

## 2 EXPLOSIVES REGULATIONS 2014 – FIREWORK STORAGE LICENCES AN158-2015

In terms of the above Regulations, a licence is required for the storage of fireworks. The Council's Order of Reference to Committees provides that applications for this new type of licence will fall to the Licensing Committee to determine.

The 2014 Regulations contain the procedure for applications and the role of the licensing authority in deciding whether to grant a licence. Regulation 20 states that a licence **must** be granted unless the grounds for refusal apply. These are (i) the applicant is not a fit and proper person to be granted a licence, or (ii) the premises are unsuitable for the storage of fireworks.

The Regulations provide for a 2-stage procedure to be followed by the licensing authority in this regard. The authority must first of all decide if either of the grounds apply and, if so, it must hold a hearing within four weeks for the applicant to be given an opportunity to address the authority.

In order to provide a mechanism to accommodate this, it is recommended that the initial decision be delegated to the Head of Democratic and Legal Services, in consultation with the Convener of the Licensing Committee. If there are no adverse comments, the licence would be granted at that stage. If there are any adverse comments relevant to the grounds for refusal, this would then be placed before the full Committee for a hearing to decide if the licence should be granted.

The Committee is asked to agree the above procedure.