

REPORT TO: POLICY AND RESOURCES COMMITTEE - 14 NOVEMBER 2005
REPORT ON: AIRGUNS
REPORT BY: ASSISTANT CHIEF EXECUTIVE (COMMUNITY PLANNING)
REPORT NO: 660-2005

1 PURPOSE OF REPORT

To provide information about airguns and ask Committee to consider its view on proposals to restrict their sale and use.

2 RECOMMENDATIONS

It is recommended that Committee:

- a) note that West Dunbartonshire Council have written seeking the Council's support for a complete ban on the non-commercial use of airguns
- b) note that the Home Office has announced proposals to restrict the sale of airguns to registered dealers
- c) consider whether the Council should support a ban or make any other comments on the Home Office proposals
- d) instruct officers to write to West Dunbartonshire Council, the Scottish Executive and the Home Office as appropriate

3 FINANCIAL IMPLICATIONS

None.

4 LOCAL AGENDA 21 IMPLICATIONS

This report has an impact on one of the key Local Agenda 21 themes - "people live without fear of personal violence from crime".

5 EQUAL OPPORTUNITIES IMPLICATIONS

None.

6 BACKGROUND

- 6.1 Considerable debate has taken place recently about restricting the sale and use of airguns, in particular following the death of a two year old boy in Glasgow earlier this year.
- 6.2 On 31 August 2005, West Dunbartonshire Council approved a motion calling for a complete ban on the non-commercial use of air guns and has written to all Councils seeking their support to achieve such a ban.
- 6.3 Legislation on firearms is reserved to the UK Parliament at Westminster, but the Scottish Executive has been in discussions with the Home Office about tightening up controls on airguns contained in the Violent Crime Reduction Bill currently going through

Parliament. The Bill already contained proposals to raise the age at which airguns can be owned to 18 and to introduce a new offence of discharging an airgun from inside premises to the outside. On 13 October 2005, the Home Office announced further measures to be added to the Bill to restrict the sale of air guns to registered dealers and to outlaw internet and mail order sales. All purchases will have to be made "face to face" over the counter and dealers will have to record the details of every gun sold and every purchaser. Anyone convicted of unregistered dealing could face up to five years imprisonment and an unlimited fine.

6.4 The latest proposals have divided opinion:

- the Association of Chief Police Officers in Scotland have welcomed the proposed measures saying they will make a major contribution towards tackling the problem
- the British Association for Shooting and Conservation have suggested that the proposals are an over-reaction and unlikely to reduce crime. They suggest that education on responsible use, along with enforcement of existing laws, would be the best way to tackle airgun abuse
- some campaigners maintain that an outright ban on air weapons is required, although others suggest this would be disproportionate and also unworkable, in particular given the number of guns already in circulation. It is estimated by Police that there are around 500,000 air weapons in Scotland. More than 1,000 were handed in and destroyed during the "if you don't need it, get shot of it" campaign earlier this year

6.5 The Council has also received correspondence from the Tayside Airgun Club, opposing a ban and suggesting that this will penalise law-abiding users of airguns while criminals will continue to break the law. They suggest that greater enforcement of existing legislation and application of sanctions by the courts would be more effective. There are already a wide range of offences involving mis-use of airguns with penalties ranging from fines, bans on use and imprisonment from three months to life.

6.6 The West Dunbartonshire Council proposal calls for a ban on the non-commercial use of airguns. As well as use at fair grounds and carnivals which they would exempt from the ban, members should also note that air guns are widely used for pest control, including by the Council's own Environmental Health staff.

7 CONCLUSIONS

7.1 Restrictions on the sale and use of airguns is a contentious issue and there are arguments for and against the legislation proposed by the Home Office and the further measures which some campaigners have called for.

7.2 It is recommended that Committee consider the issues outlined in this report, discuss whether the Council should support a ban or make any other comments on the proposed legislation, and instruct officers to reply to the letter from West Dunbartonshire Council and to write to the Scottish Executive and Home Office as appropriate.

8 **CONSULTATION**

The Chief Executive and Depute Chief Executives have been consulted on this report.

9 **BACKGROUND PAPERS**

Letter from West Dunbartonshire Council
E-mail from Chairman of Tayside Airgun Club

Chris Ward
Assistant Chief Executive (Community Planning)..... 09/11/2005