

The Law

There are no national laws or local by-laws which prohibit or control the times at which bonfires can be lit. If used sensibly, following the good bonfire rules, an occasional small garden bonfire should not cause a major problem and therefore an outright ban would be unreasonable.

However, if you or a neighbour are continually having bonfires which affect the reasonable enjoyment of ones property, the law is designed to ensure that a nuisance is not caused. Under the Environmental Protection Act 1990 it is an offence to cause a statutory nuisance and smoke from a garden bonfire can constitute such an offence if it is a regular occurrence and is interfering substantially with your well-being, comfort or enjoyment of property.

Investigation of bonfire complaints?

The Council will take reasonable steps to investigate complaints about bonfires. If necessary Cornwall Council has the authority to serve an abatement notice if a statutory nuisance is occurring or likely to occur. For your information under the Environmental Protection Act 1990 fines not exceeding £5,000 per offence can be levied upon successful prosecution in a Magistrates Court.

For further information please contact:

Cornwall Council
Public Health & Protection Service
Tel: 0300 1234 212

E-mail:
envhealthandlicensing@cornwall.gov.uk

Web: www.cornwall.gov.uk

Public Health and Protection



Bonfires!



Introduction

The name bonfire comes from the medieval bonfires of animal bones – and while modern day garden bonfires may not be so gruesome, they can still cause pollution and localised nuisance to neighbours. In particular this can be distressing to persons suffering from asthma or bronchial problems. Bonfires can be very irritating to neighbours – the smoke, smell and particles emitted are the subject of many complaints to local authorities. These emissions can ruin the enjoyment of peoples gardens; preventing them from opening windows or hanging out washing. There is no doubt that bonfires cause air pollution; burning garden waste will produce smoke, especially if it is damp and smouldering rather than dry and blazing. Burning plastic, rubber or painted materials not only produces smoke and smells but can also produce a range of dangerous chemical emissions.

What can you do about your neighbour's bonfire?

If your neighbour's bonfire disturbs you, the first thing to do is to approach the neighbour where practical. Politely explain that the smoke is disturbing you and ask them to stop burning or to move the site of their bonfire to a less sensitive location. If the personal approach does not work you can complain to Cornwall Council Environmental Protection Section and an officer will investigate your complaint. The Environmental Protection Section can take formal action if a nuisance is found to exist.

Are bonfires necessary?

Although bonfires are a traditional method for disposing of garden rubbish, they are no longer considered to be the most environmentally friendly option.

Composting is the environmentally friendly way to dispose of garden waste.

Recycling garden waste

Garden waste can be taken to any of the household waste recycling centre's please contact Cornwall Council for your nearest recycling centre on 0300 1234 100.

For large quantities of garden waste, hire a skip from a local hire company, contact the household waste recycling centre direct or telephone the Recycling Officer for advice.

It is an offence to cause a NUISANCE from lighting bonfires.

Lighting bonfires

If you **must** have a bonfire, observe the following rules:

- Consider your neighbours! Site the bonfire away from other properties.
- Speak to your neighbours to enquire if it would be appropriate to light a bonfire.

- Keep the bonfire to a manageable size.
- Burn only dry material.
- Do not burn household rubbish, tyres, plastic or paint, etc.
- Never leave a bonfire unattended.
- Douse fire once material is consumed by the fire to avoid smouldering.
- Avoid burning when your neighbours have washing out.
- Avoid burning when the wind will carry smoke over roads or into neighbours' gardens.
- Never use oil, methylated spirit or petrol to light a bonfire.
- Avoid unsuitable weather conditions. Smoke hangs in the air on damp, still days and in the evenings.
- Avoid burning at weekends or bank holidays when people most want to enjoy their gardens.