

NOTICE OF MOTION	Date of Council Meeting: 15 July 2026
	Proposer: Cllr Tinsley
	Seconded: Cllr Z Collingham
	Title of Motion: Protecting Children, Supporting Honest Businesses and Cracking Down on Illicit Vapes, Tobacco and Underage Sales

This Council notes that:

1. Illegal tobacco, counterfeit cigarettes and illegal vaping products continue to be sold within communities across Rotherham, undermining honest local businesses, exposing consumers to unsafe products and fuelling organised criminal activity.
2. There has been a visible surge in dedicated high-street vape shops and unregulated mini-marts, often situated close to local schools. This has led to an alarming rise in both youth access to vapes, and the proliferation of illegal vapes, whether illegally large, illegally strong, or illegally spiked with dangerous psychoactive substances, including THC (cannabis) and synthetic cannabinoids.
3. Residents, parents, schools and responsible retailers continue to raise concerns about underage sales and the growing availability of illegal vaping products to children and young people, as do elected members.
4. Parliament has strengthened legislation through the Tobacco and Vapes Act 2026, increasing the importance enforcing standards in the run up to a new licensing regime.
5. National enforcement agencies have identified organised criminal groups as being heavily involved in the illicit tobacco and illegal vape trade, which has been linked to both the drug trade and the slave trade.
6. Trading Standards is the lead enforcement authority and effective enforcement relies on partnership with South Yorkshire Police and other agencies. The Police are unable to act alone.
7. Whilst successful operations have taken place, the response to increasing intelligence and complaints indicates the Council's Trading Standards team is understaffed and under resourced. This paralyses local enforcement and undermines public protection, with inaction and delayed investigations enabling rogue traders to operate with impunity.

This Council believes that:

1. No child in Rotherham should be able to walk into a shop and illegally purchase nicotine products.
2. No adult in Rotherham should be able to purchase illegal nicotine products.
3. The overwhelming majority of retailers operate responsibly and enforcement should be firmly targeted at rogue traders.
4. The illegal sale of tobacco and vaping products harms public health, damages legitimate businesses and funds organised crime.
5. Those who knowingly sell illegal products or sell nicotine products to children should face the strongest sanctions available.
6. Fixed financial penalties can be an anticipated 'cost of business' for rogue traders and the Council must be equipped, where appropriate, to make full use of Closure Orders, prosecutions, seizure powers and the Proceeds of Crime Act.

Therefore, this Council resolves to:

1. Request an urgent review of Trading Standards staffing, capacity and resources.
2. Request Trading Standards, Council Legal Services and South Yorkshire Police adopt a robust, intelligence-led enforcement approach, using Closure Orders against non-compliant retailers where possible to demonstrate a highly visible, zero-tolerance approach as a deterrent to other rogue traders.
3. Increase intelligence-led underage test purchasing and proactive operations.
4. Request that the Overview and Scrutiny Management Board (OSMB) considers this issue within six months and, where appropriate, refers elements to the relevant Select Commission(s). OSMB should receive a further progress report within 12 months.
5. Request the Leader of the Council writes to Government seeking increased funding for Trading Standards for the Council's increased enforcement role.
6. Continue partnership working with South Yorkshire Police, schools, NHS and public health partners to protect children and disrupt organised criminal networks.