

Christopher Ogden Chief Executive, TMA comments...

This edition of the TMA Briefing addresses two main issues: the consequences of the public place smoking ban a year after its implementation in England, and the recently launched government consultation 'The Future of Tobacco Control'.



Firstly though, I must introduce readers to a new member of the TMA team: Dirk Vennix (please see overleaf). Dirk has joined us as our new Director of Communications. His knowledge and expertise in corporate affairs will help greatly in conveying our messages to a wider audience. Tobacco control proposals are increasingly in the news and I am confident that Dirk will ensure we get a good hearing in the debate.

Much discussion will surround the 'The Future of Tobacco Control' consultation. It is a wide-ranging set of new proposals and we, with the many other affected stakeholders, will be giving our considered response by the 8th September deadline. Our main concerns are addressed opposite in this Briefing.

As for the smoking ban, despite what its supporters might claim, there have been many unintended consequences. It is time for a review of the legislation with a view to enabling the provision of accommodation for both non-smokers and smokers, as is the case in most EU member states.

If you have a view on anything in this Briefing or wish for further information on any issue, please get in touch.

FOCUS POINT: FUTURE OF TOBACCO CONTROL

Following up on its 2007 Cancer Reform Strategy paper, the Government published its 'Consultation on the Future of Tobacco Control' on 31 May. The document contains a range of tobacco control proposals including restrictions on tobacco product displays and the banning of vending machines.

As always, we will continue to argue for commercial freedom of speech but within the constraints of legislation that must be reasonable and evidence-based. What we want is:

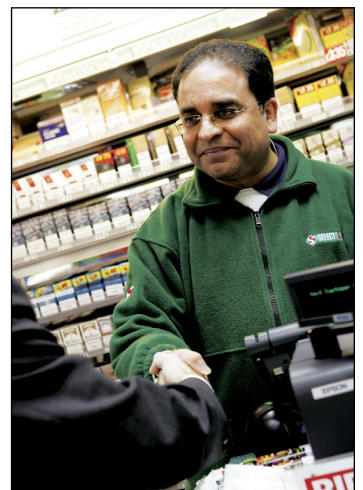
- ◆ Retention of tobacco product displays at the point of sale in shops;
- ◆ The continuation of the sale of 10-packs of cigarettes; and,
- ◆ Continued use of tobacco vending machines with age-controlled access.

Underpinned by:

- ◆ Prevention of those under the legal age of 18 years from accessing tobacco products

The TMA completely agrees with the Government that children should not smoke and should be actively discouraged from doing so. The vast majority of retailers are committed to upholding the law on age-related sales and we remain committed to retailer proof-of-age programmes such as 'CitizenCard' (<http://www.citizencard.com>) and 'No ID, No Sale' (<http://www.noidnosale.com>) as the most effective way to stop children accessing cigarettes. We fully support sanctions against those retailers who sell to young people, and welcome further enforcement of the existing law to prevent underage sales.

While we welcome any sensible proposals that will assist in preventing the purchase of tobacco by those under the age of 18, any proposals should be supported by credible evidence that they would address the government's stated public health objectives. We believe that any regulatory proposals on tobacco sales must strike a balance between pursuing public health policy objectives, allowing adults the freedom of choice to smoke and the right of retailers to display and sell a legal product. There is real concern from many stakeholders that some of the proposed regulations, such as display restrictions and a ban on 10-packs of cigarettes, could have serious unintended consequences, affecting the smaller independent retailers who sell tobacco, and increasing an already large illicit market in tobacco. We are asking opinion formers and stakeholders to support our position and to get in touch with the Secretary of State for Health to make their views known. Further details are given under Point of Sale Action Points overleaf.



Tobacco gantry at point of sale

Zoe Walker, Corporate Affairs Manager writes...

A YEAR ON – the effects of the smoking ban

Following the first anniversary of the public place smoking ban in England on 1st July the TMA is calling on government to bring forward the review (planned for 2010) of the smoking provisions of the Health Act. The TMA believes there is sufficient evidence to warrant consideration of potential exemptions in order to achieve a more equitable approach to the issue of public place smoking.



It is quite clear that the smoking ban has had an adverse commercial impact on the hospitality sector and has created detrimental societal changes too. Working men's clubs, bingo halls and the social network around them, have been hit particularly hard. People working in the hospitality sector are losing sales, jobs and their livelihoods as a result of the ban. Pubs have been closing seven times faster than in 2006.¹

Research² shows 1 in 5 people are visiting pubs and bars less frequently than they thought they would do following the smoking ban. The BII has also established that traditional working men's clubs and bars, which serve little food, have been most affected and a proportion of them can be expected to close (trade has dropped by 7%).³ According to the Morning Advertiser nearly 6 out of 10 pubs have been forced to shed staff, with an average of 2.75 redundancies per pub.⁴

We are not opposed to restrictions on smoking in public places. Smokers however should have available to them places where they may smoke without inconveniencing others. It is perfectly possible to achieve this, as evidenced by the provision of exemptions in the majority of EU Member States.

¹ British Beer & Pub Association figures compiled by CGA Strategy, May 2008
² Deloitte Report published 7 June 2008 – consumer research conducted in May 2007 and May 2008.
³ BII/Federation Licensed Victuallers' Association Survey 'Impact of the smoking ban England research report', 13/12/07
⁴ Morning Advertiser Survey, April 2008

New Director of Communications

TMA appointed Dirk Vennix as Director of Communications in May 2008. Dirk joined the TMA from Enterprise Insight, where he was Director of Campaign Operations. He was responsible for ensuring that the enterprise campaign was delivered with real impact.



Before joining Enterprise Insight, Dirk worked for Centrica plc, where he fulfilled a range of senior management roles in corporate affairs. He also worked at Liverpool John Moores University as Head of Marketing and Communications. Dirk started his career as a journalist and is a Fellow of the Chartered Institute of Public Relations (FCIPR).

Dirk comments, "Tobacco is one of the most high profile issues of our time and should be approached in a considered and constructive way. Regulatory proposals have to strike the right balance between promoting public health objectives and allowing adults the freedom to choose. I am engaging with a range of important stakeholders and aim to strengthen our dialogue with them on these issues."

Point of Sale Action Points

1. EDM No.1904, 'Small Shops and Tobacco Displays.' Please show your support for tobacco retailers by signing up if you are an MP:
<http://edmi.parliament.uk/EDMi/EDNMDetails.aspx.EDMID=36225&SESSION=89>
2. Tobacco Display e-Petition - please sign the Downing Street online petition:
<http://petitions.pm.gov.uk/Tobacco-displays>
3. You can also send your response directly to the Department of Health by the consultation deadline of 8th September:
Online at tobaccoconsultation@dh.gsi.gov.uk
or by post to:
**Tobacco Consultation, Department of Health
Room 712, Wellington House**

Empty pubs... Bingo halls suffering... Working men's clubs closing...

Smoking ban blamed for sell-off
PUBS CHAIN IN BIG SALE

350 SCOTS PUBS SHUT SINCE BAN
Trade body counts cost to the industry of past two years

Another pub chain falls victim to the ban on smoking

It's game over as smoking ban kills off city bingo hall

BINGO JOBS UP IN SMOKE
Cig ban threatens to kill game

'Smoking ban putting clubs at risk'

BAN BATTERS BINGO
Half of all bingo machines are closed. Half are damaged with games hours for sale. Many machines are broken. Half are damaged with games hours for sale. Many machines are broken.

BAN 'DAMAGED' WELSH TRADE
One year on: Wales LVA reports possible weekday closures

Irish pubs to become internet cafes by day

Closure risk for 'one in five bingo clubs'

Working men's clubs hit hardest by smoking ban

Who to contact at the TMA

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