

## **EXECUTIVE COUNCIL TOP LINES – TUESDAY 10 DECEMBER 2019**

### **Control of Tobacco and Related Products Bill**

- ExCo approved the Public Health Committee to commence public consultation on the draft Control of Tobacco and Related Products Bill 2019, in mid-January 2020

### **Background**

- The proposed amendments are in line with the Health Directorate's Strategic Plan for tackling chronic diseases
- The changes to legislation complements a number of preventative measures that have already been put in place to tackle these diseases including:
  - *Discouraging people from starting smoking*
  - *Strengthening protection from the harm of second-hand smoke*
  - *Helping and encouraging smokers to quit or start thinking about quitting*
  - *Making smoking a less prominent feature in and around the community*
- Smoking is the world's leading cause of premature death and loss of healthy years
- There are a number of chronic diseases in the community - lung cancer, type 2 diabetes, ischaemic heart disease etc – which are the leading causes of death on St Helena, as well as overseas medical referrals
- The number of smokers, especially young smokers, on St Helena are higher than elsewhere in the world
- A number of people have come forward to quit but we do need to do more to make tobacco less attractive and visible – the amendments to the legislation enables this
- The proposed amendments include:
  - Prohibiting smoking in vehicles in certain circumstances including when a passenger is under the age of 18
  - Regulating the importation and sale of tobacco and related products – no merchant or individual may import such products unless they are registered
  - Tobacco sellers must request ID to prove that buyers are aged over 18 years
  - Tobacco and tobacco products may not be sold on premises that are used for purposes of health care, sports and recreation, government buildings, and educational facilities
  - All forms of advertising and promoting tobacco and related products by sellers will be prohibited. This includes in-store promotion (including prohibition on any display of tobacco products visible to the public and prohibition of display of price lists), and outside places of sale, in the media by advertisement or other promotion, or any other place, including Social Media
  - The legislation will regulate import and sale of electronic cigarettes (e-cigarettes, 'vapes' or 'juuls') - there is sufficient evidence that supports that

- e-cigarettes do not help people quit smoking but encourages young people to start smoking
  - Prohibits the sale of single sticks - Selling single sticks help to encourage young people to take up smoking and it will never help someone to quit because they always have the option of buying a single cigarette
  - Provision to introduce plain packaging
- The recommendations are in line with that of the WHO
- We are targeting tobacco and smoking as a primary risk factor as it's a common risk factor for all the chronic diseases we suffer on the Island
- In 2018, 18% of smokers approached the service wishing to quit now we have 38% - this legislation will help to increase this further
- Members saw this as a really good preventative measure going forward on the Island, one that will have long-term benefits
- We will now be treating the causes of the disease and not just the disease
- It is a long term investment for the future generation of Saints
- The public will be educated on the cost of medical referrals resulting from smoking-related diseases and the burdens on SHG and the public purse
- There will be safeguards and smoking cessation programmes in place to support people
- SHG has supported the informal approach to the Smoke Free policy but legislation will have wider impact
- Offences would come under Fixed Penalty Notices and Police would act as Enforcement Officers
- Shocking high percentage of smokers we have here especially younger adults
- Public consultation will include an explanatory note on the burdens on the Health Service, especially financial resources
- Communications will be provided prior to the consultation on smoking and people's personal health
- Council fully supported the proposed changes.

### **Transfer of land back to Crown Estates from land protected under the Airport Development Area Order**

- Executive Council approved parcels of land in Deadwood, Longwood North, Longwood South and Silver Hill which are currently protected under the Airport Development Area Order (ADAO) to be transferred back to the Crown Estate.

### **Background**

- When the construction of the Airport began, a number of parcels of private and Crown Estate land, totalling 1748 acres, were protected from development under the Airport Development Ordinance
- The Ordinance created the Airport Development Areas (ADA), parcels of land which were to have restricted access for facilitating the airport. Following completion and opening of the Airport, the Airport Directorate with Crown Estates has worked to see which parcels of land can be returned to the Crown Estate,

some of which could be released to support Comprehensive Development Areas (CDA) and commercial development

- The transfer of the assets back to the Crown Estate will assist SHG by allowing more land to be developed for commercial and residential development, therefore increasing revenue to SHG through sale of leases, ground rents and stamp duties
- Under the terms of the ADAO designation the land will revert back to the former Land Development Control Plan designations. This will result in 699 acres being returned to National Conservation Areas, 112 acres to the private sector, 395 acres to the intermediate zone, 524 acres to the coastal zone and 24 acres to the green heart land, where there is a presumption against development. The transfer of some parcels back into the intermediate zone will assist in property and economic development
- The land in the intermediate zone will accommodate at least 200 new homes on Island, which, assuming construction labour costs of £40k per home, and £50k of imported materials, could generate up to £8m for the construction sector, and £500k in import duties for SHG should all the homes be fully developed
- Members fully supported the transfer.

#### **AOB**

- Four colleagues from DFID and two from the FCO are visiting for an intense 3.5 day visit as part of the FAM discussions
- The FCO Permanent Under-Secretary of State will be visiting between 11 and 14 January and will meet with Legislative Council while here
- Dr Jeremy Sarkin will return on 4 Jan until 4 Feb as a follow-up to his initial visit to progress work on the Governance Reform.

#### **ExCo**

**10 December 2019**