

## **CLEVELAND POLICE: Bonfires on public land**

### **How does the Force engage with the local community around 'bonfire night' season? What messages are circulated around the lighting of bonfires?**

I have spoken with local officers, our force corporate communications team and the force community safety/engagement team to seek information on what we are cascading locally and across the county.

As a force we do not lead on any engagement, signposting or recommendations around bonfires. Messaging to the public is therefore led by the fire service and local authorities. In the past we have put some information out ourselves but this stopped around 5 years ago due to any advice being sent out already by the fire service, who have strategic lead for arson reduction.

Were there to be specific issues then we would of course link in with partners and use messaging as appropriate.

In the run up to the bonfire night season police at a local and force wide level will speak with local authorities, housing providers and the fire service to ensure any extra help they require from us is identified. This would include any requirements for us to supplement any messaging they already give out

### **How does the Force identify and manage bonfire-related activity? What powers are available to deal with bonfires / what interventions are used – how effective have these been?**

In the run up to bonfire season the force holds a series of meetings to discuss risk and resourcing levels. This is primarily aimed at increases in ASB around 30<sup>th</sup> October and 5<sup>th</sup> November. Specific operational orders are submitted for each of these evenings and for any large scale public displays, such as that at Stockton Riverside.

Due to previous increases in ASB and damage around this period some additional staffing requirements are necessary. Particularly for 30<sup>th</sup> October. The planning for this has already begun for 2022 and will involve officers being brought out from other departments to assist.

Incidents involving fire/fireworks can be tagged so that a record can be maintained and operational tactics then formed around this demand.

The police approach to bonfires is again primarily through a partnership approach, involving prevention work so that the actual number of fires set is minimised. This involves good communication with partners and identifying potential issues throughout the period. Our officers on the ground will link in with the fire service; care for your area and housing (particularly 13 group) to highlight where combustibles have been gathered so they can be removed before a fire is set.

There are a number of laws that can be used against the illegal setting of fires, some of which are shown below. Depending on the specific circumstances other offences in relation to public order can also be considered.

The figures for specific use of the below offences are not currently available.

### **Discharge firework/light fire within 50ft of the centre of a highway**

The offence is only complete if the highway is damaged. It includes damage being caused by lighting any fire (Highways Act 1980, section 131(1)).

### **Discharge a firework/light fire within 50ft of the centre of a highway**

Also includes lighting any fire on or over a highway. The offence is only complete if a user of the highway is injured, interrupted or endangered (Highways Act 1980, section 161(2)).

### **Make bonfire or discharge firework in the street**

The actual offence is to wantonly make a bonfire or discharge a firework in a street to the obstruction, annoyance or danger of residents or passersby (Town Police Clauses Act 1847, section 28).

### **Light fire on land and fire/smoke injures, interrupts or endangers user of highway/carriageway**

Light, direct or permit a fire on any land, and in consequence a user of any highway which consists of or comprises a carriageway is injured, interrupted or endangered by the fire or smoke from that fire, or any other fire caused by that fire (Highways Act 1980, section 161A(1))

### **Public Nuisance**

A person is guilty of his offence if he – does an act not warranted by law and the effect of the act is to endanger life, health, property, morals or comfort of the public, or obstruct the public in the exercise or enjoyment of rights common to everyone.

**What is the impact of bonfires (e.g. resources to manage incidents, environmental and wildlife damage / costs, fly-tipping, related disorder)?**

Bonfires and the associated issues with fireworks do cause some increases in demand to the police as the below tables show. This is particularly around 30<sup>th</sup> October and bonfire night itself. Other than those two evenings there is not a noticeable increase over other days of the summer/autumn period.

There have been occasions where police help has been required to assist partners, particularly the fire service, when they are responding to calls. Unfortunately there have been incidents nationwide where fire and rescue workers have been targeted when they have attended incidents. Whilst I don't have the figures on this I know it is thankfully fairly rare but it is concerning that some people choose to target people who are out to help their community.

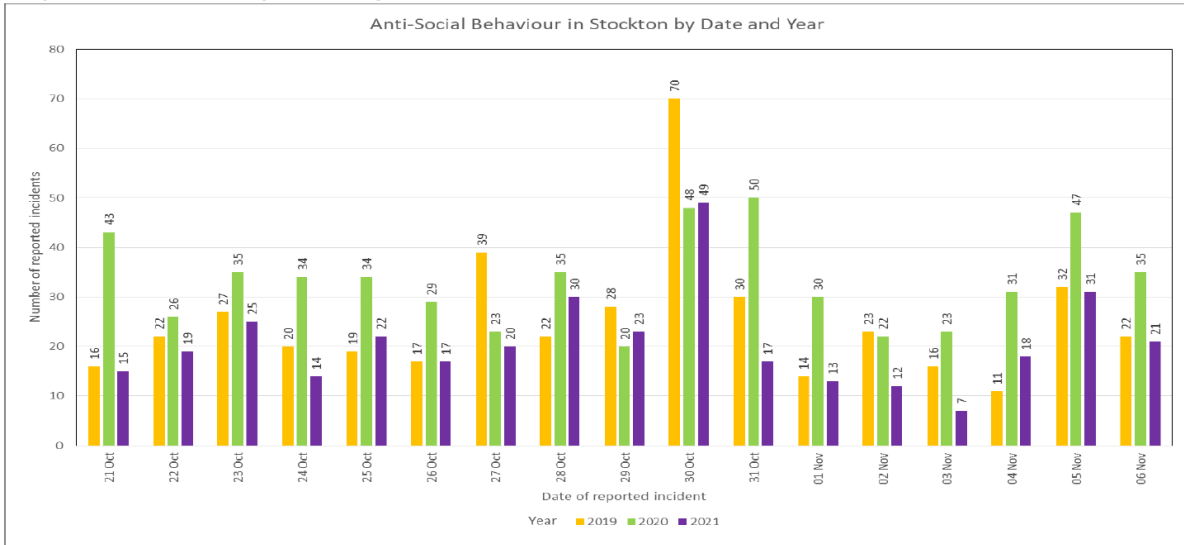
The other demand to ourselves is primarily caused by other seasonal issues such as firework misuse rather than the bonfires themselves. For the bonfires themselves we request for patrol of all our wards and for the local officers to arrange appropriate disposal of combustible materials as they encounter anything, through the partners as previously mentioned.

Prevention and intervention work will continue through the period, and this is managed on a force level because other districts have the same ASB increases as Stockton. Other than the key evenings this will be managed by the usual police resources via our control room.

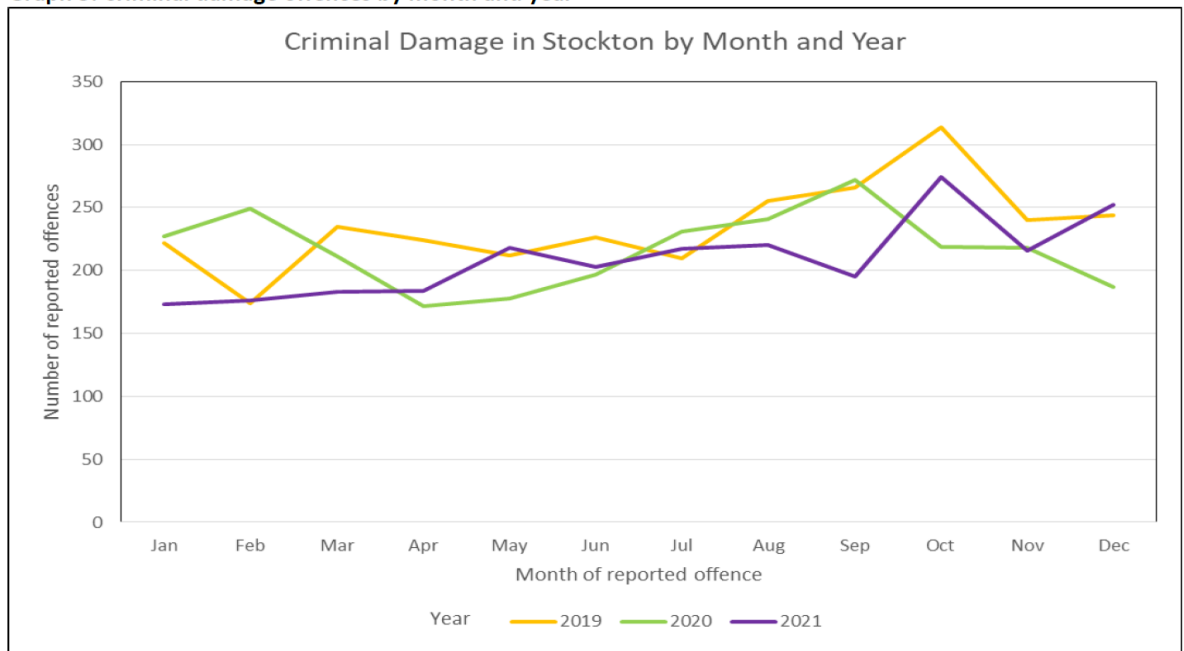
**Table 4: ASB incidents relating to 'firework' or 'bonfire'**

Date	Incidents in 2019	Incidents in 2020	Incidents in 2021	Total number of incidents
21 Oct	4	9	2	15
22 Oct	1	4	0	5
23 Oct	5	3	2	10
24 Oct	3	0	3	6
25 Oct	2	12	4	18
26 Oct	3	2	4	9
27 Oct	8	2	1	11
28 Oct	4	8	8	20
29 Oct	8	1	0	9
30 Oct	23	14	11	48
31 Oct	6	6	3	15
01 Nov	3	4	0	7
02 Nov	7	6	1	14
03 Nov	2	4	1	7
04 Nov	2	9	1	12
05 Nov	20	29	20	69
06 Nov	5	11	3	19
<b>Grand Total</b>	<b>106</b>	<b>124</b>	<b>64</b>	<b>294 (22%)</b>

**Graph 4: ASB incidents by date and year**



**Graph 3: Criminal damage offences by month and year**



The areas with the most demand over the bonfire season are not different to those areas where demand is normally higher. This applies to incidents and damage caused over the period. The setting of bonfires is not exclusive to high crime areas but there is more of a propensity to find items to set fire to in areas where crime and ASB are traditionally higher. The table below shows the damage levels in wards across the district in the bonfire season.

Putting a cost on any increased demand would not be precise but as a rough guide the extra staffing cost over the period will be around £5000. This is not

an official Cleveland police figure but a close approximation based on extra officer hours due to be worked and the overall cost to the taxpayer of police constables per hour.

Table 2: Criminal damage offences by ward

Ward	Offences in 2019	Offences in 2020	Offences in 2021	Total Number of Offences
STOCKTON TOWN CENTRE	32	15	23	70
MANDALE AND VICTORIA	20	19	18	57
BILLINGHAM EAST	13	10	14	37
HARDWICK	10	13	12	35
NEWTOWN	6	9	12	27
PARKFIELD AND OXBRIDGE	11	4	12	27
NORTON NORTH	11	8	7	26
ROSEWORTH	12	4	5	21
BILLINGHAM SOUTH	1	5	13	19
NORTON SOUTH	6	8	5	19
STAINSBY HILL	2	9	7	18
BILLINGHAM CENTRAL	7	4	4	15
EAGLESCLIFFE	4	3	7	14
YARM	2	5	6	13
BILLINGHAM NORTH	9	2	1	12
VILLAGE	5	3	4	12
GRANGEFIELD	2	3	3	8
BISHOPSGARTH AND ELM TREE	6	0	1	7
BILLINGHAM WEST	3	2	0	5
WESTERN PARISHES	2	2	1	5
FAIRFIELD	2	0	2	4
INGLEBY BARWICK EAST	2	1	1	4
NORTHERN PARISHES	1	3	0	4
INGLEBY BARWICK WEST	3	0	0	3
NORTON WEST	0	1	2	3
HARTBURN	0	0	2	2
<b>Grand Total</b>	<b>172</b>	<b>133</b>	<b>162</b>	<b>467</b>

**Should these be allowed to continue, what other options exist to improve planning for, and dealing with, bonfire-related activity? What are the perceived benefits / challenges associated with alternative approaches?**

As a police service we can not dictate what legal activity the public engages in but we certainly support communities to act in a legal manner and protect others from suffering harm or suffering due to the actions of others.

As such we would recommend for the public to attend public displays, where safety is better than having bonfires and fireworks around residential settings.

A consideration could therefore be to consider a site for a public bonfire display. This does however have issues, such as the environmental damage which is caused by burning most substances. This would be a choice that the local authority would have to consider but I can see why establishing a public bonfire is not entirely palatable.