

ANGUS COUNCIL

ENVIRONMENTAL AND LEISURE SERVICES COMMITTEE – 16 OCTOBER 2003

FIREWORK SAFETY UPDATE

REPORT BY DIRECTOR OF ENVIRONMENTAL & CONSUMER PROTECTION

**ABSTRACT**

This report advises the Committee of the up-to-date situation regarding firework safety and new legislation enacted, with the promise of further regulation to come.

**1. RECOMMENDATION**

It is recommended that the Committee note the content of this report for its interest.

**2. BACKGROUND**

The Committee will recall two reports during 2002 relative to fireworks, Report No 1129/02 on Firework Safety and Report No 1310/02 on the COSLA Task Group Report.

The first report highlighted problems with firework noise and retail premises seeking to store and sell larger quantities of fireworks; and the second report detailed the response by the Westminster Government to concerns about firework abuse, and notified the Committee that the COSLA Task Group Report on fireworks had been produced containing eleven recommendations for action.

Members will also recall the debates held in the chamber relating to the effects of fireworks on older people and on pets; and the vandalism caused to telephone kiosks and litter/dog bins by irresponsible persons.

**3. OUTCOME**

Bill Tynan MP introduced a Bill into the Westminster Parliament, and this has now become the Fireworks Act 2003, receiving Royal Assent on 18 September 2003. The Act is an enabling Act allowing the Secretary of State to make regulations, including matters devolved to the Scottish Parliament.

Andy Kerr, Minister for Finance and Public Services, has written to our Head of Consumer Protection advising that Scottish Ministers will introduce regulations restricting where and when fireworks can be used and the operation of public firework displays. The Department of Trade and Industry will be responsible for drafting further regulations covering new licensing controls, importations controls and requirements on training about fireworks.

The Minister indicated that extensive consultation will be undertaken to ensure the new regulations are effective and enforceable, and has promised that Trading Standards personnel will be fully involved in the exercise. Our Head of Consumer Protection was, until February this year, Secretary of the Scottish Trading Standards Chief Officers Society (SCOTSS), and was involved personally in discussions with the Minister to ensure there was full Trading Standards involvement in the fireworks safety debate.

The hope is to have all the regulations in place for the 2004 fireworks season, and I look forward to this becoming a reality. A copy of the Minister's letter is attached.

**4. FINANCIAL IMPLICATIONS**

There are no financial implications in respect of this report.

**5. HUMAN RIGHTS**

There are no human rights issues arising from this report.

## **6. CONSULTATION**

The Chief Executive, Director of Law and Administration and Director of Finance have been consulted on the contents of this report.

**S R Heggie**  
**Director of Environmental and Consumer Protection**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing this report.

**JM/FMCI**  
**7.10.03**