

Fireworks



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Fireworks are widely used to mark public events and private celebrations, as well as traditional events. While adding excitement to occasions, fireworks can also frighten and disturb people and animals, cause annoyance, damage and impact on air quality.

Why Worry About Fireworks?

Noise

Fireworks can frighten people. In particular children and the elderly can be intimidated and scared by firework noise. Late at night they also disturb our sleep. Farm animals have been scared to death, literally, and startled animals have been injured, killed and caused accidents when bolting. Disturbing domestic pets can also be dangerous as panicked pets can be vicious and destructive.

Air Pollution

The bright colours and effects in fireworks are produced by a cocktail of chemicals. Fireworks emit light, heat and sound energy along with carbon dioxide and other gases and residues. The exact emissions will depend on the firework, but as gunpowder is a main component sulphur compounds are emitted, along with small amounts of particulates, metal oxides and organic compounds (including minute amounts of polycyclic aromatic hydrocarbons, dioxins and furans). On and around Bonfire Night (5th November), there is often a noticeable increase in pollution from particulates and dioxins. Approximately 5 -14% of UK dioxin emissions are produced around Bonfire Night – most of this is believed to come from bonfires rather than fireworks. Current research indicates that deposits of pollutants from fireworks do not pose a risk to soil or water.

Safety

Fireworks are explosive and must be used with caution. In the 2005 firework season 990 people received treatment for firework injuries. A number of government and charity organisations provide information on the safe use of fireworks, both for private use and public displays – see contacts section at the end of this leaflet, and for more information on firework safety contact the Department of Business, Innovation and Skills (BIS), who coordinate national firework safety campaigns.

Fireworks and the Law

Supply of Fireworks

All fireworks for use by the public must be used in compliance with the Pyrotechnic Articles (Safety) Regulations 2010 and should be "CE" marked (showing that they meet EU requirements set out in Directive 2007/23/EC) and thus comply with the Regulations.

There are four categories of fireworks

Category 1 - indoor fireworks

Category 2 - garden fireworks

Category 3 - display fireworks for open areas such as fields

Category 4 - professional fireworks for large open areas

Under the regulations the sale of fireworks to anyone under 18 is banned, and caps, cracker snaps, party poppers and Christmas crackers cannot be sold to anyone under 16. The supply of bangers, mini rockets, fireworks that fly erratically (squibs, helicopters etc), aerial shells, aerial maroons, aerial mortars, some large category 2 and 3 fireworks and all category 4 fireworks are banned from supply to the public. (In Northern Ireland, the purchase, possession and use of Category 2 (except sparklers), 3 or 4 fireworks requires a licence from the Firearms and Explosives Branch of the Northern Ireland Office (under the Explosives (Fireworks) Regulations (Northern Ireland) 2002.)

The regulations are enforced by local authority consumer protection/trading standards officers. Suppliers or shopkeepers who do not comply with the Regulations can be prosecuted and fined and imprisoned.

Since January 2005 the sale of fireworks to the public is prohibited, except from licensed traders. *The Fireworks Regulations 2004* state that in England, Wales and Scotland fireworks can be sold by unlicensed traders for Chinese New Year and the preceding three days, Diwali and the preceding three days, 15th October - 10th November, to allow Bonfire Night celebrations, and 26th - 31st December for New Year celebrations.

The *Fireworks Regulations 2004* prohibit the supply of Category 3 fireworks louder than 120 decibels.

Storage of Fireworks

Under the *Manufacture and Storage of Explosives Regulations 2005 (MSER)* individuals can store up to 5kg of Hazard Type 4

fireworks (generally Category 1 and 2 fireworks) without a licence and for an unlimited time. The Regulations also permit individuals to store up to 50 kg of Hazard Type 4 fireworks for private use for up to 21 days, without the need to license or register. However, although the Regulations permit small quantities of fireworks to be kept without the need to license or register, other requirements of the Regulations – e.g. on storing safely – still apply.

Further information about all aspects of MSER, including information about organising a firework display, is available on the Health and Safety Executive (HSE) website at: www.hse.gov.uk/explosives/fireworks

Nuisance and Danger Caused by Fireworks

If a local authority officer judges noise from fireworks to be a statutory nuisance under the *Environmental Protection Act 1990*, they can issue an abatement notice; however, as firework noise is short lived, in practice it can prove difficult to locate the source. Under the Noise Act 1996 local authorities in England and Wales have powers to issue a fixed penalty notice if excessive noise is emitted from premises (including gardens) between 11.00 pm and 7.00 am. Under the *Crime and Disorder Act 1998* local authorities or the police can apply to magistrates for an anti-social behaviour order where anyone has caused “harassment, alarm or distress”. Disobeying an order carries a maximum penalty of a five year prison sentence.

Fixed Penalty Notices

Throwing or setting off fireworks in the street is an offence under section 80 of the *Explosives Act 1875*. This is enforced by the police, and a fixed penalty notice of £80 applies. Police can serve a fixed penalty notice of £80 to anyone under 18 possessing a firework in a public place and for breach of the 11.00 pm curfew on letting off fireworks.

Animals

It is an offence to cause unnecessary suffering to animals under *the Animal Welfare Act 2006*, and if found guilty carries a fine of up to £20,000 and/or a prison term of up to six months. The Act is enforced by local councils, animal health officers and the police.

When Can I Use Fireworks?

The *Firework Regulations 2004* prohibit anyone under 18 from possessing fireworks in a public place, and anyone except professionals from possessing display fireworks. These regulations also prohibit the use of fireworks at night (11.00 pm - 7.00 am) in England and Wales, with extensions for the following festivals:

- First day of Chinese New Year until 1.00 am the following day
- On the day of Diwali until 1.00 am the following day
- On New year's Eve until 1.00 am on New Year's Day
- On 5th November until midnight

Similar Restrictions apply in Northern Ireland and in Scotland though in Scotland the local authority may grant a dispensation for national celebrations or commemorative events.

These regulations are enforced by the police. There is a penalty of up to £5000 or 6 months in prison for breach of the curfew.

Avoid Firework Frights!

Fireworks add excitement and glamour to celebrations and are enjoyed by many. Large organised displays are used to celebrate state occasions, sporting events and also for family celebrations. Fireworks don't have to be ear splitting to be fun. We can enjoy them in safety, without causing annoyance to our neighbours and their pets or livestock, or to wildlife. If you have your own firework display, remember that too much noise can frighten people and animals, and that fireworks cause smoke and pollution. Follow these simple guidelines to reduce the risk of nuisance.

- Give neighbours a few days notice of your display – particularly important if they are elderly, have children or pets.
- Use appropriate fireworks – when buying fireworks, try to avoid really noisy ones. Your supplier should be able to tell you what they are selling.
- Make sure pets and other animals are safely away from fireworks.
- Consider timing. If you are using fireworks for a celebration, a Friday or a Saturday is preferable; remember it is illegal to use fireworks after 11.00 pm.
- Avoid letting off fireworks in unsuitable weather – if it is still and misty or air quality is poor, pollution could be a problem. Check air quality on 0800 556677 or www.airquality.co.uk

- Let off your fireworks in open garden areas – noise bounces off buildings and smoke and pollution build up in enclosed spaces.
- If a neighbour complains that you are disturbing them, their pets or livestock, be considerate.
- After your display, clear up firework fall out and dispose of it safely.

Further Contacts

Royal Society for the Prevention of Accidents

www.rosipa.com/homesafety/adviceandinformation/fireworks/
Advice on safe use of fireworks at home

Directgov

www.direct.gov.uk/en/HomeAndCommunity/InYourHome/FireSafety/DG_064665

www.direct.gov.uk/en/HomeAndCommunity/InYourHome/AnimalsAndPets/DG_10025980

Government advice on firework safety and the law

Department for Business, Innovation and Skills

www.bis.gov.uk/policies/consumer-issues/product-safety/firework-regulations

Information on the laws covering the safety, supply and use of fireworks

RSPCA

www.rspca.org.uk

Cruelty and Advice Line: 0300 1234 999

Information and advice on fireworks and animals

The Blue Cross

www.bluecross.org.uk

info@bluecross.org.uk

Tel: 01933 822651

Information leaflet "fireworks and animals"

Noise Abatement Society

www.noiseabatement.org

info@noiseabatement.org

Noise Helpline: 01273 823 850

Membership organisation for noise sufferers



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working for a cleaner, quieter, healthier world

You may also be interested in our leaflets on:

- Air Pollution
- Domestic Smoke
- Garden Bonfires
- Neighbourhood Noise
- Noise Pollution
- Growing Edible Crops
- Contaminated Land and Your Home

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