



ACS Submission: Consultation on new legislation on offensive and dangerous weapons

ACS (the Association of Convenience Stores) welcomes the opportunity to respond to the Home Office's consultation on new legislation on offensive and dangerous weapons. ACS' response to this consultation relates specifically to making it an offence to sell products with certain corrosive substances to under 18s. ACS represents 33,500 local shops across the UK including the Co-op, Spar UK, McColls Retail and thousands of independent retailers. For more information on ACS see Annex A.

ACS has been working closely with Home Office officials to understand the sale of products containing corrosive substances in the convenience sector. Through consultation with our members we understand that convenience retailers stock a very small range of household cleaning products and retailers actively avoid stocking products that contain corrosive substances that would exceed thresholds in Control of Poisons and Explosives Precursors Regulations 2015 in order to avoid regulatory burdens.

ACS has written to the Home Secretary (see Annex B) offering to work with the Home Office to communicate to retailers concerns about corrosive substances, deliver additional guidance on relevant provisions in the Poisons Act and support retailers to identify products that contain corrosive substances. We will work with Home Office officials to deliver these commitments while new regulations on age restrictions are developed by policy makers and scrutinised by Parliament.

Do you agree that we should make it an offence to sell certain corrosive substances to under 18s?

ACS supports the introduction of a new offence preventing the sales of certain corrosive substances to under 18s. We believe the introduction of regulations for an age restriction on corrosive substance is a better approach than attempting to ask retailers to voluntarily age restrict corrosive substances.

Retailers will need further clarification on the type of corrosive substance and the corrosive thresholds that the age restriction would apply to. Currently, the consultation does not provide a full specification of the products that would be covered and instead stipulates: "products containing potentially harmful corrosives or harmful levels of corrosives". We would welcome guidance both from manufacturers - who should be required to advise retailers of products caught by the age restriction - and trading standards. ACS has a Primary Authority Partnership with Surrey and Buckinghamshire Trading Standards and would produce Assured Advice guidance for retailers on the sale of corrosive substances if it is deemed within the scope of Primary Authority.

Based on our existing research, we understand that convenience retailers stock a very small range of mainstream cleaning products and the corrosive substances they contain are below the corrosive thresholds that the Home Office are concerned about or exist in the Poisons Act. We understand that the age restriction could affect both products regulated by the Poisons Act or the Explosive Precursors Regulations or products not currently captured by either Act. Therefore, we urge the government to ensure to not only provide clarity and clear guidance to

retailers on what regulations they must adhere to for which products, but also consult on the thresholds of which products would fall under the age restriction.

Convenience retailers sell high volumes of age restricted products, such as alcohol and tobacco, and are familiar with the implementation of age restriction procedures. However, we seek clarification on the definition of “reasonable precautions and exercising of due diligence” specified in the impact assessment. Retailers will need clarification on the procedures they will need to adopt in order to update their training.

For Further information on this submission please contact Julie Byers, ACS Public Affairs Manager; Julie.byers@acs.org.uk or 01252 533008.

ANNEX A

ABOUT ACS

The Association of Convenience Stores lobbies on behalf of around 50,000 convenience stores across mainland UK on public policy issues that affect their businesses. ACS' membership is comprised of a diverse group of retailers, from small independent family businesses running a single store to large multiple convenience retailers running thousands of stores.

Convenience stores trade in a wide variety of locations, meeting the needs of customers from all backgrounds. These locations range from city centres and high streets, suburban areas such as estates and secondary parades, rural villages and isolated areas, as well as on petrol forecourts and at travel points such as airports and train stations.



WHO WE REPRESENT

INDEPENDENT RETAILERS



ACS represents 22,397 independent retailers, polling them quarterly to hear their views and experiences which are used to feed in to Government policy discussions.

These stores are not affiliated to any group, and are often family businesses with low staff and property costs. Independent forecourt operators are included in this category.

SYMBOL GROUPS AND FRANCHISES



ACS represents 14,659 retailers affiliated with symbol groups. Symbol groups like SPAR, Nisa, Costcutter, Londis, Premier and others provide independent retailers with stock agreements, wholesale deliveries, logistical support and marketing benefits.

Symbol group forecourt operators and franchise providers like One Stop are also included in this category.

MULTIPLE AND CO-OPERATIVE BUSINESSES



ACS represents 12,862 stores that are owned by multiple and co-operative retailers. These businesses include the Co-Operative, regional co-operative societies, McColls, Conviviality Retail and others.

Unlike symbol group stores, these stores are owned and run centrally by the business. Forecourt multiples and commission operated stores are included in this category.

THE CONVENIENCE SECTOR



In 2017, the total value of sales in the convenience sector was £38bn.

The average spend in a typical convenience store transaction is £6.28.



There are 49,918 convenience stores in mainland UK. 74% of stores are operated by independent retailers, either unaffiliated or as part of a symbol group.



The convenience sector provides flexible employment for around 370,000 people.

24% of independent/symbol stores employ family members only.



20% of shop owners work more than 70 hours per week, while 19% take no holiday throughout the year.

72% of business owners are first time investors in the sector.



Convenience stores and Post Offices poll as the two services that have the most positive impact on their local area according to consumers and local councillors.

79% of independent/symbol retailers have engaged in some form of community activity over the last year.



Between August 2016 and May 2017, the convenience sector invested over £858m in stores.

The most popular form of investment in stores is refrigeration.

OUR RESEARCH

ACS polls the views and experiences of the convenience sector regularly to provide up-to-date, robust information on the pressures being faced by retailers of all sizes and ownership types. Our research includes the following regular surveys:

ACS VOICE OF LOCAL SHOPS SURVEY

Regular quarterly survey of over 1200 retailers, split evenly between independent retailers, symbol group retailers and forecourt retailers. The survey consists of tracker questions and a number of questions that differ each time to help inform ACS' policy work.

ACS INVESTMENT TRACKER

Regular quarterly survey of over 1200 independent and symbol retailers which is combined with responses from multiple businesses representing over 3,000 stores.

ACS LOCAL SHOP REPORT

Annual survey of over 2400 independent, symbol and forecourt retailers combined with responses from multiple businesses representing 6,291 stores. The Local Shop Report also draws on data from HIM, IGD, Nielsen and William Reed.

BESPOKE POLLING ON POLICY ISSUES

ACS conducts bespoke polling of its members on a range of policy issues, from crime and responsible retailing to low pay and taxation. This polling is conducted with retailers from all areas of the convenience sector.

For more information and data sources, visit www.acs.org.uk

ANNEX B

27th November 2017

Rt Hon Amber Rudd MP
Home Office
2 Marsham Street
London
SW1P 4DF

Dear Home Secretary

Association of Convenience Stores - Responsible sales of acid and corrosive products

I am writing in response to your recent announcement that the government will introduce regulations to age restrict the sale of certain corrosive substances. ACS (the Association of Convenience Stores) is supportive of the Home Office's approach to introduce legislation to age restrict these products, which will provide retailers with absolute clarity. We will be responding to the Home Office's consultation setting out our views in full. ACS is the voice of 33,500 local shops across the UK, including the Co-op, Spar UK, Nisa Retail and thousands of independent retailers. There are 49,918 convenience stores in the UK, employing over 370,000 people.

While we await the consultation process and parliamentary scrutiny of the new regulations to be completed, we are committed to working with you and your officials on promoting the responsible sale of products containing corrosive substances. We have shared with our membership your officials' proposals for a voluntary commitment to age restrict the sale of corrosive substances and believe the Co-op has already signed up. However, from discussion with our wider membership we understand that convenience retailers intentionally avoid stocking cleaning products that contain corrosive substances over the threshold set out in the Poisons Act.

As a result, there would limited value in our members signing up to a voluntary commitment to age restrict the sales of products containing corrosive substances that they do not sell in their businesses. Instead, ACS would be willing to sign up to the voluntary commitment on behalf our members. ACS can voluntarily agree to:

- Update ACS' Assured Advice guidance on preventing underage sales (enclosed) to include a specific reference to the Poisons Act 1972 and the relevant corrosive thresholds.
- Promote awareness through all available communications channels the relevant provisions of the Poisons Act 1972 to retailers and their store colleagues.
- Consult with suppliers about resources available to retailers to help them identify corrosive products that they may sell in their stores.

We hope that this voluntary proposal reflects the convenience sector's commitment to playing a positive role in supporting public safety and preventing horrific attacks involving corrosive substances. If agreeable, we will discuss the voluntary agreement further with your officials to confirm our approach for communicate it to our members. I look forward to your response.

Yours sincerely

James Lowman
Chief Executive