

If you are affected by bonfires please speak to the person involved, whilst maintaining social distancing, in the first case as they may not realise the affect their bonfire is having on you.

Domestic Bonfire Nuisance (Commercial below)

There are no specific laws relating to garden bonfires or times at which they can or cannot be lit.

However, if a neighbour is repeatedly causing a problem to you by burning rubbish or garden waste it may be considered a statutory nuisance and can be investigated by the council.

If the bonfires are only occasional, we are unlikely to consider them a statutory nuisance and cannot take action. To be considered a statutory nuisance, a bonfire would have to be a persistent problem, interfering a great deal with your wellbeing, comfort and enjoyment of your property.

Smoke from bonfires can cause health problems for asthmatics, bronchitis sufferers, and people with heart conditions and children, but these factors cannot be considered in the assessment of statutory nuisance.

If a bonfire of industrial or commercial waste is giving off black smoke it is dealt with under the Clean Air Act 1993.

How to reduce problems caused by bonfires

To minimise problems we recommend people:

- Only burn dry material
- Never burn household rubbish, rubber tyres, mattresses or anything containing plastic, foam or paint
- Never use old engine oil, methylated spirits or petrol to light a fire or encourage it
- Do not light a fire on damp, still days because the smoke will hang in the air
- Do not light fires at the weekend or on bank holidays when people want to enjoy their gardens
- Be careful if it is windy, because smoke may be blown into neighbours gardens and across roads
- Never leave a fire unattended or leave it to smoulder. Pour water on it if necessary to put it out
- Warn your neighbours in advance, whilst maintaining social distancing, as they can make alternative arrangements and will be less likely to complain.
- Consider disposing of the waste in a better way, for example composting, recycling or rubbish collection.

COMMERCIAL BONFIRES

The same Statutory Nuisance provisions of the Environmental Protection Act 1990 will apply to commercial premises as they would to domestic properties. However, the fines after successful prosecution are higher – for domestic properties the maximum is **£5,000**, but for commercial

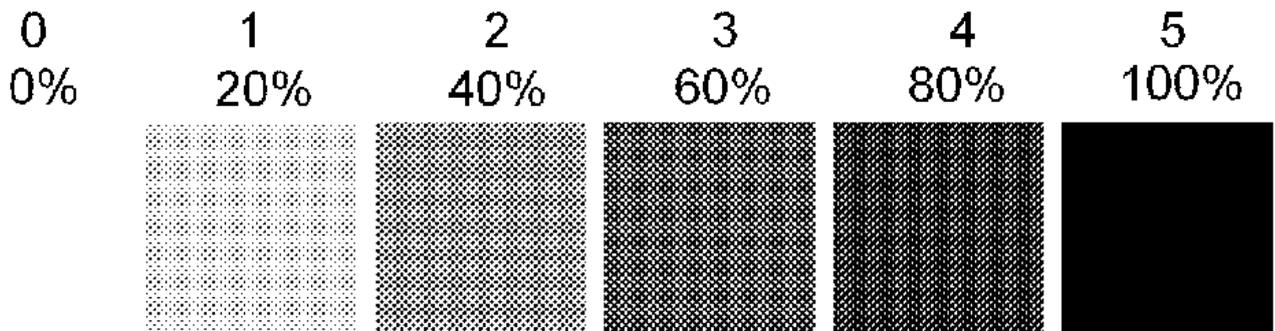
properties it's unlimited.

This legislation does not ban bonfires in any situation, but we would expect people to exhaust other methods of refuse disposal before resorting to a bonfire. We would also expect them to take all reasonable steps to minimise a bonfire's impact, e.g. smoke and ash.

There are also the Dark Smoke provisions of the Clean Air Act 1993 that make it an offence for Dark Smoke to be emitted from Industrial or Trade premises. Dark Smoke is defined as being **shade 2 or darker** on a standard Ringelmann Chart**. A Ringelmann Chart is a series of standard shades of grey from 0-4. Charts can be seen on several sites on the internet, but care needs to be exercised if they are printed off as there will be variations in printing. They can be purchased from the British Standards Institute (£25)

There may also be restrictions from a Waste Management perspective, if they are burning waste material. This specific matter would be enforced by the Environment Agency.

RINGLEMANN SMOKE CHART**



How to make a complaint



If you feel the problem may be classed as a statutory nuisance, have spoken to the person involved - whilst maintaining social distancing - (or do not feel you are able to) and the smoke nuisance continues, please complete the [report form](#) or [contact us](#) with the details.

