



RSPCA Seasonal Briefing

Questions to the Minister for Climate Change

Date of Questions:	Tabled By:
10 November 2021	3.30pm on 3 November 2021

Fireworks pose a risk to both animal and human health. There is widespread public concern about the effect that fireworks can have on animals, with the RSPCA receiving high numbers of calls - approximately 400 per year. According to a recent RSPCA poll, 44% of adults in Wales plan on either hosting or attending home displays with friends and family this year - a 28% increase on 2019 polling results¹. This increase in DIY displays comes as many organised displays are cancelled amid the Covid-19 pandemic and supply chain issues². The RSPCA is extremely concerned that an increase in private displays will significantly impact animals in surrounding areas, as neighbouring animal-owning households will be less likely to be aware these displays are happening and mitigating factors are less likely to be in place. As well as posing a risk to animal welfare, fireworks also contribute towards air pollution, which makes them especially relevant to the development of the Welsh Government's Clean Air (Wales) Bill as outlined in the latest [Programme for Government](#) - while the loud bangs can also have a significant impact on people suffering from Post-Traumatic Stress Disorder (PTSD).

Horses, livestock and wildlife can be impacted - as well as pets. Worryingly, 62% of dog and 54% of cat owners say their pets are distressed during the fireworks season. Animals affected not only suffer psychological distress but can also cause themselves serious injury or even sadly die as they attempt to run or hide from the noise. Companion animals are not the only ones affected - horses and livestock are easily frightened by loud noises and sudden bright lights and can be at risk of injuring themselves on fencing, farm equipment or fixtures and fittings within their housing if startled - while there are also risks to wildlife. As a consequence of the risk they pose to all animals, RSPCA Cymru have long-campaigned for tighter restrictions around the sale and use of fireworks in Wales and for displays to be restricted to around certain celebrations (such as Bonfire Night, Diwali, New Year's Eve and Chinese New Year).

Councils can take local action on fireworks. All of Wales' local authorities have the opportunity to mitigate the issues surrounding fireworks by introducing voluntary or localised measures aimed at increasing public awareness, encouraging the use of quieter fireworks and further encouraging the advertising of displays taking place on Council-owned land. As it stands, 11 of Wales' 22 local authorities have introduced our [Notice of Motion](#), calling for these changes. The local authorities who have introduced the motion so far are: Caerphilly, Carmarthenshire, Conwy, Denbighshire, Flintshire, Gwynedd, Neath Port Talbot, Pembrokeshire, Rhondda Cynon Taf, Newport and Wrexham.

Welsh Government could follow in Scotland's footsteps on fireworks. Fireworks is a largely non-devolved issue. The existing legislation - the Fireworks Act 2003 and the Fireworks Regulations 2004 - was introduced over 15 years ago and could be modernised to better protect animals.

The 2003 Act was introduced with the aim of reducing the noise, nuisance and injuries caused by the misuse of fireworks. Section 2 of the Act conferred powers on the Secretary of State to make Regulations to ensure there is no, or minimal, risk that fireworks will cause:

- death, injury, alarm, distress or anxiety to people, or
- death, injury or distress to animals, and

¹ Study was conducted in England and Wales via Savanta Comres. A sample of 2162 adults aged 16+ were interviewed online in October 2021

² The Guardian - Bonfire Night fireworks '70% down' due to Brexit and supply chain crisis, 22 September 2021

- destruction of or damage to property.

The main relevant provisions of the 2004 Regulations provide:

- a prohibition of the possession of fireworks in a public place by anyone under the age of 18 years.
- a curfew on the use of fireworks between 11pm and 7am (though this starts later on November 5th, New Year's Eve, Chinese New Year and Diwali).
- a ban on the sale of fireworks to private individuals outside of certain dates (15th October-10th November, 26th-31st December, three days before Diwali and Chinese New Year) unless from certain licensed shops.

The RSPCA believes that the law is ineffective as it does not prevent or reduce the risk of fireworks causing distress or anxiety to people or death, injury or distress to animals. Positively, however - while largely non-devolved - the Welsh Government has previously shown a willingness to act on the issue of fireworks, and an eagerness to encourage the UK Government to act. Earlier this year, the Minister for Rural Affairs spoke with the UK Government and Scottish Governments to determine what more can be done to tackle this issue at a Great Britain level - and, during the sixth Senedd, the issue will now sit with the new Climate Change Ministry. In a letter sent to the Petitions Committee in August, Deputy Minister for Climate Change, Lee Waters MS, called for a joined-up, concerted approach between the Welsh and UK Governments to help send clear, consistent messages to the public. The Deputy Minister states that while the transfer of the regulatory responsibility on fireworks from Westminster to Cardiff would enable the Welsh Government to make the regulations they consider appropriate, Wales' proximity to England and the ease of online shopping, means taking action on a UK level and prioritising a joined-up approach is preferential. However, in the absence of UK Government commitments, the Welsh Government has also "raised the question of transferring functions to Welsh Ministers"³.

As Wales prepares for another busy fireworks season, we urge the new Climate Change Ministry to consider what further action could be taken to protect both animals and vulnerable people from the negative effects of fireworks. In terms of devolved levers already at their disposal, the Welsh Government could issue guidance to local authorities requiring all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people. The Welsh Government could also actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks - and encourage all local authorities to do the same. The Welsh Government could also play an important role in encouraging local suppliers to stock 'quieter' fireworks for public display, while Members of the Senedd are also well placed to do this within their constituencies and regions, and to facilitate conversations to encourage positive action on fireworks to the benefit of people and animals.

Questions to consider:

- 1) Can the Minister provide an update on the progress made with regards to discussing further fireworks regulation with the UK Government, and - given the non-devolved nature of much of the legislation presently - what is the Welsh Government's plan if a joined-up approach does not come to fruition?**
- 2) What action has Welsh Government taken to reduce the impact of fireworks on the welfare of animals and vulnerable people as well as their contribution to air pollution, and what assessment has been made of any current devolved levers at the Welsh Government's disposal?**
- 3) Following the Scottish Government's decision to introduce tighter regulations on fireworks, what evidence would the Welsh Government need to consider pursuing a similar approach in Wales to limit the impact of fireworks on animals, people and the environment?**

³ Letter from Deputy Minister for Climate Change Lee Waters to Jack Sargeant MS, Chair of the Petitions Committee, 24 August 2021

Case Study - Solo the Horse

In November 2018, in Swansea, the owner of a horse was left heartbroken after her horse became so scared of fireworks that he ran himself to death.

On Bonfire night his owner had stayed with him in his stable most of the night to calm him down as a result of the noise. However, a week later, she thought the fireworks were over and left him overnight.

Solo's owner was called by neighbours after they spotted him in his field in agony. Sadly, he had become so anxious as a result of fireworks that he had run around his field, twisting his gut. The vet said that there was nothing that could be done and so he had to be put to sleep.

Solo's owner said she would not have left him alone if she had known there was going to be another fireworks display, highlighting the importance of greater awareness, advertising and regulations of the use of fireworks.