

10 FIREWORKS (AN221-2002)

Reference is made to Article IX the Minute of Meeting of the this Committee on 11th March 2002.

Since that time there have been the following developments.

The Scottish Executive have advised that while it is open to a Local Authority to consider making local byelaws to control the sale and use of fireworks the Scottish Ministers have no power to confirm such byelaws, they could only be confirmed by the Westminster Parliament, and that the Westminster Parliament's view is that any such controls should be applicable across the country to prevent circumvention of any local restrictions hence they are unlikely to approve local byelaws.

This is in accordance with the advice previously given to the Committee by the Director of Support Services.

Officials at the Department of Trade and Industry believe that the present regulatory system is appropriate and that there is no need to change it.

The COSLA Fireworks Task Group met on 22nd August 2002 to consider a draft final report. It is not possible at this stage to say what the Task Group's recommendations will be but it seems likely that they will recommend that the Westminster Parliament ought to provide for increased regulation by Local Authorities, rather than a complete ban on the sale or use of fireworks. It is unlikely that the Group's Report will be finalised before October.

The Committee is asked to note the position.