Thank you for responding to the Local Government and Regeneration Committee’s Call for Evidence on the Air Weapons and Licensing (Scotland) Bill. All submissions will be examined and considered as part of the Committee’s scrutiny of the Bill.

Please be aware that questions marked with an asterisk (*) require an answer before you can submit the form.

Follow the Local Government and Regeneration Committee’s Twitter feed—all Committee tweets on this Bill will have the hashtag #awlbill.

**1. Please supply your name and contact details:**

Name: Jessica Liddon

Organisation: Scottish Pistol Association

Address 1:  

Address 2:  

City/Town:  

Postcode:  

Country:  

Email address (if no email leave blank):  

Phone Number:  

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SUBMISSION ID NUMBER

92
2. Please confirm that you have read and understood the Scottish Parliaments “Policy on the treatment of written evidence by subject and mandatory committees”:

✔ Yes

3. Please confirm whether you are content for your name to be published with your submission:

✔ Yes

☐ No

4. Which of the three categories below best describes your interest in the Bill (please tick only one)?

✔ Personal

☐ Professional

☐ Commercial

5. Do you wish your email to be added to the Committee’s distribution list for updates on progress of the Bill:

✔ Yes

☐ No
6. Invitations to give oral evidence to the Committee on the Bill will be based on the submissions received. If you wish your submission to be included amongst those considered for possible invitation to give oral evidence, please indicate here.

☑ Yes

☐ No

7. You may answer questions on the entire Bill, or on any part of the Bill. Please indicate which parts of the Bill you are responding to? (You may select as many options that apply).

☐ All of the Bill

☐ Equalities, climate change and other Scottish Government objectives

☑ Air Weapons

☐ General licensing issues

☐ Alcohol licensing

☐ Civic licensing – taxi/private hire car licensing

☐ Civic licensing – scrap metal dealers

☐ Civic licensing – theatre licensing

☐ Civic licensing – sexual entertainment venues
Name/Organisation: Scottish Pistol Association

1. Air Weapons Licensing

You may respond to all the questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

13. In what ways will the creation of an air weapons licensing system in Scotland contribute to preserving public order and safety, reducing crime and advancing public health policy?

I personally don’t think it will. It is an unfortunate fact that there is a small number of people in the world who will commit crimes. If they are happy to break one law then they are more than likely to be happy to break another. Whether it is illegal for them to have an airgun or not, if they are committing another crime, it is unlikely that they will stop to think if they have the correct paperwork for their airgun.

I also do not think it will advance the public health policy. Lead pellets are used with airguns and the management of this lead is controlled by the staff at the shooting ranges. If approved ranges are the only place athletes are allowed to train then the large influx of new shooters to the approved ranges will cause an increase in the amount of lead being used. This in an enclosed environment such as a range produces a high risk to the athletes using the facility.

14. Is there sufficient provision, or sufficient capacity to provide, suitable numbers of air weapons clubs across all areas of Scotland for use by registered air weapons owners/ users?

According to British Shooting and the National Small-bore rifle association in Dumfries & Galloway and the Borders there are only two airgun clubs – one in Dumfries and one in Hawick. In the same area there are roughly 10 pony clubs, each with their own team of tetrathletes who shoot air pistol. There are cadets, modern pentathletes and development pistol shooters who aren’t members of any clubs and find their own safe place to shoot. If all of these athletes were bound by the law to train at an airgun club, it could result in hours of travelling for them and not to mention the overloading of the two airgun clubs who could not physically cope with the numbers of new members due to health and safety restrictions for numbers in the building and they would not be able to maintain a safe range officer to athlete ratio.
15. How will the air weapons licensing system affect those using air weapons for personal/recreational use?

Shooting is a sport which is already difficult to get into due to the stigma around guns and the lack of facilities in Scotland. By adding the airgun licensing system it will make the sport almost impossible to try. How will those who have seen the sport on the BBC during the Olympic Games and the Commonwealth Games find a way to give the sport a go and find out if they could be the ones competing at future games. This then has a knock on effect with no new comers to the sport, those who already compete will have no one to push them further and compete for places on National teams therefore reducing the standard and participation in one of Scotlands most successful sports.

16. How will the air weapons licensing system affect those aged 14 to 17 who use air weapons?

Age 14-17 is the age where a lot of adolescents get involved in sport. Pony Club Tetrathlon, Modern Pentathlon and Air pistol/rifle shooting are all legitimate sports. Sport is proven to help improve time-management, determination and concentration in school children. Having an outlet from school work in the form of sport gives youngsters a safe, controlled environment to enjoy themselves and spend time with their friends. The Scottish Government strive to increase participation in sport for school children, particularly with females. All the above mentioned sports give both girls and boys an opportunity to take part. By introducing the licensing system a deterrent is created for those looking at taking part in the sport. The added bureaucracy, time, paperwork and cost makes it less likely for people to get started in the sport which ruins the grassroots of the sport creating a large knock on effect to the elite end of the sport as well as reducing the number of children getting involved in sport as per the Scottish Governments aims.

17. How will the air weapons licensing system affect those using air weapons for commercial/professional reasons (for example: for pest control; as part of the tourist/hunting season; as part of fairs, paintballing centre, entertainment sector etc.)?
18. How will the air weapons licensing system affect those using air weapons for competitive sporting purposes?

The requirement of a visitors permit for anyone coming to compete in Scotland will deter those who are willing to travel to the competitions held in this country. Due to this the level of competition held in Scotland will decrease therefore not pushing the Scottish athletes further in their abilities. This will reduce the success of Scottish athletes at a National and International level. Not only this but those who are only just getting into the sport will be deterred due to the cost and...

19. Is it equitable for those applying for an air weapons certificate to pay a fee which cannot be refundable irrespective of whether a certificate is granted or not?

I don’t feel that it is appropriate to charge a fee if an application is unsuccessful.

20. Will the air weapons licensing system have a positive or negative impact on other areas of the public sector in Scotland (eg. The work of local government, public agencies etc.)?

I feel that there will be a negative impact on the public sector. Firearms departments are already overstretched with the work that they currently have, adding thousands of applications for individual, club and premises permits will increase the workload ten fold.

21. What, if any, might the unintended consequences of introducing an air weapons licensing system in Scotland be?

I believe there will be a large knock on effect caused by the introduction of the airgun licensing system. Currently there are 6 Olympic disciplines which involve the use of airguns. Many of the athletes representing Great Britain in these events have come from small Pony Clubs who use local facilities to train outwith airgun clubs. For example, Georgina Geike who competed in the 2012 Olympic...
Games in London came from a Pony Club background, Mhairi Spence another Team GB member for London 2012 was introduced to her sport of Modern Pentathlon through the Pony Club. The consequences of introducing an airgun licensing system will include increased costs in running competitions due to the necessity of obtaining event permits, increased costs in participation, again due to the necessity of obtaining a permit, increased difficulty in getting started in the sport due to the impossibility of giving the sport a try before committing to it, the increased difficulty of finding training facilities close to home due to the requirement of a licensed premises. All of these factors will have a large impact on participation in the sport and will significantly reduce Scotland’s chances of medalling at both Commonwealth and Olympic Games as well as World and European Championships.

22. Do you have any other comments to make on air weapons licensing aspects of the Bill?

Since the license only applies to Scotland, I am unsure how the Scotland/England border will be watched to ensure the control of airgun movement between the two countries. I am also unsure how the airgun owners in England, Wales and Northern Ireland will be informed of the licensing to ensure that visitors abide by the law.

Personally I believe that this licensing system will have a very small effect with regards to the great increase in bureaucracy. According to Scotland.gov.uk, between 2011-12 and 2012-13 the number of crimes handling offensive weapons dropped by 29%, the crime in this area is already reducing and for the added work for the firearms department that this licensing system would involve, I don’t believe the benefit would be significant enough to justify it.
3. General Licensing Issues

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

23. Is the current Scottish licensing regime, as set out in the Civic Government (Scotland) Act 1982 and the Licensing (Scotland) Act 2005, fit for purpose?

24. Should a licensing system seek to regulate individual behaviour or communities of space (eg. ‘city space’ etc.)?

25. In what way should the licensing system in Scotland interact with the support the land use planning system, community planning and regeneration?
26. How does the licensing system in Scotland assist with the delivery of sustainable development and economic balanced areas?

27. In what way does the licensing system in Scotland support health and planning, addressing health inequalities and public health wellbeing outcomes?
4. Alcohol Licensing

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

28. In what ways will the Bill’s provisions on alcohol licensing allow for reductions in crime and the preservation of public order?

29. Are there any other measures which should be taken to assist in the reduction of crime and the preservation of public order?

30. In what ways will the provisions in the Bill enhance the licensing objectives set out in the Licensing (Scotland) Act 2005?
31. In what ways will the re-introduction of the “fit and proper person” test assist with the implementation of the licensing objectives set out in the 2005 act?

32. Have there been any unintended consequences arising from the 2005 Act, for example, in rural areas or the economic regeneration of areas?

33. Which, if any, types of spent relevant offences should be required to be disclosed and what do you think the benefits of disclosure will be?

34. Do you have any other comments to make on the alcohol licensing aspects of the Bill?
5. Taxi and Private Hire Car Licensing

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

35. What benefits should the licensing of taxis and private hire cars deliver for customers?

36. In what ways do customers, providers of taxi/private hire car services and local authorities benefit from the two-tier licensing regime for taxis and private hire cars?

37. The Government states that a radical overhaul of the current two-tier licensing regime would “clearly require a very high level of resource and would cause significant disruption for the trade, local authorities, the police and ultimately the travelling public”. What are your views on this and would the potential costs and disruptions outweigh any potential benefits of a unified system?
38. Do the changes made by sections 60 (overprovision of private hire car licences) and 61 (testing of private hire car drivers) of the Bill strike the right balance in terms of introducing greater consistency while maintaining justifiable differences?


39. Do you have any views on the section 62 provisions bringing vehicles contracted for exclusive use for 24 or more hours within the licensing regime for taxis and private hire cars, and should any exemptions be included in the Bill?
6. Scrap Metal Dealer Licensing

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

40. Taking the proposals in sections 63 to 66 of the Bill together, how will they have the desired effect of strengthening the metal dealers' licensing regime to the extent that metal theft and related criminal activity is reduced?

41. In your view, could the Bill be further strengthened in any way, for example, by including an accreditation scheme for metal dealers?

42. Removal of exemption warrant - do you wish to comment on the proposal to remove the exemption warrant system?
43. Removal of requirement to retain metal on-site - what impact will the proposal to remove the retention of metal requirement have on the enforcement of the licensing regime and prevention of criminal activities?

44. Forms of payment - what is your view on the proposal to go 'cashless' and is there merit in considering whether metal dealers could be allowed to operate using cash for only very small transactions, which could be limited to a certain number per month?
45. Forms of identification and record keeping:

In line with the Scrap Metal Dealers Act 2013, the Bill adds additional record keeping requirements to a metal dealer's licence including recording the means by which a seller's name and address was verified and retaining a copy of the document, and the method of payment and a copy of the payment document. The Bill will also require a metal dealer to record information in books with serially numbered pages or by means of an electronic device, and to keep separate records at each place of business. Such information and documents are to be kept for three rather than the current two years.

How important is it that the record keeping requirements reflect those in the Scrap Metal Dealers Act 2013, and do you agree with the Scottish Government that the proposed record keeping requirements are not unduly burdensome?
46. Mandatory and discretionary licensing requirements:

The Scottish Ministers can impose mandatory licensing requirements, such as those included in the Bill relating to record keeping and the identification of customers. In addition, local authorities can also attach discretionary requirements to licences in their areas.

Does the Bill get the balance right between mandatory and discretionary licensing requirements? Should the Bill include other mandatory conditions for obtaining a metal dealer's licence, such as installing CCTV at metal dealers' premises or in relation to labelling of metal and 'forensic coding'?
7. Civic Licensing – Theatre Licensing

You may respond to all the questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

47. Will there be any impacts during the transitional period between ending the current theatre licence and starting the public entertainment licence?

48. Are there additional costs or resource implications on theatres or licensing authorities?

49. How should licensing authorities integrate their current fee charging structure into their public entertainment regime?
8. Civic Licensing – Sexual Entertainment Venues

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

50. What are the consequences of operating the new licensing regime using the definitions set out at section 68 of the Bill?

- 'sexual entertainment venue'
- 'audience'
- 'financial gain'
- 'organiser'
- 'premises'
- 'sexual entertainment', and
- 'display of nudity'

51. The Bill specifies that a venue hosting sexual entertainment on three occasions or less within a 12 month period would not be treated as a sexual entertainment venue: does this have any unintended consequences?
52. Local licensing authorities will be able to set the number of sexual entertainment venues in their area to below the existing level, or zero: are there any advantages or disadvantages to this approach?

53. The Bill relies mainly on the existing licensing regime for sex shops as set out in section 44 and Schedule 2 of the Civic Government (Scotland) Act 1982 (application, notification, objections and representations, revocation of licences etc., enforcement and appeals): is this mechanism adequate for the licensing of sexual entertainment venues - if not, please explain why?

54. Are there any barriers to licensing authorities operating the new licensing regime?
55. Civic Licensing

Do you have any other comments to make on the civic licensing aspects of the Bill?