

Garden Bonfires



Bonfire Guidelines



Burning waste materials can cause air pollution and local nuisance.

We have alternatives for disposing of most materials – and burning household rubbish in your garden is illegal.

Smoke prevents neighbours from enjoying their gardens, opening windows and hanging washing out. It is an offence to dispose of domestic waste in a way likely to cause pollution of the environment or harm to human health. You should not burn waste that is likely to create excessive smoke or noxious fumes. If only dry garden waste is burnt, your bonfire should not cause a problem.

What's wrong with bonfires?



Air Pollution

Burning garden waste produces smoke – especially if that waste is green or damp. This will emit pollutants including particles and dioxins which are released into the air and are harmful to people's health. Burning plastic, rubber or painted materials creates noxious fumes that give off a range of compounds.

Health Effects

Air pollution can have damaging health effects, and people with existing health problems are especially vulnerable, e.g. asthmatics, bronchitis sufferers, people with heart conditions, children (they breathe more air than adults do each time they inhale) and the elderly. Household waste (like cardboard boxes, food packaging, plastic food trays etc) may be made of materials which are harmful to health when burned.

Annoyance

Smoke and smell from bonfires are a source of many complaints to Aberdeen City Council every year. Smoke prevents neighbours from enjoying their gardens, opening windows and hanging washing out which could in some circumstances amount to a Statutory Nuisance under the Environmental Protection Act 1990. Smoke also can reduce visibility in the neighbourhood and on roads.

Safety

Fire can spread to fences or buildings causing severe damage which may have legal implications to the person lighting the fire. It can also scorch trees and plants. Exploding bottles and cans are a serious hazard when rubbish is burned. Piles of garden waste are often used as a refuge by animals, so look out for hibernating wildlife. Under section 161A of the Highways Act 1980, anyone lighting a fire and allowing smoke to drift across a road faces a fine if it endangers traffic or causes injury. Contact the police if this is the case by dialling 101.

What's the alternative to disposing of rubbish by burning?



Composting

Home composting is an easy and effective way to deal with garden waste and food scraps from your kitchen. Bugs and microbes found naturally in the soil break down this waste to make compost, a useful soil conditioner for your garden.

Recycling

Please do not burn your household waste. Many items can be recycled including garden and food waste.

For more information and advice on your household recycling collections, reuse or home composting please contact:

Aberdeen City Council

Waste and Recycling Team

T. 03000 200 292 E. wasteandrecycling@aberdeencity.gov.uk

www.aberdeencity.gov.uk/wasteandrecycling

Bonfires and the law



When and where can I have a bonfire?

It is a common misconception that there are specific byelaws prohibiting garden bonfires or specifying times they can be lit – but there aren't. However, this is not a licence for indiscriminate burning!

Under the Environmental Protection Act 1990 it is an offence for people to dispose of their domestic waste in a way likely to cause pollution of the environment or harm to human health. In practice you should not burn waste that is likely to create excessive smoke or noxious fumes. If only dry garden waste is burnt, your bonfire should not cause a problem.

Most bonfire problems are investigated under the nuisance legislation which is the Environmental Protection Act 1990. A statutory nuisance includes "smoke, fumes or gases emitted from premises so as to be prejudicial to health or a nuisance." In practice a fire would have to be a recurrent problem, interfering with neighbours' well-being or enjoyment of their property. If a bonfire of industrial or commercial waste is emitting black smoke it is dealt with under the Clean Air Act 1993 – this includes the burning of such material in your garden! Under section 34 of the Environmental Protection Act 1990 it is illegal to dispose of waste that is not from your property – for example from your workplace or from a neighbour.

Tradesmen must not burn at home any waste that was produced as a result of their trade at home.

How do I complain about a bonfire?



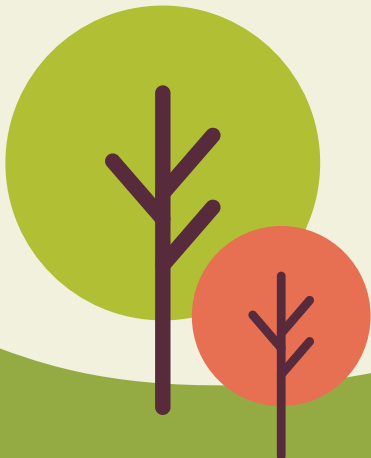
If bothered by smoke, approach your neighbour, and explain the problem. You might feel awkward but they may not be aware of the distress they are causing and it will hopefully make them more considerate in the future. If this fails, report the matter to the Environmental Health Team by calling **03000 200 292** or email **poll@aberdeencity.gov.uk**

If complaints are received about regular bonfires or excessive smoke from an address, we can investigate and take legal action when required. However, as we established before, bonfires and other activities that cause smoke are not illegal as long as they don't cause a statutory smoke nuisance to neighbouring residents. If a fire is a one-off or occurs every now and then, it may be difficult to prove a nuisance. In this situation encourage you to consider the alternatives like sharing a copy of this leaflet.

Barbecues, Chimineas & Fire Pits



Barbecues and wood burners can also cause smoke and odour problems. Please be considerate about your neighbours. Don't light up your fire or wood burner if they have washing out and let them know in advance when you're planning to have a barbeque. If it is windy make sure smoke won't blow directly into neighbouring properties – and keep the noise down.



Bonfire guidelines

A bonfire can be a useful way for disposing of garden waste that cannot be composted. If you do have a bonfire to dispose of garden waste, please follow the good bonfire guidelines.

Warn your neighbours – they are much less likely to complain if they know beforehand.

- Only burn dry material
- Never burn household rubbish, rubber tyres or anything containing plastic, foam or paint
- Avoid lighting a fire in unsuitable weather conditions – smoke hangs in the air on damp, still days. If it is too windy, smoke blows into neighbours' gardens and windows and across roads
- Avoid burning when air pollution levels in your area are high or very high. You can check the air quality at www.scottishairquality.co.uk/
- Keep your fire away from trees, fences and buildings
- Never use oil, petrol or methylated spirits to light a fire – you could injure yourself as well as the environment

Never leave a fire unattended or leave it to smoulder – put it out.

For more information contact;

Aberdeen City Council
Environmental Health and Trading Standards
T. 03000 200 292
E. poll@aberdeencity.gov.uk
www.aberdeencity.gov.uk

