

## SMOKEFREE LEGISLATION COMPLIANCE DATA

### Report covering 14th – 31st July 2007 (Period 2)

This report summarises the findings of the second smokefree legislation compliance data collection from enforcement authorities in England. The Department of Health has commissioned Local Government Analysis and Research (LGAR) to collect these data regularly from local authorities and port health authorities from July 2007 to July 2008. (The full timetable can be found on LGAR's website: [www.lgar.local.gov.uk/lgy/core/page.do?pageId=32700](http://www.lgar.local.gov.uk/lgy/core/page.do?pageId=32700)).

As enforcement authorities, local councils are key to the success of the smokefree legislation. The data provided by these returns will play an important monitoring role in the early months after implementation, before longer-term research studies looking at the impact of the new smokefree law become available.

In total, responses were received from 335 local authorities (95%), the data from which also covered 64 port health authorities. In addition, 16 port health authorities provided separate returns. Full details of response by region, as well as additional notes, can be found in the accompanying Technical Annex. The tables below are based on all 351 responses and are ungrossed. Note, however, that the actual number of respondents to each question may differ slightly from the overall total as some authorities were unable to answer all questions.

Tables in this report show activity during the period **14th July** to **31st July** and cumulative from the 1st of July. Inspections are defined as both multi-purpose and solely smokefree inspections.

## Overall compliance

Table for the period 14th-31st July					
	Total number inspected	Identified as compliant – no smoking		Identified as compliant – signage	
		Number	%	Number	%
East Midlands	4,555	4,436	97.4%	3,795	83.3%
East of England	7,657	7,532	98.4%	6,529	85.3%
London	9,545	9,442	98.9%	8,351	87.5%
North East	5,559	5,521	99.3%	5,237	94.2%
North West	11,142	10,795	96.9%	9,442	84.7%
South East	9,342	9,172	98.2%	7,721	82.6%
South West	6,484	6,401	98.7%	5,398	83.3%
West Midlands	4,616	4,554	98.7%	3,778	81.8%
Yorkshire & Humberside	6,751	6,450	95.5%	5,853	86.7%
England	65,651	64,133	97.7%	56,104	85.5%

Base: all respondent local authorities and port health authorities (351).

Enforcement authorities inspected a total of 65,651 premises and vehicles over 14-31st July, of which 97.7% were compliant in terms of no-smoking (defined as no evidence of management knowingly permitting smoking), ranging between 95.5% in Yorkshire & Humberside and 99.3% in the North East.

Overall, 85.5% of premises and vehicles were compliant in terms of signage (defined as the required no-smoking signage being displayed prominently), varying between 81.8% in the West Midlands and 94.2% in the North East.

Cumulative Table for the period between 1st July and 31st July					
	Total number inspected	Identified as compliant – no smoking		Identified as compliant – signage	
		Number	%	Number	%
East Midlands	11,121	10,818	97.3%	8,897	80.0%
East of England	15,334	14,973	97.6%	12,066	78.7%
London	21,077	20,865	99.0%	17,858	84.7%
North East	11,297	11,070	98.0%	10,214	90.4%
North West	27,912	26,979	96.7%	23,951	85.8%
South East	23,680	23,181	97.9%	18,446	77.9%
South West	19,603	18,767	95.7%	15,288	78.0%
West Midlands	11,227	11,107	98.9%	8,787	78.3%
Yorkshire & Humberside	13,299	12,731	95.7%	10,783	81.1%
England	154,550	150,491	97.4%	126,290	81.7%

Base: all respondent local authorities and port health authorities (356)

In the first month since the start of the legislation, Authorities have inspected a total of 154,550 premises and vehicles. The largest number of inspections has been carried out in the North West. Note that some premises might have been inspected more than once in the first month.

## Premises compliance

Enforcement authorities inspected 59,799 premises, of which 98.0% were compliant in terms of no-smoking. Two-thirds of premises visited were classed as 'other', which includes workplaces, manufacturers, takeaways, and care establishments.

Overall, 85.2% of premises were compliant in terms of signage, varying between 83.6% of 'other' premises and 91.8% of other licensed premises (e.g. pubs and clubs).

Table for the period 14th-31st July					
Types of premises	Number inspected	Identified as compliant – no smoking		Identified as compliant – signage	
		Number	%	Number	%
Accommodation	1,298	1,257	96.8%	1,134	87.4%
Restaurants	4,538	4,435	97.7%	3,992	88.0%
Other licensed	7,014	6,782	96.7%	6,441	91.8%
Other	39,221	38,428	98.0%	32,797	83.6%
Not specified*	7,728	7,673	99.3%	6,576	85.1%
<b>Total</b>	<b>59,799</b>	<b>58,575</b>	<b>98.0%</b>	<b>50,940</b>	<b>85.2%</b>

Base: all respondent local authorities and port health authorities (345)

\* 52 authorities were unable to provide a breakdown by premises type.

Cumulative Table for the period between 1st July and 31st July					
Types of premises	Number inspected	Identified as compliant – no smoking		Identified as compliant – signage	
		Number	%	Number	%
Accommodation	2,388	2,321	97.2%	2,071	86.7%
Restaurants	11,321	11,069	97.8%	9,802	86.6%
Other licensed	16,807	16,350	97.3%	15,352	91.3%
Other	93,671	90,919	97.1%	74,477	79.5%
Not specified*	18,550	18,277	98.5%	14,441	77.8%
<b>Total</b>	<b>142,737</b>	<b>138,936</b>	<b>97.3%</b>	<b>116,143</b>	<b>81.4%</b>

Base: all respondent local authorities and port health authorities (356)

\* 52 authorities were unable to provide a breakdown by premises type.

## Regional variation in premises compliance

There was little regional variation in the no-smoking compliance rate: it was lowest in Yorkshire & Humberside (95.3%) and highest in the South West and the North East (99.2%).

There was slightly more variation in the signage compliance rate: it was highest in the North East (93.2%) and lowest in the West Midlands (81.5%).

Table for the period 14th-31st July					
	Total number inspected	Identified as compliant – no smoking		Identified as compliant – signage	
		Number	%	Number	%
East Midlands	4,399	4,290	97.5%	3,671	83.5%
East of England	6,605	6,487	98.2%	5,621	85.1%
London	9,377	9,279	99.0%	8,212	87.6%
North East	4,386	4,350	99.2%	4,087	93.2%
North West	10,257	9,936	96.9%	8,644	84.3%
South East	8,292	8,152	98.3%	6,789	81.9%
South West	5,843	5,795	99.2%	4,883	83.6%
West Midlands	4,435	4,375	98.6%	3,615	81.5%
Yorkshire & Humberside	6,205	5,911	95.3%	5,420	87.3%
England	59,799	58,575	98.0%	50,942	85.2%

Base: all respondent local authorities and port health authorities (345)

Cumulative Table for the period between 1st July and 31st July					
	Total number inspected	Identified as compliant – no smoking		Identified as compliant – signage	
		Number	%	Number	%
East Midlands	10,584	10,295	97.3%	8,471	80.0%
East of England	13,492	13,172	97.6%	10,472	77.6%
London	20,532	20,325	99.0%	17,423	84.9%
North East	9,912	9,690	97.8%	8,855	89.3%
North West	25,203	24,307	96.4%	21,455	85.1%
South East	21,658	21,217	98.0%	16,652	76.9%
South West	18,161	17,402	95.8%	14,306	78.8%
West Midlands	10,692	10,577	98.9%	8,341	78.0%
Yorkshire & Humberside	12,503	11,951	95.6%	10,170	81.3%
England	142,737	138,936	97.3%	116,145	81.4%

Base: all respondent local authorities and port health authorities (356)

## Vehicle compliance

Enforcement authorities inspected 5,852 vehicles (e.g. taxis, private hire vehicles, coaches, and buses). The overall compliance rate for no-smoking was 95.0%, ranging from 68.0% in the South West to 99.8% in the North East.

The overall signage compliance rate was slightly higher than that of premises, at 88.2%, varying between 79.3% in Yorkshire & Humberside and 98.0% in the North East.

Table for the period 14th-31st July					
	Total number inspected	Identified as compliant – no smoking		Identified as compliant – signage	
		Number	%	Number	%
East Midlands	156	146	93.6%	124	79.5%
East of England	1,052	1,045	99.3%	908	86.3%
London	168	163	97.0%	139	82.7%
North East	1,173	1,171	99.8%	1,150	98.0%
North West	885	859	97.1%	798	90.2%
South East	1,050	1,020	97.1%	932	88.8%
South West	641	606	94.5%	515	80.3%
West Midlands	181	179	98.9%	163	90.1%
Yorkshire & Humberside	546	539	98.7%	433	79.3%
England	5,852	5,558	95.0%	5,162	88.2%

Base: all respondent local authorities and port health authorities (341)

Cumulative Table for the period between 1st July and 31st July					
	Total number inspected	Identified as compliant – no smoking		Identified as compliant – signage	
		Number	%	Number	%
East Midlands	537	523	97.4%	426	79.3%
East of England	1,842	1,801	97.8%	1,594	86.5%
London	545	540	99.1%	435	79.8%
North East	1,385	1,380	99.6%	1,359	98.1%
North West	2,709	2,672	98.6%	2,496	92.1%
South East	2,022	1,964	97.1%	1,794	88.7%
South West	1,442	1,365	94.7%	982	68.1%
West Midlands	535	530	99.1%	446	83.4%
Yorkshire & Humberside	796	780	98.0%	613	77.0%
England	11,813	11,555	97.8%	10,145	85.9%

Base: all respondent local authorities and port health authorities (345)

## Enforcement – premises/vehicles failing to prevent smoking in a smokefree area

Over 14th-31st July, enforcement authorities issued 170 written warnings in respect of premises/vehicles' management failing to prevent smoking (equivalent to 0.3% of premises/vehicles inspected). There was 1 court hearing.

Table for the period 14th-31st July		
	Number of written warnings given	Number of court hearings
East Midlands	21	0
East of England	21	0
London	7	0
North East	6	0
North West	16	1
South East	33	0
South West	17	0
West Midlands	25	0
Yorkshire & Humberside	24	0
England	170	1

Base: all respondent local authorities and port health authorities (351)

Cumulative Table for the period between 1st July and 31st July		
	Number of written warnings given	Number of court hearings
East Midlands	41	0
East of England	46	0
London	34	0
North East	11	0
North West	32	1
South East	55	0
South West	21	0
West Midlands	42	0
Yorkshire & Humberside	30	0
England	312	1

Base: all respondent local authorities and port health authorities (351)

## Enforcement – premises/vehicles failing to display correct signage

Enforcement authorities issued 1,073 written warnings in respect of premises/vehicles failing to display correct signage (equivalent to 1.6% of premises/vehicles inspected). Two fixed penalty notices were issued, but there were no court hearings.

Table for the period 14th-31st July			
	Number of written warnings given	Number of fixed penalty notices issued	Number of court hearings
East Midlands	132	1	0
East of England	63	0	0
London	75	0	0
North East	84	0	0
North West	13	0	0
South East	366	0	0
South West	49	0	0
West Midlands	141	1	0
Yorkshire & Humberside	150	0	0
England	1,073	2	0

Base: all respondent local authorities and port health authorities (351)

Cumulative Table for the period between 1st July and 31st July			
	Number of written warnings given	Number of fixed penalty notices issued	Number of court hearings
East Midlands	388	1	0
East of England	141	0	0
London	82	0	0
North East	183	0	0
North West	37	0	0
South East	939	0	0
South West	643	0	0
West Midlands	302	1	0
Yorkshire & Humberside	383	0	0
England	3098	2	0

Base: all respondent local authorities and port health authorities (351)

## Enforcement – individuals smoking in a smokefree area

Enforcement authorities issued 44 written warnings to individuals for smoking in a smokefree area. Three fixed penalty notices were issued, but there were no court hearings.

Table for the period 14th-31st July			
	Number of written warnings given	Number of fixed penalty notices issued	Number of court hearings
East Midlands	19	0	0
East of England	3	0	0
London	0	0	0
North East	3	0	0
North West	4	2	0
South East	6	0	0
South West	6	0	0
West Midlands	1	1	0
Yorkshire & Humberside	2	0	0
England	44	3	0

Base: all respondent local authorities and port health authorities (351)

Cumulative Table for the period between 1st July and 31st July			
	Number of written warnings given	Number of fixed penalty notices issued	Number of court hearings
East Midlands	38	0	0
East of England	5	0	0
London	1	0	0
North East	5	0	0
North West	9	3	0
South East	15	0	0
South West	7	0	0
West Midlands	3	1	0
Yorkshire & Humberside	6	0	0
England	89	4	0

Base: all respondent local authorities and port health authorities (351)