



Edward Mountain, MSP
Convener
Net Zero, Energy and Transport Committee
Scottish Parliament

16 August 2024

Dear Edward

The Environmental Protection (Single-use Vapes) (Scotland) Regulations 2024

Thank you for writing to us. We welcome the Committee's consideration of these regulations and the questions you are posing, specifically with regard to the impact on local authorities.

Local authorities have a duty of care to protect the health of, and promote healthy behaviour among, people who use, or work in, their services. Local authorities can decide on individual policies relating to vaping in public places. For example, Edinburgh City has banned vaping in children's play parks. However, this is not enforceable without specific legislation.

In June 2023, twenty-three councils in Scotland signed up to a campaign calling for a ban on disposable vapes on the basis of: lithium-ion batteries causing fires, environmental concern (littering, with plastic pollution and potential leakage of toxic chemicals from discarded vapes) and the health and wellbeing of young people who are increasingly taking up single-use vapes due to the availability, price and flavours.

The Scottish Government commissioned Zero Waste Scotland to carry out a review of the environmental impact of and potential policy options for improving the management of single-use e-cigarettes, reducing pollution and enhancing the safe recycling of the products they contain. The findings [<https://cdn.zerowastescotland.org.uk/managed-downloads/mf-thteewjk-1688050310d>] (June 2023) revealed that the total emissions associated with single-use vapes in 2022 was estimated to be between 3375 and 4292

tonnes CO2e and the weight of packaging and materials discarded as a result of single-use e-cigarette consumption in Scotland is currently between 800 and 1,000 tonnes per year.

From a public health perspective, COSLA is a co-sponsor of Public Health Scotland which has endorsed [<https://www.scottishparliament.tv/meeting/health-social-care-and-sport-committee-november-14-2023>] a ban on single-use vapes as part of a wider package of interventions.

COSLA is concerned that councils will not be able to enforce these regulations without additional resources, both in relation to staff required to undertake enforcement action and the cost of correct disposal of any single use vapes if the regulations are passed. Scottish Government should provide Local Government with additional funding to meet the cost of this new burden. COSLA would be happy to engage with Scottish Government in assessing costs.

COSLA is also aware that SUVs pose a fire risk in the waste management process, however we have no firm data as to how this compares with multi-use vapes.

If regulations go ahead, there will be increased costs to local government, and as you are aware, local government budgets are extremely stretched.

Kind regards

Jane O'Donnell
Chief Executive
COSLA