

### Guidance to applicants on Licensing and Safe Storage of Fireworks

On 1 October 2014 the **Explosives Regulations 2014** came into force. A Local Authority Licence applies to the storage of quantities up to 2 tonnes of fireworks. The maximum quantities that can be stored without the need for separation between the store and surrounding buildings and highways are:

250 kilograms of Hazard Type 4 (UN 1.4) explosives (e.g. most consumer fireworks.)

If you wish to store or sell any of the more powerful Hazard Type 3 (UN 1.3) fireworks, then the quantities you can keep are reduced from 250kg to 25kg and you must request this on your application form or you will not be permitted to store them.

*Note some of the more powerful Hazard Type 3 (UN 1.3) fireworks are classed as Hazard Type 4 (UN 1.4) while in un-opened transport boxes. Once these fireworks are removed from the transport box or if the box is not closed correctly they become Hazard type 3 again.*

*Please seek further advice from your supplier if you are uncertain about the hazard types of explosive you wish to store and Licensing for advice on your storage arrangements.*

If you plan to store more than the quantities stated above then you will need to submit a site plan and risk assessment with your application; You also need to submit a risk assessment if you have five or more employees. The site plan must be a scale drawing showing where the fireworks are stored and distances from nearby housing and highways; failing to do so will mean that grant of your licence will be delayed until the required paperwork is received and you will not be able to store fireworks until the licence is issued.

The actual amount you are able to store is determined by the location of the storage area in relation to surrounding buildings & highways; if in doubt seek advice from the Trading Standards Service, Licensing or the Fire Brigade or the Health & Safety Executive who can advise further.

<https://www.hse.gov.uk/forms/explosive/index.htm>

For LB Brent contact [business.licence@brent.gov.uk](mailto:business.licence@brent.gov.uk), Tel: 020 8937 5359

The quantities referred to above are the '**net mass**' of the explosives. This means the weight of the explosive contained within an article (i.e. less packaging, casings, rocket sticks etc.). In the case of fireworks and other pyrotechnic articles the weight should be marked on the packaging, if this information is not available it is assumed to be one quarter of the gross weight of the firework.

If the store location does not have a postal address (e.g. a store in a field) please include a map (1:25000) showing its location. The licensing authority may also wish to see a floor plan of the sales area if you plan to store or display more than 12.5 kg of fireworks there.

#### **Important notes**

It is your responsibility to ensure you are aware of, and complying with the regulations on the manufacture and storage of explosives.

The licensing authority may visit your premises before granting a licence and the authority may prohibit storage of explosives at the site if it believes the site is unsafe. It may also take enforcement action if you are not storing safely.

**All licences issued by this authority will have conditions attached; the conditions are imposed by virtue of the provision in Regulation 13 (7): Explosives Regulations 2014. They will be sent with your licence.**

If more than 75kg of Hazard Type 4 (UN 1.4) or 25kg of HT 3 (UN 1.3) fireworks are kept in a store within or adjoining, a building containing domestic/sleeping accommodation, suitable steps must be taken to protect residents of those premises in the event of a fire.

The following precautions must be taken:

- A fire detection system must be installed in the shop with either a linked alarm installed in the domestic accommodation, or an effective sprinkler system fitted in the fireworks storage area;
- The domestic parts of the building must have access/exit routes that are fire-separated from those used for the fireworks store;
- There must be suitable fire separation between the fireworks store and the domestic accommodation;
- The fireworks store must be closed off and secured from the domestic part of the property in order to prevent unauthorised access and to help prevent accidental introduction of sources of ignition.

You must document the additional precautions you are taking and attach to the Application Form.

### **Lighting & fire risks in store rooms**

Any lighting in store rooms used for storage of fireworks must be suitable for use in explosive stores. Mains incandescent light bulbs or spot lights and fluorescent tube lights require covers to prevent escape of hot glass fragments in the event of bulbs failing. Low energy light bulbs or battery operated torches may be a safe alternative. Fireworks must not be stored near inflammable goods, rubbish, waste, electrical fuse box or distribution panels or electrical equipment, gas or electrical heaters. To prevent spread of fire internal walls must go up to the ceiling (and above any false ceiling)

### **Storage and display in shops**

It is desirable to use dummy fireworks, which should be clearly labelled so they are not confused with real fireworks. Shop floor display cabinets should only be used for fireworks and must not have any live electrical plugs, sockets or equipment in them. Unless consumers cannot get access to the fireworks, cabinets must have doors and they must be kept locked. Display cabinets must not be in the front of the shop or by windows or heaters.

### **Storing more than 250kg of Hazard Type 4 Fireworks & ISO Containers**

Steel ISO containers are a suitable means of storing fireworks subject to meeting certain safety requirements. To protect against lightning strikes generally these containers should be wood floored (and optionally lined) and cartons stored in them must be kept at least 150mm (6 inch) from the side walls. The panels and doors of the container should be electrically-bonded with straps of at least 50mm<sup>2</sup>. ISO containers permanently used for firework storage should have two earthing points connected to earth rods at opposite corners. Motor vehicles and inflammable goods or rubbish must be prevented from being nearer than a minimum of 2 metres from the ISO container by means of fencing or equivalent.

**The Licence period** in London Borough of Brent licences are renewable annually. Current fees are:

- Up to 250kg (where separation distances **do not** apply) renewal **£54** / new application **£109**.
- Over 250Kg (where separation distances **do** apply) renewal **£86** / new application **£185**.

### **Permitted periods of sale with a standard licence:-**

- On the first day of the **Chinese New Year** and the three days immediately preceding it;
- On the day of **Diwali** and the three days immediately preceding it;
- **Guy Fawkes** during the period beginning on the 15th October and ending on the 10th November;
- **New Year** during the period beginning on the 26th December and ending on the 31st December.

**To sell fireworks outside those four periods above a Licence under the Fireworks Regulations 2004 is required, this costs £500 per annum and an application form can be obtained from this department.** Note the level of fees is set by Central Government not the Local Authority.

*You should be aware that legislation may change over time and the advice given is based on the information available at the time that the guidance was produced. While all care was taken in the preparation of this advice its accuracy cannot be guaranteed. It is not comprehensive and may be subject to revision in the light of further legislative changes. You may wish to seek independent legal advice.*

### **Safety of fireworks**

Local Authority Trading Standards are responsible for enforcing the law on safety of fireworks including CE marking and safe usage instructions.