

**Bolsover District Council**

**Meeting of the Climate Change & Communities Scrutiny Committee on 24 May  
2022**

**Review of the Council's Policy on Fireworks – Executive Response**

**Report of the Chair of Climate Change & Communities Scrutiny Committee**

<b>Classification</b>	This report is Public
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**PURPOSE/SUMMARY OF REPORT**

- To present Executive's Response to the Review of Council's Policy on Fireworks to Climate Change & Communities Scrutiny Committee.

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**REPORT DETAILS**

**1. Background**

- 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 approach of Bolsover District Council (BDC) to that of other neighbouring authorities, including North East Derbyshire District Council (NEDDC) who have the joint Environmental Health Service with Bolsover. 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 the Committee 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.
- 2.4 The aim of the review was:

- To assess the local impact of fireworks and review local Council policy.

The objectives agreed were:

- Review the previous motion adopted by Council in 2019 and the action completed to date.
- Assess the scale of the local environmental impact via consultation with both residents and local agencies/groups.
- Assess the scope for a local level policy and the enforcement that could take place in addition, to the potential for additional lobbying/impact at a national level.

- 2.5 The key issues identified for investigation were as follows:

- A number of complaints/comments are received per annum from residents in relation to the use of such items and the environmental damage caused. All communications received refer to the national campaigns. Is it possible to establish evidence of the scale of the issue at a District level using data held by environmental health and legal services?
- The Council has previously approved a motion submitted and completed a range of agreed activity – what has been the effect of this?
- Further debate at a national level has not yet resulted in a change to national policy/legislation in regards to the noise levels of fireworks sold to the public and used at displays – this is a key element of various national campaigns by organisations such as RSPCA. What action can be taken at a local level in relation to licensing and sales, and encouraging use of low dB or silent fireworks?
- Is there an impact on the Dog Warden service in October/November as a result of lost dogs due to fireworks?

- 2.6 The Committee put together four recommendations which will hopefully assist the Council in improving regulation of local firework displays and enforcement against misuse of fireworks.

### **3. Reasons for Recommendation**

- 3.1 Members are required to make their report and findings public, in accordance with Part 4.5.17(4) of the Constitution.
- 3.2 Committee is required to monitor implementation of their recommendations in accordance with Part 3.6(1) of the Constitution.
- 3.3 Members must note Executive's response to the review recommendations and agree to review progress on the approved recommendations. A progress report will be submitted in twelve months' time, with any exceptions to expected delivery highlighted.

### **4 Alternative Options and Reasons for Rejection**

- 4.1 Committee is required to monitor implementation of their recommendations in accordance with Part 3.6(1) of the Constitution and as such the report cannot be rejected.

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### **RECOMMENDATION(S)**

- 6.1 That Members note Executive's Response to the Review of the Council's Policy on Fireworks.
- 6.2 That Members make its report and findings public, in accordance with Part 4.5.17(4) of the Constitution.
- 6.3 That Officers monitor progress on the recommendations and report in six and twelve months' time highlighting exceptions to delivery, in accordance with Part 3.6(1) of the Constitution.

Approved by Executive

#### **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 to/amended these powers e.g. the Local Government and Public Involvement in Health Act 2007.

On behalf of the Solicitor to the Council

**Staffing:** Yes  No

**Details:** None from this report.

On behalf of the Head of Paid Service

## DECISION INFORMATION

<b>Is the decision a Key Decision?</b> 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:  <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	Yes/No
<b>Is the decision subject to Call-In?</b> <i>(Only Key Decisions are subject to Call-In)</i>	Yes/No

<b>District Wards Significantly Affected</b>	All
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Executive</b> <input checked="" type="checkbox"/> <b>SLT</b> <input checked="" type="checkbox"/> <b>Relevant Service Manager</b> <input checked="" type="checkbox"/> <b>Members</b> <input checked="" type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>	Details: Detailed consultation with service area and relevant Portfolio.

**Links to Council Ambition: Customers, Economy and Environment.**

Ambition: Environment

## DOCUMENT INFORMATION

Appendix No	Title
1	ER to Review of Council's 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 Executive you must provide copies of the background papers).*

Please contact Scrutiny & Elections Officer where further information is required.