



Subject:	Consultation Response – ‘Proposals for regulating tobacco, vaping and nicotine product packaging, under the implementation of the Tobacco and Vapes Act’
Date:	11 August 2026
Reporting Officer:	Siobhan Toland, Director of City Services
Contact Officer:	David Cuthbert, City Protection Manager Diane Herron, Senior Environmental Health Officer

Restricted Reports

Is this report restricted?

Yes

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No

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Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.

Insert number

1. Information relating to any individual
2. Information likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the council holding that information)
4. Information in connection with any labour relations matter
5. Information in relation to which a claim to legal professional privilege could be maintained
6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction
7. Information on any action in relation to the prevention, investigation or prosecution of crime

If Yes, when will the report become unrestricted?

After Committee Decision

After Council Decision

Sometime in the future

Never

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Call-in

Is the decision eligible for Call-in?

Yes

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No

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1.0	Purpose of Report/Summary of Main Issues
1.1	To ask Committee to approve the draft Council response to the UK wide consultation 'Proposals for regulating tobacco, vaping and nicotine product packaging, appearance and display to implement the Tobacco and Vapes Act' (published on 10 July 2026 by Department of Health and Social Care, in partnership with the Department of Health in Northern Ireland).
1.2	This consultation is part of the implementation of the Tobacco and Vapes Act 2026 (T&V Act). A report was considered by Committee in June highlighting initial restrictions being introduced.
1.3	The T&V Act includes provision for the Department of Health in Northern Ireland to introduce Regulations on specified restrictions around tobacco, vaping and related products, following public consultation.
1.4	The current consultation includes proposals for restrictions on: - the packaging of a range of products, including vape and nicotine products; - the appearance of vapes and heated tobacco devices; - the display of a range of products, including vape and nicotine products which would align with the rules around the display of tobacco products.
1.5	A draft consultation response to these proposals has been prepared for Committee approval, to allow submission in advance of the consultation closing date of 2 October 2026.
2.0	Recommendation
2.1	It is recommended that the Committee approve the attached draft response at Appendix 1, subject to any amendments arising from your discussion. However, as this is not a delegated matter, the committee's decision and any proposed amendments to the consultation response will be placed before the Council in September for ratification. The consultation closes on the 2 October 2026.
3.0	Main Report
	<u>Key Issues</u>
3.1	The T&V Act represents a significant public health intervention and introduces wide-ranging measures aimed at reducing tobacco and nicotine-related harm, particularly among children and young people.
3.2	Smoking and wider tobacco use remains a significant public health concern. In 2024 statistics showed that 10.5% of adults in Northern Ireland currently smoke and it remains the leading cause of preventable illness and premature death in Northern Ireland, accounting for over 2,000 deaths annually. It is also a major driver of health inequalities, with lung cancer rates in the most deprived areas two and a half times higher than in the least deprived communities.
3.3	The rise in vaping among young people has also been identified as a significant concern. In Northern Ireland, 15% of all 11–18 year olds vape, with evidence suggesting a gateway effect between vaping and subsequent cigarette use. While research shows that vaping may be less harmful than smoking, vapes are not harm-free and data on the longer-term harms of vaping is still emerging.

3.4	The main health risk to children and young people from vaping and nicotine products is nicotine addiction. There is also no safe level of tobacco consumption and as heated tobacco is also becoming more popular, and it is vital that restrictions are aligned for all these products.
3.5	The T&V Act supports the long-term vision of the Ten-Year Tobacco Control Strategy for Northern Ireland, which aims to create a tobacco-free society. Following enactment of the legislation, the Department of Health will develop a successor strategy, with an expanded scope to include vapes and other nicotine products.
3.6	Further information on the Tobacco and Vapes Act including the implementation arrangements for each phase can be accessed using the link below: https://www.health-ni.gov.uk/publications/tobacco-and-vapes-bill-documents
3.7	Representatives from district councils, (the Council was represented by Diane Herron, Senior Environmental Health Officer), are currently working with the Department of Health and Public Health Agency through a Tobacco and Vapes Joint Implementation Group to prepare for the implementation of the phases of the Act and associated Regulations. This includes preparing guidance for retailers on the new requirements.
3.8	This consultation is wide-ranging and proposes a range of measures across a variety of products including heated tobacco, herbal smoking products, vapes and nicotine products which will contribute to making these less appealing and attractive to young people.
3.9	Some of the proposals within the consultation include: • Introducing plain packaging and the need for health and pictorial warnings for all tobacco products, herbal smoking products and heated tobacco. This would be similar to current requirements for cigarettes. • Pack inserts, with advice on how to quit, being included within all tobacco and herbal smoking products and heated tobacco devices. • Restricting colours, imagery, branding, lights and screens on vape and heated tobacco devices. • Restricting flavour descriptions on vape and nicotine products packaging and permitting only one single lead flavour. Additional measures may also include banning concept and sensory names or those imitating other items, such as sweets. • Stopping vapes imitating other products, such as highlighter pens and game devices. • Restricting the retail display of vapes, nicotine products, cigarette papers, heated and other tobacco-related devices and herbal smoking products. This would be similar to current requirements for cigarettes.
3.10	The draft response to the consultation proposals indicates broad support for the proposals, and reflects the potential for improved health outcomes from reducing uptake of nicotine products and addiction in young people. This is in line with the Council's previous response to the Government's consultation in 2025 on creating a Smokefree Generation.
	<u>Financial and Resource Implications</u>
3.11	The Council receives funding from the Public Health Agency to cover two full-time Tobacco Control Officers. For 2026/27 this funding amounts to £150,248. The Tobacco Control Officers currently enforce legislation with regards to underage sales and carry out advisory and compliance visits to tobacco retailers. Any additional work regarding the Council's regulatory functions in this field are currently covered within existing service budgets.

3.12	<u>Equality or Good Relations Implications/Rural Needs Assessment</u> Equality and rural need screenings have been undertaken by the Department of Health in advance of introducing the legislation. The legislation is expected to have a positive impact on equality and health outcomes, particularly for children and young people and those living in areas of greater deprivation.
4.0	<u>Appendices</u>
4.1	Appendix 1: Draft Belfast City Council consultation response to 'Proposals for regulating tobacco, vaping and nicotine product packaging, to implement the Tobacco and Vapes Act'