

Policy briefing – Tobacco and Vapes Bill

Slough Wellbeing Board, 23rd November 2023

Summary

- In the 2023 King’s Speech, the Government announced a new [Tobacco and Vapes Bill](#).
- The Bill will seek to create a ‘Smoke Free Generation’ by banning the sale of tobacco products to anyone born on or after 1 January 2009.
- So far, the Labour Party has not indicated that they will oppose the Bill, the Scottish and Welsh Governments are understood to be supportive, and polling indicates that 3 out of 5 members of the public support the policy.
- The Government has also allocated £70 million to support stop smoking services, with Slough allocation below.

Average 3-year smoking prevalence (2020 to 2022)	Estimated number of smokers (2021 populations)	Current annual spend	Confirmed additional allocation
15.48%	17,740	£229,133	£211,394

Summary

The Government is also currently consulting on further potential measures, which may form part of the Bill, including:

- restricting the flavours and descriptions of vapes
- regulating point-of-sale displays so that vapes are kept out of sight from children and away from products that appeal to them
- regulating vape packaging and product presentation
- restricting the sale of disposable vapes
- increasing the price of vapes
- new powers for LAs to issue on-the-spot fines

Opportunity

- The announcement of the age-restriction has been welcomed by health leaders as a potentially transformative preventative measure:
 - 83% of smokers start smoking before the age of 20
 - Smokers who start younger have higher levels of tobacco dependency and suffer a worse risk of lung cancer and heart disease during their lives
 - There is good evidence that the increase in the legal age of sale from 16 to 18 in 2007 has contributed to the fall in smoking prevalence seen since then
- The measure is anticipated over time to de-normalise smoking and so discourage young people from taking it up.
- The proposal to issue on the spot fines may also enable the council to take rapid and effective action.
- The Government's highlighting of the impact of smoking in the public arena may present an opportunity for the Health and Wellbeing Board to raise awareness and maximise the impact of its own campaigning activities and initiatives.

Potential challenges

- The policy is unusual in that it introduces a moving, and arguably arbitrary, age barrier – leading to unintuitive scenarios.
 - E.g. in 2040, a 32-year-old will be able to legally buy cigarettes, but a 31-year-old will not.
- This may lead to illicit sales of tobacco and significant enforcement challenges, on top of the increased enforcement activity that would be required to enact the further elements of the bill.
- The Government has indicated that they will not view underage smoking as a criminal matter, but one for trading standards. No police involvement is therefore anticipated.
- There has also been no mention to date of alternative retailers of tobacco products like shisha bars – which are prevalent in slough.

Potential challenges

The policy is modelled on a law change enacted in New Zealand, which has yet to come into effect, so there has not yet been the opportunity to evaluate its effectiveness or draw on case studies for implementation.

It is also worth noting that a much broader range of measures has been enacted in New Zealand alongside the restriction – such as reducing the nicotine content of cigarettes and restricting where they can be sold.

Summary of tobacco control initiatives in Slough

- Stop Smoking Service is currently provided as part of the IHWS since 2020.
- Slough Tobacco Control Network- established in 2020 with the goal improving the health and wellbeing of Slough's population and reducing the inequalities in health experienced by some communities through tobacco control.
- Vaping: Survey/focus group discussion with young people to understand the drivers and deterrents of vaping
 - Presentation of research findings to school via PHSE and other networks.
 - Ongoing work to prepare a guidance/toolkit on vaping for secondary schools in Slough.
- Tobacco Control Needs Assessment – completed in 2023 and awaiting publication.
- Swap 2 Stop application sent for 742 vape starter kits to support existing pathways CMHT, LSSS and Turning Point.
 - Additional request to be made for new pathways.
 - Potential to partner with community pharmacies and housing associations for new pathways.
- Responded to DHSC youth vaping call for evidence.