

PERTH AND KINROSS COUNCIL**Community Safety Committee – 30 January 2013****CONSULTATION ON THE PROPOSALS FOR LICENSING AIR WEAPONS IN SCOTLAND****Report by Executive Director (Housing and Community Care)****ABSTRACT**

This report introduces the Scottish Government's Consultation on the on proposals for Licensing Air Weapons in Scotland and gives a suggested response to it.

1. RECOMMENDATION

- 1.1 It is recommended that the Community Safety Committee approve the response to the consultation on proposals for licensing of Air Weapons in Scotland as attached at Appendix II.

2 BACKGROUND

- 2.1 Currently firearms legislation is reserved to the UK parliament. The main legislation covering firearms is the Firearms Act 1968. This has been extensively amended and extended for over 40 years.
- 2.2 The "Calman Commission" recommended that powers on air weapons be devolved to Scotland and this was taken forward through the Scotland Act 2012 at Westminster. The Act received Royal Assent on 1st May 2012, giving the power to legislate on air weapons to the Scottish Parliament.
- 2.3 In advance of this devolution of powers the Scottish Government established the Scottish Firearms Consultative Panel. The Panel has examined the practicalities of licensing air weapons and has advised on the development and implementation of a new licensing regime.
- 2.4 In December 2012 the Scottish Government published a consultation paper "Proposals for Licensing Air Weapons in Scotland" (attached at Appendix I). The overall aim of the consultation is to explore and establish the main principles of the new licensing regime. Detailed arrangements such as the format of air weapons certificates, or the tariff of fees charged on applications will be the subject of further consideration and, in some cases, consultation.
- 2.5 The closing date for the consultation is 15 March 2013.
- 2.6 In Scotland air weapons accounted for 38% (195) of all offences involving the alleged involvement of a firearm in 2011-12, compared to 36% (234) in 2010-11.
- 2.7 The consultation document suggests that there are up to 500,000 unregistered air weapons in Scotland.

3. SUGGESTED RESPONSE

- 3.1 A suggested response to the consultation is attached as Appendix II

4. CONSULTATION

- 4.1 Tayside Police were consulted in the preparation of this report.

5. RESOURCE IMPLICATIONS

- 5.1 There are no resource implications arising from this report.

6. COUNCIL CORPORATE PLAN OBJECTIVES 2009-2012

- 6.1 The Council's Corporate Plan 2009-2012 lays out five Objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. The relevant three objectives are as follows:-

- (i) A Safe, Secure and Welcoming Environment
- (ii) Healthy, Caring Communities
- (v) Confident, Active and Inclusive Communities

7. EQUALITIES IMPACT ASSESSMENT (EqIA)

- 7.1 An equality impact assessment needs to be carried out for functions, policies, procedures or strategies in relation to race, gender and disability and other relevant protected characteristics. This supports the Council's legal requirement to comply with the duty to assess and consult on relevant new and existing policies.

- 7.2 The function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- i) Assessed as **not relevant** for the purposes of EqIA

8. STRATEGIC ENVIRONMENTAL ASSESSMENT

- 8.1 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS).

- 8.2 However, no action is required as the Act does not apply to the matters presented in this report. This is because the Committee are requested to note the contents of the report only and the Committee are not being requested to approve, adopt or agree to an action or to set the framework for future decisions.

9. CONCLUSION

- 9.1 The misuse of any type of firearm can cause significant danger and damage in communities. It would appear appropriate that only those people with a legitimate reason for owning and using an airgun should have access to them in the future, and that they are properly licensed and accounted for.

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