

# A Guide to Bonfires

**Under the Environmental Protection Act 1990, it is an offence to cause a statutory nuisance. This includes smoke, fumes or gases "emitted from premises so as to be prejudicial to health or a nuisance". This can include nuisance created by bonfires.**

## What constitutes a nuisance?

To be considered a nuisance the bonfire would have to be a regular problem and interfering substantially with your well-being, comfort or enjoyment of your property. Therefore if the fire is only occasional it is unlikely to be considered a nuisance. Similarly if you are troubled by a series of bonfires from various neighbours, each one of whom only burns occasionally, this will not be considered a nuisance because no single

individual can be held responsible.

What to do if a neighbour is causing a nuisance with bonfires:

Approach your neighbour first to try and resolve the matter – they may not be aware of the problem they are causing and it may make them more considerate for future.

If this fails contact your local council's environmental health department. They must take reasonable steps to investigate

your complaint. They have power to take action under the Environmental Protection Act by issuing an abatement notice

The Environmental Protection Act also allows you to take private action in the magistrates' court.



## What are the penalties?

Under the Highways (Amendment) Act 1986 anyone lighting a fire and allowing smoke to drift across the road faces a fine of up to £2000 if it endangers traffic. There may be local bye-laws which restrict the times which bonfires are allowed, however these are rare.

## What are the Alternatives?

There are other methods of disposing of rubbish which are more beneficial to the environment:

Composting/Recycling (see our leaflet on this subject for full details)

Take it to your local amenity site

Ask your local authorities to collect (some will collect bagged rubbish free of charge).

Give furniture to a local charity organisation.

## Good Bonfire Guidelines

- Let your neighbours know when you're going to light it and where it is.
- Avoid lighting in unsuitable weather conditions. Smoke hangs in the air on damp, still days and in the evening.
- Avoid burning when the wind will carry the smoke over roads or into other people's property.
- Check the air quality and avoid burning when it is "poor" or "very poor".
- Only burn dry material
- Never burn household rubbish, rubber or anything containing plastic, foam or paint.
- Never use old engine oil, mentholated spirits or petrol to light the fire or to encourage it.
- Avoid burning at weekends and on bank holidays when people are more likely to be in their garden.
- Never leave the fire unattended or leave it to smoulder – douse it with water if necessary.
- **Avoid burning old railway sleepers or timber that has been pressure treated—if you are unsure, don't burn it; ask your Council if they will dispose of it for you.**

**Remember to check for hibernating hedgehogs and sleeping pets!**



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