

Response ID ANON-H2RN-RATU-P

Submitted to Use and Sale of Fireworks in Scotland, and tackling the misuse of pyrotechnics
Submitted on 2021-08-15 19:43:52

Section One: Fireworks

Part One: Mandatory conditions at point of sale

Question 1 a) Do you agree that a fireworks licensing system should be introduced in Scotland?

Unsure

Question 1. b) Please explain your answer

Please explain your answer in the text box below::

n/a

Question 2 a) Do you agree that any licensing system should cover the possession and use of fireworks, in addition to their purchase?

Unsure

Question 2 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

Question 3a) Do you agree that a fee to obtain a fireworks licence in Scotland should be introduced?

Unsure

Question 3 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

Question 4 a) Do you have any views on how much the licence fee should be?

No

Question 4 b) Please tell us your views on how much the licence fee should be.

Please write your answer in the text box below::

n/a

Question 5 a) Do you agree that successful completion of an online safety course to obtain a fireworks licence in Scotland should be introduced?

Unsure

Question 5 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

Question 6 a) Who do you think would be best placed to run and administer the proposed licensing system?

Option Three: Local authorities

Question 6 b) Please explain your answer.

Please explain your answer in the text box below: :

Local Authorities have knowledge of local noise issues and contain existing licensing and environmental health departments with in-house competency in noise assessment, noise nuisance and anti-social behaviour.

Question 7 Please tell us if you have any other comments on the introduction of a licensing system and the proposed process for how the licensing system would be implemented and managed.

Please add your comments in the text box below: :

n/a

Part Two: Restrict the days fireworks can be sold and set off

Question 8 a) Do you agree with the proposed restrictions on the days fireworks can be used by the general public?

Unsure

Question 8 b) Please explain your answer.

Please explain your answer in the text box below::

The restriction in sale to limited dates will reduce issues relating to noise from fireworks which can currently occur at any time of the year.

Question 9 a) Do you agree with the proposed restrictions on the days fireworks can be sold to the general public?

Unsure

Question 9 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

Part Three: No-Firework Areas

Question 10 a) Do you agree with the introduction of no-firework areas?

Yes

Question 10 b) Please explain your answer.

Please explain your answer in the text box below::

The Office for Product Safety and Standards 2020 publication Fireworks: noise levels and impacts on health refers to a number of studies and reports relating to noise impacts on livestock and domestic animals. Areas defined as having livestock or populations with particular sensitivity to noise may be suitable for the introduction of no-firework areas, however, the "tranquil" areas identified in the national noise mapping exercise are often in the very places that organised fireworks displays take place e.g. large parks in urban areas and so it is unlikely to be appropriate in this instance to identify no-firework zones by reference to existing noise levels.

Question 11 a) Do you agree that consideration, introduction and management of no-firework areas should be led by local authorities?

Yes

Question 11 b) Please explain your answer.

Please explain your answer in the text box below::

It seems appropriate that such a responsibility would fall within the remit of existing Local Authority Environmental Health noise teams.

Question 12 Please tell us if you have any comments in relation to how communities can be actively involved in considering the feasibility and introduction of no firework areas, and the decision to introduce these.

Please add your comments in the text box below::

n/a

Question 13 Please tell us if you have any comments on the proposed process for how no-firework areas would be implemented, managed and reviewed.

Please add your comments in the text box below::

n/a

Question 14 Please tell us if you have any comments in relation to the enforcement of no-firework areas.

Please add your comment in the text box below::

n/a

Question 15 Please tell us if there are any other issues you think need to be considered in relation to no-fireworks areas.

Please add your comments in the text box below::

n/a

Part Four: Proxy Purchasing Offence

Question 16 a) Do you agree with the introduction of a 'proxy purchasing' offence in relation to fireworks to criminalise the supply of fireworks to young people under the age of 18?

Unsure

Question 16 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

Question 17 Please tell us if you have any other comments on Section One of the consultation relating to Fireworks that have not been covered by the other questions above.

Please add your comments in the text box below::

n/a

Part Five: Impact Assessments

Question 18 a) Do you have any comments about, or evidence relevant to the draft Business And Regulatory Impact Assessment in relation to the sale and use of fireworks?

Yes

Question 18 b) Please explain your answer.

Please explain your answer in the text box below::

Annex B, Section 4.5 states, "Fireworks which make a noise of over 120 decibels when they are set off, or fireworks that require specialist knowledge to use safely, cannot be sold to the general public at any time."

The "120 decibels" in this text should be clarified, providing a distance and relevant acoustic metric and weighting, or reference provided to the standard or legislation where the number is taken from e.g. BS EN 15947 - Pyrotechnic articles. Fireworks, Categories 1, 2, and 3.

Question 19 a) Do you have any comments about, or evidence relevant to the draft Equality Impact Assessment in relation to the sale and use of fireworks?

Unsure

Question 19 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

Section Two: Pyrotechnics

Question 20 a) Do you have concerns about pyrotechnic devices being misused?

Unsure

Question 20 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

Question 21 a) Do you agree with the introduction of a new offence for being in possession of a pyrotechnic in a public place without reasonable excuse or lawful authority?

Unsure

Question 21 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

Question 22 a) Do you agree that police stop and search powers should be extended to allow the police to stop and search where there is reasonable suspicion that an individual is in possession of a pyrotechnic device in a public place without a reasonable excuse?

Unsure

Question 22 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

Question 22 c) Please tell us what you consider would be a reasonable excuse for possessing pyrotechnics in a public place?

Please write your answer in the text box below::

n/a

Question 23 a) Do you think that police stop and search powers should be wide enough to the extent that it would allow the police to stop and search a vehicle, for example a car, bus, van or tram, where there is reasonable suspicion that there are pyrotechnic devices contained without a reasonable excuse?

Unsure

Question 23 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

Question 24 The Scottish Government recognises that legislation on its own may not end the misuse of pyrotechnic devices. Please tell us if there are other actions you think that the Scottish Government could take to address this issue.

Please write your answer in the text box below::

n.a

Question 25 Please tell us if you have any other comments in relation to pyrotechnics that are not covered by the other questions in this section of the consultation.

Please add your comments in the text box below::

n/a

Part Two: Impact Assessments

Question 26 a) Do you have any comments about, or evidence relevant to the draft Business And Regulatory Impact Assessment in relation to pyrotechnics?

Yes

Question 26 b) Please explain your answer.

Please explain your answer in the text box below::

Annex B, Section 4.5 states, "Fireworks which make a noise of over 120 decibels when they are set off, or fireworks that require specialist knowledge to use safely, cannot be sold to the general public at any time."

The "120 decibels" in this text should be clarified, providing a distance and relevant acoustic metric and weighting, or reference provided to the standard or legislation where the number is taken from e.g. BS EN 15947 - Pyrotechnic articles. Fireworks, Categories 1, 2, and 3.

Question 27 a) Do you have any comments about, or evidence relevant to the draft Equality Impact Assessment in relation to pyrotechnics?

No

Question 27 b) Please explain your answer.

Please explain your answer in the text box below::

n/a

About you

What is your name?

Name:

Anne Budd

What is your email address?

Email:

anne@newacoustics.co.uk

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

Institute of Acoustics

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response only (without name)

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Slightly satisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Slightly satisfied

Please enter comments here.: