

**Select Committee on Community Safety and Community Services**  
**- 14<sup>th</sup> September 2006**

**Report of the Chair of the Safety Advisory Group**

**Fireworks in Town Centres and Parks**

**Purpose of Report**

To inform Committee of the reasons for the multi-agency, Safety Advisory Group not supporting firework displays within town centres throughout the Borough.

**Background**

In recent years the practice of using fireworks to celebrate various events has become commonplace throughout the country. This has led to injury and death at certain events, and the introduction of Guidance by the Health & Safety Executive in 1995 is viewed as a minimum standard for these types of events.

The purpose of the Guidance is to ensure public safety at such events and the need to take into account the type of fireworks in use.

Within the Borough, certain community groups have requested the use of firework displays at various events including the Switching on of Christmas Lights.

Since the inception of the Police Safety First Document, a Safety Advisory Group (SAG) was set up within the Borough. This Multi-Agency Group made up of Council Directorates, Police, Fire and Ambulance meet monthly throughout the year to consider events both on the highway and public land to ensure the safety of our community, and to take into consideration, legislation bylaws, insurance, marshals etc. required by the organiser in the organisation of such events. SAG cannot prevent events from taking place but can support or not the event. The event could be the responsibility of the LA and/or organiser.

Last Christmas, 3 Town Centres requested the use of fireworks for the switching on of Christmas Lights; following each request SAG decided not to support any of these. The Group received adverse media coverage on this matter. However, it was felt by the Group that the Select Committee on Community Safety and Community Services should be made aware of the reasons for this decision.

The Health & Safety Executive Guidance is explicit in that it gives a fallout area, inside which no persons should be able to go during the period of the display.

In Town Centres, it is difficult to maintain this organisation when considering holding people in shops. This has human rights as well as safety implications and emergency services access to deal with other emergencies in a town centre fallout area. Alleyways and footpaths into such areas would need marshalling and people would need to stay in their homes if these were in the fallout area.

This is impractical in Town Centres and therefore SAG chose not to support these events.

One such event went ahead within the Borough and people were within the fallout area, despite the best efforts of the organiser. In fact, debris from the fireworks was collected from an area where people had access by one Council employee.

As members are well aware from the excellent fireworks extravaganza organised by Himley Hall, a fenced area for the fallout is instigated. This is a safety area as per the H&S Guidance. If people were allowed in this area then members would have concerns for public safety; this is exactly the same in Town Centres and parks.

The fireworks now being sold over the counter to individuals do have instructions on them that spectators should be 5m or 25m away depending on whether they are category 2 garden fireworks or category 3 display fireworks. The term display firework is a little misleading as these are legal for sale to members of the public for their own private use and they have given rise to problems with damage to property being caused by falling debris; their use on private property is not controlled other than by way of curfews .

The category of fireworks generally used for public displays are classed as category 4 fireworks intended for professional use and these are not legally available to the general public. Any safety requirements relating to the use of these fireworks would be addressed by way of risk assessments relating to the actual type of firework and where it is being set off.

The Safety Advisory Group takes each individual event application on its own merits and will continue to do so, however the subject of public safety in Town Centres during firework displays will not alter without the organiser being able to categorically assure the group that no single person will be in the dropout area, or it will be impossible for SAG to support these events.

Even with the public liability insurance taken by these groups, it is unlikely they would be covered for injury unless the area were properly sanitised of people well before the deadline for setting off the fireworks.

## **Finance**

There are no financial costs to this report.

## **Law**

The main statutory provisions relating to fireworks are contained in the Fireworks Acts 1951-2003.

## **Equality Impact**

All events submitted are considered equally by SAG. All events within the Borough are open to the public regardless of race, gender or disabled groups.

## **Recommendation**

That the multi-agency independence of the Safety Advisory Group be recognised by Committee, and that the expertise of the various bodies in dealing with public safety at events be supported by officers and members of the Council alike.



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**Ian Skidmore**  
**Chair of the Safety Advisory Group**

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