



St Cuthbert (Out) Parish Council

c/o Monitoring Officer Mendip District Council

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PARISH GUIDE

Domestic and Garden Bonfires

There is no specific law in England governing garden / domestic bonfires. However, there are laws on the consequences arising from burning bonfires.

Bonfires can be deemed a statutory nuisance under the Environmental Protection Act 1990 should they be a regular or persistent problem interfering with the comfort or enjoyment of the neighbours. Under the Waste Management (England and Wales) Regulations 2006, it is an offence to dispose of domestic waste in a way likely to cause pollution of the environment or harm to human health. In practice, you must never burn waste likely to create excessive smoke or noxious fumes. The Clean Air Act 1993 forbids the burning of industrial / commercial waste in your garden / domestic property. Under the Highways Act 1980, it is unlawful to allow smoke to drift across a road and be likely to endanger traffic.

The occasional garden bonfire is acceptable so long as it doesn't breach any local bylaws and abides by the rules:

- Make sure that the bonfire's smoke does not blow across a road causing a danger to traffic and pedestrians
- Do not burn anything that could create pollution or pose a danger to public health. This includes but is not limited to burning any sort of plastic, foam, rubber, spent engine oil or volatile liquids, explosive items such as aerosol cans and spent gas lighters, any material or substance that could generate poisonous and noxious fumes - to do so is likely to be a criminal offence and land you with a hefty fine.

Common sense and courtesy

- Never use volatile liquids such as meths, petrol or similar highly flammable substances to light a bonfire
- Avoid lighting a fire in unsuitable weather conditions, e.g. damp, still days and in the evening
- Be considerate to your neighbours: warn them in good time. If it is windy, smoke may blow across their land and across roads
- Build the bonfire well clear of buildings, roads, garden sheds, fences, trees and hedges etc.
- Check there are no overhead wires or cables
- Before lighting a bonfire, check by rustling or poking the set fire for pets, wildlife or small children who may have crawled inside and give them time to awaken
- Keep a bucket of water or hosepipe handy in case fire spreads
- Never leave bonfires unattended, and keep children and pets clear

Complaining about noxious or persistent bonfire smoke

First discuss the problem with your neighbour if you feel comfortable; remember, they may not be aware of the distress they are causing. If this fails or you feel uncomfortable in dealing with the matter, contact Mendip District Council's Environmental Health Department:

Telephone: 0300 303 8588

Email: env-health@mendip.gov.uk

Mail: Environmental Health, Mendip District Council, Cannards Grave Road, Shepton Mallet, BA4 5BT

Or use the on-line form at:- <https://www.mendip.gov.uk/environmentalcomplaints>

Under the subheading, 'Nature of your issue', select *Air Pollution, including chimney smoke, bonfires and dust* and complete the form.