



My Ref: FOI5579
Enquiries to: Information Requests
E-Mail: informationrequests@barnsley.gov.uk

Dear Requester,

Re: Request for Information – Freedom of Information Act 2000

I wish to confirm that the council has completed its search for the information which you requested.

The information requested and our findings are as follows: -

I am writing under the Freedom of Information Act 2000 to request information on the illegal trading of cigarettes, tobacco and vaping products in your local authority area.

Please respond to the following questions.

- 1. For the calendar years 2023, 2024 and 2025, how many shops or other premises in your local authority area have had illegal cigarettes, tobacco or vaping products seized by your local authority (for example, by Trading Standards or other relevant teams)?**

2023: 4
2024: 5
2025: 41

For each year, please provide figures broken down by location as follows (whichever is available within the cost limit):

- a. By Lower Layer Super Output Area (LSOA); or, if LSOA figures are not held or cannot be provided within the cost limit,**
- b. By electoral ward; or, if that is not possible,**
- c. By postcode area or postcode sector.**

If you are unable to provide any breakdown by LSOA, electoral ward or postcode area/sector, please provide a single total figure for the whole local authority area for each year.

Information is not recorded by geographical area, information for the whole ward is as above

- 2. For the calendar years 2023, 2024 and 2025, how many business premises in your area have been required to close as a result of enforcement action in relation to illegal trading in cigarettes, tobacco or vaping products?**

2023: 0

2024: 1
2025: 2

For each year, please provide:

- a. The number of premises required to close temporarily (for example, closure notices or orders, temporary licence suspensions, or other short-term legal orders or notices requiring temporary closure).**
- b. The number of premises required to close permanently (for example, following licence revocation, long-term premises-closure orders, or other legal action which resulted in the business ceasing to trade at those premises).**

3 months closures following Court Closure Order

- 3. For the calendar years 2023, 2024 and 2025, as a result of enforcement action by your local authority in relation to the selling of illegal cigarettes, tobacco or vaping products, please provide the following information, where you hold payment-status data:**

For each year:

- a. The total number and total value in pounds sterling (£) of civil financial penalties and other non-court financial sanctions issued directly by your authority (for example, civil penalties, fixed penalty notices and similar council-issued sanctions).**
- b. The total number and total value in pounds sterling (£) of fines imposed by the courts following criminal prosecutions brought by, or following investigations led by, your authority in relation to illegal cigarettes, tobacco or vaping products.**

For each year, please also state how many of the civil financial penalties/sanctions and court-imposed fines recorded for that year are currently:

- a. Paid in full.**
- b. Paid in part.**
- c. Unpaid (no payment received).**
- d. Unpaid and registered with, or referred to, a court or enforcement agents for enforcement or recovery.**

The only relevant penalties awarded have been by the Courts in these matters. However, the nature of the offending for cases involving illegal cigarettes, tobacco or vaping products often results in a combined penalty for matters other than illegal tobacco or vaping products, e.g. underage sales, food offences, product safety offences and failure to register as a food business. As such, given the combined nature of the sanctions, the council does not hold the information requested.

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4. For the calendar years 2023, 2024 and 2025, how many cases relating to illegal trading in cigarettes, tobacco or vaping products have been successfully prosecuted, resulting in a conviction or guilty plea in the courts, following investigations by your authority (for example, Trading Standards)?

If possible, please also provide, for each year:

a. The number of prosecutions launched; and

2023: 4

2024: 6

2025: 5

None of these higher number relate to courts finding defendants not guilty, but a variety of other reasons leading to action being withdrawn e.g. defendant leaving country prior to facing justice.

b. The number of those prosecutions that resulted in a conviction or guilty plea.

2023: 2

2024: 5

2025: 4

If you have any queries about this letter, please contact Information Requests Via email.

Please remember to quote the reference number above in any future communications.

If you are unhappy with the way the Directorate has handled your request, you may ask for an internal review. Please clearly mark your correspondence 'Complaint' and address it to:

Barnsley MBC
Information Requests Team
PO Box 634
Barnsley
S70 9GG
email: informationrequests@barnsley.gov.uk

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If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

Customer Services Team
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email: <http://www.ico.org.uk/foicomplaints>

Kind regards,

Information Requests Team, Barnsley MBC

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