Derry City & Strabane
District Council
Comhairle
Chathair Dhoire &
Cheantar an tSratha Báin
Derry Cittie & Stràbane
Destrick Cooncil

Ref: FOI / 6478

15th July 2026

Freedom of Information Act 2000 Request - Sunbeds Act (Northern Ireland) 2011 Enforcement Activity

I refer to your FOI request and respond as follows:

I am writing to request information under the Freedom of Information Act 2000 in relation to the enforcement of the Sunbeds Act (Northern Ireland) 2011 and associated regulations.

For the period from 1 May 2012 to the present date, I would be grateful if you could provide the following information:

1. **The number of commercial sunbed premises within your area that have been inspected by the Council.**

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
21	9	8	9	20	26	29	21	0	0	13	12	28	26

2. **The number of inspections undertaken each year.**

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
21	9	8	9	20	33	29	21	0	0	12	12	28	27

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3. **The number of test purchasing exercises undertaken to assess compliance with age restrictions.**

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
0	0	0	0	12	14	12	11	0	0	0	0	10	0

4. **The number of occasions on which underage access or use of a sunbed was identified.**

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
0	0	0	0	2	0	0	0	0	0	0	0	3	0

5. **The number of Fixed Penalty Notices issued under the Sunbeds Act (Northern Ireland) 2011 and associated regulations, broken down by year and offence where possible.**

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
0	0	0	0	2	0	0	0	0	0	0	0	3	0

6. **The number of Improvement Notices or equivalent enforcement notices issued.**

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
0	0	0	0	0	0	0	0	0	0	0	0	0	00

7. **The number of prosecutions commenced under the Sunbeds Act (Northern Ireland) 2011 and associated regulations.**

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
0	0	0	0	0	0	0	0	0	0	0	0	0	0

8. **The number of successful prosecutions secured.**

   N/A

9. **Details of the offence(s) involved in each prosecution.**

   N/A

10. **Any reports, reviews, audits or evaluations undertaken by the Council regarding:**

    - **compliance with the legislation;**
    - **effectiveness of the legislation;**
    - **trends in underage use;**
    - **trends in operator compliance.**

    Please see the documents attached.

11. **Any data held regarding the number of commercial sunbed premises operating within your area by year since 2012.**

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
NR	NR	25	25	25	26	29	27	23	23	26	25	29	26

If you are dissatisfied with our response, you have rights of review and appeal; these rights consist of two review processes.

Firstly, our internal review procedure is available by contacting:

John Kelpie
Chief Executive
Derry City and Strabane District Council
98 Strand Road
Derry BT48 7NN
Tel: 028 71253253 or email: john.kelpie@derrystrabane.com

Secondly, you can appeal directly by contacting the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
CHESHIRE SK9 5AF
Tel: 0303 123 1113 (local rate) or email: casework@ico.org.uk

I would however advise that the Information Commissioner has indicated that a review will not be undertaken unless the Council has first had an opportunity to re-consider its decision.

Committee:	Date of Meeting:	Classification:	SD Initials & Date:
Health & Community	14th November 2024	Open/Decision	

(Shaded section to be removed by committee section prior to compilation of committee report)

Title of Report:	Officer Presenting: Director of Health and Community / Head of Health and Community Wellbeing
Update on the Sunbed Test Purchase Exercise	Author: Principal Environmental Health Officer / Head of Health and Community Wellbeing

1 Purpose of Report/Recommendations

1.1 To inform Members on the outcome of sunbed test purchase exercises carried out with respect to the provisions of the Sunbeds Act (Northern Ireland) 2011 (prohibition on allowing the use of sunbeds by persons under 18 years) and the subsequent enforcement action taken.

2 Background

2.1 The Sunbeds Act (Northern Ireland) 2011 (Appendix 1) came into effect in May 2012 giving district councils in Northern Ireland the statutory duty to enforce the provisions of the Act. Officers from the Environmental Health Department have been duly authorised by Derry City and Strabane District Council to enforce the provisions of the Sunbed Act (NI) 2011.

2.2 There has been a large rise in the incidence of skin cancer in Northern Ireland to the extent that it is the most common cancer amongst adults in Northern Ireland. Studies have found that sun over-exposure during the teenage years significantly increases the risk of developing skin cancer later in life and the use of sunbeds was found to be associated with an increased risk of skin cancer.

2.3 Regulation 1 of the Sunbed (NI) Act 2011 prohibits the use/sale and/or hire of sunbeds to persons under the age of 18. The aim of the legislation is to reduce the likelihood of the use/sale and/or hire of sunbeds being made to underage children and to raise awareness of the legislation among the retailers. One of the ways that this can best be done is to carry out 'test purchase' exercises, using children under the age of 18 to try and buy or hire sunbed facilities.

3 Key Issues

3.1 In accordance with the requirements of the Northern Ireland Sun Bed Working Group (NISWG) guidance, a suitable child volunteer received suitable training on the test purchase exercise.

3.2 Within the Derry City and Strabane District Council area all sunbed premises owners were written to in advance and informed of their responsibilities under the provisions of the Sunbeds Act (NI) 2011, their legal obligations in relation to age restrictions and that such a test purchase exercise would be taking place within the next number of months. The poster – No ID? No Sunbed! (Appendix 2) accompanied the above advance letters to sunbed premises. Businesses were asked to display the poster at the point of sale, in order to assist in their duty regarding the prevention of underage sales.

3.3 For the purposes of the test purchase a total of 11 sunbed premises were visited by Environmental Health Officers within the DCSDC area on 07 August 2024 with the child volunteer. During the exercise 3 premises offered sales of sunbed sessions to the child volunteer. Following the under aged sales, suitable witness statements were compiled by the Environmental Health Officers concerned with the test purchase exercises.

3.4 In line with the Council's Enforcement Policy and the guidance produced by the NISWG, the Department then issued 3 fixed penalty notices in accordance with regulation 12 of the Sunbeds Act (NI) 2011. These fixed penalty notices were issued to the owners of the sunbed premises where the sales were made requiring them to pay a fixed penalty of £250 within 28 days. A fixed penalty notice under the provisions of the Sunbed Act is a notice offering a person the opportunity to discharge any liability to conviction for the offence to which the notice relates, by paying a penalty in accordance with the Act.

3.5 All 3 owners complied with the requirements of the fixed penalty notices and paid the £250 within the required 28 days.

4 Implications

Equality, Rural Needs, Climate Change and Data Protection

4.1 None Known.

Financial, Legal, HR, Improvement and Other

4.2 The 3 fixed penalty notices of £250 each have been paid by the owners of the sunbed premises and no further expense will be incurred by Council in relation to this exercise. A further sunbed test purchase exercise will be undertaken during the year 2025/26.

5 Recommendations

5.1 That the Committee note the outcomes of the test purchase exercise and that members support a further test purchase exercise likely to be undertaken in the year 2025/26.

Background Papers

Appendix 1: The Sunbed Act (NI) 2011 (link below)

Sunbeds Act (Northern Ireland) 2011

Appendix 2: 'No ID? NO Sunbed! You must be 18 or over to use a sunbed' - Poster

Committee:	Date of Meeting	Classification:	SD Initials & date:
Health and Community	19th January 2023	Open/Information	

(Shaded section to be removed by committee section prior to compilation of committee report)

Title of Report:	Officer Presenting: Director of Health and Community
Update on the sunbed test purchase exercise.	Author: Head of Health and Community Wellbeing

1 Purpose of Report/Recommendations

1.1 To inform Members on the outcome of the sunbed test purchase exercises carried out during October 2022 with respect to the provisions of regulation 4 to 7 of the Sunbeds Act (Northern Ireland) 2011 which relate to the display of information for sunbed users and the provision of protective eye wear.

2 Background

2.1 There has been a large rise in the incidence of skin cancer in Norther Ireland to the extent that it is the most common cancer amongst adults in Northern Ireland. Studies have found that sun overexposure during the teenage years significantly increases the risk of developing skin cancer later in life and the use of sun beds was found to be associated with an increased risk of skin cancer.

2.2 The Sunbeds Act (Northern Ireland) 2011 came into effect in May 2012 giving district councils in Northern Ireland the statutory duty to enforce the provisions of the Act. Officers from the Environmental Health Department have been duly authorised to enforce the provisions of the Sunbed Act (NI) 2011.

2.3 In previous test purchase exercises council officers focused on Regulation 1 of the Sunbed (NI) Act 2011 which dealt with underage sales and it was found that business owners were compliant with regards to under aged sales. Regulation 4 and 5 of the Sunbed (NI) Act 2011 requires business owners to provide such health information as prescribed in law to the user of the sunbed each time they use the sunbed and to display a prescribed notice of A3 size containing such health information as prescribed. This notice must be displayed in a position where it is readily visible. Regulation 6 prohibits the display of any material that makes any health claims around the use of sunbeds other than the statements that are prescribed in Regulations 4 and 5. Regulation 7 requires the operator of a sunbed business to make available protective eyewear and to secure as far as is reasonably practicable that a person who uses a sunbed on those premises wears protective eye wear.

3 Key Issues

3.1 Within the Derry City and Strabane District Council area all sunbed premises owners have been informed of their responsibilities under the provisions of the Sunbeds Act (NI) 2011. For the purposes of this test purchase a total of 13 sunbed premises were visited within the council area during October. During this year's exercise all of the13 premises visited were in compliance with the various provisions of the Sunbed (NI) Act 2011.

3.2 Compliance letters will be sent to All premises visited will be issued with a letter confirming compliance with the requirements of Regulation 4 to 7 of the Sunbed (NI) Act 2011 during this year's exercise.

4 Implications

Equality, Rural Need, Climate Change and Data Protection

None

Financial, Legal, HR, Improvement and Other

There are no financial or other implications from this year's exercise, all inspections have been carried out using existing resources within the Environmental Health Service.

5 Recommendations

5.1 That the Committee note the outcomes of this year's test purchase exercise.

Background Papers

The Sunbed Act (NI) 2011

Committee:	Date of Meeting	Classification:	SD Initials & date:
Health and Community	12th September 2019	Open/Decision	

(Shaded section to be removed by committee section prior to compilation of committee report)

Title of Report:	Officer Presenting: Director of Health and Community
Sunbed test purchase exercise.	Author: Head of Health and Community Wellbeing

1 Purpose of Report/Recommendations

1.1 To inform Members of the outcome of the sunbed test purchase exercises carried out on the 1st of August 2019 with respect to The Sunbeds Act (Northern Ireland) 2011 (prohibition on allowing the use of sunbeds by persons under 18 years).

2 Background

2.1 The Sunbeds Act (Northern Ireland) 2011 came into effect in May 2012 giving district councils in Northern Ireland the statutory duty to enforce the provisions of the Act. Officers from the Environmental Health Department have been duly authorised by Derry City and Strabane District Council to enforce the provisions of the Sunbed Act (NI) 2011.

2.2 There has been a large rise in the incidence of skin cancer in Norther Ireland to the extent that it is currently the most common cancer amongst adults in Northern Ireland. Studies have found that sun overexposure during the teenage years significantly increases the risk of developing skin cancer later in life and the use of sun beds was found to be associated with an increased risk of skin cancer.

2.3 Regulation 1 of the Sunbed (NI) Act 2011 prohibits the use/sale and/or hire of sunbeds to persons under the age of 18. The aim of the legislation is to reduce the likelihood of the use/sale and or hire of sunbeds being made to underage children and to raise awareness of the legislation among the retailers. One of the ways that this can best be done is to carry out 'test purchase' exercises, using children under the age of 18 to try and buy or hire sunbed facilities.

3 Key Issues

3.1 In accordance with the requirements of the NI Sunbed Working Group guidance a child volunteer was selected and received training on the test purchase exercise.

3.2 Within the Derry City and Strabane District Council area all sunbed premises owners were informed of their responsibilities under the provisions of the Sunbeds Act (NI) 2011. For the purposes of this test purchase a total of 11 sunbed premises were visited within the DCSDC area on the 1st of August 2019 with the child volunteer. During this year's exercise none of the 11 premises visited sold a session to the child volunteer.

Compliance letters will be sent to all the premises visited to make them aware that they had complied with the requirements of the age restrictions during this year's exercise.

4 Financial, Equality, Legal, HR, Improvement and other Implications

4.1 There are no financial etc. implications from this year's exercise, all inspections have been carried out using existing resources within the Environmental Health Service.

5 Recommendations

5.1 That the Committee note the outcomes of this year's test purchase exercise and that members support a further test purchase exercise to be undertaken in 2020.

Background Papers

The Sunbed Act (NI) 2011

Committee:	Date of Meeting	Classification:	SD Initials & date:
Health and Community	12th October 2017	Open/Information	

(Shaded section to be removed by committee section prior to compilation of committee report)

Title of Report:	Officer Presenting: Director of Health and Community
Update on the sunbed test purchase exercise.	Author: Head of Health and Community Wellbeing

1 Purpose of Report/Recommendations

1.1 To inform Members on the outcome of the sunbed test purchase exercises carried out on the 18th of July 2017 with respect to the provisions of regulation 1 of the Sunbeds Act (Northern Ireland) 2011 (prohibition on allowing the use of sunbeds by persons under 18 years).

2 Background

2.1 The Sunbeds Act (Northern Ireland) 2011 came into effect in May 2012 and District Council Environmental Health Departments have a statutory duty to enforce the provisions of the Act. Regulation 1 of the Act prohibits the use/sale and/or hire of sunbeds to persons under the age of 18. The aim of the legislation is to reduce the likelihood of the use/sale and or hire of sunbeds being made to underage children and to raise awareness of the legislation among the retailers. One of the ways that this can best be done is to carry out 'test purchase' exercises, using children under the age of 18 to try and buy or hire sunbed facilities.

2.2 I refer to my previous reports on sunbeds, items HC 144/15 and HC 42/17 to the Health and Community Committee Meetings when I informed members of the Department intention to undertake suitable sunbed test purchase exercises and the outcome of such a test purchase exercise undertaken in October 2016.

3 Key Issues

3.1 In accordance with the requirements of the NI Sunbed Working Group (NISWG) guidance a suitable child volunteer was selected and earlier this year they have received suitable training on the test purchase exercise.

3.2 Within the Derry City and Strabane District Council area all sunbed premises owners were informed of their responsibilities under the provisions of the Sunbeds Act (NI) 2011. Those premises that were selected to be part of the test purchase exercise for this year were visited in advance of the exercise to inform them of their legal obligations in relation to age restrictions and that such a test purchase exercise would be taking place within the next number of months.

3.3 For the purposes of this test purchase a total of 14 sunbed premises were visited within the DCSDC area on the 18th July 2017 with the child volunteer, the two premises that had sold sunbed sessions during the previous year's test purchase exercise were also visited. During this year's exercise none of the 14 premises visited sold a session to the child volunteer.

3.4 Compliance letters will be sent to all the premises visited to make them aware that they had complied with the requirements of the age restrictions during this year's exercise.

4 Financial, Equality, Legal, HR, Improvement and other Implications

4.1 There are no financial etc. implications from this year's exercise, all inspections have been carried out using existing resources within the Environmental Health Service.

5 Recommendations

5.1 That the Committee note the outcomes of this year's test purchase exercise and that members support a further test purchase exercise likely to be undertaken later in 2018.

Background Papers

- Committee Report HC 144/15 of the 15 October 2015 and HC 42/17 of the 9th February 2017.
- The Sunbed Act (NI) 2011