

PHB 25

Bil Iechyd y Cyhoedd (Cymru)

Public Health (Wales) Bill

Ymateb gan: Liz Vann, Uwch Swyddog Siartredig Iechyd yr Amgylchedd

Response from: Liz Vann, Senior Chartered Environmental Health Officer

Following the response by wales heads of environmental health group on the consultation on principles of the public health (wales) bill as an CEHP I agree with these comments but would also add my own comments:-

**Restrictions on smoking in enclosed and substantially enclosed public and work places, and give Welsh Ministers a regulation-making power to extend the restrictions on smoking to additional premises or vehicles:**

The introduction of the ban on smoking in enclosed public spaces was a success in reducing people's exposure to environmental tobacco smoke and in my opinion did change the attitude and strengthen public awareness. However, It is disappointing that this is not being extended to have a 'limit' to prevent people smoking in doorways, windows and access and egress of the entrance ways to business premises. Complaints are being received relating to the fact that patrons and staff have to walk through a 'smoking fog' in some instances, where there is no specific area for smokers, for instance high street public houses and businesses.

**The creation of a mandatory licensing scheme for practitioners and businesses carrying out 'special procedures', namely acupuncture, body piercing, electrolysis and tattooing;**

3.9 , 3.10 and 3.19 I agree with these points and would reiterate that the beauty industry and thus some of the 'Cosmetic' procedures should come within the remit of special procedures such as botox and other similar and emerging procedures.

3.12 The consideration of mandatory conditions is not clear as to where the current Bylaws will sit and should not be lost with the accent of this bill.

3.14 The consideration of power of entry and seizure of equipment must be considered to enable adequate enforcement and prevention of continued

risk. To this effect there must also be an ability for the destruction and disposal of seized equipment.

### Age limit

4.12 I would agree with this statement and would not want the limit to be reduced as I am sure those that have made complaints relating to underage tattooing of their children would agree. In addition, would this legislation change the requirements of Tattooing of Minors Act 1969 to extend the time limit. The current short time limit, due to the offence occurring from the time of the actual tattooing /disclosure to the enforcing authority of 3 months in the 1969 act, can prove problematic during an investigation when dealing with minors.

**To require local authorities to prepare a local strategy to plan how they will meet the needs of their communities for accessing toilet facilities for public use;**

6.1, 6.2 and 6.3 I agree with these points and would reiterate that the enhancement and use of Section 20 which have proved useful in other areas, such as Sussex . Local Liaison Groups for Health and Safety in these areas have successfully established a standard for compliance and would have been useful in the ‘Greggs v Hull case linked to toilet provision and assured advice of primary authorities. The use of section 20 is limited to the ability of the LA to adopt such procedures and this may need to be considered and made simpler especially having regard to the provision of Unitary Authorities in Wales where historical information may have been lost.

**To enable a ‘food authority’ under the Food Hygiene Rating (Wales) Act 2013 to retain fixed penalty receipts resulting from offences under that Act, for the purpose of enforcing the food hygiene rating scheme.**

As a Health and Safety and Food Officer in times of austerity, I welcome this to ensure the continued success of the scheme and provision of informed choices for the public.