

Prohibition of the sale and supply of single-use vapes

Island Communities Impact Screening Assessment

June 2024

Introduction to Island Communities Impact Assessment Report

1. An interim Island Communities Screening Impact Assessment (ICIA) was published¹ as part of the Scottish Government's public consultation on the regulations to prohibit the sale and supply of single-use vapes in Scotland, which took place between 2nd April and 14th May 2024. This document expands on the interim ICIA with the findings from public consultation. This updated document will discuss relevant issues and mitigation measures where appropriate.
2. This assessment considered steps one, two and three of the Scottish Government guidance.
 1. Develop a clear understanding of the proposal objectives
 2. Data and stakeholders
 3. Consultation
3. Further information on these and subsequent steps, as well as the importance of Island Communities Impact Assessments, can be found in the guidance on the Scottish Government website².
4. The public consultation requested feedback on the updated Regulations, the implementation of the proposed ban, and a suite of impact assessments. A total of 45 responses were received.

¹ Island Communities Impacts assessment. Scottish Government, 2024

² Scottish Government (2022) Island communities impact assessments: guidance and toolkit

5. Common themes throughout the feedback on the Regulations included the need for greater enforcement powers for Trading Standards, and clarity around the definition of 'single-use vape' to include pod-based devices if the refillable pods are not sold separately. Common themes on implementation and enforcement were the need for additional funding for Trading Standards, an import ban on single-use vapes, guidance for retailers and awareness campaigns for consumers, and a clear definition of 'single-use vape.'
6. Respondents to the Business Regulatory Impact Assessment agreed with the focus on the environmental impact, but highlighted data gaps around the illicit vapes market, expected changes to consumer habits and the percentage of single-use vapes in the UK vapes market.
7. The majority of respondents agreed with the contents of the Island Communities Impact Assessment and the conclusion that the policy is unlikely to have a significant effect on Island communities.

The Islands (Scotland) Act 2018

8. The Islands (Scotland) Act 2018 places a duty on Scottish Ministers and other relevant public bodies to have regard to island communities in exercising their functions and in the development of legislation.
9. Section 13 of the 2018 Act obliges Scottish Ministers to prepare an Island Communities Impact Assessment (ICIA) in relation to legislation which, in their opinion, is likely to influence an island community that is significantly different from its effect on other communities in Scotland.

10. Section 13 further states that an ICIA must:
 - a. Describe the likely significant different effect of the legislation;
 - b. Assess the extent to which Scottish Ministers consider that the legislation can be developed in such a manner as to improve or mitigate, for island communities, the outcomes resulting from the legislation; and
 - c. Set out the financial implications of steps taken under this subsection to mitigate, for island communities, the outcomes resulting from the legislation.

11. The Scottish Government's ICIA guidance sets out four preliminary stages that must be undertaken prior to preparing an ICIA. These are:
 1. Developing a clear understanding of the objectives and intended outcomes of the policy, strategy or service including any island needs or impacts.
 2. Gathering data, identifying evidence gaps, and identifying stakeholders.
 3. Consulting with appropriate stakeholders.
 4. Assessing whether there are any issues resulting from the proposed policy that are significantly different from those that would be experienced on the mainland, or on other islands.

12. If any significantly different impacts were identified, an ICIA would be required.

Aim of the policy proposal

13. The Scottish Government seeks to make regulations to ban the sale and supply of single-use vapes.
14. The policy objectives of the intervention are to:
 - Accelerate a reduction in environmental harm by reducing the number of vapes being landfilled, incinerated, and littered, and increasing recycling and reuse rates by requiring consumers to move to reusable alternatives.
 - Stimulate businesses and consumers to replace single-use vapes with reusable alternatives, thereby supporting a switch to less environmentally harmful products.

Background

15. Vapes (also known as e-cigarettes) have increased in popularity in recent years, becoming more mainstream products.³ In Scotland, the use of nicotine vapour products increased from 7% in 2019 to 10% in 2022.⁴ This is also confirmed by data collected for the Smoking Toolkit Study which shows the use of nicotine products increased from 7.3% in Oct 2020 vs 9.5% in Oct 2023.⁵ Specifically, usage of single-use vapes has increased, growing from 0.1% to 4.9% between January 2021 to August 2023 across the UK.⁶
16. The rise in the use of single-use vapes has led to their increase in the waste stream. There has been growing concern over their

³ [Use of e-cigarettes among adults in Great Britain, ASH \(England\), 2023](#)

⁴ The Scottish Health Survey 2022 – volume 1: main report. Scottish Government, 2023.

⁵ Trends in electronic cigarette use in Scotland. Smoking in Scotland portal. Updated 18 January 2024.

⁶ Who would be affected by a ban on disposable vapes? A population study in Great Britain. Sarah E. Jackson, Harry Tattan-Birch, Lion Shahab, Melissa Oldham, Dimitra Kale, Leonie Brose, Jamie Brown, 2024

environmental impact as they are typically littered or discarded as general waste in a bin rather than recycled. In 2023, it was estimated that almost 5 million single-use vapes were either littered or thrown away in general waste every week in the UK, almost four times as many as in the previous year.⁷

17. Single-use vapes which are thrown in a bin with general waste will either be landfilled or incinerated, and they also pose a fire risk for waste collection vehicles and waste transfer sites due to their lithium-ion batteries. Compaction during the collection process increases the chances of puncture and combustion, setting fire to dry and flammable waste or household recycling around them. This endangers the public and collection crews, as well as damaging public and private property. It is estimated that lithium-ion batteries are responsible for approximately 48% (over 200) of all waste fires occurring in the UK each year.⁸

18. When single-use vapes are littered, they introduce plastic, nicotine salts, heavy metals, lead, mercury, and flammable lithium-ion batteries into the natural environment.⁹ The chemicals can end up contaminating waterways and soil and can also be toxic and damaging to wildlife. When single-use vapes which have a plastic casing are littered, the plastic can grind down into harmful microplastics. Single-use vapes are primarily littered in public spaces and this generates clean-up costs to local authorities.¹⁰

⁷ [Material Focus, 2023, Number of disposable single-use vapes thrown away have in a year quadrupled to 5 million per week](#)

⁸ [Material Focus, 2022, Over 700 fires in bin lorries and recycling centres are caused by batteries many of which are hidden inside electricals](#)

⁹ [Office for Health Improvement & Disparities, 2023, Youth vaping: call for evidence](#)

¹⁰ [Scoping policy options for Scotland focusing on understanding and managing the environmental impact of single-use e-cigarettes](#) Hogg, D., 2023,

19. Vapes, like other electricals, should not be placed in a general waste bin or littered, and should be recycled through specialist routes and facilities instead. Current estimates indicate that only 17% of vape users in the UK correctly dispose of their single-use vapes.¹¹ To be recycled, they must be taken to a vape shop or participating retailer using dedicated bins, or to a local Household Waste and Recycling Centre using designated bins. In Scotland, an estimated 12.8% of single-use vapes are taken back to stores, and 8.3% to household waste recycling centres.¹²

20. Single-use vapes are difficult and expensive to recycle.¹³ The only recycling process available in the UK is manual dismantling which is costly and time consuming as most single-use vapes are not designed to be taken apart easily.¹⁴ They are designed as one unit and require specific tools to remove the lithium-ion battery for recycling and careful handling of components to avoid operator exposure to the remaining e-liquid. Of the single-use vapes that are returned to a shop or recycling centre across the UK, it is estimated that only 1% are actually recycled due to limited recycling capacity.¹⁵ The remainder of vapes collected for recycling are likely to be sent to landfill given the Environment Agency's guidance (applicable across the UK) that single-use vapes should not be incinerated.¹⁶

21. Environmental impacts from manufacturing single-use vapes are also a concern. A typical single-use vape contains plastic, copper, cobalt,

¹¹ [Material Focus, 2023, Number of disposable single-use vapes thrown away have in a year quadrupled to 5 million per week](#)

¹² [Scoping policy options for Scotland focusing on understanding and managing the environmental impact of single-use e-cigarettes](#) Hogg, D., 2023,

¹³ [Valpak, 2023, Dismantling a growing problem](#)

¹⁴ [EMA, 2022, Disposable vapes – a challenge to the recycling sector.](#)

¹⁵ [Analysis of the Market for Vapes, Eunomia, 2023](#)

¹⁶ [Agency sets out vapes recycling stance, WastePack, 2023](#)

and a lithium battery. Lithium and cobalt are critical raw materials as noted in the UK's Critical Raw Materials Strategy¹⁷ which is essential to the production of electronic devices, batteries, and energy generation.¹⁸ The increased demand for single-use vapes leads to an increased demand for these critical raw materials. It is estimated that the total amount of single-use vapes purchased every year contain enough lithium to provide batteries for 5,000 electric vehicles.¹⁹ This is a waste of valuable resources in a product with a short lifespan, that is poorly recycled, and has a reusable alternative readily available. As well as a loss of resources, there are environmental impacts through raw material extraction, and single-use vape production and manufacturing. Most notably, this includes greenhouse gas emissions and water consumption generated in their manufacture.²⁰

22. Vapes are one possible tool to support smokers to quit, though research into the safety and effectiveness of e-cigarettes is still relatively new.²¹ They are considered less harmful than smoking when smokers completely switch to vaping products. As they usually still contain nicotine they are not risk-free, and the long-term health impacts of vaping are unknown.²² A 2024 Scottish Government briefing also concluded that vaping can cause health harms in non-smokers to which they would not otherwise have been exposed to.²³ More research is required on dual use of both cigarettes and vapes. Data suggest this might pose the same or higher health risks than smoking cigarettes

¹⁷ [Resilience for the Future: The UK's Critical Raw Materials Strategy](#)

¹⁸ [International Energy Agency, 2021, The Role of Critical Minerals in Clean Energy Transitions, World Energy Outlook](#)

¹⁹ [Material Focus, 2023, Number of disposable single-use vapes thrown away have in a year quadrupled to 5 million per week](#)

²⁰ [Hogg, D., 2023, Scoping policy options for Scotland focusing on understanding and managing the environmental impact of single-use e-cigarettes](#)

²¹ [Vaping – Effectiveness as a cessation tool: evidence briefing](#). Scottish Government, 2024

²² [Vaping – Health harms: evidence briefing](#). Scottish Government, 2024

²³ [ibid](#)

alone.²⁴

23. An annual survey undertaken in 2023 by Action on Smoking and Health (ASH) England, looking at the smoking status and vaping behaviour amongst vapes users in Great Britain.²⁵ Findings from this research show that 56% of vape users are ex-smokers, 37% are current smokers and a smaller proportion are people who have never smoked. It also found that around two thirds of vape users' most popular main device was a reusable vape, with 31% mainly using a single-use vape.²⁶

24. Single-use vapes are defined as products that are not rechargeable (they use a battery which cannot be recharged, or a coil which cannot be replaced, including a coil contained in a single-use cartridge which is not separately available), or are not refillable (once empty, the cartridge or pod cannot be refilled or replaced), or are not rechargeable and not refillable.²⁷ In contrast, a reusable vape can both be recharged and fully refilled an unlimited number of times by the user, and will last for a longer period of time.

25. Single-use vapes tend to dominate the casual and beginner entry points of the market. Generalist retailers, including convenience stores, primarily sell single-use products whilst specialist vape stores tend to

²⁴ *ibid*

²⁵ Use of e-cigarette (vapes) among adults in Great Britain. ASH (England), 2023

²⁶ 50% of users mainly used an 'electronic cigarette that is rechargeable and has a tank or reservoir that you fill with liquids' and 17% of users mainly used an 'electronic cigarette kit that is rechargeable with replaceable pre-filled cartridges'.

²⁷ Vapes that are rechargeable and not refillable or that are refillable and not rechargeable, are still considered disposable or 'single-use' even though the lifetime of the vape can be extended through refilling or recharging it.

sell more reusable vapes and refill products.²⁸ Single-use vapes account for around 50% of the UK vape market. It has been estimated that 60% turnover by the vapes industry is generated from single-use vapes, in comparison to 40% from reusable vapes, refill cartridges and e-liquid.

26. There has been an increase in popularity in single-use vapes in recent years, especially among young people. The proportion of adults using single-use vapes increased from 0.1% to 4.9% between January 2021 to August 2023 across the UK. Last year (2022) a survey by ASH (England)²⁹ showed that for the first time the most popular type of e-cigarette amongst young people in Great Britain was disposable (single use) e-cigarettes, with their use growing more than a 7-fold between 2020 and 2022 from 7.7% to 52%. Growth has continued since last year and 69% of children this year said this was the device they used most frequently.

27. Vapes should not be used by children, young people or non-smokers. They carry an unknown long-term risk of future harm and can be very addictive.³⁰ It is also an offence to sell vapes to anyone under the age of 18 in the UK. Despite the sale of vapes to those under the age of 18 being illegal, the recent Health Behaviour in School-Aged Children (Scotland) study³¹ reports that 3% of 11-year-olds, 10% of 13-year-olds and 25% of 15-year-olds said they had used a vape in the past 30 days. Purchasing from shops is the most common source.³² The report also found that there have been increases in current vape use since 2018 for 13-year-old girls (2% to

²⁸ Analysis of the Market for Vapes, Eunomia 2023

²⁹ [Use of e-cigarettes among young people in Great Britain](#). ASH (England), 2023,

³⁰ [Vaping addiction soon takes hold](#). NHS Inform campaign, access online 15 March 2024

³¹ [Health Behaviour In School-Aged Children Scotland Study, University Of Glasgow MRC/CSO Social And Public Health Sciences Unit, 2022](#)

³² [Use of e-cigarettes among young people in Great Britain](#). ASH (England), 2023

13%) and larger increases for 15-year-olds (girls 6% to 30% and boys 8% to 20%).³³ They have also increased in prevalence amongst young people³⁴ and people who have not traditionally smoked cigarettes.³⁵

Wider policy context

28. The Scottish Government is committed to moving towards a circular economy, where we move from a "take, make and dispose" model to one where we value materials and keep them in use. Reusable vapes are a readily available alternative to single-use vapes and have a much longer lifespan. They are made from more durable materials and are built to last longer. Although they are initially more expensive³⁶, reusable vapes are more cost-effective in the long term. Reusable vapes are considered to be less environmentally damaging, as the same vape can be used for an extended period of time compared to single-use vapes. This causes little change in consumer experience while reducing environmental impacts.

29. The Department of Health and Social Care published a call for evidence on youth vaping in April 2023³⁷ where the impact of vapes on the environment was a key theme of interest. A summary of responses to this call for evidence was published in October 2023, highlighting many of the key issues in relation to the damaging impact on the environment caused by single-use vapes.³⁸

³³ [Use of e-cigarettes among young people in Great Britain. ASH \(England\), 2023](#)

³⁴ [Use of e-cigarettes among young people in Great Britain, ASH \(England\), 2023](#)

³⁵ [Use of e-cigarette \(vapes\) among adults in Great Britain. ASH \(England\), 2023](#)

³⁶ [Creating a smokefree generation and tackling youth vaping: your views - GOV.UK \(www.gov.uk\)](#)

³⁷ [Office for Health Improvement & Disparities, 2023, Youth vaping: call for evidence](#)

³⁸ [Department for Environment, Food, & Rural Affairs, 2023, Summary of responses and government response](#)

30. There are measures already in place to ensure responsible production and disposal of vapes. The Waste Electrical and Electronic Equipment (WEEE) Regulations 2013³⁹ aim to encourage the reuse and recycling of these items by placing financial responsibilities on producers and distributors of electrical and electronic equipment (EEE) to pay for the collection and disposal schemes for end-of-life products. This means that all producers who place EEE on the UK market, including producers of single-use vapes, are responsible for financing the costs of the collection, treatment, recovery, and environmentally sound disposal of WEEE.
31. Compliance with the current WEEE regulations by vape producers is estimated to be low. This includes low levels of awareness amongst store owners and distributors for takeback schemes, as well as low levels of customer participation reported.⁴⁰
32. Plans to reform the producer responsibility system for waste electrical and electronic equipment⁴¹ have recently been consulted on. Proposals under review include the provision of collection infrastructure for household WEEE financed by producers of electrical and electronic equipment; reforms to the take-back obligations that currently apply to distributors; obligations on online marketplaces; and creating a new separate categorisation for vapes to ensure producers of vapes properly finance recycling costs when they become waste. The reported low awareness of producer obligations ought to be addressed by the implementation of these producer responsibility reforms.

³⁹ [UK Government, 2013, The Waste Electrical and Electronic Equipment Regulations 2013](#)

⁴⁰ [Material Focus, 2023, Number of disposable single-use vapes thrown away have in a year quadrupled to 5 million per week](#)

⁴¹ [Department for Environment, Food, & Rural Affairs, 2023, Consultation on reforming the producer responsibility system for waste electrical and electronic equipment 2023](#)

33. To target the environmental issues associated with single-use vapes, the Scottish Government, the UK Government, the Welsh Government, and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland intend to introduce legislation to implement a ban on the sale and supply of disposable (single-use) vapes. This includes both nicotine and non-nicotine containing products since the environmental concerns exist for both types of products.

34. More information on the ‘Creating a smokefree generation and tackling youth vaping’ consultation, responses received, and the government response can be found at the UK Government website.⁴²

Data and Stakeholders

Methodology

35. Summary of activities:

- Framing exercise: Zero Waste Scotland and the Scottish Government discussion.
- Evidence-gathering: quantitative and qualitative data and evidence were sourced, including evidence from existing large Scotland- and UK-level surveys and evidence from other relevant policy impact assessments.
- Six-week public consultation on the proposed vapes regulations and implementation of the policy.⁴³

⁴² Creating a smokefree generation and tackling youth vaping consultation: government response, Department of Health (Northern Ireland), Department of Health & Social Care, Scottish Government, and Welsh Government, 2024

⁴³ Consultation: Implementing the prohibition of the sale and supply of single-use vapes in Scotland. Scottish Government, 2024

36. The Scottish Government, supported by Zero Waste Scotland undertook an initial scoping exercise to identify ways in which the impact of the policy could differ for island communities in February 2024. Island community representatives were engaged ahead of the consultation period.

37. A number of potential impacts were identified prior to and during the framing exercise:

- Potential increase in the cost of reusable vape product for consumers; initially, the cost of reusable vapes is higher compared to single-use items.
- Requirement for island retailers to change their business model to sell reusable vapes products only.
- Availability of vapes after the proposal comes into force.
- Waste management - reduced costs from reduction of single-use vapes requiring end of life disposal.
- Reduced litter cleansing costs as the availability of commonly littered single-use vapes is restricted.
- Requirement for communications materials to be made available in Gaelic.

38. The framing exercise identified a limited number of potential impacts. As a result, a desk-based approach was considered to be appropriate for this stage of the ICIA and has been used to source existing data and evidence.

39. This ICIA has summarised potential impacts based on available information at the time of production and will be used by the Scottish Government to inform implementation of the policy. Appropriate monitoring of the policy is required to ensure emerging impacts are

identified and addressed where appropriate post-implementation.

40. All engagement adhered to our commitments under the World Health Organisation Framework Convention on Tobacco Control (FCTC) Article 5.3. This ensures our tobacco control policies are protected from commercial and other vested interests of the tobacco industry.

Impacts which are not significantly different for island communities

41. Early discussions during the framing exercise on the following three areas initially highlighted the potential for differential impacts. However, after further discussion and desktop-based research it was determined there would be no differential impacts. Reasoning for these decisions can be found below.
42. The public consultation provided opportunities for island communities to comment on these issues. The consultation paper asked for responses to the associated impact assessments in addition to policy-specific questions. The question in relation to the ICIA asked: 'Do you have any comment or feedback on our Island Communities Impact Screening Assessment?'
43. 18 responses were received. The majority of responses advised they had no views on the ICIA, or that they did not think one was required.
44. Three of the responses voiced agreement with the content of the ICIA or more generally with the policy to ban single-use vapes.

Island retailers change to business model to sell reusable vapes products only

45. We estimate around 123 businesses across the islands sell vapes.⁴⁴ Of these shops, 20 are currently registered to sell vapes but not tobacco products, with the remainder selling both vapes and tobacco products. We expect all current retailers to switch their products to reusable alternatives and their associated products.
46. This requirement would be the same for businesses across Scotland. We found no reason this would be disproportionately expensive or problematic for those operating in island communities. The accompanying [Business and Regulatory Impact Assessment \(BRIA\)](#) considers business impacts further.
47. One respondent to the consultation voiced agreement with the ICIA as there were no on-island vapes producers.

Availability of vapes after the proposal comes into force

48. Consideration was given to the impact of the proposal on overall availability, particularly to those using vapes as a method of smoking cessation. As all current retailers are anticipated to switch products to reusable alternatives, the availability of vapes for smoking cessation purposes should remain the same. Similarly, the availability of reusable vape products from online retailers is anticipated to remain the same as currently for those on islands.

⁴⁴ Information from [Tobacco Register Scotland](#). Note, there is a small risk of double counting of businesses on the register, and the potential for some business no longer trading. We therefore regard this as an upper estimate.

Vapes proposal communication materials in Gaelic

49. Gaelic is an integral part of Scotland's national identity, cultural heritage and history and the Scottish Government are committed to the promotion and inclusion of the Gaelic language and speakers where possible⁴⁵.
50. The number of Gaelic speakers in Scotland is significantly higher in island communities compared to mainland Scotland. According to the 2011 census, around 1.1% of the population across Scotland⁴⁶ can speak, read or understand Gaelic. This increases to more than 50% in Comhairle nan Eilean Siar, and around 4-5% in Highland and Argyll & Bute council areas.⁴⁷
51. As service providers and retailers operating in island communities already incorporate Gaelic into their communications, it is expected this would continue to be the case with this proposal without further intervention. It is therefore concluded that no further exploration of provision for Gaelic language communications is required.

Impacts which are potentially significantly different for island communities

52. The following issues were considered to have the potential to have different impacts for island communities, and are a combination of positive and negative impacts:
- Cost of product for consumers (negative)
 - Waste management costs (positive)

⁴⁵ [Gaelic Language Plan 2022-27](#)

⁴⁶ [Scotland's Census 2011: Gaelic report](#)

⁴⁷ [Gaelic language plan 2022 to 2027](#). Scottish Government, 2022

- Cleansing/litter costs (positive)

53. These issues are explored in more detail below.

Cost of product

54. A Scottish Government report from 2021 estimates that cost of living in rural Scotland, including the islands, is between 15% and 30% higher than urban parts of the UK.⁴⁸ The budgets that households need to achieve a 'minimum acceptable' living standard in rural Scotland are typically 10-40% higher than elsewhere in the UK.⁴⁹

55. The cost of reusable vapes from online sources will likely remain constant between islands and the mainland. However, costs of reusable vapes purchased on islands from local businesses are potentially subject to the higher cost of living on the islands.⁵⁰

56. We acknowledge that the cost of switching may be proportionately higher compared to the mainland. However, there is no evidence to suggest there will be a significant difference as a proportion of overall household spending on vapes compared to the mainland.

57. It is therefore concluded that no further exploration of the cost of products is required for island communities as a result of this proposal as there is likely to be a minimal difference in the proportion of household spend on vapes compared to the mainland.

⁴⁸Scottish Government (2021)The Cost of Remoteness, Reflecting higher living costs in remote rural Scotland when measuring fuel poverty

⁴⁹Highlands and Islands Enterprise (2013) A Minimum Income Standard for Remote Rural Scotland, Summary and key findings

⁵⁰Scottish Government (2021)The Cost of Remoteness, Reflecting higher living costs in remote rural Scotland when measuring fuel poverty

Waste management costs

58. Islands communities face unique challenges around waste management due to the reliance on ferry capacity to ship waste to end-destinations, distances involved in collection and disposal of material, and the requirement to bulk waste for movement off-island (see para. 48). The proposal consulted upon aims to ban the sale and supply of single-use vapes in Scotland. This should significantly reduce if not eliminate single-use vapes being seen in waste or recycling collections soon after the regulations are introduced.⁵¹
59. Work undertaken for previous screening assessments under the Islands (Scotland) Act⁵² has identified that island authorities face higher costs per capita in collecting, transporting and disposing of waste, as the rural nature of collection routes means they are less efficient. The 8-fold Scottish Government Urban Rural Classification highlights the majority of the island authorities have high proportions of their populations in very rural small towns and rural areas.⁵³
60. Any reduction in single-use vapes has the potential to reduce island waste management costs, particularly where waste is required to be shipped off the island for disposal elsewhere as in the case of WEEE. As such, there is the potential for there to be a proportionately higher positive island impact from this policy.
61. A key principle in managing WEEE is the “polluter pays” principle,

⁵¹ There is likely to be a short period afterwards where items purchased before the ban begins are still used and disposed of.

⁵² [UK packaging producer responsibility system reform: partial island communities screening assessment](#)

⁵³ [Scottish Government urban rural classification 2016](#)

which underpins many environmental measures. The current system of WEEE Producer Responsibility (PR) is based on 'collective producer responsibility'. Unlike in an individual producer responsibility scheme, producers do not have to individually finance the collection and reprocessing of exclusively their own equipment. Rather, the entire market's WEEE is collected, reprocessed, and collectively paid for based on the fraction of each producer's market share, by weight, of each category of WEEE. As vapes fall under a broad category, it is highly likely that all producers within that category (whether vapes or otherwise) share in the cost of recycling vapes.

62. Proposed changes to the current producer responsibility UK scheme for WEEE, which includes used vapes, have recently been consulted on. The consultation included a proposal to create a new discrete category for vapes to ensure vape producers properly finance recycling costs when they become waste. Extended Producer Responsibility Regulations for WEEE have recently been consulted upon, which includes the costs of collection, transport, treatment, and disposal of WEEE.

63. After the ban on sale and supply of single-use vapes is enacted, producers of reusable vapes will continue to finance costs for the correct collection and management of their products. Costs will be determined through modelling for efficient and effective services. We expect island specifics (e.g. geography, ferry transport) to be taken into account to ensure that higher island waste management costs are correctly modelled. This would include costs for any future kerbside collection of WEEE, and the current separate vape provisions at household waste and recycling centres (HWRCs).

64. One respondent to the consultation acknowledged there can be issues with collecting vape waste on islands. They highlighted recent improvements in the number of on-island retailers offering required take-back in store.
65. When reviewing proposed changes to the existing WEEE scheme and bringing in extended producer responsibility, it will be important to be mindful of the Scottish island context to ensure that there are not unintended consequences for island authorities with regards to managing end of life vapes.
66. The Island Community Impact Assessment for the consultation on 'Reforming the UK producer responsibility system for waste electrical and electronic equipment'⁵⁴ discusses these implications further.
67. It is therefore concluded that no further exploration of waste management costs is required for island communities as a result of this policy as there is likely to be a positive overall impact and future costs should be addressed through amendments to the WEEE EPR (Extended Producer Responsibility) scheme at UK level.

Cleansing/litter

68. Marine litter predominantly comes from land, with a 2020 study by Marine Scotland suggesting more than 90% of plastics in Scottish seas comes from Scottish littering on land.⁵⁵

⁵⁴ [Island Community Impact Assessment](#) 'Consultation on reforming the UK producer responsibility system for WEEE'

⁵⁵ [W.R. Turrell \(2020\) - Estimating a regional budget of marine plastic litter in order to advise on marine management measures, Marine Pollution Bulletin, Volume 150](#)

69. Single-use vapes are becoming the fastest growing litter item in Scotland according to Keep Scotland Beautiful.⁵⁶
70. As the number of single-use vapes being disposed of is expected to drop immediately after the ban comes into effect, we would also expect to see an immediate reduction in single-use vapes being littered.⁵⁷
71. Reduced littering of single-use vapes is likely to have positive impacts, both in improved disamenity and reduced levels of associated cleansing costs.⁵⁸
72. It is therefore concluded that no further exploration of cleansing and litter impact is required for island communities as this benefit will be seen across Scotland and in all coastal areas.

Recommendations, conclusions and consultation

73. It is not anticipated that this policy will have a significantly different impact for island communities relative to mainland communities. It is also not anticipated to have significantly different impacts between different island communities and will be implemented Scotland-wide. However, it is noted that costs of products on islands can generally be 15 - 30 % higher compared to mainland costs.
74. We recognise that engagement with island representatives is

⁵⁶ [Keep Scotland Beautiful - -New kid on the block - Single-use vapes become fastest growing litter item \(2023\)](#)

⁵⁷ There is likely to be a short period afterwards where items purchased before ban begins are still used and disposed of.

⁵⁸ Table E3, [Scoping policy options for Scotland focusing on understanding and managing the environmental impact of single use e-cigarettes: Summary Report](#). D Hogg 2023

essential to fully understand the island context. We are also aware that there may be other impacts, either positive or negative, which have not been identified. As such, the Scottish Government will consider how appropriate monitoring of the policy can be designed to ensure any emerging impacts for island communities are identified and addressed where appropriate post-implementation.

Decision

75. The Scottish Government has determined that a full ICIA is not required to be undertaken for this policy proposal. Evidence collected prior to the consultation period suggested no significantly different impacts for those living in island communities, and the public consultation did not generate contrary evidence.

76. Previous discussion across relevant Scottish Government departments, and pre-consultation engagement with island representatives also support the decision that a full island assessment is not required.



Scottish Government
Riaghaltas na h-Alba
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