

SUBJECT: MOTION TO REDUCE AND REGULATE THE USE OF FIREWORKS WITH CITY OF LINCOLN COUNCIL

DIRECTORATE: COMMUNITIES AND ENVIRONMENT

REPORT AUTHOR: FRANCESCA BELL, PUBLIC PROTECTION, ASB AND LICENSING SERVICE MANAGER

1. Purpose of Report

- 1.1 To appraise the committee of the RSPCA draft Motion on fireworks for local authorities to adopt.
- 1.2 To seek approval from the committee to implement the motion across the City of Lincoln.

2. Background

- 2.1 Fireworks are generally associated with Bonfire night on 5th November, New Year's Eve celebration and Chinese new year.
- 2.2 The current legislation around fireworks permits there use all year round before 11pm save for Bonfire night, New Year's Eve and Chinese New Year where the curfew is 1am the following day.
- 2.3 Due to the availability of fireworks and lack of regulation around their use they are often used by the public all year round to mark celebrations.
- 2.4 It has been well documented in the media over recent years about the impact that such displays can have on animals and vulnerable people. As such many groups have been calling for the banning of fireworks that make noise.
- 2.5 Low noise fireworks and silent fireworks are now available however the public are still able to purchase fireworks from a number of outlets many of which are offering for sale noisy fireworks.

3. The RSPCA Motion

- 3.1 The full motion is attached to this report as **APPENDIX A**.

The RSPCA says 'Fireworks are used by people throughout the year to mark different events. While they can bring much enjoyment to some people, they can cause significant problems and fear for other people and animals. They can be a source of fear and distress for many animals (including pet animals, farm livestock and wildlife). Animals affected not only suffer psychological distress but can also cause themselves injuries – sometimes very serious ones – as they attempt to run away or hide from the noise.'

3.2 The RSPCA is asking local authorities to adopt the motion which has the following four requirements.

1. 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
2. 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
3. to 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
4. to encourage local suppliers of fireworks to stock 'quieter' fireworks for public display.

4. How we can meet the requirements of the motion

4.1 **Point 1:** it is suggested that this could be achieved by having a protocol for the registering of firework events on our council webpage for the public to view. Requesting that a minimum of 14 days' notice is given to the Local authority.

Those planning displays should ensure compliance with either **The Blue Firework guide (APPENDIX B)**(working together on firework displays) planning and safety at firework displays for organisers and professional operators or **The Red Firework Guide (APPENDIX C)** (giving your own firework display) how to run it safely (for people without specialist knowledge or training).

Additionally some Premises Licences have conditions around fireworks displays which mirror the suggested protocol above. Where premises licences do not have this condition it could be added as and when licences are varied or refreshed and in the meantime the protocol above would replicate the condition.

4.2 **Point 2:** It is suggested that some initial communications is done around the adoption of this motion and how it will be managed. A commitment to support any communications that the RSPCA do around this motion could be made.

4.3 **Point 3:** A letter to central government can be sent in support of introducing a lower noise threshold for fireworks.

4.4 **Point 4:** this could be achieved by writing to all major retailers within our district. This could be achieved by sending an insert out with business rates reminders along with any communications strategy that will urge the use of quieter or silent fireworks.

4.5 Based upon the above officers consider that this motion could be implemented and adhered to and that the benefits to vulnerable communities and animals would be significant.

4.6 A procedure for dealing with any reports of unregistered firework displays has

been developed and is attached to this report as **APPENDIX D.**

5. Strategic Priorities

5.1 Let's reduce inequality

This motion seeks to ensure the protection of the vulnerable and those that don't have a voice.

5.2 Let's enhance our remarkable place

By ensuring that all residents within our city are safe we can enhance our remarkable place.

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

6.2 Legal Implications including Procurement Rules

Should enforcement be necessary this could have an impact on legal resources.

6.3 Equality, Diversity and Human Rights

The below text to remain in the report:

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

Note to report writers:

There is a requirement for the Council to pay particular attention to this and for officers to complete an Equality Analysis for decisions relation to changes in policy/new services made by the Council or at the very least a statement confirming that this has been considered.

This motion is intended to ensure the safety of all residents and to protect those most vulnerable.

6.4 Human Resources

There could be an impact on resources within the PPASB Team and Legal Team should there be widespread noncompliance however this is not anticipated. Should there be wide spread noncompliance then this would need to be balanced

against existing statutory provisions within the teams and is unlikely to be considered high priority in this circumstance.

6.5 Land, Property and Accommodation

No impact

6.6 Significant Community Impact

No negative impact

6.7 Corporate Health and Safety implications

No negative impact

7. Risk Implications

7.1 (I) Options Explored

a. Fireworks motion not implemented – no additional resource implications.

b. Implement fireworks motion – limited resource implication however a wider community benefit to be achieved which is in keeping with the councils ethos to protect the vulnerable.

7.2 (ii) Key risks associated with the preferred approach

Preferred approach is to implement the fireworks motion, the key risk is that the PPASB Team could receive a large volume of reports that will impact upon service delivery. Should this occur complaints will be prioritised based upon risk.

8. Recommendation

8.1 That the committee consider the motion and its requirements.

8.2 That the committee approves the adoption and implementation of the motion

Is this a key decision?

No

Do the exempt information categories apply?

No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

No

How many appendices does the report contain?

4

List of Background Papers:

None

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