



Department of
Justice
An Roinn Dlí agus Cirt
Mánnystrie O tha Laa
www.justice-ni.gov.uk

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11th November 2021

REFERENCE: FOI\21\56

Dear Madam

Thank you for your request for information dated 31st October 2021 and detailed below.

I would be grateful if you could provide me, under the Freedom of Information Act, with the total number of fireworks licenses which you approved for Halloween 2021 (Friday 29 - Sunday 31 October 2021) in Dromore, Co Down, with a numerical breakdown provided on a street-by-street basis.

I would also like information on the following:

- 1. Do you take into account the number of requests within a set radius of one another when deciding on your approval?*
- 2. Are there conditions involved relating to safety of animals and informing nearby homeowners when an applicant is approved (i.e. is the successful applicant required to inform people within a set distance of a private display so that they can make their property and animals safe?)?*
- 3. The number of private licenses provided for displays continuing after 10pm.*
- 4. Are PSNI informed of private display details (so they do not attend those properties if they see displays taking place, and attend those without licenses for enforcement purposes)?*

The Freedom of Information Act 2000 gives you two rights of access when you write to us asking for information. You have the right to know whether we hold recorded information in scope of your request, and you have the right to have that recorded



information given to you. These rights may only be overridden if the information you are looking for is covered by an exemption in the Act.

The Department has considered your request and determined that the following questions fall within the remit of the Freedom of Information Act as they constitute requests for recorded information:

(1) I would be grateful if you could provide me, under the Freedom of Information Act, with the total number of fireworks licenses which you approved for Halloween 2021 (Friday 29 - Sunday 31 October 2021) in Dromore, Co Down, with a numerical breakdown provided on a street-by-street basis.

For the requested time period (29th October – 31 October 2021), a total of one licence was issued in this area.

The Department is however unable to provide a breakdown of this figure to show the number of fireworks licences issued by individual streets as it has determined that to do so could lead to the disclosure of personal information of third parties. For this reason, the information you have requested is exempt from disclosure under Section 40(2) (Personal information) of the Freedom of Information Act 2000. The Data Protection Act 2018 prohibits the release of personal data that relates to third parties which could, if released, identify the third party to whom it relates. Disclosure would contravene the first and second principle of the Data Protection Act in that the data would be processed unfairly and in a manner incompatible with the original purpose. Further, none of the conditions in Article 6 of the Act are met to authorise lawful disclosure.

Section 40 (2) provides an absolute exemption and there is no requirement for the completion of a public interest test.

(2) The number of private licenses provided for displays continuing after 10pm.

The majority of fireworks displays have to be completed by 11pm and this will be a specific condition on the licence issued by the Department. The main exception to this would be New Year firework displays.



In relation to the other questions you have submitted, as these do not constitute requests for recorded information, the following responses are provided outside of our obligations under the Freedom of Information Act:

(3) Do you take into account the number of requests within a set radius of one another when deciding on your approval?

The number of requests within a set radius is not a deciding factor when issuing a fireworks licence. Each application is treated on its own merits.

(4) Are there conditions involved relating to safety of animals and informing nearby homeowners when an applicant is approved (i.e. is the successful applicant required to inform people within a set distance of a private display so that they can make their property and animals safe?)?

The Department's Halloween messaging includes 'be considerate – be aware of the elderly, vulnerable, pets and animals'. This message is available on the Department's twitter account.

Applications with higher category of fireworks and larger events would normally have conditions applied to them including notifying local residents of the display. Garden firework displays would not normally have a condition to notify local residents on their licence.

In the current context all licenses also refer to the licensee complying with the requirements of The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 and any subsequent amendment to these Regulations that is current on the day of the display.

(5) Are PSNI informed of private display details (so they do not attend those properties if they see displays taking place, and attend those without licenses for enforcement purposes)?

PSNI are not informed of garden firework applications but are informed of larger firework events.



If you are unhappy with the result of your request for information you may request an internal review within two calendar months of the date of this letter. If you request an internal review please do so in writing stating the reasons to the address above.

If following an internal review you were to remain dissatisfied you may make a complaint to the Information Commissioner and ask the Commissioner to investigate whether the DOJ has complied with the terms of the FOIA. You can write to the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

The Commissioner will not investigate a complaint unless an internal review procedure has been carried out.

Further details on the role of the Information Commissioner and the handling of appeals can be found at: www.informationcommissioner.gov.uk

Yours sincerely

Freedom of Information Manager

