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To: Minister for Community Safety 2018 to 2021 zzzMinisterCS@gov.scot
CC: Wilkinson W (Wendy) Wendy.Wilkinson@gov.scot; [redacted - section 38(1)(b)] @gov.scot; [redacted - section 38(1)(b)] @gov.scot; [redacted - section 38(1)(b)] @gov.scot; [redacted - section 38(1)(b)] @gov.scot; McFarlane J (John) (Special Adviser) John.McFarlane@gov.scot

Tue 23/03/2021 17:08

[redacted - section 38(1)(b)],

As discussed this morning, please find below the public statements that Ms Denham has made with respect to future fireworks legislation. She has not made a public commitment to commence a Fireworks Bill by November 2022. There have been no oral PQ's regarding fireworks and there have been no public announcements since the response to the Review Group.

We have further developed the timeline which I have attached.

Best regards,

[redacted - section 38(1)(b)]

Commitments within the statement:

I am delighted to advise Parliament that the group has now submitted its final report to me. The group has recommended that a fundamental shift is required in how fireworks are accessed and used and that that should be done through the introduction of a comprehensive set of measures, including the introduction of mandatory conditions when fireworks are purchased from retailers; restricting the times of day that fireworks can be sold and the volume of fireworks that can be purchased at any one time; restricting the days and times that fireworks can be set off; introducing no-firework areas or zones where it is not possible for fireworks to be set off; and introducing a proxy purchasing offence so that adults are not able to give fireworks to those under the age of 18.

I welcome and endorse those recommendations to which I will be giving greater consideration in due course. They will help us take a positive step towards promoting the safe and responsible use of fireworks. I particularly welcome the recommendations on the introduction of mandatory conditions before fireworks can be purchased by the general public and on communities having a strong voice in influencing whether fireworks can be used in their local areas. **I intend to explore how those recommendations can be implemented in practice as a matter of urgency and, using the full power of the Parliament, to introduce legislation to make them a reality. I will look to members across the Parliament to be**

involved in helping us to make those changes to improve safety in communities around Scotland.

Although the group's final report and recommendations mark an important milestone in our journey towards a significant change in our relationship with fireworks, they form part of a bigger picture. The kind of cultural shift that we are seeking to achieve will not happen overnight; it will require continued hard work and dedication, and I am committed to that. I am determined that we will do all we can within the power of the Parliament to ensure that we have in place all the safeguards that we need to keep our communities safe from the harmful use of fireworks.

I hope that the review group's recommendations, which were outlined today and which I commit to progressing as soon as practicably possible, clearly demonstrate the Scottish Government's commitment to changing Scotland's relationship

Some of what is proposed will be done by secondary legislation, and I will do what I can to see whether I can bring that forward in a timely way. The other recommendations, such as mandatory conditions at the point of sale and the devolving of decisions to local authorities, will require primary legislation, so I anticipate that those things might take longer. A balance must be struck between doing things in a piecemeal fashion and doing things all together, so that they make more sense to the general public. I give the commitment that I will progress things as fast as I possibly can.

Commitment in the response to the Review Group report:

A number of these recommendations will require legislation in order to be brought forward into practice, and I am delighted to set out how this Government intends to progress these. In January 2021, I intend to lay regulations in the Scottish parliament to restrict: the times of day consumer fireworks can be sold to the general public; the volume of consumer fireworks that can be purchased by the general public; and the times consumer fireworks can be set off by the general public. If approved by Parliament, this will lead to positive and tangible change for individuals and communities in time for the November 2021 fireworks period.

A number of the Group's recommendations, including for the introduction of: mandatory conditions before consumers are able to purchase fireworks; restrictions on the days fireworks can be sold; no fireworks areas / zones where it is not possible for fireworks to be set off; and a proxy purchasing offence so adults are not able to give adult fireworks to children under the age of 18 without prosecution require further consideration. Subject to the 2021 Scottish Parliament elections I will, as a matter of urgency, ensure further positive change is in place for communities going forward.

[redacted - section 38(1)(b)],

DRAFT FIREWORKS BILL TIMETABLE

THEME	DESCRIPTION	DATES
Pre-Parliamentary Stages		
Consultation	<ul style="list-style-type: none"> • Consultation to launch as soon after the election as possible. (BUT [redacted s36]) • Publish consultation analysis report. 	<p>Mid-May to July 2021</p> <p>By end August 2021</p>
Drafting Bill	<ul style="list-style-type: none"> • Policy instructions. • [redacted – s30(c)] • PCO draft bill provisions. • Cabinet/CSCL approval. 	By November 2021
Bill Documentation	<ul style="list-style-type: none"> • Finance memo • Delegated powers memo • Finalise impact assessments • Policy memorandum • Explanatory Notes • Ministerial clearance 	By November 2021
[redacted – out of scope]	[redacted – out of scope]	[redacted – out of scope]
Parliamentary Stages		
Bill Prep and Introduction	<ul style="list-style-type: none"> • Draft Bill and accompanying docs to Presiding officer. • [redacted – s36] • Minister for Parliamentary Business – agree introduction . • Introduce to Parliament. 	<ul style="list-style-type: none"> • Draft Bill to PO by mid-November • Agreement to introduce from Minister for Parliamentary Business. End September • Bill introduced to Parliament. Early December
Stage 1	<ul style="list-style-type: none"> • Committee • Debate 	Stage 1 (est. 5 months) – Stage 1 Debate early March 2022
Stage 2	<ul style="list-style-type: none"> • Amendments 	Stage 2 (est. May 2022)
Stage 3	<ul style="list-style-type: none"> • Debate • Vote on Bill • Update accompanying documents as required 	<p>Stage 3</p> <p>Est. complete by late June 2022</p> <p>By end July 2022</p>
[redacted – out of scope]	[redacted – out of scope]	[redacted – out of scope]
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