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Outdoor and chimney fires clean air policy

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Together for a Healthier Blackpool

A breath of fresh air: Outdoor and chimney fires clean air policy

Executive summary

Blackpool is a vibrant coastal town based along the Fylde coast within Lancashire, home to approximately 140,000 residents. As a popular tourist destination in the north west of England, Blackpool's town centre and seafront see around 18 million visits a year, both for the famous golden mile in the warmer months and the impressive Blackpool illuminations during the cooler months.

Air pollution is the largest environmental health risk in the UK, air pollution can influence everybody that lives in, works in, or visits Blackpool, and Blackpool council are committed to improving our air quality to protect the health of our communities and tourists, our local environment, and our economy.

As part of Blackpool Air quality Action Plan, Blackpool Council has committed to producing an Outdoor and Chimney Fires Clean Air Policy, this policy incorporates a multi- agency initiative with our partners, public health, Lancashire Fire and Rescue and Lancashire police to create a coordinated approach to managing open air fire-related complaints and ensuring public safety.

Local authorities in the UK, including Blackpool Council, receive numerous complaints each year concerning smoke from fires and the illegal burning of hazardous materials such as tyres and plastics. These complaints, often seasonal, involve domestic garden bonfires, waste disposal by businesses, and other illegal burning, all of which negatively impact air quality and pose fire risks.

Over the past five years, Blackpool Council has recorded 725 complaints related to smoke, odours, and the burning of toxic waste. These issues were exacerbated during the COVID-19 pandemic. This policy aligns with Blackpool Council's Air Quality Strategy, which aims to improve local air quality and reduce public health risks.

Scope

This policy outlines Blackpool Council's comprehensive approach to managing and investigating smoke and open fire nuisance complaints, with a focus on key areas that directly impact air quality and public health. The policy specifically addresses:

- Domestic open air fires
- Burning of cables or toxic materials
- Dark smoke from chimneys
- Role of Lancashire Fire and Rescue Service
- Role of Lancashire police
- Public awareness and education

Multi-agency initiative: Collaboration with Lancashire Fire and Rescue and Lancashire police

Blackpool Council has joined forces with Lancashire Fire and Rescue Service and Lancashire police to create a coordinated approach to managing bonfire-related complaints and ensuring public safety. This policy focuses on:

- **Prevention:** Educating the public about the risks associated with bonfires, safe disposal of waste, and legal responsibilities
- **Enforcement:** Coordinating enforcement activities to address illegal bonfires, unlicensed waste burning, and breaches of environmental laws
- **Response:** Responding to incidents where bonfires pose a risk to public safety, air quality, or are causing significant nuisance

Roles and responsibilities

Blackpool Council

Blackpool Council is committed to ensuring the health and well-being of its residents and visitors by actively addressing smoke nuisances and maintaining and improving air quality standards. The council's responsibilities include:

- **Investigation of smoke nuisances:** Blackpool Council investigates complaints related to smoke nuisances from various sources, including domestic bonfires, commercial activities, and illegal burning. This process involves assessing the impact of the smoke on public health and the environment, as well as identifying the source of the nuisance. Issuing abatement notices: When smoke is found to be prejudicial to health or causes significant nuisance, the council has the authority to issue abatement notices under the Environmental Protection Act 1990. These notices require the responsible party to take immediate action to mitigate or eliminate the nuisance. Failure to comply can result in further legal action
- **Enforcement of local regulations:** Blackpool Council enforces local regulations that align with national legislation, including the Environmental Protection Act 1990 and the Clean Air Act 1993. This includes monitoring compliance with laws regarding smoke emissions and the burning of controlled waste. The council ensures that all activities are conducted within the legal framework to protect public health and the environment
- **Collaboration with multi-agency partners:** In conjunction with partners such as Lancashire Fire and Rescue Service and Lancashire police, Blackpool Council works collaboratively to address bonfire-related complaints. This partnership allows for a coordinated response to enforcement actions and enhances public safety through shared resources and expertise
- **Public education and awareness:** The council actively engages with the community to raise awareness about the implications of smoke nuisances and the importance of adhering to air quality regulations. Educational campaigns aim to inform residents about safe burning practices, alternative waste disposal methods, and the health risks associated with air pollution
- **Monitoring and reporting:** Blackpool Council regularly monitors air quality levels across the town, documenting the sources and impacts of pollution. This data is used to assess the effectiveness of current policies and strategies, as well as to inform future initiatives aimed at improving air quality.

Lancashire Fire and Rescue Service (LFRS)

They play a key role in ensuring public safety and fire prevention across Blackpool, particularly during high-risk periods such as bonfire season. Their responsibilities include:

- **Fire safety education:** LFRS educates the public on fire safety, including the risks associated with bonfires, fireworks misuse, and anti-social behaviour (ASB). Their educational programs emphasize the potential consequences of careless firework handling and ASB, helping to reduce the number of related incidents
- **Response to dangerous situations:** LFRS is on standby to respond to bonfires that pose an immediate risk to public safety, as well as illegal or hazardous fires. This includes situations where bonfires involve the burning of toxic materials or are dangerously located near buildings or other vulnerable structures
- **Collaboration with trading standards:** LFRS works closely with trading standards to monitor and manage the safe storage and sale of fireworks. This collaboration ensures that fireworks are stored in accordance with safety regulations and that retailers are complying with legal standards. Together, LFRS and trading standards conduct joint inspections to identify unsafe practices and enforce corrective measures, helping to prevent dangerous incidents involving fireworks. This partnership with trading standards

enhances overall community safety by reducing the risk of firework-related accidents and ensuring compliance with strict fire safety laws.

Lancashire police

Lancashire police play a crucial role in ensuring public safety and order, particularly in dealing with illegal activities, antisocial behaviour, and maintaining public order. Their key responsibilities include:

- **Enforcing laws related to illegal waste burning:** Lancashire police assist Blackpool Council and Lancashire Fire and Rescue in enforcing laws that prohibit the illegal burning of waste, such as tyres, plastics, and other hazardous materials. They support the council in identifying offenders who are breaching environmental laws, and where necessary, take action to prevent further harm.
- **Managing antisocial behaviour (ASB):** Bonfire events can often attract or escalate antisocial behaviour, particularly involving misuse of fireworks, deliberate setting of dangerous fires, or disruptive gatherings. Lancashire police are responsible for patrolling high-risk areas to deter ASB and respond swiftly to incidents. They engage in preventative measures, such as dispersing large groups and enforcing curfews when necessary. Their presence helps maintain order, especially during peak periods like Bonfire Night or Halloween.
- **Public order around bonfire events:** Their role is critical in preventing situations that could lead to disorder, injury, or damage to property, especially in densely populated areas like Blackpool's urban and tourist districts.
- **Assisting in obtaining closure orders:** For repeat offenders or areas that have become hot spots for illegal bonfire activities and ASB, Lancashire police work closely with Blackpool Council to obtain closure orders. These legal measures are used to close properties or areas contributing to the ongoing problem, ensuring long-term safety and compliance. This enforcement tool helps to prevent further environmental damage, disruption, or public health risks.

By collaborating with Blackpool Council and Lancashire Fire and Rescue, Lancashire police contribute to a streamlined multi-agency response that addresses public safety concerns and enforces bonfire-related laws. This integrated approach not only tackles illegal bonfire activities and ASB but also improves public awareness of safe bonfire practices through community engagement and visible law enforcement presence.

Relevant legislation

A robust legal framework aimed at protecting public health, maintaining environmental standards, and preventing anti-social behaviour, guides the enforcement of smoke and fire related complaints. The key laws governing these actions include:

- **Environmental Protection Act 1990 (EPA90):** This comprehensive legislation provides local authorities with broad powers to tackle environmental nuisances, including those arising from bonfires. Key provisions include:
 - **Sections 79(1) (b) and (c) - Statutory nuisance:** Local authorities can act when smoke, fumes, or gases emitted from premises (including land) cause a statutory nuisance or are prejudicial to health. Bonfires that create excessive smoke, particularly from burning inappropriate materials like plastics or tyres, fall under this category. Local councils, including Blackpool, can serve abatement notices on offenders, requiring them to cease or control the nuisance. Non-compliance can result in prosecution, fines, or further legal action.
 - **Section 33(1) (c) - Unauthorised treatment and disposal of controlled waste:** This section prohibits the unauthorised disposal of controlled waste by burning, including commercial and household waste. Individuals or businesses caught illegally burning materials without a permit can face significant penalties. This provision is particularly relevant in cases where hazardous materials, such as tyres or treated wood, are burned in bonfires, posing a risk to air quality and public health.
 - **Section 34 - Duty of Care:** Under this section, individuals and businesses have a legal duty to ensure that waste is stored, transported, and disposed of properly. This means they must prevent illegal waste burning and ensure their waste does not end up in bonfires. Failure to uphold this duty can result in legal action, with penalties ranging from fines to criminal prosecution.
- **Clean Air Act 1993 (CAA93):** This law focuses on the prevention of air pollution and smoke emissions, particularly from domestic and industrial sources. Its relevant provisions for bonfires include:
 - **Section 19A and Schedule 1A - Smoke emission control:** This section allows local authorities to regulate smoke emissions within designated smoke control areas. Although domestic bonfires are generally exempt, the burning of waste materials that cause dark or dense smoke can lead to enforcement actions. This ensures that local air quality is not compromised by large or persistent bonfires emitting harmful pollutants; and
 - **Section 33 - Cable burning:** The illegal burning of cables to recover metal is specifically targeted under this section due to the high levels of toxic fumes, including dioxins that such fires produce. This is an important provision for addressing bonfire-related complaints involving the burning of scrap materials, often found in unregulated or unauthorised bonfires.
- **Antisocial Behaviour, Crime and Policing Act 2014:** This Act gives local authorities and the police enhanced powers to address anti-social behaviour linked to bonfires. Key provisions include:
 - **Public Space Protection Orders (PSPOs):** Local authorities can implement PSPOs to prevent activities such as illegal bonfires in public spaces, where these pose a risk to the community's well-being. The act allows councils and police to impose restrictions or conditions on how public spaces are used, helping prevent the misuse of bonfires for anti-social purposes.
 - **Community Protection Notices (CPNs) and Closure Orders:** CPNs can be issued to individuals or businesses causing a

persistent nuisance or engaging in anti-social behaviour related to bonfires. If the behaviour continues, further penalties, including closure orders, can be applied to properties that are the source of repeated violations. These tools enable swift action to prevent bonfire-related disturbances from escalating.

- **Assaults on Emergency Workers (Offences) Act 2018:** The assaults on emergency workers (offences) act 2018 was enacted to provide greater protection for emergency service personnel, including police officers, firefighters, and paramedics, who may be subjected to violence while performing their duties. This legislation reflects the recognition of the risks faced by emergency workers, particularly during incidents involving public disturbances, such as bonfires or the removal of unsafe waste
- **The Fire and Rescue Services Act 2004** defines the duties of fire and rescue authorities in the UK, including firefighting, fire safety, rescue from road accidents, and response to other emergencies like floods and chemical incidents. It promotes fire safety, allows mutual aid between services, and supports a national framework for consistency. The act also modernises workforce arrangements and emphasises community fire prevention efforts
- **Public Order Act 1986:** Under this act, police can take necessary actions to prevent public disorder related to bonfire events, especially if large gatherings are expected or if there's potential for violence. Officers have the authority to disperse groups if they pose a threat to public safety
- **Common law powers:** Police have common law powers to act in situations where public safety is threatened, including intervening in uncontrolled bonfires that pose a risk to people or property.

These laws provide Blackpool Council, Lancashire Fire and Rescue, and Lancashire police with a comprehensive legal framework to manage bonfire-related issues effectively, ensuring public health and safety, protecting the environment, and curbing antisocial behaviour.

Air quality strategy

The air quality strategy serves as Blackpool Council's comprehensive blueprint to achieve cleaner, healthier air and enhance the quality of life for all residents, workers, and visitors in the town. The strategy is a key component of the council's broader environmental and public health commitments, recognising that air pollution remains one of the most pressing environmental health challenges in the UK.

Blackpool's unique position as a popular tourist destination, with millions of annual visitors, adds complexity to local air quality management. The town's seafront and urban areas are frequently exposed to traffic-related pollution, and seasonal activities such as bonfires, all of which contribute to air quality. Through this strategy, the council aims to implement a balanced and equitable approach to reduce emissions and improve air quality, while continuing to support the town's economy and infrastructure development.

Bonfires and air quality

Bonfires are a common practice, especially during celebrations and seasonal events; however, they can have a profound negative impact on local air quality. The smoke produced from bonfires contains a mix of harmful pollutants that can severely compromise air quality and pose significant health risks to the surrounding community. This concern is particularly acute when individuals burn hazardous or unauthorised materials, such as plastics, tyres, and painted wood. The combustion of these materials releases a range of toxic substances, including:

- **Dioxins:** These highly toxic compounds can accumulate in the food chain and have been linked to serious health issues, including immune system suppression and reproductive health problems
- **Carbon Monoxide (CO):** A colourless and odourless gas, carbon monoxide can interfere with the blood's ability to carry oxygen, leading to serious health effects, particularly for vulnerable populations such as young children, the elderly, and individuals with pre-existing health conditions and
- **Nitrogen Oxides (NOx):** These gases contribute to the formation of ground-level ozone and smog, which can exacerbate respiratory conditions like asthma and bronchitis

Given the potential for bonfires to release these harmful pollutants, it is crucial for Blackpool Council to emphasise the importance of minimising bonfire-related emissions. The council's air quality strategy is designed to meet regional air quality targets while safeguarding public health. The strategy encourages residents to consider alternative, environmentally friendly methods for waste disposal rather than burning materials that contribute to air pollution.

Dark smoke from chimneys

In the UK, the enforcement of regulations regarding dark chimney smoke falls under the Clean Air Act and is enforced by local authorities. The key points include:

- **Legal Framework:** The Clean Air Act 1993 sets out measures to control smoke emissions from chimneys and other sources, particularly in urban areas. Local authorities can designate smoke control areas where certain fuels and burning practices are restricted
- **Regulations on fuel:** The burning of unauthorised fuels in smoke control areas is prohibited. Only approved fuels (like those that meet specific standards) can be used to minimise smoke emissions
- **Monitoring and enforcement:** Local authorities have the power to monitor chimney emissions and investigate complaints

regarding dark smoke. Enforcement can include issuing warnings, fines, or prosecution for repeat offenders

- **Public awareness campaigns:** Initiatives like the Burnright campaign aim to educate the public on the importance of using approved fuels and maintaining stoves to reduce dark smoke emissions
- **Environmental protection:** Dark chimney smoke contributes to air pollution, which can have serious health implications. Therefore, enforcement actions are crucial for public health and environmental protection.

Blackpool does not have smoke control areas (SCAs), due to its coastal location benefits from better quality air due to natural air circulation, limited industrialisation and the sea acts as a natural air purifier, as the waves and currents help to mix the air and reduce the concentration of pollutants, the sea spray can also help remove particulate matter from the air.

Monitoring and enforcement

To address the air quality concerns associated with bonfires and dark chimney smoke, a multi-agency approach has been established, involving key partners such as Lancashire Fire and Rescue Service and Lancashire police. This collaboration aims to effectively monitor bonfires throughout Blackpool to ensure they do not pose a risk to local air quality or public safety. The roles of these agencies include:

- Monitoring bonfire activities
- Public education
- Response to complaints
- Legal framework and enforcement actions
- Community engagement and alternatives to bonfires

Blackpool Council, alongside with its partners, actively promote community engagement regarding bonfire practices. This includes providing residents with guidance on alternative waste disposal methods that are both environmentally friendly and less harmful to air quality. Some recommended alternatives include:

- **Composting:** Encouraging residents to compost organic waste not only reduces the need for burning garden materials but also enriches the soil, supporting sustainable gardening practices
- **Recycling:** Blackpool Council has a recycling service in place, 'Do the right thing' allowing residents to dispose of unwanted materials safely and sustainably. By promoting recycling over burning, the council aims to reduce the overall volume of waste generated and the associated environmental impact. The council also will collect and where possible will recycle bulky items for a nominal charge
- **Community events:** The council also supports community events that provide safe and controlled environments for bonfires, ensuring that any activities that do take place are conducted responsibly and with consideration for air quality.

Legal consequences

Legal consequences of non-compliance with bonfire regulations

Non-compliance with abatement notices or failure to adhere to safe bonfire practices can have serious legal implications for individuals and businesses. These enforcement measures are critical tools employed by Blackpool Council to protect public health and maintain air quality standards in the community.

Consequences of non-compliance

- Fines and prosecution
- Persistent offenders and closure orders
- Criminal Penalties

Bonfire guidelines

As part of the multi-agency initiative, Blackpool Council, Lancashire Fire and Rescue, and Lancashire police will provide guidance for managing bonfires:

- **Discouraging bonfires:** Residents are advised not to burn household or garden waste. Instead, they are encouraged to use recycling and composting services to dispose of materials in an environmentally friendly manner
- **Safety guidelines:** If residents choose to have a bonfire, they must ensure it is a safe distance from buildings, fences, and trees. They should avoid burning materials that release toxic chemicals, such as plastic or treated wood i.e. creosote. Lancashire Fire and Rescue provide public education on safe bonfire practices
- **Weather considerations:** Avoid lighting bonfires in windy or still weather conditions, as these can either blow smoke into nearby properties or prevent smoke from dispersing
- **Materials** used in surrounding structures such as composite fencing and decking including composite, often made from a blend of wood and plastic, can pose significant fire hazards, particularly in windy conditions

For more detailed guidelines on bonfire safety and information about composite materials, refer to resources from Lancashire Fire and

Rescue and the local environmental health team.

Alternative waste disposal

Blackpool Council encourages residents to use the following alternatives to bonfires:

- **Recycling services:** Residents can use Blackpool Council's waste collection services to recycle garden and household waste and bulky items
- **Composting:** Composting organic waste is an environmentally friendly way to dispose of garden materials, reducing the need for bonfires and supporting the council's air quality strategy.

Public engagement and education

Through the multi-agency policy, Blackpool Council, Lancashire Fire and Rescue, and Lancashire police will run joint educational campaigns to raise awareness about the risks of bonfires, promote alternative waste disposal methods, and provide guidance on safe practices. These campaigns aim to reduce the number of complaints, improve air quality, and minimise fire risks.

- **Public safety campaigns:** Educating the community on sustainable and safe waste disposal alternatives: A critical aspect of this policy is community education about sustainable waste disposal practices. The "Bright Sparx" campaign will play a significant role during the bonfire season, focusing on informing residents about the potential hazards of bonfires and promoting environmentally friendly alternatives
- **Utilising media for engagement:** The policy will support the use of various media platforms, through its communications team, to reach a broader audience. Targeted campaigns can provide timely information, engage the community, and encourage safe practices regarding bonfires and waste disposal

By emphasising education and community engagement, the policy aims to empower residents to make informed decisions that contribute positively to air quality and public safety. This multifaceted approach will ensure that the community is well-informed and actively participating in maintaining a healthier environment throughout the bonfire season and beyond.

For more details about this policy and related campaigns, please refer to Blackpool Council's official communications and updates.

Multi-agency coordination: Air quality and safety

The coordination between Blackpool Council, Lancashire Fire and Rescue Service, and Lancashire police is vital in implementing the policy focussing on enhancing air quality and ensuring public safety within the community. This collaborative approach aims to streamline operations and bolster the effectiveness of initiatives related to bonfires and their impact on air quality. By uniting these agencies with a shared mission, the policy seeks to foster a healthier environment for both residents and visitors.

This multi-agency framework aligns directly with Blackpool Council's air quality strategy, which prioritises the reduction of harmful emissions from various sources, including bonfires. The policy establishes a comprehensive system for managing bonfire-related activities with the following objectives:

- **Reduce emissions from bonfires:** By enforcing regulations and promoting alternative waste disposal methods, the agencies aim to significantly decrease emissions that adversely affect local air quality
- **Improve public safety:** Through coordinated enforcement and rapid response to incidents involving bonfires, the agencies work together to minimize safety risks associated with bonfire activities
- **Addressing bonfire-related complaints swiftly and effectively:** A streamlined complaint management system ensures that issues arising from bonfires are resolved promptly, maintaining public trust and safety
- **Prioritising public safety and air quality through coordinated enforcement:** The collaborative enforcement of laws and regulations will help deter illegal bonfire activities and protect community health

Additional resources

To further support the implementation of the bonfire policy and to promote awareness of air quality and public safety issues related to bonfires, several valuable resources are available for residents and stakeholders. These resources provide essential information, guidance, and tools that can help individuals make informed decisions and understand their responsibilities regarding bonfires and waste disposal.

DEFRA smoke control

The Department for Environment, Food & Rural Affairs (DEFRA) provides essential information on smoke control areas. Currently, Blackpool does not have any smoke control areas, as the air quality monitoring conducted by Blackpool Council shows that toxin and chemical levels fall below the threshold required to establish such areas.

DEFRA provides guidance on approved fuels for use, ensuring residents are aware of what can be burned without breaching air quality standards. This helps prevent the harmful effects of burning prohibited materials and reduces air pollution.

For more detailed information, residents can visit the DEFRA website or contact their local environmental health department.

Burnright campaign

The Burnright campaign is an initiative designed to educate the public about safe wood-burning practices, focusing on the importance of using dry wood and compliant appliances to minimise harmful emissions.

- **Safe wood-burning practices:** This campaign provides comprehensive guidelines on how to burn wood responsibly, including information on selecting the right type of wood, maintaining appliances, and understanding the best practices for efficient burning. By following these guidelines, residents can significantly reduce the impact of their bonfires on air quality
- **Environmental impact awareness:** The campaign also emphasizes the environmental impact of wood burning and encourages individuals to consider alternative methods of waste disposal that are less harmful to air quality. This proactive approach aligns with Blackpool Council's commitment to improving local air quality.

Residents can access resources from the Burnright campaign online, including instructional videos, infographics, and downloadable materials.

Contact information for local agencies

For further information, guidance, or assistance related to bonfire safety, air quality issues, or this policy, residents are encouraged to contact the following local agencies:

- **Blackpool Council's public protection department:** This department is responsible for investigating complaints related to air quality and bonfire nuisances. They can provide advice on compliance with local regulations and offer resources for safe waste disposal
- **Lancashire Fire and Rescue Service:** Residents can contact this agency for information on fire safety education, safe burning practices, and risk assessments related to bonfires. They are also available for assistance in emergencies and can provide guidance on preventing fire hazards associated with bonfire activities
- **Lancashire police:** For issues related to anti-social behaviour, illegal waste burning, or public safety during bonfire events, residents can reach out to the local police department. They play a vital role in enforcing laws and ensuring compliance with bonfire regulations

Conclusion

The collaboration between Blackpool Council, Lancashire Fire and Rescue Service, and Lancashire police ensures a comprehensive approach to managing bonfire nuisances and protecting the community from associated risks. By utilising these additional resources, residents can enhance their understanding of safe bonfire practices, comply with relevant regulations, and contribute to the overall improvement of air quality in Blackpool, supporting the air quality strategy. Together, through education and informed actions, we can create a safer and healthier environment for all.

References and useful information

Air Quality Strategy
Blackpool Council. (2023). Air Quality Strategy. Blackpool Council.

[Blackpool's Blue Green Strategy](#)
Blackpool Council. (2024). Blue Green Infrastructure Strategy. Blackpool Council.

[Burnright campaign](#)
Burnright: A national consumer awareness campaign for cleaner and safer burning.

[Department for Environment, Food & Rural Affairs \(DEFRA\)](#)

[Lancashire Fire and Rescue Bonfire Night Safety](#)

[Lancashire Talking](#) - let the police know what it's like to live in your area. Tell them what issues matter most to you.

Helpful advice and information on keeping your pets safe and ways to reduce stress during Bonfire Night

- [Blue Cross](#)
- [PDSA](#)

- [RSPCA](#)
- [Dogs Trust](#)

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