dried for over a month, preferably three months.
- Never burn household rubbish or anything containing rubber, plastic or paint.
- Never use old engine oil, mentholated spirits or petrol to light the fire or to encourage it.
- Avoid 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 or across roads.
- Check that neighbours do not have washing out or windows open or are sitting out in their gardens. Avoid the weekends and bank holidays.
- Never leave a fire unattended or leave it to smoulder.

Thank you for your co-operation.

Yours faithfully


Chief Environmental Health Officer