

# Support for Stopping the Start



**Local retailers and the public back smokefree generation laws**

13 April 2024

**ash.**  
action on smoking and health

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# Foreword

In the 1950s, at the peak, far more people smoked than not. Even when I became a shopkeeper in the 1980s more than a third of adults smoked, falling to not much more than one in ten when I retired in 2022. During that time advertising was banned, the age of sale rose from 16 to 18, we had to put tobacco out of sight and colourful branding disappeared. We adapted and I am confident retailers will continue to adapt as tobacco sales dwindle to nothing.

Indeed I know from my own experience that when customers stopped buying cigarettes they spent their money on other products instead, products which were far more profitable to me, and much less harmful to them, than tobacco. That's why the majority of retailers support the legislation and want to see it passed by parliament.

That's not to say retailers don't need support to help ensure the legislation can be implemented effectively. I'm not surprised there's strong support for a mandatory proof of age scheme, that's what I would want, as it's the best way for retailers to ensure compliance with the law. This won't apply to existing adult smokers only to those who look as though they were born after 2008. It is popular with the public as well as with retailers and will be a legal requirement in Scotland so why not the whole of the UK.

Also needed is a proper communication strategy. To date there has been a great deal of media coverage of the proposals for raising the age of sale, but there will still be many people unaware of what's coming. The countdown to implementation on 1st January 2027 needs to be clearly communicated and the necessary signage must be in place. This belt and braces approach will, I am sure, secure high levels of compliance from the outset.



**John McClurey**

**Retired local retailer**

# Summary

Surveys carried out for ASH over the years have found majority support for tougher regulation of tobacco. This is true for the general public, see [Fifteen Smokefree Years](#). It is also true for small retailers who are responsible for implementing tougher tobacco laws, as set out in [Regulation is not a dirty word](#).

The 2024 report includes new survey data from polls carried out shortly before legislation to raise the age of sale by one year every year for anyone born after the end of 2008 was laid before parliament. This policy is backed by the majority of retailers and of the public including:

- Over half all retailers (51) in England and Wales, nearly double the proportion opposed (26%)
- Nearly seven in ten (69%) adults in Great Britain including over half (52%) all current smokers more than double the proportion (24%) opposed

The new polling also finds overwhelming support for mandatory age verification (proof of age) for all customers who look like they were born on or after 1 January 2009. This measure (already included in the legislation for Scotland) is supported by:

- More than seven out of ten retailers (71%) in England and Wales, (20% oppose)
- More than seven out of ten (72%) of adults in Great Britain (14% oppose)

The conclusion is clear, that most small retailers, just like the public they serve, support the Government's vision of a smokefree future. They are part of their communities, and they too want to see measures put in place to support population health and wellbeing. Retailers are not victims of Government action to reduce smoking but partners in the wider collective effort to eliminate the harms of tobacco.

Retailers have good practical and economic reasons to do so, over and above any concerns they may have for their customers. Retailers are adaptable and resilient and have experience of coping well with changes in how tobacco products are sold. Despite the alarm being raised by the tobacco industry, after the display ban and plain packs regulations came into force the overwhelming majority of small retailers reported no negative impacts on their business. Customers who don't buy cigarettes have money to spend on other products with higher profit margins, putting money back into their communities.

# Changing retail environment

As smoking rates decline the importance of tobacco to small retailers declines too. In 1948, the year the NHS was set up, over 80% of men smoked,<sup>1</sup> by 2022 it was only a little over one in ten.<sup>2</sup>

The vast majority purchases do not now include tobacco,<sup>3</sup> and year on year as smoking continues to decline, fewer and fewer customers will be buying cigarettes. Furthermore, retailers do not make much money from cigarettes, compared to other products.

Margins on tobacco products are low: in 2016 retailers made under 7% profit margins on cigarettes compared to 24% on non-tobacco products. Customers who regularly buy cigarettes and then quits smoking has money in their pocket to buy goods with higher profit margins. Alternatively the money they save can be used for all kinds of other purposes, any of which will provide greater benefit to them and their communities than the purchase of tobacco.

## The impact of previous regulations on small retailers

Retailers have experienced two major changes in the sale of tobacco products in the last ten years, both of which affected their everyday business. In 2015 point-of-sale displays of cigarettes were prohibited and tobacco products were put out of sight behind closed doors.

The following year, in 2016, the attractive packaging of cigarettes and rolling tobacco was stripped away and plain packaging was introduced for all cigarette packs.

ASH commissioned NEMS to conduct computer-assisted telephone interviews among random samples of managers or owners of small shops selling tobacco in 2019,<sup>4</sup> 2022,<sup>5</sup> and 2024. In the 2022 survey, small retailers were asked if these changes had had an impact on their business. In response:

- 74% said that the prohibition of point-of-sale tobacco displays had had no impact or a positive impact (13% reported a negative impact)
- 75% said that the introduction of standardised packaging of cigarettes and rolling tobacco had had no impact or a positive impact (13% reported a negative impact)

Small retailers also supported other laws put in place to prevent the illicit trade in tobacco: 86% supported tracking and tracing of tobacco products, and 75% supported the requirement to hold an economic operator identification code which can be deactivated if they are found to be selling non-compliant stock.

# How the tobacco industry has historically co-opted retailers

So why has it long been assumed that small retailers are opposed to tobacco regulation, with concerns being raised again now? To find the answer you need only look at the source, and that is the tobacco transnationals and the organisations they fund.

This includes the Tobacco Retailers Alliance or TRA which was fully funded by the Tobacco Manufacturers Association.<sup>6</sup> The Institute of Economic Affairs,<sup>7</sup> and FOREST (the Freedom Organisation for the Right to Enjoy Smoking Tobacco)<sup>8</sup> have also been proven to receive significant industry funding.

The TRA's funding by the tobacco manufacturers enabled it to provide free membership and run well funded campaigns against both the display ban ("Save our Shops") and plain, standardized packaging of cigarette packs ("No to Plain Packs").<sup>9</sup> The TRA no longer has an online presence and appears to be defunct, maybe because following repeated revelations that it had failed to inform parliamentarians about its tobacco industry funding,<sup>10</sup> it is no longer a credible voice.

However, tobacco manufacturers still stay in touch with independent retailers. In 2022 55% of small retailers said they were visited by tobacco company representatives at least monthly, and 51% said their tobacco gantry was paid for by a tobacco manufacturer, years after the display ban put tobacco out of sight in shops.

Parliamentarians need to be cautious, as the tobacco industry has also previously been exposed as covertly funding the lobbying of parliamentarians against legislation by a supposedly independent retail trade body the National Federation of Retail Newsagents.<sup>11</sup> This was a campaign exposed by ASH, there may be others still undiscovered.

The industry uses other methods to oppose legislation too, including opinion polls. Japan Tobacco International conducted a survey of retailers the results of which were published in the trade press in November 2023.<sup>12</sup> and submitted in response to the government consultation in December 2023,<sup>13</sup> in both cases without the full methodology necessary to assess the merits of the poll. After repeated requests JTI provided further information on the poll which has been reviewed by Peter Kellner, a former trustee of ASH and polling expert who was Chairman and then President of YouGov from 2001-16. Peter Kellner concluded that, *"I would have rejected any questionnaire with these faults, on any subject, when I helped to run YouGov. I believe any reputable research agency would have taken the same position."*<sup>14</sup>

# Retailer survey results: England and Wales 2024

Interviewers from NEMS market research conducted computer-assisted telephone interviews with a random sample of 904 managers or owners of independent shops selling tobacco in England and Wales. The survey was commissioned by ASH and supported by funding from Cancer Research UK. In summary:

- 51% support raising the age of sale one year every year (26% oppose)
- 71% support mandatory age verification (20% oppose)
- 65% support creating a smokefree generation (17% oppose)
- 79% support fixed penalty notices for breaches of age of sale regulations (13% oppose)

Overall, 5887 retailers were contacted at least once to have the opportunity to participate. A total of 904 agreed to take part in the study, a 15% response rate in this subsample.

Retailers included newsagents, off-licences, specialist tobacconists, local convenience stores/supermarkets (including symbol groups), and independent fuel stations. Retailers were sampled using an existing database with owners classified by geographic location and business activity type based on the governmental SIC code. Quota controls on business type ensured a proportional stratified sample.

In the final sample of 904 retailers spoken to in January 2024, there were 80 newsagents, 141 off-licences, 585 convenience stores/local supermarkets and 98 independent petrol stations. All questions in the survey followed a fixed script and had predefined answers but interviewees could refuse to answer specific questions.

Breakdowns by country and English region are set out below.

**Question:** The Government has announced legislation to raise the age of sale for tobacco for those born in 2009 or later by one year, every year, so it will never be legal to sell them tobacco. To what extent, if at all, would you support or oppose this measure?

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
<b>England &amp; Wales</b>	904	51%	26%	23%
<b>England</b>	804	50%	26%	25%
<b>Wales</b>	100	58%	27%	15%

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
North East England	100	46%	28%	26%
North West England	100	52%	23%	25%
Yorkshire & Humberside	102	45%	23%	32%
East & West Midlands	100	44%	34%	22%
Greater London	102	60%	18%	23%
South East	100	46%	27%	27%
South West	100	55%	23%	22%
East England	100	50%	31%	19%

**Question:** If the legislation to raise the age of sale one year, every year is passed, as time goes by there will be an increasing number of people over 18 who are not legally allowed to be sold cigarettes. In this case, would you support or oppose mandatory age verification laws for anyone trying to buy tobacco?

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
England & Wales	904	71%	20%	10%
England	804	70%	20%	10%
Wales	100	80%	16%	4%

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
North East England	100	61%	28%	11%
North West England	100	73%	17%	10%
Yorkshire & Humberside	102	70%	17%	14%
East & West Midlands	100	67%	21%	12%
Greater London	102	72%	18%	11%
South East	100	64%	29%	7%
South West	100	83%	11%	6%
East England	100	68%	21%	11%

**Question:** In principle, how strongly, if at all, do you support or oppose creating a smokefree generation?

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
<b>England &amp; Wales</b>	904	65%	17%	18%
<b>England</b>	804	65%	16%	19%
<b>Wales</b>	100	64%	24%	12%

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
<b>North East England</b>	100	62%	18%	20%
<b>North West England</b>	100	61%	15%	24%
<b>Yorkshire &amp; Humberside</b>	102	65%	14%	22%
<b>East &amp; West Midlands</b>	100	67%	12%	21%
<b>Greater London</b>	102	69%	19%	13%
<b>South East</b>	100	59%	22%	19%
<b>South West</b>	100	73%	12%	15%
<b>East England</b>	100	65%	16%	19%

**Question:** How strongly, if at all, would you support or oppose Fixed Penalty Notices for breaches of age of sale legislation for vapes and tobacco products?

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
<b>England &amp; Wales</b>	904	79%	13%	8%
<b>England</b>	804	78%	13%	9%
<b>Wales</b>	100	86%	9%	5%

	<b>Unweighted base</b>	<b>Support</b>	<b>Oppose</b>	<b>Don't know/ Neither support nor oppose</b>
<b>North East England</b>	100	71%	17%	12%
<b>North West England</b>	100	82%	9%	9%
<b>Yorkshire &amp; Humberside</b>	102	77%	13%	10%
<b>East &amp; West Midlands</b>	100	85%	11%	4%
<b>Greater London</b>	102	80%	12%	8%
<b>South East</b>	100	75%	16%	9%
<b>South West</b>	100	77%	14%	9%
<b>East England</b>	100	78%	14%	8%

# Public opinion survey results: GB adults 2024

The public opinion survey of over 13,000 GB adults aged 18+ was carried out online by YouGov for ASH:

- 78% support creating a smokefree generation (7% oppose)
- 72% support mandatory age verification (11% oppose)
- 69% support raising the age of sale one year every year (12% oppose)
- 52% of smokers support raising the age of sale one year every year (24% oppose)

This forms part of the ASH Smokefree Great Britain survey which has been carried annually online since 2007, the year legislation prohibiting smoking in public places came fully into force. Fieldwork in 2024 was undertaken between 29th February and 18th March. The figures have been weighted and are representative of all GB adults (aged 18+).

Breakdowns by country, English region and smoking status are set out below.

**Question:** The Government has announced legislation to raise the age of sale for tobacco for those born in 2009 or later by one year, every year, so it will never be legal to sell them tobacco. To what extent, if at all, would you support or oppose this measure?

## Support by nation

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
<b>GB</b>	13266	69%	12%	19%
<b>England</b>	11018	69%	12%	19%
<b>Wales</b>	1122	67%	14%	19%
<b>Scotland</b>	1126	69%	12%	19%

## Support by voting behaviour in 2019 GE

Data is representative of GB adults by key demographics, but party vote is not controlled for and is based on natural fallout.

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
<b>Conservative</b>	3622	70%	13%	17%
<b>Labour</b>	3682	74%	11%	16%
<b>Liberal Democrat</b>	1118	75%	9%	16%
<b>Scottish National Party (SNP)</b>	401	68%	13%	20%
<b>Plaid Cymru</b>	105	70%	10%	20%
<b>Brexit Party</b>	172	54%	19%	28%
<b>Green</b>	362	74%	11%	15%
<b>Other</b>	151	61%	15%	24%
<b>Don't know/Did not vote</b>	3615	62%	13%	26%

## Support by English regions

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
<b>North East</b>	576	69%	11%	20%
<b>North West</b>	1405	68%	12%	20%
<b>Yorkshire and the Humber</b>	1092	71%	12%	17%
<b>East Midlands</b>	985	69%	10%	21%
<b>West Midlands</b>	1170	71%	11%	18%
<b>East of England</b>	1227	69%	13%	18%
<b>London</b>	1741	68%	11%	21%
<b>South East</b>	1694	70%	13%	17%
<b>South West</b>	1128	69%	11%	19%

## Current smokers' support by nation

	Unweighted base	Support	Oppose	Don't know/ Neither support nor oppose
<b>GB</b>	1,695	52%	24%	24%
<b>England</b>	1,400	53%	23%	24%
<b>Wales</b>	146	40%	30%	30%
<b>Scotland</b>	149	53%	22%	25%

**Question:** If the legislation to raise the age of sale one year, every year is passed, as time goes by there will be an increasing number of people over 18 who are not legally allowed to be sold cigarettes. In this case, would you support or oppose mandatory age verification laws for anyone trying to buy tobacco?

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<b>Green</b>	362	74%	12%	15%
<b>Other</b>	151	64%	15%	22%
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East of England	1227	72%	12%	16%
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Scotland	149	58%	20%	21%

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