



**NFCC**  
National Fire  
Chiefs Council

The professional voice of the  
UK Fire & Rescue Service

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## **Draft Environmental Protection (Single-use Vapes) (Scotland) Regulations 2024: consultation**

### **Q1. Do you have any feedback on the draft regulations to prohibit the sale and supply of single use vapes in Scotland?**

NFCC supports measures encouraging people to use rechargeable vapes as a smoking cessation tactic, including restrictions on the sale and supply of single use vapes, which have a significant environmental impact and pose a fire risk.

NFCC welcomes the shift in the language used in the consultation and regulations from “disposable vapes” to “single use vapes”, as these products are not “disposable” from an environmental or firefighting perspective, and pose a significant fire risk in the waste industry and people’s homes.

Single use vapes pose a fire risk when not collected separately for specialist recycling, as their lithium-ion batteries can ignite when crushed in a refuse vehicle or at waste-processing plant. Fires at waste centres require a large mobilisation of Fire and Rescue Service (FRS) resources over a protracted period of time and cause significant environmental damage, impacting air and water quality in particular. In addition, waste fires have a huge community and business continuity impact should a reception centre be out of use as a result of a fire.

Restrictions on the sale and supply of single use vapes will reduce the number of potential ignition sources that enter the waste industry, which will result in fewer waste fires and better environmental outcomes.

NFCC supports measures that reduce smoking prevalence for children, young people, and adults as reduced smoking prevalence is the key strategic tool for FRSs to limit the fire risks associated with smoking. Restricting the sale and supply of single use vapes, which are favoured by adolescents, will reduce the prevalence of vaping among children and young people. Nonetheless, the Scottish Government must ensure that

its interventions to limit the attractiveness of vaping to children and young people do not restrict efforts to support and encourage current smokers to access vapes. Using vapes is a safer alternative to smoking from both a fire risk and health perspective and supports attempts to quit smoking.

NFCC supports enforcement action against sellers in breach of the regulations as appropriate to ensure the regulations meeting the objective of reducing the health and environmental impacts of single use vapes, as well as ensuring a reduced fire risk. Sufficient funding and a clear strategy are required for enforcement action to be effective.

We strongly recommend that the Scottish Government gives full consideration to the impacts that a single use vape ban will have on fire safety, in particular the fire risks around the purchase, charging, use, and disposal of alternative vaping products.

## **Q2. Do you have any concerns about how these regulations would work in practice?**

Whilst NFCC supports greater restrictions on the sale and supply of single use vapes, it is important to be aware that this may also inhibit FRSs' efforts to reduce smoking prevalence and the risk from smoking-related fires in their communities. As public sector organisations, FRSs are part of multi-agency tobacco control approaches to reduce smoking prevalence in order to limit the fire risks associated with smoking and to promote the safety, health, and well-being of their communities.

FRS Prevention teams work to support and encourage smokers to use vapes, which are safer than smoking cigarettes from both a fire risk and health perspective. There will likely be knock-on effects on fire safety in domestic settings if fewer adult smokers quit smoking as a result of increased restrictions on or cost of vapes. Single use vapes are convenient to use, which can help adults quit smoking, and are particularly valuable for vulnerable groups of smokers, including older people and people with learning difficulties or dexterity issues, who may also be at a high fire risk.

The Scottish Government must ensure that the ban on single use vapes – and further interventions to limit the attractiveness of vaping to children and young people – do not restrict efforts to support and encourage current smokers to use vapes, which are safer than smoking from both a fire risk and health perspective.

Restrictions on single use vapes will encourage greater use of rechargeable vapes, which is positive from a fire risk and environmental perspective, but could also drive people to source alternative cheaper rechargeable vapes with a higher energy output. Unsafe charging of rechargeable vapes also poses a fire risk in people's homes. It is therefore crucial that restrictions on single use vapes are accompanied by the introduction of robust product safety standards for the rechargeable vape industry to ensure that any supply void is not filled by cheap unregulated and potentially dangerous products from the global marketplace. It is equally important that the public are encouraged to purchase, use, charge and dispose of all products containing lithium-ion batteries correctly and safely.

As well as unsafe charging, the fire risk around vaping in domestic settings is linked to counterfeit or faulty products which will proliferate if single use vapes are prohibited. A ban on single use vapes is likely to increase the market for illicit vaping products (both single use and cheaper rechargeables) which are less likely to adhere to product safety standards and potentially pose a greater fire risk.

We note that Local Authorities will be responsible for enforcement activity under the new regulations. Enforcement activity, and any associated reporting, will however come at a cost, and as such funding considerations for Local Authorities will need to be taken into account before the regulations are implemented.

Further clarity around potential transitional periods prior to (or after) the 1 April 2025 start date for the single use vape ban would be welcome.

### **Further information about your organisation's response**

**Organisations may use this space to provide additional context for their response. This could be information about, for example:**

- **Any research your organisation undertook to inform the response;**
- **Any engagement with your members or audience undertaken to inform the response.**

**This is optional.**

NFCC is the professional voice of UK FRS and is comprised of a council of UK Chief Fire Officers. Engagement with NFCC's members has been limited by the short timescale of this consultation, though we engaged with NFCC members on our response to the UK Government's Smokefree Generation consultation which closed in December 2023. Several FRS notified us that they had submitted letters of support for the NFCC's consultation response on the Smokefree Generation proposals.

FRSs do not currently collect specific data relating to fires caused by single use vapes. Fire incident statistics (FIRE0605) capture "smoking materials" as a cause of fires, but this is not aggregated further, and it is therefore difficult to know how many domestic fires are caused by vapes. Research undertaken by the insurer Zurich Municipal revealed that fires in waste disposal vehicles increased by 62% in two years while house fires caused by vapes have soared 108% in the same period. Research undertaken by [campaign group Material Focus revealed](#) that across the UK in 2022 there were more than 700 fires in waste disposal vehicles and recycling centres caused by electrical batteries including the lithium-ion batteries commonly used in single vapes.