

COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

28TH SEPTEMBER 2020

REPORT OF ASSISTANT DIRECTOR – HOUSING & ENVIRONMENT

A.6 Mitigation Measures for Impact of Public Firework Displays

(Report prepared by *Mark Baker and Tim Clarke*)

PURPOSE OF THE REPORT

To provide information to the committee to enable them to consider Cllr Sue Honeywood's motion to Council on 21st January 2020 in respect of public firework displays.

INVITEES

None

BACKGROUND

Councillor Sue Honeywood's Motion to Council on 21 January 2020:

"Fireworks are used by many people throughout the year to mark different events. While they can bring much enjoyment to some people, they can also cause significant problems and fear for other people and animals.

This Council therefore resolves:

- to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people — including the precautions that can be taken to mitigate risks; and
- to encourage local suppliers of fireworks to stock "quieter" fireworks for public display."

DETAILED INFORMATION

With the onset of the latter half of the year a number of events are traditionally marked with firework displays and from mid-October until the end of the year firework sales take place from supermarkets, some convenience stores and a growing number of temporary specialist shops.

Furthermore this year organisers of firework events will have to consider the precautions necessary to reduce risk of transmission of COVID-19 infection at gatherings in outdoor areas.

Fireworks can only be sold at certain times of the year:

- from 15 October to 10 November
- from 26 December to 31 December
- the first day of Chinese New Year and the 3 days before it
- the first day of Diwali and the 3 days before it

A licence from ECC, issued under the Explosives Regulations 2014, is required in order to store up to 2 tonnes of explosives. The sale of fireworks outside of the dates above requires an all year round sellers licence in addition to the storage licence.

The attached leaflet published by Environmental Protection UK provides some further information around the sale and use of fireworks. <http://environmentalprotectionuk.com/wp-content/uploads/2016/03/Fireworks.pdf>

Fireworks and bonfire displays for various celebrations have in some instances been the cause of injuries to those attending. Furthermore, disturbance is caused to local residents' families and pets and animal based businesses such as riding schools, kennels and catteries. A district wide promotional campaign and advance publicity of organised displays should help to reduce such injuries and disturbance.

It is thus timely to consider the benefits of a campaign to remind the public and organisers of local events about the precautions that should be taken to reduce risk of injury and disturbance to the local area.

- In order to organise a display for a charitable or business purpose the person in charge should be able to competently carry out a risk assessment in order to fully consider the hazards to the safety of people attending or working on the site and the control measures that will be necessary to reduce the risks of injury as far as is reasonably practicable.
- Officers from the environmental health department are authorised to take formal action regarding breaches of the Health and Safety at Work, etc. Act 1974 regarding risks to health and safety and the Environmental Protection Act 1990 in relation to statutory nuisance from noise disturbance. As firework displays are often one off events it is extremely difficult to take action in respect of noise disturbance
- The sale of fireworks, including any product safety issue, is regulated by the Trading Standards team at Essex County Council. Any campaign led by TDC could be run in partnership with Trading Standards.
- Where the display includes the sale of alcohol or any other licensable activity or is located on licensed premises the person in control of the activity must have regard to the four licensing objectives
 1. Prevention of crime and disorder.
 2. Public safety.
 3. Prevention of public nuisance.
 4. Protection of children from harm
- For single events where up to 500 people are involved (spectators and staff included) a Temporary Event Notice will be required but if greater numbers of people are involved the event may be referred to the Tending Safety Advisory Group which is

made up of representatives from HSE, Essex County Council, and Essex Fire Service and Essex Police.

- Advance notice of public firework displays would allow more time for local residents to take their own measures to minimise disturbance to young children and pets and for businesses to put measures in place to reduce stress to animals kept on their premises. The Council does not have any statutory powers to require the advance advertising of public displays but can, via various media channels, encourage the advertising of events.

The Council has a presence on social media sites for disseminating advice and information which has been found to be effective in reaching significant numbers of people in the area and could be used to promote safety measures and consideration to reduce noise disturbance through earlier finishing times and low noise fireworks and displays

RECOMMENDATION

That the Committee determines whether it has any comments or recommendations it wishes to put forward the relevant Portfolio Holder or Cabinet regarding social media and press releases to

- **promote responsible approaches to firework displays in relation to the safety of those attending,**
- **help to reduce disturbance to local communities and**
- **provide advance notice of public firework displays**