

BUCKINGHAMSHIRE COUNCIL AND SURREY COUNTY COUNCIL

TRADING STANDARDS JOINT COMMITTEE

DATE: 10 APRIL 2024

**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, and there has been a very significant rise in problems. Of particular concern is a growing nicotine addiction in children who previously did not smoke tobacco with the proportion of under 18's vaping growing rapidly in the last few years.
- 1.2 The report in Annex A follows up previous reports brought to the Joint Committee in May and October 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 and proposed legislative changes as well as the work the Service has been doing in this area.

2.0 RECOMMENDATIONS:

- 2.1 It is recommended that the Trading Standards Joint Committee notes the latest policy approaches and considers any local approach it wishes the Service to take.

3.0 REASON FOR RECOMMENDATIONS:

- 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 The report includes information regarding likely new legislation requiring enforcement which is related to vapes.

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, the sharp rise in non-smoking children taking up vaping, and becoming addicted to nicotine with unknown long-term health impacts are of considerable concern.

10.0 WHAT HAPPENS NEXT:

- 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.

REPORT DETAILS**Contact Officer(s):**

Mr David Pickering, Trading Standards Manager – Regulation 07908 408 106
Mrs Amanda Poole, Assistant Head of Trading Standards 07984 458 679
Mr Steve Ruddy, Head of Trading Standards 07968 834 638

Consulted:**Annexes:**

Annex A: Trading Standards Vapes Enforcement Update Report – March 2024

Sources/background papers:

ENDS

This page is intentionally left blank