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|---------------------------------------------|---------------------------------------|
| <b>Report Title</b>                         | Regulation of Fireworks               |
| <b>Meeting</b>                              | Executive                             |
| <b>Meeting Date</b>                         | 24 September 2026                     |
| <b>Report Author</b>                        | Tim Horsley, Community Safety Officer |
| <b>Directorate</b>                          | Chief Executive's                     |
| <b>Lead Executive Member(s)</b>             | Cllr Asjad Mahmood                    |
| <b>Wards Affected</b>                       | All                                   |
| <b>Public. Part Exempt, or Fully Exempt</b> | Public                                |
| <b>Appendices (if any)</b>                  | N/A                                   |

## 1. Executive Summary

- 1.1 The summer of 2026 has seen a return of the random use of fireworks in many parts of Pendle and unlawfully either between the hours of 11pm to 7am or in public places or both. The impact on individuals and communities is significant as evidenced in social media but less frequently to the Police who have the enforcement powers.
- 1.2 The Government has published consultation on new restrictions involving fireworks. These involve moving some types of fireworks from type F3, which can be obtained and used by the public to type F4 which are restricted to sale to and use by professionals and a reduction in noise levels for type F2 and type F3 fireworks from 120 decibels to 90 decibels.
- 1.3 Neither of these proposals will significantly impact the effect on residents in Pendle at night or in public places when fireworks are used unlawfully.
- 1.4 It is proposed the response to Government goes further in seeking to restrict the sale of fireworks outside the unlicensed sale periods to individuals authorised by Trading Standards to use them for public displays and celebrations only.

## 2. Recommendations

**For the reasons set out in this report, Executive is recommended to:**

- 2.1 Note section 3 of this report by way of background and context to a Pendle Borough Council response to the Government's consultation on *Fireworks and Pyrotechnics in the UK*.

- 2.2 Agree that Pendle Borough Council submits a response to the Government's consultation on *Fireworks and Pyrotechnics in the UK*, including the suggested text at 3.12 plus any further comments, ready for the response deadline of 7 October 2026.

### **3. Information: the Rationale & Evidence for the Recommendations**

- 3.1 The use, possession, storage, sale and manufacture of fireworks are all affected by the category of firework. The four categories are characterised by:
- Category F1 – fireworks which present a very low hazard and negligible noise level, and which are intended for use in confined areas, including fireworks which are intended for use inside domestic buildings
  - Category F2 – fireworks which present a low hazard and low noise level, and which are intended for outdoor use in confined areas (i.e. garden fireworks).
  - Category F3 – fireworks which present a medium hazard, which are intended for outdoor use in large open areas and whose noise level is not harmful to human health (i.e. display fireworks for open areas such as fields).
  - Category F4 – fireworks which present a high hazard, which are intended for use only by persons with specialist knowledge and whose noise level is not harmful to human health (i.e. professional fireworks for large open spaces).
- 3.2 It is illegal to use F2 and F3 fireworks in a street or public place at any time and it is illegal to use them between 11pm and 7am other than on the specific dates relating to Bonfire Night; New Year; Chinese New Year and Dwali. Catching people doing it or having their identity reported is problematic however this part of the regulation of fireworks offers the most local control with direct enforcement by the Police.
- 3.3 It is illegal for anyone other than a firework professional to possess a F4 firework anywhere. It is illegal for anyone under the age of 18 to possess a F2, F3 or F4 firework in a public place with the Police responsible for enforcement.
- 3.4 Fireworks manufactured in or imported into the UK must meet high regulatory standards. They must carry the CE mark; the firework category and clear safety instructions on their label. Suppliers are also liable under the Consumer Protection Act to supply goods that meet an acceptable standard of safety. Lancashire County Council's Trading Standards are responsible for enforcement of these requirements.
- 3.5 To be able to sell fireworks a retailer must have a licence to store them. Licences for less than two tonnes of fireworks are issued by Trading Standards. There are currently seven retailers licenced in Pendle; six supermarkets and one independent shop in Colne.

- 3.6 Although retailers require a licence to store fireworks, they do not require a licence to sell them during these celebration periods:
- November 5 - (from 15th October to 10 November)
  - New Year - (from December 26th to 31st)
  - Chinese New Year - (on the first day of the Chinese New Year and the 3 days immediately preceding it)
  - Diwali - (on the day of Diwali and the 3 days immediately preceding it)
- 3.7 A retailer seeking to sell fireworks outside these licence-free periods must have a year-round licence to sell as well as a licence to store. There are currently no premises in Pendle with a year-round licence. There are nine in Lancashire with the nearest two in Padiham and Accrington. Premises with a year-round licence are also able to sell online.
- 3.8 Trading Standards manage and enforce the regulations around storage and sale. There have been no recent complaints regarding unlicensed sales in Pendle. It is clear from the observed use of fireworks, the availability from year-round retailers, the availability online and unauthorised sales from white vans and the like, make fireworks readily available for unlawful use.
- 3.9 The Police, Fire Service and Borough Council are meeting on the lead up to the Bonfire Night period and this year's Brightsparks campaign to begin planning a local approach which includes:
- Joint presentations about the safe use of fireworks by the Police and Fire Service in primary and secondary schools
  - Environmental Visual Audits to identify potential bonfires and other fire risks
  - An awareness raising social media campaign with support from members of the community
  - Highlighting the risks of white van and other unauthorised sales and how to report them
  - A double crewed Police vehicle seeking hotspots of firework use and other anti-social behaviour
  - Police and Trading Standards targeting shops, particularly around underage sales
- 3.10 Although partners have had some limited success in reducing the inappropriate use of fireworks locally and will continue the balanced prevention and enforcement approach, there remains no direct control over the sale or possession of fireworks purchased outside Pendle and outside of the celebration periods.
- 3.11 The Office of Product Safety and Standards consultation, *Fireworks and pyrotechnics in the UK*, "...proposes reforms to fireworks legislation, focused on their key harms associated with their misuse – their noise, and contribution to antisocial behaviour – whilst still allowing individuals to enjoy fireworks safely and responsibly for the important community and cultural celebrations

they play a part of.” In reality, the proposals are changes to classification and to product safety rather than the availability of fireworks.

- 3.12 Whilst the Council can respond to the ten consultation questions around these changes which will mainly affect the work of Trading Standards departments; it is proposed to reiterate this Council’s concern regarding the availability of fireworks to then be used unlawfully, deliberately or otherwise, to the detriment of our communities – as below:

*Pendle Borough Council supports the limited changes proposed to reclassify some types of fireworks and to reduce the noise levels more generally. However, the Council does not consider this enough to reduce the detriment to our communities due to the easy availability of fireworks, year-round, from retail premises and online, to be used unlawfully out of hours and in public places.*

*The Council proposes year-round sales, both retail and online, are restricted to individuals to be licenced by Trading Standards departments for public displays and other organised displays such as family celebrations and community events.*

#### **4. Link to Council Plan Priorities: Proud and Connected Communities and Places**

- 4.1 The proposal is intended to improve the quality of life in our communities, particularly for those disproportionately affected by fireworks being used unlawfully, and to reduce community tensions.

#### **5. Implications**

##### **5.1 Financial Implications**

None

##### **5.2 Legal and Governance Implications**

The Council has no direct enforcement powers relating to the sale, possession or unlawful use of fireworks.

##### **5.3 Climate and Biodiversity Implications**

None

##### **5.4 Human Resources Implications**

None

##### **5.5 Equality and Diversity Implications**

There is social media evidence that the use of fireworks out of hours and in public places is heightening community tensions and potentially being used to deliberately heighten community tensions.

The unlawful use of fireworks and the harassment, alarm and distress this can cause, particularly at night, can have a disproportionate effect on people with disabilities, PTSD and neurodiversity and older residents.

This will be highlighted in the consultation response wherever possible.

## 6. Consultation

The Policy team is working with the Police and Fire Service to raise awareness in the community, young people in particular, around the risk associated with fireworks to themselves and to others and around limiting the use of works to lawful times and places.

## 7. Alternative Options Considered

None

## 8. Statutory Officer Sign off (please put an x in the relevant box below)

|                     |          |
|---------------------|----------|
| Section 151 Officer | x        |
| Monitoring Officer  | <b>X</b> |

## 9. Background Documents

Consultation: [Fireworks and pyrotechnics in the UK](#)

### Contact Officers

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