

<b>Committee(s):</b> Port Health and Environmental Services Committee – For Information Health and Wellbeing Board – For Information Licensing Committee – For Information	<b>Dated:</b> 25/11/2025 04/02/2026 05/02/2026
<b>Subject:</b> Tobacco and Vapes Bill	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	Providing Excellent Services
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>£</b>
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of:</b> City Remembrancer	<b>For Information</b>
<b>Report authors:</b> James Edwards, City Remembrancer's Office Rachel Pye, Environment Department	

### Summary

This report outlines the provisions of the Tobacco and Vapes Bill and any implications for the City of London Corporation.

### Recommendation(s)

Members are asked to note the report.

### Main Report

#### Background

1. The Tobacco and Vapes Bill was first introduced in the House of Commons in November 2024 and, at the time of writing, has passed all its stages in the first House and has begun its Committee Stage in the House of Lords.
2. The Bill would implement a commitment contained in Labour's General Election manifesto to ensure that the next generation can never legally buy cigarettes, and to ban vapes from being branded and advertised to appeal to children. This commitment was made as part of Labour's pledge to introduce preventative public health measures to support people to live longer, healthier lives.
3. The Bill follows on from a previous Tobacco and Vapes Bill introduced during Rishi Sunak's premiership, which sought to raise the legal smoking age each year, to ensure those born after 1 January 2009 could never legally purchase cigarettes.

4. The Bill has, to date, made relatively slow progress through Parliament, with six months elapsing between its Second Reading in the House of Lords and the tabling of its Committee Stage. Nonetheless, it has cross-party support within Parliament and is likely to reach Royal Assent towards the end of the year or in early 2026.

### **Current Position**

5. The Bill aims to create the first “smoke-free generation” by ensuring children born in 2009 or later can never be legally sold tobacco. It also includes provisions to make vaping less attractive and accessible to children and young people, strengthen smoke-free restrictions, and strengthen enforcement around the sale of tobacco and vaping products.
6. In relation to tobacco products, the Bill would:
  - I. make it an offence to sell tobacco products, herbal smoking products and cigarette papers to anyone born on or after 1 January 2009. This would replace the current age of sale restriction of 18 years for these products.
  - II. provide regulation-making powers that would enable the government to extend smoke-free restrictions to a wider range of premises (such as outside schools and hospitals), and to designate smoke-free places as also being heated tobacco-free.
  - III. provide the Secretary of State with powers to make regulations about tobacco products, such as establish requirements for product, substances and flavours.
7. In relation to vaping and nicotine products, the Bill would:
  - I. widen the scope of nicotine and vaping products that are subject to an age of sale restriction (18 years). For the first time, it would be an offence to sell non-nicotine vapes, e-liquids and refills to under 18s.
  - II. prohibit the sale of vaping and nicotine products from vending machines in the UK.
  - III. prohibit the free distribution, advertising, sponsorship and brandsharing of vaping and nicotine products to people of all ages.
  - IV. extend ‘smoke-free’ restrictions to vaping.
  - V. provide the Secretary of State with regulation-making powers to regulate vaping and nicotine products, including contents and flavour, packaging, and product requirements.
8. In relation to enforcement and retailer licensing, the Bill would:
  - I. provide for regulation-making powers to create a retailer licensing scheme for the sale of tobacco products, herbal smoking products, cigarette papers, vaping and nicotine products.
  - II. provide enforcement authorities with the power to issue fixed penalty notices for offences related to the underage sale, proxy sale and free distribution of tobacco and vaping products (£200) and offences in connection with licensing (£2,500).

9. In relation to advertising and sponsorship, the Bill would:

- I. introduce a UK-wide ban on the advertising, brandsharing and sponsorship of herbal smoking products, cigarette papers, vaping and nicotine products.
- II. extend provisions of the Communications Act 2003 about audiovisual and radio broadcasting to all herbal smoking products, cigarette papers, vaping and nicotine products.
- III. make a “relevant person” (such as a director or manager of a company or a partner in a firm) potentially liable for an advertising or sponsorship offence committed by a “body” (such as a body corporate, a partnership, or an unincorporated association).
- IV. impose a duty on relevant enforcement authorities to enforce the provisions in part 6 of the bill (relating to advertising and sponsorship) and regulations made under powers in part 6.
- V. empower the appropriate national authority to take over enforcement functions or proceedings instead of the relevant local enforcement authority.

10. Finally, the Bill would enable the UK Government and devolved administrations to expand the extent of provisions in existing legislation and within the Bill itself that regulate the sale and distribution of tobacco products, including to include products not currently in scope.

### **Implications for the City of London Corporation**

11. The City of London Corporation will be in scope of the Bill both as a local weights and measures (Trading Standards) authority and as a licensing authority.

12. The implications with respect to the City of London as licensing authority relate to the proposed retail licensing regime for the sale of tobacco, vapes and nicotine products. The government has indicated a two-tier approach separating a personal licence for individuals from a premises licence for retail locations, aimed at ensuring that only responsible retailers and staff can sell these products.

13. Licensing authorities would administer applications, renewals, suspensions and revocations and could attach conditions to licences. The practical design of the retail licensing scheme is still to be determined including the licence fee, whether it will be nationally or locally set, subject to annual review or if it will fully cover the costs of administration and enforcement.

14. Trading Standards and licensing will enforce elements of the new penalties for unlicensed selling or breaches of licence conditions which could include fixed penalties and higher fines through the courts for offences such as underage sales, packaging and advertising. The licensing model is intended to deter rogue traders, support legitimate businesses that comply with rules, and provide a clearer enforcement route for local authorities.

15. All of these responsibilities introduce additional finance, skills and resource burden implications for the licensing and trading standards authorities in establishing and discharging these new additional functions.

16. A further potential implication is that the new licensing scheme could encourage further the illegal market, with the consequence that the controls create an opportunity for criminals to exploit demand for unregulated and cheaper products, particularly if flavoured vapes are restricted.
17. The market in illicit products is controlled by organised crime, and the products represent a significant funding avenue for organised crime groups' other illegal schemes, such as human trafficking, money laundering and modern slavery.
18. The sale of illegal tobacco and vapes makes it easier for children and young people to start smoking and establish addictions. Some illegal cigarettes are not fire safe, they do not extinguish themselves if left unattended, presenting an increased fire risk.

## **Corporate & Strategic Implications**

*Strategic implications* – Providing Excellent Services: Protecting and promoting public health.

*Financial implications* – None at this stage

*Resource implications* – None at this stage

*Legal implications* – As outlined in the body of the report.

*Risk implications* – None at this stage

*Equalities implications* – Tobacco use continues to be the leading preventable cause of death, disease, and disability in our communities. Smoking rates show strong positive correlation with deprivation and reducing smoking rates among disadvantaged groups is the most effective way to tackle health inequalities.

Smoking rates are disproportionately higher amongst vulnerable populations such as the homeless, those with serious mental illness, and those with substance misuse issues. As the harms of tobacco use are not experienced equally across the population, reducing overall smoking rates in the City will contribute to mitigating the disparity in health and wellbeing burdens experienced across different population groups.

*Climate implications* – Every stage of the tobacco supply chain poses serious environmental challenges, including deforestation, the use of fossil fuels and the dumping or leaking of waste products into the natural environment. Reducing tobacco product use will lead to positive environmental outcomes.

*Security implications* – None

## **Appendices**

- None

**Background Papers**

- Tobacco and Vapes Bill – <https://publications.parliament.uk/pa/bills/cbill/59-01/0121/240121v2.pdf>

**James Edwards**

Remembrancer's Office

T: 020 7332 1202

E: [james.edwards@cityoflondon.gov.uk](mailto:james.edwards@cityoflondon.gov.uk)