

Smoke free legislation - Enforcement arrangements noted.

7 There was submitted and noted a report by the Acting Executive Director of Land and Environmental Services regarding the current strategy for enforcement of smoke free legislation and the proposals for enforcement of new legislation regarding smoking at hospitals, advising

- (1) that the prohibition of smoking in enclosed public spaces was introduced by the Smoking, Health and Social Care (Scotland) Act 2005 and the Prohibition of Smoking in Certain Premises (Scotland) Regulation 2006;
- (2) that the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 amended the 2005 Act to create 3 additional offences;
- (3) that Environmental Health had been responsible for enforcement of the restrictions on smoking since the introduction in 2005 of the prohibition of smoking in enclosed public spaces and routine monitoring, reactive investigation and enforcement initiatives had indicated a general culture of compliance within the community in Glasgow, although there was still some instances of non-compliance, as detailed in the report;
- (4) of a programme of engagement with operators of shisha cafes;
- (5) of the extended statutory obligations with regard to smoking outside hospitals;
- (6) of the phased programme of proactive monitoring and enforcement devised and implemented by Environment Health with regard to the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016 that came into force on 5th December 2016; and
- (7) of the resources available and proposals for potential challenges associated with enforcement of the legislation.