

30<sup>th</sup> January 2018

Agenda Item: 6

**REPORT OF THE SERVICE DIRECTOR - PLACE AND COMMUNITIES****UPDATE REPORT ON THE LICENSING WORK CARRIED OUT BY THE  
TRADING STANDARDS & COMMUNITY SAFETY SERVICE****Purpose of the Report**

1. To update the Committee on the recent firework inspections carried out by the Trading Standards & Community Safety Service.

**Information**

2. The Service has responsibility for a number of licensing and registration schemes designed to ensure the safety of our communities. In some cases the authority is responsible for issuing licences and ensuring safety standards are met through inspections and other activity. Each of the licence types and associated activities carried out by the Service are covered in more detail below.
3. During the fireworks season, Trading Standards Officers completed 24 inspections which included 6 high risk premises, 4 new premises and 1 of a Display Operator. The areas of the premises inspected are as follows:-

Ashfield	5
Bassetlaw	3
Broxtowe	4
Gedling	3
Mansfield	4
Newark & Sherwood	2
Rushcliffe	3
<b>Total</b>	<b>24</b>

4. The types of premises inspected included large retail outlets, high street shops and newsagents/convenience stores.
5. The firework inspections looked at different areas including safe storage and checks carried out by the business to ensure that no sales are made to under 18's. Advice is given during the visit to help businesses around Challenge 25, till prompts and a refusal register. A

common issue with fireworks storage is that other easily combustible materials are stored near to, or next to where the fireworks are stored. This is something that is verbally advised to the trader/premises along with a visit note. These issues are rectified in the officer's presence. Businesses must satisfy the officer that they operate a system to prevent the overstocking of fireworks and ensure safe storage.

6. Of the 24 premises inspected, a total of 5 were found to have old British Standard marked fireworks, as opposed to the new CE marked fireworks. The legislation changed in July 2017 requiring all pyrotechnical articles (including fireworks) to be CE marked to meet the new labelling requirements. Whilst the non-CE marked fireworks are not 'unsafe' they are not permitted to be sold or given away and must be destroyed safely. The owner of the fireworks may discharge the fireworks for their own personal use as a method of safely destroying them.
7. Advice was given to each of the non-compliant premises and a visit note was left advising of action to be taken. Two of the premises had the non-compliant fireworks on display for sale and these were immediately removed. Officers re-visited the premises to ensure that the stock had been safely disposed of and were not being offered for sale. The premises where old stock was being offered for sale/stored were sole traders or small businesses who were not aware of the recent legislative changes.
8. One large retailer was found to have 1 box of 1.3g fireworks which they were not permitted to store and was not meeting the required separation distance. Immediate action was taken and further revisits were made to ensure compliance. The fireworks were transferred to different licensed premise the retailer had which were licensed for 1.3g fireworks. Because of recent changes in the classifications, retailers are getting the wrong fireworks in error.
9. Another issue found by Trading Standards Officers was the different category types of fireworks being stored together. For example 1.3g and 1.4g fireworks are standard sizes of fireworks however each different size must be stored separately. Although the premises were licensed to hold up to 25kg of stock, the storage and separation distances were being breached. The issue was immediately rectified but this demonstrates the difficulty businesses have in fully understanding the requirements.
10. Following the inspections a letter was sent to all licensed fireworks premises to confirm the changes in legislation and detailed the offences should they fail to comply.

## **Statutory and Policy Implications**

11. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

12. There are no financial implications within this report.

## **RECOMMENDATION/S**

1) That Members agree to receive a full year end update report for 2017/18 licensing activities in October 2018, and that this be included in the work programme.

**Derek Higton**  
**Service Director, Place & Communities**

### **For any enquiries about this report please contact:**

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### **Constitutional Comments (RHC 11/1/2018)**

12.Planning & Licensing Committee is the appropriate body to consider the contents of this report.

### **Financial Comments (RWK 11/01/2018)**

13. There are no specific financial implications arising directly from the report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Division(s) and Member(s) Affected**

- All