



<b>Subject:</b>	Smokefree Generation consultation response and update on Vaping Notice of Motion
<b>Date:</b>	7 November 2023
<b>Reporting Officer:</b>	Siobhan Toland, Director City Services
<b>Contact Officer:</b>	David Cuthbert, City Protection Manager

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</b>	
Insert number <input type="checkbox"/>	
<ol style="list-style-type: none"><li>1. Information relating to any individual</li><li>2. Information likely to reveal the identity of an individual</li><li>3. Information relating to the financial or business affairs of any particular person (including the council holding that information)</li><li>4. Information in connection with any labour relations matter</li><li>5. Information in relation to which a claim to legal professional privilege could be maintained</li><li>6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction</li><li>7. Information on any action in relation to the prevention, investigation or prosecution of crime</li></ol>	
<b>If Yes, when will the report become unrestricted?</b>	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
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3.3	<p>Over recent months, concerns surrounding the sale and use of nicotine inhaling product (NIPs), including disposable vapes have been highlighted by a range of agencies, partners and working groups. These concerns have included matters relating to health impacts and addiction for young people, and environmental considerations. A range of public bodies and charitable organisations have publicly called for a complete ban on disposable vapes, including NILGA , the LGA in England and Wales, and the Welsh and Scottish Governments, with widespread media coverage at national and regional levels.</p>
3.4	<p>Since the last update to committee in June, Officers have engaged with officials from Department of Health and other partners such as the Public Health Agency who are represented on a range of multiagency groups, to seek updates on potential for input to the new NI Tobacco Strategy, and to identify options for suitable engagement by Elected Members. Whilst this work with the Department was still in progress, the UK Government have now brought forward a UK wide consultation on proposals for increased controls on tobacco and youth vaping - <i>'Creating a smokefree generation and tackling youth vaping: your views'</i>.</p> <p><b>Tobacco industry declaration</b></p>
3.5	<p>The UK is a party to the World Health Organization Framework Convention on Tobacco Control. This places an obligation on public authorities and policy makers to protect the development of public health policy from the vested interests of the tobacco industry.</p> <p><b>Smokefree Generation Consultation</b></p>
3.6	<p>On 4th October 2023, the UK's Department of Health and Social Care (DHSC) published a command paper '<a href="#">Stopping the start: our new plan to create a smokefree generation</a>' setting out proposed action to protect future generations from the harms of smoking by creating the first smokefree generation, and measures to crack down on youth vaping. The command paper was followed on 12<sup>th</sup> October 2023 by publication of a UK wide public consultation on the proposals.</p> <p><b>Proposed changes to tobacco controls</b></p>
3.7	<p>The health impacts of smoking are well researched and documented, and whilst smoking rates have been falling nationally, a significant number of the population still smoke and experience impacts on their health. To further address these concerns the government is proposing to bring forward legislation making it an offence to sell tobacco products to anyone born on or after 1 January 2009. In effect, the law will stop children turning 14 or younger this year from ever legally being sold tobacco products - raising the smoking age by a year each year until it applies to the whole population. This will create a smoke-free generation by ensuring children and young people do not become addicted in the first place.</p> <p><b>Proposed changes to vaping controls</b></p>

3.8	<p>The consultation also sets out proposed measures to address youth vaping including:</p> <ul style="list-style-type: none"> <li>• restricting flavours (options include potential bans on fruit, menthol and mint flavourings)</li> <li>• regulating point of sale displays (including proposals for vapes to be off display)</li> <li>• regulating packaging and presentation (including proposals for plain packaging of vapes with no colours or logos).</li> <li>• considering restricting the supply and sale of disposable vapes (including a potential ban on disposable vapes)</li> <li>• consideration of whether regulations should extend to non-nicotine vapes</li> <li>• taking action on the affordability of vapes</li> <li>• enforcement measures including fixed penalty notices</li> </ul> <p><b>Draft Council response to the Smokefree Generation Consultation</b></p>
3.9	<p>A draft response to the consultation has been prepared for the Committee's consideration and approval. The draft response highlights the Council's support for the strengthened measures being proposed, and highlights that measures addressing smoking and vaping will contribute to the Council's outcomes and priorities in the Belfast Agenda, helping to create a city where everyone experiences good health and wellbeing, and supporting a city that is attractive, welcoming and environmentally sustainable.</p>
3.10	<p>The Action on Smoking and Health (ASH) report '<a href="#">Use of e-cigarettes among young people in Great Britain</a>' shows that the number of children using vapes has tripled in the past 3 years and a staggering 20.5% of children in Great Britain had tried vaping in 2023. According to the <a href="#">Northern Ireland Young persons behaviour and attitudes survey 2022</a>, 21.3% of 11 to 16 year olds in Northern Ireland reported having ever used an e-cigarette.</p>
3.11	<p>Members will be aware there is a need to balance the desire to address issues surrounding youth vaping while also recognising the role that vaping products can play in supporting smoking cessation for adults. The draft consultation response prepared for the committee therefore highlights the potential impact that increased controls could bring, by restricting supply to young people, and also aiding enforcement controls, while facilitating sale of products for smoking cessation support.</p>
3.12	<p>Members will also be growing concern over the increasing environmental impacts of disposable vaping products due to lithium batteries and hard to recycle components, and the increasing volume which are littered or thrown in the bin. Recent <a href="#">research on vape disposal by YouGov commissioned by Material Focus</a> found that almost 5 million disposable vapes are</p>

<p>3.13</p> <p>3.14</p> <p>3.15</p> <p>3.16</p> <p>3.17</p>	<p>either littered or thrown away in general waste every week. These products have significant implications for waste collection facilities, with increased risk of fires.</p> <p>There are measures already in place to ensure responsible production and disposal of waste electrical and electronic items through the <a href="#">Waste Electrical and Electronic Equipment Regulations 2013</a> (WEEE) and obligations under the <a href="#">Waste Batteries and Accumulators Regulations 2009</a>. However, evidence suggests compliance with these obligations is low, given the recent surge of businesses supplying disposable vapes. Both the WEEE and batteries regulations are being reviewed, with consultations planned. The Councils draft response highlights these waste concerns in support of proposals for a ban on disposable vapes.</p> <p>The Council’s draft response to the consultation also highlights the need for Government to ensure that enforcement services are adequately funded and resourced, to ensure that any new regulatory provisions can be fully utilised.</p> <p>Elected Members are requested to approve the draft consultation response which is provided in Appendix 1. The closing date for the consultation is 6 December 2023.</p> <p><b>Use of vapes in Council premises:</b></p> <p>With regards to the Notice of Motion proposal for 'the Council to ban the use of vapes by under 18s in all its sites and premises', the Corporate Health and Safety Manager will bring a report to Strategic Policy and Resources Committee in due course regarding the use of electronic cigarettes in Council sites and premises.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p>None</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>None</p>
<p><b>4.0</b></p>	<p><b>Appendices</b></p>
	<p>Appendix 1: Draft Belfast City consultation response to ‘Creating a smoke free generation – your views’.</p>