

# BONFIRES

**A Report by the Interagency Working Group on Bonfires**

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# 1 Introduction

## 1.1 Background

According to the Arcade Dictionary of Word Origins “A bonfire was originally a fire in which bones were burned”. The more modern meaning however is “large outdoor fire, either celebratory (as in Bonfire Night, 5 November) or for destroying refuse.” Bonfires have been used through the centuries to mark moments of danger or herald times of rejoicing and frequently have associations with significant religious or political events.

In Northern Ireland the main bonfire event occurs each year on the 11 July when they are lit in Protestant areas to celebrate the approach of the anniversary of the Battle of the Boyne. Although not as widespread there is also a tradition in some parts of Northern Ireland to have bonfires to commemorate the anniversary of internment, Halloween and Guy Fawkes night.

The anniversary of internment, on the ninth of August, is marked in many Nationalist areas. Historically at Halloween, All Saints Day, bonfires were lit to comfort lost souls and guide spirits to their destinations. In other parts of the UK the 5 November is commonly referred to as bonfire night. This date marks the failed attempt to blow up the Houses of Parliament by Guy Fawkes.

In general the annual bonfires referred to above tend to be local events organised by members of local communities. That is not to say that such events have widespread support within the communities in which they are located. There is no doubt that support varies significantly depending on how the bonfire event is organised and managed, particularly in relation to the adverse impacts.

In addition to annual community events, bonfires have long been used as a means to dispose of waste material. This ranges from the small garden bonfire to burning of trade waste by businesses. Temptation for the latter has increased with the introduction of disposal charges on producers of waste. These types of bonfires are already subject to legal control and are not generally supported by communities. They are therefore much easier to police by the statutory bodies and consequently they are not considered further in this report.

## 1.2 Interagency Working Group

Complaints and concerns about the effects of bonfires and potential damage to health, environment and property have over many years been expressed by individuals, organisations and elected representatives. In 2003 there appeared to be a marked increase in the level of public concern regarding bonfires and a perceived lack of effective action being taken by public bodies to control them. As a consequence, the Environment and Heritage Service (EHS) undertook to establish an Interagency Working Group on Bonfires.

The first meeting of the Working Group was held on 27 November 2003. Members of the Working Group are detailed in Appendix 1. The overall aim of the Working Group was to minimise the environmental, economic, health and social impact of bonfires by the development of guidelines for communities and public bodies on the siting and management of bonfires. Specific objectives agreed at the initial meeting were to:-

- Clarify the roles and responsibilities of public bodies;

- 
- Identify existing legislative controls available to regulate bonfires and the need, if any, for additional controls;
  - Quantify adverse impacts and damage resulting from bonfires;
  - Identify best practice and make recommendations on improved control and regulation;
  - In consultation with relevant interested parties produce good practice guidelines on the siting and management of bonfires;
  - Make recommendations on the clean up of bonfire sites and the removal and disposal of waste ash;
  - Produce a media strategy and proposals for engaging community support;
  - Seek consistency across Northern Ireland;
  - Develop a protocol for interagency co-operation.

## 2 Quantifying the Problem

The main public bodies actively involved in dealing with bonfires were asked to provide information which would provide a better understanding of the extent of the problems faced, the adverse impacts and the cost to society. Information provided is summarised in the following sections.

Whilst efforts have been made to identify the more obvious impacts and obtain what quantifiable information is readily available, it should be understood that this information is by no means complete. As such there will be additional impacts and costs to society beyond those detailed.

### 2.1 Northern Ireland Fire Brigade (NIFB)

The lack of responsibility exercised by many in siting and constructing bonfires and in managing their effects results in a significant call out demand upon the Fire Brigade. In many instances Fire Brigade Officers and appliances are required to attend bonfire sites and deal with fire situations. Figure 1 provides information on the number of bonfires attended by the Fire Brigade over the period 2000-03.

The peak period for call outs to bonfire occurs during the three month period between 1 June and 31 August. In a typical year the Fire Brigade responds to between 800-900 bonfires. (These figures relate to all types of bonfires.)

Figure 1: Bonfires attended by NIFB 2000-03

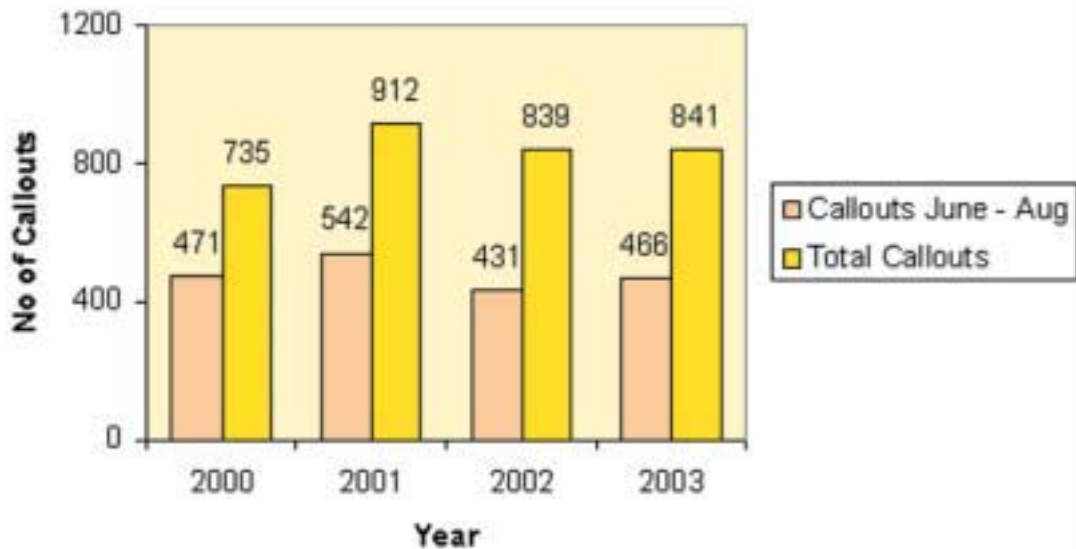
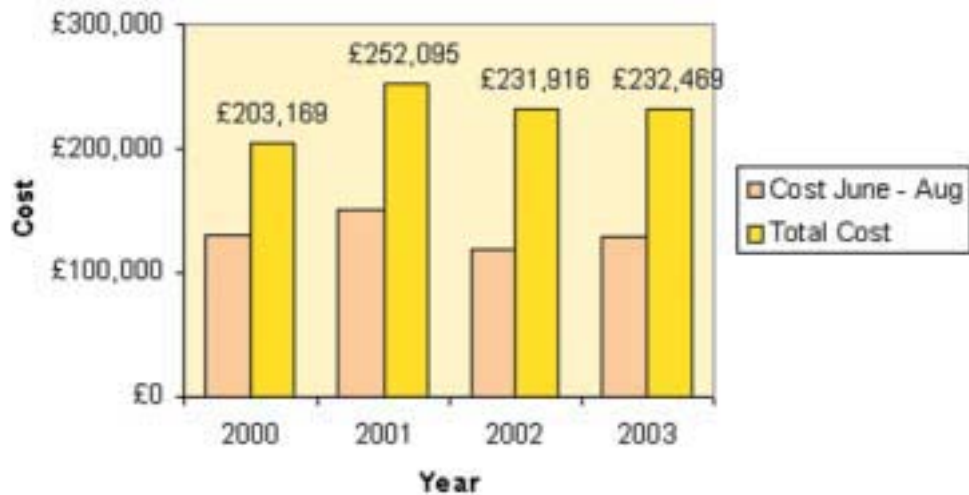


Figure 2 provides information on the cost to the Fire Brigade in dealing with bonfires from 2000 - 2003. Typically the cost is £ 200,000 - 250,000 per annum. The majority of this cost occurs in the three month period June - August.

**Figure. 2: Costs to NIFB from attending bonfires**

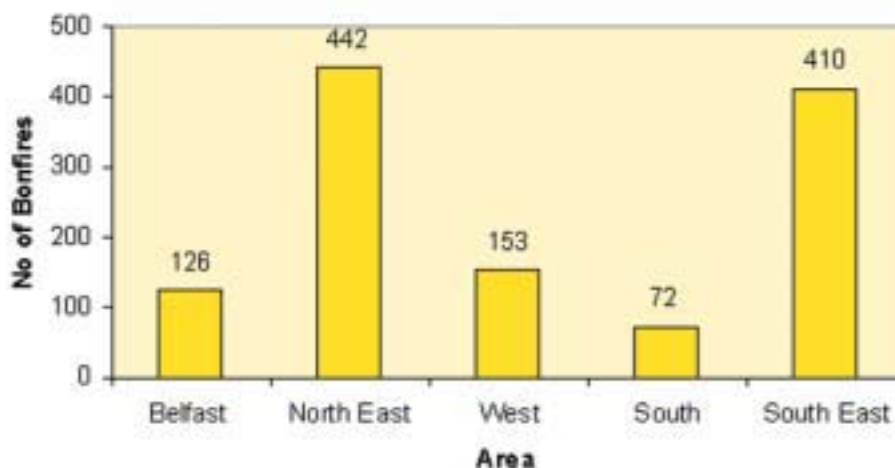


**2.2 Northern Ireland Housing Executive (NIHE)**

Large numbers of annual bonfires are located on NIHE land. As a consequence bonfires are a significant issue for NIHE. One of the main impacts is the cost of clean up of sites and the repair of fire damaged property. A further issue is the scavenging of empty dwellings for bonfire material and associated vandalism.

A breakdown of the numbers of bonfire sites on NIHE ground and damage costs to the NIHE for 2003 is provided in Figures 3 and 4. In total there were some 1,203 bonfires sites located on NIHE property. The total cost to the NIHE budget was £119,013 of which £91,117 related to clean up of sites.

**Figure 3: Bonfires on NIHE property 2003**



**Figure 4: Cost of clean up/damage repair to NIHE**



### 2.3 Police Service of Northern Ireland

The policing of bonfires, particularly during July, requires considerable police resources in the run up to and at the time of lighting bonfires, particularly those located in interface areas.

During this period the Police Service may be asked to support statutory agencies whilst taking action to remove or relocate bonfire material and to prevent a Breach of the Peace. Where a fire threatens to damage property the Police may be required to support the Fire Service.

The Police will quite often be required to investigate complaints of injury, damage to property, public disorder or paramilitary activity. Where a person is injured or where damage has been caused the police may be required to provide a report to the Compensation Agency following the submission of a claim for compensation.

A detailed breakdown of costs to the Police Service is not available for all of the main bonfire periods. However information has been obtained for the cost of policing bonfires in July 2002. The cost reported was £206,623.

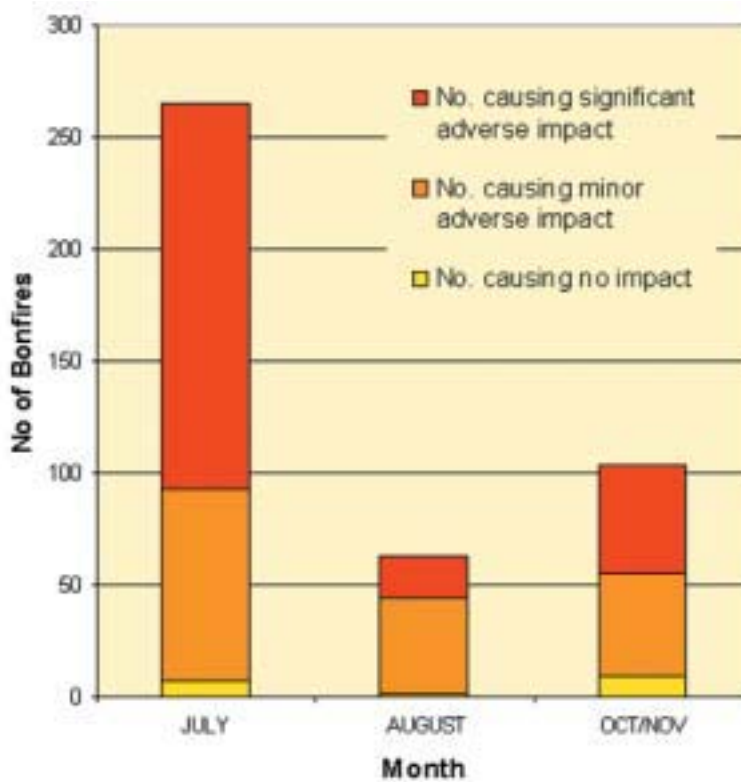
### 2.4 District Councils

District councils have an important role in enforcement of environmental legislation, collection of waste materials, community development and civic leadership. In order to better quantify the effect of annual bonfires on district councils, a questionnaire was issued in January 2004 to the 26 district councils in Northern Ireland (Appendix 2). In total 23 councils submitted responses, providing a high level of return.

#### 2.4.1 Numbers of Annual Bonfires and Adverse Impact

The 23 councils responding estimate that there were at least 431 annual bonfires during 2003 in their districts. Of these 256 or 61 % occurred during the July period. Councils were asked to provide an estimate of the number of bonfires causing significant or minor adverse impact. Very few bonfires were considered to cause little or no impact. The majority of bonfires were considered to have a significant adverse impact. Details of the numbers of bonfires and their impact are provided in Figure 5.

**Figure: 5: Bonfire Numbers**



**2.4.2 Ranking of Adverse Impact**

Councils were asked to rank the adverse impact of annual bonfires on a scale of 1 (high impact) - 5 (low impact). Actual rank varied greatly between councils depending on local issues. From the information provided a total figure was calculated and an order of importance determined. Table 1

shows the order of importance based on all the council returns.

Overall, there were only marginal differences in ranking between the various categories. Each of the adverse effects should therefore be regarded as being significant. In general the most important adverse effect for district councils was the illegal dumping of waste materials.

**Table1: Importance of Adverse Impact of Bonfires**

Adverse Effects	Order of Importance
Illegal dumping of waste materials	1
Anti-social behaviour associated with event	2
Air pollution	3
Visual amenity	4
Health impact of emissions	5
Damage to property	6

### 2.4.3 Period for Collection

One of the main areas of complaint is the length of time over which bonfire material is collected and allowed to accumulate at sites. In recent years the period for collection has appeared to get longer and for 2004 material has already started to appear at some sites from mid-February. In many instances bonfire sites very quickly start to become unsightly, spoil local amenity and raise concerns regarding risk of fire and smoke damage to property, safety of children playing and effects of pollution. Councils were therefore asked to suggest an appropriate voluntary date, prior to the bonfire event, which would be recommended for the start of collection of materials. Details of responses are shown in Figure 6. The most favoured option supported by councils was 2 weeks.

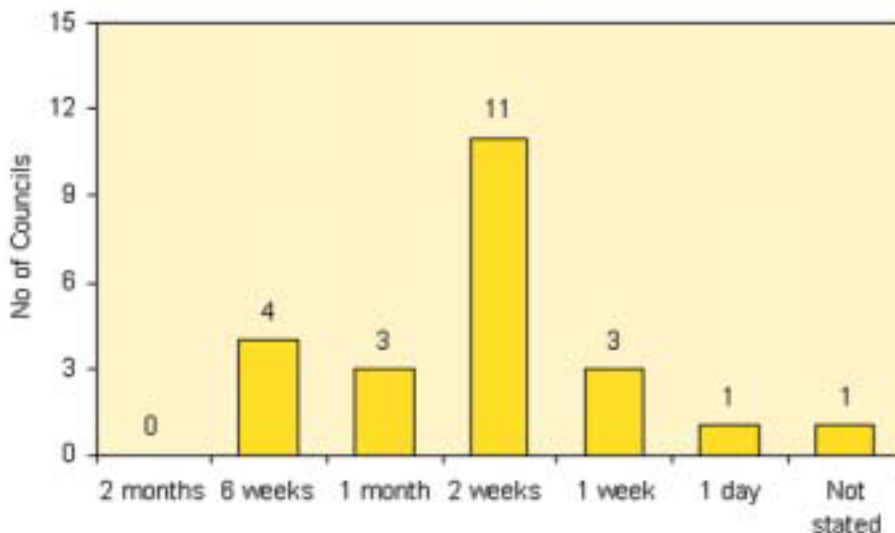
It should be noted that under existing legislation it is an offence to deposit any controlled waste on any land unless in accordance with a

waste management licence. In strict legal terms therefore depositing material for any period of time contravenes waste legislation. However, the suggestion of a voluntary date would provide an improved level of control than currently exists and consistency in the practical management of bonfire events.

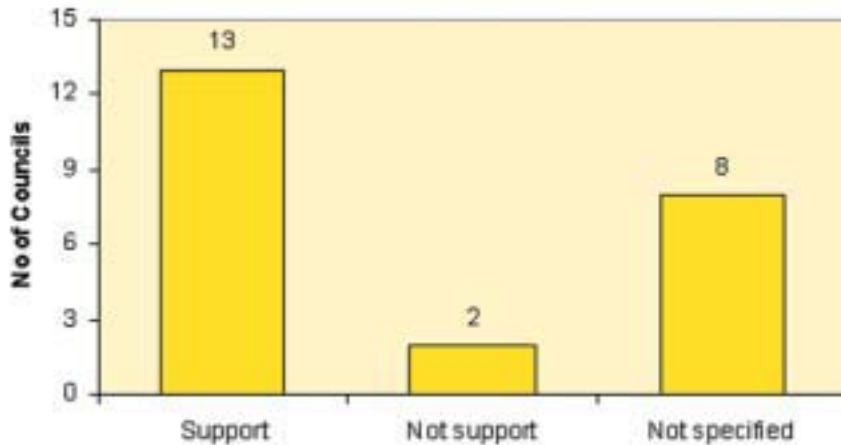
### 2.4.4 Council Support for Enforcement of Recommended Collection Period

The recommendation of an agreed period for collection of bonfire materials is unlikely in itself to have a dramatic impact. This would improve significantly however, if there is a willingness by public bodies to show their support by, if needs be, removing materials dumped prior to the agreed date. Councils were therefore asked if they would support the recommendation of a voluntary date, assuming that such a date is widely publicised, if necessary by removing bonfire material using existing legal controls. Results are shown in Figure 7.

Figure 6: Recommended Collection Period



**Figure 7: Council support for Enforcement of Voluntary Date**



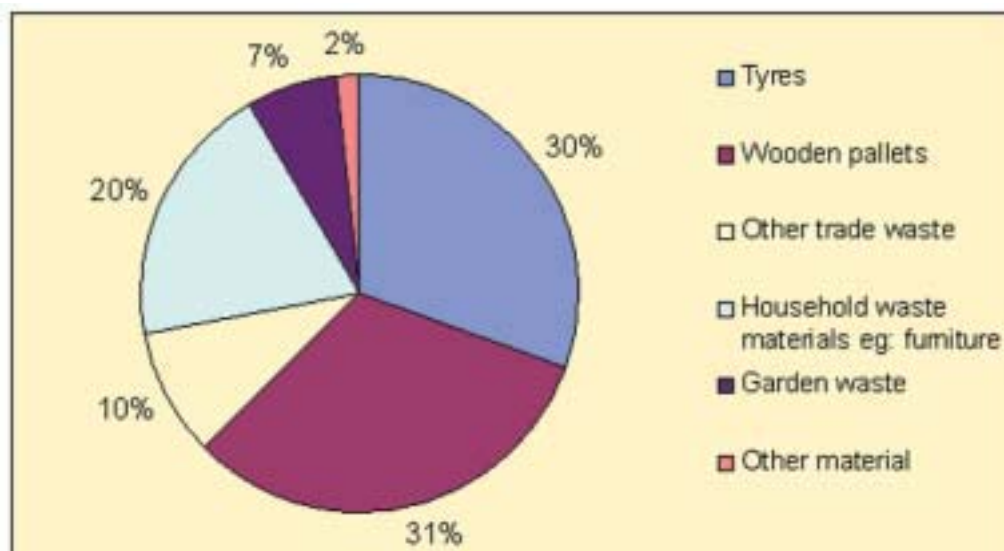
The majority of councils indicated that they would support a voluntary date with only two stating that they definitely would not. For those councils who did not express a clear opinion, a number indicated support but had reservations regarding intimidation and safety of staff.

#### 2.4.5 Main Source of Bonfire Materials

The content of bonfires will vary from year to year and from area to area depending on the availability of domestic, commercial and industrial waste materials. An area of

particular concern is the use of annual bonfires to dispose of materials that should be recycled or disposed of in a safe manner. In order to identify the extent of the potential problem and to better identify appropriate control options, councils were requested to provide an estimate of the main source of materials used in annual bonfires. The results, averaged across NI, are detailed in Figure 8. Other materials included wood fencing, washing machines and fridges.

**Figure 8 : Main source of Bonfire Materials**



In general, district council staff estimate that 71% of the materials burnt on annual bonfires is trade waste. The majority of this material is either wooden pallets or tyres. The burning of tyres is a particular concern and additional information on the supply of used tyres in Northern Ireland is provided in Section 2.8.

#### 2.4.6 Bonfire Leaflet

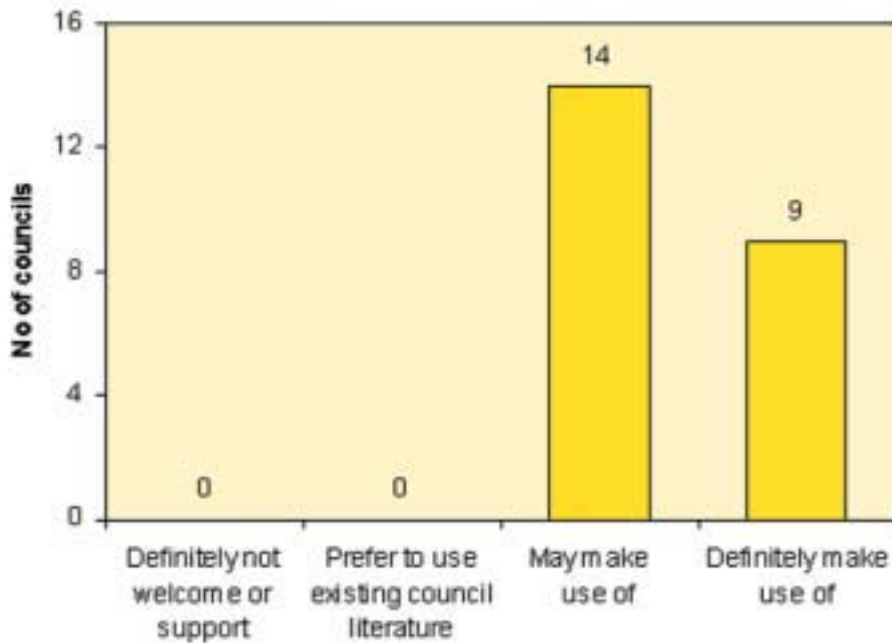
Currently 10 councils, (43% of respondents), have produced a bonfire leaflet or code for members of the public. This was considered to be a worthwhile initiative and views were requested on whether there would be support for a NI leaflet produced by the Working

Group. Responses are as given in Figure 9. In general the production of an Interagency leaflet was supported by all the councils responding to the survey. Councils indicated that they would either consider using the leaflet or definitely use the leaflet.

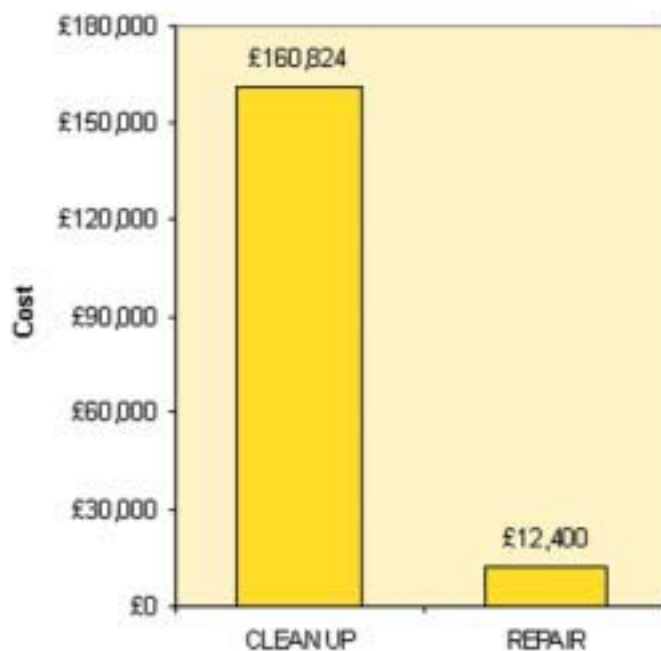
#### 2.4.7 Council Clean Up Costs

After every bonfire there are costs associated with clean up of sites and repair of any damage caused to property. The persons responsible for costs will vary depending on ownership of sites and property. Figure 10 provides information on the total costs incurred by those district councils responding to the survey.

**Figure 9: Support for Interagency Leaflet on Bonfires**



**Figure 10: District Council Costs**



For district councils the total estimated cost of clean up and damage repair is £173,224. It should be acknowledged that additional costs occur to district councils as a result of time spent in dealing with bonfire sites prior to burning taking place and in responding to complaints from the general public.

## 2.5 Roads Service

Roads Service may be involved with the removal of bonfire material from the public road network, either before or after the bonfire has been lit and the subsequent disposal of that material. Repairs to the road surface may also be required. The extent of Roads Service involvement varies from year to year and also between local council areas.

Roads Service does not monitor expenditure specifically related to bonfire-related works, but it is estimated that an annual cost would be in the region of £80,000 per annum.

## 2.6 Northern Ireland Ambulance Service

On occasions it is necessary for the Ambulance Service to attend bonfire sites. This can be in relation to burns or assaults. Table 2 provides information on the emergency call outs for the period 00.30am on 11 July 2003 to 07.30am on 12 July 2003. During this period an additional 21 Accident and Emergency ambulances were provided by the Service across Northern Ireland.

**Table 2: Emergency Calls 00.30 hours 11 July 2003 - 07.30 hours 12 July 2003**

	<b>No. Emergency Calls</b>	<b>No. Bonfire Related</b>
Eastern Area	420	10
Western Area	73	1
Northern Area	145	2
Southern Area	86	1

It can be seen that the actual numbers of bonfire related incidents reported for 2003 are relatively minor.

## **2.7 Hospital Statistics**

The Department of Health, Social Services and Public Safety were asked regarding the availability of information on admissions to hospital and attendance at casualty departments which would be linked to annual bonfires.

The Hospital Inpatients System holds data on individuals admitted to hospital as inpatients or day-cases. The system only records data on people injured seriously enough to warrant admission to hospital and does not hold information on injuries that are minor and require treatment at casualty only. An analysis of the statistics available revealed no dramatic increase in activity over 11 and 12 of July.

The second source of data is from Casualty Departments in hospitals. Each Casualty Department has its own database where details of any individual treated is held. Preliminary enquiries indicated that the level of detail in the coding would not provide sufficient detail as only a few hospitals code the cause or type of injury presented. An analysis of data that was available on total daily attendances at A&E Departments for all attendances and not just for burns/smoke

related injuries or assaults was inconclusive. The general consensus based on the available information is that bonfires have only a minor impact upon hospital services.

## **2.8 Waste Tyres**

One of the main areas of complaint in relation to annual bonfires is the large scale burning of used tyres, which produce large quantities of black smoke when burnt in the open. The situation in Northern Ireland regarding used tyre disposal practices was investigated as part of a survey commissioned by EHS in 2000.

From the results of the survey it was estimated from a predictive model that there are over 1.7 million waste tyres generated each year in Northern Ireland. The main destinations for used tyres identified by the survey were 32% for retread manufacture and 16% to farmers. Smaller quantities were identified as being reused as part worns, stockpiled, landfilled, burnt on bonfires and exported. In many cases there was no information on where the used tyre casings were being taken to or even who was taking them, hence 30% were being removed to an unknown destination.

The commercial market for used tyres is limited in Northern Ireland. In 2000 the

only reprocessing market available was the production of retreaded truck and car tyres. Waste tyres are also utilised for a variety of other uses including landfill engineering, as crash barriers on racecourses and as fuel for bonfires

The main application in Northern Ireland was the use by farmers in the storage of silage. Under the Waste Management Licensing Regulations (NI) 2003, farmers wishing to accept waste tyres for use on farms after 19 June 2004 are required to register as an exempt activity with EHS and pay a registration fee. This measure will assist in tracing and regulating the disposal route of waste tyres by enabling the existence of a complete audit trail.

Currently there is a permitted tyre shredding plant in the Republic of Ireland to which many tyre businesses export waste tyres. There is also considerable interest from the waste tyre industry in developing other uses/processes for waste tyres. The market cost for recycling tyres in Northern Ireland is seasonal. During April - June there is little business because tyres are stockpiled in preparation for 12 July. During this period recyclers have to drop their prices dramatically, and recycling stops being commercially viable.

In 2000 an estimated 309,785 used tyres were either reused (in NI or abroad), retreaded in Northern Ireland, retreaded in England or reused on farms. As a proportion of the total number of used tyres arising identified by the predictive model, this equates to a 18% recovery of the total used tyre units arising.

The survey provides confirmation that large quantities of tyres are disposed of illegally each year on bonfires and that the practice is potentially damaging to recycling initiatives.

## 2.9 Environmental Pollution

One of the main impacts of bonfires is the environmental pollution that arises from the burning of materials. Burning any material in an uncontrolled manner in the open can produce large quantities of smoke, chemical compounds and gases. Composition of the waste gases and material carried over will depend on the material burnt, combustion conditions and local atmospheric conditions. Once burnt the surrounding soil is also contaminated by these pollutants and water used to control the fire or rainfall causes pollutants to runoff into nearby watercourses.

High levels of particulate pollution are frequently detected at local air pollution monitoring sites during bonfire events. This is generally due to the large amounts of smoke generated. Waste tyres for example are extremely combustible and produce thick clouds of sulphurous black smoke containing up to fifty toxic compounds and gases. Smoke and chemical compounds produced from bonfires as well as being damaging to health also damage the environment. This occurs as a result of deposition of soot, ash and chemicals on surfaces, reactions with water vapour to form acidic compounds and the intense heat produced by bonfires. As bonfires are often located in close proximity to buildings, a frequent complaint of householders is damage to paintwork, melting of plastic window frames, blackening of windows and other surfaces, damage to clothes on washing lines etc. Whilst heat damage generally occurs in the immediate few hours after the bonfire has been lit, smoke and chemical damage can persist over a number of days as bonfires are left to smoulder.

In 2003 AEA Technology was commissioned by EHS to carry out monitoring of two specific groups of carcinogenic trace organic compounds, thought to be associated with bonfire emissions, before during and after 11 July weekend in 2003. These compounds were polyaromatic hydrocarbons (PAHs), polychlorinated dibenzo-p-dioxins and polychlorinated dibenzofurans - together widely known as dioxins. The concentrations of these pollutants were measured at two sites; Clara Street in Belfast and Dunmurry High School. These sites are the only sites in Northern Ireland which are part of the UK wide PAH Monitoring Network at which suitable samplers were in operation. The sites were not chosen for their proximity to bonfires.

Results from the study showed a large increase in concentrations of both PAHs and dioxins at the two monitoring sites during the evening of 11 July. PAHs and dioxins are both products of incomplete combustion. The PAHs are formed typically when combustion is poor due to a combination of one or more of the following factors; low flame temperatures, incomplete mixing of fuel and oxygen or low residence times at high temperatures. All these are features of bonfires.

Dioxins are more often associated with waste incineration however they form under a range of conditions in which either combustion is poor as described above or metal containing ashes are held at moderate temperatures between 200 and 350°C in contact with incompletely combusted organic matter such as soot.

During the foot and mouth epidemic in the UK in 2001, guidelines were issued by the then Department of the Environment, Transport and the Regions and the Department of Health to minimise both

emissions of smoke from pyres and the impact of any emissions on human health. Measures which were found to be effective at that time for minimising dioxin formation and human exposure to PAHs would be equally effective in relation to annual community bonfires.

Principally these measures required sensible controls to limit the types of materials added to the bonfire to clean materials, to ensure quick ignition and high flame temperatures. This both minimises the potential for PAH formation by encouraging good combustion and, by minimising the presence of waste materials such as plastics or treated timber which can contain pesticides such as pentachlorophenol and lindane, is likely to reduce the quantities of dioxin formed. It also is clear that allowing the bonfires to smoulder for several days is undesirable as this may be when significant quantities of dioxins are formed.

Ensuring sensible positioning of bonfires relative to housing is a further means of reducing human exposure. However, the annual bonfires in Northern Ireland are normally in urban settings as distinct from rural foot and mouth pyres and hence the several 1000 metre gap from housing required would not be practical. Also wind directions and strengths are not always predictable over the timescales on which the bonfires are assembled but it is undesirable for bonfires of any significant magnitude to be within a few tens of meters of housing.

## 3 Legislative Controls

Legal controls over bonfires are exercised by a number of public bodies. The degree of control available depends on a wide range of factors including: the materials burnt, the actual location or site of the bonfire, the persons responsible for dumping and igniting the materials, defences under the legislation and the availability of evidence. The following is a summary of the main legal controls that are currently available to be used by statutory bodies. It is not intended that this should be a definitive list.

### 3.1 District Councils

#### 3.1.1 Air Pollution Legislation

In respect of controlling air pollution arising from the burning of bonfires, the primary legislation is the Clean Air (NI) Order 1981. This Order offers two approaches to dealing with this issue. Firstly, Article 4 prohibits the emission of dark smoke from industrial or trade premises or other premises on which waste originating from a trade source is burned. The person responsible for complying with this provision is the occupier of the premises.

Secondly, under Article 23, where a nuisance is caused by smoke emitted from premises (other than from a chimney) then action can be taken under the Public Health (Ireland) Act 1878 for 'statutory nuisance'. In this case the person responsible can be either the land owner or the person by whose act, default or sufferance the nuisance occurs. Provision also exists under the legislation for action in default to abate the nuisance.

#### 3.1.2 Waste Legislation

The main legislation is the Litter Order and the Waste and Contaminated Land (WCL) Order.

##### (i) The Litter (NI) Order 1994

Article 3 makes it an offence for any person to throw down, drop or otherwise deposits in, into or from any place open to the air, and leave, anything whatsoever in such circumstances as to cause, or contribute to, or tend to lead to, the defacement by litter of any such place. However, it is a defence if the deposit of the material was authorised by law or done with the consent of the owner or person having control of the place where the deposit occurred.

##### (ii) The Waste and Contaminated Land (NI) Order 1997

Article 28 states that if any controlled waste is deposited in or on any land, the district council may require the occupier to do either or both of the following:-

- (a) remove the waste with a minimum of 21 days.
- (b) take steps with a view to eliminating or reducing the consequences of the deposit of the waste.

If convicted, the person may appeal and on appeal the Court shall quash the requirement if it is satisfied that the appellant neither deposited nor knowingly caused nor knowingly permitted the deposit of the waste.

Article 28 also allows the district council to act in default and remove waste that has been unlawfully deposited on any land: -

- (a) in order to remove or prevent pollution or harm to health; or
- (b) where there is no occupier of the land; or
- (c) where the occupier did not permit the deposit of the waste.

### 3.2 Environment and Heritage Service

Article 4 of the Waste and Contaminated Land Order (NI) 1997 makes provision for several offences associated with the illegal deposit of waste as follows: -

- deposit of controlled waste on any land unless a waste management licence authorising the deposit is in force and the deposit is in accordance with the licence;
- treatment, keeping or disposal of controlled waste in or on any land except in accordance with a waste management licence; and the
- treatment, keeping or disposal of controlled waste in a manner likely to cause pollution of the environment or harm to human health.

A number of defences are prescribed for persons charged with offences.

The 1997 Order also contains offences for breaches of Duty of Care (Article 5(8)), as described in the Controlled Waste (Duty of Care) Regulations (NI) 2002. These would make the following examples offences:-

- waste producers allowing non-registered carriers to transport materials;
- allowing waste to be placed on an unlicensed site; and
- allowing waste to escape from control (e.g. to be left in a yard of a tyre distributor etc).

A further control is contained in Article 38 of the Order, which prohibits the transporting of controlled waste without being a registered waste carrier.

Where EHS obtains evidence pertaining to the identity of the producer or transporter of controlled wastes, such as tyres placed on bonfire sites, investigations are carried out. Any enforcement action would be taken against the producer of the waste and/ or the transporter.

EHS does not have powers to require waste to be removed or to remove waste itself from bonfire sites. Complaints of deposited waste are referred by EHS to the appropriate Council.

### 3.3 Roads Service

The relevant legislation for Roads Service is the Roads (NI) Order 1993. This applies to 'roads', meaning a public road, that is to say a road which is maintainable by the Department for Regional Development and includes -

- a road over which the public have a right of way on foot only, not being a footway;
- any part of a road; and
- any bridge or tunnel over or through which a road passes.

A few roads are designated as 'special roads' - typically motorways, however,

there are no reported bonfire-related issues for special roads. Provisions most relevant to the collection of bonfire material are contained in Articles 59 and 94 of the Order. Other Articles, such as Article 88 (obstruction) could apply.

Article 59 gives the Department powers to require a person who places any thing on a road so as to constitute a nuisance to remove it immediately, and to take the matter to court if they fail to comply. Where the thing is deemed by the Department to be a danger to persons using the road, the Department may remove it.

Article 94 makes it an offence for any person to deposit, or permit to be deposited, building materials, rubble, rubbish, compost, dung or any other thing whatsoever on a road in such a position as to cause, or be likely to cause, any obstruction or danger. Enforcement of this article is dealt with by the Police Service. The Department may remove the material or take such other steps as are necessary to obviate the danger.

Roads Service car parks are not covered by the above Roads Order, but by Bye-laws.

### **3.4. Police Service of Northern Ireland**

There is no specific legislation in respect of policing bonfires. The police will, however, become involved in an investigation where a complaint is received of injury to a person, or damage to property, or where there is public disorder and then depending on the available evidence a person might be charged or reported for a specific offence e.g. criminal damage, assault, Breach of the Peace, disorderly behaviour etc.

Where a public service has been required to take action to remove or relocate a

bonfire the police may be asked to attend in order to reassure and protect workers and to prevent any Breach of the Peace. Where a claim for compensation, in respect of criminal injury or criminal damage, has been forwarded to the Compensation Agency the police will be required to investigate the incident and forward a full report to the Agency.

The Police Service are also responsible for the enforcement of certain provisions under the Roads (NI) Order 1993. Essentially this relates to interference with any roads maintained by the Department for Regional Development. Offences that could be linked to bonfires include: -

- Causing Damage to Roads, Article 85 - Any person who without lawful authority or reasonable excuse, deposits anything whatsoever on a road and thereby causes damage to it shall be guilty of an offence.
- Obstruction, Article 88 - Any person who, without lawful authority or reasonable excuse in any way intentionally or negligently obstructs the free passage along a road shall be guilty of an offence.
- Lighting Fires, Discharging Fireworks, Article 89 - Any person who without lawful authority lights a fire or discharges a firework within 15 metres of the centre of a road and because of this any person or traffic using the road is injured, endangered or interrupted shall be guilty of an offence.
- Depositing of Things on Roads, Article 94 - Any person who deposits, or causes or permits to be deposited, any building material, rubble, rubbish, compost, dung or any other thing on a road in a position to cause or likely to

cause any obstruction or danger shall be guilty of an offence.

Whilst the prosecution of offenders is the responsibility of the Police Service, the responsibility to remove or have removed anything which they consider is causing or is likely to cause a danger or nuisance to road users lies with the Department for Regional Development.

### 3.5. Landowners and Occupiers

In addition to specific responsibilities referred to previously under environmental legislation, all landowners and occupiers (including public bodies) of land used as bonfire sites will have additional civil liabilities. Anyone adversely affected by the existence of a bonfire site may have a right of redress to

damages in civil courts and / or under Human Rights legislation.

### 3.6 Legislative Summary

In summary, legislative controls exist under Waste Management, Roads, Clean Air and Public Health legislation. In general there is a primary responsibility on the owner / occupier of the land used for the bonfire. In addition there are also responsibilities in regard to those depositing the material to be burnt and lighting the fire. For example where trade waste material has been deposited the waste producer is also guilty of an offence under duty of care provisions. Enforcement of legal provisions varies depending upon the actual location and the nature of the offence. This is summarised in Table 3.

**Table 3: Legislative summary**

Bonfire Location	Responsible Body	Enforcing Body	Bonfire Location
Public Road	Roads Service	Roads Service Police Service District Council EHS	Roads Order Roads Order Litter Order, WCL Order WCL Order
Private Land	Landowner	District Council EHS	WCL Order WCL Order
Council land	District Council	District Council EHS	WCL Order WCL Order
NIHE land	NIHE	District Council EHS	WCL Order WCL Order

## 4 Good Practice Initiatives

In Northern Ireland a number of initiatives have been undertaken by some public bodies to mitigate the adverse impact that annual bonfires have on communities. Generally these initiatives involve varying degrees of interagency co-operation and support. Whilst success of these initiatives has varied across council areas it is considered that they are all worthwhile ventures which have brought about improvements in the control and management of annual bonfires. The following have been selected as examples of good practice which should be considered by all public bodies with specific responsibilities for environmental or community issues related to annual bonfires. Information is also included in regards to Community Safety Partnerships which are being established in each district council area.

### 4.1 Best Kept Bonfire Site Competitions

Ballymena Borough Council has for a number of years run a Best Kept Bonfire Competition with a prize fund of £500. The prize money is donated to a charity, youth club, band or local community group selected by the winner. Judging of all bonfires in the competition takes place on three occasions over the period before and after the bonfire. A code of practice is circulated throughout the Borough setting out the competition rules. These include:-

- Only traditional bonfire sites will be included in the competition i.e. no new bonfires.
- The site should be kept tidy at all times.
- Where possible, the bonfire organisers shall form a group of at least three adults. This group will be responsible for directing the bonfire construction in its area and liaising with the Council.

- Each group should register its bonfire site with the Council. A number of traditional bonfire sites will automatically be entered in the competition and bonfires may be eligible for the prize whether they register or not. If not, the prize money will be awarded to the nearest community centre.
- The Council is willing to remove any non-burnable items on request such as fridges, washing machines etc. and these can be cleared from the site by contacting the Council.
- No materials for the bonfire should be brought onto site more than six weeks before the bonfire event.
- There should not be any huts or dens in, or near, the bonfire.
- Build the bonfire clear of electricity and telephone wires.

A number of other district councils run similar competitions, including North Down, Ards and Castlereagh.

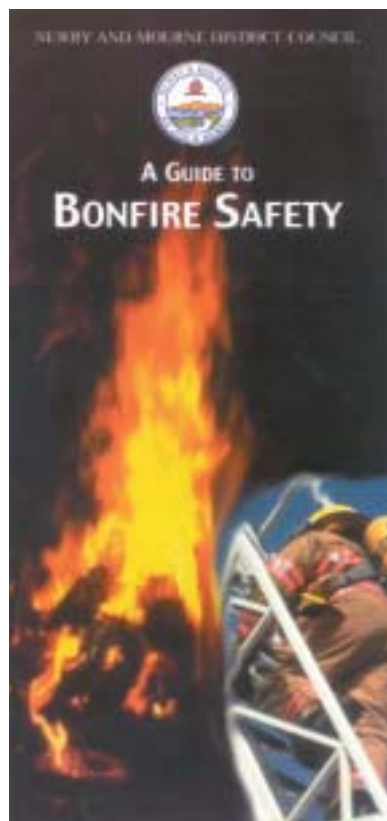
### 4.2 Local Bonfire Committees

Ards Borough Council have established a Bonfire Committee made up of representatives of the Council, Police Service of Northern Ireland, Northern Ireland Fire Brigade, Northern Ireland Housing Executive and Roads Service. The Committee meets approximately four to five times a year to address local bonfire issues. They also oversee the running of a bonfire safety competition which asks children to consider safety and environmental issues.

Bonfire Committees have also been established in a number of other council areas including Antrim, Larne and Newtownabbey.

### 4.3 Bonfire Leaflets

Newry and Mourne District Council have produced a glossy leaflet 'A Guide to Bonfire Safety'. The leaflet provides information on tips for a successful bonfire; before, during and after the event. Also included are safety points to protect and save property and life and recommendations on what to and what not to burn.



Other councils that have produced bonfire leaflets include Coleraine, Ards, North Down and Ballymena.

### 4.4 Engagement with Local Community Groups

In Craigavon Borough Council the Community Development Department has been working closely with the Portadown Local Action for Community Engagement Initiative. This initiative comprises representatives from 5 estates in the east and west Portadown areas on a number of local issues relating to graffiti; upkeep of the area and young people and the role of community groups in relation to the bonfire celebrations. With support from the Council and NIHE, community activists have set about ways in which they could alleviate tension and possibly create an atmosphere in which

people could enjoy this tradition free from trouble. They aim to do this in various ways such as liaising with appropriate statutory agencies, working with young people on environmental or festival projects and talking to key individuals within communities.

The group have undertaken an evaluation of this work and have recognised that the bonfire celebrations do not occur in isolation, rather work has to be ongoing throughout the year. This has involved: removal of political and non-political graffiti, estate cleanups, the employment of a Cultural Officer to promote cultural awareness, particularly with young people and further liaison with the Police Service and Fire Brigade. This has allowed the community to enjoy a more relaxed setting and the local press have been extremely congratulatory acknowledging the commitment of the group and the success of the collective approach.

### 4.5 Bonfire Policy

Coleraine Borough Council has developed a council policy on bonfires. The stated aim of the policy is to work with relevant agencies and community representatives to promote safety, the environment and neighbourliness in the management of bonfires (generally July, August, Halloween and New Year). A 'Safer Bonfire' code of practice has also been produced focusing on safety and neighbourliness.

In 2003 an Equality Impact Assessment was carried out on the Bonfire Policy and a formal consultation carried out under the Council's Equality Scheme. It was found that the practice of lighting bonfires had an adverse effect on a number of Section 75 categories under the Northern Ireland Act 1998. The consultation

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process suggested that the greatest potential for positive influence lay in the statutory authorities and community representatives working together. The principle outcome of the impact assessment was the adoption of a public/private partnership to promote a “Safer Bonfires” code of practice. The partnership included representatives of local public bodies and a community association.

Bonfire policies have been produced by several public bodies.

#### **4.6 Community Safety Partnerships (CSPs)**

In accordance with the NIO Community Safety Strategy, CSPs are now being established in each district council area in Northern Ireland. These bodies bring together local statutory and non-statutory organisations with the common aim of addressing issues concerning local community safety.

In determining a local community safety action plan, CSPs are required to consult local communities, statutory and non-statutory bodies, voluntary and

community groups and other local interests. These action plans are required to address 3 key elements within the NIO Community Safety Strategy which are: crime, fear of crime and anti-social behaviour. Should local consultation identify bonfires as a contributory factor towards any or all of these key issues, then the local CSP will consider options for addressing these problems through its local action plan. Such proposals may involve the local CSP working with local communities and or their representatives to develop voluntary solutions.

Because CSPs are mostly at an early stage of development, completion of local action plans are not due until end of March 2005. However this would not preclude CSPs, in the interim, from engaging with local communities and local bodies in any dialogue on how local bonfires can be safer or more environmentally friendly.

## 5 Conclusions

### 5.1 Background

Bonfires are an important aspect of community celebration and tradition. There is evidence however of increasing public concern regarding the environmental and social impact of bonfires. These concerns include collection of bonfire materials several months before the event, illegal dumping of trade waste, air pollution, visual amenity, fire and smoke damage to property, fears about safety of children playing, effect on property values and criminal and/or anti-social behaviour associated with the bonfire event.

A specific issue for public bodies is the general impression given of an inability or unwillingness to exercise adequate control over the siting of bonfires and the collection and dumping of waste materials. This has risen to a large extent as a consequence of the difficulties encountered by public bodies when efforts have been made to remove materials from bonfire sites. Frequently this has resulted in staff being subjected to intimidation and threats.

### 5.2 Statistics and Impacts

Whilst detailed statistics are not specifically collected by all public bodies involved in dealing with annual bonfires, it has been possible to obtain approximate figures in a number of key areas. Information provided by the main public bodies indicates an annual direct cost to the public purse of approximately £1m. However, the consensus of the Working Group was that this would be a very conservative figure of the total cost to public bodies arising from annual bonfires.

The most complete information on annual bonfire numbers has been provided by NIHE, who reported a total of 1203

bonfires on NIHE property in 2003. The main bonfire event in Northern Ireland is 11 July although this varies from area to area. District councils have indicated that the majority of annual bonfires have a significant adverse impact in local areas.

Over 70% of material burnt on annual bonfires is considered to be trade waste in origin, primarily wooden pallets or tyres. This has important implications for waste management in Northern Ireland and for recycling markets. A survey of waste tyres in Northern Ireland has indicated that only 18% of the 1.7 million waste tyres generated each year are recovered and a large quantity of tyres are disposed of illegally on bonfires. There is an immediate need to address the blatant illegal disposal of trade waste and reduce the amount of waste tyres that are being burnt on bonfires.

Collection of bonfire material is a regular source of complaint to public bodies. This is exacerbated by the prolonged period over which material is allowed to accumulate. Reports in the media during 2004 have highlighted the collection of bonfire material in February some five months prior to the bonfire event. Many bonfire sites quickly take on the appearance of local dump sites for disposal of any household or trade waste materials, not all of which are combustible e.g. fridges. As sites are frequently located in close proximity to dwellings this creates concerns for nearby residents.

### 5.3 Legal Controls

Legal controls over bonfires and the body responsible for enforcement varies depending on the actual location, the material deposited and the emissions produced. In general all annual bonfires that take place currently in Northern Ireland contravene one or more

legislative requirement, as such all bonfires could be considered to be illegal.

District councils, EHS, Roads Service and Police Service have a responsibility under the appropriate legislation for bonfires located on public roads. District councils and EHS have primary enforcement responsibility for bonfires located on other public or private land. There is no evidence at present to indicate that the existing legal provisions do not provide sufficient powers to enable public bodies to deal with bonfires should they so decide. There is also little evidence available to indicate that legal provisions are being applied in a consistent manner in relation to annual bonfires.

In regards to annual bonfires, action can be taken by EHS against the person who knowingly permits waste to be deposited or keeps waste on land (Article 4 WCL Order). Enforcement action could therefore be taken against land owners, including public bodies, who allow bonfire sites to be established. Under the 'Duty of Care', action can be taken against producers or transporters of trade waste who illegally dispose of waste by permitting materials to be burnt on bonfires. Action can also be taken for permitting waste to be illegally deposited, transported by unauthorised persons or burnt on bonfires.

District councils also have specific powers under the WCL Order to deal with waste which has been deposited on any land in the council area. Article 28 of the Order provides powers to remove waste unlawfully deposited. This is the main control available to remove bonfire material illegally dumped on land. Generally councils have been reluctant to use this provision to remove materials from bonfire sites due to intimidation of staff.

Recent changes in responsibilities and controls for waste management in Northern Ireland introduced as a consequence of the WCL Order have resulted in a lack of clarity in the demarcation of responsibilities between the enforcement bodies for illegal deposition of waste. These issues are now starting to be addressed. An improved working relationship between district councils and EHS on illegal waste dumping will enable more effective regulatory management of bonfires.

To assist in this regard a suggested protocol for interagency working has been prepared by the Group and is enclosed in Appendix 3. The protocol outlines actions by regulatory agencies and community bodies in order to achieve local agreements and action plans. In addition the protocol provides guidelines to be considered when deciding if a particular annual bonfire can be tolerated. Many annual bonfires do not cause a level of nuisance or environmental harm that cannot be effectively controlled. Agencies with legislative control may therefore choose to adopt a policy of toleration of annual bonfires.

#### **5.4 Good Practice Initiatives**

Some worthwhile efforts have been made by a number of public bodies to provide better control over bonfires and to ensure that risks to the public are minimised. Examples of such initiatives are provided in Chapter 4. However, such initiatives tend to be more the exception rather than the norm and have not been helped by the absence of a common approach across Northern Ireland.

An encouraging feature has been the support given by district councils for a voluntary date of two weeks prior to a bonfire for the collection of material. The

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majority of councils also indicated that they would, if need be, support the voluntary date by removing material dumped prior to the date. In considering this matter the Group was of the view that in the short term at least it would not be practical or feasible to propose a two week period for the collection of bonfire material across all of Northern Ireland. The appropriate period should instead be determined at a local level in consultation with communities and having regard to local problems and issues.

### **5.5 Community Guidelines and Engagement**

Annual bonfires whilst having specific legal implications and responsibilities for public bodies are very much a community issue. Whilst some sections of a community are strongly in favour of an annual bonfire event, others are strongly opposed. Opposition is generally due to the negative aspects which if adequately addressed should lead to more widespread acceptance. This could be assisted by the adoption of general guidelines on the siting and management

of bonfires. There is therefore a need to provide suitable guidance information to communities and those involved in organising annual bonfires. There is also a paramount need for engagement at a local level with communities to explain the need for increased level of responsibility and control and to influence those directly involved.

This engagement needs to commence as soon as possible in all areas where annual bonfires are a common occurrence. In most cases the lead organisation should be the local district council given their existing community and environmental responsibilities.

Community Safety Partnerships are being established in each district council area in Northern Ireland. The development of local community safety action plans by CSPs will provide a further means for consideration of any crime, fear of crime or anti-social behaviour issues connected with annual bonfires and for engaging with local communities.

## 6 Recommendations for Public Bodies

### 6.1 Community Engagement

The involvement and engagement with local community representatives is an essential element of promoting and encouraging better safety control and monitoring around annual bonfires. The likelihood of success is greatly increased when the issue of a bonfire is not dealt with in isolation but rather is regarded as just one of the issues in which statutory bodies need to engage with the community. In addition, relationships need to be built between community representatives and the appropriate agency officials as this promotes greater understanding of positions, increases community support and ensures the delivery of a more co-ordinated approach.

Whenever good practice guidance is agreed, an opportunity may present itself where local Community Safety Partnerships perform a pro-active role in consulting with local communities to determine problems and concerns regarding local bonfires and to seek local solutions (see Section 4.6.)

### 6.2 Local Liaison between Public Bodies

The control and management of annual bonfires impacts upon many different public bodies, which in many cases has led to an unco-ordinated and disjointed approach towards concerns and issues arising from these events. In some areas, however, there is evidence that discussions between organisations at a local level are bringing positive benefits.

It is therefore, recommended that all public bodies who have a responsibility in relation to bonfires should establish effective liaison arrangements in each district council area. As a minimum this should include the Fire Brigade, Police Service, NIHE, Roads Service, EHS (Waste Management) and the district

council. Discussions should be held in good time prior to bonfire events to identify areas of concern, to establish an agreed approach and action plan. However, this should include the involvement of the local community as outlined above. Again, the local Community Safety Partnership could act as the catalyst for engaging those bodies.

In relation to specific problems that arise with individual bonfire sites, due to the different enforcement responsibilities that exist across public bodies there is a particular need for an agreed interagency protocol. A suggested protocol for interagency co-operation has been developed by the Working Group, a copy of which is enclosed in Appendix 3.

### 6.3 Collection and Reporting of Statistical Information

A difficulty encountered during the preparation of this report was obtaining statistical information on annual bonfires held in NI. Generally such events are held on land owned by a public body and additionally many public bodies have an enforcement responsibility relating to bonfires. It is therefore recommended that all public bodies should take reasonable steps to maintain records of annual bonfire events for which they have a responsibility. This could be in regards to a responsibility as owners of the bonfire site or in an enforcement or emergency service capacity.

Relevant information would include locations of annual bonfire sites, damage caused to land or buildings, costs with clean up and repair, material removal and disposal costs, staff costs, complaints received. Costs to public bodies will occur prior to, during and after, the bonfire event. All relevant information should form part of the local liaison between

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public bodies and be made available to local communities and persons involved in the organisation and management of annual bonfires.

#### **6.4 Enforcement of Statutory Requirements**

Discharging statutory responsibilities is a clear duty of public bodies. For annual bonfires it is recommended that efforts are always made to engage community support and co-operation prior to consideration of enforcement action. Where there is imminent risk to health or property, statutory bodies need to be prepared to take immediate steps to deal with the situation in accordance with their legal responsibilities. Whilst enforcement of legal requirement is a last resort there is a pressing need for more proactive, rigorous enforcement to be taken by both EHS and district councils using the powers available in the WCL Order.

Where landowners are considered to have taken insufficient steps to comply with the legislative requirements consideration should be given to legal proceedings and to removing waste materials.

#### **6.5 Control of Tyres**

An overriding concern has been the burning of large quantities of waste tyres. Rigorous action is urgently needed to reduce the illegal disposal of tyres in Northern Ireland. It is recommended that EHS embarks upon a strict enforcement campaign targeting waste tyre outlets using powers available under waste management legislation.

Consideration should be given to piloting new methods in co-operation with other statutory bodies to identify waste tyre outlets involved in supplying tyres to bonfire sites.

## 7 Guidelines for Communities

### 7.1 Introduction

Many of our local communities have a proud tradition in which annual bonfires play an important role. Bonfire celebrations can be great fun and provide a great sense of festivity and togetherness wherever they take place. The Interagency Working Group on Bonfires considers it important that public bodies allow this sense of community to be developed and enhanced through responsible bonfire celebration taking into account public safety and local amenity issues. To facilitate this, the Group has identified some key issues that should be addressed by communities, if they are to have a safe and enjoyable celebration. Local authorities, such as councils and the Housing Executive, will play a central role in communicating this message to those who organise annual bonfires. This will take the form of guidelines for safe bonfires which can be a theme for interaction between these bodies and the local community representatives.

The Group has identified a fundamental need for interaction between locally based public officials and the community leaders and representatives who organise annual bonfires from the first gathering of material, through lighting up and finally to the aftercare of the site. An important factor is that all bonfire organisers are fully aware of their duty to carry out this role in a sensible and responsible manner. Therefore, guidelines for best practice at each stage of a bonfires development and management have been drawn up.

### 7.2 Advisory Leaflet

The guidelines have been prepared in the form of a user-friendly leaflet. The leaflet has been widely distributed throughout Northern Ireland and is available for use by all public bodies when engaging with

communities. A copy of the leaflet is contained in Appendix 4. Following its critical review of previous literature, the Group considers that a dictatorial and legislatively orientated approach may be counter-productive to the aims and objectives of its work. Therefore, the advisory leaflet is designed to encourage a responsible attitude and foster a sense of pride in the festive atmosphere of the annual bonfire seasons.

Communities are reminded that annual bonfires have played an important historical role within our society, from a practical means of communication with distant neighbours to a warming focal point for social gatherings. There is no reason why this should not still be the case today and just as in those days gone by it is important that annual bonfires are safely managed to maintain the sense of enjoyment for all concerned.

A fact that may go un-noticed by some people is that a bonfire can have far reaching impacts on many other aspects of our lives, such as the state of our environment and the health of our families and friends.

In recent years bonfire events in Northern Ireland have been obtaining bad publicity in the media due to adverse effects that have been reported by those living near to bonfire sites. Residents have complained about the early collection of bonfire materials, illegal dumping, sooty deposits and heat damage caused to the exterior of their homes, such as pvc guttering and window frames. Concerns have also been raised about safety of children playing at bonfire sites and risks to health associated with this mass uncontrolled burning and, in particular, that of asthma sufferers and the very young and elderly. As reported in Chapter 2, a factor that has exacerbated this

concern has been the increasing numbers of tyres that are appearing on bonfires. The leaflet advises against the burning of tyres and other inappropriate material.

The structure of the leaflet is such that it offers a step by step approach to having a successful bonfire. The advisory content has been sub-divided into three sections, which deal with good practice before, during and after the event (Box 1).

#### Box 1: Advice contained in the leaflet

##### **Before the event**

###### **Consultation**

- Plan the event properly and involve the following organisations as early as possible:
  - o Local Community Groups
  - o The landowner, e.g. the Housing Executive
  - o Fire Brigade
  - o Police
  - o Local Council
- It is always helpful to inform any other nearby property owners.

###### **Position of the Bonfire**

- It should be sited in a clear unenclosed space at a safe distance from buildings and overhead cables - as a rule of thumb it should be at a minimum distance of five times its height from property
- Prevailing wind direction should be taken into account to ensure that smoke and fumes do not blow across spectators or nearby homes
- In dry weather the site should be dampened down
- Do not locate on tarmac or asphalt surface

###### **Building the Bonfire**

- Stockpiling of material should not begin too early
- The Bonfire should not contain any potentially hazardous material which may explode or give off toxic fumes, e.g. :
  - o Tyres
  - o Gas cylinders or aerosols
  - o Batteries
- The bonfire should be a manageable size
- Remember, if it is 10 metres tall, it should be at least 50 metres from the nearest building

##### **During the event**

###### **Lighting up**

- The bonfire should only be lit under the guidance of a responsible adult
- Only use domestic firelighters to light the fire
- Never use flammable liquid such as petrol or paraffin as these can cause explosion

###### **Safety**

- Act responsibly and do not allow children near the bonfire
- Spectators should be able to move away without being trapped by the crowd
- Ensure that someone checks nearby buildings for heat damage
- If anything goes wrong dial 999 immediately

##### **After the event**

###### **Clean Up**

- A smouldering bonfire remains a risk - make sure the fire is extinguished
- Organise a clean up of the site

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A strong emphasis is given to the need for good planning. Bonfire organisers are encouraged to involve all relevant organisations at an early stage. Specific mention is made of the Fire Brigade, Police, Housing Executive, district council and land owner and the advice that each may provide. Moreover, emphasis is placed on consultation with the local community and nearby property owners.

Further advice is then given in respect to the siting and construction of bonfires. Points listed for consideration include safe dimensions for the structure and appropriate distance indicators from nearby buildings. Attention is also drawn to the advantages of taking prevailing wind direction into consideration and also the benefits of damping down the site in dry weather. This section also draws upon the recommendations made by district councils in the questionnaire survey reported in Chapter 2. In particular the leaflet urges bonfire organisers to adhere to a locally agreed collection period for stockpiling material.

Advice is also given regarding the most appropriate methods for lighting the fire and ongoing management while the celebrations are taking place. The text emphasises the importance of having a responsible person to supervise these stages and it is hoped that such references will further instil the sense of pride and responsibility that the communities feel.

The reader is also reminded that this responsibility does not end with the actual fire, but extends beyond the event to ensure that the local neighbourhood is fully restored to its former state. Importantly the organisers are not encouraged to extinguish the fires themselves, or to ask the Fire Brigade to do so. Instead, they are invited to organise a clean up of the area once the fire is out. Finally the leaflet summarises the main messages that have been communicated with bullet-points reinforcing the Dos and Don'ts of good practice relating to bonfires in a succinct manner.

The Interagency Working Group on Bonfires commends the guidelines to all public bodies and community representatives involved in the control or management of annual bonfires. It will provide an effective tool to facilitate and provide back up to liaison with those who organise bonfire events. The Group does, however, acknowledge that some authorities already possess similar tools and this leaflet is not intended to replace any of those. Use of the leaflet is discretionary. Should an organisation wish to use it, space has been allocated for the inclusion of local contact information for that authority or other appropriate body.

## Appendix 1 Membership of Interagency Working Group

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Banbridge District Council	- Mr Ken Forbes
Craigavon Borough Council	- Ms Nicola Lane
Department of the Environment, Information Office	- Mr Paddy Murphy
Department for Regional Development, Roads Service	- Mr Norman Chambers
Environment & Heritage Service	- Mr Ivan Gregg (Chairman)
Environment & Heritage Service	- Mr Colin Nugent
Environment & Heritage Service	- Ms Anne Blacker
Larne Borough Council	- Mr Morris Crum
Northern Ireland Fire Brigade	- Mr Bill Majury
Northern Ireland Housing Executive	- Mr Raymond Kitson
Northern Ireland Office, Community Safety Unit	- Mr David Barr
Police Service Northern Ireland, Community Safety Branch	- Mr Robin Dempsey

## Appendix 2 District Councils Questionnaire

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A questionnaire was issued to all district councils in Northern Ireland. Responses were received from the following:-

Antrim Borough Council  
Ards Borough Council  
Armagh City & District Council  
Ballymena Borough Council  
Ballymoney Borough Council  
Banbridge District Council  
Belfast City Council  
Carrickfergus Borough Council  
Castlereagh Borough Council  
Coleraine Borough Council  
Cookstown District Council  
Craigavon Borough Council  
Derry City Council  
Fermanagh District Council  
Larne Borough Council  
Limavady Borough Council  
Lisburn Borough Council  
Magherafelt District Council  
Moyle District Council  
Newry & Mourne District Council  
North Down Borough Council  
Omagh District Council  
Strabane District Council

### Interagency Working Group on Bonfires

The following questions relate to annual bonfires associated with 11 July, internment or Halloween. Responses will be used to develop guidelines for public bodies and the general public. Please provide an approximate estimate or range if exact figures are not known.

Q 1. In relation to annual bonfires in your district council area in 2003 please provide an estimate of the following.

	July	August	Oct/Nov
Total No. of annual bonfires			
No. considered to cause significant adverse impact (see Q 2.)			
No. considered to cause minor adverse Impact (see Q 2.)			

Q 2. For each of the effects below please rank the adverse impact of annual bonfires from 1 (high impact) - 5 (low impact)

Adverse Effects	Impact (1-5)
Illegal dumping of waste materials	
Damage to property	
Air pollution	
Health impact of emissions	
Visual amenity	
Anti-social behaviour associated with event	

Q 3. One possible outcome of the Working Group would be the recommendation of a voluntary date for the start of collection of materials for annual bonfire events. How long prior to the bonfire event should material be allowed to accumulate?

2 weeks	1 month	6 weeks	2 months	Other (please specify)

Q 4. Would your council support the recommendation of a voluntary date, assuming that such a date is widely publicised, if necessary by removing bonfire material using existing legal controls? **Yes / No**

Comments if any .....

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Q 5. Please provide an estimate of the main source of materials used in annual bonfires in your council area.

Material Used	Estimated Percentage
Tyres	
Wooden pallets	
Other trade waste	
Household waste materials e.g.furniture	
Garden waste	
Other material (please specify)	

Q 6. Does your council produce a bonfire leaflet /code for members of the public? **Yes/No**  
If yes, please enclose a copy.

Q 7. Please enclose details of any other initiatives or best practice in your council area relating to bonfires.

Q 8. Would your council welcome preparation and general distribution of an interagency leaflet on bonfire? (Tick as appropriate)

Definitely not welcome or support	
Prefer to use existing council literature	
May make use of	
Definitely make use of	

Q 9. Please provide approximate costs to your council for clean up of bonfire sites and repair of bonfire damaged property

Cost of clean up of bonfire sites	£
Cost of repair of property damaged by bonfires	£

Q 10. Please provide any additional relevant comments or information concerning annual bonfires

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Please return by **2 February 2004** to Ivan Gregg, Air and Environmental Quality Unit, Environment and Heritage Service, Commonwealth House, 35 Castle Street, Belfast BT1 1GU

## Appendix 3 Protocol for Interagency Co-operation/Toleration

Celebratory bonfires are not authorised in law. In recognition of the cultural tradition in Northern Ireland, where such unauthorised bonfires do not cause a level of nuisance or environmental harm that cannot be effectively controlled, the agencies with legislative control may adopt a policy of toleration of bonfires.

The following provides some issues for agencies with legislative control to consider when deciding if a bonfire can be tolerated. The remainder of the protocol outlines required actions by regulatory agencies and community bodies in order to achieve local agreements and action plans.

### Considerations when determining if a Bonfire can be tolerated

Bonfire sites need to be judged on an individual basis, however the following are important factors:

- Siting
  - \* Has the permission of the landowner been obtained?
  - \* Is the site safe - not close to buildings, overhead cables etc.?
  - \* Has the potential for damage to property and land been minimised?
  - \* Is the site kept in a tidy condition?
  - \* Are the bonfire materials suitable - no tyres, gas cylinders, chemicals?
  - \* Has the potential for environmental harm been minimised - proximity to water bodies etc?
  - \* Can nuisance be controlled?
- Time period over which bonfire material is deposited - will materials be left on the site for a prolonged period?

The following are recommended areas for regulatory agencies to consider when taking decisions on how to deal with bonfire sites and complaints received:

- Local circumstances surrounding the bonfire - established sites, history of intimidation of those removing waste, history of complaints etc.
- Community involvement in organising and managing the bonfire event.
- Nature of environmental impact and nuisance associated with storage of material, the burning itself and the clear-up phase.
- Likely indirect impacts of removal of waste from sites e.g. threats and intimidation in the area.

### Actions Required

Due to the number of agencies involved with dealing with bonfire sites a clear system of communication and agreement needs to be initiated. In many cases this will be at a local level between district councils, Roads Service and NIHE divisions. However benefits of pre-planning arrangements in advance of waste deposition would ensure necessary action was taken in a timely manner. A summary of suggested actions is outlined below:

1. Discussions at a local level to take place between involved bodies to agree roles and responsibilities relating to management of the situation and gain agreement on who will remove waste deposited ahead of a tolerable timescale;
  - On roads;
  - On privately owned land; and
  - On NIHE land.
2. The Police Service should be involved at all stages in order to advise on a range of issues relating to security of statutory agency staff and likely impacts of enforcement activities on the local area.
3. Whilst acknowledging that bonfires may be tolerated the bodies involved also acknowledge that situation will arise where material needs to be removed in circumstances where the nature and timing of the deposit is likely to cause nuisance, danger to the public, obstruction or environmental harm that lies outside tolerable limits.
4. In the event that material needs to be removed or other works done on site the following options should be considered:
  - Moving the bonfire itself to a more suitable location (e.g. further away from a road or building) rather than taking material away and preventing the bonfire.
  - Providing suitable storage facilities for bonfire organisers in order to prevent material being deposited for long periods of time in unsuitable locations.
5. Bodies involved in dealing with bonfires acknowledge that there will be instances where urgent removal of waste is required and that this may cause ill-feeling in the area concerned. Contingency plans should be available at local levels in order to deal with such emergency situations.
6. In certain cases, political groups associated with those organising bonfires need to be involved in dialogue at a high level (MLA) in order to ensure that everyone concerned are aware of the problems caused by poorly-planned events. Without this communication it is likely that a proportion of bonfire sites will continue to cause very real problems for local people and the regulatory authorities involved.
7. The local community and/or community groups should be involved with statutory agencies in order to promote understanding between all interests.

## Celebration

The tradition of bonfire celebrations  
Goes back centuries.

In early days the bonfires celebrated  
Light's victory over Darkness  
And marked our control over Fire  
And lighting the dark of night.

Newer meanings came with  
Bonfires burning away the old years  
And lighting the path  
with warm welcomes to New Years.

Bonfires and beacons signalled through the dark  
And always around the bonfires  
Warmly dancing  
Were the celebrations.

But celebrations  
Like bonfires can get out of hand  
Can lose the fun  
Bring fear and pain  
And need control.

“ Celebrations are open and fun  
Let's keep Bonfires that way ”



## If you are having a bonfire...

### DO

- Plan the event and consult properly
- Choose an appropriate site
- Have a competent adult in charge
- Check that all is safe during the event
- Contact the Fire Brigade if anything goes wrong
- Organise a clean up afterwards

### DON'T

- Stockpile material too early
- Build the bonfire too high
- Place hazardous material on the fire
- Light with flammable liquid
- Allow children anywhere near the bonfire

Further information is available from your:

- Local Council
- Local Housing Executive District Office
- Fire Brigade District Headquarters

# BONFIRES

Produced by the Interagency Working Group on Bonfires, 2004

Bonfires are one of the ways in which Northern Ireland people celebrate their history. They can be great fun, but each year some of these events injure people, damage property and ruin our environment.

Following the safe practice recommended in this leaflet, will ensure that bonfires are a much more enjoyable experience for everyone.

**Did you realise that:**

- Stockpiling material for burning can be dangerous to children playing, make your neighbourhood look unsightly and encourage pests;
- Heat from the fire can cause PVC window frames to melt and glass to crack;
- Smoke from the fire is potentially toxic and can affect the health of people nearby, particularly the elderly;
- Hazardous substances can explode and injure bystanders;
- Remnants of the fire can cause pollution of the ground and water;
- Dealing with bonfires costs money that local people pay through rates?

**“ There are a number of simple things that can be done to make our bonfires better for the whole community: ”**



**Before the event**

**Consultation**

- Plan the event properly and involve the following organisations as early as possible:
  - Local Community Groups
  - The landowner, e.g. the Housing Executive
  - Fire Brigade
  - Police
  - Local Council
- It is always helpful to inform any other nearby property owners.

**Position of the Bonfire**

- It should be sited in a clear unenclosed space at a safe distance from buildings and overhead cables – as a rule of thumb it should be at a minimum distance of five times its height from property
- Prevailing wind direction should be taken into account to ensure that smoke and fumes do not blow across spectators or nearby homes
- In dry weather the site should be dampened down
- Do not locate on tarmac or asphalt surface

**Building the Bonfire**

- Stockpiling of material should not begin too early
- The Bonfire should not contain any potentially hazardous material which may explode or give off toxic fumes, e.g.:



- Tyres
- Gas cylinders or aerosols
- Batteries

- The bonfire should be a manageable size
- Remember, if it is 10 metres tall, it should be at least 50 metres from the nearest building

**During the event**

**Lighting up**

- The bonfire should only be lit under the guidance of a responsible adult
- Only use domestic firelighters to light the fire
- Never use flammable liquid such as petrol or paraffin as these can cause explosion

**Safety**

- Act responsibly and do not allow children near the bonfire
- Spectators should be able to move away without being trapped by the crowd
- Ensure that someone checks nearby buildings for heat damage
- If anything goes wrong dial **999** immediately

**After the event**

**Clean Up**

- A smouldering bonfire remains a risk – make sure the fire is extinguished
- Organise a clean up of the site

**Remember, following this advice, planning sensibly and acting safely will ensure that your bonfire is an enjoyable event for all your community**



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Additional copies of the Report and advisory leaflet produced by the Interagency Working Group are available from the Environment and Heritage Service, Commonwealth House, 35 Castle Street, Belfast BT1 1GU Tel: 028 9054 6425

The Report and leaflet are also available in electronic format and can be accessed via the Environment and Heritage web site at: [www.ehsni.gov.uk](http://www.ehsni.gov.uk).

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*Our aim is to protect and conserve the natural and built environment and to promote its appreciation for the benefit of present and future generations.*