

**CHESHIRE EAST HEALTH AND WELLBEING BOARD**  
Reports Cover Sheet

<b>Title of Report:</b>	Age Restricted Products and Young Persons Survey
<b>Report Reference Number</b>	HWB34
<b>Date of meeting:</b>	26 <sup>th</sup> September 2023
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<b>Health &amp; Wellbeing Board Lead:</b>	Matt Tyrer / Deborah Woodcock

**Executive Summary**

<b>Is this report for:</b>	Information <input checked="" type="checkbox"/>	Discussion <input checked="" type="checkbox"/>	Decision <input type="checkbox"/>
<b>Why is the report being brought to the board?</b>	Statutory duties via legislation placed upon the Trading Standards Service (Place Directorate) include the engagement, education, encouragement and enforcement of age restricted products offered for sale and sold in Cheshire East. The laws exist to protect the young and vulnerable and safeguard the health of young people, in turn reducing future demand on health and well-being services. They are also in place to prevent incidents of crime such as anti-social behaviour, serious assaults and violent crime including knife crime.		
<b>Please detail which, if any, of the Health &amp; Wellbeing Strategic Outcomes this report relates to?</b>	<ol style="list-style-type: none"> <li>1. Cheshire East is a place that supports good health and wellbeing for everyone <input type="checkbox"/></li> <li>2. Our children and young people experience good physical and emotional health and wellbeing <input type="checkbox"/></li> <li>3. The mental health and wellbeing of people living and working in Cheshire East is improved <input type="checkbox"/></li> <li>4. That more people live and age well, remaining independent; and that their lives end with peace and dignity in their chosen place <input type="checkbox"/></li> </ol> <p>All of the above <input checked="" type="checkbox"/></p>		
<b>Please detail which, if any, of the Health &amp; Wellbeing Principles this report relates to?</b>	<p>Equality and Fairness <input type="checkbox"/></p> <p>Accessibility <input type="checkbox"/></p> <p>Integration <input type="checkbox"/></p> <p>Quality <input type="checkbox"/></p> <p>Sustainability <input type="checkbox"/></p> <p>Safeguarding <input checked="" type="checkbox"/></p> <p>All of the above <input type="checkbox"/></p>		

<b>Key Actions for the Health &amp; Wellbeing Board to address. Please state recommendations for action.</b>	<ul style="list-style-type: none"> <li>• A full presentation will be provided at the meeting by the author of the report.</li> <li>• The board is fully informed of the actions and objectives of the service and the collaborative partnership approach.</li> <li>• The board notes the findings of the 2023 Young Persons Survey.</li> <li>• Discussion and collaborative working through feedback and agreed actions.</li> </ul>
<b>Has the report been considered at any other committee meeting of the Council/meeting of the CCG board/stakeholders?</b>	<p>The presentation has been provided to the Safer Cheshire East Partnership (SCEP – Community Safety Partnership)</p>
<b>Has public, service user, patient feedback/consultation informed the recommendations of this report?</b>	<p>The Young Persons Survey is based on survey results completed by 14 to 17 year olds in Cheshire East.</p>
<b>If recommendations are adopted, how will residents benefit? Detail benefits and reasons why they will benefit.</b>	<ul style="list-style-type: none"> <li>• Reduced access to age restricted products.</li> <li>• Reduce health incidents/risks linked to underage sales, counterfeit and illicit goods and associated costs.</li> <li>• Increase health and safety of consumers, particularly young persons.</li> <li>• Improve the formal economy and protect honest business and the community.</li> <li>• Tackle criminality / organised crime.</li> <li>• Understand the root causes and trends.</li> <li>• Intelligence led service with targeted resources and objectives.</li> </ul>

## 1 Report Summary

1.1 A full presentation will be provided at the Health & Wellbeing Board on 26<sup>th</sup> September 2023.

1.2 The sale and storage of age restricted goods and in turn underage sales, is a statutory function placed upon Trading Standards through various pieces of legislation.

1.3 Underage sales continue to pose an issue for Trading Standards services as children as young as 12 are still able to buy such products from test purchase operations carried out by our profession. Businesses must ensure they have strict, law-abiding systems in place to stop sales of age-restricted products. The laws exist to protect the young and vulnerable and safeguard the health of young people, in turn reducing future demand on health and well-being services. They are also in place to prevent incidents of anti-social behaviour, serious assaults and violent crime including knife crime.

1.4 Products ranging from alcohol, nicotine products, vapes, knives, corrosive substances, fireworks, petrol, video games, explosives, pets, aerosols and lottery tickets come with age-restrictions designed to protect young consumers from serious potential harm. Businesses that sell age-restricted products must have robust systems in place, including staff training, signage and refusal logs to ensure underage sales do not take place. To ensure their own due diligence they should operate a policy such as 'Challenge 25' and have till prompts in place and CCTV.

- 1.5 As an intelligence led service Trading Standards are always striving to understand recent trends and issues from intelligence, research and surveys so that we can direct our resources to make the most impact, to tackle root causes and those causing the most harm as well as educate young consumers and work with other partners in a collaborative approach.
- 1.6 For Trading Standards, locally here in Cheshire East as well as regionally and nationally under-age sales are a high priority due to the risks involved. The service also needs to ensure they tackle the unscrupulous illegal sellers of such goods who shirk their responsibilities for profit as well as other known links including payment of age restricted goods in return for 'favours', some of which have been evidenced as sexual exploitation and becoming 'runners' and 'dealers' on the criminal's behalf which is linked to organised criminality.
- 1.7 The service operates an integrated operating model, known as the IOM, for all the intelligence and information we receive. Through risk-based analysis of data each year we set product priorities in our business planning and set objectives against them. As part of this intelligence collection, we participate in the Young Persons Survey every year.
- 1.8 For 2023/24 the product priorities are alcohol, tobacco, including illicit tobacco (cigarettes, pouches), vapes, knives and corrosive substances.
- 1.9 Following the intelligence assessment, the service has a number of objectives and approaches, all of which are in line with Cheshire East Council's published Enforcement Policy and Service Standard Code. These functions are within powers and controls delegated to the service through various statutory legislation. In addition to the range of legislation available to the team they also consider national guidance and Codes of Practice when determining the most appropriate way to remedy a problem such as age restricted sales. In some instances, specific powers contained within legislation are restricted to competent officers who are deemed to have the relevant qualification, skills and experience to enforce them. Our approach also takes into regard the 4 E's approach; Engage, Educate, Encourage and Enforce.
- 1.10 Throughout and on-going are the services responses to consultations on legislation and codes of practice, only recently we have consulted on raising the penalties for knife sales. Partnership working is key across all areas, to name just a few would be Cheshire Police, Public Health, schools, Communications Team, strategic boards, central government departments and our own enforcement group and intelligence network. We also have regional and national focus groups within our profession solely looking at age restricted products.
- 1.11 The current landscape and recent actions for age restricted products include:
- 52 test purchases for 2022/23 in Cheshire East.
  - Alcohol – 28% failure rate with ongoing investigations.
  - Tobacco and vapes – 31% failure rate, currently a case in court following two positive test purchases in one premise.
  - Other products – 28% failure rate, recently had our first positive test purchase of a knife, our investigation is ongoing.
  - 27 alcohol license reviews during the year.
  - Intelligence on alcohol sales has increased in 2022/23.

- Disposable vapes are now 70% of all intelligence/complaints.

1.12 There are ongoing consultations around labelling, marketing and the environmental impact of disposable vapes, with some calling for disposable vapes to be banned outright, including Directors of Public Health in Cheshire and Merseyside. The Office for Health Improvement have led on a call for evidence for vaping to identify opportunities to reduce the number of children and young people (people aged under 18) accessing and using vape products, while ensuring they are still easily available as a quit aid for adult smokers. This consulted ran from 11th April for 8 weeks. They have stated further regulatory actions, powers and capacity will be considered as part of the review.

1.13 As part of our objective to be intelligence led and understand the root causes and trends for young consumers in relation to age restricted goods, we run an annual survey with 14 to 17 year olds named the Young Persons Survey.

1.14 The survey is run from November to February (at the school's request) and produces local and regional results. There are online and paper versions available – mainly the latter are completed and returned. 21 North West Authorities were involved and the results inform intelligence, action and business planning and identifies trends including how products are accessed. Young persons are encouraged to be open and honest, completing the survey by themselves. In 2023 the survey received 13,981 returns in the North West with 841 from Cheshire East. The results have been shared with Public Health, Communications Team, Strategic Boards, Cheshire East Intelligence Networks, Cheshire East Enforcement Group, Safer Cheshire East Partnership and Cheshire Police.

1.15 Key insights from the results for Cheshire East:

#### Alcohol

- The percentage of 14-17 year olds in Cheshire East who drink alcohol remains low and relatively unchanged.
- There has been an increase in the percentage claiming to buy alcohol themselves, mostly from shops.
- A relatively high percentage of young people are drinking alcohol outside in streets and parks.
- Slight increase in young people not worried about long term health effects.

#### Tobacco

- Levels of tobacco smoking amongst young people in the local authority area continue to fall.
- They mainly get their cigarettes from friends under 18 and shops.

#### Vapes

- The percentage of young people in Cheshire East claiming to vape regularly has almost doubled since 2020.
- 12% claim to vape more than once a week, compared to 7% in 2020.
- Increasingly they are trying vapes either before or instead of tobacco cigarettes.
- The flavours are a key factor in tempting young people to vape, and also in what they buy.
- The price being cheaper than cigarettes also a factor.
- More than 3 in 4 who have tried vaping have friends who vape.
- More likely to use e-cigarettes (disposables) 64% then e-liquids (Pod/tank designs).

## Knives

- Experiences of knives amongst young people in Cheshire East appear to have decreased.
- 14% claimed to have witnessed an incident involving a knife and 10% have considered carrying a knife.
- Slightly fewer young people in Cheshire East claim to have bought a knife but young people in the area are most likely to buy a knife from shops (e.g., local shops, supermarkets, discount stores, outdoor shops).

## Overall

- Understanding of legislation has not changed considerably.
- Young people are less aware that it is illegal for someone over 18 to buy alcohol, tobacco, cigarettes and vapes for under 18s – ‘Proxy Sales’.
- Young people in Cheshire East are slightly more likely to be asked for ID when buying alcohol than cigarettes or vapes.

1.16 The survey informs the Trading Standards business planning every year which leads to targeted objectives. These include:

- Provide a response to the aforementioned ‘call for evidence’ for vaping which has been completed.
- Disseminate findings from the survey to forums and partners to collate feedback and agreed actions.
- Increase intelligence reports especially around anti-social behaviour in public places linked to alcohol and access to knives through knife crime reports.
- Targeted inspections, operations, seizures and test purchases.
- Education piece to retailers and the public on ‘proxy sales’ and age restricted checks.
- Support teachers and safeguarding leads in developing their knowledge and awareness on vaping.

1.17 The key strategic key aims of the service include;

- Reduce access to age restricted products.
- Reduce health incidents/risks linked to underage sales, counterfeit and illicit goods and associated costs.
- Increase health and safety of consumers, particularly young persons.
- Improve the formal economy and protect honest business and the community.
- Tackle criminality / organised crime.
- Understand the root causes and trends.
- Intelligence led / targeted resources.

## 2 Recommendations

2.1 The board is informed of the actions and objectives of the service and the collaborative partnership approach.

2.2 The board notes the findings of the Young Persons Survey.

2.3 Collaborative working through feedback and agreed actions.

### **3 Reasons for Recommendations**

- 3.1 A collaborative approach to age restricted goods to reduce health risks, prevention and detection of crime, tackle the illicit and informal economy and reduce future demand on health and well-being services.

### **4 Impact on Health and Wellbeing Strategic Outcomes**

- 4.1 The survey's information will be particularly useful in relation to the strategic outcome focussed upon ensuring that 'Our children and young people experience good physical and emotional health and wellbeing' However it also links to the other three outcomes as well.

### **5 Background and Options**

- 5.1 The Trading Standards & Community Protection Team sit within the Regulatory Services, Place Directorate.

The service has over 263 delegated pieces of legislation the majority of which are statutory duties. Functions and responsibilities include (not exhaustive):

- Consumer and business fraud
- Fair Trading / Pricing / Contracts / Fees and Charges
- Doorstep crime / rogue trading
- Intellectual property / counterfeit goods
- Scams and mass marketing
- Illegal money lending
- Illicit goods including alcohol and tobacco
- Age restricted goods / underage sales
- Food Standards
- Feed Standards
- Petroleum and explosives licensing
- Event safety and safety of sports grounds
- Metrology / Weights and Measures
- Product Safety
- Primary Authority and business consultancy
- Estate Agency
- Consumer advice (protocol for vulnerable)
- Cybercrime and digital forensics
- Financial Investigations and Proceeds of Crime
- Money Laundering

## **6 Access to Information**

6.1 The background papers relating to this report can be inspected by contacting the report writer:

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