



*Basingstoke  
and Deane*

# Bonfires

A guide to avoiding and addressing nuisance



## **Before you have a bonfire please consider:**

**The effect on neighbours** - Bonfires can be very irritating to neighbours. Smoke can prevent your neighbours enjoying their gardens, opening windows or hanging out washing. It also reduces visibility in the neighbourhood and on roads.

**Air pollution and health effects** - Bonfires cause air pollution and can give rise to harmful pollutants which can adversely affect those with chronic health conditions such as asthma, bronchitis, heart problems and children.

**Safety** - Remember, bonfires can be dangerous. Fire can spread to fences or buildings and scorch trees and plants. Exploding bottles and cans are a hazard when rubbish is burned.

## **What does the law say?**

There aren't any laws to prohibit bonfires or restrictions around the time of the day one can be lit. The occasional bonfire, or barbecue should not cause a major problem, if the guidelines on page 3 are considered.

However, if a neighbour is causing a problem by burning rubbish, there is a legal process to prevent the nuisance. The council can issue an abatement notice under the Environmental Protection Act 1990 if it considers the bonfire to be causing a statutory nuisance to neighbouring properties. This could result in a fine of up to £5,000. To be considered a nuisance a bonfire would have to be a persistent problem, interfering substantially with the neighbour's wellbeing, comfort or enjoyment of your property.

## **Highways Act 1980**

Under the Highways Act 1980 anyone lighting a fire and allowing smoke to drift across a road faces a fine if it endangers traffic. In this case contact the police on 101.

## Lighting bonfires

If you decide to have a bonfire, please follow these guidelines to avoid causing a nuisance to your neighbours:

- Only burn dry material.
- Never burn household rubbish, rubber tyres or anything containing plastic, foam or paint.
- Never use old engine oil, methylated spirits or petrol to light the fire or encourage it.
- Do not light a bonfire in unsuitable weather conditions.
- Do not light a bonfire when air pollution in your area is high. This information is included in weather forecasts. You can check by phoning 0800 556677 or at [www.airquality.co.uk](http://www.airquality.co.uk).
- Avoid burning when neighbours have windows open or washing hanging out.
- Never leave a fire unattended or smouldering. Douse it with water, if necessary, to ensure it is out.
- Avoid lighting a bonfire at weekends and on bank holidays when people want to enjoy their gardens.



## What to do if you are suffering due to a neighbour's bonfire

Explain the problem calmly to your neighbour. You might feel awkward or angry at the time, but they may not be aware of the distress they are causing. Hopefully discussing it with them about it will make them more considerate in the future. Encourage them to consider the alternatives and give them a copy of this leaflet. If this fails, contact the council's environmental health team on 01256 844844 and an officer will investigate your complaint.

## What about barbecues?

Barbecues can also cause a smoke problem especially if you use lighter fuel. If you are having a barbecue be considerate and tell your neighbours. Do not light it when they've got their washing out and if it is windy check that smoke won't blow straight into neighbouring properties.

# What are the alternatives?

## Home composting

Instead of burning garden waste or putting raw vegetable waste in the dustbin consider getting a compost bin. Compost bins are available to buy online at [www.recyclenow.com/home\\_composting](http://www.recyclenow.com/home_composting) or by calling 0845 077 0757.

## Garden waste collection service

The council offers a kerbside garden waste collection service. This is the ideal way to dispose of grass cuttings, cut flowers, hedge clippings, weeds, leaves, twigs, prunings and fruit fall. For more information please visit [www.basingstoke.gov.uk/go/greenwaste](http://www.basingstoke.gov.uk/go/greenwaste) or call 01256 844844

## Household Waste Recycling Centre

Alternatively, green garden waste can be taken to the Household Waste Recycling Centre at Wade Road, Basingstoke. For more information on where to dispose of your household waste, please visit [www.basingstoke.gov.uk/go/recycle](http://www.basingstoke.gov.uk/go/recycle) or call 0845 603 5634.

## Guy Fawkes night bonfires and fireworks

You may want a bonfire on Guy Fawkes Night (5 November). Do not forget to warn your neighbours and be considerate then they are much less likely to complain. Under the Fireworks Regulations 2004, the use of fireworks is now prohibited during night hours from 11pm until 7am. There are a few exceptions such as 5 November, when fireworks may be used until midnight. Other exceptions are on Chinese New Year, Diwali and New Year's Eve when fireworks may be used until 1am. Fireworks legislation is enforced by the police.

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