



**SELECT COMMITTEE
OF
TYNWALD COURT
OFFICIAL REPORT**

**RECORTYS OIKOIL
BING ER-LHEH TINVAAL**

**PROCEEDINGS
DAALTYN**

**Fireworks Act 2004
(Public Petition)**

HANSARD

Douglas, Wednesday, 29th April 2020

PP2020/0095

TFA, No. 1/2020

All published Official Reports can be found on the Tynwald website:

www.tynwald.org.im/business/hansard

Members Present:

Chairman: Mrs D H P Caine
Mr R E Callister
Mrs K A Lord-Brennan

Clerk:

Mr J D C King

Assistant Clerk:

Miss I Perry

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Select Committee of Tynwald on the Fireworks Act 2004 (Public Petition)

*The Committee met virtually at 2.30 p.m.
Proceedings were conducted and broadcast live
from the Legislative Council Chamber.*

[MRS CAINE *in the Chair*]

Procedural

The Chairman (Mrs Caine): Welcome to this public meeting of the Select Committee of Tynwald on the Fireworks Act 2004. I am Daphne Caine, MHK and I chair this Committee. With me today are Mr Rob Callister MHK and Mrs Kate Lord-Brennan MLC, along with our Clerks.

In the interests of social distancing this meeting is being held remotely with all participants speaking from separate locations.

In February 2020, Tynwald Court resolved to form this Committee of three as the result of a Public Petition which sought a revision of the Fireworks Act in order to ban the sale of fireworks to the general public, and to restrict firework displays in urban areas to silent fireworks only. The petition was submitted by Mrs Judith Corrin, who we welcome here today.

Please can we all ensure our mobile phones are off or on silent so that we do not have any interruptions?

EVIDENCE OF Mrs Judith Corrin, Petitioner

Q1. The Chairman: For the record, I would like to begin by asking you to please state your name, and perhaps you could tell us what prompted you to start the Petition.

Mrs Corrin: Yes, I am Judith Corrin and the Petition was started because of an incident with fireworks and my animals.

On Saturday, 2nd November I had fed the donkeys. It was just getting dark and I was feeding the horses. They were in the stables. I looked across the fields and there was a large bonfire lit at a property quite close to me. So I rang the owner and asked him if he was going to have fireworks and he said he was. So I asked were there going to be any loud bangs and he said he did not know what was in the box. I asked, 'What about all the animals?' And he replied 'I'll give you 20 minutes'.

So I shut the horses in the stable, shut all the doors, put the lights on and dashed over to the house to get a radio and put that on full volume. Then I ran down to another field to try and get the donkeys in, but they had already been fed and were not keen to come back in. I managed to get two in, the old one and another one, but the young donkey, Teddy, he would not come in and by this time it was dark. The fireworks started and it was like a professional display.

There is a field of wild geese about a mile away and they took to the air making a terrific noise which lasted for the whole display, and that was for about 20 minutes.

30 After the display I went in to the horses and Drift, my big mare was dripping in sweat and trembling and I was really worried that she would go down with colic caused by the stress. Maggie, my other horse, was very jumpy but not too bad. When I found the young donkey he was very upset. He is usually a very cheeky chap who wants treats, but he would not come near me or come for food.

35 That night I texted the neighbour asking him in future if he would give me warning if anything like that was going to happen again. But I did not get a reply.

On the Monday night, I got the horses into the stable. I had been getting them in every night from then on just in case there were more fireworks going off anywhere. Maggie spooked at a car coming down the lane. She saw the headlights flickering through the hedge and I can only assume that she thought it was a firework with the lights going, and then you get the bang. I assumed that is what spooked her. However, she knocked me over in the stable and I landed very heavily and hurt my shoulder and hip. I banged my head and I was badly winded, and for a while I just could not move. But the horse was careering around me and I was terrified that she was going to stand on me.

45 I managed to drag myself to a corner of the stable and stayed there until I was able to stand up; and at that point I knew I had to try to do something to prevent anything like that happening again. Here was a horse that had seen car headlights every winter's evening without a problem and she was now so jittery that she was dangerous. The outcome could have been really serious.

The area is surrounded by animals. There are fields with horses, cattle and sheep. There is a boarding cattery and the MSPCA. I rang round the neighbours to see if they had had any warning of the fireworks display and none of them had. The MSPCA had two dogs that were traumatised and they advised me to contact the newspapers, which I did; and they were very quick to come out on the Monday morning and run an article. But I think the paper was delayed for some reason, I cannot remember, there was maybe a storm or something, so people did not get it until after the actual Bonfire Night. I did intend it to be asking the paper to warn people if they were having fireworks to *please* let their neighbours know.

A friend suggested that I looked on Facebook, as a lot of people had been complaining about fireworks, so I joined a couple of Facebook sites and asked if anybody would support a petition. There were lots of people that said yes. So I emailed my MHKs to ask if they would support a petition and both replied initially, but when I asked for a meeting to explain the issues neither of them replied.

60 So that is how I started the Petition. I contacted the Clerk of Tynwald's Office for advice on how to proceed and they were very helpful and guided me through the process. So I formed a Petition and it went to various outlets – mid-to-late November.

65 I contacted Mr Cretney to ask if he would present the Petition to Tynwald and although he was not totally in favour of a ban he said that he would form some sort of a motion to put to Tynwald. But because Mr Cretney was retiring in February the Petition only ran for approximately seven weeks and of course we had Christmas and New Year in the middle, so it was very limited in time and availability – but I still managed to gather over 800 signatures.

70 So that is how the Petition came into being.

Q2. The Chairman: Well, thank you very much for the detail there.

75 What I am interested in is: is this the first time you have had this kind of traumatic experience? Was this a one-off, with the disruptive display that you described? (**Mrs Corrin:** No.) Or has it been an issue in the past?

Mrs Corrin: It has been a big issue particularly with the horses in the past. *Not* with this neighbour, I would add, but fireworks have been a big issue with my horses, yes.

80 **Q3. The Chairman:** Right, and what measures do you believe should be implemented that could improve the situation?

Mrs Corrin: Personally – and this is not going to go down very well – I would make it illegal to have fireworks other than a professional display.

85 **Q4. The Chairman:** How would that assist you? I mean, you are saying a ‘professional display’ but then a professional display could be for any local authority.

Mrs Corrin: Well, yes. But it would help me because I am not particularly near a town. I think nearly all the professional displays are in town, so in that respect that would help me because I
90 am in a very rural area.

The Chairman: Okay. I think, Mr Callister, you wish to have a question?

Q5. Mr Callister: Yes, thank you, Madam Chairman.
95 Judith, thank you so much for your summary. It was excellent.

I am just going back to your original letter of Petition. I just want to pick up a couple of points because the original petition was that the Fireworks Act should be revised and you wanted a ban on the sale of fireworks to the general public, and to restrict firework displays in rural areas to silent fireworks. Okay, I get that.

100 But just then in your opening summary, I seem to have got the impression that you wanted better notices and public information going out in advance of firework displays. Can I just ask you to clarify which one you are asking for, or are you asking for both?

Mrs Corrin: If I cannot get a ban, then it would be certainly very helpful if people would
105 inform neighbours that they were having a firework party.

Q6. The Chairman: Thank you, Mrs Corrin.
How would you want people to be informed?

110 **Mrs Corrin:** Well, if they are neighbours they could phone, or they could put a letter through the door, or whatever. It was very useful at New Year that somebody posted on Facebook that they were having fireworks at midnight, which was very helpful. Notices in the paper, or whatever. But I would really prefer it to be illegal to have fireworks in the general public.

115 **Q7. The Chairman:** Even if they were silent fireworks, then, you think that the general public should not be permitted to set off any fireworks?

Mrs Corrin: I would prefer that. Apparently there is no such thing as ‘silent fireworks’, they are low-noise fireworks. I know I called it silent fireworks in the Petition but I had not got the
120 information at that time that there is no such thing as a silent firework. But that would be helpful. It is not exactly what I would like, but anything that can lessen the stress in particular for me and for my horses ... It would certainly lessen the stress.

The Chairman: All right.
125 Mr Callister.

Q8. Mr Callister: Yes, thank you, Chairman.
I just want to go back on this public notice. I mean, we live in a world today where social
130 media information is very quick to get out into the public domain. However, that does not always mean that you are going to have it at the direct audience that you need to get their attention towards. So if we go back to the public notices: how should somebody actually advertise that they are holding a private event, say a firework display? Should it be in the paper

or should it be another form of media? Should it be seven days before the event, 14 days or 21 days?

135 I would welcome your thoughts on that, Judith, about if I was holding an event today or in a couple of weeks' time, how I can actually inform my neighbours especially when in the rural parts of the Island neighbours can be several miles apart?

Mrs Corrin: Yes, social media would be a good one, or a notice in the paper; or if it is going to be a *really* big event, on the radio. But if it is only small ... In this case, it was not a small party, it was a very large one and I really feel that there would have been ways that he could have informed the neighbours, even with a phone call.

Q9. The Chairman: You are talking about giving a bit of advanced notice.
145 This sounds like an organised event. Would you say this was a professionally put on fireworks display, quite an extensive display?

Mrs Corrin: It seemed professional to me, but I cannot say for certain. Certainly the fireworks were large and loud.

150 **Q10. The Chairman:** Right.
Then you mentioned that at New Year's you got some advance warning from a Facebook notification and that was very helpful.

155 **Mrs Corrin:** Yes, that was very helpful.

Q11. The Chairman: Was that a similar size of firework display? You said it was midnight.

160 **Mrs Corrin:** No, it was only a few fireworks.

Q12. The Chairman: Right. And yet you had advance notice?

Mrs Corrin: Yes.

165 **The Chairman:** Right, okay. Does any Member have any other questions?
Mrs Lord-Brennan.

Q13. Mrs Lord-Brennan: Thank you, Chair. Thank you *very* much, Mrs Corrin.
170 I am just thinking back to your starting point after the terrible experience that you and the animals had. You mentioned about talking to the paper and your original intention was to just try and get people to give a bit of consideration, and of notice. And then when things went on to the Petition it started to become a wish to have an outright ban.

175 I wonder, in talking to other members of the public who also felt strongly about this matter, whether any other helpful ideas came forward that were not quite as clean-cut as simply banning? I think with a lot of the stuff that we are talking about really all that seems to be needed is quite simply neighbourly consideration. But I wonder whether any other ideas came out through talking to the people that also supported your Petition?

Mrs Corrin: Yes, quite a few people were in favour of the low-noise fireworks. But the majority were for an out-and-out ban.

There were a few who suggested cutting down the time allowed for fireworks to be let off. One person suggested Bonfire Night only. But mainly it was an out-and-out ban.

The Chairman: Right. Mrs Lord-Brennan?

185 **Q14. Mrs Lord-Brennan:** Thank you. And as an animal lover and knowing other people who feel the same, have you maybe done other research to find out what has been helpful in other places that has worked, to give the sort of effect that you are looking for which again just really seems to be about a bit of notice? Has anywhere else got this sorted?

190 **Mrs Corrin:** Well, from my research there have been quite a few places that have banned or have very restricted use of fireworks, places like Chile for instance have banned fireworks completely to the public and just have professional displays only.

Rome also banned fireworks; the Republic of Ireland has restricted sales and the use of fireworks is only available under licence for organised professional displays. There is also an Italian town, Parma that uses the low-noise fireworks.

195 There have been, over the years, many people who have tried to ban fireworks on sale to the public. But it just does not seem that that can be done.

The Chairman: Okay. Mr Callister, did you have a question?

200

Q15. Mr Callister: Yes, thank you, Madam Chairman.

It is more relating to the supply of fireworks and I would like to ask Judith: I know she mentioned she would like a restriction on the supply of fireworks. Here on the Isle of Man, we are already restricted to the periods of 25th October to 5th November, and 26th December to 31st December.

205

Do you feel that is excessive? (**Mrs Corrin:** Yes.) And if you did want that reduced, can I ask you what dates you would prefer to have?

Mrs Corrin: I do think it is far too long a period. If it was to be reduced then I would suggest possibly 4th, 5th and 6th November to allow for weather conditions and that sort of thing. But if you *know* when the fireworks are going to be, three nights is not too bad to look after distressed animals; whereas from October to about 11th November, I think it is, is a long time to be watching for distressed animals.

210

The tension and the stress are at times just unbearable. So I really do –

215

Q16. Mr Callister: Sorry, Judith, I did not mean to cut you off then. (**Mrs Corrin:** That's okay!)

We were talking about the *supply* of fireworks, not actually when they were going off. (**Mrs Corrin:** Oh, right!) You said that you wanted that reduced. Now, if I heard you correctly reducing that to 4th and 5th really does not give many people on the Isle of Man an opportunity to buy fireworks if they need to. So it is more focusing on when –

220

Mrs Corrin: Sorry, I thought you meant the discharging of fireworks.

Q17. Mr Callister: No, apologies. I was talking about the Act and the *supply* of fireworks which is very clear when it says it is from 25th October to 5th November. That is when you can buy fireworks – (**Mrs Corrin:** Right, I apologise.)

225

That is all right, I will ask the question again ... And you can also buy fireworks on the Isle of Man from 26th December to 31st December.

So the question is: if you wanted that period reduced, what sort of reduction would you like to see?

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Mrs Corrin: Well, I will just say that I would not allow the sale of fireworks. I would just ban them; but if it was to be a reduced time, probably about five days before the event. But, as I say, I would really prefer that they were banned completely to the public.

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The Chairman: Mrs Lord-Brennan? You had a question.

Q18. Mrs Lord-Brennan: Thank you, Chair.

240 There will of course be a lot of people who use fireworks responsibly. I think what you are really talking about is irresponsible use, or letting off the fireworks where there has not been the courtesy of letting neighbours know. But for those people who use the fireworks responsibly, and actually the many people who will take great joy in having a fireworks display, where do you think the balance comes into play for everybody across society in that?

245 And what do you think the rightful role of Government and of law is to strike that balance? Some would argue – albeit for completely understandable reasons – that it is more of a minority view to have the ban of fireworks.

I would be interested to know what you think about the balance of others' interests.

Mrs Corrin: Yes, I can appreciate that there are quite a few people who enjoy fireworks. The majority of people I found, while I was out and about with the petition, had no views at all. They were not bothered in one way or another.

250 I do not know how you would find a good balance. Probably the only way to do it is to reduce the amount of time that fireworks can be discharged; but possibly, as I said, three days and three nights. It will be difficult and to be honest other than a complete ban, which I know will upset some people, I cannot see any other way about it because you are always going to get irresponsible people and the only way that can be changed is by the law.

The Chairman: Okay, I have got a couple of questions. Mr Callister first.

Q19. Mr Callister: Yes, thank you, Madam Chairman.

260 I was just going to talk about the discharging of fireworks and I do not know if Judith is aware of or has actually read the Fireworks Act 2004, but it does actually clearly say within that Act that there is only a very short window before and after 5th November, which is two clear days before 5th November and ending on the Monday following 5th November; and then again beginning on 28th December and ending on the Monday following 1st January. So it is quite a small window in which people can actually legitimately set off fireworks.

265 Would you agree that period seems reasonable, not taking into account the irresponsible people that do unfortunately let fireworks off outside those dates and times?

Mrs Corrin: No, I still think that time is too long. I really do think that the time is too long. It is not a Manx tradition. Bonfire Night is on 5th November. It is not five or six days before or five or six days after. So I do really think that it is far too long.

270 People have got terrified animals night after night. And it is not only the animals, it is people as well. People are affected. It is the fear and anxiety that some people ... When I was talking to people, there were people with PTSD or there were mothers with young children; and there were autistic children that were screaming all the time. The time is just too long, I am afraid.

Q20. The Chairman: Thank you.

280 Can I ask, Mrs Corrin, you are saying the length of time that the public are permitted to set off fireworks is an issue? Is it also the length of a display that you are unaware of during these times that is an issue? Because I think the particular incident you mentioned last year was an extensive display.

So is that of particular concern, the length of a private fireworks display?

Mrs Corrin: Yes, it is too, very much so.

Q21. The Chairman: As well as the length of days that random people can set off fireworks?

Mrs Corrin: Yes. Had this event only been four or five minutes it might not have been as bad.

290 **Q22. The Chairman:** Right. And can I ask, then, in terms of the local authorities having organised firework displays they quite often go over an entire week around Bonfire Night itself, almost to work with the weather or to separate from other local authorities, the ones who do put on displays. Do you support that? What is your view on the organised displays being over an extended period?

295 **Mrs Corrin:** I am quite happy with the professional displays. They are well organised. They are well advertised, days before the event, so you can either attend them or avoid them. You can take action to protect your animals. So you know when it is going to be.

300 **Q23. The Chairman:** And the point about the individual displays during that time, they are not *obliged* to advertise during the permitted period; where, if they were doing a big private display outside of that time, for instance for a wedding, then that is advertised more.

Mrs Corrin: Yes. But all the town council-organised displays are always very well advertised.

305 **Q24. The Chairman:** Yes, and they are in a specific time. But there are some reports of individual firework displays within a town setting, as well as in the countryside, that people can find intrusive.

310 **Mrs Corrin:** Yes.

The Chairman: Right. Any other questions? Mrs Lord-Brennan.

315 **Q25. Mrs Lord-Brennan:** Thank you very much.
I was thinking about the proposal to have a shorter number of days where private displays can be held. I mean, you have mentioned that maybe if the display that caused particular distress had only gone on for four or five minutes then it might not have been so bad. Would it not be the case where if people were only allowed to have private displays across maybe two or three days, then that would intensify the noise and the disruption over those days rather than potentially spreading it out over a number of days – particularly if you had notice given in some way?
320

325 **Mrs Corrin:** Yes, it is difficult to say, really; because in an area like mine you might only get two displays within a four or five-day period. So it is very much that you cannot really say how it will work out. You just do not know really who is going to have parties, or how big or how long they are going to be.

The Chairman: Right. Mrs Lord-Brennan.

330 **Q26. Mrs Lord-Brennan:** I think that is really interesting.
I think it is going to be a challenge to support, or for the public to understand an outright ban if we are talking about the idea of maybe two displays over a period of five days. It is coming across like it is much more to do with a matter of courtesy of people, which I absolutely accept.
But also it is more about neighbourly interaction and neighbourly disputes; because if it is only a couple of displays then it is quite a significant step to take something that would absolutely be an outright ban as is proposed.
335

What would you say to that?

Mrs Corrin: Yes, it is not just the displays – it is the people who just willy-nilly, indiscriminately set off maybe two or three fireworks, enough just to terrify an animal. There

340 were lots of people, particularly in the Onchan area, who complained about fireworks being set off there without any warning.

I agree that in an area like mine it might sound quite trivial just to have two bonfire parties; but I can assure you if you have to try and deal with terrified animals, those two bonfire parties could be very serious indeed.

345

The Chairman: Thank you.

Mr King, our Clerk: did you have a question?

Q27. The Clerk: Thank you very much, Chairman.

350 Mrs Corrin, thank you very much for giving all of your evidence. We have gone from the beginning where you talked about the particular incident which triggered your concern, into a very wide discussion about the Act and the different changes which could be made to the Act.

I am sorry, I was slightly distracted at the very start, so could you just remind me again? The incident which triggered all this was where a neighbour told you that he was going to let off some fireworks but gave you only a short period of notice. Is that right?

355

Mrs Corrin: That is right, yes. And only that I saw the bonfire being lit, I would not have known at all.

360 **Q28. The Clerk:** What was the date of the incident?

Mrs Corrin: Saturday, 2nd November.

Q29. The Clerk: So it was within the normal period that we have been talking about under the Act, when you are allowed to let off fireworks without a notice in the newspapers?

365

Mrs Corrin: Yes.

Q30. The Clerk: But you spotted this and you asked him about it, and he said, 'Yes, I am doing it'; and you felt that it should not be allowed?

370

Mrs Corrin: That is right.

I am not saying that it should not have been allowed, although I would have preferred it not to have been, but 20 minutes to get all my animals sorted out just was not enough. And, as I say, if I had not seen the bonfire being lit I would not have known, and there could have been serious problems.

375

Q31. The Clerk: So did he know that you had animals on your property?

380 **Mrs Corrin:** Oh yes, he can see them from the windows of his house.

Q32. The Clerk: Right. I am just thinking out loud here, but what you might be after is a provision where if you know that your neighbour has got animals, or is in some other way vulnerable to the effects of fireworks, you are expected to give them more notice?

385

Mrs Corrin: Yes. The advice from DEFRA in the UK is that fireworks must *not* be set off near livestock or close to buildings that house livestock, or near horses in fields. But of course that is only advice, it is not the law.

390 **The Clerk:** Yes, understood. Thank you very much. And thank you, Mrs Caine.

The Chairman: Does anybody else have any other final questions? Mrs Lord-Brennan.

Q33. Mrs Lord-Brennan: Thank you, Chair. And thank you, Mrs Corrin, I was not at all seeking to trivialise what has happened, but just to put the other view that might be out there in the public as well.

Where would you see the line crossing over into firework use as harassment, for example? You mentioned about Onchan and you mentioned about these were not organised displays, it was just the odd firework being set off here and there. Were you talking about people just setting fireworks off in their garden, maybe just as a family? Or were you talking about inappropriate use of fireworks that might veer on the side of harassment?

Mrs Corrin: Yes. I think families setting off fireworks in their own garden, fair enough. But they really should inform their neighbours that it is going to happen – and people were not.

I have heard some terrible stories about small firework parties run by families. I know of one lady whose bitch was pregnant and was having puppies, and she aborted her puppies the same night that her neighbours had fireworks in the garden.

But there are lots of people who, just for the fun of it, will set off a firework willy-nilly. And that is, to me, socially unacceptable and that has caused a lot of problems particularly with dogs. Most of the people I spoke to were dog owners who had terrible trouble with dogs running away and dogs tearing up the home because they were terrified.

So I know it is going to be difficult to do anything to get a change, but I *really* do think that something needs to be done to help, not just animals, but there are vulnerable people who need to be helped over this period of time.

Mrs Lord-Brennan: Thank you, Mrs Corrin, and thank you for telling us everything that you have done today.

Q34. The Chairman: Thank you.

I am just trying to get the various aspects that, in summary, you would prefer a complete ban on any private displays or willy-nilly setting off fireworks; but actually after that the lower-noise fireworks, or in fact just more consideration to be shown between neighbours.

Would that be fair?

Mrs Corrin: Yes, that was a fair assumption. I would prefer a ban, because I think that is the only way you can stop all the problems. After that, probably the lower-noise fireworks. And of course information – people need to be educated that there are other people out there that do not like fireworks and are frightened of fireworks.

Q35. The Chairman: And alongside that, a shortening of the days when it is permitted for individuals to put on firework displays?

Mrs Corrin: Definitely, yes.

Q36. The Chairman: Okay, do we have any more questions? No?

I will just say, Mrs Corrin, do you have any final comments you would like to make?

Mrs Corrin: It is not just the noise of fireworks; there are other environmental problems with fireworks. I understand that in addition to the noise they can also expose humans and animals, of course, to toxic chemicals from the smoke on combustion and the particles fall to the ground and pollute waterways. Some of the toxins apparently never fully decompose.

I have also read that fireworks can exceed a noise level of 120 decibels and that levels of only 85 decibels can cause hearing damage. So there are lots of reasons to limit – if not ban, then

limit – the use of fireworks. As one lady said to me, with all the health and safety regulations how come people can walk into a shop and buy explosives? It can be a health and safety problem.

445

I am also aware that Douglas Council voted for a ban on the sale of fireworks. They wrote to the Office of Home Affairs in August 2019. And the Isle of Man Fire Rescue Service encourage residents to attend organised displays.

450

Then, apart from the risk of fire and injury, places like the car park at the Arrasey Plantation – it was absolutely littered with spent firework cartridges. Had it been a very dry autumn – fortunately, we had had a lot of rain – the plantation could easily have been set on fire.

So there are lots of other things apart from an animal welfare issue. There are lots of other things to consider. But I do think that fireworks should be very limited, *very limited indeed*, if not banned.

455

The Chairman: All right.

Thank you very much, Mrs Corrin, for all those comments, your thoughts are much appreciated; and also for you taking the time to come and join us in this Committee today.

The Committee will sit in private.

460

Mrs Corrin: Before I leave you, can I just say that I have never done anything like this before. I have got little knowledge of politics or the law, and at times I found the process very daunting and stressful, and I had no great expectations that the Petition would get this far.

465

So could I please just thank everybody, particularly the staff at the Clerk of Tynwald's Office, who have been so patient and helpful with their guidance.

I would also like to thank David Cretney for listening to me and putting the motion to Tynwald, and to Miss Costain for seconding it.

470

And to yourselves, as the Committee, for allowing me to explain my concerns and hopefully finding a way to alleviate, if not all the problems then at least some of the stress caused to vulnerable people and animals. And to all the people who signed the Petition and to all my lovely friends who helped, supported and encouraged me whenever I felt overwhelmed by everything.

So a big thank you to you all.

475

The Chairman: Thank you, Mrs Corrin, that is much appreciated.

And now the Committee will sit in private.

*The Committee sat in private at 3.17 p.m.
and resumed its hearing in public at 5.13 p.m.*

Procedural

The Chairman (Mrs Caine): Welcome to this public meeting of the Select Committee of Tynwald on the Fireworks Act 2004. I am Daphne Caine MHK, and I chair this Committee. With me today are Mr Rob Callister MHK and Mrs Kate Lord-Brennan MLC, along with our Clerks.

480

In the interests of social distancing this meeting is being held remotely with all participants speaking from separate locations.

In February 2020, Tynwald Court resolved to form this Committee of three as the result of a Public Petition which sought a revision of the Fireworks Act in order to ban the sale of fireworks to the general public and to restrict firework displays in urban areas to silent fireworks only.

485

Today we are hearing the oral evidence of local fireworks wholesaler and retailer, Stuart Hamer.

Please can we all ensure our mobile phones are off or on silent so that we do not have any interruptions?

**EVIDENCE OF
Mr Stuart Hamer,
Managing Director of Galaxy Fireworks Isle of Man**

490 **Q37. The Chairman:** For the record, I would like to begin by asking you to please state your name, and in what capacity you are here today, Mr Hamer.

Mr Hamer: I am Managing Director of Galaxy Fireworks Isle of Man and I am here, not necessarily to fight my corner, but just to have an input into the Fireworks Act.

495 **Q38. The Chairman:** Okay, thank you.
Can you tell us how long you have been in the fireworks industry?

Mr Hamer: Thirteen years.

500 **Q39. The Chairman:** And is that on the Isle of Man?

Mr Hamer: Yes.

505 **Q40. The Chairman:** And what is the nature of your business?

Mr Hamer: Primarily it is providing professionally fired Category 4 firework displays for corporate events, weddings and Government Departments.

510 **Q41. The Chairman:** And do you also supply to other retailers?

Mr Hamer: No.

Q42. The Chairman: No. Do you retail at all or is it mainly the fireworks displays?

515 **Mr Hamer:** We do retail and we retail that through our partner in the UK first, Galaxy Fireworks. The reason we do that is that their website has been made postcode sensitive to the Isle of Man and they are geared up for mail order. So the customer will go online, order their fireworks, pay for them, they are then palletised, brought to the Isle of Man and we then deliver those fireworks to each and every individual at the house.

520 By doing this it allows us to have a look at the area that they are actually going to be setting the fireworks off from and we can advise them whether the fireworks are right for that environment or not. If say, for instance, that client has ordered a 49 shot fanned cake, category 3 and it does not suit the garden or the area, we will actually pull that device out of that box and we will replace it with an alternative 49 shot aerial firing device.

525

Q43. The Chairman: Right, I am not sure I completely followed all that.

Can I just ask what sort of amount of private, corporate fireworks displays would you do on an average year and what proportion of those might be held in rural areas?

530 **Mr Hamer:** Well, 10 to 13 years ago we were doing between 15 and 25 shows a year privately. Last year we did two, lasting seven minutes and seven and a half minutes respectively.

Most of our shows are always out of town on private estates, private land.

535 **Q44. The Chairman:** Right, and how do you advertise that, what action do you take? Are these outside of the permitted times around bonfire night?

Mr Hamer: Most of them are, yes.

540 **Q45. The Chairman:** And what do you do in terms of as a company, do you undertake the advertising in a newspaper or do you undertake any other promotion of the fact that these fireworks displays are being held?

Mr Hamer: How do we advertise them?

545 **Q46. The Chairman:** Do you or does your client normally undertake that?

Mr Hamer: We look after all of the paperwork for our clients.

550 **Q47. The Chairman:** So you would comply with the Fireworks Act as it stands at the minute (**Mr Hamer:** Yes.) and advertise in the local newspaper, is that correct?

Mr Hamer: I advertise in the local newspaper. That has to be done a minimum of 10 or 14 days before the event. We also use social media, we have partnered up with several people in the equestrian area and we have also partnered up with doggy sites.

555 To be honest with you, you cannot actually have a surprise fireworks display on the Isle of Man anymore. We take it very seriously to get it advertised into the area where that firework display is going to be. And generally we have found, as long as people are well informed, we have never really had a problem.

560 **Q48. The Chairman:** Do you think there needs to be any change to the Fireworks Act or the Regulations? Do the laws here need to be amended?

565 **Mr Hamer:** Yes, I think the legal age could do with upping to 21, instead of 18, because you are dealing with explosives here. Unfortunately if they do get in ... I remember when I was a kid when they fell into the wrong hands you went out and did stupid things, and I hold my hands up, when I was 19 I used to do stupid things with them. But fireworks have come on a lot more since then, the type of powders that are being put in and the flash powders now are a lot stronger, a lot more powerful, even in the retail stuff.

570 **The Chairman:** Right, that is interesting.
Mr Callister, I think you had a question?

Q49. Mr Callister: Yes, I have two actually, Madam Chairman.
One is I was going to ask Stuart for his thoughts on the Fireworks Act, which you have already
575 covered, but I would like just to extend one part of that where he said he would like the age to increase to 21. Can you just confirm if that is 21 to buy them or is it 21 to set them off?

I would also like to ask Stuart what his opinion is on the Petition that we have been asked to look at and if he has had an opportunity to review it, and I would welcome his thoughts on that Petition.

580 **Mr Hamer:** Right, answer to the first one, 21 across the board, Rob, so 21 to buy them and 21 to set off.

585 **Q50. Mr Callister:** Could you clarify that?

Mr Hamer: There is a good reason for that, Rob: 99.9% of the time at firework parties' alcohol is involved, and that is where we start getting big problems once you start introducing alcohol into fireworks.

590 **Q51. The Chairman:** Indeed, thank you.

And generally on the Petition, Mr Hamer, what are your thoughts?

Mr Hamer: There are two main points in the Petition: one is obviously banning in urban areas and the other one is a lot of noise everywhere else only.

595 Banning in urban areas: what do you class as an urban area? Do you class it as the residential area of a town or do you class it just as the town centre? Yes, town centres I would certainly ban the fireworks, but where do you draw the boundary? Technically can you stop people setting fireworks off in their garden if they were in a residential estates surrounding Douglas? I do not think you could.

600

Q52. The Chairman: Right, what about in terms of the rural areas because the Petition was prompted by the impact of very short notice she had of a fireworks display that caused serious distress and stress to horses particularly and a donkey and various other evidence that we have taken has spoken a lot about the distress caused to animals, but also to some people.

605

Mr Hamer: Yes, if I am not mistaken this happened, was it bonfire week last year, if I am not mistaken or Christmas time –

The Chairman: It was 2nd November, in the Foxdale area I think.

610

Mr Hamer: So, yes, you could fire without having to notify anybody there.

615 With all of our shows, the professionally fired shows for weddings or corporate events, we have to advertise. So we do it in the paper, we do advertise it and I follow it up on the Facebook pages so that it does actually get into those areas. So for Kirk Michael, for Laxey or for wherever we are doing them we make a conscious effort, and all of the crew make a conscious effort, to advertise and push that. And our complaints actually over the last several years have pretty much dropped away to nothing because people are well informed and they are expecting it.

620 But one area in the Fireworks Act that says we have got to advertise it in the paper it says a minimum of 10 days before, so 10 to 14 days before, if somebody reads that in the paper 10 days later they have forgotten about it.

I would generally reduce that to a seven day, I would prefer that dropped to seven days before, so they are usually on a Friday or a Saturday, so you can get it in the previous week's *Courier* – and we always use the *Courier* because it gets the biggest circulation. I have seen adverts for firework displays three months in advance in the paper, and people forget about them, and that is when it all goes a bit pear shaped.

625

Q53. The Chairman: That is interesting. Do you still rate the advertising in the local paper as a way of promoting the fact that a fireworks display is taking place?

630 **Mr Hamer:** Yes, because there are people out there, believe it or not, there are one or two people out there who do read the Government notices. The majority do not, from our research. From the advert a photograph will be taken and then it will be put up on to various doggy sites, equine sites, events, or Isle of Man what, where, when sites, and that is when it starts multiplying very fast and very quickly, and the message gets out there. To be honest, we do not get any complaints now referenced to noise.

635

Q54. The Chairman: So you do not think there is a need to offer low noise or silent fireworks, do you think there should be a move to that?

640 **Mr Hamer:** First thing; and we must tell everybody in this meeting, we have got to get this right from the start – there is no such thing as silent fireworks. They do not exist. They are all low noise fireworks.

645 **Q55. The Chairman:** Do you think that there should be more emphasis on their use in rural areas, for instance?

Mr Hamer: From a personal point of view, no, and from a business point of view, no. I think it would destroy the firework market here.

650 There is only one time we have come across that I have insisted that we use low noise fireworks and that was the Salmon Centre in Laxey, because you are in a valley, it ricochets around three valley hills and you are surrounded by property down there. We did a seven and a half minute low noise show down there, and we did not have one problem. The bride and groom thoroughly enjoyed it. But I did explain to them that under no circumstances will I do a standard show at the Salmon Centre because of its proximity to all of those little cottages and private houses literally across the road.

655

Q56. The Chairman: Thank you.

So do you think that the law as it stands is adequate? Do you think there needs to be any tightening up perhaps of the permitted times for fireworks displays over the bonfire week and the Christmas week?

660

Mr Hamer: I think the main area you need to address with bonfire week is this huge 10 to 12 day firing time that you can have. I think that is really the biggest gripe of everybody. The fact that you could do it the Friday two days clear before the 5th and the Monday two days clear after the 5th. I understand why they did this many years ago, and it was to include two weekends so that if you had a bad weekend raining all weekend, you have the following week to set them off.

665 If you reduce that to one week, if you reduce it down too far and people cannot set those fireworks off, you would also be in a position now where we have got lots of houses on the Isle of Man with F3 or category 3 and category 2 fireworks sat in garages. And I have been in people's houses before and I have seen fireworks next to gas bottles, on top of boilers, next to oil tanks, shoved at the bottom of cupboards, so you are getting to a Catch-22: do you let the public set them off or do we have a load of houses that have a load of pyro? People do not want to sit on pyro in their properties; they want to get rid of it.

670

675 **Q57. The Chairman:** So what would your suggestion be as the optimum number of days or dates to have available for setting off fireworks?

Mr Hamer: Well, you have got to include the 5th without a shadow of a doubt. So I was thinking about this the last couple of weeks. It might have to actually be written into the Act for each year, as it were, so if Bonfire Night fell on a Wednesday you would do through to say the Sunday night, so it would be the Wednesday through to the Sunday, which gives you a weekend. If it is on a Monday or Tuesday, you go to the previous Friday up to Bonfire Night. (The Chairman: Right.) So you are reducing it there from 10 to 12 days to five days.

680

685 **Q58. The Clerk:** Sorry, Mrs Caine, could we ask Mr Hamer to just unpack that a little bit more because I do not think I quite caught his drift.

Are you saying that if the 5th November is a Monday you would recommend permitting fireworks displays just on the Monday and then the Sunday and the Saturday immediately before that?

690

Mr Hamer: No, I would do the Friday, the Saturday, the Sunday and then the cut off is midnight, so that gives you four days; it would give you the weekend, the Friday and the Saturday, because you have got to account for if you have rain on one of those days or two of those days, you have still got the option of the 5th so set your fireworks off, or *vice versa* if you are going the other end of the week.

695

Q59. The Clerk: But if 5th November is a Monday would you also include the Monday?

Mr Hamer: Yes, I would do Friday to Monday night.

700

Q60. The Clerk: Okay. And if 5th November is a Tuesday what would you do?

Mr Hamer: Friday to Tuesday and then it swaps at Wednesday and goes Wednesday to Sunday.

705

Q61. The Clerk: Right, I see, and what about having a sort of a fall back so that these are the recommended days but in the event of inclement weather you could perhaps define it so that it slips into the following weekend?

710

Mr Hamer: That is where we could liaise or even the Fire Service, the Department of Home Affairs then. Say, for instance, you have four days of torrential downpour, the Department of Home Affairs could make an official statement recognising that fact and open up the following Friday and Saturday for people to set their fireworks off. But that would have to come from the Department of Home Affairs or the Fire Department, it all comes under the Department of Home Affairs so I would expect that directive to come from their office.

715

Q62. The Clerk: Okay, thanks.

Sorry, Mrs Caine, can I just pursue this a little bit further because I understood a lot more that time. If 5th November is a Saturday what would your recommendation be for the firework period?

720

Mr Hamer: Friday to Sunday.

Q63. The Clerk: Friday to Sunday. And the same if the 5th is a Sunday presumably?

725

Mr Hamer: Friday to Sunday.

Q64. The Clerk: So the number of days of the firework period would change from one year to another? (**Mr Hamer:** Yes.) If the 5th fell at the weekend you would have three days to play with and if the 5th fell on a Wednesday you would have five days to play with.

730

Mr Hamer: Yes, well, with every action there is a reaction, it is never going to be a 100%. Restricting to it just to the 5th I think is just not an option because most people will want to either have people round and it is going to be a Friday or a Saturday, which is why I have tried to include a weekend on either side.

735

The Clerk: Okay thank you very much, I understand that now.
Thank you, Mrs Caine.

740 **Mr Hamer:** The object of this exercise is it would reduce the 12 days that you get currently down to five or three days.

The Clerk: Yes.

745 **Q65. The Chairman:** Could I just ask you what about the days for retailing fireworks; do you think that that is about right? You have already mentioned that you think the age that people can buy fireworks at should be increased. What about the person selling the fireworks and what about the number of days available to sell the fireworks?

750 **Mr Hamer:** You can start buying them on 25th October, so that is what, 10 days before. So if you are 21, 22 or 23 and you get your hands on some fireworks and you are feeling brave, would you go up to Marine Drive and go and set them off, even though you are out of licence? Yes, I think they would because the temptation is there. I would actually close that down a little bit.

755 **Q66. The Chairman:** Right, to more closely mirror what, a couple of days before the permitted firing dates?

Mr Hamer: You are going to have to retail; you cannot just do it on 5th because it just would not work. I would say maybe five days before for retailing, including the 5th.

760 **Q67. The Chairman:** Sorry, was that five days?

Mr Hamer: Five days, yes.

765 **Q68. The Chairman:** And in terms of the sale of those goods, do you think that the age of the people retailing them just needs to be the ... because a shop assistant could be 16, for instance, but in terms of fireworks and if the age was to change to be only 21 and above are you confident that the retail ... would that need any adjustment?

770 **Mr Hamer:** Under UK law it is illegal to touch fireworks or explosives until you are the age of 18. Technically no one under the age of 18 should be retailing fireworks. In fact not technically, they should not be doing it.

Q69. The Chairman: Right. But you think is alright for an 18-year-old to sell to a 21-year-old?

775 **Mr Hamer:** Pardon?

The Chairman: Would you think it was okay for an 18-year-old to be able to sell but only to 21-year-olds?

780 **Mr Hamer:** Yes, but this is where we come on to the next stage. We have got shops in town that are bringing in explosives and we have got completely untrained and unqualified staff selling these products to members of the public, and they have not got a clue what they do, how to set them up or how to advise people.

785 I was in a shop last year and I heard a conversation and I had to actually dive in and stop the conversation because wrong advice was being given.

Q70. The Chairman: What was that?

790 **Mr Hamer:** It was all to do about fusing, I cannot remember, but I was in with my business partner and he turned around to me and said, 'Have you heard this?' and I went, 'No, what it is

it?’ And in the end I went over and I explained to them what the firework was, what it did, I researched it there and then in the shop what it was and I explained to the client what it was going to do, and they actually changed their mind for another device.

795 **Q71. The Chairman:** Right, so do you support the call for a complete ban on retailing fireworks to the public? Do you think that needs any more restriction?

Mr Hamer: I do not think banning it because you would get a black market issue then.

800 **Q72. The Chairman:** Right, but do you think that it is as good as it could be as a system at the minute? You are saying that there is cause for concern in terms of who can buy fireworks and in the advice with buying those devices.

Mr Hamer: I think anybody who is retailing fireworks and they are a firework supplier, they should be able to offer their staff training on what these devices do.

The Chairman: Does anybody else have any questions? I am conscious I am monopolising you here.

810 **Mr Hamer:** The other thing is, Daphne, with fireworks you have different categories, right. You have F1, F2, F3 and F4. F4 is professional use only, which is what we use. You have then got F3 products, which are a 25-metre minimum distance from crowd to device, and then you have F2 products which are eight to 10 metres. So it might be an option to look at bringing or re-categorising the type of fireworks that are retailed. Although saying that, those bigger houses that have got three or four acres of land who want the big devices, why should we deny them that?

Q73. The Chairman: As you said, they could get them from elsewhere.

820 **Mr Hamer:** Yes, general garden fireworks that are usually on sale around the very well-known convenience store in Douglas, those are all classed as garden fireworks. However, if you look on the side of the box it says 25 metres minimum distance, and that is the firework manufacturers get out, because you have only got an eight metre garden and you are putting in a device that requires 25 metres, your house insurance probably would not even cover it and you have no comeback to the firework company because they will go you have only got an eight-metre garden and you have put a 25-metre device in it.

The Chairman: Right, I think our Clerk, Mr King, you would like to come in here?

830 **Q74. The Clerk:** Thanks very much, Mrs Caine.

Mr Hamer, you talked about the categorisations and the four levels of fireworks. Who is in charge of that scheme of categorisation, is that a UK-wide thing? (**Mr Hamer:** Yes.) And is it in UK legislation, does it apply to the Isle of Man?

835 **Mr Hamer:** No, this is not about legislation; this is just about the categorisation of fireworks. The way it works is the amount of powder that is in that device. And this is why now a lot of 30mil or 3cm devices ... so you can have a 25 shot cake, which will have 25-30mil tubes in it to lift the device, what they are doing is they are reducing it down to 20mil now instead of a 30mil. So it goes as an F2 product as as opposed to an F3, but it has not got the same oomph. But the categorisation is dictated by the Government basically.

840

Q75. The Clerk: The UK Government?

Mr Hamer: Yes.

845 **Q76. The Clerk:** Okay, thank you very much. And did you say earlier on that there had been a decline in the number of fireworks displays?

Mr Hamer: Absolutely. We are going down to like zilch now, nothing. We used to do 15 to 25 private shows a year; we did two last year.

850

Q77. The Clerk: And why do you think that is?

Mr Hamer: From our research, the amount of negativity about publicity over here.

855 **Q78. The Clerk:** Okay, is the same thing happening in the firework industry in the UK?

Mr Hamer: No, because in the UK you go into a shop now, go and buy fireworks and set them off in four hours.

860 **Q79. The Clerk:** Okay and so the negative publicity about fireworks ... I am sorry, Mrs Caine, I do not know if you want to pursue this but I do not understand, apart from the Petitioner, which the Petition has only been in existence since July 2019, where else is the negative publicity coming from?

865 **Mr Hamer:** Where else is it? It is just what you can see on Facebook. I am not saying there is somebody who has printed or made a document about it. You just have to look at the posts on Facebook.

The Clerk: Okay, thank you.

870

Q80. The Chairman: Can I just ask on that, obviously there was publicity after a particular event that was during the bonfire permitted time for discharging fireworks, and you make quite strenuous efforts to promote any private displays you are doing, so coming back to that same question do you think that the issue is with the amount of fireworks available and the time period that people can set them off, around Christmas week to New Year and also over bonfire, is that what is attracting the negative publicity rather than the organised displays?

875 **Mr Hamer:** Yes, and it is also the fact that you can set them off from five o'clock in the evening till 11 o'clock at night. I think that window could be closed down a little bit by saying, say, five or half five until half nine firing time.

880

Q81. The Chairman: Yes, I accept that, but I presume that New Year's Eve people prefer to set them off at midnight?

885 **Mr Hamer:** Even the Isle of Man fire safety have to expect that on New Year, as a Government you would expect that on New Year as well. We just have to put an exception in, with the exception of New Year, which can go to 12.30 a.m., or something like that.

The Chairman: Thank you, I think Mrs Lord-Brennan has a question.

890

Q82. Mrs Lord-Brennan: Thank you, Daphne, and thank you very much, Mr Hamer, it is very interesting what you are telling us.

The Committee has obviously had cause to not only look at the Petition but also look at the origin and the background to the present legislation and some of the debates around that at the

895 time. What you have mentioned there about negative publicity and that sort of thing, do you think the Isle of Man has got quite an unusual relationship with fireworks? Because there seems to have been a lot of sensitivity and controversy over the years, yet not so much in recent years, what is your take on all this?

900 **Mr Hamer:** No, the majority of the public enjoy fireworks and they even enjoy fireworks at home. I think what annoys people is like bonfire week they start at five o'clock and they do not finish until 11 or half 11 at night, and I think that is one of the big problems. As a Government we could close that gap down to say 5.30 or five o'clock till 9.30 and that is it every night, you do not make an exception; the only exception you make is for New Year's Eve.

905 So this is where we get into the New Year again. Once again, we can buy them from Boxing Day but you cannot set them off until the 28th. Well, why don't we just combine it into the 28th so you can buy them and fire them on the 28th, 29th and the 30th, so that is four days and then it says here:

... ending at 00.01 am on the Monday following 1 January.

It should just end midnight, New Year's Day.

910

Q83. The Clerk: That is very interesting, Mr Hamer. What are you reading from which refers to zero, zero, zero, one?

Mr Hamer:

the period beginning at 00.01 am on the 28th December and ending at 00.01am on the Monday following 1 January.

915

So if New Year's Day is on a Monday you have got another seven days to set pyro off.

Q84. The Clerk: What are you reading from there?

Mr Hamer: I am reading from the Firework Act 2004 information.

920

Q85. The Clerk: From the information, I do not know if we have seen that, is that something published by the Department of Home Affairs?

Mr Hamer: Yes.

925

Q86. The Clerk: Would you be able to send us a copy of that please?

Mr Hamer: Well, I can't because I have scribbled all over this ready in preparation for talking to you, sir. *(Laughter)*

930

The Clerk: Not to worry, we will chase it up.

Mr Hamer: If you punch in the Isle of Man Government ... in fact if you punch into Google 'Isle of Man Fireworks Act' click on it and it will come onto the Isle of Man Government website and in the top right hand corner you will see Fireworks Act 2004.

935

The Clerk: Thank you very much.

The Chairman: Thank you. Can I ask if anybody has any other questions they want to ask?
Mrs Lord Brennan.

940

Q87. Mrs Lord-Brennan: Thank you, Chair.

I would be interested, Mr Hamer, in any observations that you have about instances of fireworks or private displays –

945 **Mr Hamer:** Sorry, I lost you there for a second.

Mrs Lord-Brennan: Can you hear me okay now?

950 **Mr Hamer:** I can now, yes.

Q88. Mrs Lord-Brennan: Thank you.

I was just interested in any observations that you have got about irresponsible use of fireworks where obviously it is not an organised display, so private displays and harassment with fireworks.

955 You mentioned a reduction of complaints due to better promotion of information for organised displays, have you got any comment to make around discontent or promotion of information for a smaller private display? I would be interested in your take outside of the professional industry, if you like?

960 **Mr Hamer:** I have got all the fireworks anybody could want in my store room ... Well, I haven't, but I can get my hands on all the fireworks I could ever want, and I live on an estate with 160 houses. My wife says to me every New Year, 'Are you are setting fireworks off?' And I say, 'No' and she says, 'Why?' I say, 'Because I will upset 160 houses.'

965 They are going off all around my house. I have dogs; they get a bit worried about them. I just ignore them and they just go and curl up in their bed. Once you start mollycoddling the dogs they know then that there is something wrong. And my two boys now are used to fireworks; they have no problem with them at all. The little one gets a little bit shaky but he stands there and just watches them. Casey, my other one, he just stands there and he says, 'I can't be bothered with this anymore, I am going to go and get into bed.'

970 I just do not do personal fireworks to tell you the truth. I have got a branded van, everybody knows me, everybody knows my business, and if I start setting fireworks off I am going to upset a lot of people because although mine are retail they go with a hell of a clatter.

975 But there are fireworks going off all around my estate right up until 11 o'clock at night and even I am saying you have got to be joking at this time. And you go out and you look up the road and yes, there are fireworks going off.

Q89. Mrs Lord-Brennan: Thank you.

980 And do you get a sense – you were talking about your neighbourhood – that other people are also frustrated by this going on or affected by the lack of notice, or is it just a general acceptance that that this is the way it is and it might annoy some, it might not annoy others?

985 **Mr Hamer:** No, I think it is getting more and more each year, to tell you the truth. It is not getting aggressive or nasty but this running in for like six hours every night, I think yes, that is starting to grind people down, and I think that is when the public start getting on to MHKs and so are pushing buttons.

990 And this is why I am recommending we just close that gap down maybe to four hours: half five to half nine, something like that every night, obviously with the exception of professionally fired fireworks displays, because if you are having a wedding that wedding might not finish until half 10, but that is what separates the professionals out from the retail market.

Q90. Mrs Lord-Brennan: Thank you, that is really interesting.

Are there any other observations you would make along those lines to do with private displays at homes and neighbourhoods that sort of thing, anything else that you think would be helpful?

995

Mr Hamer: Yes, train the retail staff.

Mrs Lord-Brennan: Okay, thank you very much.

1000

Mr Hamer: They need to implement some form of training for these people. You have got 15 or 16-year-old girls selling four-and-a-half foot rockets to Joe Public and they just have not got a clue what they are dealing with, what they are handling.

Mrs Lord-Brennan: Thank you, Mr Hamer.

1005

Q91. The Chairman: Have you got any other thoughts or any other comments that you want to make on the Petition or the work of this Committee or what outcome you would like to see? You have already touched on a couple but are there any other outcomes you would like to see?

1010

Mr Hamer: No, not really.

It just needs tightening up. It is like getting a pair of pliers out on a nut and bolt and just tightening the Act up. It does not need ripping apart; the backbone is in there, it just needs tightening up a little bit and a little bit more information in there.

1015

But the other thing, I have not spoken to you about one thing that I am recommending to all of you: rockets, we need to ban them.

Q92. The Chairman: Why would that be?

1020

Mr Hamer: We need to ban the importation, the sale of and the use of rockets. They are the most dangerous device for a firework. We do not use them because they are that dangerous; we do not even sell them to the public, we only sell them in kits because they are pre-made. I would actually take people off rockets and put them on to nice roman candles or I would put them on to nice cakes.

1025

We are in a unique position here. I could give you several phone numbers now, Daphne, to phone up, totally unsolicited, to my guys in the UK, and say, 'If you had a chance to ban rockets would you do it?' And they would all say, 'Immediately, get rid of them.'

1030

Nearly all of the accidents admitted into hospital – thankfully not ours, because the general public over here generally are really sensible, and I liaise at A&E and I ring them up and ask them if there have been any issues – but 98% of hospital admissions in the UK on Bonfire Night are sparkler burns and rocket incidents.

Q93. The Chairman: Do rockets tend to be the loudest banging fireworks as well?

1035

Mr Hamer: Yes, they are the ones that are on the stick and they launch up and you have got to remember that wooden stick will be coming down anywhere between 100 and 140 miles per hour once it is fired, and it has got to land somewhere. I have seen them through car windscreens.

1040

Q94. The Chairman: And are these newer devices? I know you were saying that there are bigger, more powerful rockets now on sale than perhaps there were 20 years ago?

Mr Hamer: Yes, I can go online now and order six five foot fully loaded rockets – five foot; a door is six foot six, so that puts into context – and you can buy them for £140, a retail product.

1045 **Q95. The Chairman:** Okay but generally I think people spending for a domestic, garden
firework display, the safest method seems these days people can buy a box and there is just one
taper to light. Now that might contain rockets but they would be smaller would they? Do you
support the use of those sorts of self-contained mini displays.

1050 **Mr Hamer:** What you are talking about there is it is called a single ignition cake, so it will run
for three and a half minutes and you only light one fuse.

Q96. The Chairman: Yes, and that might contain a rocket?

1055 **Mr Hamer:** Out of that you will get either 180 or 240 individual shots, whether they go
straight up, whether they fire left, fire right, they fire out in a fan, there is usually a big array of
mixed effects in there. Yes, there are lots of people who do use single ignitions, they are not
cheap, but for three and a half minutes you can be looking ... I was looking at one last night and
it is an absolute monster, at retail it is £279 and it runs for four minutes, but looking at it they
are sold out because all the pro companies have bought them. They are a retail product.

1060 Rockets do not come in a cake, rockets are a completely standalone item but the thing with a
rocket is you can actually angle it and you can point it somewhere and it will go in that direction.

Q97. The Chairman: So you would suggest it could be set off irresponsibly or accidentally?

1065 **Mr Hamer:** Yes, 120%. If there is one area to this that gets my 110 backing it is – I will buy
you all a pint if you ban rockets – I will do it now with you, ban them! *(Laughter)*

The Chairman: Well, you do not need to try to bribe. We are just interested in hearing your
evidence. *(Interjection by Mr Hamer)*

1070 Okay, are there any final questions? Or, Mr Hamer, are there any final points you want to
make?

Mrs Lord-Brennan, I think you have got a question.

Q98. Mrs Lord-Brennan: Yes, thank you.

1075 Just to clarify with the rockets: they are available through retailers on the Island and they also
able to be ordered online and delivered to the Island, is that correct?

1080 **Mr Hamer:** Yes. Most people will not order online because the only person that will bring
them is Mezeron, and one box will cost you £45 plus VAT, so you put that on a packet of rockets
or a few fireworks and people ... they can't because they can't come through the post.

Q99. Mrs Lord-Brennan: They are readily available though in the normal places where you
might go and buy fireworks around the particular times of year, you can just walk in and buy
them?

1085 **Mr Hamer:** Yes, you can go in and buy rockets from any of the retail outlets that sell rockets.
Yes, they all sell them. **(Mrs Lord-Brennan: Okay, thank you.)**

1090 But if you were to go down the route of banning rockets we would move them on to multi-
shot cakes, we would move them on to roman candles, fountains. There are lots of other devices
out there that are far safer than rockets, and there is a big campaign actually from quite a lot of
the firework companies in the UK wanting to get rockets banned.

Q100. The Chairman: Is that banned for public use but not for professional use. Do the
professionals ... do you use them yourself in big displays?

1095 **Mr Hamer:** No, we do not use rockets.

Q101. The Chairman: Okay, thank you for that.

If there are no more final questions I will just ask Mr Hamer if you want to sum up, are there any other final points that you would like to emphasise?

1100

Mr Hamer: I have sort of addressed the areas that I want to address.

I do not think you should take the bang out of firework displays for private, based on the amount of shows I did last year, two shows. I do not think that would warrant a ban on fireworks and I do not think it warrants a low noise everywhere else around the Island for two shows. If I was doing 30, 35 shows around the Island, right, okay, we have got a bit of an argument there, haven't we? We have got a bit of a case to fight. But for two shows, one lasting seven minutes and one lasting seven and a half minutes?

1105

We have actually reduced the size of our pyro in these shows now over the last three years. So we have pulled out all of the big category 4 shells, except for the finale. We do not put shells in, we have reduced the size of the pyro but we put a little bit more of it in. So where we had a 50 shot cake going off at 30mil bore we are putting in a couple of say 25 shot cakes at 15mil bore, so we are trying to do are bit be reducing the noise.

1110

And so far, even with the equine people, they are happy with what we are doing now, and horses are the biggest problem when it comes to livestock.

1115

When we talk to farmers we have never had a problem with farmers. If they say, 'I have only got sheep down there and you have got cattle over there.' And it is, 'Don't worry about them they'll run to the other side of the field' and as soon as you set that first firework off they just run over to the other side of the field. They are not running round the field in panic and running into hedges and trying to get out. They just go to the other side of the field. And if they are still there before we fire we actually get in the field and we shush them away, because we have all got dogs, we are all animal lovers. So we take it very seriously.

1120

But to go down the route of low noise fireworks for the whole of the Isle of Man based on two shows and one complaint? I am sorry, I am not falling out with anybody but no. If we had 35 shows, yes, ok, right, we will have to sit down and sort something out. But we are doing things behind the scenes to reduce the noise.

1125

The Chairman: Thank you. I think, Mrs Lord-Brennan?

Q102. Mrs Lord-Brennan: Thank you, Chair, just one final point. And this is very helpful.

1130

Outside of things that can be done to amend the actual law, it has been suggested and also considered that some of the stuff is about maybe guidance for responsible use and courtesy. The point you have just touched on there is many people are animal lovers, it does not necessarily mean if you are an animal lover you think that absolutely fireworks should be banned.

1135

Do you think there is a place for some kind of guidance, something that is not bedded down in law but something to encourage people to communicate more or have more, I guess, consideration for their neighbours with the use of fireworks? Do you think anything like that would help?

1140

Mr Hamer: To be honest with you, what has happened over the last several years I think more and more people are communicating, because you look on Facebook, we will put a Facebook post up and we will go: firework display, such and such a place, such and such a time, duration, seven minutes. And literally as soon as that goes up ... you do not see people posting anything, they are tagging people in it, and within three or four hours we have got a hundred tags, and then you get people coming back going, 'Oh, thanks for the heads up,' 'Thanks for the notification,' 'Thanks for letting us know, we have got horses,' or, 'Thanks for letting us know'.

1145

So the message is getting out there when there is a firework display, that is not the issue at all. I think that is getting out because I do it, it is in the paper, the Fire Service do it, the Police do it, Emergency Services Joint Control Room do it, so it is out there. Social media is used to advertise these fireworks displays, heavily.

1150

Q103. Mrs Lord-Brennan: But for the people who are just setting them off at home, so for the private displays, somebody is having a bit of a firework party, and they may be disturbing neighbours because they –

1155

Mr Hamer: Is this during bonfire week or outside of bonfire week?

Q104. Mrs Lord-Brennan: During are the cases that they brought to our attention. I am just wondering if there is another form of notification that should be required in another form.

1160

Mr Hamer: We fill out a notification form which goes to the Isle of Man Newspapers to put it in the paper and then we fill out a form which goes to the Isle of Man Fire Service because fireworks are fire. I can't really see any other reason to put it anywhere.

1165

The Fire Service inform the Emergency Services Joint Control Room, so once the Emergency Services Joint Control Room ... technically all Government frontline responders should be aware about the fireworks display. We phone the Emergency Services 12 minutes before the show and we say, 'Hello control room, it is Stuart here from Galaxy fireworks, we have got a show tonight, it is here and it is firing at this time and we will give you a ring after the show just to let you know everything is safe.' And as soon as the show is fired we ring them back up again and let them know, and they say thank you, and we say, 'Have you had phone calls or complaints?' They are actually starting to say only one or a couple, 10 years ago the phone used to ring off the hook.

1170

Q105. Mrs Lord-Brennan: Okay, that is helpful.

1175

I was thinking more about private displays, people having fireworks in their own gardens because obviously they do not have to go through any of those notification processes. I think those are the cases that have been drawn to our attention.

1180

Mr Hamer: We are going back to this timing issue of bonfire week, aren't we? We need more restriction on the hours that you can do it, say 5.30 to 9.30 and that way everybody then is fully aware.

There would not be any point having an Act if you are going to license people or people have got to start filling forms out. I mean, how many people are going to have firework displays in their garden, how many forms do you want Government to handle or approve or notify?

1185

Mrs Lord-Brennan: Quite. I am just trying to address some of the other issues that have been raised, but thank you.

1190

Mr Hamer: Yes, I think during bonfire week people are going to have to expect it but I think we could do with tightening up the times.

Q106. The Chairman: Great, and you mentioned the rocket, you would ban the rocket, Mr Hamer?

1195

Mr Hamer: I would do that now.

Q107. The Chairman: Okay, thank you.

Have you got any final comments, Mr Hamer, before we draw this session to a close?

Mr Hamer: No, I have not.

1200 I am on the end of a phone if any of you want to speak to me and if any of you want to have a little bit more in-depth knowledge or to gain knowledge regarding fireworks then we can arrange that for you and I can show you types of fireworks, show you how they work and what we are doing behind the scenes so I can meet you somewhere or you can go into our storage site. There is loads of space up there and I can talk you through it.

1205 There is nothing better than knowledge and being able to see something in action and we can arrange that for you.

The Chairman: That is a very kind offer, thank you very much.

1210 And also I think you have been very illuminating today. I feel I know a lot more about rockets and fireworks generally, signal ignition kits and all the rest of it, certainly than I did before I started, so I want to thank you very much for all your evidence.

1215 **Mr Hamer:** One last thing that I was going to say, Daphne, that fine that is on the Fireworks Act, we need to double that and starting using it. It is £2,500 at the minute, we could really do with getting it up to five grand to give the courts flexibility.

The Chairman: Okay, noted. Thanks very much.

1220 **Mr Hamer:** I have not got any questions, I have just come to try and tighten everything up, I have not get any questions for you but are there any more questions for me?

The Chairman: No I think we are finished now. Thank you very much for all your evidence, and just to say the Committee will now sit in private.

1225 **Mr Hamer:** Okay, no problem at all.
As I say, I am on the end of the phone, Daphne, thank you for your time.

Mrs Lord-Brennan: Thank you, Mr Hamer.

1230 **The Chairman:** Thank you very much.

Mr Hamer: Okay, bye.

The Committee sat in private at 5.52 p.m.