



Belfast City Council

Report to: Health and Environmental Services Committee

Subject: **Consultation on the Regulation of the Sunbed Industry in Northern Ireland**

Date: 18th January, 2010

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Relevant Background Information

On 19th November, 2009, Health Minister Michael McGimpsey launched a public consultation on regulation of the sunbed industry in Northern Ireland. The closing date for receipt of comments is 19th February, 2010. The public consultation document and draft completed consultation response questionnaire are attached.

Sunbeds and Health

The use of sunbeds is one of the major risk factors in developing skin cancer. In August 2009, the International Agency for Research on Cancer (IARC) published a report which reclassified sunbeds into the highest cancer risk category, i.e. 'carcinogenic to humans' (Group 1).

In Northern Ireland, skin cancer is the most common cancer, currently accounting for 28% of all individuals diagnosed with cancer. In 2007, 233 cases of malignant melanoma and 2,772 cases of non-melanoma skin cancer were recorded. In the UK, the mortality from melanoma due to sunbed use alone is estimated to be about 100 deaths per year.

Members will recall that in response to health concerns, the Council agreed to phase out the use of sunbeds in council leisure and community centres by 31 December 2003. Since that date there have been no sunbeds on Council premises.

The current situation with sunbeds in NI

There are now approximately 400 outlets in Northern Ireland offering sunbed sessions, with around 115 in the Belfast area. In addition, many individuals have purchased or hired sunbeds for private use at home.

In 2007 the first Northern Ireland wide survey of operating practices in tanning bed parlours was carried out to assess operational safety and user protection measures. The survey was carried out by Environmental Health Practitioners (EHPs) who visited a total of 332 tanning parlours in 25 District Council areas. The main findings gave cause for concern in that it revealed a wide variation in operating practices and poor standards of operation / client protection among some providers.

Committee on Medical Aspects of Radiation in the Environment (COMARE)

The Committee on Medical Aspects of Radiation in the Environment (COMARE) is an expert committee which offers independent advice to UK Government Departments and Devolved Administrations on the health effects of natural and man-made radiation. It also assesses the adequacy of available data and advises on the need for further research. In 2007, the four UK Departments of Health requested that COMARE provide advice regarding the safety of UV sunbeds in the UK. COMARE's 13th report: *'The health effects and risks arising from exposure to ultraviolet radiation from artificial tanning devices'* was published in June 2009 and makes four recommendations:

1. Regulation of commercial use of sunbeds should be introduced. The report further provides recommendations of the areas that the legislation should cover and this includes a prohibition on use by under 18s, training for staff and much greater information provided to clients.
2. A duty to be placed on local authorities to periodically inspect commercial outlets to determine compliance with whatever level of regulation is imposed.
3. That Government should review its funding for campaigns raising awareness of risk factors for skin cancer; and stronger publicity campaigns should be run on the risks of UV exposure and sunbeds that are directed at children and other potential sunbed users. In addition, the appropriate authorities should review the advertising employed by the sunbed industry.
4. Further research is recommended into sunbed usage and the risk and aetiology of malignant melanomas and non-melanoma skin cancers.

Members can access the full COMARE report on <http://www.comare.org.uk/documents/COMARE13thReport.pdf>

Controls elsewhere.

Scotland introduced regulation of the provision of sunbeds in the Public Health etc (Scotland) Act 2008. England and Wales are currently working on legislation to create powers to regulate the sunbed industry in those jurisdictions. The Department of Health and Children in the Republic of Ireland launched a public consultation in 2008 and a Bill is currently being drafted. Many other countries have also introduced specific legislation of this nature.

Key Issues

The various options to control the sunbed industry in Northern Ireland are set out in the consultation document which is attached, along with a draft Council response to the questionnaire provided.

In summary, the comments made are that Belfast City Council is supportive of the introduction of legislation which regulates the sunbed industry in the following ways:

1. Prohibition of the use of sunbeds by anyone under 18 years of age in commercial premises;
2. Prohibition of the sale or hire of sunbeds to anyone under 18 years of age;
3. A duty placed upon the operator of a sunbed premises to display a public information notice on the health risks associated with sunbed use;
4. A duty placed upon the operator of sunbed premises to provide customers with detailed written information on the health risks associated with sunbed use;
5. Prohibition of an operator of sunbed premises from making unfounded or unproven claims attributing health benefits to sunbed use;

6. A duty placed upon the operator of sunbed premises to ensure adequate protective eyewear is worn by the customer;
7. A duty placed upon the operator of sunbed premises to limit the number and/or frequency of sunbed sessions that they provide to any individual;
8. A duty placed upon the operator of sunbed premises to ensure that staff are trained to a specified standard;
9. Prohibition of the provision of user-operated sunbeds in unsupervised commercial premises;
10. A duty placed upon the operator of sunbed premises to ensure that all sunbeds adhere to specified British and European standards.

The comments also suggest a number of additional measures, as detailed below:

1. The Consultation Document suggests placing a duty on the operator of sunbed premises to register with a local authority or other body with regulatory functions. The Council considers that the introduction of a licensing scheme for such premises would provide a much more robust control mechanism. Businesses selling sunbeds or providing them for hire should also be required to be licensed or registered.
2. The provisions of the regulations relating to eye protection, the provision of information to clients, compliance with British and European Standards, registration/licensing and unfounded health claims should also be extended to businesses selling/hiring sunbeds.
3. Enforcement provisions should be included in the legislation and enforcement duties/powers should be conferred on district councils.

Resource Implications

It is anticipated that local authorities will be responsible for enforcement of any new legislation regulating the sunbed industry in Northern Ireland. Belfast City Council will be able to enforce the new controls within existing resources as part of current and future inspection programmes within the Environmental Health Service.

Recommendation

It is recommended that the Committee approve the comments contained in the attached consultation questionnaire.

Decision Tracking

The Head of Environmental Health will ensure that the questionnaire is forwarded to the Department of Health, Social Services and Public Safety before the closing date of 19 February.

Document Attached

The Department of Health, Social Services and Public Safety's public consultation document and completed consultation response questionnaire on regulation of the sunbed industry in Northern Ireland.

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