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BRIEFING PAPER – North Ayrshire approach to Operation Moonbeam – For attention of PFRC chair and members.

PURPOSE

The purpose of this paper is to provide an overview in relation to the North Ayrshire approach to Operation Moonbeam (October/November 2023). The paper illustrates the work undertaken to identify problematic areas, focussed patrol areas and partnership working.

PREPERATION

The weeks preceding the 5th November each year has 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. New legislation within the Fireworks and Pyrotechnic Articles (Scotland) Act 2022 is now in force and Local Authorities have the ability to designate particular areas a Firework Control Zone (Appendix 1). In 2023 North Ayrshire Council did not designate any area within the authority a Firework Control Zone.

Following on from 2022 there was a focus on partnership working and awareness sharing across North Ayrshire, this was expanded in 2023 to provide input from North Ayrshire Council Housing, Anco housing and Riverside housing. This extended reach across housing services allowed greater intelligence gathering and dissemination alongside increased ability to prevent disorder around bonfire weekend. This resulted in amnesties in certain areas to collect excess waste from domestic properties, preventing significant build up of combustible material. There was a daily meeting in the two weeks running up to bonfire weekend which was chaired by Police Scotland, along with those mentioned above representatives from SFRS and Streetscene were able to share information on a daily basis. The meetings provided a platform to share information, identify locations of concern and pull resources across all organisations to mitigate the risk of substantial bonfires or acts of disorder.

Police Scotland Preventions and Interventions officer, worked alongside Trading Standard to undertake visits to retailers during October across North Ayrshire. Visits were conducted to ensure retailers were aware of legislation under the act, the requirement to act responsibly in the sale of fireworks and pyrotechnics. It was established that some of the larger retailers had decided not to stock fireworks for sale this year. Police campus officers delivered inputs within the senior schools around the dangers and use of fireworks, engaging with pupils across North Ayrshire to educate them on the new legislation alongside the risks involved in the use of fireworks and pyrotechnics.

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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. In the past the areas around Ardeer Industrial estate were a concern due to the ease of which members of the public could access material for a bonfire. Officers from Police Scotland and SFRS visited several premises to provide guidance on the storage of waste, pallets and materials that may be accessed to build bonfires. This was also replicated in the Hawkhill retail park in Stevenston and the commercial premises at Central Avenue, Ardrossan. 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 landowner 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.

POLICE INCIDENTS (16th October 2023 – 6th November 2023)

There were eleven crimes identified, mostly for Wilful Fire-raising (4) followed by Vandalism then Assault, obstruct, or hinder a member of the emergency services (3)

Over half the crime occurred in Ardrossan during the time frame, 3 of these crimes were offences relating to Assault/obstruct/hinder Emergency services (relating to police and SFRS responding to incidents) – All 3 occurred on the same date within the area of Central Avenue, Ardrossan ,where SFRC crews and police were attacked by youths throwing eggs. A vandalism was also reported in Central Avenue, Ardrossan at the same date.

One Culpable and Reckless crime was recorded in Golf Avenue, Stevenston when a firework was set off horizontally resulting in it exploding under a motor vehicle.

Only 2 crimes took place the weekend of 3rd to 5th November (Culpable and reckless in Stevenston and Section 38 CJLSA in Kilwinning).

Police dealt with eighty incidents relating to Fires/Fireworks/assist the fire service. Most common calls were public nuisance, notifying police of fireworks being let off in the area. Some incidents involved youths setting fires/ bins on fire, several of these calls were wheelie bins set on fire.

Around two thirds of the total number of calls to police were in the Ardrossan and Stevenston area. The main hotpots for level of crime and incidents were at Stanley Road/Central Avenue, Ardrossan with a smaller hotspot in the Stevenston/ Ardeer area. There were a small number of incidents clustered around Lindholm Road/ Golf Avenue Stevenston and Castlepark circle, Irvine.

The increased number of attacks on emergency workers is noted, particularly around Central Avenue Ardrossan. These relate to both police and Firefighters attending the area and coming under attack by youths in the area, assaulted by throwing of eggs – all three crimes were recorded on Monday 30th October 2023 and involved youths.

There were no incidents of significant disorder in the North Ayrshire area.

SFRS AND POLICE SCOTLAND COLLABORATION

Over the weekend of Friday 3rd November to Sunday 6th November Police Scotland officers assisted SFRS crews by attending fire stations throughout North Ayrshire (exception being Largs retained station). This allowed officers to attend call outs with SFRS crews during the late shift/early night shift hours. This was successful in allowing information sharing, with police officers immediately attending incidents where SFRS colleagues may come under attack and to ensure that there was no criminality

involved. Over the course of this weekend there were no reported attacks on fire crews or police officers attending a call.

Police Scotland officers attended the Saltcoats and Kilwinning Fireworks displays (both organised events), no issues were raised during the running of both events.

LEARNING AND PROGRESSION

The benefit of the multi-agency approach starting on the 16th October 2023 was learning from last year to ensure a larger cross section of information sharing. Data from previous years had indicated that early sharing of information allowed each organisation to work together to develop a response to concerns.

Although there was proactive work with Trading standards around retailers there is still intelligence gaps around the purchase of fireworks through online means.

The inclusion of Police/SFRS joint inputs to secondary schools assisted in delivering the fire safety message and highlight legislation around the possession of fireworks and pyrotechnics to youths within the communities.

North Ayrshire Council did not have any Firework Control Zones in 2023 – feedback from this year will assist in determining whether such measures are needed in areas of North Ayrshire in 2024. Police and SPFS have already met in 2024 with Local Authority representatives to discuss the governance and implementation of a working group to discuss Firework Control Zones.

Work remains ongoing with North Ayrshire Council in raising awareness of Public Entertainment Licences when organisation are preparing to hold bonfire and firework displays.

CONCLUSION

Communities across North Ayrshire will continue to develop local bonfire sites and fireworks displays around the 5th November. These were not licenced events and although they appeared 'organised events' they are not often 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 and the requirement for events to have appropriate licences in place.

The multi-agency approach has been successful and through development will continue to be the framework for Op Moonbeam in 2024 in North Ayrshire. Consultation will be undertaken to ensure all legislation is appropriate and used where proportionate and justified to deliver safe communities through the Operation moonbeam period.

PI Stuart Dougan
Locality Policing Team
Three Towns, North Coast and Islands.
18th January 2024.

Appendix 1

Key sections from The Fireworks and Pyrotechnic Articles (Scotland) Act 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.

NORTH AYRSHIRE COUNCIL**26 February 2024****Police / Fire and Rescue Committee**

Title:	Operation Moonbeam – Streetscene Service
Purpose:	To provide an update on the role of Streetscene Operations in relation to reducing risks to communities and emergency workers through Operation Moonbeam.
Recommendation:	That the Committee notes the contribution of the Streetscene Service in the reduction of illegal bonfires through the removal of combustible materials.

1. Executive Summary

- 1.1 The Streetscene service has assisted Police Scotland and Scotland Fire and rescue for over a decade. During 2023 in the run up to the 5th of November the Area Officer for the three towns and Kilwinning and Flytipping Officer were involved in Operation Moonbeam attending weekly meetings during October increasing to daily in the week prior to bonfire night.
- 1.2 In preparation for bonfire night weekly meetings were set up with relevant partners. During the final week, the meeting frequency was increased to daily meetings. The purpose of the meetings was to share information and identify locations where combustible material was stored. This was subsequently removed safely by the Streetscene Service.

2. Background

- 2.1 The role of the Streetscene Service around bonfire night is to remove combustible materials to minimise the risk of illegal fires that could lead to the damage of property or injuries to persons. In the lead up to bonfire night the Housing Service Estate Wardens and Streetscene Environmental Enforcement Officers are particularly vigilant seeking out any stockpiling of combustible materials and passing on information to Streetscene Operations for removal.
- 2.2 In the lead up to bonfire night the Streetscene service removed combustible materials from the following locations;
 - Ardeer Industrial Estate
 - McKinlay Crescent - Irvine
 - Castlepark – Irvine
 - Hamilton Crescent – Stevenston
 - Lundholm Road – Stevenston
 - Mid Road – Beith
 - Holehouse Road – Largs

- Longrow Gardens - Irvine
- Stanley Road – Ardrossan
- Central Avenue – Ardrossan
- New England Road – Saltcoats
- Dreghorn Primary School
- Kerr Avenue – Saltcoats
- Knox Place – Saltcoats
- Arthur Street – Stevenston
- St Margarets Road – Ardrossan
- Donaldson Avenue - Saltcoats

2.2.1 Photograph of combustible materials removed from Holehouse Road in Largs;



2.3 In addition to the pre bonfire night intervention work the Streetscene service has to undertake a considerable amount of clear up work following the 5th November, which typically can take over a week which diverts resources from carrying out street cleansing duties within our town centres.

2.3.1 Photograph to illustrate clear up required at New England Road in Saltcoats;



- 2.4 The Streetscene service is currently compiling a list of known bonfire locations to provide the Senior Manager Protective Services with information to assess risks and identify areas where it may be required to introduce firework control zones.

3. Proposals

- 3.1 That the Police and Fire and Rescue Committee note the actions taken by the Streetscene service to reduce illegal fire activity and the associated risks to the public and our emergency services.

4. Implications/Socio-economic Duty

Financial

- 4.1 The work undertaken by Streetscene in Operation Moonbeam is met from within existing budgets.

Human Resources

- 4.2 Existing Streetscene resources deliver the activities outlined in this paper.

Legal

- 4.3 No legal implications arising from this update.

Equality/Socio-economic

4.4 There are no equality/socio-economic implications arising from this report.

Climate Change and Carbon

4.5 There are no climate change and carbon implications arising from this report.

Key Priorities

4.6 The support provided to Operation Moonbeam through the removal of combustible materials prior to bonfire night to prevent fires contributes to a number of key priorities.

Community Wealth Building

4.7 There are no implications for community wealth building arising from this report.

5 Consultation

5.1 During Operation Moonbeam the Streetscene service is in constant dialogue with the following partners:

- Housing Services and local housing associations
- Public Space CCTV and Concierge Service
- Police Scotland
- Scottish Fire and Rescue

RUSSELL McCUTCHEON
Executive Director (Place)

For more information, please contact Wallace Turpie, Senior Manager Operations (Waste / Streetscene) on 01294 310000

Background Papers

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