



DEBATE PACK

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E-petition debate relating to restricting the use of fireworks

By Danny Rogers

Westminster Hall Debate 6 June 2016 at 1630hrs

This is an 'e-petition' debate: following a petition uploaded to the Petitions website attracting over 100,000 signatures, the Petitions Committee has agreed that a debate would be held in relation to this petition. The petition in question is entitled, 'Restrict the use of fireworks to reduce stress and fear in animals and pets'.

The debate will be held under the motion, "That this House has considered [e-petition 109702](#) relating to restricting the use of fireworks".

The debate will be led by David Mackintosh MP, a member of the Petitions Committee.

There is a Library briefing "[Regulation of fireworks](#)" which provides background to the legislation in this debate.

The sale and use of fireworks in England and Wales are governed primarily by the [Fireworks Regulations 2004](#) made under the [Fireworks Act 2003](#). The law is basically the same in Scotland, where the 2004 Regulations also apply alongside the [Fireworks \(Scotland\) Regulations 2004](#). The position is different in Northern Ireland, where a valid licence is needed to buy, possess and use fireworks (except indoor fireworks and sparklers).

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

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1. E-Petition

A petition entitled, "Restrict the use of fireworks to reduce stress and fear in animals and pets" was started in October 2015. The petition reached 100,000 signatures on Tuesday 22 March.¹ It was closed on 3 April with 104,038 signatures.

The following is the text of the petition as it appeared on the [Petitions website](#).²

Restrict the use of fireworks to reduce stress and fear in animals and pets

Fireworks now occur at all times of the day and evening for many weeks during the autumn and winter. Pet and animal owners struggle to keep their companion animals safe during this extended period. We call for fireworks use by the general public to be permitted on traditional celebration dates only.

The need for reform of the Firework Regulations (2004) has been recognized by a number of organizations and charities. Current regulations are outdated and largely ineffective and we are calling for the improved regulation of fireworks use in the UK. The main need is to restrict fireworks use by the general public to the traditional dates around the Guy Fawkes, New Year's Eve, Diwali and Chinese New Year celebrations. Further discussion is at: <https://www.facebook.com/groups/FireworkABatement/>

1.1 Government Response

The Government responds to any petition which receives over 10,000 signatures. Below is the Government response as it appears on the petitions website.

We are aware that fireworks can cause distress to animals. Restrictions on the general public's use of fireworks, and permitted noise levels, already exist and we have no plans to extend them.

Current firework regulations allow fireworks for home use to be sold during the traditional firework periods of Bonfire Night (15 October – 10 November), New Year's Eve (26 December – 31 December), Chinese New Year (the day of the Chinese New Year and three days immediately before), and Diwali (the day of Diwali and three days immediately before).

Suppliers who wish to sell fireworks outside the traditional periods must comply with stringent conditions before being granted a licence by their local licensing authority. This means the availability and use of fireworks outside the traditional periods has been greatly reduced.

The regulations also created a curfew preventing the use of fireworks between 11.00pm and 7.00am all year round with the exception of 5 November, when the curfew starts at 12 midnight, and New Year's Eve, Chinese New Year and Diwali, when the curfew starts at 1.00 am on the night of celebration.

¹ *Horse & Hound*, [More than 100,000 sign fireworks petition](#), 2 April 2016

² <https://petition.parliament.uk/petitions/109702> [accessed 31 May 2016]

We understand concerns about the distress noisy fireworks can cause to pets, livestock and wildlife. This is one of the reasons that there is a noise level limit of 120 decibels on fireworks for home use. We realise, however, that even at this level fireworks noise can be distressing to some animals and refer owners to advice on keeping animals safe during fireworks periods. This is freely available from animal charities, such as the Blue Cross which gives both general and species-specific advice on its website.

In addition there is Government-sponsored advice and guidance on the safe and considerate use of fireworks on the Safer Fireworks website.

Excessive noise from fireworks, or noise during the curfew period, can be considered a statutory nuisance and local authority environmental health officers have the power to investigate complaints of fireworks noise and act to prevent it where appropriate.

Although there is some use of fireworks outside the traditional periods, we believe that the majority of people who use fireworks do so at the appropriate times of year and have a sensible and responsible attitude towards them. There are no plans at the moment to place further limitations on their use.

1.2 Debate

If a petition receives over 100,000 signatures it will be considered for a debate in Parliament. When it met on 27 May 2016, the Petitions Committee agreed that a debate would be held in relation to this petition under the motion, 'That this House has considered e-petition 109702 relating to restricting the use of fireworks'.

The debate will be held in Westminster Hall on Monday 6 June 2016 at 1630hrs. David Mackintosh MP, a member of the [Petitions Committee](#), will lead the debate.

2. Parliamentary Business

2.1 Parliamentary Questions

Set out below is a selection of Parliamentary Questions broadly on the topic

Fireworks: sale and use

Asked by: Dawn Butler

To ask the Secretary of State for Business, Innovation and Skills, what plans he has to bring forward legislative proposals to further regulate the use of fireworks.

Answered by: Anna Soubry | Department: Department for Business, Innovation and Skills

I am aware of recent concerns about the use of fireworks in some parts of the country. However, I believe that the majority of people enjoy fireworks sensibly, responsibly and in accordance with the current restrictions on their use and I therefore have no immediate plans to review the legislation already in place.

HC Deb 21 Mar 2016 | c31123

Asked by: Nick Thomas-Symonds

To ask the Secretary of State for Business, Innovation and Skills, what assessment the Government has made of the potential merits of additional regulation of the sale of fireworks.

Answered by: Anna Soubry | Department: Department for Business, Innovation and Skills

Restrictions on the sale of fireworks already exist under the Fireworks Regulations 2004 and the Pyrotechnic Articles (Safety) Regulations 2015. The majority of people have a sensible and responsible attitude to fireworks and, on balance, I do not believe that further restrictions on their sale would be necessary or proportionate.

26 Nov 2015 | c16999

Asked by: Mrs Sharon Hodgson

To ask the Secretary of State for Business, Innovation and Skills, what plans the Government has to limit the sale of fireworks (a) geographically and (b) seasonally.

Answered by: Anna Soubry | Department: Department for Business, Innovation and Skills

There are already seasonal limitations on the sale of fireworks. The Fireworks Regulations 2004 restrict their sale to the traditional fireworks periods of 5th November, Diwali, New Year's Eve and the Chinese New Year. It is possible to buy fireworks at other times of the year, but strict

conditions are imposed on retailers wishing to sell them outside the traditional periods.

There are no geographical restrictions on the sale of fireworks, and currently no plans to introduce them, although further restrictions on their sale exist in Northern Ireland where a licence is required for home displays.

The Fireworks Regulations 2004 contain provisions to minimise the risk of fireworks harming people, property and animals, and Government-sponsored advice and guidance on the safe and considerate use of fireworks is freely available on the Safer Fireworks website.

30 Oct 2015 | c13318

Fireworks: Safety

Asked by: Charlotte Leslie

To ask the Secretary of State for Business, Innovation and Skills, whether his Department plans to review its policy on the safety of private firework use in residential areas.

Answered by: Anna Soubry | Department: Department for Business, Innovation and Skills

I am aware of concerns raised recently regarding the safety of fireworks available for sale to the general public. However, I have no immediate plans to review the regulations governing their use.

The general public are allowed by law to buy and use Category 1 to 3 fireworks which have low risk and noise levels and are considered safe for family use and for private displays in residential areas.

They are banned from purchasing, using or possessing Category 4 fireworks which present higher levels of risk and noise. These can only be bought and used by professional fireworks display operators who have successfully undertaken an accredited pyrotechnics training course.

Although a minority of anti-social people misuse fireworks, the majority enjoy them sensibly, responsibly and in accordance with the manufacturers' instructions.

HC Deb 18 Jan 2016 | c 22049

Zoos: Animal Welfare

Asked by: Tom Harris:

To ask the Secretary of State for Environment, Food and Rural Affairs (1) what steps he plans to take to protect the welfare of animals in zoos that host concerts, fireworks displays, festivals or similar events following the publication of the revised Standards of Modern Zoo Practice;

(2) whether the zoo inspection process allows inspectors to recommend a maximum number of visitors allowed at each zoo; [129201]

(3) what assessment he has made of the effectiveness of the system of licensing and inspection of zoos in protecting the welfare of animals in zoos that host concerts, fireworks displays, festivals or similar events; [129202]

(4) what assessment he has made of the effectiveness of the Zoo Licensing Act 1981 in protecting the welfare of animals when zoos and safari parks host concerts, fireworks displays, festivals and corporate events. [129203]

Answered by: Mr Heath:

Good animal welfare standards are achieved in the vast majority of zoos, in accordance with the requirements of the Zoo Licensing Act 1981. The Secretary of State's Standards of Modern Zoo Practice set out the overarching standards against which zoos are regularly inspected. These require that animals are kept in suitable accommodation that allows them to express their most normal behaviour. The animals must also receive proper health care and protection from fear and distress. The Zoo Licensing Act does not contain specific provisions which require zoo operators to restrict visitor numbers.

Responsibility for the licensing, inspection and oversight of the day-to-day operation of zoos rests with local authorities. The Act provides local authorities with powers to ensure that zoos comply with the terms of their licences, should the need arise.

While any negative impact these events may have on animal welfare is to be deplored, the Government believe that sufficient powers and procedures are already in place to ensure good welfare standards and that a detailed separate assessment of their impacts would be disproportionate.

All animals kept in captivity are also subject to protection under the Animal Welfare Act 2006. This Act imposes a broad duty of care on anyone responsible for an animal to take reasonable steps to ensure that the animal's needs are met.

3. Newspaper Articles

BBC, 17 May 2016

[Restrict firework use to four days a year - pet lovers](#)

Telegraph, 17 May 2016

[Dog lovers demand firework party ban](#)

The Times, 17 May 2016

[Dog lovers seek ban on firework parties](#)

Daily Mail, 17 May 2016

[RSPCA call for a fireworks BAN: Campaigners are demanding a clampdown on loud explosions because they can 'scare pets and livestock to death'](#)

The Sun, 16 May 2016

[Are fireworks parties about to be banned? RSPCA-backed petition to restrict their use reaches Parliament](#)

Daily Express

16 May 2016

[RSPCA blasts endless nights of fireworks parties](#)

Lincolnshire Echo

12 May 2016

[Lincolnshire woman wins fight to get firework campaign heard in parliament](#)

Essex Chronicle

24 March 2016

[Rotary Club cancels South Woodham Ferrers fireworks because it caused distress to Marsh Farm animals](#)

4. Press Releases

4.1 CBI Explosive Industry Group

The CBI have released a statement outlining their position in relation to this debate

[Fireworks e-petition debate](#) 18 May 2016

- Although the petition addressed consumer items there is concern about the debate extending discussion to all use of fireworks. We have obvious sympathies with those affected but do not believe restrictions on use are merited, justified or would really be enforceable
- The key to managing consumer or public firework displays and their effect on people/animals etc is education and information – education in terms of what is appropriate to use where (and when) and then informing those who might be affected so that they can take any necessary measures
- The industry is happy to work with Govt. and others to promote this and to develop and distribute guidance where appropriate. We have already done this to an extent and used to have reasonable relations with the RSPCA (but they have jumped on this bandwagon and are using it to further old aims – not genuinely address the issue – see for instance yesterday's press)
- Consumer displays are watched by approx. 12 million people, professional displays by a similar amount (but there is obvious overlap). The pleasure, financial benefit (to organisations, charities and others, as well as those in the trade) etc is obvious. The number of complaints is very small and the safety record of the UK is probably the best in Europe
- The noise limits already imposed are quite strict, but are realistic. The RSPCA's call for 95dB is unjustified and has little scientific backing – 95dB is roughly the sound level made by dropping a heavy book on a table as witnessed 1m away
- UK Industry through the BPA has worked tirelessly with HSE and BIS to promote the safe and appropriate use of fireworks. They have also been at the forefront of developing new European Standards, producing guidance and establishing a qualification which is endorsed by City & Guilds. We are a responsible industry who take those responsibilities seriously
- We fully support attempts to crack down on the illegal import or manufacture and use of fireworks

4.2 Dog's Trust

Dogs Trust calls on MPs to consider animal welfare and support restrictions on fireworks use

20th May 2016

The UK's largest dog welfare charity is appealing to MPs to support a call for the use of fireworks to be restricted in the interests of animal welfare.

The subject is to be debated by Members of Parliament on 6th June 2016 after a petition by the Firework Abatement Campaign attracted more than 100,000 signatures. The petition is calling for fireworks use by the general public to only be permitted on Bonfire Night, New Year's Eve, Diwali and Chinese New Year.

However, Dogs Trust is supportive of introducing further restrictions around the sale of fireworks, limiting them to licensed, public occasions at certain times of the year.

Dogs Trust Veterinary Director, Paula Boyden, said:

"For many dogs and their owners, firework season is always one they dread. A Dogs Trust survey^[1] of 3,750 pet owners found that two-thirds of dogs are worried by fireworks and that 93% of their owners alter their routine, such as walking their dogs only in daylight hours, to try to minimise the trauma on their pets."

Currently fireworks can be set off by any adult between 7am and 11pm every day of the year on private land, such as in a garden, or on land where the owner's permission has been given. On Bonfire Night the cut off time is extended until midnight and on New Year's Eve, Diwali and Chinese New Year, it is extended until 1am.

The charity is also asking local authorities to give more consideration to the location of public fireworks displays when granting licences and to ensure they are well publicised in the local area so dog owners can avoid them.

Boyden continued, "The current law offers no support to dogs and their owners, with fireworks legally set off often unexpectedly all through the year. We sincerely hope Members of Parliament take this opportunity to extend restrictions on firework sale and use and help protect the welfare of many scared dogs."

Dogs Trust urges all dog owners to take preventative measures to prepare their dogs for the noise of fireworks and offers advice and support to dog owners to help keep their dog as stress-free as possible. The charity has worked with vets Sarah Heath and Jon Bowen to offer a free sound based treatment programme, The Sounds Scary Audio Therapy Programme^[2]. The Programme prepares dogs for distressing noises, such as fireworks, by playing specific noises to enable dogs to get used to the sounds and cope better.

[1] Dogs Trust and Cats Protection online Survey Monkey Survey of 3,750 respondents in May/June 2014

2 <https://www.dogstrust.org.uk/help-advice/dog-behaviour-health/sound-therapy-for-pets>

4.3 RSPCA:

Fireworks and animal welfare

<http://politicalanimal.org.uk/wp-content/uploads/2016/04/Fireworks.pdf>

Calling for a restriction on fireworks use RSPCA Insights - The official blog of the RSPCA

<http://blogs.rspca.org.uk/insights/2016/05/05/calling-for-a-restriction-on-fireworks-use/#.V0cgckUUVI8>

Extract: Many owners recognise that their animals are scared of fireworks. And in anticipation of Bonfire night, or other celebratory events like New Year's Eve, owners can prepare for fireworks so that their animals are secure and safe, and less afraid.

The only problem here is that fireworks are rarely only let off on special occasions. Sometimes they're let off for days or even weeks around these traditional firework dates. This can mean long periods of torment for animals, leaving many owners struggling to keep their animals safe and stress-free.

We're supporting this campaign, and we would like to see:

A restriction of the use of fireworks back to traditional dates (i.e. Nov 5, New Year's Eve, Diwali, etc.)

Reducing the maximum permitted noise level to 95 decibels

Clearly label fireworks on their noise levels – so that consumers can make an informed decision on how loud they want their fireworks to be

Mandatory licensing for all public firework displays

4.4 Firework Abatement Campaign

<http://catherinewheel.wix.com/fab-campaign>

The FAB campaign has a petition that is asking the government to restrict the use of domestic fireworks back to traditional dates, e.g. Guy Fawkes & New Years Eve. We are campaigning because some people and animals are so badly affected by unexpected fireworks, they find life very difficult during the firework season. We believe it is unfair that one persons fun should become another person's misery and think people have the right to feel safe and comfortable in their own homes.

4.5 Dog Rescue Federation: *Firework Abatement*

<http://www.dogrescuefederation.org/firework-abatement/>

4.6 Ban the Bang! Campaign to restrict fireworks in the interests of animal welfare

<http://www.looking-glass.co.uk/campaigns/banthebang.htm>

4.7 British Veterinary Association statement *Fireworks and Animal Welfare*

http://www.bva.co.uk/uploadedFiles/Content/News_campaigns_and_policies/Policies/Companion_animals/fireworks-and-animals-policy-position.pdf

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