

INFORMATION NOTE 1

The Storage and Sale of Fireworks

A Licence will be required to store and/or sell fireworks. Anyone who stores more than 5kg and less than 2,000Kg net weight of fireworks must apply to the County Council for Licence. If you wish to sell fireworks all year round other than within prescribed periods (see below) you will need to apply for a **separate** licence to do so.

What you must do

If you are storing and/or selling fireworks it is your legal duty to take appropriate measures to:

- prevent fire or explosion
- limit the possible extent of fire or explosion including measures to prevent the spreading of fires and the communication of explosions from one location to another
- protect persons from the effects of fire or explosion
- The Fireworks Act 2003 and Fireworks Regulations 2004 require you to have a separate licence if you want to sell fireworks all year round.

You will **not** need a separate licence to **sell** if you are planning to sell:

- 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
- during the period 15 October to 10 November
- during the period 26 December to 31 December

But

You must be licensed to **store** the fireworks.

The storage of fireworks is regulated by the Local Authority under the Explosives Regulations 2014, where two types of licence can be applied for. (See the down load section of the County Council Explosives Web page for the correct application form).

To store fireworks, depending on the amount you store, you must first apply for a licence.

The 5Kg up to **250Kg** storage licence. The exact amount you will be allowed to store will be determined by the inspecting Explosives Officer.

The licence to store **over 250 Kg up to 2000Kg** allows for bulk storage of fireworks in approved places and will also be subject to the above requirements.

Both licences will be subject to limits of the Net Explosive contents (NEC) as determined by the inspecting officer. The licensee will also be required to provide the following

- A risk assessment for the storage of explosives
- Site location plans and details of the storage showing separation distances from other risks as laid down in schedule 5 of the Act
- Proof of authorisation from their landlord (if applicable) that explosives may be stored at the site

Note 1. Most employers are required by law to insure against liability for injury or disease to their employees arising out of their employment. The Employers 'Liability (Compulsory Insurance Act 1969 ensures that you have at least a minimum level of insurance cover against any such claims. For more information visit [www.http.hse.gov.uk/pubns/hse40](http://www.hse.gov.uk/pubns/hse40) pdf.

Note 2. Public liability insurance is not required by health and safety law. However if you are manufacturing or storing explosives (including fireworks) you may wish to take out public liability insurance. Many industry trade associations require this as a condition of membership. Professional display operators using Category 4 Fireworks or theatrical Pyrotechnics are required by product safety law to have liability insurance in place covering their use.

Note 3 You must have a separate licence for every premises where you wish to store explosives or expose fireworks for sale.

What happens next

If you wish to make an application to be Licensed to store or sell explosives, then please complete the enclosed application form, or download the form from the Durham County Council website, www.durham.gov.uk. Send the completed form to Durham County Council, EHCP (Fireworks/Explosives Licensing), PO Box 617, Durham DH1 9HZ, together with the required appropriate fee. You should be contacted by an explosives inspector within four working days.

Charges

EXPLOSIVES REGULATIONS 2014

Licence to Store Explosives 250 Kg (NEC) or less

- | | |
|-----------------------|---------|
| a) One year licence | £109.00 |
| b) Two year licence | £141.00 |
| c) Three year licence | £173.00 |
| d) Four year licence | £206.00 |
| e) Five year licence | £238.00 |

Renewal of Licence to store less than 250 Kg (NEC)

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|-----------------------|---------|
| a) One year licence | £54.00 |
| b) Two year licence | £86.00 |
| c) Three year licence | £120.00 |
| d) Four year licence | £152.00 |
| e) Five year licence | £185.00 |

More than 250 Kg (NEC)

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|-----------------------|---------|
| a) One year licence | £185.00 |
| b) Two year licence | £243.00 |
| c) Three year licence | £304.00 |
| d) Four year licence | £374.00 |
| e) Five year licence | £423.00 |

More than 250 Kg (NEC) Renewal

- | | |
|-----------------------|-------------------|
| a) One year licence | £86.00 |
| b) Two year licence | £147.00 |
| c) Three year licence | £206.00 |
| d) Four year licence | £266.00 next year |
| e) Five years licence | £326.00 |

Licence Variation

Varying the name of the licensee or person, or address of the site £36.00

Any other kind of will be variation will be the reasonable cost to the licensing authority of having the work carried out.

Transfer of licence £36.00

Replacement of licence if lost £36.00

Sale of fireworks outside of the above permitted periods £500.00 (a separate application is required and is available on the Durham County Council website).

Safe Storage and Display

A leaflet giving information about storing and selling fireworks safely may be viewed and downloaded free of charge using the following web page www.hse.gov.uk/pubns/indg407.pdf