

# **North Somerset Council**

## **Report to the Partnerships, Corporate Organisation and Overview Management Policy and Scrutiny Panel**

**Date of Meeting: 10 November 2022**

**Subject of Report: Sky Lantern, Balloon Release and Firework Policy**

**Town or Parish: All**

**Officer/Member Presenting: Dee Mawn**

**Key Decision: No**

### **Reason:**

This is not a key decision because it will not result in the authority incurring expenditure or making savings in excess of £500,000 and will not be significant in terms of its effect on communities living or working in more than one ward in the area

### **Recommendations**

That the panel considers amendments to the Sky Lantern and Balloon Release Policy to include restrictions on firework displays so that displays taking place on council owned land are limited to the low noise variety only.

## **1. Summary of Report**

The Sky Lantern and Balloon Release Policy was adopted by the council in 2020, this report seeks amendments to the policy to limit the use of fireworks at displays on council owned land to the low noise variety only. This is due to the growing concern of the impacts that noisy fireworks are having on people, livestock and pets.

## **2. Policy**

The Council's policy already discourages and where possible prevents the intentional outdoor release of balloons and sky lanterns from Council owned land and premises. This report recommends that the existing policy is extended so that it also limits the use of fireworks on council land to the low noise variety only.

## **3. Details**

Whilst it is not possible to alter or change the law around the use of fireworks, it is possible to introduce into local policy restrictions on the types of fireworks that the council will allow at events and displays taking place on its own land and property.

## **4. Consultation**

Consultation has been undertaken with internal stakeholders including the Seafront and Events Team and the Food and Commercial Safety team.

## **5. Financial Implications**

### **Costs**

There are no specific financial implications arising directly from this report

### **Funding**

N/A

## **6. Legal Powers and Implications**

The report does not seek to change the law around fireworks. It only seeks to amend existing council policy to limit the use of fireworks on council owned land to the low noise variety.

It remains legal in the UK for consumers to purchase fireworks at any time of the year but you must be aged 18 or older to buy most types of firework.

Fireworks can be purchased in person at a shop or ordered online for delivery. Fireworks can only be shipped using a specialist explosives courier or by the retailer's own vehicles; it is illegal to send fireworks through the normal postal system.

Anyone selling or storing fireworks must apply for and pay for a licence, these licences are issued by the Food and Commercial Safety team. Most supermarkets only sell fireworks in the run-up to Bonfire Night and New Year's Eve.

The public can only purchase fireworks intended for use by the general public. These will be classified as Category F2 or Category F3 Firework. All fireworks on sale to the public must also conform to rigorous safety standards and be marked as UKCA compliant. Fireworks marked as Category F4 are for use by professionals only.

It remains legal in the UK for consumers to let fireworks off at any time of the year, including away from the seasonal Bonfire Night selling periods and on any day of the week.

However, a person must not let fireworks off after 11pm at night. There are four exceptions to the 11pm curfew:

- Bonfire Night itself (November 5th): Not after midnight.
- New Year's Eve (December 31st): Not after 1am.
- Diwali (date varies): Not after 1am.
- Chinese New Year (date varies): Not after 1am.

It is also illegal for anyone under the age of 18 to possess fireworks in a public place.

## **7. Climate Change and Environmental Implications**

There is increasing concern on the possible impacts of noise from fireworks on people, livestock and pets. The risk could be decreased by introducing a limit on the use of fireworks on council land to the low noise variety only

## **8. Risk Management**

Continuing to allow the use of traditional loud, noisy fireworks on Council owned land increases the risk of people, livestock and pets being affected by noise. The risk could be decreased by introducing a limit on the use of fireworks on council land and property to the low noise variety only

## **9. Equality Implications**

Have you undertaken an Equality Impact Assessment? No

The policy and issues considered in this report are primarily focused on reducing the noise impact of firework displays on council owned land and therefore the impact of any changes to groups with protected characteristics is expected to be neutral.

## **10. Corporate Implications**

There may already be events scheduled to take place which involve the use of traditional style noisy fireworks. Therefore, any amendments made to local policy will need to factor in a considerable lead in time before implementation takes effect. This is to allow for event organisers to prepare for the change in policy.

## **11. Options Considered**

A number of options for consideration are set out below.

Option 1: To amend the Sky Lantern and Balloon Release Policy so that firework displays taking place on council owned land are limited to the low noise variety only.

Option 2: To not amend the policy and continue to allow the use of traditional style, noisy fireworks on council land and property

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## **Appendices**

N/A

**Background Papers:**

Report to the Community and Corporate Organisation Policy and Scrutiny Panel

5 November 2019

<https://n->

[somerset.moderngov.co.uk/Data/Community%20and%20Corporate%20Organisation%20Policy%20and%20Scrutiny%20Panel/201911051430/Agenda/05.1.1%20Sky%20Lanterns%20and%20Balloon%20Release%20Policy.pdf](https://n-somerset.moderngov.co.uk/Data/Community%20and%20Corporate%20Organisation%20Policy%20and%20Scrutiny%20Panel/201911051430/Agenda/05.1.1%20Sky%20Lanterns%20and%20Balloon%20Release%20Policy.pdf)