



Guidance on Air Quality, Bonfires and Smoke Pollution

Adopted 6th August 2024 Minute 69.24c

Whilst traditionally bonfires have been considered an acceptable means of disposing of garden waste, there is increasing evidence of the environmental and health effects of the pollution caused.

Wiltshire Council receive more than 150 complaints a year about smoke from garden bonfires, domestic flues and chimneys and about smoke emanating from commercial premises.

The law and bonfires

Bonfires can cause a nuisance to other people:

- by making asthma, bronchitis or other respiratory conditions worse;
- by affecting visibility for drivers on nearby road; and
- because fire can spread to nearby fences or buildings.

There are no byelaws restricting bonfires in Wiltshire and there are no specific times of day restricting bonfires.

However, if smoke caused by a bonfire is creating a nuisance, Wiltshire Council has powers to take action under the provisions of the Environmental Protection Act 1990 <https://www.legislation.gov.uk/ukpga/1990/43/contents> .

If a bonfire is causing smoke to drift across a road, please contact Wiltshire Police via 101 or online at <https://www.wiltshire.police.uk/contact/af/contact-us/>. Private individuals can also take action through a Magistrates Court.

How to reduce the impact of bonfires

Garden bonfires produce smoke and smells which can annoy neighbours as well as damage the environment. Garden trimmings which are still green and wet can give off lots of smoke, and materials like plastics and rubber create poisonous chemicals when they are burnt.

Most garden waste can be easily composted and larger amounts can either be placed in your Green Bin and taken away providing you have arranged a Garden Waste Collection <https://www.wiltshire.gov.uk/gardenwaste> or taken to one of the county's [household recycling centres https://www.wiltshire.gov.uk/household-recycling-centre-locations](https://www.wiltshire.gov.uk/household-recycling-centre-locations) .

If you have enough space you could create a dead hedge or leave clippings in a 'brashing' pile that will rot down eventually and in the meantime create an immediate habitat for many beneficial insects and animals.

If you must have a bonfire, then it is advisable to follow these simple guidelines:

- Warn your neighbours – this gives them an opportunity to close windows and doors, remove washing off the line and they are much less likely to complain.
- Ideally burn later in the evening when people are less likely to be using their gardens.
- Only burn dry material.
- Never burn household rubbish, rubber tyres or anything containing plastic, foam or paint.

- Avoid lighting a fire in unsuitable weather conditions – smoke hangs in the air on damp or warm, still days. If it is too windy, smoke blows into neighbours' gardens and windows and across roads.
- Avoid burning when air pollution levels in your area are high or very high. You can check air quality on 0800 556677.
- Keep your fire away from trees, fences and buildings.
- Warning: Never use oil, petrol or methylated spirits to light a fire – you could damage yourself as well as the environment.
- Never leave a fire unattended or leave it to smoulder – put it out.

How do I complain about a bonfire?

If you are affected by smoke from a bonfire, it is recommended that you discuss it initially with your neighbour, as they may not realise that they are causing a problem.

If this doesn't work or you feel unable to approach the person having the fires, download and complete the Wiltshire Council smoke monitoring log sheets <https://www.wiltshire.gov.uk/media/3375/Odour-monitoring-log-sheets/pdf/Odour-monitoring-log.pdf?m=1580310132027>.

Officers at Wiltshire Council are unable to investigate anonymous complaints and they must have the address of where the smoke is coming from. Please ensure you detail how the smoke is impacting on you within your property. If you have any photos, please send them to Wiltshire Council with the log sheets.

Once Wiltshire Council has received your log sheets the case officer will assess them and contact you to discuss what will happen next. They may write to the alleged offender bringing their attention to the matter.

Enforcement

Having considered all the evidence, the investigation will result in one of the following courses of action:

- a. No further action if no nuisance is substantiated.
- b. Informal advice.
- c. Service of formal statutory notice to abate the nuisance.

If an abatement notice is served and not complied with, legal action may be taken through the Courts.

Enforcement will be carried out in accordance with the Council's Public Protection Enforcement Policy <https://www.wiltshire.gov.uk/media/3385/Public-protection-enforcement-policy-pdf/Public-protection-enforcement-policy-v3.pdf?m=1580314614203> .

Tisbury Parish Council would urge residents to think about alternatives to bonfires to keep our village as unpolluted as possible, for everyone to enjoy.

If you have any queries or concerns, or would like any further information on alternative ways of dealing with garden waste, then please contact the Parish Clerk:

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