

Motions and Amendments

Culture and Communities Committee

10.00 am Friday, 23rd August, 2024

Dean of Guild Court Room - City Chambers

Motions and Amendments

Contacts

Email: andrew.rose@edinburgh.gov.uk / blair.ritchie@edinburgh.gov.uk

Tel: 0131 529 4264

Nick Smith

Service Director, Legal and Assurance

This page is intentionally left blank

Amendment by the SNP Group

Culture and Communities Committee – 23rd August 2024

7.1 Firework Control Zones

Replace 1.1.2 and 1.1.3 with:

1.1.2 Noting the strong support for a city wide zone in the consultation and the concerns that separate zones could be stigmatising to communities, and confusing for residents, agrees to proceed with a city wide FCZ.

1.1.3 Notes that a report will be presented in February 2025 on the outcome of the FCZ and the proposed next steps for future FCZs in Edinburgh. Agrees officers should carry out a detailed consultation with residents and evaluation ahead of that report being presented to committee.

Moved by Councillor

Seconded by Councillor

Amendment by the Green Group

Culture and Communities Committee

7.1 Firework Control Zones

23 August 2024

Background

Committee notes:

1. The large number of positive consultation responses on the City-Wide Firework Control Zone (FCZ) proposal, with 86% (663 responses) supporting this option
2. The support for the City-Wide option from the following:
 - a. *Charities and other organisations working for the welfare of animals:* One Kind; Blue Cross; British Veterinary Association; British Horse Society; Dog's Trust; Tower Farm Stables; Redwings Horse Sanctuary; RSPB Scotland; Scottish SPCA; The Veterinary Cat Clinic; All4Paws
 - b. *Charities and other organisations working for the welfare of vulnerable people:* Autistic Mutual Aid Edinburgh and Combat Stress: The Veterans' Mental Health Charity
 - c. *Housing Associations, Residents Associations and other local groups:* Gateside Tenants and Residents Association; Grassmarket Residents Association; Home Group; Currie, Balerno & District Round Table; Manor Estates Housing Association
3. That individual FCZs may be rendered less effective by firework noise and emissions spreading beyond their boundaries, which is a potential reputational risk to the Council
4. Concerns about enforceability of a city-wide Zone, but notes that, in a society governed by the rule-of-law, most people will observe the law, freeing up Police to focus on those who do not, and that a city-wide Firework Control Zone would be similar in this regard to many other widely-observed city-wide prohibitions, such as on smoke from chimneys under Smoke Control Area provisions, and on pavement parking.

5. That neither the Fireworks and Pyrotechnic Articles (Scotland) Act nor the statutory guidance place any explicit upper limit on the size of an FCZ within a Local Authority's area.
6. Scottish Government's statements that the legislation is not intended to cover large areas does not amount to a legal prohibition of an Edinburgh-wide FCZ.
7. The Scottish Government's indication it may seek to overturn a city-wide FCZ and believes this would be contrary to the principles of localism
8. That the Statutory Guidance provides that FCZs can be instituted for the following reasons, as well as firework misuse: Animal Welfare; Impact on Vulnerable Groups and Environmental Protection
9. That the impact of fireworks on animal welfare, vulnerable groups and the environment are not confined to specific areas of the city.
10. Notes the evidence of the negative impact on firework use on these three issues provided in the consultation responses, during the passage of the Act and in the Scottish Government Statutory guidance [See Appendix of amendment] means a city-wide FCZ is proportionate to the evidence

Thanks to officers

Committee:

1. Notes the significant officer work required to assist the Committee in making a decision in an area of policy new to the Council, and offers its thanks for this.

Amendment to recommendations

Committee therefore agrees report with the following amendment:

In 1.1.4, delete from "four" to end of point, and replace with

"the option outlined in Section 5.4 of the report (City-wide Zone from November 1 – November 10, 2024)"

Moved by: Cllr Dan Heap

Seconded by:

Appendix: Summary of selected evidence on animal welfare, vulnerable people and environmental protection from Scottish Government Guidance and other sources

<p><i>Animal Welfare</i></p>	<p><i>Dogs and Cats</i></p> <p>As animals have more acute hearing than humans, the loud and high-pitched noises made by fireworks can cause animals to suffer distress, fear, or develop phobic responses. The infrequent, unpredictable and intermittent nature of firework noise means acclimatisation is unlikely. [Scottish Government FCZ Guidance, p19]. Nearly half (49%) of dogs in the UK are estimated to be negatively affected by fireworks [Dogs Trust and Applied Animal Behaviour Science Journal]</p> <p>The <i>Cats and their Stats</i> (CATS) Scotland survey 2023 found 59% of cat owners in Scotland reported that their cat showed signs of being affected by fireworks, including being withdrawn or hiding; appearing startled and showing fearful body language. [CATS Protection]</p> <p><i>Livestock</i></p> <p>Research has demonstrated that unexpected loud or novel noises can be highly stressful to livestock [Research cited in Scottish Government FCZ Guidance; American Registry of Professional Animal Scientists]</p> <p><i>Birds</i></p> <p>Fireworks are classed as highly disturbing to some bird species, and have been associated with the abandonment of nests or even whole colonies [Research cited in Scottish Government FCZ Guidance; US Fish and Wildlife Service; United States Bureau of Land Management and Fish and Wildlife Service]</p> <p>A 2018 survey of UK vets by the British Veterinary Association found that in the preceding 12 months, around 1 in 14 vets had seen animals with firework injuries. Equine vets were significantly more likely to report such cases, with almost one in five seeing firework injuries in the last year. [Research cited in Scottish Government FCZ Guidance]</p> <p><i>Horses</i></p> <p>The British Horse Society had received 1120 reports of incidents involving fireworks in the last 12 years, including 42 horse fatalities and 75 human injuries. This is believed to only represent one in ten of such incidents. [Cited in One Kind Written Deputation, para 3]</p>
<p><i>Vulnerable People</i></p>	<p><i>People with conditions related to hearing</i></p> <p>People with hearing conditions such as hyperacusis [increased sensitivity to sound and a low tolerance for environmental noise] can</p>

	<p>be especially sensitive to firework noise [Research cited in Scottish Government FCZ Guidance; York and Scarborough NHS Trust]</p> <p><i>Autistic People</i> Autistic people experience lifelong differences in sensory and communication preferences and thinking styles. There are somewhere between 56,000 and 137,000 autistic people living in Scotland, according to varying data sources. Sensory discomfort, of varying intensity, is commonly experienced by autistic and other neurodivergent people in community environments. Unpredictable sensory experiences can be particularly distressing. Fireworks can be a source of stress and anxiety for some autistic people because they can cause profound discomfort due to sensory sensitivities. The unpredictability of unorganised firework use can also cause stress and anxiety [Research cited in Scottish Government FCZ Guidance; National Autistic Society]</p> <p><i>People with Post-traumatic Stress Disorder [PTSD]</i> Veterans’ charities report a sharp rise in calls for support around traditional fireworks periods. Evidence demonstrates that fireworks can cause distress to those who suffer with PTSD with the sudden flashes and bangs of fireworks and the smell of smoke and burning reminding them of traumatic experiences, leading to symptoms of re-experiencing traumatic events. [Research cited in Scottish Government FCZ Guidance; PTSD UK].</p> <p>A Help for Heroes and Combat Stress joint survey found that 23% said fireworks have triggered a negative experience for them personally. [Help for Heroes/Combat Stress]</p>
Environmental Protection	<p><i>Air Pollution</i> The Particulate matter (PM) released has a profound and immediate negative effect on air quality, which if significantly high can have adverse effects on the environment and human health. While this typically declines rapidly over the next 24 hours, they can cause short-term PM exceedances and conditions in breach of World Health Organisation guidelines. [Research cited in Scottish Government FCZ Guidance; Scottish Air Quality Report]</p> <p><i>Waste</i> Spent fireworks and materials left after fireworks have been used can be a significant cause of litter in the natural environment because of the inclusion of non-biodegradable parts [Research cited in Scottish</p>

Government FCZ Guidance ; [Office for Product Safety and Standards](#)].

Fires, including wildfires

As a consequence of climate change, the risk of wildfires has increased over recent years. Fireworks are a potential source of ignition for fires. While no statistics are readily available for Scotland, National Statistics for England report 258 incidences of fires where fireworks were a source of ignition in 2019-20 [[Home Office](#)].

Fireworks cause about 18,000 fires a year in the US, with more fires reported to fire departments on July 4th than any other day of the year. [Research cited in Scottish Government FCZ Guidance]