



RHONDDA CYNON TAF

RECORD OF DELEGATED OFFICER DECISION

SUBJECT:

Public Health White Paper
"Listening to you: Your health matters"
Consultation Response

PURPOSE OF ATTACHED REPORT:

To seek approval of the Council's response to the Welsh Government consultation Public Health White Paper "Listening to you: Your health matters".

DELEGATED DECISION (Date):

It is recommended that:

- The response to the Public Health White paper is approved,
- The Service Director for Public Health & Protection be authorised to submit the response on behalf of the Council to Welsh Government by the deadline of 24th June 2014.

Chief Officer Signature

STEVE MARLITT

Print Name

19/6/14

Date

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution

Michael Josey

CONSULTEE CABINET MEMBER SIGNATURE

19/06/2014

DATE

Paul Mee

OFFICER CONSULTEE SIGNATURE

19/06/2014

DATE

Directorate:	Public Health & Protection
Contact Name:	Paul Mee
Designation:	Service Director, Public Health & Protection
Tel.No.	01443 425513

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

**MUNICIPAL YEAR 2014/2015
REPORT TO ACCOMPANY DECISION OF THE GROUP DIRECTOR,
ENVIRONMENTAL SERVICES**

**Part 1
Non-Confidential**

**PUBLIC HEALTH WHITE PAPER
“LISTENING TO YOU: YOUR HEALTH
MATTERS”
CONSULTATION RESPONSE**

1. PURPOSE OF REPORT

- 1.1 To seek approval of the Council's response to the Welsh Government consultation Public Health White paper "Listening to you: Your health matters".
- 1.2 In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended Officer decision of the Group Director, Environmental Services as described below.

2. RECOMMENDATIONS

It is recommended that:

- 2.1 The response to the Public Health White paper is approved,
- 2.2 The Service Director for Public Health & Protection be authorised to submit the response on behalf of the Council to Welsh Government by the deadline of 24th June 2014.

3. BACKGROUND

- 3.1 On 2nd April 2014, Welsh Government published White Paper entitled "Listening to you: Your health matters". The Welsh Government is consulting on a range of measures proposed for inclusion in a Public Health Bill for Wales.
- 3.2 In summary, these concern the following proposals:
- The introduction of a tobacco retail register to reduce underage sales of tobacco products,
 - Extending the existing ban on smoking in wholly or substantially enclosed public places to include electronic cigarettes,
 - Whether WG should legislate to extend the ban on smoking in wholly or substantially enclosed public places to include certain open spaces,
 - The introduction of new offences concerning internet sales of tobacco,
 - The introduction of a minimum unit price for alcohol,

Listening to you: Your health matters

Public Health White Paper – Consultation Responses

We want your views on our proposals in the Public Health White Paper.

Your views are important. We believe the new legislation will make a difference to people's lives. This White Paper is open for public consultation and we welcome your comments. The consultation will close on 24 June 2014.

This form provides all the consultation questions included in the White Paper. To help us record and analyse the responses, please structure your comments around these questions. You do not need to comment on all questions nor do you need to use this form to respond to the consultation. You are welcome to submit your response in a format that suits you.

The proposals are presented under a number of themes; you do not need to answer every question on every theme, only those that you wish to comment upon. The list below may be helpful for ease of navigation:

Chapter 2: Tobacco and electronic cigarettes

- **Tobacco Retailers' Register** Q1 – Q5
- **Electronic Cigarettes** Q6 – Q11
- **Smoke-free Open Spaces** Q12
- **Internet sales of tobacco** Q13 - Q14

Chapter 3: Alcohol

- **Minimum Unit Pricing** Q15 – Q20

Chapter 4: Obesity

- **Nutritional Standards** Q21 – Q23

Chapter 5: Building Community Assets for Health

- **Better planning and delivery of public health services through community pharmacy** Q24 – Q32
- **Toilets for public use** Q33 – Q35

Chapter 6: Regulation for Health

- **National Special Procedures Register** Q36 – Q45

Chapter 7: Next Steps

Q46 - Q47

The Welsh Government will run a series of engagement events across Wales on the White Paper during the consultation period. Details of these events and how to attend will be made available on the consultation webpage when available.

Please submit your comments to PHBill@wales.gsi.gov.uk by 24 June 2014. If you have any queries on this consultation, please email the address above.

Chapter 2: Tobacco and electronic cigarettes

Tobacco Retailers' Register

Question 1

Do you agree with the proposal to create a tobacco retailers' register for Wales under the terms outlined above?

Yes

No

Please provide comment:

Rhondda Cynon Taf County Borough Council supports the WG proposals to introduce a register for tobacco retailers.

Smoking remains the single greatest avoidable cause of death in Wales (**PHW, 2012**). The introduction of the ban on smoking in enclosed public spaces in 2007 has been successful in reducing exposure to environmental tobacco smoke. Reducing the prevalence of smoking, however, remains a key health priority. Therefore further powers to control the availability of tobacco are welcomed.

Public Protection Services provided by local government have considerable experience and expertise in the operation of registers and licensing regimes and our Trading Standards and Environmental Health Officers are already enforcing associated legislation at these premises.

Given the significant financial pressures being faced by Local Government in Wales, there will need to be careful consideration of how the implementation of a tobacco retail register and its enforcement are resourced.

In addition, this Council would encourage WG to not be prescriptive in allocating enforcement responsibilities to a particular functional area such as Trading Standards Officers or Environmental Health Officers but allow Local Authorities the discretion to determine how best these provisions may be implemented by their suitably qualified or competent enforcement officers. This will afford Local Government the opportunity and the flexibility to deploy their resources in the most effective manner to suit local circumstances.

This Council would recommend that WG ensure that the fee for registration is proportionate to the costs of the implementation of the register.

Question 4

Do you consider the proposed enforcement and penalty arrangements for the tobacco retailers' register to be appropriate? If not, could you please provide us with your suggestions?

Yes

No

Please provide comment:

Experience of “Registers” introduced under other legal provisions suggest that their efficacy can be limited if they are not also accompanied by robust enforcement powers. Some registers are merely administrative or informative. This should not be the case with a tobacco retail register.

This Council would encourage Welsh Government to carefully consider what powers local authority enforcement officers will require to be able to ensure that the register has the desired effect. There will need to be a robust mechanism to restrict access to the register and to remove retailers from the register where there has been a relevant infringement of the law. This should not be limited in scope but should encompass a range of offences concerning underage sales. There should also be a provision to consider whether the retailer is a “fit & proper” person or a “suitability” test of the retailer. For example, if a retailer has a conviction for the sale of alcohol, solvents or other age restricted products to minors, then he should not be permitted to sell tobacco. The proposed link to restricted sales orders (RSOs) and restricted premises orders (RPOs) under the Children & Young Persons Act 1933 are welcome but insufficient in scope themselves.

The illicit supply and sale of tobacco has been identified as a growing concern by Trading Standards in Wales. The register must not inadvertently add to the problem of illicit trade in cigarettes. There will need to be a robust and proportionate penalty associated with the offence of failing to register. In addition the definition of “retailer” will need to be carefully considered to encompass legitimate traders from retail premises and those persons who are trading illegally in tobacco from domestic premises. It will also need to include online suppliers based in Wales. Effectively the provisions must apply to anyone who is *selling* tobacco products in Wales. There will need to be a robust and proportionate penalty for offences and powers of entry (to retail premises) or the ability to seek a warrant (for domestic premises). The WG may also wish to consider the provision of powers to seize tobacco goods in premises that are not registered.

Electronic Cigarettes

Question 6

Do you consider that the use of e-cigarettes in enclosed and substantially enclosed public places (including work places) undermines and makes more difficult the enforcement of the current ban on smoking in such places?

Yes

No

Please provide comment:

The ban on smoking in enclosed public spaces has been consistently and successfully applied across Wales. This robust measure is clearly being undermined by the increasing use of e-cigarettes. Local Authorities in Wales have experienced cases where the enforcement of the ban on smoking in enclosed places has been compromised by the defendants claiming that they were in fact using e-cigarettes.

Question 7

Do you consider that the widespread use of e-cigarettes in enclosed and substantially enclosed public places (including work places) normalises the act of smoking and acts as a gateway to the use of conventional tobacco products?

Yes

No

Please provide comment:

The ban on smoking in enclosed public spaces has been consistently and successfully implemented. The ban gives a clear and robust message that smoking is harmful and that exposing others to tobacco smoke is unacceptable. This message is clearly being undermined by the increasing use of e-cigarettes. Many e-cigarettes are designed to look like conventional cigarettes (often with glowing red tips and the emission of a vapour).

There appears to be a general perception amongst users that e-cigarettes are a healthy alternative to tobacco and that their use is safe. There is evidence that some retailers are marketing the products in this way or suggesting that they are an effective aid to quitting smoking, despite there being an absence of robust and comprehensive evidence to support these claims.

Every effort must be made to prevent young people developing nicotine addiction or smoking behaviours. Some e-cigarettes utilise scented or flavoured refills that may be attractive to younger users, which is a particular concern if combined with the highly addictive properties of nicotine.

Please provide comment:

It is clear that the growing use of e-cigarettes is undermining the ban on smoking in enclosed public places. There is uncertainty over the potential adverse health implications associated with e-cigarettes and despite recent studies suggesting some benefit to those quitting smoking; the efficacy of e-cigarettes as an aid to smoking cessation is not entirely clear. It is therefore appropriate to take a precautionary approach to the risks associated with e-cigarettes.

The Tobacco Control Action Plan for Wales has set an ambitious target of a smoking prevalence rate of 16% by 2020 (**Welsh Government, 2012**). The achievement of this target must not be compromised by the growing use of e-cigarettes.

The introduction of legislation to extend the ban on smoking in enclosed public places to include e-cigarettes is not only proportionate and appropriate, but is necessary to ensure that the progress that has been made to reduce smoking prevalence rates and tackle the significant harm to health associated with smoking is not compromised.

Question 10

In considering such a proposal, should the ban on the use of e-cigarettes in enclosed and substantially enclosed public and work places be subject to the same exemptions and penalties as conventional tobacco products?

Yes

No

Please provide comment:

The ban on the use of e-cigarettes in enclosed and substantially enclosed public and work places should be entirely consistent with the existing ban on the use of conventional tobacco products with the same exemptions and penalties.

The offence should clearly state that the ban applies to smoking tobacco *and/or* e-cigarettes in a substantially or wholly enclosed public place.

Consistency will aid enforcement officers in the application of the ban and will ensure that the strength of the ban on smoking in public places is not diminished.

Question 11

What other measures, if any, should the Welsh Government be considering in relation to e-cigarettes?

measure.

There would also need to be consideration to the potential liability placed on the owner of the premises in that there would be an expectation that the site owner takes every reasonable step to ensure the public place is free from smoking.

Internet sales of tobacco

Question 13

Do you consider there is a problem with persons under 18 receiving delivery of tobacco products which have been ordered online by an adult? Please provide evidence to support your response, if available.

Yes No

Please provide comment:

This Council has not experienced a problem with persons under 18 receiving delivery of tobacco products which have been ordered online by an adult. However, this may be due to a lack of reporting of such incidents.

The growth of online shopping does raise reasonable concerns about the ease of access to products that would otherwise be subject to greater restrictions. It is entirely plausible that either a child or an adult acting on behalf of a child could make an online purchase of tobacco products and receive delivery at home, thereby avoiding the usual age challenge by the retailer.

Question 14

Is this an area where the National Assembly for Wales should consider strengthening the existing legislative framework to make it an offence to deliver tobacco products to a person that is under the legal age of tobacco products (which is currently 18)?

Yes No

Please provide comment:

This Council believes that it would be a sensible and proportionate measure to make it an offence to deliver tobacco products to a person that is under the legal age to purchase tobacco products. This would be consistent with existing legislation, for example that concerning the sale and supply of alcohol. This should also be extended to include e-cigarettes and other related similar devices.

The formula for calculating the MUP will need to be carefully thought through to ensure that the policy has the maximum impact on reducing harmful consumption of alcohol whilst being understandable to consumer, the trade and regulators.

Question 17

Do you agree that enforcing Minimum Unit Pricing for alcohol would support the reduction in alcohol related harms? Please provide evidence to support your answer, if available.

Yes

No

Please provide comment:

This Council supports the view that enforcing a Minimum Unit Price (MUP) for alcohol would support the reduction in alcohol related harms.

Public Protection Services (Trading Standards, Licensing & Environmental Health) work closely with Police and Health and third sector partners through their Community Safety Partnerships and Area Planning Boards (APBs) to tackle the harms associated with excessive alcohol consumption. These measures include a range of interventions such as multi agency operations targeting problem licensed premises and managing the night time economy through to the provision of a range of prevention, treatment and rehabilitation services designed to support those with alcohol dependency.

Councils, as Licensing Authorities, work in partnership with the Responsible Authorities identified under the Licensing regime to promote responsible alcohol retailing and ensure that alcohol premises are managed so as not to compromise the four licensing objectives concerning crime & disorder, public safety, prevention of public nuisance and protecting children from harm.

The successful work already being undertaken to control access and availability; to prevent excessive alcohol consumption through education and awareness campaigns; and to support those with alcohol dependency described above would be greatly supported by effective additional measures such as a MUP to control the *affordability* of alcohol particularly to those who are drinking alcohol at hazardous levels.

This Council strongly supports the WG proposals for a MUP as an effective measure to control the affordability of alcohol.

Question 18

Do you think any level of Minimum Unit Pricing set by the Welsh Government should be reviewed and adjusted over time? Please provide evidence to support your answer, if available.

have with the Licensing regime?

WG should legislate to afford Local Authorities the power to enforce the MUP and the discretion to do so where it is proportionate and appropriate to do so.

It will be necessary to make provision for powers of entry and WG should also give enforcement officers the power to seize and remove from sale immediately any alcohol products that are not compliant with the MUP.

WG should avoid the use of variable fixed penalty fines if it is decided to include the option to discharge the offence through a FPN. It is acknowledged that the severity of the offence may be more significant in larger premises; however, it would be preferable to allow enforcement officers the discretion to prosecute through the Courts in the worst cases.

Responsible Authorities under the Licensing Act 2003 (Police, Trading Standards, Environmental Health, Fire Authorities etc.) are able to make representations to the Licensing Authority in connection with an alcohol licence application or to call a review of an existing licence. These representations may concern a variety of issues or offences relevant to the four licensing objectives and may concern matters which are devolved to the WG or not.

An offence under separate Welsh MUP legislation may still form part of valid representations made by a Responsible Authority when considering the variation or review of an existing licence, provided the representations are relevant to the licensing objectives (in this instance it could be argued the prevention of crime & disorder is applicable).

Question 20

Do you think there are other measures that should be pursued in order to reduce the harms associated with excessive alcohol consumption?

Yes

No

Please provide comment:

This Council recognises that the most effective way to introduce a MUP would have been through the inclusion of a mandatory condition applied to all alcohol premises licences. As Licensing is not a devolved matter this is of course not possible. The impact of poorly managed licensed premises is felt most acutely at the local level and as such decisions are best made at a local or regional level. This Council supports WG in seeking the devolution of alcohol licensing.

Local Health Boards (LHBs) are now a Responsible Authority under the Licensing Act 2003 but in the absence of a relevant corresponding licensing objective concerning public health, LHBs are having difficulty in making relevant representations that can influence licensing decisions. This Council supports the case for a fifth licensing

Question 22

Do you think there are any other public sector settings that should be considered in relation to mandatory nutritional standards?

Yes

No

Please provide comment:

Currently there are no mandatory nutritional or food-based standards in care homes for older people or those in care. Anyone who is in the care of a public sector organisation or in a privately run care setting should have access to a healthy balanced diet and all organisations providing care should be obliged to adhere to mandatory nutritional standards. The proposals for mandatory nutritional standards should be extended to all institutional care settings including prison services, residential and nursing and care settings for children and supported housing where appropriate.

Many residential care homes are operated by the private sector and either run independently or commissioned by the public sector. This Council is of the opinion that mandatory nutritional standards should also apply to all care settings, irrespective of whether they are in private or public ownership.

This Council supports proposals to introduce requirements for healthy food options or minimum nutritional standards in all public sector premises where staff or the public may eat. This should include leisure, sporting and recreational facilities, entertainment venues, Council offices, hospital restaurants and other public sector premises. This should also apply to vending machines located at such premises.

This could be facilitated through WG supporting the "Healthy Options Award Scheme" which is delivered by Public Protection Services. Although successful, the scheme requires financial support to be extended to cover more premises.

Question 23

Do you think there are other practical steps we could take to contribute to this issue?

Yes

No

Please provide comment:

Older people in care and community settings are among the most vulnerable in our community and they depend on the care home providers and its staff to provide balanced meals; prepared to a minimum nutrition standard with ready access to fluids and delivered in a manner appropriate to the individual.

of local health care services?

Yes

No

Please provide comment:

Rhondda Cynon Taf CBC supports the views of Cwm Taf Local Health Board in respect of Community Pharmacies as expressed in their response to the WG consultation.

This Council recognises the important role of community pharmacies and the potential to strengthen their role in promoting and protecting health. Community pharmacies are used by many people, are accessible, generally no appointment is required and a competent and qualified professional is on site. Essentially, the services are made available where they are needed; close to the community.

Community pharmacies are already providing enhanced services in relation to smoking cessation, Emergency Hormonal Contraception (EHC) and harm reduction measures such as needle exchange and supervised methadone consumption. It makes sense to build on these existing services to maximise the potential health benefits from these locally placed facilities.

Question 25

Do you agree with the proposal to require Local Health Boards to complete periodically an assessment of the pharmaceutical needs of its population?

Yes

No

Please provide comment:

Rhondda Cynon Taf CBC supports the views of Cwm Taf Local Health Board in respect of Community Pharmacies as expressed in their response to the WG consultation.

Question 26

In respect of question 25 what are your views on such assessments being completed as a discrete part of their assessment of local health and wellbeing needs?

Yes No

Please provide comment:

Rhondda Cynon Taf CBC supports the views of Cwm Taf Local Health Board in respect of Community Pharmacies as expressed in their response to the WG consultation.

Question 30

Do you agree with the proposal to allow Local Health Boards to invite community pharmacies in their area to provide specified services to meet identified pharmaceutical needs and, where those pharmacies are unable to do so adequately, invite additional pharmacies to become established in order to provide pharmaceutical services? If you disagree please explain your reasons.

Yes No

Undecided

Please provide comment:

Rhondda Cynon Taf CBC supports the views of Cwm Taf Local Health Board in respect of Community Pharmacies as expressed in their response to the WG consultation.

Question 31

Do you agree that where pharmacies are not adequately providing services, a range of measures, which could include sanctions against pharmacies for breaches of terms and conditions of service, should be available to Local Health Boards to support improving quality and consistency? What other measures should be available to Local Health Boards?

Yes No

Please provide comment:

Rhondda Cynon Taf CBC supports the views of Cwm Taf Local Health Board in respect of Community Pharmacies as expressed in their response to the WG consultation.

Local authorities have a leadership and enabling role in relation to this issue but this does not require a duty to develop a strategy. No doubt such proposals would require local authorities to regularly review their strategy; put in place action plans to secure their delivery and allow WG to monitor progress with their delivery. This is clearly unrealistic in the current financial climate.

Question 34

If a duty were to be put in place, should this duty be addressed through the single integrated planning process?

Yes

No

Please provide comment

If WG were to introduce such a duty, this Council does not agree that such a duty be addressed through the Single Integrated Plan (SIP).

The Single Integrated Plan (SIP) sets out the key strategic priorities and shared vision for each Local Authority area. The SIP is developed and owned by each Local Service Board (LSB) consisting of a partnership between the Local Authority, Local Health Boards, Police Forces and the third sector.

This Council does not believe that a duty to produce a strategy for the provision of public toilets should be addressed through the SIP planning process for the following reasons:

- The LSB should have discretion to determine local priorities for the SIP, based on evidence of need and these issues should not be prescribed by WG legislation,
- The proposed duty would apply to local authorities only and not to the other public sector or third sector partners involved in the SIP, and therefore are not appropriate for the SIP which is essentially a partnership plan,
- The LSB aims to deliver collaborative advantage by working strategically in partnership on issues that are over and above any one organisation's statutory responsibilities or remit; this is not the case with the provision of public toilets.

Question 35

Are there any other impacts in relation to this proposal on which you would like to

Chapter 6: Regulation for health

A National Special Procedures Register

Question 36

Do you feel that the current information, regulation, and enforcement in relation to cosmetic piercing, tattooing, semi-permanent skin colouring, acupuncture and electrolysis protects the public effectively?

Yes

No

Please provide comment

Current legislation does not adequately protect the public. Existing byelaws concern registered operators and are not consistently adopted or applied across Wales. Environmental Health Officers are relying on legislation that is not made specifically for the purpose of tackling illegal operators.

This Council supports WG proposals to regulate for special procedures and recommends that there should be a direct offence of failing to register, powers of entry and prohibition to enable the effective regulation of illegal operators.

This Council has the following concerns regarding existing provisions:

- There is little current information or guidance available to enforcement agencies, practitioners or the public concerning these procedures,
- There is no requirement for a practitioner to have any training or experience to set up a tattoo studio.
- An unregistered tattooist applying unsafe practices in unhygienic premises only commits the offence of being unregistered under the byelaws, which may be viewed as a purely administrative offence when Courts are considering sentencing.
- There is no national accredited training course available for skin piercers,
- Current registration requirements rely on being able to prove that a person is carrying on a business and this can be difficult because most unregistered tattooists ('scratchers') work from home and deny that they receive payment,
- There is no facility to refuse registration unless a previous successful prosecution has been taken for breach of bye laws,
- Current regulation relies in part on the use of legislation not specifically intended for such use e.g. The Public Health (Control of Diseases) Act 1984 and The Health and Safety at Work etc. Act 1974. There is a variety of procedures being developed and becoming increasingly popular such as body modification, dermal implants, branding, tongue splitting and scarification all of which have potential to spread infection or cause permanent damage.

Question 38

Do you think there should be a National Special Procedures Register? If no, why not?

Yes

No

Please provide comment

A national special procedures register would be beneficial in providing a single up to date database of information on legitimate practitioners. This would enable local authorities to quickly determine whether an operator is registered or not, irrespective of whether they are from their area. A national register would cover all people in all settings and therefore be inclusive of practitioners who cross local authority boundaries, for example attending conventions.

Such a register would however need to be populated and the provisions enforced by individual local authorities where local knowledge and intelligence is invaluable in dealing with such businesses.

- There must be clear guidelines to assist Local authorities and to ensure consistency of delivery.
- There must be specific hygiene standards relating to persons, practices, equipment and premises.
- It must ensure that practitioners are competent.
- It must ensure that practitioners are "fit & proper" or "suitable" persons.
- There must be clear enforcement powers with appropriate and proportionate penalties. These may include measures such as improvement or remedial notices, prohibitions notices and emergency prohibition powers. It may also be appropriate to introduce fixed penalty notices for minor infringements.
- An appropriate and proportionate appeals procedure, potentially through the magistrate's courts.

Question 39

Do you think any other procedures should be included on the Register? If yes, what other procedures?

Yes

No

Please provide comment

There is a risk that by limiting the range of procedures that are covered by the Register to those specified in the White Paper there is a danger that a range of other procedures will fall between the provisions of the register and other controls that concern medical or cosmetic surgical procedures.

Question 42

How frequently should practitioners and businesses need to re-register?

Frequency **Every 3 years**

Please provide comment

Practitioners and businesses should be required to renew their registration at least every three years. This is consistent with the normal frequency of Disclosure and Barring Service (DBS) checks. It will enable the register to be kept up to date without placing an unnecessary burden on practitioners or businesses. In addition, WG may wish to include provision to require businesses and practitioners to inform the local authority of any change of circumstances.

Question 43

Do you agree that registration should include a ‘fit and proper persons’ test? If yes, what criteria do you feel should be part of this test?

Yes

No

Please provide comment:

This Council supports the introduction of a “fit and proper person” or “suitable person” test.

This should include:

- All practitioners must undertake appropriate recognised training. This should include knowledge of anatomy, pre and post treatment care, infection control and healing and the practitioner must be able to demonstrate or evidence their competency and proficiency.
- Competency and knowledge. This could be demonstrated by attending a nationally accredited course or attainment of a recognised qualification but unfortunately, currently there are none in existence.
- Of good character and free of relevant convictions. This could be established by a Disclosure and Barring Service (DBS) check.

WG may wish to consider whether a practitioner should be obliged to disclose whether they have an infection disease, such as HIV or Hepatitis, that might inadvertently be passed on to a client by way of the special procedure. This would enable specific infection control procedures to be put in place where appropriate and necessary to do

Question 45

Do you agree that local authorities should be responsible for administering and enforcing these proposals? If not, who should?

Yes No

Please provide comment:

Local Government officers are best placed to enforce these provisions, for the following reasons:

- Local authorities have a history of enforcement in this field and are familiar with the issues.
 - Local authorities have an existing relationship with practitioners and have contacts within the skin piercing community located in their areas.
 - Local authorities already operate other licensing and permission regimes within their locality.
 - Local authority officers may already visit the premises for other reasons e.g. Health and Safety at Work.
-

Chapter 7: Next steps

Question 46

We want to ensure that a Public Health Bill is reflective of the needs of citizens in Wales. We would appreciate any views in relation to any of the proposals in this White Paper that may have an impact on a) human rights; b) Welsh language; or c) the protected characteristics as prescribed within the Equality Act 2010. These characteristics include gender; age; religion; race; sexual orientation; transgender; marriage or Civil Partnership; Pregnancy and Maternity; and disability.

Please provide comment:

This Council supports the majority of the proposals set out within the White Paper and is of the opinion that there are no adverse impacts on the citizens of Wales in terms of human rights, welsh language or equality.

Trading Standards but allow local authorities the discretion to allocate the responsibility to suitably qualified or competent enforcement officers, and

- In drafting the legislation, WG should avoid unnecessary complexity or ambiguity, ensure that provisions are capable of being enforced in a practical and efficient way and that any potential defences are fully and properly understood.
-