

## Appendix 2: Response to Recommendations

### A. Recommendations to National Legislators

1. While the specific recommendations to national legislators fall, by definition, outside of the remit of the Council, it is recognised that the conclusions set out in the report are a direct response to the evidence provided to the Scrutiny Board by local partners.
2. With that in mind any further exploration of these issues at a national level would be welcomed, particularly in cases where the implementation of such recommendations could potentially provide local partners with additional tools and resources through which to prevent and/or respond to the sort of anti-social behaviours described throughout the Scrutiny Board's inquiry.
3. It should, however, be noted that the planning and delivery of interventions intended to reduce the impact of anti-social behaviour on our communities in peak periods is - as the Scrutiny Board identified - already resource intensive.
4. Should national policy makers decide to delegate new responsibilities to local partners such activity must be appropriately and additionally resourced.
5. Furthermore, it would be strongly recommended that national legislators engage proactively with local partners from the outset to ensure that the development of any mechanisms such as exclusion zones are suitably agile, so as to enable partners to continue to respond in different ways to the varying demands of our communities.
6. As was illustrated during the inquiry, partnership working in Leeds is strong, effective and well established. The planning and delivery of education and intervention strategies is intelligence led and partners work closely and effectively with community leaders in areas where instances of anti-social behaviour in peak periods of activity have historically been particularly high.
7. An increased national focus on areas such as education as set out in the recommendations would, if appropriately resourced, further strengthen the local response to this issue with the potential that activity could also be increased in breadth.

	Recommendations to National Legislators
Licensing of sales	Strengthen national restrictions governing how, when and where fireworks can be purchased, and in what volume per transaction.
Short term licences	Restrict firework sales to 'all year round' retailers to reduce risks associated with 'pop up' sellers who appear for short periods.
Targeting 'proxy purchasing'	Introduce stronger legislation to specifically target the 'proxy purchase' of fireworks by adults on behalf of children.
Predictability of Use	Enable the implementation of restrictions on how frequently fireworks can be used on private property where concerns are identified.
Exclusion Zones	Introduce a mechanism through which local authorities can more readily work with communities to identify areas of particular sensitivity with a view to prohibiting all firework use in those zones.
Notification	Introduce a requirement for community notification of firework use by venues hosting private events.
Decibel Levels	Consider, in partnership with industry and animal welfare representatives, reducing the decibel level for consumer fireworks.
Investment in awareness campaigns	Invest in a national campaign to raise awareness of safe firework behaviours and to advocate greater consideration of people and animals in close proximity to firework use.
Illegal fireworks	Further work should be carried out to consider how illegal sales of fireworks can be more effectively monitored to better understand behaviours and to increase opportunities for preventative interventions.

Table 1: Recommendation to National Legislators (tackling Anti-Social use of Fireworks: Inquiry report)

## B Strengthening Local Operational Practice

8. The table below sets out the activity that is taking place in relation to each of the recommendations relating to local operational practice.
9. The acknowledgement by the Scrutiny Board of the breadth and strength of local partnerships, particularly in peak periods of activity, is welcome and the recommendations that emerged from the inquiry are reflective of the existing 'direction of travel' for those partnerships.
10. Further information will be provided to the Board at a future date in respect of evolving pieces of work such as the proposed communications strategy currently being drafted by LASBT officers.

	Recommendations Regarding Local Practice
ASB Injunction	Pursue a variation to the current injunction to secure power of arrest.
	<p>We have previously obtained injunctions against “persons unknown” in certain specific contexts – firework misuse</p> <p>However, in a judgment given by the High Court, the scope for obtaining such injunctions has been considerably narrowed. (The judgement can be found here : <a href="http://www.bailii.org/ew/cases/EWHC/QB/2021/1201.html">http://www.bailii.org/ew/cases/EWHC/QB/2021/1201.html</a> ). For convenience it can be described as the “Barking” decision.</p> <p>In particular :</p> <ul style="list-style-type: none"> <li>• The Court has held that ASBIs cannot be sought against “persons unknown” (this is the first time the High Court has considered this point); other types of injunction (such as to restrain breach of the criminal law or to restrain trespass may be sought)</li> <li>• A “persons unknown” injunction is practically unenforceable after a final injunction has been granted unless the parties have been named in the meantime</li> </ul> <p>We have therefore had to discharge the injunction.</p> <p>However, it is an offence to set off or throw any firework in a public space or highway and depending on the severity and frequency of incidents, we will use any tools and power available in which to tackle this behaviour along with our partners at WYP, this could include acceptable behaviour contract, anti social behaviour injunction warnings etc. This action would depend on the behaviour that is being caused including the severity of the incident and the frequency.</p> <p>In the Inner North West we have a Public Space Protection Order in place and one of the prohibitions is</p> <ul style="list-style-type: none"> <li>• Person(s) within the 'restricted area' will not: be in groups of two or more and engage in anti-social behaviour likely to cause alarm, harassment or distress to any other person in</li> </ul>

	<p>a public space</p> <p>Breaching a PSPO is a criminal offence and can be dealt with at a magistrates court with a maximum fine of £500 for breaches of anti social behaviour</p> <p>The police also have stop and search powers if they believe a person has in their possession a firework illegally.</p>
Sharing of good practice	Establish a mechanism to regularly share and learn lessons from localised case studies.
	<p>Multi Agency Partnership Meetings are held every 4 – 6 weeks starting approximately February. At the meetings the group identify areas of best practice from the previous year and from other organisations including Core Cities. This detail is then input into the action plan for deployment over the Bonfire/Halloween period.</p> <p>Within a short period following bonfire night a briefing meeting is held to look what has gone well and where any lessons are learnt</p>
Social Media Platforms	Explore options to target messaging about the consequences of anti-social firework use at a young audience through the use of a wider range of social media platforms
Communication Partners	Consider whether the existing network of partners can be expanded to reach a wider audience with messages about firework related behaviours.
	<p>LASBT are currently working on a communication strategy to identify the best social media platforms available to ensure a wider audience is reached around the vulnerabilities and consequences of the anti-social use of fireworks. This is due for completion by 15<sup>th</sup> October which will be reported into the board for feedback.</p> <p>Work is also being carried out in Schools with the Safer Schools Officers to address the issues in relation to fireworks/bonfires and the dangers around this.</p>
Diversionary Activities	Identify the resources required to safeguard and expand the localised provision of diversionary activities for young people.
	We are currently working with Community Committees and Community Safety Champions to assess local geographic risks and support/fund additional engagement activity where opportunity presents itself
Early engagement	Encourage early engagement with young people ahead of peak periods of firework related activity, ideally using trusted contacts who already have an established relationship with local young people.

Targeted Interventions	Support local partners to continue to deliver improved outcomes through the early identification of - and targeted engagement with - individuals for whom intelligence suggests there is a risk of becoming involved in disorder.
	<p>In response to all 3 of the above</p> <p>There are numerous activities and interventions across Leeds on the run up to the Bonfire period. All areas are busy identifying their top 10/20 nominals who have previously been involved in firework incidents or bonfire disorder and will be visited from Police to advise of dangers. Older teens and adults identified will also be visited to remind them of the sanctions they could face if involved in any firework incidents and any LCC tenants will receive a warning if they are involved with ASB/ nuisance over the period.</p> <p>There has been a push on submitting intelligence for this period, including vehicles.</p> <p>Safer Schools Officers will be delivering advice in Secondary schools and there has been fireworks awareness delivered to Primary schools with Fire attending also. Community engagement with youth services and free pumpkins given out and advice to parents with a leaflet. This is supported by NPT's and Councillors.</p> <p>Police and LCC are involved in leaflet drops and the Councillors have agreed to pay for the leaflets. There are also Community engagement days set up, the first being this Friday. We are using the Engagement van at East. Housing are also attending to conduct a visual audit of the estate to identify any address that have started to stockpile wood/logs etc. Off Road bikes team will be attending to support staff on the day and Cleaner Neighbourhoods are attending to assist with any fly tipping or piles of rubbish in the street.</p> <p>There are also numerous other activities arranged across Leeds, Halloween and Bonfire safety events and treasure hunts. Various Youth Clubs and leisure centres are to be visited to engage with the children and their parents.</p>
Accurate reporting	Explore ways in which to encourage the improved reporting of anti-social incidents linked to fireworks so as to ensure partners have more accurate information about the prevalence of such behaviour.
	On Leeds City Council's ASB reporting page it clearly gives complainants the option to report any type of anti social behaviour including anti social use of fireworks, this will give the public the confidence that the Local Authority are able to address these issues/concerns.

	<p>When a customer enquiry is logged we are able to extract the information regarding the anti social use of fireworks and then log this separately so e are able to report accurate figures.</p> <p>From 18<sup>th</sup> October until 12<sup>th</sup> November LASBT Triage will be responding to complaints regarding fireworks/bonfires as a priority, the intelligence will be fed into our police partnership portal to be address at the earliest opportunity by the partnership.</p>
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Table 2: Recommendation Regarding Local Practice (Tackling Anti-Social use of Fireworks: Inquiry report)