

Bolsover District Council

Climate Change & Communities Scrutiny Committee

22 February 2022

Review of Council Policy on Fireworks

Report of the Chair of Climate Change & Communities Scrutiny Committee

Classification: This report is public

Report By: Scrutiny & Elections Officer

Contact Officer: Scrutiny & Elections Officer

PURPOSE / SUMMARY

- To present to Scrutiny the completed report for the recent Review of Council Policy on Fireworks.
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REPORT DETAILS

1 Background *(reasons for bringing the report)*

- 1.1 During the 2020-21 municipal year, Members of the Healthy, Safe, Clean & Green Communities Scrutiny Committee were made aware of a number of resident concerns in relation to the impact of firework use, both at specified celebrations such as Bonfire Night and New Year's Eve and inappropriate use throughout the year.
- 1.2 Following referrals from the Customer Standards & Complaints Officer and the Leader of the Council, Members chose to investigate further to establish what the Council could do to mitigate the impacts at a local level.
- 1.3 Members looked at action taken previously following a motion to Council and also compared the stance of Bolsover District Council (BDC) to that of North East Derbyshire District Council (NEDDC), given that the authorities shared the service tasked with local service delivery and enforcement. This is set out in section 5 of the attached appendix.

2. Details of Proposal or Information

- 2.1 This review was originally agreed by the previous Healthy, Safe, Clean and Green Communities Scrutiny Committee as part of their 2020-21 work programme. Following the change in scrutiny structure for 2021-22, the Members of the new Committee agreed to carry this work forward with a view

to clarifying the Council's stance and addressing residents' concerns previously identified.

- 2.2 While we have taken the review forward in a slightly different manner to that originally agreed, the impact of the Covid-19 pandemic on service delivery has instigated the need for a different approach.
- 2.3 Members feel the evidence considered in the subsequent pages and the recommendations agreed by Scrutiny should bring about further improvements at a local level, while we await further changes to national legislation as a result of continued lobbying.

3 Reasons for Recommendation

- 3.1 The Committee have put together four recommendations which will hopefully assist the Council in improving regulation of local firework displays and enforcement against misuse of fireworks.
- 3.2 The key findings arising from the review are:
 - That there is limited additional impact we can have at a local level due to current legislation.
 - To ensure service delivery remains efficient and effective across the board, Members advise that BDC aligns its approach with North East Derbyshire as this will allow officers to take the same approach to enforcement and advice/guidance.

4 Alternative Options and Reasons for Rejection

- 4.1 While the number of contacts over recent years has been limited, members felt that further action could be taken to bring the approach of BDC in line with that taken at North East Derbyshire. This should enable a more streamlined service and create efficiencies for the team. As such a 'do nothing' option was discounted.
- 4.2 Executive could choose not to endorse the recommendations of the review, where they feel the course of action recommended is beyond the delivery capacity of the Authority.

RECOMMENDATIONS

1. That the Committee endorses the recommendations of the review outlined in section 2 of the attached report.
2. That Committee submits the report to Executive for approval, in accordance with the Scrutiny Committee Terms of Reference – Part 3.6 (3) of the Constitution.
3. That following approval by Executive, monitoring of these recommendations by Committee takes place over a twelve month period via the PERFORM

system with an update report to Committee at the end of the monitoring period.

IMPLICATIONS

Finance and Risk: Yes ☐ No ☒

Details:

None from this report. Suggested action for the service can be contained within existing budgets.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒

Details:

In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in s.21 of the Local Government Act 2000 and subsequent legislation which added/amended these powers e.g. the Local Government and Public Involvement in Health Act 2007.

The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.

On Behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒

Details: There are no staffing implications from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/>	Yes Details: Relevant Service Managers and Portfolio Holder engaged during the review process.

Links to Council Ambition (BDC) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

DOCUMENT INFORMATION

Appendix No	Title
1	Review of the Councils Policy on Fireworks
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Please contact Scrutiny & Elections Officer where further information is required.	