

# **FIREWORKS AND PYROTECHNIC ARTICLES (SCOTLAND) ACT 2022**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### *Overview*

#### **Part 4: Firework control zones**

#### *Section 31—Review of operation and effectiveness*

79. **Section 31** requires a local authority to carry out reviews of the operation and effectiveness of its firework control zones. It is open to the local authority to carry out reviews of one, some or all of its zones at any given time. This ensures that an authority can determine what is most appropriate for its circumstances while still ensuring that the zones are reviewed to verify that they are still required. An authority may also combine a review of a zone with a proposal to amend or revoke a zone. This may arise where, for example, the authority believes that it is appropriate to extend the period a zone is to have effect but wishes to make sure that it is working effectively before doing so. Combining a proposal to review a zone with a proposal to amend or revoke it allows for views on both proposals as part of the same consultation.
80. Following a review, the local authority must publish a report on its findings and thereafter make such proposals in relation to the zone (or zones) as it considers appropriate (if any).
81. Subsection (4) makes it clear that the Scottish Ministers can set a minimum frequency for reviews under this section. The provision should be read in the context of section 29 more generally, and may make different provision for different purposes. For example, different frequencies may apply to zones with certain characteristics (duration, size, location, etc.).