

BUCKINGHAMSHIRE COUNCIL AND SURREY COUNTY COUNCIL
TRADING STANDARDS JOINT COMMITTEE

DATE: 9 NOVEMBER 2023

LEAD OFFICER: DAVID PICKERING
TRADING STANDARDS MANAGER, REGULATION

SUBJECT: TRADING STANDARDS VAPES ENFORCEMENT UPDATE

1.0 SUMMARY OF ISSUE:

- 1.1 Vapes are a key tool to stop adults from smoking tobacco. They are much safer than smoking tobacco and can be used to effectively manage nicotine addiction as adult smokers seek to quit smoking tobacco. The sale of vapes is a rapidly growing market. However, the introduction of disposable vapes into the market has seen a very significant rise in problems.

- 1.2 The report in Annex A follows up the report brought to the Joint Committee in May 2023 covering the two key issues from a Trading Standards enforcement perspective: the problems relating to the safety of the vapes themselves, affecting all users; and the sharp rise in under 18's (who did not previously smoke tobacco) vaping.

- 1.3 The report at Annex A covers some of the latest policy suggestions as well as the work the Service has been doing in this area. It also touches on funding recently promised by Government for enforcement of vapes.

2.0 RECOMMENDATIONS:

- 2.1 It is recommended that the Trading Standards Joint Committee:
 - 2.1.1 notes the latest policy approaches and potential funding from central government and considers any local approach it wishes the Service to take.
 - 2.1.2 considers whether it wishes any views to be fed back into the consultation "creating a smokefree generation and tackling youth vaping" on its' behalf and what these views are.

3.0 REASON FOR RECOMMENDATIONS:
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- 3.1 The Joint Committee is required by the Inter Authority Agreement which underpins the service to:
 - a) Ensure effective performance of the Service.



4.0 Vapes Enforcement - Details:

- 4.1 Details are given in the report attached as Annex A

5.0 CONSULTATION:

- 5.1 No external consultation has taken place. Trading Standards is working closely with the Public Health Teams in both partner Councils on this issue.

6.0 RISK MANAGEMENT AND IMPLICATIONS:

- 6.1 All significant risks affecting the service (which include items beyond budget and performance) are regularly considered by the management team (two monthly for red and amber risks, 6 monthly for green risks).
- 6.2 Where risks become higher, these are shared with the Trading Standards Board for awareness and discussion.

7.0 FINANCIAL & VALUE FOR MONEY IMPLICATIONS

- 7.1 The report explores how money announced by the Government to support Trading Standards enforcement is being spent and touches on potential new funding that has been broadly announced but is currently unclear on how it will be split between partners working to tackle illegal vapes (including Border Force, HMRC and Local Authorities).

8.0 LEGAL IMPLICATIONS

- 8.1 The 2015 Inter-Authority Agreement provides the legal framework within which the Service operates. As set out in paragraph 3.1 of the report, the Joint Committee is responsible for ensuring the effective management of the Service.
- 8.2 There are no other specific legal issues that need to be drawn to the attention of the Committee.

9.0 EQUALITIES & DIVERSITY

- 9.1 Tobacco smoking prevalence is greater in lower socio-economic groups and adds to health inequalities. Having a safer alternative to smoking tobacco will help to reduce those health inequalities over the longer term. However, there has been a sharp rise in non-smoking children taking up vaping and the long term health impacts on them have not yet been able to be fully studied and understood.

10.0 <u>WHAT HAPPENS NEXT:</u>
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- 10.1 The Service is carefully monitoring the national policy developments and will be alert to funding that becomes available so that we can access this where appropriate to undertake a higher level of enforcement in this area. The Service will respond to the current consultation on “creating a smokefree generation and tackling youth vaping”.

REPORT DETAILS

Contact Officer(s):

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Consulted:

Annexes:

Annex A: Trading Standards Vapes Enforcement Update Report

Sources/background papers:

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