

Smoking Ban - HEALTHY for Business ?

Good (cough) or Bad ?

The announcement that there will be a ban on smoking in public places in Scotland by the spring of 2006 was unsurprisingly welcomed by the majority, bearing in mind 70% of Scots are non-smokers. However, despite swelling public opinion in favour of the ban, it is without doubt an extremely brave decision the Scottish Executive has taken. Especially, in the light of the watered down approach south of the border.

First Minister Jack McConnell, says “Its clear that Scotland must not be held back by poor public health – the single contribution devolved government can make is to reduce the toll of preventable death caused by smoking.” Rhona Brankin Deputy Health Minister adds “Scotland has one of the worst health reputations in Western Europe, with one in four of all deaths attributable to smoking.

The Tobacco Trade (cough) supported by many in the Licensed Trade have lobbied vigorously to try and avoid a total ban in favour of a voluntary approach despite practical evidence that such an approach just doesn’t work. Concerns were expressed that businesses would be affected and jobs lost despite evidence to the contrary from Ireland, Norway and parts of America (California & New York) that after a brief dip, businesses are in fact experiencing an overall net gain.

Jim Devine Unison highlights the banning of smoking in enclosed spaces is a “basic health and safety matter. Passive smoking seriously harms health and can kill those who are exposed to tobacco smoke for extended periods of time with bar workers most vulnerable.”

After the initial shock, many Scottish Miners Welfare Management Committees’ are coming to terms with the overall benefits the Executive’s unanimous decision to ban smoking in enclosed public places will bring to Scotland. Some Miners Welfares’ are already working closely with CISWO and local health promotion agencies, exploring opportunities to help those who want support to cut down or stop smoking all together. Fitting comfortably, with their community charitable aims and objectives.

Smoking Ban (Cough)

Your Questions answered on how it will affect Scottish Miners Welfare Schemes

Q: How will the new legislation affect smokers ?

A: The Smoking, Health and Social Care (Scotland) Bill will make it an offence to smoke in an enclosed public place such as Miners Welfare Clubs from March 2006.

Q: Are all private members’ clubs , pubs and restaurants affected ?

A: Yes. The new licensing legislation is expected to prevent private clubs having their alcohol licences renewed, unless they have a smoke-free policy.

Q: How will the new law affect those who run Miners Welfare Clubs ?

A: The bill will make it an offence to permit others to smoke in an enclosed public space which is covered by the legislation. It will also be an offence to fail to display warning notices in no-smoking premises.

Q: Can a Miners Welfare obtain exemption from the Ban ?

A: No. The Executive is to draw up a list of those who will be exempt on “humanitarian” grounds. This is likely to include prison cells and nursing homes.

Q: What penalties will be imposed on those who break the ban ?

A: Individuals who smoke will be given fixed-penalty fines of £10. Individuals persistently found smoking in enclosed public areas will be fined up to £1,000.

Q: What are the penalties for those responsible for running Miners Welfares’ ?

A: Under the bill, Managers (Members of Management Committees) of any premises who fail to enforce the ban face fines of up to £2,500, and could lead to the loss of their licence to sell alcohol.

Q: Who will enforce the ban ?

A: Local Authority Environmental Health Officers with new powers to enter and search the premises. They can enter by the use of force if refused access.

Q: What if someone refuses to provide their details ?

A: The bill makes it an offence to fail to give a name and address when asked to by an enforcement officer. However, in practice the Executive is expecting Clubs will enforce the new law themselves because of the fear of losing their licence.

Q: What can Miners Welfare Management Committees do now to prepare for the new legislation ?

A: Keep the Membership informed of the progress and implications of the new legislation well in advance of its implementation. Explore ways of supporting smokers who wish to cut down or give up smoking. For example work in partnership with your local Health Promotion Agencies to provide Smoking Seccession Classes in your Miners Welfare for members, guests and the wider community. For assistance and support contact CISWO (Scotland).