

# A Guide to Allotment Bonfires

Advice from the [National Society of Allotment and Leisure Gardeners](#)

Under the Environmental Act 1990, it is an offence to cause a statutory nuisance. This includes smoke, fumes or gasses 'emitted from premises so as to be prejudicial to health or a nuisance'. This can include a nuisance created by bonfires.

## What constitutes a nuisance?

To be considered a nuisance, the bonfire would have to be a regular problem and interfering substantially with your well-being, comfort or enjoyment of your property. Therefore, if the fire is only occasional it is unlikely to be considered a nuisance. Similarly, if you are troubled by a series of bonfires from various neighbours, each one of whom only burns occasionally, this will not be considered a nuisance because no single individual can be held responsible.

## What to do if a neighbour is causing a nuisance with bonfires

Approach your neighbour first to try to resolve the matter. They may not be aware of the problem they are causing and it may make them more considerate in the future.

If this fails contact the [Environmental Health Department](#). They have the power to take action under the Environmental Protection Act by issuing an abatement notice.

The Environmental Protection Act also allows you to take private action in the magistrates court.

## Good bonfire guidelines

- Let neighbours know when you're going to light it and where it is.
- Avoid lighting in unsuitable weather conditions. Smoke hangs in the air on damp, still days, and in the evenings.
- Avoid burning when the wind will carry smoke over roads or into other people's property.
- Check [air quality](#) and avoid burning when it is 'high' or 'very high'.
- Only burn dry material.
- Never burn household rubbish, rubber or anything containing plastic, foam or paint.
- Never use old engine oil, methylated spirits or petrol to light fires, or to encourage it.
- Avoid burning at weekends and on bank holidays when people are more likely to be in their gardens.

- Never leave a fire unattended or leave it to smoulder, and douse with water is necessary.
- Remember to check for wildlife.

## What are the penalties?

Under the Highways (Amendment) Act 1986, anyone lighting a fire and allowing smoke to drift across a road faces a fine of up to £2000 if it endangers traffic. There may be local by-laws which restrict the times bonfires are allowed, however these are rare.

## What are the alternatives?

There are other methods of disposing of rubbish which are more beneficial to the environment.

- [Composting](#) or [recycling](#)
- Take to the [household waste recycling centre](#)
- Request a [bulky waste collection](#) (there is a charge for this service)
- Give furniture to a local charity

For more information read the [Bonfires](#) prepared by the National Society for Clean Air [NSCA](#)