



Garden Bonfires

You are legally allowed to have a bonfire on your land if it is suitable to do so, and can sometimes be a useful means of disposing of garden waste. **However, they can also cause pollution and be a local nuisance, especially if the wrong materials are burnt.** For this reason there are rules in place to ensure bonfires do not breach the provisions of The Environmental Protection Act 1990.

What's wrong with bonfires?

■ Air pollution

Burning garden waste produces smoke – especially if that waste is green or damp and it can emit harmful pollutants. **Burning plastic, rubber or painted materials creates noxious fumes that give off a range of poisonous compounds and is against the law.**

■ Health effects

Air pollution can have damaging health effects, and people with existing health conditions are especially vulnerable including asthmatics, bronchitis sufferers, people with heart conditions, children and the elderly.

■ Cause of annoyance

Smoke and smell from bonfires are the subject of about 30,000 complaints to local authorities every year. Smoke can prevent neighbours from enjoying their gardens, opening windows or hanging washing out, and can reduce visibility in the neighbourhood and on the roads in the vicinity.

■ Safety concerns

Unattended or out of control fires can spread to fences or buildings and scorch trees and plants in the surrounding area and exploding bottles and cans can be a hazard when mixed rubbish is burned.

Piles of garden waste are often used as a refuge by animals such as hedgehogs, so we would always recommend that you look out for hibernating wildlife and sleeping pets before lighting a fire.

What's the alternative?

■ Composting

Rather than burning garden waste or putting food waste in the bin where it will end up buried or incinerated, a compost bin will produce useful soil conditioner, saving money on commercial products. Woody waste can be shredded to make it suitable for composting or mulching. You can buy or hire shredders, and some allotment societies have their own.

We offer a garden waste collection service, where materials are taken to local farmers to be composted and used on their own land. Find out more at www.blaby.gov.uk/garden-waste

■ Recycling

Household waste should not be burnt, and many items can be reused or recycled. **Burning old furniture can cause particular hazards, as some materials can release toxic fumes when burnt.**

If furniture is in reasonable condition there are many charitable services that collect and reuse unwanted items, or you can make use of our bulky item collection service run by the Council.

Your unwanted goods may also be of value to other people and can be donated to charity shops, or even make you some money through the sale in classified adverts, car boot sales or online channels such as eBay and Facebook Marketplace.

For more information about our recycling collections, bulky item collection service, plus how to find your nearest household waste and recycling site visit www.blaby.gov.uk/recycling

Bonfires and the law

When and where can I have a bonfire?

There are no bylaws preventing a garden bonfire or stating specific times when they can be lit. However this is not a licence for irresponsible burning. Occasionally a bonfire is the best practicable way to dispose of woody or diseased waste that cannot be composted.

The Waste Management (England and Wales) Regulations 2006 made it an offence for people to dispose of their domestic waste in a way likely to cause pollution of the environment or harm to human health.

In practice you should not burn waste that is likely to create excessive smoke or noxious fumes. If only dry garden waste is burnt, your bonfire should not cause a problem.

Most concerns with bonfire problems are addressed under nuisance legislation. Under the Environmental Protection Act 1990, a statutory nuisance includes "smokes, fumes or gases emitted from premises so as to be prejudicial to health or a nuisance".

If a bonfire of industrial or commercial waste is emitting black smoke, it is dealt with under the Clean Air Act 1993 – this includes the burning of such material in your garden. Under Section 34 of the Environmental Protection Act 1990, it is illegal to dispose of waste that is not from your property. For example from your workplace or from a neighbour.

How do I complain about a bonfire?

If bothered by smoke, approach your neighbour and explain the problem. You might feel awkward, but they may not be aware of the distress they are causing and it will hopefully make them more considerate in the future. If this fails, you can notify the Environmental Health Team. We will investigate your complaint and if appropriate we can issue a notice under the Environmental Protection Act if we consider a nuisance is being caused.

However if a fire is a one-off it is unlikely that it would meet the threshold to prove a nuisance. Similarly if you are troubled from bonfires from different neighbours, each only burning occasionally, a nuisance action would be difficult as there are several offenders.

In this situation encourage them to consider the alternatives. Finally under the Highways Act 1980, anyone lighting a fire and allowing smoke to drift across a road faces a fine if it endangers traffic. Contact the police if this is the case.

To report a bonfire to the Environmental Health team, please fill out the online form on the Council website: www.blaby.gov.uk/report-bonfires

But I like bonfires...

A bonfire can be a useful way for disposing of garden waste that cannot be composted, or perhaps you want a bonfire just for fun. Bonfires have also traditionally been used to mark events such as Guy Fawkes Night on 05 November. If you do have a bonfire, please warn your neighbours – people are much less likely to complain if they know in advance. Also follow our good bonfire guidelines below.

Bonfire guidelines:

- 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, 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. You can check air quality at www.airquality.co.uk
- Keep your fire away from trees, fences and buildings
- 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.

