

Executive  
22 April 2021

**Title: Motion in relation to Fireworks**

**Lead Officer: Andrew Hill (Safer Communities Manager)**

**Portfolio Holder: Judith Falp**

**Public report**

**Wards of the District directly affected: All**

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: No

Included within the Forward Plan: Yes

Equality Impact Assessment Undertaken: No

Consultation & Community Engagement: None

Final Decision: No

Accessibility checked: Yes

**Officer/Councillor Approval**

<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	16/03/2021	Andrew Jones
Head of Service	15/03/2021	Marianne Rolfe
CMT	16/03/2021	Andrew Jones
Section 151 Officer		
Monitoring Officer		
Finance	06/04/2021	Mike Snow
Portfolio Holder(s)	15/03/2021	Judith Falp

### 1. Summary

- 1.1. On 25<sup>th</sup> November 2020, a motion was made to Council in relation to Fireworks, and the following was agreed

This Council:

- requests that a report is brought to the Executive, before the end of August 2021, on the ability for this Council 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
  - requests that the Executive brings forward proposals actively to 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
  - will write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
  - requests that the Executive writes to Warwickshire County Councillors within Warwick District to consider what action Warwickshire County Council could take to encourage local suppliers of fireworks to stock 'quieter' fireworks for public display."
- 1.2 This report is the response to that motion which provides the appropriate details in relation to the motion and some additional background information in relation to how the impact of fireworks is minimised.

### 2. Recommendation

- 2.1. To note the contents of the report and agree that no further action is required in response to the Motion to Council.

### 3. Reasons for the Recommendation

- 3.1 Each of the elements of the motion will be addressed.
- 3.2 *Can the Council require all public firework displays to be advertised in advance?* Unfortunately it cannot, in all cases. It can be a requirement of any displays taking place on Council owned land, but for any other land the Council can merely request this "good practice" takes place.
- 3.3 *Is anything currently done to publicise events?* The Council already operates a voluntary safe firework and bonfire registration scheme and lists registered events on the Council website. This service can assist residents with particular concerns and identify when and where events are taking place. However, this registration scheme is not a statutory service and may be affected in any operational/financial review made in future.

- 3.4 In addition to the organisers of events volunteering the information to the Council, officers may also become aware of events if organisers apply/enquire about licensing issues and/or request advice relating to event safety. Should an event involve amplified music or the sale of alcohol it will require a Premises Licence from the Council. In addition to this, Council officers form part of The Warwick District Safety Advisory Group (SAG). This group provides independent advice to the organisers of "large scale public events" and is composed of officers from various public safety organisations. The group will provide advice in relation to events which over three thousand people will attend, or an event with a specific inherent risk. Firework events which the SAG is supporting would also be detailed on the Council's website.
- 3.5 *What laws are in place in relation to fireworks?* The main legislative controls relating to Fireworks are contained in the Fireworks Regulations 2004 (made under the Fireworks Act 2003). These regulations are enforced by the Police and place restrictions on when Fireworks can be sold and used. These restrictions are aimed at ensuring Fireworks are not an issue other than around the times of specific "celebrations". As such Fireworks can only be sold between 15 Oct and 10 Nov, between 26 Dec and 31 Dec and on the three days up to and then including both Chinese New Year or Diwali (i.e. on 38 days each year). It is also against the regulations to set fireworks off between 23.00 and 07.00 except on 5 Nov (midnight) and then New Years Eve, Diwali and Chinese New Year (all 01.00). There are also restrictions in place in relation to types of fireworks that can be sold, where they can be set off and certain age restrictions. In addition, retail outlets wanting to sell fireworks are required to be licensed by Trading Standards teams (within County Councils).
- 3.6 In addition the British Fireworks Association issues a Code of Practice to members promoting legislative adherence. They also promote two publications from the CBI Explosives Industry Group entitled "Working together on Firework Displays" and "Giving your own Firework Display", which are available free of charge. In all these guidance documents event organisers are actively encouraged to advise the public in relation to the event so that any necessary precautions can be made.
- 3.7 The Council's website contains several pages of useful information relating to the issues mentioned above and the links to relevant external websites.
- 3.8 In relation to an awareness raising campaign, the Council's website already recommends being a good neighbour and advising neighbouring residents of the use of fireworks so that they can take any relevant precautions. It is also highlighted at the relevant time of the year by the Council's Dog Warden service. However, there is no specific budget for any detailed campaign.
- 3.9 The above mentioned regulations limit the level of fireworks (legitimately sold) to 120 decibels (dB). N.B. This is generally considered to be equivalent to a thunderclap. Ninety dB is considered to be equivalent to

the noise from a lawnmower and clearly is much quieter. A petition was logged with the Government in 2020 requesting that the level be reduced to 90dB, however it has gathered little support. The required letter was sent on 21<sup>st</sup> January 2021 and copied to Councillors. A copy is included at Appendix 1.

- 3.10 The licensing arrangements mentioned ensure the 2004 Regulations are followed by retailers. Failure to comply with the Regulations can result in prosecution with possible sentences of a fine of up to £5,000 or a prison sentence of up to three months, or both. As is the case with the advertising of events, it would only be a request the County Council could make that retailers sell quieter fireworks. The required letter was sent on 21<sup>st</sup> January 2021 and copied to Councillors. A copy is included as Appendix 2.
- 3.11 It is the Officer's view that no further action is required, but that the O&S Committee could decide whether it wishes to undertake any further scrutiny of this issue in the lead up to, or aftermath of, November 5<sup>th</sup> this year.

#### 4. Policy Framework

- 4.1. **Fit for the Future (FFF)** - The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

- 4.1.1. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#). The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

#### 4.2. FFF Strands

##### 4.2.1 External impacts of proposal(s)

**People - Health, Homes, Communities** – The effective control over the use of fireworks can have a positive impact on the mental health of vulnerable humans and animals.

**Services – Green, Clean, Safe** – This report aims to provide clarification of roles and responsibilities of the responsible agencies.

**Money – Infrastructure, Enterprise, Employment** – This report aims to provide clarification of roles and responsibilities of the responsible agencies.

##### 4.2.2. Internal impacts of the proposal(s)

**People - Effective Staff** – none identified

**Services – Maintain or Improve Services** - Clarification of roles and responsibilities

**Money – Firm Financial Footing over the Longer Term** – none identified

**4.3. Supporting Strategies**

4.3.1. None are identified

**4.4. Changes to Existing Policies**

4.4.1 None are identified

**4.5. Impact Assessments**

4.5.1 None are identified

**5. Budgetary Framework**

5.1. This report has no impact on current budgets.

**6. Risks**

6.1. There are none identified.

**7. Alternative Option(s) considered**

7.1. None were considered.

**8. Background**

8.1. There is no other relevant background information.

**9.0 Appendices**

Appendix 1 – letter to H.M. Government

Appendix 2 – Letter to County Councillors (via email)

Appendix 1 – Letter to H.M. Government



**Councillor Andrew Day**  
**Leader of the Council**  
**Member for Bishop's Tachbrook**  
Warwick District Council, Riverside House  
Milverton Hill, Royal Leamington Spa, CV32 5HZ

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**our ref: AD/F1**  
**your ref:**

12 April 2021

Dear Sirs

**Re: Fireworks**

At a recent Full Council meeting of Warwick District Council a motion was agreed which required a letter to be sent to the UK Government in relation to the level of noise from fireworks. The motion was as follows:-

"This Council will write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays."

The background to this motion was in relation to the amount of noise disturbance fireworks cause for animals and vulnerable members of our society.

I am aware that there is an active petition before you at the moment and would request that this letter is viewed as showing support for that petition.

If you require any further information please contact Andrew Hill, Safer Communities Manager, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5HZ or via Andrew.hill@warwickdc.gov.uk.

Yours sincerely

Councillor Andrew Day  
Leader of the Council

Appendix 2 – Letter to County Councillors (via email)

Dear Councillor

Re: Sale of Fireworks

At a recent meeting of the Full Council of Warwick DC a motion was agreed which required me to write to you. The wording of the motion was as follows:-

“The Council requests that the Executive writes to Warwickshire County Councillors within Warwick District to consider what action Warwickshire County Council could take to encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display”.

The background to this motion related to the amount of noise disruption fireworks gives to animals and the vulnerable members of our society.

As you are no doubt aware Warwickshire County Council’s Trading Standards Service issues licences to outlets selling fireworks and is therefore in direct contact with them. On behalf of Warwick D.C. I am requesting that officers engage with licensed outlets in an attempt to persuade them to stock quieter fireworks. If quieter fireworks are more widely available and purchased by the public, it will help to reduce the levels of noise associated with fireworks and assist those living in fear at certain times of the year.

For any further information please contact Andrew Hill, Safer Communities Manager, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5HZ

Yours sincerely

Andrew Day

Leader of Warwick Council.