

**BUCKINGHAMSHIRE COUNTY COUNCIL AND  
SURREY COUNTY COUNCIL**

**TRADING STANDARDS JOINT MANAGEMENT COMMITTEE**

**DATE: 23 SEPTEMBER 2020**

**LEAD OFFICER: STEVE RUDDY, HEAD OF TRADING STANDARDS**

**SUBJECT: ILLICIT GOODS & AGE RESTRICTED SALES ACTIVITY**

**SUMMARY OF ISSUE:**

Knife crime remains a significant concern, particularly in relation to young people and/or gang culture. Trading Standards (in tackling underage purchasing of knives) has a part to play in a bigger partnership agenda to tackle the causes of knife crime. This report summarises the latest position in relation to activity in this area.

Nitrous Oxide misuse can be of concern to local communities, particularly in relation to the anti-social behaviour which can accompany it. Similar to knife crime, Trading Standards has a part to play in a wider partnership approach to tackle the issues related to its misuse.

**RECOMMENDATIONS:**

It is recommended that the Joint Committee note the Service's activity in both these areas.

**REASON FOR RECOMMENDATIONS:**

This paper is being brought at the request of the Joint Committee.

**DETAILS:**

**Nitrous oxide cannisters (NOS, Laughing Gas)**

1. Nitrous Oxide can be inhaled for a short term 'high'. Small cannisters which can legally be sold for a variety of purposes including cooking, can also be used to create the high by inhaling the gas (usually from a balloon the gas has been transferred to). As with all psychoactive substances there are risks, both to the individual inhaling the gas and to the community where the activity occurs in the form of anti-social behaviour whilst the person is high. For the individual risks from heavy regular use include white blood cells being unable to form properly, anaemia and B12 deficiency which can lead to nerve damage. Short term risks include dizziness, headaches, paranoia, fainting and unconsciousness which has

in severe cases caused death. There are additional risks if the user attempts to inhale the gas direct from the cannister as the gas comes out under pressure and can cause a person's throat to spasm and them to stop breathing.

2. It is not legal (under the Psychoactive Substances Act) to sell the cannisters for the purpose of being inhaled as a psychoactive substance, and the legislation covering this can be enforced by the police and Trading Standards. Our relationship with the police in this area is very strong, however proving that the person who sold the cannisters knew that they were being purchased for psychoactive purposes or was so reckless that they should have known, and therefore proving the offence, when the cannisters can and are sold legally for other purposes can be challenging. This was an issue heavily debated in parliament as the legislation was being passed but no alternative was put in place. Consequently, to effectively tackle this issue in a local area requires partners across several agencies to work together to deal with multiple aspects of the issue in a coordinated way and we are also working with district council community officers. This partnership approach helps to address the underlying causes and potential anti-social effects resulting from the consumption of NOS.

3. The service was approached by Surrey police in April to work with them to attempt test purchases from several businesses in an area of Surrey. Coincidentally we also received several complaints and pieces of intelligence about the sale of NOS in the same area. This has led to a constructive multi-agency meeting where a plan to address the issues in this particular area has been developed. The plan to address the issues included direct communication from the Police to the shops in the area during August, as well as information being put out through Social media (see example).

4. 



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5. This will be followed with test purchasing jointly between Trading Standards and the Police. The police have agreed for joint (Surrey Police/County Council) communications to go out subsequent to the test purchasing.

## Knives

6. Knife crime remains a significant concern, particularly in relation to young people and/or gang culture. Like NOS, Trading Standards (in tackling under age purchasing of knives) has a part to play in a bigger partnership agenda to tackle the causes of knife crime.
7. In September we sent the National Business Crime Centre Knife Retailers Toolkit out to inform businesses based in Buckinghamshire and Surrey about their legal obligations relating to the sales of knives. The toolkit has been available on our website since February, with promotion through our social media channels. We have worked with the Association of Convenience Stores to provide information about selling all age restricted products (including both knives and NOS) to their (over 30,000 members nationally) and are looking at alternative routes for us to share this information more widely with businesses.

8. However, we also want to directly make local businesses aware of the contents before we attempt test purchases and delayed this activity during Covid to allow businesses to focus on getting to grips with the new requirements on them for covid-security such as social distancing. We are aware that this toolkit is primarily focused on physical retail outlets so in addition we also supplied 'Business Companion' guidance for on-line underage sales. Where we have a Primary Authority Partnership with a business their link officer has, or will in due course, share the guidance.
9. We will be carrying out test purchases to establish compliance relating to underage sales via the internet during September.
10. We have gathered intelligence from a variety of sources and have identified a number of businesses based in the two authorities as potential sources of knives online.
11. We are engaging with the serious violence strategies in both County areas and will continue to liaise with the Community Safety Teams about this work, particularly to ensure that we target our activity to the areas where knife crime is more prevalent.
12. The Police (using police cadets as the purchasers) have taken the lead on joint operations with Trading Standards for test purchasing knives from shops and we anticipate that more will be done in the coming months. The current NPCC guidance is that no under 18's should be used for test purchasing (to avoid any unnecessary covid risks) but we expect this to be reviewed during September.

#### **CONSULTATION:**

13. Comments.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

14. We are supporting an important strand of serious violence strategies by seeking to reduce the supply of knives to underage persons. If we are unable to carry out this work the effectiveness of this will be reduced and it is more likely that knives will be available for children and young people to buy.

#### **Financial and Value for Money Implications**

15. The work in this area is carried out by a number of officers as a part of their wider role. At times work in this area, such as advice to businesses, is combined with other visits that officers are carrying out to the same premises or area to maximise efficiency. This report is suggesting that the Service broadly maintains its approach to this work and therefore there is no additional financial implication beyond that which is already committed.

#### **Legal Implications**

16. There is a duty on local authorities to tackle serious violence and this activity supports this broader aim.

## **Equalities and Diversity**

17. There is no likely negative disproportionate impact arising from the work described in this report on people with protected characteristics.

## **WHAT HAPPENS NEXT:**

18. This is set out in the detail section above.

### **Contact Officer:**

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Steve Ruddy, Head of Trading Standards, 01372 371 730

### **Consulted:**

### **Sources/background papers:**

- None