

Title of Report:	Sales of Age Restricted Products	Item 7
Report to be considered by:	Executive	
Forward Plan Ref:	EX0677	

Corporate Plan Priority:	S5 – Reduction in anti-social behaviour
<p>The proposals contained in this report will help to achieve the above Corporate Plan Priorities by reducing access to products which are potentially harmful to health and the misuse of which is often linked to crime and anti-social behaviour.</p>	

Purpose of Report:	Seek Approval for the Public Protection (Trading Standards) Services approach to the enforcement of legislation relating to age restricted products.
Recommended Action:	Approve recommended enforcement programme set out in Section 2 of the report.
Reason for decision to be taken:	Legal requirement in relation to tobacco products and agreement on general policy in relation enforcement strategy and specifically in relation to enlisting the help of young persons for test purchasing.
List of other options considered:	None
Key background documentation:	Community Safety Strategy

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Implications	
Policy:	This work is consistent with policies relating to protection of young people and community safety.
Financial:	There are no additional financial implications.
Legal:	There is a legal requirement for the Council to consider annually its approach to enforcement of tobacco controls.
Community Safety:	This work contributes to many areas of the community safety agenda and is built into the relevant community safety plans.

1. Background

- 1.1 In the interests of the protection of the physical and/or mental well being of individual young people (as well as the interests of the wider community) many commonly available goods have been given a minimum legal age for their purchase. This range of controlled products include:

Tobacco and tobacco products
Alcohol
Fireworks
Videos and certain video games
Lottery tickets
Aerosol spray paints
Lighter fuel and other solvents
Cinema admission
Air Rifles, Crossbows, Knives etc.

- 1.2 The control of illegal sales has become an integral part of the work of local authority trading standards services. In the case of tobacco products the Council has a statutory obligation to consider its enforcement approach and programme at least annually.
- 1.3 The Council has always taken a holistic approach to the enforcement of legislation relating to age restricted products. Experience has shown that a reduction of illegal sales of age-restricted products (and in particular tobacco) is best achieved by closely associating the legal issues with those of health and education. It is acknowledged that no one approach works on its own, and that a reduction in illegal sales can be best brought about by a combination of advice, education and enforcement. Our activity in this area reflects this.

2. The Enforcement Programme for the Next Twelve Months

- 2.1 It is generally felt that the balanced approach to enforcement taken this year was desirable and that working with partners from the Police, Health service and retail trade to achieve a common aim would appear to be paying dividends. On this basis it is the recommendation of officers that the following approach be adopted for the next 12 months in relation to control of sales of age restricted products including tobacco products:

Promotion of Proof of Age Card Scheme

- 2.2 We will continue with the support of schools to promote proof of age cards. We will also continue to advice retailers that the 'no proof of age – no sale' policy represent the best method of protecting them and the wider community.

Junior Citizen

- 2.3 We will look to participate in future Junior Citizen events to allow us to sell the age restricted products message to further 10-11 year olds from West Berkshire Schools.

Education of Retailers

- 2.4 We intend to continue to advise retailers on how to best achieve compliance with the legislation relating to the sale of age restricted products at the time of inspection of trade premises, and will look to hold further seminars if there is a strong enough demand.

Berkshire Health Improvement Programme

- 2.5 We intend to continue to contribute to Health Improvement Programmes through our work on under age sales. We are working with those drawing up tobacco control plans to ensure that our contribution is recognised and relevant.

Test-Purchasing of age Restricted Products

- 2.6 Officers believe that carrying out 'test purchasing' programmes of age restricted products, using volunteer young people, is an important part of the enforcement programme. It helps reinforce the message and allows us to take action (if necessary) against traders who are either negligent or who deliberately choose to flout the law. All test purchasing is carried out in accordance with strict Home Office guidelines aimed to provide safeguards for both the young person and the trader. For this reason endorsement is sought to continue with this method of enforcement.
- 2.7 In progressing our work in this area we will continue to form effective working partnerships, look for sources of external funding and other support and work with the media and other bodies to ensure the issues remain the public eye.

Appendices

None

Consultation Responses

Local Stakeholders: We continually consult with the Police and other partners on work in this area.

Officers Consulted: None

Trade Union: None