



ACS Submission – Minimum Age for Playing National Lottery Games

ACS (the Association of Convenience Stores) welcomes the opportunity to respond to the Department for Digital, Culture, Sport and Media's consultation on the minimum age for playing national lottery games. ACS is a trade association representing 33,500 local shops. Our members include the Co-Op, McColl's, SPAR UK, Nisa and thousands of independent retailers. For more information about ACS, see Annex A.

There are 46,388 convenience stores in the UK, employing around 405,000 people selling a range of grocery products and providing a number of services to their local communities. The majority of convenience retailers (83%) offer lottery products¹. By far the most common lottery products offered in-store are for the National Lottery. The National Lottery has proved to be an extremely valuable development for convenience stores, not only bringing new income in the form of retailer commission offered on sales, but also introducing new customers to stores and bringing footfall.

ACS is proud of the role that local shops have played in the success of the National Lottery. Retailers have actively promoted the games and taken part in new marketing activity. This has driven sustained growth for the National Lottery which has generated £40bn² for good causes. Many of these good causes are in the communities served by retailers selling National Lottery games, which has allowed stores to promote the value of the National Lottery to local customers.

Q1. Do you think the minimum age for any National Lottery product should be changed?

We believe that if the government decides, after careful consideration and the commissioning of new research, that there is significant evidence that 16 and 17 year old customers are being negatively impacted regarding gambling later in life due to their current access, and that the age restriction for scratchcards should be increased, we will work with retailers to ensure that the change is implemented effectively across the sector. The convenience sector is extremely effective at enforcing age restrictions in store on a wide range of products including alcohol, tobacco, fireworks, and lottery products. We provide comprehensive guidance in our Preventing Underage Sales Assured Advice³ on enforcing age restrictions, which is approved by trading standards as part of ACS' Primary Authority Partnership.

If the age restriction on scratchcards is moved to 18, we believe that the government should increase the minimum age of play for all National Lottery products to 18. It is important to ensure that there is a consistent message about the sale of lottery products for store colleague training and communication materials to customers. Having two separate age restrictions within the same product category would not only cause confusion for retailers but it would also cause confusion for customers.

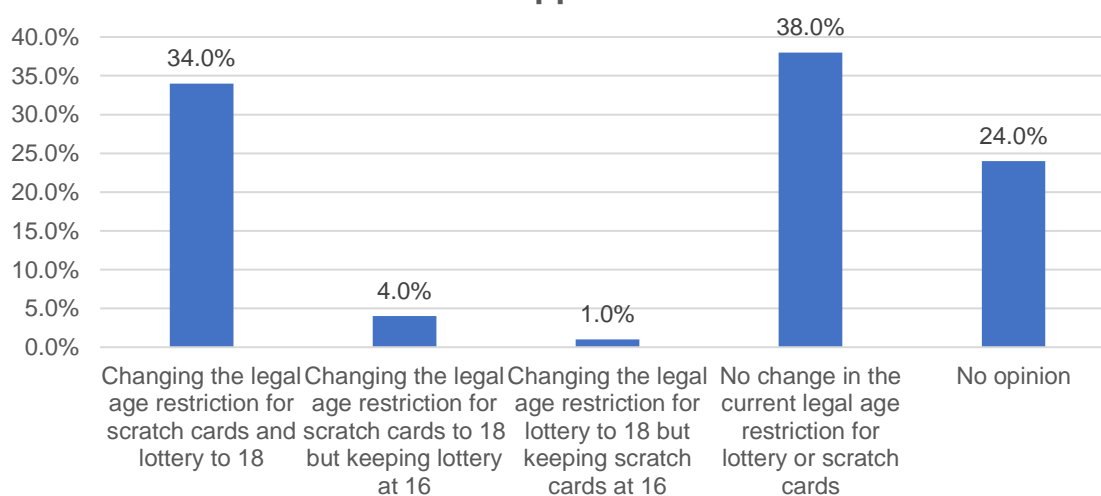
¹ ACS Local Shop Report 2019

² [The National Lottery: Life Changing](#)

³ [ACS Assured Advice: Preventing Underage Sales](#)

This is also supported by ACS' Voice of Local Shops survey of 1,174 independent convenience retailers which found that 38% of retailers support the existing legal age restrictions for National Lottery products (see figure 1). This is likely due to very few retailers having difficulty enforcing the current age restriction and that their staff members are already familiar with the regulations. However, 34% of retailers supported changing the legal age restriction for all National Lottery products to 18, compared to 4% of retailers who supported changing the legal age restriction of scratchcards to 18 but keeping lottery at 16, and 1% of retailers who supported changing the age restriction for lottery to 18 but keeping the age restriction for scratchcards at 16. The survey also found that 24% did not have an opinion on the age restriction of National Lottery.⁴

Figure1: Thinking about age restrictions for lottery and scratchcards, which of the following would you support?



Q2. Do you have any research or statistical evidence to suggest that there is a greater risk of harm from certain types of gambling (e.g. draw-based or instant win)?

No, we do not hold any evidence to suggest that there is a great risk of harm from certain types of gambling. We would welcome more research on the risk of harm based on the experience of UK 16 to 17 year-old consumers, particularly on what impact that their current use of National Lottery products will have on their gambling behaviour later on in life.

Currently evidence suggests that there is not significant risk of gambling related harm for 16-17-year olds as few play National Lottery products, however, it is the very few 16 and 17-year-olds that do play these games are that exhibiting signs of problem or at-risk play. When considering the evidence available or the commissioning of further research, the government should consider how many 16 and 17-year-olds that use lottery products are at risk rather than increasing the age restriction which will act as a blunt instrument to prevent all 16 and 17-year-olds, even those not at risk, from being prevented to play National Lottery games.

Q3. If the minimum age were to be increased, do you anticipate any transition costs?

There will be transition costs for retailers as they will need to communicate and train their staff and raise awareness amongst consumers. Costs would include staff training costs,

⁴ ACS Voice of Local Shops Survey August 2019. Sample size 1,210 independent convenience store retailers. Phone polling complete July/ August 2019

refresher training and the training of new staff. Signage and staff training materials will also need to be produced reflecting the new age restriction, and existing POS which indicates the age restriction is 16 will need to be removed. Retailers with EPoS systems (75%) will also need to update till prompts which act as an aid to enforce age restrictions⁵.

The introduction of the age restriction in 2023 is an appropriate timeframe for retailers to prepare in theory. However, the government must respond with their outcome to the consultation and next steps in a timely manner to allow retailers enough time to prepare if the minimum age of sale is increased. The government does not necessarily need to hold another consultation about the date of the introduction of the age restriction as long there are 12 months between the announcement of the change to the age restriction and the implementation date.

Q4. If you have any further evidence or data you wish to submit for consideration, please provide it here:

As identified in the consultation, of the 11-15-year olds who reported buying National Lottery products in the past, 62% said a parent or guardian handed over the money at the till. Therefore, the increase in the minimum age of play, may increase incidents of proxy purchasing. Proxy purchasing is where an adult purchases an age restricted product on behalf of someone underage.

Proxy purchasing is difficult for retailers to identify because it starts as a legitimate sale. ACS has produced guidance for retailers⁶ on how to spot incidents of proxy purchasing to support them to challenge the sale, for example, if the retailer sees the adult asking the child what age-restricted product they want or if an adult appears to be asked to purchase an age-restricted product for young people hanging around outside. It is not only difficult for a retailer to identify proxy purchasing but also to challenge it, especially as one of the top triggers for violence and verbal abuse in convenience stores is enforcing age restrictions.

In the case of alcohol, data from the NHS Digital Smoking, Drinking and Drug Use survey that the most common sources of alcohol by young people is to be given it by parents or guardians (71%), by friends (49%) rather than purchasing it directly from a shop. Proxy purchasing is a growing problem especially as retailers reduce the access of alcohol to children. There has been a long-term decline in the number of children purchasing alcohol directly from retailers, with currently only 9% of young people⁷ that have drunk alcohol in the last four weeks purchasing alcohol from a shop compared to 12% in 2004⁸.

For more information about this submission, please contact Julie Byers, ACS Public Affairs Manager by emailing Julie.Byers@acs.org.uk or calling 01252 515001.

⁵ ACS Local Shop Report 2019

⁶ [ACS Advice: Preventing Underage Sales Guide](#)

⁷ NHS Digital: Smoking Drinking and Drug Use Survey 2018

⁸ NHS Digital: Smoking, Drinking and Drug Use Survey 2004

ANNEX A

ABOUT ACS

The Association of Convenience Stores lobbies on behalf of over 46,000 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 almost 19,000 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 over 14,000 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 over 13,000 stores that are owned by multiple and co-operative retailers. These businesses include the Co-Operative, regional co-operative societies, McColls 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 2019, the total value of sales in the convenience sector was £40.3bn.

The average spend in a typical convenience store transaction is £6.38.



There are 46,388 convenience stores in mainland UK. 71% of stores are operated by independent retailers, either unaffiliated or as part of a symbol group.



The convenience sector provides flexible employment for around 405,000 people.

18% of independent/symbol stores employ family members only.



19% of shop owners work more than 70 hours per week, while 17% take no holiday throughout the year.

70% 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.

78% of independent/symbol retailers have engaged in some form of community activity over the last year.



Between August 2018 and May 2019, the convenience sector invested over £633m 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 1,200 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 1,200 independent and symbol retailers which is combined with responses from multiple businesses representing over 3,000 stores.

ACS LOCAL SHOP REPORT

Annual survey of around 2,400 independent, symbol and forecourt retailers combined with responses from multiple businesses representing 7,556 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