



DEBATE PACK

Number CDP-2020/0119, 29 October 2020

e-petition 276425, relating to the sale of fireworks

Summary

A Westminster Hall debate on e-petition 276425, relating to the sale of fireworks, is scheduled for Monday 2 November at 4.30pm. The Member leading the debate is Tonia Antoniazzi MP.

By Lorraine Conway and
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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.

Background

1.1 Introduction

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).

Due to ongoing Covid-19 restrictions, many local authorities, charities and other bodies have already cancelled public bonfires and firework displays for 2020. Anyone who does attempt to organise a public bonfire or fireworks display must demonstrate how it will be Covid-19 secure and managed within current government guidelines. Private organisers are also warned that further restrictions could be imposed at any time to help control the spread of coronavirus and that local authorities have powers to stop any event if there are not satisfactory control and management plans in place.

Recognising the possibility that there could be more garden firework displays, some local authorities and housing associations are asking members of the public purchasing fireworks to think of their neighbours who might be shielding during this time. However, there are no additional restrictions on the sale of fireworks.

More detail is given in the Commons Library Briefing paper, [Regulation of fireworks](#) (1 April 2020).

1.2 Petitions

UK Government and Parliament petitions are published on the website petition.parliament.uk.

Once a petition has received 10,000 signatures, the Government responds to it and this response is published on the same website.

At 100,000 signatures, or possibly earlier, the [Petitions Committee](#) may put forward a petition for debate by Parliament. There is more general information [here](#).

There are certain standards for petitions, which are detailed [here](#).

1.3 e-petition 276425

The [petition](#) is called "Ban fireworks for general sale to the public". It reached 305,579 signatures in November 2019. The petition closed

early because of the 2019 General Election and is now being debated on Monday 2 November 2020.

The text of the petition read:

Every year more and more people, animals and wildlife get hurt by fireworks. It's time something was done to stop this. There are enough organised firework groups around for us to still enjoy fireworks safely so please help me stop the needless sale of them to the public!

The noise from fireworks causes a great amount of fear, stress and anxiety in wild animals. ... Errant fireworks can also cause environmental damage through fires, and from the release of poisonous chemicals and particle-laden smoke, which is not just inhaled by wildlife, but contaminates the natural environment. In England last year, 4,436 individuals attended A&E because of an injury caused by a firework - more than double the 2,141 in 2009/10. With around 40% of the UK's dogs being scared.

1.4 Government response to the petition

On 5 November 2019 the Department for Business, Energy and Industrial Strategy responded in brief with the following:

The Government takes the matter of fireworks safety seriously. This includes protecting consumers and the public. Laws are in place to control firework availability and use.

The Department's full response is as follows:

The Government recognises that many people have strong feelings about fireworks, and the potential negative impact they can have on a community, for example, by causing distress to individuals or animals.

However, we believe that the majority of people who use fireworks do so appropriately and have a sensible and responsible attitude towards them. We consider it a minority of people who use fireworks in a dangerous, inconsiderate or anti-social manner.

The current legislative framework for fireworks aims to reduce the risks to people and disturbance to animals. Legislation ensures products being placed on the UK market meet essential safety requirements. It also controls the storage, sale and use of fireworks including where and when fireworks can be sold, when they can be set off and by whom, and sets maximum noise levels. For example, legislation allows retailers to sell consumer fireworks during the traditional firework periods of: 15th October to 10th November (inclusive); the 3 days prior to and including the first day of Chinese New Year and Diwali; and 26th December to New Year's Eve (inclusive). But retailers may only supply fireworks outside these periods if they obtain a licence from their local authority.

In addition, enforcement mechanisms are in place to tackle those situations when fireworks are sold illegally or misused. There are a range of penalties for breaching legal requirements, including, in certain circumstances, imprisonment. The police and local authorities have powers to tackle anti-social behaviour, where it arises, caused by the misuse of fireworks.

The Government recognises the strength of feeling around the use and misuse of fireworks and has listened to the concerns raised in parliamentary debate and wider discussion. We receive

representations from a wide range of stakeholders, including members of the public, organisations and charities, with wide-ranging views on what the issues are and what action they would like to see.

Following the Westminster Hall debate on 26 November 2018 regarding fireworks, the Minister with responsibility for fireworks policy and legislation in the Department for Business, Energy and Industrial Strategy, Kelly Tolhurst MP, asked the Office for Product Safety and Standards (OPSS) to develop a fact-based evidence base on the key issues that had been raised. This includes looking for data around noise and disturbance, anti-social behaviour, non-compliance, environmental impact, and the impact on humans and animals. As part of this work we are considering the findings of the Scottish Government consultation on fireworks, which was published on 4th October. We will also consider the House of Commons Petitions Committee inquiry on fireworks once that has reported.

The aim of the evidence base is to build a full picture of the data around fireworks in order for government to identify whether there is a problem, and if so, what action - if any - is appropriate. This work will also help us identify trends across fireworks seasons and determine whether, there has (for example), been an increase in fireworks being set off or an increase in firework related injuries.

2. Media

2.1 Coronavirus updates

Local Government Association guidance on "[Covid-19: outdoor events](#)" (last updated on 7 October 2020).

Press release: "[Prime Minister announces new local COVID Alert Levels](#)", dated 12 October 2020.

2.2 Media and charities

Office for Product Safety and Standards

A firework safety campaign launched on 20 October 2020 by the [Office for Product Safety and Standards](#) (OPSS), working in partnership with the Chartered Trading Standards Institute, The Royal Society for the Prevention of Accidents, the Child Accident Prevention Trust, and the Royal Society for the Prevention of Cruelty to Animals.

RSPCA

The animal charity issued a campaign this year, [#BangOutOfOrder](#) which found that because of the coronavirus restrictions "18% more people in England and Wales will be holding private displays in their back gardens".

The charity has also published two briefings on the subject: [Bang out of Order – fireworks frighten animals](#) and [RSPCA Fireworks briefing](#).

Dogs Trust

In October 2018, the charity launched a [Firework Dog Code](#) initiative in which it urged the public to call for a fireworks reform. The charity's survey found that:

Over half of the British Public think fireworks should be limited to public displays only to limit potential distress to animals, and over a third dislike fireworks due to their pets being scared. Out of the people surveyed, almost three-quarters agreed that fireworks should be restricted to certain times of year only. Current law states that anyone over the age of 18 can legally buy fireworks and set them off at any time of the year from 7am-11pm. Two-thirds of people would also support increasing the legal age people can buy fireworks from 18 to 21.

The Kennel Club

In its campaign, [Regulation of fireworks](#), The Kennel Club has called for "sensible measures", in the form of licensing, that would reduce the negative effects that fireworks have on dogs:

We are in support of fireworks use being restricted to licensed events only, with the licences provided by the local authority. This would allow for local councils to hold a central list of when and where fireworks displays are taking place, which dog owners are able to consider and prepare for.

Once there is an ability to identify when and where firework displays may be happening, mailing lists, notification systems or

community notices can be established. This would provide an opportunity for residents to challenge the approval of a display, if it was felt it would have a significant negative impact on members of the community.

A licence for use would provide an opportunity to give information not only on how to use fireworks safely, but how to be considerate and to minimise impact on the community/neighbouring residents.

On 5 November 2019, [The Kennel Club published a response](#) to the Petitions Committee's inquiry into Fireworks:

Following the report, published today by the House of Commons Petitions Committee, regarding the sale and use of fireworks, Ed Hayes, Public Affairs and Policy Manager at the Kennel Club said: "The Kennel Club welcomes this report and the subsequent recommendations that have been put forward.

"As the largest organisation in the UK dedicated to dog health and welfare, we have long campaigned for much tougher restrictions around the sale and use of fireworks. The actions that have been outlined in the report are very much aligned with those that we have continued to call for, including a reduced maximum decibel limit that would diminish the risks to animals' health as well as a mandatory local authority permit scheme for firework displays. We would like to see a system whereby all displays are publicly listed, so dog owners are aware of when and where fireworks will be set off in advance.

"With Fireworks Night celebrations taking place across the country tonight, this time of year is a particularly frightening and distressing time for the nation's dogs and pets, and can lead to unpredictable behaviour, often with tragic consequences. This report shows that the current restrictions in place are simply not sufficient and are failing to protect people and animals from harm. We hope the next Government will listen and take action and we are open to further collaboration based on these recommendations."

3. Press Articles

BBC news

[Coronavirus: London's New Year's Eve fireworks cancelled](#)

18 September 2020

Telegraph

[Banning fireworks is another example of the babyfication of Britain](#)

5 November 2019

Independent

[Horse found impaled on fence 'after it was scared by fireworks'](#)

5 November 2019

Telegraph

[With shops refusing to sell fireworks, is it time we all gave Bonfire Night a rest?](#)

5 November 2019

The Times

[The dangers of air pollution from fireworks and bonfires](#)

5 November 2019

The Independent

[MPs to consider fireworks sales ban as anger mounts over effect on animals](#)

4 November 2019

4. Parliamentary material

4.1 Debates

[Review the regulations and control of fireworks](#), HC Deb 7 January 2019, Vol 652

[Fireworks: Public Sales](#) HC Deb 26 November 2018, cc02-44WH

4.2 Parliamentary questions

[Fireworks: Accidents](#)

20 Oct 2020 | Written questions | Answered | HC 102957

Asked by: Alex Davies-Jones

To ask the Secretary of State for Health and Social Care, how many hospital admissions in England were classified as relating to injuries or accidents as a result of firework displays in each year since 2015.

Answering member: Edward Argar | **Department:** Department of Health and Social Care

A count of finished admission episodes (FAEs) with a cause code of firework injury for each year from 2015-16 to 2019-20 is shown in the following table:

Activity in English National Health Service hospitals and English NHS commissioned activity in the independent sector

Year Period	FAEs
2015-16	168
2016-17	183
2017-18	164
2018-19	154
2019-20	153

Source: Hospital Episode Statistics, NHS Digital

Notes:

A FAE is the first period of admitted patient care under one consultant within one healthcare provider. FAEs are counted against the year or month in which the admission episode finishes. Admissions do not represent the number of patients, as a person may have more than one admission within the period.

Cause Code

A supplementary code that indicates the nature of any external cause of injury, poisoning or other adverse effects. Only the first external cause code which is coded within the episode is counted in HES. Recording of

external cause is not mandatory and recording practice varies over time and regionally, care should be used when interpreting this data.

W39 - Firework injury

Assessing growth through time (admitted patient care)

HES figures are available from 1989-90 onwards. Changes to the figures over time need to be interpreted in the context of improvements in data quality and coverage (particularly in earlier years), improvements in coverage of independent sector activity (particularly from 2006-07) and changes in NHS practice. For example, apparent reductions in activity may be due to a number of procedures which may now be undertaken in outpatient settings and so no longer include in admitted patient HES data. Conversely, apparent increases in activity may be due to improved recording of diagnosis or procedure information.

It should be noted that HES include activity ending in the year in question and run from April to March, e.g. 2012-13 includes activity ending between 1 April 2012 and 31 March 2013.

[Fireworks: Sales](#)

16 Oct 2020 | Written questions | Answered | HC102952

Asked by: Abena Oppong-Asare

To ask the Secretary of State for Business, Energy and Industrial Strategy, what assessment he has made of the potential merits of banning firework sales to discourage private gatherings during bonfire season whilst the covid-19 outbreak remains ongoing.

Answering member: Paul Scully | **Department:** Department for Business, Energy and Industrial Strategy

The Government does not have any plans to ban the sale of fireworks, but people must be careful to safely use fireworks at home and follow their instructions for use. People must follow the coronavirus restrictions in their local area. Information on local COVID alert levels across the UK can be found on the GOV.UK website.

[Business of the House](#)

15 Oct 2020 | Business questions | House of Commons | 682 c540

Member: Alex Davies-Jones (Pontypridd) (Lab)

With bonfire night on the horizon, people across the country will be preparing to celebrate in ways that are likely to differ from celebrations in years gone by. With planned public displays across the country and in my own constituency cancelled left, right and centre, more and more people are likely to want to celebrate at home. Yet we must remember how dangerous using fireworks can be, from both a health and safety and an environmental point of view, with animals suffering from distress, along with those suffering from post-traumatic stress disorder and mental health conditions. With that in mind, will the Leader of the

House please commit to a debate in Government time to discuss the greater regulation of firework sales?

Answering Member: Mr Jacob Rees-Mogg, The Leader of the House of Commons

No, I am sorry, but I won't. I think the regulations are about right and fireworks are fun.

[Events Industry: Coronavirus](#)

07 Oct 2020 | Written questions | Answered | HC96998

Asked by: Darren Jones

To ask the Secretary of State for Digital, Culture, Media and Sport, whether the Government plans to issue guidance on the holding of public firework display events in England during the covid-19 outbreak; and whether the Government plans to make material revisions in relation to those events to its most recent general guidance on outdoor gatherings during the covid-19 outbreak.

Answering member: Nigel Huddleston | **Department:** Department for Digital, Culture, Media and Sport

Outdoor events - including firework display events - organised by businesses, charitable organisations, and public bodies are currently permitted provided event organisers follow all relevant Covid-19 Secure guidance, organisers and attendees adhere to all legal requirements including only allowing people to attend in groups of up to 6 people, and the event does not pose a risk to public health.

Industry guidance developed by the Events Industry Forum in collaboration with DCMS outlines the Covid-secure measures that events organisers must put in place in order to host an outdoor event, including a firework display.

Local Authorities are responsible for permitting or prohibiting large organised outdoor events from taking place in their local area. Decisions are made on a case-by-case basis, and Local Authorities should provide advice to businesses on how to manage events of this type if required.

We will keep the Outdoor Events guidance under review to determine whether further guidance should be provided as government measures to stop the spread of the virus change. The Events Industry Forum's guidance for outdoor events can be found here:

<https://www.eventsindustryforum.co.uk/index.php/11-features/14-keeping-workers-and-audiences-safe-during-covid-19>.

[Fireworks: Sales](#)

11 May 2020 | Written questions | Answered | HC41214

Asked by: Christian Wakeford

To ask the Secretary of State for Business, Energy and Industrial Strategy what steps his Department is taking to restrict the availability of firework sales on high streets.

Answering member: Paul Scully | **Department:** Department for Business, Energy and Industrial Strategy

The sale of fireworks is already restricted to seasonal periods unless a retailer is specifically licensed by their Local Authority to sell outside those periods.

Without a licence, retailers can only sell fireworks from 15th October to 10th November; the 3 days prior to and including Chinese New Year, Diwali; and the 6 days up to and including New Year. There is also a ban on the sale of fireworks to any person under the age of 18.

There are no plans for further restrictions.

[Fireworks: Noise](#)

11 May 2020 | Written questions | Answered | HC41213

Asked by: Christian Wakeford

To ask the Secretary of State for Business, Energy and Industrial Strategy what steps he is taking to establish lower noise level fireworks at (a) public events and (b) on private property.

Answering member: Paul Scully | **Department:** Department for Business, Energy and Industrial Strategy

Existing legislation limits noise from fireworks available to consumers to a maximum of 120 decibels.

The Office for Product Safety and Standards (OPSS) has engaged with a wide range of views to develop a fact-based evidence base on the key issues that have been raised around fireworks including noise, as well as anti-social behaviour, non-compliance, environmental impact, and the impact on humans and animals. This builds a full picture of the data around fireworks in order to identify whether any further action is appropriate.

[Fireworks: Noise](#)

11 May 2020 | Written questions | Answered | HC41212

Asked by: Christian Wakeford

To ask the Secretary of State for Business, Energy and Industrial Strategy, what steps the Government is taking to (a) prevent and (b) tackle firework noise complaints during the covid-19 lockdown.

Answering member: Paul Scully | **Department:** Department for Business, Energy and Industrial Strategy

The Government expects the public to use fireworks in a responsible and law-abiding way and to be considerate of their neighbours, particularly during the response to CoVid19.

The law sets noise limits for fireworks, available for consumers to buy. There is also a curfew on their use between 11pm and 7am, except for 5th November, Diwali, New Year and Chinese New Year when this is extended to 12 am and 1 am.

Local Authorities are continuing to deal with any noise complaints during this period including any caused by inconsiderate use of fireworks.

[Fireworks: Sales](#)

02 Mar 2020 | Written questions | Answered | HC18868

Asked by: Kenny MacAskill,

To ask the Secretary of State for Business, Energy and Industrial Strategy, pursuant to the Answer of 12 February 2020 to Question 13075, on Fireworks: Sales, when the Office for Product Safety and Standards plans to publish its evidence base; what evidence that organisation plans to gather in Scotland; and from whom in Scotland that organisation plans to gather evidence.

Answering member: Paul Scully | **Department:** Department for Business, Energy and Industrial Strategy

The Office for Product Safety and Standards (OPSS) work on the fireworks evidence base is ongoing and will be published in due course.

OPSS is engaging with officials in the Scottish Government about their consultation and Fireworks Action Plan for Scotland. Any evidence that has emerged from that consultation will be considered as part of the wider fireworks evidence base.

OPSS invited evidence from a range of stakeholders across the UK including those in Scotland such as the Scottish Society for the Prevention of Cruelty to Animals.

[Fireworks: Sales](#)

12 Feb 2020 | Written questions | Answered | HC13075

Asked by: Kenny MacAskill

To ask the Secretary of State for Business, Energy and Industrial Strategy, what plans she has to bring forward legislative proposals to restrict the sale of fireworks.

Answering member: Kelly Tolhurst | **Department:** Department for Business, Energy and Industrial Strategy

The Office for Product Safety and Standards (OPSS) is developing a fact-based evidence base on the key issues that have been raised around fireworks including restricting the sale of fireworks. The evidence base is considering data on noise and disturbance, anti-social behaviour, non-compliance, environmental impact, and the impact on humans and animals. This will build a full picture of the data around fireworks in order to identify whether, and what, further action is appropriate.

[Fireworks: Animal Welfare](#)**20 Jan 2020 | Written questions | Answered | HC3877****Asked by:** Mr Stephen Morgan

To ask the Secretary of State for Business, Energy and Industrial Strategy, what discussions he has had with the Secretary of State for Environment, Food and Rural Affairs on the effect of the use of fireworks on animal welfare.

Answering member: Kelly Tolhurst | **Department:** Department for Business, Energy and Industrial Strategy

We understand concerns about the potential impact caused by fireworks on individuals, animals and the environment. We also receive representations from a wide range of stakeholders, including members of the public, organisations and charities, with diverse views on what the issues are and what action they would like to see. This is why the Office for Product Safety and Standards (OPSS) is developing a fact-based evidence base on the key issues that have been raised around fireworks. Officials in OPSS have also been in contact with Government Departments including Environment, Food and Rural Affairs and Devolved Administrations as part of this work. Therefore, the review includes looking at data on noise and disturbance, anti-social behaviour, non-compliance, environmental impact, and the impact on humans and animals. This will build a full picture of the data around fireworks in order to identify whether further action is appropriate.

[Wildlife: Fireworks](#)**05 Nov 2019 | Written questions | Answered | HC8199****Asked by:** Mr Jim Cunningham

To ask the Secretary of State for Environment, Food and Rural Affairs, what steps he is taking to protect wildlife from public and private firework displays.

Answering member: Zac Goldsmith | **Department:** Department for Environment, Food and Rural Affairs

The Government takes the matter of fireworks seriously. We understand the concerns that many people have about the potential for distress to be caused by fireworks to animals, including pets, livestock and wildlife. This is one of the reasons why there are existing laws in place to control firework availability and use by both the general public and professional display operators. Measures including age related restrictions, a curfew and a noise limit help to reduce disturbance to animals.

It is an offence under the Animal Welfare Act 2006 to cause any unnecessary suffering to an animal that is under a person's control. The maximum penalty for such an offence is 6 months' imprisonment and/or an unlimited fine.

Date tabled: 31 Oct 2019 | **Date for answer:** 05 Nov 2019 | **Date answered:** 05 Nov 2019

[Engagements](#)

30 Oct 2019 | Prime Minister's questions - 1st Supplementary | Answered | House of Commons | 667 c364

Q4

Asked by: Ronnie Cowan (Inverclyde) (SNP)

Fireworks in politics can be entertaining. Unfortunately, fireworks of explosive types can cause great distress to sensitive people, pets and livestock. The SNP Scottish Government ran a 14-week consultation and received over 16,000 responses: 94% of respondents said that they would welcome increased controls on the sale of fireworks. The relevant legislation covers consumer protection on explosives, environmental law and animal welfare law. Has the Prime Minister ever considered banning the sale of fireworks to the general public, and in the short time left to him, will he?

Answered by: The Prime Minister | **Department:** Prime Minister

It is important to strike a balance, and people should be allowed to celebrate Guy Fawkes night and other occasions with fireworks, but the hon. Gentleman is plainly right that they are very disturbing for animals. My right hon. Friend the Business Secretary is looking at this very matter. I would just point out that, on animal welfare, it may interest him to know that there are measures we will be able to implement as a result of Brexit—such as banning sow farrowing crates, for instance, which I think is of great concern to our constituents, and banning the live export of animals—that we would not otherwise be able to do. That is one of the reasons why we need to get Brexit done and take this country forward.

5. Further reading

Petitions Committee, [Fireworks](#), 5 November 2019, HC 103

Awaiting Government response.

[Regulation of fireworks](#), Commons Library Briefing Paper SN05704, 6 November 2018

[E-petition 201947 relating to fireworks](#), Commons Library debate pack CDP-2018-0018, 25 January 2018

Gov.uk, [Fireworks: the law](#)

[FAB Firework Abatement UK](#)

[UK Fireworks Forum](#)

[RSPCA](#)

[Dogs Trust](#)

[Kennel Club](#)

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