

GUIDANCE LEAFLET ON STORING FIREWORKS

The **Manufacture and Storage of Explosives Regulations 2005** came into force on 26th April 2005.

Registration and Licensing

If you wish to store and sell fireworks you will need to apply for a registration or licence from this authority under these new rules or arrange for the disposal of any storage you may have.

Hazard Type	Up to 100Kg NEQ#	Up to 250Kg NEQ#	Over 250Kg NEQ#	Over 2000Kg NEQ#
HT 4	Registration	Registration	Licence	HSE*
HT 3	Registration	Licence	Licence	HSE*

If you are renewing a licence or registration you need to apply, in most cases, to this authority.

If you are intending to increase the quantity of explosives or store them in a different location you will need to apply and be reassessed under a new registration or licence, depending upon the amount of fireworks you intend storing.

Most fireworks in retail premises are Hazard Type 4 but if in doubt, please contact your supplier.

If you store less than 5kg Net Explosive Quantity (NEQ) of explosives, then there is no need to register or be licensed.

NEQ means Net Explosive Quantity – the quantity of explosive contained within the fireworks – and not the gross weight. If the NEQ weights are not available then they are taken as being 25% of the gross weight of the fireworks.

** For more than 2000kg NEQ, or where the distances required for a local authority licence cannot be met, you need to apply to HSE (Health and Safety Executive) to transfer the licence to their control. However this will not apply until 2008 (seek advice from this authority or HSE).*

Quantities in sales area

The quantity that may be kept in the sales area is now related to the floor area. (see table below).

Total Floor area (square metres)	Maximum quantity of fireworks (net weight in kg)	Maximum quantity of fireworks (gross weight in kg)
Up to 20	12.5	50
Up to 40	15	60
Up to 60	20	80
Up to 80	25	100
Up to 100	30	120
Up to 150	35	140
Up to 200	40	160
Up to 250	45	180
Up to 300	50	200
Up to 350	55	220
Up to 400	60	240
Up to 450	65	260
Up to 500	70	280
500 and over	75	300

The above quantities are subject to a maximum of 12.5kg per cabinet.

General storage requirements: you must take appropriate measures to:

- prevent fire or explosion
- limit the extent of fire or explosion including measures to prevent the spreading of fires and the communication of explosives from one location to another and
- to protect persons from the effects of fire or explosion.

No person who stores explosives shall permit a person under 18 years to work in that storage except under appropriate supervision.

All explosives must be stored in a suitable place ensuring that the store, container or cupboard is:

- suitably waterproof
- designed to ensure that explosives do not come into contact with substances with which they are incompatible
- kept clean with steps taken to prevent grit entering unpackaged explosives
- used only to keep explosives.

Fireworks should be kept in **closed transport packaging** and only opened when needed.

It is no longer considered good practice to decant loose fireworks into metal dustbins. There is a danger that the articles will become mixed up or damaged with loose compound collecting at the bottom of the dustbin.

Where fireworks are kept in a warehouse (or similar room or building) that holds significant quantities of other combustible materials, the storage should be either:

- a) in an ISO transport container (or similar fully enclosed metal structure)
- b) using storage cupboards or cabinets
- c) building a structural partition
- d) using a wire mesh screen or cage or
- e) metal dustbins (provided fireworks are kept in their transport packaging)

Storage and display in shop sales area

Fireworks on the shop floor must be kept in a designated area well away from sources of ignition, and in a display case or storage cupboard or cabinet.

Smoking must not be allowed anywhere where fireworks are stored or sold.

Display cases/storage cabinets must be designed to protect against sparks or other sources of ignition. No other goods should be kept in the cabinet/case except any instruction leaflets/safety literature. Lights or electrical fittings in cabinets/cases must be disconnected.

Each storage cabinet or display case must hold no more than 12.5kg NEQ.

Storage adjoining or in the same building as domestic/sleeping accommodation

If more than 75kg Net (NEQ) of Hazard Type 4 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) a fire detection system must be installed in the shop;
- b) the domestic parts of the building must have access/exit routes that are fire-separated from those used for the pyrotechnic store;
- c) there must be suitable fire separation between the pyrotechnic store and the domestic accommodation; ie: doors and floors/ceilings must offer 30 minutes of fire resistance; and
- d) the 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.

Premises and sales

It is an offence:

- to keep fireworks on premises which have not been registered or licensed with the local authority for that purpose. Only persons with "fixed" premises can be registered, so fireworks cannot be sold at market stalls, car boot sales or other temporary sales points.
- to sell fireworks to persons under 18 years of age; and
- to hawk, sell or expose for sale any fireworks upon any highway, street, or public place.

The maximum penalty for selling fireworks to persons under the age of 18, is a £5,000 fine. Note that caps, cracker snaps, novelty matches, party poppers, serpents and throwdowns must not be supplied to persons under 16 years of age.

The following fireworks **must not** be supplied to the general public:

- air bombs, aerial shells, aerial maroons, shell-in-mortar and maroons-in-mortar
- all bangers (including “batteries” containing bangers, such as chinese crackers)
- mini rockets
- fireworks with erratic flight (e.g. ground spinners, jumping jacks, squibs)
- all category 4 fireworks or any other firework which does not meet BS 7114 or EU equivalent.

Fireworks Regulations 2004

These regulations require that suppliers of fireworks to the public to display in a prominent position an A3 notice (or the DTI produced poster), stating the following in letters no less than 16mm high:

- a) it is illegal to sell adult fireworks to anyone under the age of eighteen; and
- b) it is illegal for anyone under the age of eighteen to possess adult fireworks in a public place.

The DTI poster can be found at www.dti.gov.uk/fireworks/download/041418p.pdf

Important

If you are planning to sell fireworks outside the following periods:

- 15th October to 10th November inclusive
- 26th December to 31st December inclusive
- on the 1st day of the Chinese New Year and the 3 days immediately preceding it
- on the day of Diwali and the 3 days immediately preceding it

you will also need a £500 licence under the Fireworks Regulations 2004, available from Croydon Council (contact details below)

The above advice is merely a summary of the legislation, compiled in the light of current available information, and may be subject to change. As always we must advise that only the courts can give an authoritative opinion on statute law.

Further information is available from the Business Compliance Section of Croydon Trading Standards

Telephone: 020 8407 1311

Trading Standards Web-site: <http://www.croydon.gov.uk/business/ts/?a=5441>

Trading Standards Email address: trading.standards@croydon.gov.uk

Typetalk: 0800 959598

Minicom Service: 020 8760 5797