
PPPs Approach to Age Restricted Products

Committee considering report:	Joint Public Protection Committee
Date of Committee:	2 October 2023
Chair of Committee:	Councillor Lee Dillon
Date JMB agreed report:	11 September 2023
Report Author:	Sean Murphy
Forward Plan Ref:	JPPC4366

1. Purpose of the Report

- 1.1 To set out an updated Enforcement Approach to Age Restricted Products 2023-2025 policy and invite the Committee to consider, amend and/or adopt the Policy.

2. Recommendations

The Committee:

- 2.1 **ADOPTS** the revised Enforcement Approach to Age Restricted Products 2023-2025 subject to any amendments agreed at the meeting.

3. Implications and Impact Assessment:

Implication	Commentary
Financial:	<p>None – this work will be undertaken within existing budgets.</p> <p>Occasionally grant funding becomes available for targeted campaigns. Over the years these have included sales of knives, vapes and alcohol.</p> <p>We have also accessed grants from the Public Health teams to support the work that we do in schools and the wider community to reduce youth harm from alcohol and tobacco. We are currently look at the possibility of accessing public health funding around the issue of under-age sales of vaping products.</p>
Human Resource:	<p>None – this work will be undertaken by existing resources.</p> <p>This work is primarily led by the trading standards service with respect to under-age sales and working alongside the licensing team with respect to alcohol sales.</p>
Legal:	<p>It is a legal requirement that Councils with enforcement responsibility for enforcing the age restriction requirements for tobacco and aerosol spray paints. This report and associated policy fulfils' these legal obligations.</p>

	There is a wide of legislation setting out the restrictions and the various duties on the Councils with respect to enforcement. The primary enforceable restrictions are set out in 4.2 of this report.			
Risk Management:	In adopting this revised and up to date policy, the Council will have set out a clear approach to the enforcement of age restricted products.			
Property:	None			
Policy:	The Joint Public Protection Committee is charged with setting the policy direction for the delivery of a range of functions associated with the protection of the public. This report provides an updated version of the policy in order to ensure the Council's approach remains clear and transparent in this area of work.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:		X		
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
Environmental Impact:	X			Disposable vapes (littering) can be addressed as part of the awareness raising programmes for retailers. Certain obligations are on retailers/manufacturers to ensure proper facilities for disposal are provided, and this is included in the responsible retailer messaging.
Health Impact:	X			Reducing the ability to sell age restricted products will reduce the harms to children (and others) created by them.

ICT or Digital Services Impact:		x		None
PPP Priorities :				The report will impact on the following PPP Priorities (delete those that are not appropriate) <ol style="list-style-type: none"> 1. Alcohol and Tobacco Harm Reduction 2. Licensing 3. Unsafe Consumer Goods
Data Impact:				None
Consultation and Engagement:	PPP Officers, Joint Management Board, and the Case Management Unit have been consulted.			
Other Options Considered:	None			

4. Executive Summary

Background

- 4.1 Many products that are sold at retail level either through shops or online can present a risk to adults and young people if consumed, abused, or misused. For this reason, a range of controls have been developed over the years that control the sale and in some cases the composition and marketing of those products. The most stringent controls on sale are restrictions on sales to young people or in the case of alcohol through a licensing regime. These restrictions are all aimed at reducing harm or the risk of harm.
- 4.2 The Public Protection Service recognised many years ago that any enforcement was only one part of the picture when it comes to reducing the risk of harm to young people and the wider community. An effective strategy had to involve working with key partners both internally (Community Safety, Public Health) and externally such as the Thames Valley Police and schools. It had to include not just enforcement but also working with retailers and above all with young people, parents and carers and the wider public and include comprehensive engagement and education programmes and effective co-ordination.
- 4.3 This work has so many links to key council priority areas around health and wellbeing, reductions in health inequalities, building safer and stronger communities, reducing anti-social behaviour and the promotion of safer streets and the reduction in violence to woman and girls. Finally it contributes to the economic policies by working with key partners to promote town centres and the night time economy as safe and welcoming.
- 4.4 Our work in these areas has shown significant success with the levels of test purchase failures falling over many years as a result of improved compliance. There are always new areas of policy development and emerging issues as we have seen in recent years with concerns around knives, corrosives, cosmetic treatments and more recently vaping products and the sale of and abuse of Nitrous Oxide with tighter restrictions on both being considered by national policy makers.
- 4.5 As has been alluded to above, the key to reducing harm is an effective approach which includes effective partnership working and linking these important measures to key

strategies around health and wellbeing, safer communities, violence harm reduction and safer streets.

4.6 Finally there is the link to the work of the Licensing Committees as the guardians of licensing policy in each Council area. It is critical that this work feeds in the development of licensing policy and the delivery of the licensing objectives.

The Policy

4.7 It was previously agreed that a policy position was set up on how the Public Protection Partnership (PPP) should conduct itself when dealing with its enforcement approach to age restricted products.

4.8 Legislation that exists recognises that not all products are appropriate for sale to persons under a certain age. These include the following, and the age limit is 18 years of age (unless otherwise stated).

- Alcohol
- Cigarettes, tobacco, shisha and other smoking based products
- E Cigarettes and Vaping Products
- Fireworks - sparklers, party poppers (16), caps (16), cracker snaps (16)
- Aerosol spray paints (16)
- Intoxicating Substances e.g. solvents and glues
- Corrosives, Petrol (16)
- DVDs, Blu Rays and computer games (12,15, or 18 depending on classification)
- Dangerous Weapons - air weapons, crossbows, knives
- Gambling - Lottery tickets and scratch cards (16), prize machines
- Bookmakers
- Sunbeds and certain beauty and other treatment procedures (Botox, Lip-fillers, tattooing)

4.9 It is appropriate to review the policy position from time to time to ensure it remains relevant.

4.10 The legal framework is in place to require that retailers do not sell certain products to those not of legal age to purchase such products.

4.11 This policy sets out a clear and transparent standard around how the Councils will, through partnerships, advice and enforcement measures, ensure protections for children who attempt to purchase products that are aged restricted as well as providing protection for the wider community from associated anti-social behaviour.

4.12 The key changes made to the existing policy are set out below:

- Stronger links to wider Council / partnership strategies;
- New focus on on-line sales;
- Stronger focus on communication and engagement;
- Minor changes to reflect a broader remit by removing/altering references to tobacco and alcohol sales only;
- To better reflect PPP's role in its tobacco control alliance work;
- To identify the risk to young people of smuggled, counterfeit and illegal products.

4.12 Communication and community engagement is a big part of the work we do to raise awareness and achieve compliance with prevailing legislation and reduce harm. Examples can be found at Appendix B to this report.

5. Concluding Observations

5.1 Effective enforcement can be defined as enforcement in context. All of the work of the Public Protection Service can be viewed on the context of wider policy and societal agendas. None more so than this.

5.2 This short report has sought to set out some of that context and the significance of this work. The updated policy is presented to the Committee for consideration as a succinct summary of the proposed approach.

6. Appendices

6.1 Appendix A – Reducing the Harms Caused by the Illegal Sale of Age Restricted Products Policy Statement

6.2 Appendix B – Samples of communication and community engagement relating to age restricted products.

7. Background Papers:

7.1 (Current) Enforcement Approach to Age Restricted Products policy (undated).
[enforcement-approach-to-sale-of-age-restricted-products.pdf](#)
[\(publicprotectionpartnership.org.uk\)](#)

Officer details:

Name: George Lawrence
Job Title: Strategic Manager
Tel No: 01365 519163
E-mail: george.lawrence@westberks.gov.uk
