

Wednesday, 30 July 2025

**ADULT SOCIAL CARE AND HEALTH OVERVIEW AND SCRUTINY
SUB-BOARD**

A meeting of **Adult Social Care and Health Overview and Scrutiny Sub-Board**
will be held on

Wednesday, 6 August 2025

commencing at **2.00 pm**

The meeting will be held in the The Forum, Riviera International Conference
Centre, Chestnut Avenue, Torquay, TQ2 5LZ

Members of the Board

Councillor Johns (Chairwoman)

Councillor Bryant
Councillor Foster

Councillor Fellows
Councillor Steve Darling

A Healthy, Happy and Prosperous Torbay

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Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

ADULT SOCIAL CARE AND HEALTH OVERVIEW AND SCRUTINY SUB-BOARD AGENDA

- 1. Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the Adult Social Care Overview and Scrutiny Sub-Board.
- 2. Minutes** (Pages 5 - 8)
To confirm as a correct record the minutes of the meeting of the Adult Social Care and Health Overview and Scrutiny Sub-Board held on 17 July 2025.
- 3. Declarations of Interest**
 - a)** To receive declarations of non pecuniary interests in respect of items on this agenda

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - b)** To receive declarations of disclosable pecuniary interests in respect of items on this agenda

For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
- 4. Urgent Items**
To consider any other items that the Chairwoman decides are urgent.
- 5. Developing a case for change for cardiovascular disease, cardiology and cardiac surgery services** (Pages 9 - 14)
To receive an update from NHS Devon on the draft case for change development process and associated timeframes for engagement.
- 6. Illicit sales of illegal tobacco and vapes** (Pages 15 - 26)
To review the action taken to reduce the illicit sale of illegal tobacco and vapes.

7. Adult Social Care and Health Overview and Scrutiny Sub-Board (Pages 27 - 30)

Action Tracker

To receive an update on the implementation of the actions of the Sub-Board and consider any further actions required (as set out in the submitted action tracker).

Live Streaming

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**Minutes of the Adult Social Care and Health Overview and Scrutiny
Sub-Board**

17 July 2025

-: Present :-

Councillor Johns (Chairwoman)

Councillors Foster, Long and Fellows

Non-voting Co-opted Members

Amanda Moss (Chair of the Voluntary Sector Network)

Pat Harris (Healthwatch Torbay)

(Also in attendance: Councillors Chris Lewis and David Thomas)

7. Minutes

The minutes of the meeting of the Sub-Board held on 12 June 2025 were confirmed as a correct record and signed by the Chairwoman.

8. Homelessness and Rough Sleeping Action Plan

The Divisional Director Community and Customer Services – Tara Harris and the Heading of Housing Needs – Lianne Hancock, provided the background and overview of the submitted Homelessness and Rough Sleeping Action Plan and responded to questions.

Members raised the following questions:

- what provision was available for members of the public to meet with Housing Needs Officers face to face when faced with possible homelessness;
- what action had been taken by Officers to build on the cross organisational dashboard;
- do the users of the storage lockers have access to the service at all times of the day;
- what support was available to help residents to remain in their allocated accommodation;
- would Torbay Council Housing Needs Officers be learning from the successful work completed by Harbour Housing in Cornwall;
- what impact would the upcoming changes to the Children's Wellbeing and Schools Bill have on services provided to the young people in Torbay;
- what involvement do Housing Services Officers have with Landlords to prevent unlawful evictions; and

- what process was completed to count the numbers of rough sleepers within Torbay.

The following responses were provided by the Divisional Director Community and Customer Services, Head of Housing Needs and the Director of Adult Social Care and Community Services – Anna Coles:

- Face to face appointments have been held in both Torquay Job Centre and Tor Hill House, due to the damage at the Connections Office which is the normal location for face to face appointments. Officers have looked into expanding this service further to make more face-to-face appointments available, including Paignton and the discussions are ongoing.
- The Action Plan dashboard will include wider data sets, to enable a wider understanding of homelessness in Torbay, including wider society impacts, as some residents other organisations such as Citizens Advice for assistance.
- There was a set procedure for the use of the lockers for storage and how they can be accessed and how items will be stored etc. The exact location was not widely advertised. There have not been high numbers of requests for the service received to date, however it was expected to be used more in the Winter months. When people were rough sleeping, they were issued with a basic mobile phone with pay as you go credit, to enable them to contact their Support Officer for advice and to gain access to the storage lockers at set times, if required. The aim of the scheme, was to reduce items being left on the street, to provide a safe and dry place to store items.
- Torbay Council have a Tenancy Sustainment Team who work with residents prior to moving into their allocated accommodation and continue to provide assistance to ensure residents remain in their accommodation. This work was predominantly focused on those that have been rough sleeping. The service could be assisting with registering for utilities etc so that initial debt was not accrued by tenants, placing their accommodation at risk.
- Housing Services Officers were aware of the success of the Harbour Housing projects in Cornwall, and in particular a facility that includes a hostel with support provided to the residents. Officers would visit Harbour Housing to learn more about their projects and how this learning could be utilised in Torbay.
- Historically, if a Care Experienced young person was asked to leave temporary accommodation due to bad behaviour, this would end the homelessness duty from Torbay Council. However, with the upcoming changes arising from the Children's Wellbeing and Schools Bill for services provided to Care Experienced young people in Torbay, if they are asked to leave a property due to bad behaviour, the homelessness duty for Torbay Council would continue and alternative accommodation would be required to be found. Procedures are all ready in operation irrespective of the legislative changes to ensure that Care Experienced young people are not made intentionally homeless.
- Torbay Council Housing Services Officers have built good relationships with existing landlords in Torbay facilitated through grant funding that was provided from Central Government. Regular newsletters are produced which was issued to over 400 subscribers. Training was provided to landlords, and work had been undertaken on tone of voice communications. There was also a landlord link officer within the Housing Options team. Officers have completed

a lot of work in preparation of the significant changes proposed by the Renters Right Bill which was expected to be implemented in October 2025.

- Torbay could have approximately 20 people rough sleeping in any one night and numbers could fluctuate throughout the summer months due to transient activity. In 2024/2025, Torbay Council provided accommodation to 111 people who were previously rough sleepers. There is a Rough Sleeping Team who make contact with people sleeping on the streets of Torbay to provide assistance. Monthly data was collected and collated which was submitted to Central Government on a number of different metrics which inform local and national work.

Resolved (unanimously):

1. that the Adult Social Care and Health Overview and Scrutiny Board notes the content of the submitted report on the Homelessness and Rough Sleeping Action Plan;
2. that Torbay Council Housing Options team provide a written update to the Members of the Adults Social Care and Health Overview and Scrutiny Sub-Board once the visit to Harbour Housing scheme in Cornwall has been completed to provide feedback on any innovation that could be considered for implementation across Torbay;
3. that the Adult Social Care and Health Overview and Scrutiny Sub-Board Members are kept up to date on Union Square and Victoria Square developments on the numbers of properties that will be policy compliant;
4. that progress on the Homelessness and Rough Sleeping Action Plan is reported quarterly to the Adult Social Care and Health Overview and Scrutiny Sub-Board; and
5. that the recommendation from 12 June 2025 meeting, requesting a report detailing the actions that have been taken in response to Adult Social Care Housing need from the Director Pride in Place, be amended to include an update on plans to increase the delivery of affordable housing across Torbay to support the increasing demand on homelessness services.

9. Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker

The Sub-Board noted the submitted action tracker.

Chairwoman

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Developing a case for change for cardiovascular disease, cardiology and cardiac surgery services – Torbay OSC

August 2025

Introduction and background

1. NHS Devon's Board was due to consider a proposal on Thursday 29 May to establish a short-term, fixed-length "test and learn" process for out-of-hours primary Percutaneous Coronary Intervention (pPCI) services in Torbay and Exeter.
2. However, in light of the wide-ranging comments received from staff, clinicians, patients, the public, and elected representatives, the paper setting this out was withdrawn.
3. This was to enable the valuable feedback to be fully considered and allow time to reflect on whether such a process will lead to clarity on future commissioning arrangements to ensure the long-term sustainability of this important service.
4. This updated paper does not revisit the original pPCI proposal and test and learn process. Instead, it outlines the process that is underway to develop a 'Case for Change' which will inform a more comprehensive and forward-looking commissioning strategy for the provision of cardiology services across Devon. This includes proposed engagement with clinicians, patients and stakeholders.
5. A revised programme scope was approved by Chief Executives at all Devon acute providers at the System Leadership Group (SLG) on 26 June 2025. The Peninsula Acute Provider Collaborative (PAPC) Executive Board subsequently confirmed its support on 30 June 2025, which included representation from Cornwall and Isles of Scilly partners.
6. The scope articulated some urgent remedial actions required for current challenges within secondary care services. This includes addressing issues with patients in some parts of the county waiting too long for elective procedures.
7. When reviewed by the System Leadership Group, it was agreed that the scope should include all elements of the cardiovascular disease (CVD) pathway and cardiology services in Devon. Subsequently, NHS England have supported the inclusion of cardiac surgery services.

What a case for change is

8. A case for change comprehensively describes the current and future needs of the local population, the provision of local services and the key challenges facing the health and care system that must be addressed.
9. It provides the platform for change and needs to present a compelling picture of what needs to change and why.
10. A case for change does not include any proposals for future service change – it makes an argument for why change is needed, without suggesting which specific changes are required.

Draft vision

11. To support the development of the cardiology case for change, a draft vision has been developed that will be tested and further developed with key stakeholders, including clinicians:
 - a. To reduce cardiovascular disease in Devon by maximising prevention, ensuring early community-based detection and treatment, and delivering timely, equitable secondary and tertiary care in line with national standards.
12. To realise this vision:
 - a. All opportunities to reduce the prevalence of cardiovascular disease in Devon should be maximised and patients who have symptoms of or risk factors for cardiovascular disease are identified, diagnosed and treated as early as possible, and in their local community
 - b. Clinical intervention and support for patients who require acute emergency or planned care will be provided as effectively and efficiently as possible, in line with national clinical and productivity standards
 - c. Patients will have timely, clear and consistent pathways of care across Devon, with a focus on delivering care in the lowest clinically appropriate intensity settings.

Process to develop a case for change

13. Work has commenced and will continue to develop a case for change for Cardiovascular Disease (CVD), cardiology and cardiac surgery services, which will outline current population needs and service provision – including CVD prevalence, waiting times, demand, gaps/variations, and compliance with national standards.
14. The draft case for change will be the subject of significant engagement with the public and patients along with key stakeholders and multi-disciplinary clinical teams.

15. It will also be reviewed and input into by national and regional stakeholders, including the Peninsula Cardiovascular Network and Devon CVD Prevention Group. Partners in Cornwall and Isles of Scilly have also been invited to be part of this work.
16. An Equality Quality and Impact Assessment will be conducted to ensure the draft case for change and any subsequent programme of work fully considers all possible impacts on our population and health inequalities.
17. NHS Devon has produced a draft case for change which requires final testing and triangulation prior to being signed off by the NHS Devon Executive. This work will be completed in August 2025

Initial findings

18. As part of the work to develop a draft case for change, Initial findings from the work to develop a case for change are:
 - a. Cardiovascular disease (CVD) is the second highest area of disease prevalence in Devon, and will continue to rise due to population demographics
 - b. There is a significant opportunity to prevent more people becoming ill with a CVD related condition or long-term illness
 - c. There are opportunities to intervene quicker within community care settings (primary care and secondary care-based interventions in community settings) to avoid patients' conditions worsening and requiring acute hospital care
 - d. Patients are waiting too long for their treatment in acute hospitals in some parts of the county, leading to health inequalities and a risk of harm
 - e. There are many differences in the way services are provided in Devon deviating from national targets and driving inequity in our population
 - f. Some acute hospital services are not compliant with national clinical guidelines on their own (or without a formalised network of delivery across the county), which is a requirement set out in the NHS Devon Commissioning Plan, agreed by its NHS Devon Board
 - g. There are productivity opportunities in acute hospital services which need to be grasped to ensure we are sustainable and responsive to the needs of patients now and in the future.
 - h. Devon spends a higher amount than other ICB's on secondary care cardiology services

Timelines and next steps

19. A Cardiology Review Group (CRG) will be established to lead the engagement programme, as well as monitor the 'in year' performance recovery required by commissioners. The programme will report to NHS Devon's Board and NHS England's Specialised Commissioning Board.

20. An overarching 11-month timeline is proposed to ensure there is time to engage stakeholders in a meaningful manner.
21. A wide range of stakeholders will be involved in developing, reviewing and refining the case for change:
- a. **Clinicians** working across the whole patient pathway will be engaged, including through a Devon-wide clinical reference group. Independent and external clinical advice will also be sought
 - b. **Overview and Scrutiny Committees** in Devon, Plymouth Torbay during August and September 2025
 - c. **Public, patients and stakeholders** – including those with lived experience, MPs, Healthwatch, the Voluntary Community and Social Enterprise Sector (VCSE) and a stakeholder reference group
22. The engagement process on the draft case for change does not preclude the progression of delivery of performance improvements which will commence immediately (see below section for further details).

Additional in-year activity

23. Alongside the work to develop the longer-term case for change, all system partners continue to collaborate and drive the existing CVD prevention programme and maximise opportunities to further prevent CVD across the population.
24. Community-based integrated secondary care services for lower complexity patients will also be reviewed to ensure they are evidence-based, consistent and deliver best practice.
25. The Peninsula Acute Provider Collaborative will be commissioned by NHS Devon to consider and advise on the shape and form of a sustainable and equitable long-term solution for secondary care cardiology and cardiac surgery services for Devon, informed by the final case for change following the engagement process described.
26. In addition, the following in-year priorities have been identified:
- a. All acute providers to maximise current catheter lab capacity to ensure patients waiting for interventional procedures in Devon are prioritised and treated and the service is placed onto a sustainable footing. This will require providers to work together where capacity and waiting times fall differentially across provider organisations or where sustainability can best be achieved through collaboration across sites. The ICB has already started work with providers to ensure progress is made at pace and in parallel with the wider work programme
 - b. All acute providers to deliver in-year changes to ensure the delivery of:

- 4% productivity targets across admitted and non-admitted care (including catheter lab utilisation of a minimum of 85%)
- emergency cardiology interventions within national standards (priority 1b patients within 72 hours)
- agreed referral-to-treatment (RTT) trajectories, focusing on priority 2 patients/highest clinical risk patients first
- the additional activity committed to via additional funding schemes as part of 25/26 Operating Plan

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Date: 16/07/2025

Wards affected: All

Report Title: Update on the selling of illicit Tobacco/Vapes

Cabinet Member Contact Details:

Councillor Hayley Tranter, Cabinet Member for Adult and Community Services

hayley.tranter@torbay.gov.uk

Director Contact Details:

Anna Coles, Director of Adults and Community Services,

Anna.Coles@Torbay.gov.uk

1. Purpose of Report

- 1.1. There has been a noticeable increase in the sale of illicit tobacco and vapes.
- 1.2. This report highlights some of the enforcement activity undertaken by the Heart of the Southwest (HotSW) Trading Standards Service.

2. Update on Illicit Tobacco/Vapes

- 2.1. The HotSW Trading Standards Service, on average, has been receiving 2 to 3 complaints a month, regarding retail shops selling illicit tobacco/vapes.
- 2.2. This pattern is consistent with the regional and national picture across the United Kingdom and Department of Health, HMRC, Border Force have been exploring ways to tackle the issue at the ports before the product enters the retail market.
- 2.3. Last year, over 1.19 million illegal vapes, over 19 million illicit cigarettes and more than 5,103kg of hand-rolling tobacco, worth an approximate £11.7 million, were seized.
- 2.4. Data also shines a spotlight on sales of vapes to children. In Q4 last year, 24% of the 775 test purchases conducted in-person by Trading Standards resulted in illegal sales to under 18's.
- 2.5. There are several actions Trading Standards can currently take when traders are found selling illegal tobacco and vaping products. At the lowest level, a trader may receive a cease-and-desist letter or guidance on how to operate in compliance with the law.

- 2.6. Where repeated complaints are received, then an enforcement visit may take place, with a detection dog.
- 2.7. There is a substantial effort by some retail shops to conceal storage of illicit tobacco and vapes.
- 2.8. In the event that any illegal goods are seized, if cash is present on the premises this can also be seized by an Accredited Financial Investigator under the Proceeds of Crime Act.
- 2.9. Follow up action includes liaising with the landlord to seek eviction of the tenant, a caution, working with the district council or police to apply for closure of the premises, under the Anti-Social Behaviour Crime and Policing Act and applying for a review of their alcohol licence.
- 2.10. In more serious and complex cases, we may investigate with a view to prosecution, or referral to regional or national investigation teams for further action.
- 2.11. Items Seizures in Torbay, since January 2025 include:

| Product | Quantity | Street Value | Genuine Retail Value |
|----------------|-----------------|---------------------|-----------------------------|
| Cigarettes | 1623 packets | £13,000 | £26,000 |
| Tobacco | 574 pouches | £6,000 | 12,000 |
| Illegal Vapes | 653 units | £10,000 | £20,000 |
| Total | | £29,000 | £48,000 |

- 2.12. Trading Standards have a particularly good working relationship with the Police in Torbay, and regularly undertake partnership working in relation to illegal tobacco and vapes.
- 2.13. The Police officers in Torbay are very knowledgeable about what to look for with respect to the illegal tobacco and vapes, and carry out regular trader engagement and feedback intelligence to Trading Standards.
- 2.14. Trading Standards are working in partnership with Police teams in Torquay and Paignton in July 2025 to close 4 premises, following illegal tobacco seizures.
- 2.15. Trading Standards provide HMRC with a quarterly return of all tobacco seizures (regionally). HMRC also have access to the intelligence database, where all enforcement operations, related premises and nominals of interest are logged.
- 2.16. Last month, 6 HMRC referrals were submitted for Torbay retailers with a further 7 in progress, this is more than any other area in the South West. HMRC have the power to issue large fines ranging from £2500 - £10000 depending on quantity seized. See Appendix 1.
- 2.17. Trading Standards conduct regular intelligence led operations and underage sales operations. There is a planned Underage Sales Test Purchase Operation, focusing on vapes in Torbay at the end of July 2025.

- 2.18. The Heart of the South West Trading Standards encourage retailers to sign up for 'No proof of Age No Sale' training/systems, and this is offered free in the Service area.
- 2.19. The protection of communities, public health and the safeguarding of honest businesses who are struggling to compete with the flood of illegal products lies at the heart of what Trading Standards does.
- 2.20. Intelligence suggests these criminal supply chains behind the supply of illegal tobacco are linked to other forms of crime, including firearms, drugs, modern slavery, grooming, people trafficking, and illegal immigration.
- 2.21. The Environmental Protection (Single-use Vapes) (England) Regulations 2024 come into force on 1st June 2025, making it illegal to supply, offer to supply, or have in possession for supply, a single use vape.
- 2.22. No additional funding has been provided for Trading Standards enforcement. However, it is expected that, during the course of existing operations and enforcement work, additional products will need to be examined and seized.
- 2.23. The regulations enhance Trading Standards existing powers under the Consumer Rights Act 2015, with the power to issue penalty charges of £200 (reduced to £100 if paid within 28 days) for offences under the regulations.
- 2.24. It is felt that this is a very low penalty considering the turnover of an illegal tobacco and Vape seller is usually over £2000 a day.
- 2.25. It is not yet known whether the issue of £200 will provide any deterrent for Vape sellers, or just create a bigger enforcement burden.

3. Recommendations

- 3.1. Trading Standards recognises that it is really important that adult smokers are able to switch to legally compliant vaping products, which carry a fraction of the risk compared to illegal tobacco products. These figures show we are working incredibly hard to remove illegal vapes from our communities, and to support businesses not to sell to children.
- 3.2. The protection of communities, public health, and the safeguarding of honest businesses who are struggling to compete with the flood of illegal products, lies at the heart of what Trading Standards does.
- 3.3. Trading Standards have limited resources and even with all the efforts will not be able to eradicate the illicit sales, we are only really surfacing the tip of the ice berg.
- 3.4. We encourage anyone with information about businesses ignoring the law to report to us, so we can continue to use intelligence, and target our already over stretched enforcement resources most effectively.
- 3.5. As well as continuing to support the HotSW Trading Standards, Torbay Council are supporting the TSSW (Trading Standards South West) regional post to tackle illicit tobacco/vapes.

3.6. In summary the regional post leads on the following activities:

- Illegal tobacco and vape digital media campaign.
- Test purchasing operations.
- Liaison with Public Health colleagues, including quarterly reports on disruption activity in the region.
- Work relating to trends, including oversized vapes, misuse of vapes (e.g. addition of THC (tetrahydrocannabinol) and Spice (Synthetic Drug)).
- Prevention activity via social media, leaflets and our website.
- Providing technical expertise on the law relating to vapes and tobacco, and associated legal process for test purchasing, surveillance, methods of entry and HMRC powers.
- Publicity and communications surrounding the successes of the disruption team and the local authority investigations they support.
- Supporting local authorities with roadshows and their own publicity and prevention activities.
- Assisting local authorities with enforcement activities, underage test purchasing operations.
- Supporting licence reviews and closure order applications, in respect of premises found to be selling illicit product, or persistent underage sales.
- Provision of a community impact statements to assist with closure orders licence reviews.
- Co-ordinated approach to market surveillance.
- Attendance at public health meetings for opinions or training updates.
- Provision of a regional consultation process, and updates on the responses.
- Training, updating and development of regional materials and resources.

3.7. The benefit of regional support far outweighs the costs in tackling the sale of illicit tobacco and vapes.

4. Partnership working around tobacco use

4.1. In 2023/24 around 15.4% of adults in Torbay smoked, which is similar to the England average. Rates of smoking in Torbay are generally on a downward trend.

4.2. Torbay Council commissions a specialist stop smoking service 'Your Health Torbay' which offers adults in Torbay free access to up to 12 weeks of behavioural support and access to pharmacotherapy (including rechargeable vapes) to help them to stop smoking.

- 4.3. A nationally representative survey amongst 15-year-olds in England indicated that in 2023, 2.2% reported they smoke regularly, 11% reported regularly using a vape (e-cigarette) and 58% reported having ever used a vape. There has been a steady increase in the use of vapes amongst young people in recent years.
- 4.4. Through our Torbay Healthy Learning offer, we have provided information and resources for teachers, parents and students about the risks of vaping and support. It also provides guidance on the management of vapes in schools, reporting underage sales of vapes to Trading Standards, and reporting concerns of child exploitation risks related to vapes.
- 4.5. Torbay Council is a part of the Smokefree Devon Alliance, a partnership of organisations dedicated to reducing smoking rate. Action on illegal and illicit tobacco and vapes is covered in two priorities of our current strategy (2023-2028) - protecting children and young people from the harms of tobacco, and ensuring strategic, cross-sector collaboration around tobacco control.

5. Appendix and copy of Video and Pictures used in the presentation

Appendix 1 - HMRC Fines

| | Category A | | | Category B | | | Category C | | | Category D | | |
|-------------------|-------------------------|---------------|-------------|------------------|---------------|-------------|------------------|---------------|-------------|------------------|---------------|-------------|
| | < 100 packs Cigs or HRT | | | 100 to 299 packs | | | 300 to 499 packs | | | 500 packs + over | | |
| | New Penalty | Seize genuine | Remove EOID | New Penalty | Seize genuine | Remove EOID | New Penalty | Seize genuine | Remove EOID | New Penalty | Seize genuine | Remove EOID |
| 1st Contravention | £2,500 | N | N | £5,000 | N | N | £7,500 | N | N | £10,000 | N | N |
| 2nd Contravention | £5,000 | Y | Temp | £7,500 | Y | Temp | £10,000 | Y | Temp | £10,000 | Y | Perm |
| 3rd Contravention | £7,500 | Y | Perm | £10,000 | Y | Perm | £10,000 | Y | Perm | £10,000 | Y | Perm |

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Dear Director of Public Health

I am writing to you on behalf of Trading Standards South West to request confirmation of your ongoing commitment to the South West Illegal Tobacco Lead role and the work lead by this role.

There is a table provided that sets out the proposed level of contribution of each of the participating public health teams/local authorities. This will be discussed at the forthcoming DPH meeting of the 6th December.

In appendix 1, there is a summary of achievements since the last set of funding (covering 01 April 2023 to 30 Sept 2024) for information. This in addition to the Annual Report for 2023-24 and the quarter 1 report for 2024, which have been sent to your public health leads and are downloadable from Appendix 2. These provide detail of the returns for your investment, but if required to help local decision making on continued funding, local reports can be provided in December upon request.

South West Illegal Tobacco Lead

Since 2016, a collective commitment from the South-West Local Authority Directors of Public Health has funded a South-West Illegal Tobacco Lead (SWITL). The role provides co-ordination and support to Trading Standards for this area of work across the South West and contributes to the public health delivery of tobacco control work, supporting smokers to quit and preventing the uptake of tobacco and vape use by young people. The role has been funded via annual or biannual agreements.

In 2023, HMRC agreed a sum of £1M to fund a national Trading Standards Operation: CeCe, which equates to just over £65k per year for the South West to deliver HMRC approved workstreams. Op CeCe now partially funds the Regional Tobacco Lead role (60% of the grant), but only covers illegal tobacco disruption activity (with the rest of the grant being used to assist local authorities and to help build in some additional contracted support on an ad hoc basis). It should be noted that funding from HMRC remains heavily restricted in its use and we are not allowed to allocate any more from this budget to co-ordination.

The lead officer role continues to deliver a range of activities that are outside of the scope of Op CeCe and has expanded significantly due to the rising popularity of vaping, particularly amongst underage persons (e.g. those under 18).

The contribution from Directors of Public Health remains vital in funding this wide range of activities and ensuring the efficient and co-ordinated tobacco and vape control activities remain in place. Without continuation of this funding this post will be lost.

From a very practical enforcement perspective it is difficult to separate out the functions of vapes and tobacco, as they are sold so frequently within the same premises with inherent non-compliance.

The role is based within the South-West Regional Investigation Team, hosted by Bristol City Council, which affords access to all the regional infrastructure in place for Trading Standards. It includes support to the eleven Trading Standards services in the South West including the Regional Intelligence co-ordination, as well as support to public health teams in the delivery of their Tobacco Control Strategies. There is now also provision for communications and media support from Trading Standards South West (TSSW), in addition to support in co-ordination of some of the Op CeCe operations in the region.

The following list summarises the different aspects of the lead officer role and what work is completed with the Public Health funding:

- liaison with Public Health colleagues, including quarterly reports on disruption activity in the region
- work around underage sales of both tobacco and vapes
- work relating to illegal vapes, including oversized vapes, misuse of vapes (e.g. addition of THC and Spice), liaison with police and the national vapes panel
- prevention activity via social media, leaflets and our website
- providing technical expertise on the law relating to vapes and tobacco and associated legal process for underage test purchasing and surveillance.
- publicity and communications surrounding the successes of the disruption team and the local authority investigations they support.
- Supporting local authorities with roadshows and their own publicity and prevention activities
- Assisting local authorities with underage test purchasing operations.
- Supporting licence reviews and closure order applications in respect of premises found to be selling illicit product or persistent underage sales.

Much of the work undertaken by the regional lead will undoubtedly help stimulate quit attempts, which will assist Local Authority public health meet their ongoing commitments under the broader tobacco control strategy. However, without continued funding, these bulleted activities above would undoubtedly be compromised with a commensurate reduction in activity.

Funding post 01 April 2025

There is a possibility that Operation CeCe funding will be increased, however, this is far from certain and at 15 November 2025 we still don't know what the level of funding will be next year. However, this will still be under the HMRC constraints e.g. that it is for operational disruption activity only and hence, additional funds remain only for local authorities and building the regional disruption team, with clear expectations for an increased level of seizures.

Social media and public awareness will remain specifically excluded, as will any form of vapes work (which is a different workstream, but doesn't currently fund operational activity beyond intelligence development, storage and disposal of seized goods). However, this is an area of significantly increased activity over the past two years where the support of the SWITL has helped the Trading Standards South West (TSSW) become exemplars of effective working.

The South West is currently second in the UK for the seizure of illegal cigarettes and third for the seizure of illegal hand rolling tobacco. Using and sharing best practice across the region has been key to achieving these results and will continue to be a key deliverable by the SWITL.

The governments' commitment to pass the Tobacco and Vapes Bill 2024 has local implications for both public health and trading standards. All of the Smoke-Free Generation elements will need extra support and enforcement work by Trading Standards.

- In terms of resources for the licensing regime alone, it is likely Local Authorities will absorb this aspect into the Licensing Service, as the wording in the Bill is similar to that used in the Licensing Act 2003. However, it is expected this will further drive the market in illicit products, for which the enforcement function will rest with Trading Standards. Hence, the SWITL is likely to see a growth in the co-ordination

requirements – both in terms of assimilation of the new legislation into our core activities and providing a co-ordinated approach to market surveillance as the new provisions bite and change the market place.

- Vaping regulations - retailer education and enforcement will be needed by Trading Standards regarding point-of-sale displays – this can be cost-effectively supported by the SWITL as part of the public facing work
- Disposable vapes will become a purely illegal product. This will mean that SWITL work to tackle illegal vapes will not only continue, but need to increase with shops using the types of concealment already employed to store illegal tobacco and vapes.
- Planned restrictions on nicotine vape contents, flavours, and packaging will also be enforced by Trading Standards. A regional approach here will enable not only effective working in enforcement but also cost-effective production of resources to support retailers.
- Vapes containing THC (cannabis) and the issues surrounding the synthetic alternatives such as spice, are becoming increasingly prevalent. Although this is out of scope for Trading Standards, the SWITL is at the forefront of their availability in retail premises.

The SWITL has established effective links between Public Health and Trading Standards, and will continue to keep local Public Health tobacco leads informed of Trading Standards activity on the ground. The officer also informs policy shaping at government department level with regional input. We plan to lobby on behalf of local Trading Standards for the ability to obtain emergency warrants as used by the police, which will enable local teams to work faster and more efficiently with the intelligence they have and completing enforcement activity.

With an expanding regulatory framework set against a background of static or depleting resources in local authorities, the need for coordination at a regional level is even greater to ensure effective and cost effective work and the avoidance of duplication. The new website and resources have been developed this year by TSSW, as part of the work funded by public health and will provide a sound base to support raising public awareness around illegal tobacco and vapes. Roadshows, which are effective in both raising consumer awareness and gaining valuable local intelligence, are being planned and we are aspiring to engage Public Health with greater involvement in planning of TS activity in this and other areas of delivery.

Intelligence gathered locally is used by the SWITL to map Organized Crime Gangs (OCGs) – an area of work which we intend to increase. The SWITL also provides evidence and statements as an expert, which are used in investigations and support alternative enforcement strategies, such as closure orders, licence reviews and the new HMRC's financial sanctions.

Annual Costing Breakdown

In addition to the Op CeCe funding slice for the SWITL, a small amount is also put towards the role from the current vapes funding, to support intelligence, hence in total 0.6FTE is covered by regional grants – leaving 0.4FTE being covered by the funds DPH's have provided in recent years. In addition to this, other costs covered by the Public Health contributions cover the following:

| | |
|---|----------------|
| Regional Illegal Tobacco Lead - Salary 0.4 FTE ¹ | £29,415 |
| Regional Support Officer - Salary 0.4 FTE | £10,711 |
| Website Development and Administration | £4500 |
| Informational / Educational / Promotional Materials | £5000 |
| Equipment to support investigation role (inc necessary investigation software licenses) | £6500 |
| Marketing including paid social media | £3500 |
| Ancillary disbursements eg: uniform and PPE | £1150 |
| Total Per Annum | £60,776 |

¹ The residual 0.6 FTE of the SWITL salary is funded by Op CeCe.

Funding & Payment

Funding is requested at a total - over two years commencing April 2023 - of £122,000, so as to enable the SWITL to continue to function outside the restricted remit of CeCe allocated funds and provide technical support on vapes.

Funding is requested for a two-year period only, in recognition of the potential for political and administrative change during this time to affect the scope and aims of the service. The service will continue beyond this two-year period. Based on population data from the Office of National Statistics, the contribution breakdown is as follows:

| Local Authority | Population per ONS | Percentage Contribution Based on Population | Contribution if only able to pay up front for 1 year (£) | Contribution if able to pay for 2 years (£) |
|---|--------------------|---|--|---|
| BANES | 196,357 | 4.5% | 2745 | 5490 |
| BCP | 396,989 | 9% | 5490 | 10980 |
| Bristol | 465,866 | 10.5% | 6405 | 12810 |
| Dorset | 379,791 | 9% | 5490 | 10980 |
| North Somerset | 215,574 | 5% | 3050 | 6100 |
| Plymouth | 262,839 | 6% | 3660 | 7320 |
| South Gloucestershire | 287,816 | 6.5% | 3965 | 7930 |
| Swindon | 222,881 | 5% | 3050 | 6100 |
| Devon | 810,716 | 18.5% | 11285 | 22570 |
| Gloucestershire | 640,650 | 14.5% | 8845 | 17690 |
| Wiltshire | 510,300 | 11.5% | 7015 | 14030 |
| Total Funding Request | | | £61,000 / annum | £122,000 / over 2 years |
| Total Non-Contributing Population (e.g. less Somerset, Torbay and Cornwall) | | | 3,369,179 | |
| Equivalent CeCe Funding over two years | | | £130,000 | |

Please note: Historically, justification for non-contribution has been based upon local factors, predominantly associated with budgetary commitments elsewhere

Appendix 1 Returns on your investment and achievements between 01 April 2023 and 30 Sept 2024



Leaflet-v2.pdf

Appendix 2 Annual report for 2023-24 and Q1 2024 report



2023 to 2024 Y3
Public Health Update.



Q1 PH Update.pdf

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Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker

| Date of meeting | Minute No. | Action | Comments |
|-----------------|------------|--|---|
| 22/05/25 | 46 | a. did the Council inspect its suppliers to ensure that they are complying with the modern slavery policies (a written response would be provided); | <p>a. Complete</p> <p>Modern Slavery and Human Trafficking - Torbay Council</p> <p>https://www.torbay.gov.uk/council/policies/community-safety/modern-slavery/</p> <p>https://www.modernslaveryhelpline.org/</p> <p>https://www.unseenuk.org/about-modern-slavery/spot-the-signs/</p> <p>Prevent: Violent Extremism and Terrorism - Torbay Council</p> <p>https://www.youtube.com/watch?v=Otc2eaRY32s (Home Office video explaining Prevent)</p> |
| 22/05/25 | 46 | <ol style="list-style-type: none"> that the Democratic Services Team Leader be requested to arrange all Councillor training on Prevent, Channel and Modern Slavery as well as looking at access to the iLearn modules; that the Director of Adult and Community Services be requested to circulate information to all Councillors and Co-opted Members, including posts that may be suitable to share on social media, on what to look out for and where to refer people in respect of Prevent, Channel and Modern Slavery; that the Adult Social Care and Health Overview and Scrutiny Sub-Board support a wider campaign, which | <p>Actions 1 to 4 to be implemented</p> <p>1. iLearn in progress Teresa is working with colleagues to get this set up</p> |

Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker

| Date of meeting | Minute No. | Action | Comments |
|---------------------|------------|---|---|
| Page 28 22/05/25 | | <p>includes all Councillors and Co-opted Members and provides posts that may be suitable to share on social media, on what to look out for and where to refer people in respect of Prevent, Channel and Modern Slavery; and</p> <p>4. that a follow up report on Prevent and Modern Slavery is presented at a future meeting (November) to update Members on progress and provide more details on findings and recommendations from the wider Partnership Reviews once they are completed.</p> | |
| | 46 | <p>a. There was no specific work being carried out by Public Health on menopause awareness but there were different schemes available, which the current Government was going to make mandatory for organisations employing more than 50 people. This did not apply to self-employed people. It was agreed that a written list would be provided to the Sub-Board Members and Co-opted Members on the support that was available for employers regarding the menopause.</p> <p>b. A written response would be provided on how communications with GPs was carried out from the Health Centre.</p> | <p>a. and b. Complete.</p> <p>a.</p> <ul style="list-style-type: none"> • Menopause and the workplace: Governemnt's response to the committee's first Report. Fourth Special Report of Session 2022-2023 • Menopause and workplace productivity - GOV.UK • Menopause Employment Ambassador partners with industry leaders to support women to stay in work - GOV.UK • Menopause support: For employers - Help to Grow • Sign up to the Menopause Workplace Pledge - Help to Grow • Supporting staff - Menopause at work - Acas • Additionally, a broad range of specialist independent organisations and companies offer training, HR, policy development and support packages for employers. A common approach for large employers is to develop policy and embed this via workplace champions or |

Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker

| Date of meeting | Minute No. | Action | Comments |
|-----------------|------------|--|--|
| | | | <p>networks, as TSDFT and Torbay Council have done. Menopause Champions</p> <p>b. The new specialist service contract started on 1st July 2025. Work is ongoing in terms of mobilising new IT infrastructure, which will enable the smooth transfer of patient data. Currently GPs can communicate with specialist services using this online referral form: Referral form for Devon sexual health – Devon Sexual Health</p> <p>Individual GPs will be engaged in ongoing care where there is explicit patient consent to do so. More widely, communications take place via NHS Devon ICB newsletters and local forums.</p> |
| 12/06/25 | 3 | <p>a. to provide a written response would be provided on the numbers of people who responded to the survey from each targeted area.</p> <p>1. that the short report on the impact of the Co-design of the Learning Disability campaign be circulated to all Councillors once it is published in September; and</p> <p>2. that Ms Gascoyne, Engaging Communities South West, be requested to provide a written update on the impact of the implementation of the recommendations within MacMillan Torbay Community Engagement Project Report.</p> | <p>a. Teresa emailed Abi Gascoyne 19 June 2025</p> <p>1. To follow up in September</p> |
| 17/07/25 | 8 | 1. that Torbay Council Housing Options team provide a written update to the Members of the Adults Social Care and | 1. |

Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker

| Date of meeting | Minute No. | Action | Comments |
|-----------------|------------|--|--|
| Page 30 | | Health Overview and Scrutiny Sub-Board once the visit to Harbour Housing scheme in Cornwall has been completed to provide feedback on any innovation that could be considered for implementation across Torbay; | |
| | | 2. that the Adult Social Care and Health Overview and Scrutiny Sub-Board Members are kept up to date on Union Square and Victoria Square developments on the numbers of properties that will be policy compliant; | 2. |
| | | 3. that progress on the Homelessness and Rough Sleeping Action Plan is reported quarterly to the Adult Social Care and Health Overview and Scrutiny Sub-Board; | 3. Complete. Added to the work programme |
| | | 4. the recommendation from 12 June 2025 meeting, requesting a report detailing the actions that have been taken in response to Adult Social Care Housing need from the Director Pride in Place, be amended to include an update on plans to increase the delivery of affordable housing across Torbay to support the increasing demand on homelessness services. | 4. Complete. Work programme amended. |