

HERTFORDSHIRE COUNTY COUNCIL

**COMMUNITY SERVICES SCRUTINY COMMITTEE
TUESDAY 14 OCTOBER 2003 AT 10.00 A.M.**

Agenda Item No.

4

FIREWORKS TOPIC GROUP - final report

Report of the Director of Community Information

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1. Purpose of the Report

To inform members of the Fireworks Topic Group actions, and to present the Group's final report.

2. Summary

The final report summarises the way the Topic Group addressed its remit, the views that it took into consideration, its key findings and eight recommendations that should be considered in the light of the new Fireworks Act.

3. Conclusions

The Committee are invited to accept the report of the Topic Group, and endorse its wider publication.

1. Background

1.1 The Community Information and Protection Scrutiny Committee decided to set up a Topic Group on Fireworks at its meeting of 14 January 2003. The remit of the group was to:-

- Investigate the possibility of fireworks being handled only by trained personnel.
- Look at the possibility of imposing restrictions to times when fireworks can be used.
- Deliberate the private members bill – Control of Fireworks and push the LGA for greater involvement.
- Look at restrictions/controls on fireworks that can be purchased freely.
- Consider the balance between personal liberty and safety/nuisance.
- Address issues arising from celebrations by all ethnic groups.
- Contact Melanie Johnson for her comments.

This followed concerns expressed by many Herts residents on the issue of fireworks.

1.2 Five members, Michael Colne, Peter Ruffles, Reg Smith and John Usher, under the chairmanship of Bryan Hammond formed the Topic Group.

1.3 The group was informed at its initial meeting that the Government had adopted the Private Members Bill on Fireworks, and the progress of the bill was monitored carefully.

1.4 As detailed in the report (*circulated separately to Members*) the group received views from a wide spectrum of the public, traders, and other agencies both in written form and face to face. This enabled the group to formulate some key findings and use those to make eight recommendations.

1.5 Key Findings

Comments from event organisers, traders, voluntary organisations, and the general public as well as discussions with officers, helped the group to come to the following conclusions:-

- Fireworks are increasing in popularity
- There is a trend towards larger fireworks being used by the public
- A wide spectrum of the public found noise levels caused by fireworks created unacceptable distress
- There is public concern at the trend towards all year round use of fireworks

- The public appears to favour restricting noise levels and the time at which fireworks are used.
- Current regulatory controls do not adequately address the anti-social use of fireworks
- Responsible traders are willing to play their part in current and any future controls on fireworks
- Traders cannot have their registration to store fireworks removed even if convicted of an offence relating to sales/storage

Recommendations

1. The use and distribution of fireworks should be managed via a licence for high street retailers.
2. The industry should be encouraged to minimise the noise disturbance caused by fireworks, with the possible introduction of legislation to enforce this if necessary. Regulations should be introduced to control large displays.
3. Only licensed operators should be allowed to let off category 3 and above fireworks.
4. The industry should be encouraged to restrict the timeframe in which fireworks are generally available to members of the public.
5. A two-tier licensing system relating to categories of fireworks should be introduced i.e. higher fees for the sale of categories 3 & 4.
6. A time limit of 11.00pm should be imposed for the letting off of external fireworks falling within categories 2, 3 and 4.
7. More enforcement resource should be made available to allow any restrictions to be effective.
8. It should be made possible for traders to have their registration to store fireworks refused, especially if convicted of an offence relating to under age sales or storage.

1.6 The Fireworks Act received Royal Assent on 18 September. The Act is one which enables the Secretary of State to make regulations on a number of issues, most of which are covered in the groups recommendations. Clearly, in bringing forward any regulations the government would wish to consult widely with interested parties.

1.7 As agreed by the Topic Group at its last meeting a copy of the draft report has been sent to both the LGA and the Department of Trade and Industry, highlighting the views of Hertfordshire residents.

2. Recommendation

- 2.1** The report of the group shows that members have listened to the concerns expressed by Hertfordshire residents, and that other views have been sought. The report should be made available to the public at libraries and HertsDirect.

Rural Implications

There are no significant rural implications.

Financial Implications

The cost of producing the report is contained with current revenue budgets.

Background papers used by the author when compiling this report

Minutes of Scrutiny Committee

Minutes of the Fireworks Topic Group meetings