



Pollution Control - Bonfires



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Bonfires have traditionally been a way of disposing of waste. Recently, this method of getting rid of waste is seen as unacceptable by many people. It causes pollution and can be a nuisance to people living nearby.

There are a number of problems caused by burning waste

Air Pollution – Burning waste produces smoke and harmful pollutants

Health Effects – The smoke has damaging health effects, particularly for vulnerable people.

Annoyance – The Council receives hundreds of complaints every year from residents affected by other peoples' bonfires.

Safety – Bonfire smoke can drift across roads and become a danger to traffic. Bonfires can spread to fences and trees. Exploding cans are a hazard to those standing nearby.

What alternatives do I have?

Composting

Kitchen and garden waste can be composted at home. [We supply subsidised compost bins](#)

Green Bin

The Council collects your garden waste using the [green wheeled bin](#) provided and this is taken to a local composting facility.

Local Household Waste Recycling

The [Local Household Waste Recycling Centre](#) takes a wide range of items which cannot be put into the green or other recycling bins.

Bonfires and the Law

Covid-19

Please think of others before lighting a bonfire. They can exacerbate coronavirus symptoms and if they get out of control, put extra pressure on Emergency Services.



Report a bonfire

You can [report bonfires using our online form](#) or by contacting the environmental health team direct at environmental.health@hertsmere.gov.uk or on 0208 2077435

There are no specific byelaws relating to when you can have a bonfire. The Council deals with most bonfire problems under the duty set out in the Environmental Protection Act 1990. This makes it an offence to cause a nuisance and this includes “smoke, fumes or gases emitted from a premises so as to be prejudicial to health or a nuisance”.

In practice fires would have to be frequent, persistent and substantially interfere with neighbours well-being, comfort or enjoyment of their property before formal action can be taken. Where trade or business waste is burnt and “dark smoke” is emitted, this is an offence under the Clean Air Act 1993. In addition, under Section 34 of the Environmental Protection Act 1990 it is illegal to dispose of waste that is not from your property, for example, small tradesmen must not burn waste from site at their home.

Finally, anyone lighting a fire and allowing smoke to drift across a road and endanger traffic faces a fine under the Highways Act 1980. The Police deal with these cases.

Barbecues (and other garden burners)

The modern lifestyle is to use our gardens as an outdoor room, cooking on barbecues and using heaters (such as Chimneys) to extend the amount of time we spend in the garden. Smoke and fumes from these appliances can be the cause of annoyance to your neighbours. In particular, avoid using them adjacent to areas where your neighbours are sitting out in their garden.

What to do if you are bothered by smoke?

Initially, we recommend that you approach the person having the bonfire. They often don't realise the problems they are causing. You may feel awkward about this, fearing a strong reaction, but people who have had bonfires often ask us why the complainant didn't pop round and let them know there was a problem.

If you are still bothered by bonfire smoke, contact us for diary sheets so that we can assess the frequency and severity of the problem. If we think the complaint is justified, we will initially make informal contact with the person having the fires asking them to stop or moderate their activities. Ultimately, we may have to use the legal provisions detailed above by serving formal notices or prosecuting.

But I like Bonfires!

It is recognised that there are occasions where there is no alternative but to burn garden waste where it cannot be composted, e.g. very woody and/or diseased material. It is also recognised that the period around November 5 (Bonfire Night) is a traditional event where fires are lit. These are an accepted tradition, but you should

still follow good practice to minimise the impact of the fire. There is advice from the government on [Bonfire Night here](#).

If you do intend to have a bonfire, it is advisable to warn your neighbours – it is much less likely to result in a complaint – and follow our [good bonfire guidelines](#).

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