

**WEST NORTHAMPTONSHIRE COUNCIL TRADING STANDARDS
SERVICE**
TOBACCO ENFORCEMENT PROGRAMME 2021-22

Introduction

The Children & Young Persons (Protection from Tobacco) Act 1991 requires the council to annually consider and carry out an appropriate programme of enforcement action relating to age-restricted tobacco controls.

The council, through its trading standards service, has a number of responsibilities with regard to tobacco enforcement including:

- Under age sales
- Supply of counterfeit and illicit tobacco
- Advertising and promotion

The Tobacco Control Plan for England was published in July 2017:
<https://www.gov.uk/government/publications/towards-a-smoke-free-generation-tobacco-control-plan-for-england>

This includes a commitment to reduce the number of 15 year olds who regularly smoke from 8 percent to 3 percent or less by the end of 2022.

The latest figures from 2018 report that 5 percent of 15 year olds smoke regularly.

This should be read in conjunction with the Tobacco Control Plan delivery plan 2017 – 2022 published in July 2018:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/714365/tobacco-control-delivery-plan-2017-to-2022.pdf

For smoking prevalence amongst 15 year olds in Northamptonshire, 8.7% are current smokers with 6.2% being regular smokers (latest WAY survey data 2014/15). These are on a par with the England averages. The highest estimated prevalence of regular smokers in West Northamptonshire is in Daventry.

For Nicotine Inhaling Products, the latest national figures for underage usage (tried at least once) is 25% compared to the 16% for cigarettes, although regular use in the underage is apparently rare.

Report on activities 2020-21

From 1/4/2020 to 31/3/2021, this Service received 4 complaints concerning 4 different premises alleging the sale of cigarettes to persons under the age of

18. One of the complaints received also alleged the sale of illicit cigarettes from the premises. The level of complaints received has significantly reduced over the past 10 years, having dropped again from 11 complaints received the previous year, however this likely to be due to the continuing effect of the Covid pandemic.

The service didn't receive any complaints alleging the sale of nicotine inhaling products to persons under the age of 18.

The four complaints were followed up by advisory letters to the businesses concerned.

In the same period, the service did not carry out any underage test purchasing exercises due to the national restrictions in place because of the worldwide pandemic.

Prosecutions

No prosecutions were completed in the period of 2020-21.

Programme for 2021-22

West Northamptonshire council trading standards service will:

- ❖ Ensure appropriate resources are targeted at the enforcement of legislation regulating the sale of tobacco and nicotine inhaling products to under 18s.
- ❖ Respond to all complaints alleging the sale of tobacco and nicotine inhaling products to under 18s by advising retailers of their legal responsibilities and good practice achieve compliance.
- ❖ Monitor the display of statutory notices, the restrictions on the display for sale of tobacco products, the plain packaging requirements and the labelling of tobacco products.
- ❖ Using an intelligence led approach, carry out test purchasing exercises of tobacco and nicotine inhaling products using volunteer underage test purchasers.
- ❖ Investigate and take appropriate enforcement action in respect of offences relating to the protection of children from consuming tobacco products and nicotine inhaling products in accordance with our enforcement policy.
- ❖ Make available a retailer training pack covering all age restricted products on WNC website.
- ❖ Continue to promote PASS accredited proof of age cards to retailers and use the 'Challenge 25' scheme, whereby businesses are advised to ask for PASS accredited proof of age if the purchaser looks under 25.
- ❖ Where appropriate make use of the media to publicise relevant issues
- ❖ Monitor the availability of illegal tobacco to underage young people & share relevant intelligence with other enforcement agencies eg HMRC.
- ❖ Work in partnership with Public Health, HMRC and national/regional trading standards to raise the profile of tobacco reduction initiatives and achieve relevant outcomes.

- ❖ Consider any available funding streams to promote tobacco work within West Northamptonshire
- ❖ Support any national or East Midlands regional tobacco control projects.
- ❖ Complete the annual National Trading Standards Tobacco Survey.