

Lesley Griffiths AS/MS
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref DC/LG/02850/21

Paul Scully MP
Parliamentary Under Secretary of State
Department for Business, Energy and Industrial Strategy

Minister.Scully@beis.gov.uk

3 March 2021

Dear Paul Scully MP,

Thank you for meeting with Ash Denham MSP, Minister for Community Safety in the Scottish Government and me on 28 January regarding issues around the regulation of fireworks across Great Britain.

As discussed, I do not believe the current legislation is adequate to protect vulnerable people and animals from the effects of firework noise, and I was very interested to hear about the improvements to fireworks legislation being made in Scotland. I am concerned about England and Wales falling behind.

You mentioned the Office for Product Safety and Standards (OPSS) was carrying out testing on the decibel levels of fireworks currently sold in Great Britain. You said this work had been delayed by the pandemic but the results would be available later this year. I previously wrote to your predecessor urging the UK Government to accept the Petitions Committee recommendation seeking a workable reduced maximum decibel limit which would diminish the risks of firework noise to animal health. I would be grateful if you could set out how the OPSS work will inform improvements to the regulations, and current timescales for necessary changes to be made.

During the meeting, I highlighted regulation-making powers under the Fireworks Act remain with the Secretary of State in relation to England and Wales. Therefore, Welsh Ministers are not able to mirror in Wales the regulations recently made by the Scottish Government, tightening conditions on the sale and use of fireworks.

Given the proximity of Wales' most populated areas to shops in England, and the ease of shopping online, I would welcome concerted action across Great Britain to ensure fireworks available for sale to the public in Wales are quieter and used at more predictable times going forwards. Joined up action across Great Britain would allow us to send clear, consistent messages to the public. Co-ordinated action would also make it harder for people to get around geographically limited restrictions on sales introduced by a single administration.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

In the absence of a clear commitment by the UK Government to tighten regulations in England and Wales, towards the end of our meeting I raised the possibility of transferring these powers to Welsh Ministers, enabling the next Welsh Government to make the regulations it considers appropriate. You raised concerns around policy divergence. I would point out divergence within Great Britain is inevitable if England and Wales do not keep pace with the improvements to legislation currently being made in Scotland. You agreed to give the matter further consideration and made a commitment to discuss this with the Secretary of State for Wales. I would welcome an update on this.

I look forward to receiving your views on the issues addressed in this letter.

I am copying this letter to Ash Denham MSP and the Secretary of State for Wales.

Yours Sincerely,

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping 'L' and 'G'.

Lesley Griffiths AS/MS

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Minister for Environment, Energy and Rural Affairs

- CC: 1. Ash Denham MSP
Minister for Community Safety
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MinisterCS@gov.scot
2. Secretary of State for Wales