

REPORT TO THE SOUTH TYNE AND WEAR WASTE MANAGEMENT PARTNERSHIP JOINT EXECUTIVE COMMITTEE

8 DECEMBER 2023

REPORT OF: Colin Huntington, Project Director, South Tyne and Wear Waste Management Partnership

SUBJECT: Letter to MP's over Concerns relating to Single Use Vapes

1. PURPOSE OF REPORT

- 1.1. To update the Joint Executive Committee on the recent letter sent to all seven MP's covering the South Tyne and Wear Waste Management Partnership (STWWMP) area.

2. BACKGROUND

- 2.1. At recent meetings, Officers have highlighted to Committee Members the current issues around single-use vapes, their recent increase in popularity, particularly with the younger population, the difficulties in managing this waste stream and the dangers they pose. Discussions culminated an action agreed in Committee's last meeting on 8 September 2023 for a letter to be sent, from the Chair of this Committee to the seven local MP's covering the STWWMP area.
- 2.2. Gateshead's Public Health team were consulted while drafting the letter. Vaping offers a much safer alternative to smoking conventional cigarettes and therefore colleagues in Public Health had reservations over an out-right ban. However, both parties could agree there is a negative environmental impact and also issues surrounding the apparent marketing and appeal to young people.
- 2.3. Therefore, the final letter requested a ban on single use vapes but to be implemented in a phased, controlled manner. A copy of the final letter can be found at Appendix A. This was sent via email to the following MP's on 21 November 2023.
 - Ian Mearns (MP Gateshead)
 - Liz Twist (MP Blaydon)
 - Emma Lewell-Buck (MP South Shields)
 - Kate Osborne (MP Jarrow)
 - Julie Elliott (MP Sunderland Central)
 - Sharon Hodgson (MP Washington and Sunderland West)
 - Bridget Phillipson (MP Houghton and Sunderland South)

3. RESPONSES

- 3.1. Automated responses were received to all emails, acknowledging receipt of the correspondence.
- 3.2. A response was received from Kate Osborne's office, thanking us for the correspondence and stating that it was much appreciated. A further email was then received from Kate Osborne's office confirming a letter had been sent to the Rt Hon Victoria Atkins MP, Secretary of State for Health and Social Care. A copy of this can be found at Appendix B.
- 3.3. The Partnership team will keep committee members informed of any further responses in relation to this.

4. RECOMMENDATION

- 4.1. The Joint Executive Committee is requested to note the progress of this action and receive further updates on the matter.

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South Tyne and Wear Waste Management Partnership
Joint Executive Committee
Letter to MPs on Single Use Vapes

21 November 2023

Dear [Name of MP],

Dangers of Single-use 'Disposable' Vapes

I write in my capacity as Chair of the Joint Executive Committee of the South Tyne and Wear Waste Management Partnership. The committee provides the political governance for the partnership which is a collaboration between Gateshead, South Tyneside and Sunderland Councils, established in 2006, to secure economies of scale to the councils in delivering their waste management obligations.

At recent meetings, Officers have highlighted to Committee Members the current issues around single-use vapes, their recent increase in popularity, particularly with the younger population, the difficulties in managing this waste stream and the dangers they pose.

Currently, to safely dispose of single use vapes, we are asking our residents to either:

1. Return their single-use vapes to the retailer where they purchased them or
2. Deposit them in specific 'vapes' containers at their local Household Waste and Recycling Centre (HWRC) which are our Designated Collection Facilities (DCF's).

However, neither of the above are particularly attractive options to residents. Retailers, in the first scenario, are only required to offer a take back scheme if they achieve a turn-over in excess of £100,000 per annum, and in reality, in the absence of any regulatory enforcement, many retailers are not fulfilling their obligations in this regard. This leaves the second scenario above as currently the only viable option to residents as our Producer Compliance Schemes will not provide additional facilities due to there being issues with the category the vapes are currently included in within the regulations. This is a big ask of residents to make the trip for these small items. People using these items are instead disposing of them in their household bins, street litter bins or littering them on the ground.

Disposable vapes often contain lithium-ion batteries, which can be harmful to the environment if not disposed of correctly. They can also pose a fire hazard if the lithium-ion batteries are damaged or punctured during disposal, igniting the waste around it. The likelihood of such damage occurring, either in the back of a bin wagon, in a Waste Transfer Station (WTS) or Materials Recycling Facility (MRF) is high, through the use of compaction in vehicles, mobile plant and mechanical sorting processes. This therefore puts the lives of our crews and employees working in these facilities at great risk, as well as increased risk of significant damage to vehicles, machinery and buildings.

With the latest research from Material Focus suggesting nearly 5 million vapes are thrown away each week it is no surprise we have seen an increase in this material. Indeed, we have experienced fires in the back of bin wagons, a fire at one of our WTS's and numerous near-misses in our waste facilities as batteries have been damaged and sparked while waste is moved or when going through the sorting process in the MRFs. In an effort to combat some of the risks, Waste Management companies are spending

significant amounts of money on fire detection systems but even so, there are still reports sites are seeing an increase in their insurance premiums as the increased risk is being recognised and numbers of fires in waste management facilities and vehicles.

Even if disposed of correctly, they are a difficult and hazardous waste item to manage. Due to the complexity of materials, the lithium-ion battery, the vaping liquid and the plastic casing, they have to be dismantled by hand, which is time consuming and expensive. Furthermore, E-cigarettes (vapes) are in category 7 of the WEEE recycling regulations, meaning they are classed alongside toys, leisure and sports equipment. Producer Compliance Schemes therefore don't receive the necessary funding from Producers to manage this material so there is a disconnect here also.

An article, published by the Chartered Institute for Waste Management (CIWM), articulates our concerns well and highlights these are shared across the industry. The article can be found online at, <https://www.circularonline.co.uk/insight/vapes-a-burning-issue/>.

The number of young people using these products is also a cause for concern. Working with our Public Health colleagues we recognise vaping is a valued resource in smoking cessation programs. Indeed, reducing the number of smokers is a key priority given that smoking tobacco will kill up to 2 out of 3 long term users. However, the current marketing of vapes, with their vibrant colours and 'bubble-gum' flavours are clearly encouraging young people to vape, having never smoked before. Vaping may be less harmful than smoking cigarettes but never the less, we do not want one addiction to be replaced by another. Furthermore, given that young people are less likely to drive or have access to a car, they are less likely to dispose of these products safely.

It was positive to see the Government's Call for Evidence earlier this year, in relation to young people vaping and we eagerly await their findings from this. We also welcome Government's plans to create a smokefree generation and are aware of the current consultation seeking views to crackdown on youth vaping. While this is a positive step, it doesn't address the dangers and environmental impact associated with vapes and the 'disposable' nature of the single use vapes.

We are therefore calling for a ban on single use vapes. However, we believe this should be done in a phased, controlled manor. Rather than an immediate ban, we would encourage the following to be reviewed:

- Regulations strengthened – vapes, including re-chargeable vapes require their own category within the WEEE Regulations in order to ensure Producers are held accountable for the costs of managing these items at end of life.
- Additional support for Trading Standards – both in terms of managing the ban on single use vapes but also in ensuring retailers are fulfilling their obligations in offering take-back schemes.
- Marketing of single use vapes – eliminating bright colours, sweet names and cartoon characters which appeal directly to young people. Hiding vapes from view at point of sale, in the same way cigarettes are. Banning the advertising of vapes. And finally, increasing the price of single use vapes to make them less readily available, particularly to young people.
- Additional support for smoking cessation programmes – to ensure those who need to vape in order to come off cigarettes can get access to them and to use the rechargeable vapes for this purpose.
- Development of more effective and accessible recycling schemes for vapes – including offering grants to support for provisions of and servicing recycling points

for these items in public spaces to ensure they are not littered or disposed of incorrectly. This should cover the period prior to the implementation of a new category which will force producers to fund these programmes in the future.

We are aware the Local Government Association (LGA), amongst others, have already written to Thérèse Coffey, Secretary of State for Environment, Food and Rural Affairs in July this year, asking the government to ban the sale and manufacture of single-use vapes by 2024. We would like to add our support following this request by the LGA.

We are also aware the Scottish Government have recently carried out a review of single-use vapes and following this are proposing to consult on curbing the sale of disposable single-use vapes, including consulting on an outright ban.

Finally, we are encouraged to see in the news recently that Superdrug have announced they are to stop selling disposable vapes in all its UK and Ireland stores after concerns about the environmental damage. We hope this is the first of many retailers to 'do the right thing' but believe Government should bring in the appropriate legislation to mandate this rather than leaving it up to individuals.

We appreciate your support with the above within your capacity as a Member of Parliament.

Yours sincerely,

Councillor Linda Green

Joint Executive Committee (Chair), South Tyne and Wear Waste Management Partnership

South Tyne and Wear Waste Management Partnership

Joint Executive Committee

Letter to MPs on Single Use Vapes

22 November 2023

Dear Secretary of State,

I am writing to you today regarding a ban on disposable vapes, the impact they have on our environment, and the use of vapes by under 18 year olds.

A huge number of constituents have contacted me surrounding the use of disposable vapes by children, the loopholes that allow retailers to give free samples of vapes to children in England, adverts targeting children, as well as concerns around the environmental impact of disposable vapes.

These concerns have also been highlighted to me by South Tyneside Council in a motion in their full Council meeting calling for the continued proactive enforcement of measures to prevent the use of vapes by children under the age of 18 and to promote the recycling of disposable vapes. I have then further received communication separately by the Chair of the Joint Executive Committee of the South Tyne and Wear Waste Management Partnership, which includes both Gateshead and South Tyneside Councils which cover my constituency of Jarrow, who have called on a ban of single use vapes, but in a phased, controlled manner.

Rather than an immediate ban, the Partnership have asked for the following to be reviewed:

- Regulations strengthened – vapes, including re-chargeable vapes require their own category within the WEEE Regulations in order to ensure Producers are held accountable for the costs of managing these items at end of life.
- Additional support for Trading Standards – both in terms of managing the ban on single use vapes but also in ensuring retailers are fulfilling their obligations in offering take-back schemes.
- Marketing of single use vapes – eliminating bright colours, sweet names and cartoon characters which appeal directly to young people. Hiding vapes from view at point of sale, in the same way cigarettes are. Banning the advertising of vapes. And finally, increasing the price of single use vapes to make them less readily available, particularly to young people.
- Additional support for smoking cessation programmes – to ensure those who need to vape in order to come off cigarettes can get access to them and to use the rechargeable vapes for this purpose.
- Development of more effective and accessible recycling schemes for vapes – including offering grants to support for provisions of and servicing recycling points for these items in public spaces to ensure they are not littered or disposed of incorrectly. This should cover the period prior to the implementation of a new category which will force producers to fund these programmes in the future.

I would appreciate it if you could give an update as to if the Government are considering any of the above?

I am also concerned that Material Focus recently found that 90% of the smaller vape and vape juice producers in the UK seem to be failing to comply with environmental regulations which mandate that they contribute to the costs of recycling the products and packaging they sell when they reach the end of life.

You recently stated that your party is determined to tackle the “concerning surge in children vaping, driven by marketing and flavouring which appears to specifically target young people”.

I therefore ask that vapes be displayed in plain packaging to make them less appealing to children and are marketed as a medicinal product to aid in the cessation of smoking. I also ask that consumers are encouraged to recycle their disposable vapes.

I look forward to your response to the above questions raised.

Yours sincerely,

Kate Osborne MP

Member of Parliament for the Jarrow Constituency