



Belfast City Council

Report to:	Health and Environmental Services Department
Subject:	Tobacco Retailers Register for NI
Date:	7th January 2015
Reporting Officer:	Siobhan Toland, Head of Environmental Health, Ext 3281
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1	Relevant Background Information
1.1	Smoking is the single greatest cause of preventable illness and premature death in Northern Ireland, killing around 2,300 people each year. In addition a strong relationship exists between smoking and health inequalities. It has a greater impact on people living in areas of social or economic deprivation. Overall, almost one in four adults in Northern Ireland is a current smoker, in deprived areas this increases to one in three. Amongst the prison population, and for those with mental ill-health problems, smoking prevalence rates are considerably higher and one in two will die as a result of smoking.
1.2	Since 2007 the NI Assembly has introduced a number of legislative controls to address this serious public health issue. On 30 April 2007 the Smoking (Northern Ireland) Order 2006 came into effect to protect people from second hand smoke by preventing smoking in most workplaces and public places. On 1 September 2009 the minimum age to purchase tobacco products was increased from 16 to 18 years by the introduction of the Children and Young Persons (Sale of Tobacco etc) Regulations (Northern Ireland) 2008; and more recently controls were introduced relating to point of sale display of tobacco products and the use of vending machines. The Council has been funded by the Public Health agency since 2006 to enforce the tobacco control legislation. The level of compliance relating to smoke free workplaces and point of sale display in Belfast and indeed, throughout Northern Ireland, is high.
1.3	The Public Health Agency also funds the Council to provide a smoking cessation service for its employees and this service has been extended over the past few years to include smoking cessation in other workplaces throughout the city.
1.4	In 2013 the Northern Ireland Assembly introduced a Tobacco Retailers Bill, which received Royal Assent in March 2014. The Tobacco Retailers Act (Northern Ireland) 2014 includes the establishment of a central register of tobacco retailers. It is estimated that the register will contain around 2,500-3,000 entries. Similar retailer registers have already been established in the Republic of Ireland and Scotland.
1.5	Members will recall a report to Committee in October of this year regarding an approach made by the Department of Health, Social Services and Public Safety (DHSSPS) with a proposal that the Council takes on the role of regional registration authority for NI. This would involve setting up and maintaining the retailer registration system. It was agreed that the Environmental Health Service would work with DHSSPS and Digital Services to examine costs and identify resources. DHSSPS has since agreed to fully fund the setting up and running costs associated with the register, including staff time.

2	Key Issues
2.1	<p>The purpose of the register is to provide essential information to Councils to enable the enforcement of tobacco. Recently this Service has discovered through direct complaints/ referrals from the public, of tobacco retailers, that we were not aware of. This requirement and system will help identify all premises where tobacco is sold. The system will allow all tobacco retailers to record their details on an online database by completing a simple online application process. The process will also allow submission on a paper application form. There will be no cost or conditions associated with the registration for the business.</p>
2.2	<p>Local councils must be able to access the information contained in the register to check the registration status of retailers in their area. This information will also be accessible to the public through the internet. In addition, the register should allow for nominated council staff to enter and observe information relating to regulatory action taken with regards to relevant tobacco control legislation. This information will be restricted to nominated persons.</p>
2.3	<p>The system will include procedures for approved administrators to monitor, amend, omit and delete information as appropriate. It should be capable of interrogation to produce management reports e.g. the number of registered tobacco retailers in a particular council area. The use of compulsory fields will be required in order to facilitate accurate searches.</p>
2.4	<p>The registration authority will be responsible for the establishment and maintenance of the tobacco retailers register. It's responsibilities will include:</p> <ul style="list-style-type: none"> ▪ facilitating public access on line to the register on a 24 hour basis; ▪ ensuring effective operation of the register and the maintenance of accurate records; ▪ storing data securely/ensuring restricted public access; ▪ sharing information with appropriate authorities, e.g. DHSSPS and councils; ▪ providing online guidance on the registration system; and ▪ providing a link in with NI Direct.
2.5	<p>Digital Services has agreed that it can set up and maintain the register for the 11 Councils as requested, on the understanding that all associated costs will be met by DHSSPS. It is recommended therefore that the Committee agrees to the Council becoming the regional registration authority for NI subject to a service level agreement and funding being in place.</p>

3	Resource Implications
3.1	<p>HR Implications - none</p>
3.2	<p>Financial implications: Establishing and maintaining the register will be cost neutral to the Council as DHSSPS will provide funding to develop the system in 2014/15 and for its maintenance going forward into 2015/16 and beyond. This money will be provided to Digital Services. In addition funding will be provided to cover salary costs of those working on the register development within the Environmental Health Service and for the administration costs associated with businesses actually registering. DHSSPS is currently drafting a service level agreement setting out the necessary arrangements.</p>
3.3	<p>Equipment Implications - none</p>

4	Equality and Good Relations Considerations
4.1	There are no particular equality issues associated with this work.

5	Recommendation and decision
5.1	<p>It is recommended that:</p> <ul style="list-style-type: none"> ▪ Committee agrees to the Council becoming the regional registration authority for NI; and ▪ Committee approve the drawing up of an SLA and funding agreement and delegates responsibility to the Director to undertake this work on behalf of the Council.

6	Decision Tracking
6.1	The Lead Operations Officer and Head of Environmental Health will keep Committee informed of how this area of work progresses

Key to abbreviations	
<p>DHSSPS – Department of Health and Social Services and Public Safety PHA – Public Health Agency</p>	

Documents attached	
None	