

# Licensing Sub-Committee of the Regulatory Committee

10am, Friday, 31 January 2014

## Use of Emergency Powers to Grant Dispensation to use Fireworks Outwith Permitted Hours: 11 January 2014

Item number	7.1
Report number	
Wards	Almond

### Links

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Coalition pledges	<a href="#">P15, P28</a> and <a href="#">P31</a>
Council outcomes	<a href="#">CO20</a>
Single Outcome Agreement	<a href="#">SO1</a> and <a href="#">SO3</a>

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Head of Service

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# Executive summary

## Summary

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The Committee is asked to note that a licensing application was received seeking dispensation to hold a fireworks display for a private corporate event on 11 January 2014. This was granted under delegated powers due to urgency.

## Recommendations

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1. Committee is asked to note the dispensation granted by the Director of Services for Communities, using emergency powers after consultation with the Vice-Convener.

## Measures of success

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Not applicable.

## Financial impact

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There are no financial implications arising from this report

## Equalities impact

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There are no equalities implications arising from this report.

## Sustainability impact

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There are no sustainability implications arising from this report.

## Consultation and engagement

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The Vice-Convener was consulted prior to the use of emergency powers, as required by Standing Orders.

## Background reading / external references

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None

## Use of Emergency Powers to Grant Dispensation to use Fireworks Outwith Permitted Hours: 11 January 2014

### 1. Background

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- 1.1 An application was received for a Fireworks Dispensation to hold a 'night hours firework display' at a corporate event at Dundas Castle on 11 January 2014. The event ran from 19:00hrs to 00:30hrs and the request was to hold a fireworks display from 00.00hrs until 00.05hrs.

### 2. Main report

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- 2.1 The applicants requested dispensation to set off low noise and normal noise fireworks, not greater than 400ft in height, in the grounds of Dundas Castle approx 200m south of the castle.
- 2.2 The applicants indicated that the distance of the Fireworks display from the nearest residential building and animals was 50m, and the distance from spectators would be 200m.
- 2.3 The applicants also indicated that they are members of the British Pyrotechnists Association, with five years experience.
- 2.4 Section 2(2) of the Fireworks Act 2003 contains provision for local authorities to refuse permission to set off fireworks. The grounds to be considered are that setting off of fireworks may cause alarm distress or anxiety to nearby persons or residents and may also cause distress to any animals which are being kept within the vicinity
- 2.5 The Noise Team indicated concerns about the disturbance that the display might cause nearby residents. There have been historical concerns raised by Councillor Work regarding firework displays at Dundas Castle. Since then there has been one dispensation given to the Castle.
- 2.6 The applicant responded to the concerns raised as set out in Appendix 1, further limiting the duration and height of the display.
- 2.7 Standing Orders permit Directors to make emergency decisions provided the relevant Convenor or Vice-Convenor is consulted. Any such decision requires thereafter to be reported to Committee.

- 2.8 Taking account of these medications permission was granted under Standing Orders by the Director of Services for Communities following discussion with the Vice-Convener.

### 3. Recommendations

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- 3.1 Committee is asked to note the dispensation granted by the Director of Services for Communities, using emergency powers after consultation with the Vice-Convener.

## Susan Mooney

Head of Service

### Links

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<b>Coalition pledges</b>	<b>P15</b> - Work with public organisations, the private sector and social enterprises to promote Edinburgh to investors. <b>P28</b> - Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the city <b>P31</b> – Maintain our city's reputation as the cultural capital of the world by continuing to support and invest in our cultural infrastructure.
<b>Council outcomes</b>	<b>CO20</b> - Culture, sport and major events – Edinburgh continues to be a leading cultural city where culture and sport play a central part in the lives and futures of citizens
<b>Single Outcome Agreement</b>	<b>SO1</b> - Edinburgh's Economy Delivers increased investment, jobs and opportunities for all <b>SO3</b> - Edinburgh's children and young people enjoy their childhood and fulfil their potential
<b>Appendices</b>	<a href="#">Appendix 1</a> – Application summary