
NORTH AYRSHIRE COUNCIL

7 February 2023

Police and Fire and Rescue Committee

Title:	Elected Members Briefings: The Fireworks and Pyrotechnic Articles (Scotland) Act 2022 and Operation Moonbeam
Purpose:	To provide the Committee with an update on (i) recent and upcoming legislative changes relating to fireworks and (ii) Operation Moonbeam.
Recommendation:	The Committee is asked to note the contents of the Briefings set out at Appendices 1, 2, 3 and 4.

1. Executive Summary

- 1.1 At the last meeting of the Committee on 14 November 2022, the Committee was provided with verbal updates from the Fire and Rescue Service, Police Scotland and the Council's Streetscene Service in relation to Operation Moonbeam, Police Scotland's national response to a variety of offences and incidents arising in relation to Bonfire Night.
- 1.2 The Committee agreed that the Senior Manager, Legal Services, should prepare a Briefing Note on (i) Legislation surrounding the provision of fireworks; and (ii) Operation Moonbeam, including information from Police Scotland, Scottish Fire and Rescue Service and Streetscene.
- 1.3 A Briefing Note on legislation surrounding the provision of fireworks is attached at Appendix 1. This is to inform the Committee's understanding of the legislative changes and future changes which have not yet been brought into force.
- 1.4 A Briefing Note provided by Streetscene on Operation Moonbeam is attached at Appendix 2.
- 1.5 A Briefing Note provided by Police Scotland on Operation Moonbeam is attached at Appendix 3.
- 1.6 A Briefing Note provided by Scottish Fire and Rescue Service on Operation Moonbeam is attached at Appendix 4.

2. Background

- 2.1 The Fireworks and Pyrotechnic Articles (Scotland) Act 2022 was introduced in 2022, although most of the provisions did not come into force immediately. Regulations introduced on 21 September 2022 brought some parts of the Act into force, creating a new offence of providing fireworks or pyrotechnic articles to children and ensuring that any offences involving a firework or pyrotechnic article will be treated as aggravated offences if carried out against an emergency worker. Further detail on the legislation is set out in the Briefing Note at Appendix 1.

2.2 On and around 5 November 2022, Police Scotland, the Fire and Rescue Service and the Council's Streetscene Service worked collaboratively to respond to incidents and offences arising in relation to Bonfire Night. Feedback from each of the Services is set out in Appendices 2, 3 and 4.

3. Proposals

3.1 The Committee is asked to note the contents of the Briefings set out at Appendices 1, 2, 3 and 4.

4. Implications/Socio-economic Duty

Financial

4.1 None.

Human Resources

4.2 None.

Legal

4.3 The Briefing Note at Appendix 1 gives an overview of recent and prospective legislative changes. The Briefing Note is intended to outline the current position and is for advisory purposes only.

Equality/Socio-economic

4.4 None.

Climate Change and Carbon

4.5 None.

Key Priorities

4.6 The attached Briefing Notes have implications for the Council priorities of ensuring that people and communities are safe.

Community Wealth Building

4.7 None.

5. Consultation

5.1 None.

Aileen Craig
Head of Democratic Services

For further information please contact **Raymond Lynch, Senior Manager (Legal Services)**

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Background Papers

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Appendix 1 – Members Briefing – The Fireworks and Pyrotechnic Articles (Scotland) Act 2022

Summary of current position

The use of fireworks in Scotland is subject to the Fireworks (Scotland) Regulations 2004. The Regulations were amended on 30 June 2021.

Under the 2004 Regulations, as amended, fireworks should generally only be used between 6pm and 11pm. There are a number of exceptions to the general rule, however, and these are set out below:

- Any person who is employed by a local authority may use fireworks outwith these hours for the purposes of putting on a firework display by the local authority or at a national public celebration or a national commemorative event.
- Fireworks may be used between 6pm and midnight on 5 November and between 6pm and 1am on New Year's Eve, the night of Chinese New Year and the night of Diwali.
- Community groups (including charitable, religious, recreational and political organisations) may use fireworks between 7am and 6pm for public displays. Public displays are fireworks displays at which the public, or a section of the public, are present (whether or not they have paid to be).
- Professional organisers or operators of firework displays and their employees may use fireworks between 7am and 6pm for public displays.
- Businesses involved in the supply of fireworks who use fireworks in connection with that business may use fireworks between 7am and 6pm.
- Regulatory authorities (i.e. the Chief Constable of the Police Service of Scotland, the Health and Safety Executive, a local authority or a weights and measures authority) who are exercising their powers or duties in connection with the use and/or regulation of fireworks may use fireworks between 7am and 6pm.

In addition, local authorities can grant a dispensation to allow certain people to use fireworks outside the permitted hours for the purpose of putting on a firework display either in the course of their business or at a national public celebration or a national commemorative event. This dispensation is available to professional organisers of firework displays, anyone employed by the UK Government or by the Scottish Executive or an agency of the Scottish Executive, or any person employed by an establishment of the naval, military or air forces. Applications for dispensation must be received by the local authority at least 6 weeks prior to the proposed fireworks display or event.

The 2004 Regulations, as amended, also restrict the manner in which fireworks may be supplied to members of the public in Scotland: no more than 5kg may be supplied at any one time, and they can only be sold between 7am and 6pm.

Recent changes brought in by The Fireworks and Pyrotechnic Articles (Scotland) Act 2022 (Commencement No. 1) Regulations 2022

Summary

The Fireworks and Pyrotechnic Articles (Scotland) Act 2022 was introduced in 2022. Most of the Act did not come into force immediately. The only provisions which had immediate effect were sections governing administrative matters, including powers for the Scottish Ministers to make Regulations to bring the rest of the Act into force.

On 21 September 2022 the Scottish Ministers made the first set of Regulations under the Act: The Fireworks and Pyrotechnic Articles (Scotland) Act 2022. These came into force on 10 October 2022. The Regulations bring certain sections of the 2022 Act into effect, to create a new offence of providing fireworks or pyrotechnic articles to children (the "proxy purchase and supply offence") and to ensure that any offences involving a firework or pyrotechnic article against emergency workers will now be treated as aggravated offences.

Meaning of “Pyrotechnic Article”

For the purposes of the 2022 Act, a pyrotechnic article is an article which contains explosive substances or an explosive mixture of substances designed to produce heat, light, sound, gas or smoke or a combination of such effects through self-sustained exothermic chemical reactions, but which is not a projectile, propelling charge or blank ammunition used in a portable firearm, other gun or artillery. Examples of pyrotechnic articles include special effect items used on stage and in film and television, such as maroons and stage gerbs, as well as distress flares, distress rockets and paintball accessories such as smoke devices.

The proxy purchase and supply offence

A new offence was introduced on 10 October 2022 of knowingly buying or attempt to buy, give or in any way make fireworks or pyrotechnic articles available to people under the age of 18. There are a number of exceptions to the general rule, which are outlined below.

Police Scotland are responsible for enforcing the offence. If convicted, someone may be imprisoned for up to six months and/or given a fine not exceeding level 5 on the standard scale (currently £5,000). The court can also make an order for the forfeiture or disposal of any firework or pyrotechnic article to which the offence relates or which is possessed by the person convicted. A constable may search a person or stop and search a vehicle without a warrant if they have reasonable grounds for suspecting that a person has committed the offence. A warrant will be required to enter and search premises.

If the offence is committed by an organisation then a responsible official of the organisation (or someone purporting to act as a responsible official) may be also be held to have committed the offence. This will be the case if the individual in question has consented to the offence being committed, or it has been committed due to that person's neglect. A responsible official may be the director, secretary or manager of a company; a partner in a partnership; or a member of a limited liability partnership or a company that is managed by members. A responsible official can also be anyone who is concerned in the management or control of any other type of body or association.

The proxy purchase and supply offence – Exceptions

1. Category F1 fireworks and percussion caps for toy guns intended for use by children under the age of 14

There is no prohibition on providing these types of fireworks or pyrotechnic articles to people under the age of 18. F1 fireworks are fireworks which present a very low hazard and negligible noise level which are intended for use in confined areas, including inside domestic buildings. Examples include small sparklers, ice fountains, Christmas crackers and party poppers.

2. Visual distress signals (in appropriate circumstances)

It is legal to provide someone under the age of 18 with a pyrotechnic article which is designed to be used as a visual distress signal, such as a distress flare, provided that the person providing it intends the child or young person to use it only in appropriate circumstances, for example to signal for help whilst sailing.

3. The person under 18 works as a professional organiser or operator of fireworks or pyrotechnic displays

It will not be an offence to provide a firework or pyrotechnic article to someone under 18 if it is done for the purposes of putting on a fireworks display or pyrotechnics display for their employer or in the course of their business.

4. The person under 18 requires to possess or use the firework or pyrotechnic article in connection with their education, training or employment

No offence will be committed if the firework or pyrotechnic article is necessary for the purposes of education, training or employment and the person providing it intends for it to be used only for that purpose.

5. The person under 18 is a public servant or volunteer in a similar role and the firework or pyrotechnic article is provided to them in connection with activities they are undertaking as a member of such a force, service or organisation

It is legal to provide fireworks or pyrotechnic articles to people under 18 if they are a member of the naval, military or air forces (including reserve forces) of His Majesty or of another country when that member is serving with the armed forces of His Majesty. It will also be legal to provide such items to a member of the Combined Cadet Force, the Sea Cadet Corps, the Volunteer Cadet Corps, the Army Cadet Force, the Air Training Corps, or a cadet force of another country when the member is undertaking activities with one of the aforementioned cadet forces or with the armed forces of His Majesty. Fireworks and pyrotechnic articles may also be provided to members of any service or organisation whose functions include law enforcement, search and rescue services or the preservation of life.

Aggravation of offences against emergency workers

From 10 October 2022, any offence committed against an emergency worker which involves the use of a firework or pyrotechnic article which is currently lit or ignited (or which has recently been lit or ignited) will be an aggravated offence. The courts must take this into account when determining the appropriate sentence for such offences.

For these purposes, an emergency worker includes someone acting in their capacity as:-

- A police constable
- A fire fighter
- A person acting for the Scottish Ambulance Service Board, such as a paramedic or emergency care assistant
- A registered medical practitioner
- A registered nurse
- A registered midwife
- A prison officer
- A member of His Majesty's Coastguard
- A member of the crew of a vessel operated by the Royal National Lifeboat Institution or any other person or organisation operating a vessel for the purpose of providing a water rescue service, or a person who musters the crew of such a vessel or attends to its launch
- A social worker whilst taking action required or permitted by a child protection order or an emergency order for removal of a child
- A mental health officer
- A member of a relevant police force who is executing a warrant or otherwise acting in Scotland by virtue of any enactment conferring powers on them in Scotland, or a person who is carrying out functions as a member of an international joint investigation team that is led either by such a person or by a police constable
- A constable of the British Transport Police

Anyone who is assisting any of the above people in responding to an emergency circumstance is also considered to be an emergency worker for these purposes.

Anticipated future changes: provisions of the 2022 Act which have not yet been brought into force

The following are expected to be brought into force this Parliamentary year:

- A new offence of being in possession of a pyrotechnic article (other than an F1 firework) in a public place without reasonable excuse. Regulations are expected to be laid before Parliament by spring 2023.
- A new offence of being in possession of any pyrotechnic article (including F1 fireworks) at a designated sporting or music venue or event without reasonable excuse. Regulations are expected to be laid before Parliament by spring 2023.
- New powers for Local Authorities to designate a place as a firework control zone. It would become an offence for a person to let off a firework in a firework control zone on a day that the zone has effect. Before designating a place as a firework control zone the local authority would require to consult with members of the local community which will be affected by the proposal and anyone else who has an interest in it. It is expected that local authorities will be required to regularly review the operation and effectiveness of their firework control zones. Guidance will be developed in partnership with both communities and stakeholders. These powers are expected to commence in early summer 2023.
- Provisions restricting the days when fireworks can be supplied, when they can be used and who they can be used by are expected to come into force in late spring or early summer 2023. Businesses are being given time to adapt their processes and existing stock in line with the changes. These provisions will introduce new offences of having or using fireworks without a fireworks licence, or supplying fireworks to an unlicensed person. Fireworks licences will be granted by the Scottish Ministers and local authorities will not be involved in the process.

Appendix 2 – Members Briefing – Streetscene Update on Operation Moonbeam

Background

The Streetscene Service has been working with partners from Community Safety, Police Scotland and the Scottish Fire and Rescue service for over a decade now to support these services in the run up to November 5th each year. The service allocated two officers to support the programme and the Area Officer for the Three Towns and Flytipping Officer both attended the launch meeting on 5th September 2022.

The primary role for the Streetscene service is to remove combustible materials to minimise the risk of illegal fires that can cause further fire risk to property and injury to persons. In the weeks leading up to bonfire night the housing estate wardens and Streetscene enforcement officers are especially vigilant seeking out any possible storage or stockpiling of combustible materials. Where sites are located, they are reported through to the operations team for removal.

Costs for removal and disposal of materials on public land are met by the Streetscene Service, where materials are removed from housing land or a tenants garden the costs burden is met by the Housing Service. Where there are materials or bonfires constructed on private land the Streetscene service will provide the landowner with a price for removal and provided a purchase order is raised the material will be removed. In areas where materials are stored on private land removals can be more challenging with private landowners or their appointed factors not always responding to engagement from the Council.

Summary of Streetscene Operations Moonbeam activity for 2022

Detailed below are the locations where combustible materials were removed:

- Lundholm Road in three locations
- Access service road to the rear of Lundholm Road
- New Street, Rear of the Primary school
- Small bonfire removed from Pladda Avenue Irvine
- Laughlan Way car park
- Several areas within Pennyburn where we were able to Liaise with Riverside to remove
- Bonfire Against stored against Drs Surgery @ Central Ave – Ardrossan
- 14 Hyslop Rd Steveston (FPN Issued)
- St Andrews Garage Site
- 74 Misk Knowes Stevenston
- Holehouse Road Largs

In addition to the removals the enforcement team issued four fixed penalty notices for fly tipping of combustible materials at bonfire sites. Below are photographs of 3 of the sites which gives some context and scale to the amount of combustible materials removed. The site at Misk Knowes which was a domestic property being used as a bulking up location in particular had a large tonnage removed.

Misk Knowes.



Hyslop Road



Holehouse Road



Appendix 3 - Members Briefing – Police Scotland Update on Operation Moonbeam



FOR INFORMATION					
		Yes			
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BRIEFING PAPER – FOR THE ATTENTION OF THE NORTH AYRSHIRE POLICE FIRE AND REFORM COMMITTEE

PURPOSE

The purpose of this briefing paper is to provide the Police Fire and Reform Committee (PFRC) with an overview in relation to the successful North Ayrshire approach to Operation Moonbeam.

FORWARD PLANNING

The weeks preceding 'bonfire night' each year have traditionally seen an increase in calls to Police Scotland in relation to the use of fireworks and the building of 'community' bonfires both on public and private land.

Recognising the importance of early intervention and effective collaborative working with key partners, locality policing officers met in October 2022 in order to identify problematic areas where in the past bonfires have been constructed by members of the public who have not applied to host an organised event.

Following the initial discussions, meetings were extended to the inclusion of North Ayrshire Streetscene and Scottish Fire and Rescue Service, who provided information from their own systems and data. The collation of information from all three areas allowed focused plans to be created, ensuring that early intelligence led to early intervention and the prevention of large dangerous bonfires.

In September 2022, a Prevention First meeting was held with partners to facilitate the coordinated multi-agency response to sharing of intelligence and information in relation to the construction of dangerous bonfires and the use of fireworks. This meeting included, anti-social behaviour officers, ASB teams, Trading standards, CCTV control and Housing staff. The outcome of this meeting was a clear understanding of each organisations role and ability to assist in ensuring public safety over the week leading up to 5th and 6th November (Saturday and Sunday).

On the week running up to the weekend of the 5th and 6th November LPT officers visited the focussed areas to ascertain if there was evidence of a bonfire being constructed. This was communicated with the Streetscene team within the council who in turn would attend and remove items that were going to be used to build a bonfire. If the material was discovered on private land the land owner was spoken to

around the intentions of the material and the plan for disposal to ensure the material was not part of a constructed bonfire.

One area of good work was highlighted when officers attended an address in Misk Knowes, Stevenston and engaged with the householder (council tenant). It was identified that there was a large amount of household waste (in excess of what would be reasonable from one house – See Appendix 1) within the rear garden. This coupled with information that this material was being collected to be used in the coming days for a large bonfire in the Ardeer area allowed officers to contact NAC Streetscene. The following day a North Ayrshire Council team deployed to clear the material from the house and prevent this being used in a large bonfire. The householder was then referred to the NAC Anti social behaviour team and Scottish Fire and Rescue Service to carry out a visit to provide guidance and warning around their behaviours.

POLICE INCIDENTS

Friday 04 November 2022

- Katrine Place, Irvine – Rubbish Fire (officers on patrol observed and fire service contacted and extinguish)
- Muirpark Road, Beith – call to police stating fireworks were being let off
- Holehouse Road Largs – illegal bonfire (anon caller/ fire service contacted to attend and extinguish)
- Burns Crescent, Irvine – Call stating fireworks were being let off (anon caller to police stating fireworks being let off are affecting her dog)
- Chemring (Ardeer) – fireworks being let off near the site (site security reporting fireworks being let off near to the site)

Saturday 05 November 2022

- New England Road, Saltcoats – Bonfire at locus which has members of the public in attendance (SFRS aware) – Officers attended and engaged with the organiser of the bonfire – cordons in place and SFRS were aware and attending at the end of the night to extinguish.
- Trelawney Terrace, Stevenston – Bonfire and fireworks being set off – officers attended and spoke with adults supervising a medium sized bonfire – fire under control and no further action taken.
- Dalry Road, Kilbirnie – Fireworks being set off (named reporter reporting fireworks being let off)
- Culzean Place, Kilwinning – fireworks being let off
- St Margarets Road, Ardrossan – SFRS attending small bonfire (police requested as this area has been a site of previous attacks on Fires service) – no issues on this occasion
- Maree Place, Irvine – SFRS attending small bonfire
- Central Avenue, Ardrossan – Youths letting off fireworks (caller to police stating youths letting off fireworks)

Sunday 06 November 2022

Police received no calls during the afternoon/evening or night in relation to bonfire or fireworks being let off. Officers from LPT were deployed from 1700 hours to 2000 hours to attend the planned for Fireworks display at Saltcoats.

CRIMINALITY

This year saw the introduction of a new offence under Fireworks and Pyrotechnic Articles (Scotland) Act 2022 (see appendix 2) as well as existing offences under common law and Fireworks Act 2003.

Over the period of 4th – 6th November 2022 there were no crimes noted under the Fireworks Act or the Fireworks and Pyrotechnic Articles (Scotland) Act 2022.

There were no attacks on police officers attending and dealing with firework and bonfire related calls and there were no attacks on fire service crews attending calls. Colleagues from Streetscene were able to undertake their role whilst not subject to verbal or physical attack.

Whilst the national media highlighted scenes of large scale disorder in parts of the country – there were no calls of disorder relating to bonfire night in North Ayrshire.

LEARNING AND PROGRESSION

The multi partner approach in the run up to 5th November 2022 allowed the swift sharing of information, coordinated action and enforcement to ensure public safety in the run up to the 5th November. New legislation which will hopefully be available in 2023 will provide police and trading standards more powers in relation to the sale and possession of pyrotechnics and fireworks.

Daily communication in the week running up to the 5th allowed sharing of real time information, ensured appropriate response to intelligence and enhanced partnership situational awareness. This ensured problems were addressed timeously and prevented escalation and additional resources for all partners. This also allowed for swift enforcement through ASB teams and housing along with fire safety visits to be targeted where required.

It will be proposed this year that a daily Teams call amongst all partners (30th October to 5th November) to share information and update on events across the sub division would be beneficial. A co-ordinated media strategy should be adopted across all partners to ensure reliable and consistent messages are communicated to the public. This will be important to allow agencies to identify groups who are planning to have a community bonfire/fireworks display who have not engaged with NAC or SFRS prior to the event. Early engagement with these groups will allow some control over the composition of the bonfire/public safety advice and input from SFRS.

The inclusion of Police/SFRS joint inputs to secondary schools in October will assist in cascading the fire safety message and also highlight legislation around the possession of fireworks and pyrotechnics to youths within the communities.

CONCLUSION

Communities across North Ayrshire will continue to develop local bonfire sites and fireworks displays around the 5th November. These do not require a licence and although they appeared 'organised events' they are not often not known to agencies. There will be engagement through housing/ Locality police officers/ SFRS and Streetscene to identify the potential organisers of these events to ensure early engagement/enforcement and safety advice. With new legislation to be introduced (hopefully 2023) this will ensure enforcement around the sale and possession of fireworks and pyrotechnics.

OFFICIAL

It is recognised that the Police received calls from the public in relation to fireworks and bonfires, this was only a small number of calls on both nights which resulted in no crimes being identified. It was also positive that colleagues at SFRS were not subject to any attacks in the communities when dealing with calls in the communities and members of the public engaged well with police who attended bonfires.

The multi-agency approach has been successful and through development will continue to be the framework for Operation Moonbeam in 2023 in North Ayrshire.

CONCLUSION

Submitted for the information and attention of Police Fire and Reform Committee Members.

Appendix 1

Images obtained of the storage of 'bonfire material' at 74 Misk Knowes, Stevenston



Appendix 2

Fireworks and Pyrotechnic Articles (Scotland) Act 2022 passed by Scottish parliament June 22 and Royal assent August 2022.

The Act includes an offence, which prohibits the supply of fireworks and other pyrotechnic articles to children, namely:

Section 21

It is an offence to (a) knowingly buy or attempt to buy a firework or pyrotechnic article for a person under the age of 18, (b) give or otherwise make available a firework or other pyrotechnic article to a person under the age of 18.

This offence is introduced from Monday, 10 October, 2022 and anyone in breach of the legislation will be subject to a fine of £5,000, a six-month prison term, or both.

This type of offence is known as proxy purchase or proxy supply, and there are already similar offences in relation to adults supplying products such as alcohol and tobacco to children.

An aggravator for emergency workers will also be introduced on 10 October:

Section 44

An offence is aggravated by the use of a firework or pyrotechnic article if:

- a) The offence is committed in a manner that involves the use of a firework or pyrotechnic article which is currently lit or ignited (or which has recently been lit or ignited) and
- b) A victim (or intended victim) of the offence is an emergency worker.

An emergency worker is defined as per the Emergency Workers (Scotland) Act 2005.

Police Scotland have enforcement responsibility for the new proxy purchase and supply offence. Offences in relation to the commercial supply of fireworks and other pyrotechnic articles will continue to be enforced by Trading Standards.

The commercial supply of fireworks and other pyrotechnics articles continues to be subject to existing legislation.

The provisions for two new pyrotechnic offences are subject to further legislation and parliamentary scrutiny before they can be commenced.

As a result it is likely that the following two offences will not be introduced until early to mid 2023.

Section 35

It will be an offence for a person without reasonable excuse to possess a pyrotechnic article in a public place. Exemptions include,

- (a) in connection with person's employment or
- (b) It is in connection with the person undertaking an activity where it is appropriate to possess the article for use as a visible distress signal.

Section 36 (1)

It will be an offence for a person without reasonable excuse to possess a pyrotechnic article whilst the person is in a designated venue or whilst at a designated event. This includes sports ground, sporting and music events.

2.3 Section 22 of the Act will not be introduced until 2023. This will apply a restriction on the days of supply of fireworks, specifically the sale of fireworks which will only be permitted on:

- Vaisakhi (7-14 April),
- Guy Fawkes Day (27 October-10 November),
- Hogmanay (26 December-31 December),
- The first day of Chinese New Year and 3 days immediately preceding it and
- The first day of Diwali and 3 days immediately preceding it.

The new licensing system will apply to category F2 and F3 fireworks and will not be introduced until late 2023 or early 2024

- Consumer fireworks are categorised as Category F1, F2 or F3
- Category F1 fireworks are indoor or close proximity fireworks with minimal safety distances (e.g. 1m)
- Category F2 fireworks are outdoor fireworks with spectator safety distances of at least 8m
- Category F3 fireworks are outdoor fireworks with spectator safety distances of at least 25m
- Category F4 fireworks are for professional use only.

Section 4 – It is an offence for a person without reasonable excuse to purchase, acquire, possess or use a firework without having a firework licence. This legislation will extend to include an offence for a person, without reasonable excuse to supply a firework to a person who does not have a licence.

Guidance will be issued by the Scottish Government to those wishing to apply for a fireworks licence and the applicant will be required to meet the criteria outlined in the Bill and pay a fee.

Firework control zones will apply to category F2, F3 and F4 Fireworks and are likely to be introduced in late 2023.

Section 27 (2)

It will be an offence for a person to ignite a firework, knowingly or recklessly throw a lit firework or fire a firework into a control zone.

Guidance will be developed in consultation with Police Scotland and the 32 Local Authorities and will be designed to allow the opportunity for community engagement.

Ultimately the firework control zones will give the local authorities the autonomy to designate a place within their area as a firework control zone, amend a zone (including the period for which it is to have effect or days on which it will operate) or revoke a zone.

The provisions in relation to the firework licensing system and firework control zones still require further legislation and guidance before they can commence and operate to their full intended effect, similar to the restriction on the days of supply of fireworks.



BONFIRES DEMAND REDUCTION OVERVIEW OCTOBER AND NOVEMBER 2022

The purpose of this report is to update North Ayrshire Police & Fire and Rescue Committee on the actions taken to prevent and respond to deliberate fire incidents during the months of October and November 2022. The actions outlined within this document are designed to complement those of other agencies operating within the North Ayrshire local authority area, and are specifically intended to minimise the impact on local communities during the aforesaid period of time.

The North Ayrshire Local Fire and Rescue Plan details the local priorities for the Scottish Fire and Rescue Service. The current plan contains a priority that relates to the reduction of fires that are set deliberately. This priority includes a commitment to:

- a) Identifying those parts of North Ayrshire affected by deliberate fire setting, and to share this information with local partners.
- b) Utilising Fire Reach, Firesetters and other educational programmes to raise an awareness of the impact of fire related anti-social behaviour.
- c) Work with partners to develop joint strategies to reduce the risk posed by deliberate fire setting and to mitigate its impacts.

The months of October and November are historically noted as being busier periods for the fire and rescue service due to annual 5th of November celebrations. As well as potentially delaying the fire and rescue service's mobilisation to more serious incidents, deliberate fire setting can far too often result in injury, property damage and environmental pollution.

Subsequently, this has resulted in a bespoke North Ayrshire Bonfire Protocol being developed to further enhance interaction between partner organisations and local communities during the aforesaid months.

The Scottish Fire and Rescue Service records its attendance to all incidents and uses this information to help shape future interventions and report upon progress within each of its Local Areas. The information that has been produced for this report has been taken from a bespoke '*all deliberate secondary fires*' indicator for the months of October and November only, and includes:

Ward	2018/19	2019/20	2020/21	2021/22	2022/23
Ardrossan	15	27	16	5	6
Arran	0	0	0	0	0
Garnock Valley	8	9	12	9	6
Irvine East	2	10	15	6	6
Irvine South	8	6	14	5	9
Irvine West	12	10	9	7	7
Kilwinning	12	6	4	8	1
North Coast	4	10	5	1	2
Saltcoats and Stevenston	22	11	19	16	15
Totals	83	91	94	57	52

The targeted approaches employed during the weeks prior to the 5th of November included:

- Active use of social media; with bespoke messages being communicated to North Ayrshire local communities.
- Participation and sharing of information during frequent Operation Moonbeam partnership meetings.
- Firework and bonfire safety information being published within various landlords and tenant talk e-magazines.
- Targeted multi-agency approach to premises located across Stevenston; mostly due to the storage of flammable materials within garden areas.
- Targeted multi-agency visits to commercial premises across the Stevenston area.

Scottish Fire and Rescue Service crews and Community Action Team members visited the following secondary schools prior to the 5th of November:

- **Kilwinning Academy**, S1 – S3 pupils: Firework and bonfire safety information was provided to approximately 300 pupils at this location.
- **Largs Academy**, S1 – S6 pupils: Firework and bonfire safety information was provided to approximately 1,150 pupils and local residents at this location.

- **Ardrossan Academy**, various classes: Firework and bonfire safety information was provided to approximately 800 pupils at this location.
- **Greenwood Academy**, S1 – S4 pupils: Firework and bonfire safety information was provided to approximately 1,150 pupils and local residents at this location.

Various Primary Schools were also visited and presented with firework and bonfire safety information. Furthermore, firework and bonfire safety information and advice was also supplied to teachers and partner organisations to support them with their own safety campaigns.

There were no acts of violence recorded for fire crews operating across the wider Ayrshire area during the 4th - 6th of November 2022. However, as a precautionary measure, local fire crews, within several identified community fire stations, co-responded to incidents alongside colleagues from Police Scotland during this time.