

ANNEX A

Question 1: Copies of all correspondence to and from Laura Young and Scottish Environment Ministers regarding vaping between 1st January 2022 and to date.

On reviewing materials within scope of your request, exceptions have been applied in line with the EIRs.

A small amount of information has been withheld under regulation 11(2) - Personal Data as it contains personal information and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulations (GDPR) and in Section 34(1) of the Data Protection Act 2018. This exception is not subject to the 'public interest test'.

Requested information:

From: [REDACTED] <[REDACTED]@outlook.com>

Sent: 09 January 2023 16:17

To: Minister for Green Skills, Circular Economy and Biodiversity <MinisterGSCEB@gov.scot>; Lorna.Slater.msp@parliament.scot

Subject: Ban "Disposable" Vapes campaign

Hi Lorna,

My name is [REDACTED], a current PhD student in Dundee, and environmental campaigner. Over the last few months, alongside others, I have been campaigning to see a ban on "disposable" vapes. After seeing a rise in vaping litter, they caught my attention and led me down a rabbit hole looking into what they were, the waste they produce, and the many issues/unintended consequences we are seeing now that they are becoming mainstream. Just this weekend I found [55 while on a 1 hour \(4 mile\) walk of Dundee](#) as a bit of research into the topic.

Litter is one thing, but the wasting of precious materials such as lithium batteries and lots of single-use plastics, these items are a nightmare. On top of this, there is no clear way on how to dispose on the packaging or retailers' websites. Landfill/incineration is wrong and a fire risk, but they cannot be recycled curbside. Zero Waste Scotland confirmed that they need to be handled as WEEE meaning a local recycling centre trip, which isn't easy for those without access to cars. I have been working with my old MP Kirsten Oswald SNP, and we managed to direct a question to Westminster revealing the lack of environmental assessment on vapes, and secured a debate in Westminster Hall in December. Kirsten has been great in providing research, insight, and support, however, has been unable to commit to a ban being the right way forward. I have since connected with my Dundee MP, MSPs, and councillors on the matter, many showing support for a ban and/or tighter restrictions.

The Green Alliance published an open letter to Westminster environment and health ministers calling for a ban on "disposable" vapes on the grounds of not just environmental reasons but also because these have a huge impact on young people. Myself, and other Scottish organisations like Keep Scotland Beautiful, Marine Conservation Society, and ASH Scotland signed this letter. Except an acknowledgement that they are an issue, and a greater need for producer responsibility to follow takeback recycling schemes, there has been a stalling of progress down south. However, notably when

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telling Caroline Lucas about this open letter and the debate, she said she supports a ban from her position as the Green MP.

I think this issue sits perfectly in your remit as Circular Economy minister, and these products would be a good example of the products we need to get rid of in place of the reusable alternatives. It could be a great easy win to remove these from our streets, and from sale, and certainly something we could nip in the bud before the problem gets any worse.

You can find lots more information I have been collecting [here](#), which will hopefully provide insight for you. I have the open letter, some news articles, and other research listed. I would be more than happy to meet and discuss this issue at any time.

All the best,
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED] ([REDACTED]@outlook.com)
Sent: 09 January 2023 20:40
To: Minister for Environment and Land Reform <ministerelr@gov.scot>;
Mairi.McAllan.msp@parliament.scot
Subject: Ban "Disposable" Vapes campaign

Hi Mairi,

My name is [REDACTED], a current PhD student in Dundee, and environmental campaigner. We connected on Twitter a few months ago during COP27! Over the last few months, alongside others, I have been campaigning to see a ban on "disposable" vapes. After seeing a rise in vaping litter, they caught my attention and led me down a rabbit hole looking into what they were, the waste they produce, and the many issues/unintended consequences we are seeing now that they are becoming mainstream. Just this weekend I found [55 while on a 1 hour \(4 mile\) walk of Dundee](#) as a bit of research into the topic.

Litter is one thing, but the wasting of precious materials such as lithium batteries and lots of single-use plastics, these items are a nightmare. On top of this, there is no clear way on how to dispose on the packaging or retailers' websites. Landfill/incineration is wrong and a fire risk, but they cannot be recycled curbside. Zero Waste Scotland confirmed that they need to be handled as WEEE meaning a local recycling centre trip, which isn't easy for those without access to cars. I have been working with my old MP Kirsten Oswald SNP, and we managed to direct a question to Westminster revealing the lack of environmental assessment on vapes, and secured a debate in Westminster Hall in December. Kirsten has been great in providing research, insight, and support, however, has been unable to commit to a ban being the right way forward. I have since connected with my Dundee MP, MSPs, and councillors on the matter, many showing support for a ban and/or tighter restrictions.

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Scotland Beautiful, Marine Conservation Society, and ASH Scotland signed this letter. Except an acknowledgement that they are an issue, and a greater need for producer responsibility to follow takeback recycling schemes, there has been a stalling of progress down south.

I think this issue sits perfectly in your remit as environment minister, and these products would be a good example of the products we need to get rid of in place of the reusable alternatives for environmental protection and reducing emissions from constant new consumption. It could be a great easy win to remove these from our streets, and from sale, and certainly something we could nip in the bud before the problem gets any worse.

You can find lots more information I have been collecting [here](#), which will hopefully provide insight for you. I have the open letter, some news articles, and other research listed. I would be more than happy to meet and discuss this issue at anytime.

All the best,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Our Reference: 202300338032

Your Reference: Disposable vapes

22 March 2023

Dear [REDACTED]

Thank you for your email, dated 9 January 2023, to the Minister for Environment and Land Reform. I am replying as the Minister with portfolio responsibility for the circular economy, which includes the impact of single-use items. I apologise for the delay in responding.

I would like to congratulate on the success you have had in raising awareness of the issue of single-use vapes. I understand your concerns around the correct disposal of these products and the littering you have witnessed in Dundee. The littering of vapes is illegal, unsightly and harmful to our communities, environment and wildlife – there is no excuse for this behaviour anywhere in Scotland. You are correct that e-cigarettes or vapes should not be thrown away in general waste and should be disposed of at small waste electrical and electronic equipment receptacles widely available at household waste recycling centres.

As you know, I have asked Zero Waste Scotland to examine the impact of single-use vapes and consider options to tackle the issue. A report is expected in May. Ministers will then consider the evidence, expert advice and policy options, which could include a potential ban on single-use vapes. I would be happy to discuss this matter further with you.

Please contact my Diary Secretary via email at [redacted]@gov.scot to make the necessary arrangements.

Kind Regards
Lorna Slater

Question 2: Details of all meetings between Laura Young and Scottish Environment Ministers

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regarding vaping between 1st January 2022 and to date. For each meeting, please include all briefings, presentation and minutes or actions arising.

While our aim is to provide information whenever possible, in this instance the Scottish Government does not hold the information you have requested as no meetings have been held between Laura Young and Scottish Environment Ministers regarding vaping, between 1st January 2022 to date.

Therefore, this is a formal notice under Regulation 10(4)(a) of the EIRs confirming that the Scottish Government does not hold this information.

This exception is subject to the 'public interest test'. It is important to note that although we do not hold the information and have applied Regulation 10(4)(a) – information not held, it is a requirement that we have to apply the public interest test.

Under regulation 5(1) of the EIRs, a Scottish public authority that holds environmental information must make it available when requested to do so. This duty is not absolute. In some cases, information is exempted from disclosure, under regulations 10 and 11 of the EIRs. However, all of the exceptions in regulation 10 (and parts of regulation 11) are subject to a public interest test. To clarify, even though we do not hold the information, because we are using EIRs Exception 10(4)(a) in response to your request, we are required to apply a public interest test.

Guidance can be found in the Key Concepts section under 'Information Not Held' and 'The Public Interest Test' in the attached [Scottish Information Commissioner Briefings and Guidance document](#). Further guidance on the public interest test can also be found on page 8 of the [Scottish Information Commissioner guidance](#).

Question 3: Details of all meetings with third parties held by Lorna Slater MSP regarding vaping between 1st January 2022 and to date.

Under Regulation 6(1)(b) of the EIRs, we do not have to give you information which is already publicly available and easily accessible to you in another form or format. If, however, you do not have internet access to obtain this information from the website(s) listed, then please contact me again and I will send you a paper copy.

Details of all meetings with third parties held by Lorna Slater MSP are published on the Scottish Government Website here: [Ministerial engagements, travel and gifts](#).

Yours sincerely

[Redacted signature block]

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