

REPORT TO: Council

DATE: 9th July 2025

REPORTING OFFICER: Director - Legal and Democratic Services

PORTFOLIO: Corporate Services

SUBJECT: Amendment to Constitution to enable enforcement of Environmental Protection (Single Use Vapes) (England) Regulations 2024

WARD(S) Borough Wide

1.0 PURPOSE OF THE REPORT

- 1.1 The report seeks approval of council to amend the constitution to enable the enforcement of the Environmental Protection (Single Use Vapes) (England) Regulations 2024

2.0 RECOMMENDATION:

RECOMMENDED: That

Council approve that the powers granted to the Council as a Regulator under the Environmental Protection (Single Use Vapes) (England) Regulations 2024 are delegated to the Director of Public Health and that the Constitution be amended accordingly.

3.0 SUPPORTING INFORMATION

- 3.1 The Environmental Protection (Single Use Vapes) (England) Regulations came into force on 1st June 2025. The regulations are part of a range of measures intended to prevent children gaining access to vaping products and to protect the environment from the harmful impact of waste plastic and lithium batteries.
- 3.2 The Regulations ban the sale of single use vapes. The regulations enable the Local Authority as a regulator to authorise officers to carry out any of the powers within the Regulations. These powers include entry to premises, inspection of products and the seizure and removal of illegal products. Once authorised these powers will be exercised by Trading Standards Officers within the Public Health Directorate.

3.3 There is currently no provision within the constitution to enable these powers to be delegated to officers. These regulations need to be enforced to prevent illegal sales.

3.4 Amendments to the constitution can only be made by Council. This would normally follow a recommendation from the Executive Board. Due to the urgent need to enforce these regulations the Leader of the Council, in consultation with the Chief Executive, has agreed that the matter can proceed straight to the next Council meeting to avoid any undue delay.

4.0 **POLICY IMPLICATIONS**

4.1 This proposal is a procedural formality to enable powers granted to the Council by national legislation to be enforced.

5.0 **FINANCIAL IMPLICATIONS**

5.1 There are no financial implications associated with this proposal.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 Whilst the eventual enforcement of the legislation will have an impact on a number of the councils priorities there are no immediate implications associated with this report.

7.0 **RISK ANALYSIS**

7.1 There are no significant risks associated with this proposal.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 None

9.0 **CLIMATE CHANGE IMPLICATIONS**

9.1 None

10.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

'None under the meaning of the Act.'
