

**STATUTORY INSTRUMENTS.**  
**S.I. No. 286 of 2009 (AS AMENDED BY S.I. NO. 504 OF 2013)**

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**WASTE MANAGEMENT (PROHIBITION OF WASTE DISPOSAL BY  
BURNING) REGULATIONS 2009 (AS AMENDED BY S.I. NO. 504 OF  
2013)**

**Statutory Notice.**

Checklist of advance information to be provided by a person to **WESTMEATH  
COUNTY COUNCIL** concerning the proposed burning of agricultural waste in  
accordance with the provisions of the Waste Management (Prohibition of Waste  
Disposal by Burning) Regulations 5(1)(a) and 5 (1) (b)

**Name:**.....

**Address:**.....

.....

.....(correspondence address).

**HERD NUMBER:**.....

**Telephone:**.....

**Local authority administrative area:**.....

I hereby give notice to **WESTMEATH COUNTY COUNCIL** of my intention to burn  
waste solely consisting of uncontaminated (free of dangerous substances,  
preservatives or other artificial impregnation or coating) wood, trees, tree trimmings,  
leaves, or brush, or other similar waste generated by agricultural practices (but  
**excluding** garden and park wastes and cemetery wastes and waste arising from  
infrastructural development works)

on ..... (give the proposed date of  
the burning) at ..... (location  
where proposed burning will take place).

### **DECLARATION OF SUITABILITY.**

I declare that such burning will be done as a final measure following the application of the following waste hierarchy:

- i. **reduction** of waste arising in accordance with best agricultural practice,
- ii. **reuse** of waste where practicable,
- iii. **recycling** of waste through shredding and use as compost or wood chippings, where practicable,
- iv. **salvage** of waste for use as fuel, where practicable,
- v. **disposal**, where none of the options at (i) to (iv) above are practicable or economically viable but subject to the following conditions:

- (I) adequate measures will be taken to limit the overall nuisance or possibilities for endangering human health or causing environmental pollution, and
- (II) no accelerants will be used when undertaking the disposal activity.

.....

**Name (block capitals)**

**Date** .....

**WARNING. A person who gives false or misleading information for the purpose of this notice may be guilty of an offence.**

***Return completed document to :***

***Catherine McDonough, A/Senior Executive Technician,,  
Environment Section,  
Westmeath County Council,  
Civic Offices,  
Mullingar,  
Co. Westmeath.***

# Agricultural Green Waste Burning Guidelines

## Guidelines

Below are guidelines to be taken when performing a controlled burn of waste arising from agricultural practices only i.e. waste solely consisting of uncontaminated (free of dangerous substances, preservatives or other artificial impregnation or coating) wood, trees, tree trimmings, leaves, or brush, or other similar waste generated by agricultural practices (but excluding garden and park wastes and cemetery wastes and waste arising from infrastructural development works).

**Burning of household waste, garden waste, waste from parks or cemeteries and waste arising from infrastructure develop is an offence and liable to prosecution.**

## When can landowners burn residual green agricultural waste?

Under the Wildlife (Amendment) Act of 2000, it is an offence for any person to burn any vegetation between the 1<sup>st</sup> March and 31<sup>st</sup> August each year.

## The landowner must give written notice to Westmeath County Council

Before carrying out any burning:

- A statutory notice under section 5 (2) of the Waste Management (Prohibition of Waste Disposal by Burning) Regulations 2009 (S.I. No 286 of 2009) must be completed and signed by the landowner.
- The Environment Enforcement Section of Westmeath County Council must receive this completed signed notice **at least 1 full working day before the burn.**
- The statutory notice is available for download from [www.Westmeath.ie](http://www.Westmeath.ie) or by phoning 0449332000
- The following details should accompany the submitted statutory notice
  1. the nature of controlled burning
  2. the start and estimated end times of controlled burning
  3. the exact location of controlled burning including townland name and any significant location markers nearby
  4. the name and contact number of person in charge of controlled burning.

The Local Authority will record information relating to the date, time and locations where controlled burning will take place and the Local Authority will pass this on to the Fire Service, Regional Control Centre.

## The landowner must also ring the Fire Service

- A minimum of one hour after the statutory notice and details of the planned burn have been received by Westmeath County Council and at least one hour before carrying out any burning, the landowner is required to contact Fire Service Regional Control Centre by phone on 0818 300 112 to provide details of when it is intended to commence controlled burning and again on completion of burning.
- The Regional Control Centre will not record any details in relation to controlled burning unless they receive confirmation from the Local Authority that they have been notified of the intention to carry out a controlled burn, therefore you may be charged for any call outs if the Local Authority are not informed in the first instance.

## Advice when carrying out a controlled agricultural burn

- Burning should commence early in the day and should be supervised from start to finish.
- A fire break of at least 50 feet (16 metres) should be made at the outside of the area to be burned by cultivation or clearing the land of vegetation.
- Inform the owner or forester in charge of any woodland nearby.
- In addition to informing the owner or forester of any woodland nearby you are also required under section 39 of the Wildlife Act 1976, as amended by the Wildlife (Amendment) Act 2000, that a person shall not burn any vegetation growing within one mile of a wood which is not the property of such person, or other lands restricted by the Wildlife Acts, unless they have provided written notice of their intention to a Garda station in a Garda district in which the land they intend to burn is situated. Notice of intention to burn must be provided between seven and 35 days prior to the burning. Failure to provide written notice is an offence carrying penalties.
- Inform your neighbours to prevent alarm.
- Burn against the direction of the wind.
- Smoke should **not** cause a nuisance to others or become a road safety hazard.
- Do not attempt to carry out the operation alone. Enlist sufficient help to ensure that the burning is carried out efficiently, effectively and safely.
- Equipment for extinguishing the fire must be on hand before the burning begins. If possible have a mobile water tanker (slurry tanker) or crop sprayer with a hose attachment. Fire retardant clothing is required for all workers using fire. Face visors BS 2092 and BSEN1166 are highly desirable. Safety Goggles are also advised. Where prolonged exposure to smoke is likely suitable masks are advised.
- No burning should be carried out at night.
- If the fire gets out of control and threatens buildings or woodlands, call the Fire Brigade immediately by dialling 999 and meet the Fire Brigade to show them the best route to the fire.
- Before leaving the area make sure that the fire is completely out.
- Within SPA designated areas the advice of the National Parks Service should be sought as regards conservation issues. Where Archaeological features are present the National Monuments division of DOELG should be informed.
- Individuals intending to burn must ensure that they have suitable insurance cover and farm safety statements etc. should take account of Burning.

### IF IN DOUBT, DON'T BURN

**Westmeath County Council**

**Environment Enforcement Section**

County Buildings, Mullingar, Co. Westmeath

Phone: 0449332000

Web: [www.westmeathcoco.ie](http://www.westmeathcoco.ie)

Email: [environment@westmeathcoco.ie](mailto:environment@westmeathcoco.ie)





**Westmeath County Council**

**S.I. 286/2009 Waste Management (Prohibition of Waste Disposal by Burning Regulations)**

**Checklist of Prior Notification to be provided by a person to a Local Authority concerning the proposed burning of agricultural waste in accordance with the provisions of Regulation 5(1)(a) of S.I. No. 286 of 2009 – Waste Management (Prohibition of Waste Disposal by Burning) Regulations**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Herd Number :** \_\_\_\_\_

I hereby give notice to **Westmeath County Council** of my intention to burn waste solely consisting of uncontaminated (free of dangerous substances, preservatives or other artificial impregnation or coating) wood, trees, tree trimmings, leaves, or brush or other similar waste generated by agricultural practices (but excluding garden and park wastes and cemetery waste and waste arising from infrastructural development works)

On \_\_\_\_\_ (date) at \_\_\_\_\_  
(Location where proposed burning will take place).  
(Attach map of location)

**Declaration of Suitability:** I declare that such burning will be done as a final measure following the application of the following waste hierarchy:

- (a) Reduction of waste arisings in accordance with best agricultural practice,
- (b) Reuse of waste where practicable,
- (c) Recycling of waste through shredding and use as compost or wood chippings, where practicable,
- (d) Salvage of waste for use as fuel, where practicable,
- (e) Disposal, where none of the options at (a) to (d) above are practicable or economically viable but subject to the following conditions –
  - (i) Adequate measures will be taken to limit the overall nuisance or possibilities for endangering human health or causing environmental pollution, and
  - (ii) No accelerants will be used when undertaking the disposal activity.

**Name:** \_\_\_\_\_  
(Block Capitals)

**Date:** \_\_\_\_\_

**Warning:** A person who gives false or misleading information for the purpose of this notice may be guilty of an offence.

## **22 Controlled Burning (Draft and Policy agreed by TLG and taking into account legislative requirements of Local Authorities (*Ver Final 6<sup>th</sup> May 2011*))**

*Controlled Burning is where a farmer notifies the Local Authority their intent to carry out supervised burning on private land. This allows farmers to burn surplus waste and growth and is covered by a Temporary Agricultural Exception under the Waste Management Regulations 2009. Such burning does not require the Fire Brigade to attend such incidents. This procedure helps ensure that the ERCC is aware in real time when Control Burning Occurs and to help prevent spurious mobilisation and a needless reduction in fire cover.*

This procedure sets out how the E.R.C.C, the local authority and farmer will deal and monitor where controlled burning is taking place.

- 1: Any farmer, who is preparing to burn agricultural waste, must inform the local authority in advance.
- 2: The Local Authority should record the exact address (including townland) of the proposed burning, the date, time and duration of the burning. A contact name and telephone number will also be required to be recorded.
- 3: The Local Authority will inform the farmer wishing to carry out Controlled Burning that upon commencement and completion of the Control Burning, they should contact the ERCC on an 0818 300 112 Non Emergency Line.
- 4: The Local Authority will be required to pass on the details in writing of such Controlled Burning in advance to the ERCC ([firecontrol@dublincity.ie](mailto:firecontrol@dublincity.ie) – Email account accessible by all Supervisors and Station Officers assigned to ERCC).
- 5: Upon the 0818 300 112 Non Emergency Line ringing in the ERCC, The E.R.C.C. will create an incident with incident type 'FIRE/ CONTROLLED BURNING' with the townland/premise selected.

## **Regional Control Centre Standing Orders.**

6: the following details should be logged on the **STORM** Incident Call Card

- Nature of Controlled Burning
- Start and Estimated End times of Controlled Burning
- Exact Location of Controlled Burning including townland name
- Name and contact number of person
- The local brigade who would attend if required

The subscriber should also be told to inform the E.R.C.C. when the Controlled Burning is finished.

7: No appliance will be mobilised. An SOP will be displayed on the **STORM** CAD with the procedure for Controlled Burning displayed.

8: If a fire call is received during the controlled burning, the **STORM** system will prompt the operator that there is a possibility of a duplicate call in the area. The Control Operator will tell the subscriber that there is 'Controlled Burning in that vicinity'. If the ERCC is satisfied that subsequent call is a duplicate call for the controlled burning, a note of this will be made on **STORM** and the RSFO informed of same, and no appliance will be mobilised. However, if there is any ambiguity as to the location and origin of the subsequent call, the E.R.C.C. will mobilise an appliance as per PDA.

9: The Subscriber should inform the ERCC using 0818 300 112 when the Controlled Burning is complete. On receipt of this, the ERCC will close the Incident on the **STORM** System. While the E.R.C.C. will make every effort to contact the person responsibly for controlled burning to establish if finished, the onus is on the subscriber to contact the E.R.C.C. to report same.