

## **Briefing: Firework Guidance**

### **What is the law on buying fireworks and when can I buy them?**

You have to be over 18 to purchase fireworks in the UK and, theoretically, you can buy them all year round from a licensed seller. However, there are two types of licenses for anyone selling fireworks – long-term and short-term licenses.

Most retailers such as supermarkets and newsagents have a short-term license which enables them to sell fireworks only at certain times of the year, for example between 15 October and 10 November for bonfire celebrations and Halloween, between 26 and 31 December for Christmas and New Year, and three days before Chinese New Year and Diwali.

There's no denying that a firework display can be fun for all the family, but unfortunately a small minority of people are using them irresponsibly.

Anti-social behaviour involving fireworks ranges from them being set off late at night, to deliberate physical harm or threat of harm caused to people, animals and property.

Fireworks are divided into categories, and for domestic displays consumers can buy up to category three fireworks. If you want to set off fireworks for a private event such as a party or wedding, you can buy them from a registered seller with an all-year or long-term license. If you are running a professional display of fireworks, you will get access to bigger and louder (category four and five) fireworks.

### **Where can I set-off fireworks?**

If you buy fireworks for personal use, you are only allowed to use them on your private property or property where you have the consent of the landowner.

It is considered a criminal offence to set off fireworks in the street or other public places without permission, and you can contact the police if someone is doing this.

If you want to set them off in a public place for events, such as for a street party, you will need to obtain express permission from the local authority.

Whilst it is legal to set fireworks off on private land, if you're a tenant in a property it is worth checking with the landlord to see if there's any stipulation preventing setting off fireworks in your lease.

It is important to note that you have a duty of care to ensure the safety of your neighbours and visitors if you have your own firework display. Check the online guidelines of the RoSPA (Royal Society for Prevention of Accidents) to ensure that you are well informed with the necessary precautions to take.

All fireworks come with instructions and any negligence – such as setting them off in an inappropriate environment or against the published instructions – resulting in injury to someone or damage to property could make you liable for a civil claim.

### **Is there a legal curfew?**

Generally, fireworks on private property may be set off all year round between 7am and 11pm. However, at certain times of the year this curfew is extended – to midnight on Guy Fawkes Night and 1am on New Year's Eve, Chinese New Year and Diwali.

## **What happens if I break the law?**

Under the Firework Act of 2003, if you break the law around firework use you can receive a prison sentence of up to six months or a fine up to £5,000.

Breaching of the act constitutes a criminal offence – however, if you cause any damage to property or injury to someone, you may be liable for a civil offence and could be sued for negligence.

## **Keep animals safe**

There is widespread public concern about the effect that fireworks can have on animals, with the RSPCA receiving high numbers of calls every year. Dogs and cats should be kept inside and have a hiding place. Give small animals who live outside lots of extra bedding and nesting material to burrow in. RSPCA recently undertook polling on this issue and found that 62% of dog and 54% of cat owners reported that their pets are distressed during the fireworks season. What's more, animals affected not only suffer psychological distress but can also cause themselves injuries, sometimes very serious ones, or even sadly die as they attempt to run or hide from the noise. It's not just dogs and cats that are affected; horses and livestock are easily frightened by loud noises and sudden bright lights

## **Enforcement Responsibilities**

The storage and sale of fireworks known as 'shop goods' from wholesale and retail premises is controlled by the Explosives Act 1875, the Fireworks Act 2003, the Fireworks Regulations 2004 (as amended), the Fireworks (Safety) Regulations 1997 (as amended) and the Consumer Protection Act 1987

### **Police:**

Sale of fireworks on the street, setting off fireworks in the street, possession of fireworks by under 18s in a public place. Breach of the hours curfew for setting off fireworks.

Report by phone on 101 or use 101 Live Chat (West Yorkshire Police) with as much detail as possible about location and those involved.

### **Bradford Council:**

Where an address is using loud fireworks persistently, this may constitute a statutory noise nuisance and BMDC Environmental Health should be contacted if you have the location details. There is no noise level set in law, noise is a subjective assessment and Environmental Health Officers are qualified and trained to assess whether a noise is likely to be a statutory nuisance. Contact Environmental Health on tel: 01274 431000 or [Noise nuisance | Bradford Council](#)

### **Fire Service:**

No person may store or sell fireworks unless the occupier of the premises has registered those premises and has a licence with the West Yorkshire Fire and Rescue Authority

### **West Yorkshire Trading Standards:**

Prohibit the sale of fireworks to under 18's. Prohibit the sale of banned fireworks. Prohibit the splitting of retail boxes of fireworks. Telephone 0113 535 0000 or email [dutyofficer@wyjs.org.uk](mailto:dutyofficer@wyjs.org.uk) if you believe the law is being broken.

