

Operational Approach to Fireworks

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1.0 Purpose

- 1.1 The Public Protection Partnership is the enforcing authority for a wide range of primary legislation functions related to the management of the sale and use of Fireworks.
- 1.2 The Public Protection Partnership carries out this duty by employing suitable, qualified and trained staff, who are authorised in writing to enforce the requirements of the various pieces of legislation and working with internal and external colleagues to effect changes where necessary.
- 1.3 The Public Protection Partnership recognises the value of having a documented approach which sets out how residents, within its area, will be protected from the impacts of the use of fireworks and setting boundaries on our remit.
- 1.4 It is important to recognise there are limitations to the legislative functions and this document sets out clearly where the service, whilst often sympathetic, do not have the ability to take action.

2.0 Statement of Approach

- 2.1 The Public Protection Partnership will make effective arrangements to promote safe and appropriate use of fireworks, where appropriate we will enforce primary legislation to achieve this. This includes all associated regulations and codes of practice, with the aim of ensuring that, within its area, the public health of individuals and communities is protected and enhanced.
- 2.2 We will work with partner organisations such as the RSPCA and Police to ensure messages are shared and initiatives supported.

3.0 Approach

- 3.1 Protecting residents from the impact of fireworks is a key feature of the PPP's aims and objectives. There will be ongoing pro-active work carried out to prevent incidents of public health concern.
- 3.2 The PPP's involvement in Fireworks falls into 4 clearly defined areas:
 - 3.2.1 Sale of Fireworks (size and noise)
 - 3.2.2 Impact of noise on residents
 - 3.2.3 Events where fireworks may take place
 - 3.2.4 Campaign and Social Media messages

- 3.3 Firework legislation around sales is to predominantly protect residents from purchasing inappropriate levels of explosive materials as well as ensuring age appropriate sales take place. This work will be undertaken by Trading Standards Officers.
- 3.4 Officers will adhere to the requirements set out in the PPP enforcement approach to the sale of age restricted products. This will consider the need and proportionality of the operation being undertaken.
- 3.5 Officers use their professional skills to inspect and intelligence led project work to target problem premises. When investigating and assessing complaints they have regard to industry standards, best practice and case law. This work may be undertaken by a range of suitably qualified officers.
- 3.6 Where organised firework displays are to take place we will work with organisers through the Safety Advisory Group process and actively pursue considerations of the impact on residents. We will work closely with Partner Organisations to ensure that appropriate controls are applied.
- 3.7 Where premises hold a licence for regulated activities they may from time to time use fireworks as part of their business (firework displays are not in themselves a licensable activity). Officers will work with applicants to ensure controls are in place and will have regard to timings and locations if they are to be used. Should complaints be received the PPP would expect to see a noise management plan which clearly sets out how their use will not have a detrimental impact on residents in the vicinity. Officers are also able to use powers under the Environmental Protection Act with regards to noise causing a statutory nuisance. This approach should be reasonable and proportionate.
- 3.8 Whilst sympathetic to the impact that firework noise can have on animals it is accepted that there are no legal powers enforceable by the PPP to protect them from the harmful impacts. In minimising the impact on residents there is a logical assumption that there will also be a reduced impact on animals.
- 3.9 Fireworks awareness will be raised through our Communications Plan and we will use intelligence led approach to shape messages when appropriate. We will seek to provide those involved in the sale of fireworks with relevant leaflets and advice for those purchasing fireworks alongside encouragement to stock quieter fireworks.

4.0 Practical Working Arrangements

- 4.1 Proactive inspection work will be addressed through annual service planning. This is based on Government requirements and identified need/risk and will be project based.
- 4.2 Reactive intervention will be carried out following the receipt of a service request concerning impact on residents.
- 4.3 There is a clear consultation process for any Licence Applications and Safety Advisory Group events. Officers will be involved when appropriate to ensure steps are taken to minimise the impact on residents.
- 4.4 Fireworks will be included within the PPP Annual Communications Plan and we will identify particular events which may lead to increase uses outside the more traditional events such as Diwali, Guy Fawkes Night and New Year's Eve. The PPP Facebook and Twitter already follow the RSPCA and RBFRS and will share and support their campaigns concerning fireworks.
- 4.5 Unless in exceptional circumstances, all interventions will involve a graduated approach leading to formal action if such an approach has failed. For areas outside of our legislative powers we will, if resources permit, carryout an informal approach. Officers should be supported if they do not take action as the requests are outside our legal powers.

5.0 Roles and Responsibilities

- 5.1 Responsibility for implementation of this approach lies with the Principal Officers through the Tactical Tasking Process.
- 5.2 The Strategic Manager for Environmental Quality, Licensing and Governance is responsible for the planning, organisation and subsequent monitoring of all aspects of the approach.
- 5.3 A range of officers across the service are involved in the application of this approach including licensing processing, animal wardens, Environmental Health Officers and Trading Standards Officers.

6.0 Quality Of The Service

- 6.1 The Public Protection Partnership is committed to ensuring that the highest practicable standard of service is achieved and that good customer care practice is integrated into all aspects of service delivery.

- 6.2 In meeting its duties under legislation The Public Protection Partnership will strive for excellence in the quality of service provided. All staff will adopt a professional approach and performance monitoring will be carried out to the standard identified within the adopted Internal Monitoring Standard's to ensure compliance with agreed targets.
- 6.3 It is the responsibility of the Public Protection Partnership to ensure that all officers are suitably qualified, experienced and authorised to carry out enforcement under the Act(s) and any legislation made under the Act(s).
- 6.4 The Public Protection Partnership Strategic Management Team will ensure that all authorised officers have access to appropriate professional training and other resources required in order to maintain a high level of professionalism and competence.

7.0 Monitoring the Service

- 7.1 Having set the standards that the Public Protection Partnership wishes the service to achieve, it is essential that the detailed arrangements in the policy are put into practice and that the outcome is regularly monitored and reviewed.
- 7.2 The Strategic Manager for Environmental Quality, Licensing and Governance will make arrangements to monitor the following:
- 7.2.1 Compliance with agreed targets for programmed inspections.
 - 7.2.2 Compliance with agreed targets for Service Requests.
 - 7.2.3 The number of Service Requests received year to year.
 - 7.2.4 Any other agreed monitoring arrangements concerned with the Public Protection Partnership Control Strategy and broader Council objectives relevant to the Public Protection Partnership activities.
 - 7.2.5 Communications Strategy in relation to public messages at key times of the year.

8.0 Document Review

- 8.1 This approach will be reviewed every 3 years by the Strategic Manager for Environmental Quality, Licensing and Governance
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