

DIARY SHEETS FOR SMOKE NUISANCE

If you are unable to complete this log sheet, please contact us and we will be able to offer other methods of recording.

CASE REFERENCE: SR/[]

Please detail what steps you have taken to try and resolve the problem yourself:.....

		YOUR NAME & ADDRESS:	NAME & ADDRESS OF SMOKE SOURCE:
		YOUR CONTACT DETAILS: Email: Home Tel. No: Mobile Tel. No:	DESCRIPTION OF THE SMOKE SOURCE & ISSUE:
		<p><u>Instructions for completion of Diary Sheets in respect of smoke nuisance:</u></p> <p>If a nuisance problem cannot be resolved informally and a statutory nuisance is established, formal action may be necessary. It is important to be aware that a complaint can result in legal proceedings. If the matter goes to court, you may be asked to attend as a witness and your evidence may be scrutinised.</p> <p>This 'Diary Sheet' should be used to record details of the alleged nuisance and inconvenience that you experience from bonfires. We need a record of sufficient incidents to give a good indication of what is happening. Keep your log sheet for at least 14 days. It is not necessary to complete every line</p>	

Case Reference:

on the sheet before returning it. After this time, the record should be sent back to environmentalhealth@wirral.gov.uk. It will however be necessary for you to keep an on-going diary until the problem is resolved.

The records you make may be used to assist in the investigation and possibly be used in court as evidence. The details you enter onto the record must be clear and easy to read and without codes or abbreviations. Do not add information/comments unrelated to the disturbance you are experiencing. The following points are important:

Date

Accurately record all dates when the nuisance occurs - . note down the day, month and year. Information must be recorded in date order and as it occurs – Log entries must be made on the same day that the incident occurs. Avoid entering details at a later date!

Time

Try to be as precise as possible in the time column and show which part of the day the nuisance occurred, including the hour and minute i.e., 12:15am, 5:23pm or 18.46. Do not write general phrases such as 'Every Day', 'All Day', 'Morning', 'Evening' or 'Night' or emphasise using 'ditto marks'. For intermittent instances of smoke disturbance, try to give as accurate an indication of the problem as possible. E.g. a lit bonfire started to cause disturbance at 9am for an hour - then another bonfire was lit in the afternoon at 3pm; If you record 'bonfire 9am – 5pm' this will not give an accurate picture. Try and give an indication of the pattern, frequency and duration of the bonfires.

Duration

This is the length of time of each of the events that have caused you inconvenience. It may be of relatively short duration or could be for an extended period of time. **Only record when a fire, smoke or fumes become a problem, when it starts to interfere with the enjoyment of your property.**

Nature of inconvenience

It is important to describe the nature of nuisance and the reason why it is causing you disturbance, for example:

- Colour and odour of smoke
- Clouds of smoke and or debris blowing over washing
- Fumes detectable in the house/garden
- Unable to open windows due to odour/smoke

It is vital that you make an accurate and representative record. Describe each individual incident in the appropriate column. Don't exaggerate, it will not help the case in the long term. Remember that nuisance diary sheets may be used in Court so keep to the facts. Exaggeration or misleading information could result in your evidence being discredited, which will severely limit the ability of the Council to take action on your behalf.

