

National Assembly for Wales / Cynulliad

Cenedlaethol Cymru

[Health and Social Care Committee / Y Pwyllgor](#)

[Iechyd a Gofal Cymdeithasol](#)

[Public Health \(Wales\) Bill / Bil Iechyd y Cyhoedd \(Cymru\)](#)

Evidence from Federation of Small Businesses -

PHB 91 / Tystiolaeth gan Ffederasiwn y Busnesau

Bach - PHB 91

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Health and Social  
Care Committee  
Consultation:  
General Principles  
of the Public  
Health (Wales) Bill

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FSB Wales  
Response

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4 September 2015

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## **General Principles of the Public Health (Wales) Bill**

### **FSB Wales**

FSB Wales welcomes the opportunity to present its views to the National Assembly for Wales Health and Social Care Committee consultation on the General Principles of the Public Health (Wales) Bill. FSB Wales is the authoritative voice of businesses in Wales. With 10,000 members, a Welsh Policy Unit, two regional committees and twelve branch committees, FSB Wales is in constant contact with business at grassroots level. It undertakes regular online surveys of its members as well as a biennial membership survey on a wide range of issues and concerns facing small business.

In June 2014, FSB Wales was pleased to present our comments to the Welsh Government on the Public Health White Paper<sup>1</sup>, and our comments presented in this response to the Committee are consistent with this previous submission.

### **Tobacco and Nicotine Products**

FSB Wales notes the Welsh Government's intention to extend existing provisions on no smoking to electronic inhaling devices. Although we do not have a formal position in respect of such an extension, we are conscious that there has been significant debate on this issue since the publication of the White Paper last year. We believe it is important that the Welsh Government provide clear guidance to Welsh businesses following the introduction of this legislation, so as to ensure the avoidance of any confusion over responsibilities in relation to workplaces or premises open to the public.

In respect of the creation of a national register of retailers of tobacco and nicotine products, we have previously indicated that we accept the need to examine the effectiveness of the existing legislation. However, we believe any new functions that are required of trading standards departments must not place additional strain on their already limited resources. Additional responsibilities must come with additional funding, so as not to undermine the ability of trading standards officers to perform their existing functions.

Moreover, whilst we see some merits in the introduction of a national register of retailers, this must also not place additional administrative burdens on small businesses. Our survey of FSB members in 2012 showed that the cost of complying with regulation was already more than £1,000 per year for 61% of small businesses, and for 10% the cost was £10,000 or more per year<sup>2</sup>. The Bill also does not specify if a charge is to be levied on businesses for application for inclusion on the national register, and we believe Welsh Government should be clear about the costs likely to be incurred by businesses as a result of the new legislation.

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<sup>1</sup> FSB Wales (2014). *Public Health White Paper Consultation Response*.

<http://www.fsb.org.uk/policy/rpu/wales/images/final%20public%20health%20white%20paper.pdf>

<sup>2</sup> FSB (2012). *Regulatory Reform: Where Next?*

[http://www.fsb.org.uk/frontpage/assets/fsb\\_regulatory\\_reform\\_web.pdf](http://www.fsb.org.uk/frontpage/assets/fsb_regulatory_reform_web.pdf)



## Pharmaceutical Services

FSB Wales notes the provisions in the Bill to change the way that Health Boards make decisions with regard to assessments of pharmaceutical need in communities. Whilst we find it unusual that such changes are being introduced as part of the Public Health (Wales) Bill, we believe there is an opportunity to derive a wider public health benefit from this change, should the Welsh Government include a local economic impact indicator as part of its decision-making.

Pharmacies play an important role in communities across Wales. Evidence has shown that areas of poor economic performance tend to experience poor health, which illustrates the clear correlation between local economies and health inequalities<sup>3</sup>. We believe that the Welsh Government must clearly legislate to ensure that Local Health Boards also undertake economic impact assessments when making decisions on where to locate pharmacies.

## Provision of Public Toilets

We welcome the provision within the Bill to require local authorities to prepare local public toilets strategies to ensure the provision of toilets for public use. In our response to the Public Health White Paper in 2014, we argued that the provision of public toilets was a key issue for many small businesses, particularly those located on high streets. The closure of local authority public toilets places additional pressure on the public use of toilets in private businesses.

Furthermore, we believe that public toilets are an important public facility particularly in town and village centres, and their removal has a detrimental impact on local footfall and local economies. As with our comments on the location of pharmacies, we believe that local authorities should be required to undertake local economic impact assessments, as part of the public toilets strategies that the Bill requires them to develop.

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<sup>3</sup> See for example: Adamson, D. and Lang, M. (2014). *Toward A New Settlement: A Deep Place Approach to Equitable and Sustainable Places*.  
[https://www.researchgate.net/publication/272358132\\_Toward\\_a\\_New\\_Settlement\\_A\\_Deep\\_Place\\_Approach\\_to\\_Equitable\\_and\\_Sustainable\\_Places](https://www.researchgate.net/publication/272358132_Toward_a_New_Settlement_A_Deep_Place_Approach_to_Equitable_and_Sustainable_Places)



### **Federation of Small Businesses Wales**

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### **The Federation of Small Businesses Wales**

The FSB Wales is non-profit making and non-party political. The Federation of Small Businesses is the UK's largest campaigning pressure group promoting and protecting the interests of the self-employed and owners of small firms. Formed in 1974, it now has 200,000 members across 33 regions and 194 branches. FSB Wales currently has around 10,000 members, a Welsh Policy Unit, two regional committees and twelve branch committees meaning FSB Wales is in constant contact with small businesses at a grassroots level in Wales.

### **Lobbying**

From the Press and Parliamentary Affairs Office in Cardiff, FSB Wales campaigns with AMs, MPs and MEPs in Cardiff Bay, Westminster and Brussels in order to promote our members' interests. FSB Wales also works closely with local, regional and national media outlets to highlight our members' concerns. Development Managers work alongside members in our regions to further FSB Wales influence at a regional level. More widely, the FSB has Press and Parliamentary Offices in Westminster, Glasgow, Belfast and Brussels to lobby the respective Governments.

### **Member Benefits**

In addition, Member Services is committed to delivering a wide range of high quality, good value business services to members of the FSB. These services will be subject to continuing review and will represent a positive enhancement to the benefit of membership of the Leading Business organisation in the UK.

### **Vision**

A community that recognises, values and adequately rewards the endeavours of those who are self employed and small business owners within the UK.

The Federation of Small Businesses is the trading name of the National Federation of Self Employed and Small Businesses Limited. Our registered office is Sir Frank Whittle Way, Blackpool Business Park, Blackpool, Lancashire, FY4 2FE. Our company number is 1263540 and our Data Protection Act registration number is Z7356876. We are a non-profit making organisation and we have registered with the Information Commissioner on a voluntary basis.