

Report to the Tyne and Wear Trading Standards Joint Committee

24 November 2022

Update on the passing of the Fireworks and Pyrotechnic Articles (Scotland) Bill

**Anneliese Hutchinson, Service Director, Economy, Innovation & Growth,
Gateshead Council**

Purpose of the report

To update the Committee on the passing of a Fireworks and Pyrotechnic Articles Bill that has been introduced in Scotland.

1. In June 2022 new Scottish legislation was passed to control the sale and use of fireworks with the aim of improving public safety and benefit communities.
2. The Fireworks and Pyrotechnic Articles (Scotland) Bill passed following a Scottish Parliament debate and introduces a fireworks licensing system, with mandatory safety training, for people wishing to purchase and use fireworks.
3. It also introduces powers for local authorities to designate firework control zones, restrictions on the supply and use of fireworks, and a new offence to criminalise the supply of fireworks and pyrotechnics to under-18s.
4. Being in possession of a firework or other pyrotechnic in a public place, or at certain places or events, without reasonable excuse also becomes an offence.
5. The passage of the Bill saw extensive consultation and stakeholder engagement with the legislation receiving strong backing from a coalition of professional medical bodies who described it as an “historic achievement” and “a major step forward for injury prevention in the community”.
6. The Bill is the final legislative part of work towards improvements in firework safety which began in 2019, with an overwhelming response to a consultation on the use of fireworks, across over 16,000 responses, delivering a very clear message on the desire for change. This led to the creation of the Fireworks Action Plan and the establishment of the Firework Review Group. The group made a series of recommendations for legislative and non-legislative changes to reduce the harm and the disturbance from firework use.
7. A further consultation last year, ahead of the Bill’s introduction, further demonstrated strong desire for change. Analysis of the 2021 consultation responses showed 84% of respondents agreed a fireworks licensing system should be introduced in Scotland.
8. The Bill received backing from a coalition of professional medical bodies including the BMA, The Royal College of Ophthalmology, and The British Society for Surgery of the Hand, along with support from emergency services and animal charities.

9. Community Safety Minister Ash Regan said:

“This ground-breaking new legislation will improve the lives of people right across Scotland. This is not a ban on fireworks. We still want people to enjoy them safely, for example attending organised displays.

“But this vitally important step will make firework use more predictable and safer. The Bill will ensure appropriate action can be taken over the dangerous or disruptive use of fireworks, as well as reducing the misuse of pyrotechnic devices such as flares”.

10. Eleanor Robertson, Senior Clinical Research Fellow, Burns and Plastic Surgery at Glasgow’s Royal Infirmary said:

“Having witnessed the initial and lasting impacts of firework injuries, we welcome any move to protect people in Scotland from firework-related harm. Incidents involving fireworks and pyrotechnics can be devastating to those impacted and can alter someone’s quality of life permanently.”

Recommendation

11. The Committee is asked to note the information contained in the report and consider what action we can take locally to combat the use of fireworks by members of the public.

Contact: Judith Shewan, South Tyneside Council,
Judith.Shewan@southtyneside.gov.uk
