



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Environment Overview and Scrutiny Committee

Tuesday, 4 June 2024

Report of Councillor Rhys Baker,
Cabinet Member for Environment and
Waste

Disposal of Vapes

Report Author

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Purpose of Report

To provide an update on the recent announcements from Government on the sale and disposal of disposable vapes.

Recommendations

That the Committee:

1. Notes the contents of the report and the revised timescales for considering vape disposal.

Decision Information

Does the report contain any exempt or confidential information not for publication? No

What are the relevant corporate priorities? Sustainable South Kesteven

Which wards are impacted? All Wards

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 At this time, there are no financial considerations as the kerbside collections have not been mandated for disposable vapes. Should this change as further updates are released, this position will need to be reassessed.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer

Legal and Governance

1.2 The report is for noting and there are no significant legal or governance implications arising from the report.

Completed by: Graham Watts, Monitoring Officer

Climate Change

1.3 At this time, there are no environmental considerations as the kerbside collections have not been mandated for disposable vapes. The disposal of vapes and small electrical items is a key issue for resource management and the outcome of the government consultations is eagerly anticipated.

Completed by: Debbie Roberts, Head of Corporate Projects, Performance and Climate Change

2. Background to the Report

- 2.1 In January 2024, the government announced that disposable vapes will be banned in England. These changes have been made through powers conferred through s. 140 of the Environmental Protection Act 1990 (“the 1990 Act”) and section 62(2) of the Regulatory Enforcement and Sanctions Act 2008 (“the 2008 Act”). It is designed to ban the supply and sale of disposable vapes in England to prevent pollution to the environment and harm to animal health.
- 2.2 Disposable vapes are products that are not rechargeable and/or refillable; the products covered may contain liquid with or without nicotine.
- 2.3 There is growing concern over the environmental impacts of disposable vapes given their hard to recycle components and the increasing frequency in which these products are littered or thrown in the bin leading to harm to the environment and biodiversity.
- 2.4 On 28th December 2023, shortly before announcing the ban, the government also opened a 10-week consultation on reforming the producer responsibility system for waste electronic and electrical equipment (WEEE). This consultation explored extending the producer responsibility scheme to ensure the ‘polluter pays’ principle was fully implemented for WEEE items.
- 2.5 Amongst other themes, the consultation explored the role of local authorities in collecting and disposing of this waste stream, alongside other issues such as creating a new category for vapes. At the time of writing this report, the response to this consultation had not yet been released.
- 2.6 The proposed coming into force date for the ban is 1 April 2025, however, it is not known if this will align with any changes which arise from the electrical item consultation.
- 2.7 This report is for noting only at this time, until further guidance is released by the government on the scope of the potential WEEE kerbside collections, it is recommended that no further action is taken.
- 2.8 Any changes which are mandated because of legislative changes may be funded by the producers and therefore it would be premature to introduce significant collection changes before any funding opportunities are understood.

3. Key Considerations

- 3.1 This report is for noting only.

4. Other Options Considered

- 4.1 None. At this point there is no requirement to consider alternative options as no changes have been mandated.

5. Reasons for the Recommendations

- 5.1 To provide the Environment Overview and Scrutiny Committee with an update on the ongoing, high-level discussions around potential changes to the disposal of vapes.