Allotment Rules about Fires on Allotments

Suggested introduction (based on NAS template)

The Tenant must not do or suffer to be done on the Property anything which may increase the risk of fire on the Property, and in particular must not store petrol, oil or similar fuel or lubricants on the Property except in the tanks of machines or with proper precautions and in such quantities as may be reasonably required for day-to-day use by the Tenant

Current Council Rule & proposed change	**BDAC Alternative –**
Bonfires are only permitted during the month of **November** for the burning of diseased plant material. Fires must not be allowed to cause a nuisance to neighbouring residents and under no circumstances should be left unattended. Where local circumstances necessitate, bonfires may not be permitted at any time. BCC addition: If a person has a bonfire and the smoke blows into their neighbour's property then this may constitute a statutory nuisance. Birmingham City Council may serve notice on people who cause a nuisance and take the offending person to court, where fines up to the amount of £5,000 may be levied. (6.3) .	Bonfires are only permitted during the months of March and November for the burning of materials from the Allotment Garden only i.e. diseased plants and dried-out organic material that will burn without smoke or hazardous residue Rest of the clause ("Fires must not be allowed to cause a nuisance to neighbouring residents …) and new addition from BCC accepted.
New rule: Personal fires, barbecues or fire pits are not permitted. Associations may apply to have a barbecue as part of a planned, approved event. If a person has a bonfire and the smoke blows into their neighbour's property then this may constitute a statutory nuisance. Birmingham City Council may serve notice on people who cause a nuisance and take the offending person to court, where fines up to the amount of £5,000 may be levied	*Alternative to BCC proposal:* Plot holders may apply to Associations to have a barbecue as part of a planned, approved event, providing a risk assessment and measures to deal with fires when there are many people on site. Personal fires, barbecues and firepits on plots are permitted on conditions set down by the Association, which include: • Fire extinguishers or water buckets are provided • Barbecues on plots are only allowed on a slabbed area & not on woodchip or grass surface – and location at a distance from perimeter fencing/residential properties. • Only barbecue coals allowed, no use of scrap wood or other materials producing smoke • A maximum number of people allowed including Tenants & visitors – as set by the Association depending on plot size etc • Noise levels must be minimised

Note BDAC Legal advisor says: This will depend on BCC policy for land they own. There may also be issues with city airport and problems with smoke. BCC may have justified reasoning for this stance.