



Licensing Committee

10 February 2021

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| Title | Report on the RSPCAs campaign in relation to firework controls |
| Report of | Director of Assurance |
| Wards | All |
| Status | Public |
| Urgent | No |
| Key | No |
| Enclosures | Appendix 1 – “Bang out of order – Fireworks frighten animals RSPCA document Appendix 2 - RSPCA Fireworks briefing |
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Summary

This report has been produced at the request of the Chair of the licensing Committee to highlight the concerns raised by the RSPCA in relation to the sale of fireworks in the Borough.

Officers Recommendations

1. That the Licensing committee consider and note the following report.
2. That the licensing committee consider whether they wish to support any of the proposed RSPCA recommendations. These are:

- **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**
- **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**
- **To encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display.**

1. WHY THIS REPORT IS NEEDED

- 1.1 Fireworks are generally associated with Bonfire night on 5th November, New Year's Eve celebration, Diwali and Chinese new year.
- 1.2 The relevant provisions of the current legislative framework are outlined below with a summary of the current situation in Barnet.

A prohibition of sale of fireworks to under 18s.

Trading standards and the police undertake underage sales test purchases at premises which sell fireworks to ensure that they do not sell to under 18s. The last operation in 2019 had a zero sale rate.

A prohibition on the possession of fireworks in a public place by anyone under the age of 18 years

This is enforced by the police,

A curfew on the use of fireworks between 11pm and 7am (though this is later on November 5th (12 midnight), New Year's Eve, Chinese New Year and Diwali (1 am)),

This is enforced by the police,

A ban on the sale of fireworks to private individuals outside of certain dates (15th October-10th November, 26th-31st December, 3 days before Diwali and Chinese new year) unless from certain licensed shops.

There are two shops in Barnet that have obtained a licence and can sell fireworks all year round. There are 19 premises within the Borough that have obtained a licence to store fireworks. These premises can sell fireworks without the need to obtain additional authorisation provided they sell only during the dates stated above

- 1.3 Due to the availability of fireworks and lack of enforcement around their use they are often used by the public all year round to mark celebrations.
- 1.4 It has been well documented in the media over recent years about the impact that large loud displays can have on animals and vulnerable people. As such many groups have been calling for the banning of fireworks that make noise
- 1.5 In the past few months three separate local residents have contacted the Licensing Committee asking for the London Borough of Barnet to support the RSPCA's current campaign in relation to firework regulation.
- 1.6 This report outlines the RSPCA campaign and asks members to note the attached documents which provide more detail about the campaign, and to consider whether they wish to support any of the recommendations.

1.7 The RSPCA believes that a number of things can be done by updating the law in respect of fireworks to improve the situation for animals and people, in particular to:

- Restrict private use to traditional dates
- Reduce maximum permitted decibels for private use
- All public firework displays to be licensed
- Conduct further research to properly understand the impact of noise on animals.

1.8 The RSPCA is asking local authorities to consider adopting their proposed motion which has the following four recommendations:

- 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
- 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
- to encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display.

1.9 Further information can be found at the following link, and in the attached appendixes.

[Help make fireworks less frightening for animals | RSPCA](#)

2 REASONS FOR RECOMMENDATIONS

2.1 Cllr Marshall, Chair of the London Borough of Barnet Licensing Committee has requested that this matter was brought to the attention of all members of the Licensing Committee to consider the suggested recommendations.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 The Committee could decide to adopt any, or all four, of the suggested recommendations They could also chose to adopt none of them. The recommendations are all suggestions but for those residents who back the campaign they may be disappointed that the London Borough of Barnet have chosen not to support it.

4 POST DECISION IMPLEMENTATION

4.1 If the four recommendations are supported, then the following actions will be implemented.

- *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*

The Licensing team will communicate with the Green Spaces team asking them to add this to their paperwork in relation to the hiring out of public spaces. The Licensing team will also publicise this on the London Borough of Barnet's website encouraging all those who have public displays to encourage them to they advertise their events in advance.

- *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*

The Licensing team will publicise this information on the relevant part of the website and will provide social media content to be shared prior to Chinese new year, Diwali, fireworks night and new years eve.

- *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*

The Licensing team will draft a letter to be signed and sent from the chair of the Licensing Committee.

- *to encourage local suppliers of fireworks to stock 'quieter' fireworks for public display*

The Licensing team will send out information on this to all 19 traders who currently have a licence to store fireworks

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The approach taken by the Licensing Authority in relation to applications fully supports objectives contained within the corporate plan. In particular it promotes delivering "Safe and strong communities where people get along" and "supporting local businesses to thrive."

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 There are very limited resources implications of this report, If any (or all) of the recommendation are adopted the post implementation work can be undertaken within existing resources.

5.3 **Social Value**

5.3.1 Not relevant to this report

5.4 **Legal and Constitutional References**

5.4.1 Article 7 – Committees, Forums, Working Groups and Partnerships states that the Licensing Committee is; for all policy matters relating to licensing with licencing hearings concerning all licencing matters delegated to sub-committees.

5.5 **Risk Management**

5.5.1 Not relevant to this report.

5.6 **Equalities and Diversity**

5.6.1 Not relevant to this report.

5.7 **Corporate Parenting**

5.7.1 Not applicable in the context of this report.

5.8 **Consultation and Engagement**

5.8.1 Not Applicable in the context of the report

5.9 **Insight**

5.9.1 Not relevant to this report

6 BACKGROUND PAPERS

6.1 None