

Date 06/07/2026
Your Ref
Our Ref 11563

Enquiries to Richard Mutch
Extension 35687
Direct Line 0131 465 5687
loth.freedomofinformation@nhs.scot
richard.mutch@nhs.scot

Dear

FREEDOM OF INFORMATION – SMOKING

I write in response to your request for information in relation to smoking.

Question:

1. How many fixed penalty notices (FPNs) related to smoking on or near hospital grounds have been issued by your organisation?
2. What was the total monetary value of these fines?
3. How many of these fines remain unpaid (if recorded)?
4. How many formal warnings relating to smoking on or near hospital grounds were issued?
5. What is the current policy regarding smoking on or near hospital grounds within your NHS Board / Trust / local authority area?
6. How many formal complaints has your NHS Board / Trust received?
7. Does your organisation enforce a smoke-free perimeter or exclusion zone around hospital entrances or buildings? If yes:
What is the required distance?
When was the policy introduced?

Answer:

1.	0
2.	0
3.	0
4.	0
5.	Smoking is not permitted on hospital grounds.
6.	2
7.	Smoking is not permitted on hospital grounds. Individuals to be found smoking within 15 metres of a hospital building can receive a fine from Local Authority Environmental Health Officers. Only Local Authority Environmental Health Officers have legal powers to intervene.

Headquarters
Mainpoint
102 West Port
Edinburgh EH3 9DN

Chair Professor John Connaghan CBE
Chief Executive Professor Caroline Hiscox
Lothian NHS Board is the common name of Lothian Health Board

	Therefore, NHS Lothian is not able to enforce as there is no Environmental Health Officer resource from the local authorities in NHS Lothian.
	The Policy been in place since 2015.

I hope the information provided helps with your request.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this letter, and we will reply within 20 working days of receipt. If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

If you require a review of our decision to be carried out, please write to the FOI Reviewer at the email address at the head of this letter. The review will be undertaken by a Reviewer who was not involved in the original decision-making process.

FOI responses (subject to redaction of personal information) may appear on NHS Lothian's Freedom of Information website at: <https://org.nhslothian.scot/FOI/Pages/default.aspx>

Yours sincerely

ALISON MACDONALD
Executive Director, Nursing
Cc: Chief Executive