

- Warning letter sent to the perpetrator (explains that we will take the perpetrator to Court if the bonfire nuisance continues)
- You telephone our team to come and witness the bonfire whilst it is happening. Our Officer attends and witnesses a statutory smoke nuisance for the fourth time
- Experience has shown us that we now have sufficient evidence to prosecute the perpetrator
- We prepare a prosecution file and seek permission to prosecute from elected councillors
- We take the perpetrator to Court



If you need advice please contact  
Environmental Protection:  
Tel: 0500 834 333  
E-mail: [env.protection@coventry.gov.uk](mailto:env.protection@coventry.gov.uk)

# Bonfire and Smoke Nuisance



**could cost you  
£5,000 or £20,000  
for businesses**

# Introduction

Bonfires can cause nuisance to neighbours from smoke, smuts and smells which are likely to cause complaints. Coventry City Council's Environmental Protection Section investigates these complaints and can take legal action where appropriate.

## Bonfire Facts

- There are no laws governing times during which you may have a bonfire
- Bonfire smoke contains potentially harmful gases and microscopic particles which can cause damaging health effects. The people most susceptible to these effects are the young, the elderly and those with existing heart and respiratory conditions such as asthma and bronchitis
- Smoke prevents your neighbours from enjoying their gardens, opening windows or hanging washing out, and reduces visibility in the neighbourhood and on roads

## The Law

The Highways Act 1980 makes it an offence to light a fire and allow smoke to drift across a public highway where it could endanger traffic. If you feel bonfire smoke is causing a danger to road traffic, you should report it to the police.

### Domestic Premises

Under the Environmental Protection Act 1990, the Council has the power to take action where smoke from bonfires is causing a statutory nuisance to neighbouring properties. You could receive a fine of up to £5,000.

You should dispose of your waste through the existing recycling facilities provided by the Council, or by less polluting methods such as composting green waste. Alternatively, take your waste to the waste to energy plant on London Road or arrange for a special collection.

### Business or Trade

Under the Environmental Protection Act 1990, the Council has the power to take action where smoke from bonfires is causing a statutory nuisance to neighbouring properties. You could receive a fine of up to £20,000.

Bonfires from business or trade premises are also controlled under the Clean Air Act 1993 which makes it an offence to produce dark smoke from a bonfire. Offenders can be prosecuted by the Council and receive a fine of up to £20,000. Officers do not need to witness dark smoke for this offence – it is enough for Officers to find evidence that materials likely to cause dark smoke have been burnt.



## How do I report smoke problems?

If you are affected by smoke from a bonfire and are not comfortable in approaching the person responsible, you can call the Council as follows:

- **Daytimes 9am - 6pm Tel: 0500 834 333**
- **Evenings 6pm - 3am Tel: 024 7683 2222**
- **Weekends 10am - 3am Tel: 024 7683 2222**

There is a legal process we have to follow which can take time. We cannot make the process shorter and it could take a number of months – this can be frustrating but we do need good evidence for Court.

- You telephone the monitoring team to come and witness the bonfire whilst it is happening
- Our Officer attends and witnesses a statutory smoke nuisance. A warning letter is sent to the perpetrator (this explains what will happen if the bonfire carries on)
- You again telephone our team to come and witness the bonfire whilst it is happening. Our Officer attends and witnesses a statutory smoke nuisance for the second time
- We serve a legal notice on the perpetrator (this stipulates that the bonfire must stop and explains that prosecution may follow)
- You telephone the team to come and witness the bonfire whilst it is happening. Our Officer attends and witnesses statutory smoke nuisance for the third time