

**REGENERATION, CULTURE, ENVIRONMENT  
OVERVIEW AND SCRUTINY COMMITTEE**

**7 DECEMBER 2017**

**MEMBER'S ITEM: UPDATE ON A PROPOSED  
IMPLEMENTATION PLAN FOR THE CHALLENGE 25  
INITIATIVE**

Report from: Richard Hicks, Director of Regeneration, Culture  
Environment and Transformation and Deputy Chief  
Executive

Author: Ian Gilmore, Trading Standards Team Leader

**Summary**

This report sets out a response to an issue, raised by Councillor McDonald, concerning an update following his motion at Council on 12 October 2017 on Acid and Challenge 25.

**1. Budget and Policy Framework**

1.1 Under Medway Constitution Overview and Scrutiny rules (Chapter 4, Part 5, Paragraph 9.1) Councillor McDonald has requested that an item on this matter is included on the agenda for this meeting.

**2. The Issue**

2.1. Councillor McDonald has requested that an item be placed on the agenda and the reasons are set out as follows:

2.2 'I would like a report from officers following my motion on Acid and Challenge25, which received cross-Party support.

'I would like a report from officers outlining a proposed implementation plan for the Challenge 25 initiative to encourage local businesses to sign up to it and public awareness of it is raised'.

### 3 Director's comments

- 3.1 The issues of attacks involving corrosive substances is of national concern and is an emergent community safety issue.

It is a relatively small issue in Medway but because of the pernicious nature of the attacks and the impact it has on its victims, it is important to create a culture where such products are not available to young people.

It has been widely reported that Central Government is planning to implement age controls on purchasing these products. At present there is a degree of confusion on what products would be regulated as a corrosive product.

- 3.2 Officers have been advised by Kent Police, that from 2014 to 2017, 13 incidents involving corrosive substances have been reported in Medway.

4 of these attacks occurred in 2016 and 1 in 2017.

- . 7 incidents occurred in Gillingham, 5 in Chatham and 1 in Rochester.
- . 7 victims were male and 6 female.
- . The age of the victims ranged from 19 -52 years of age. Of the victims 9 were White British, 1 Asian, 1 White other and 2 unknown.
- . The age of the offenders ranged from 19 – 33 years of age. Of the offenders, 5 were White British, 2 were White Other, 1 Black, 1 Black Caribbean, 1 Asian and 3 unknown.

- 3.3 Officers have written to Amber Rudd, Home Secretary, asking for further details on the proposed legislation to regulate the sale of corrosive substances to persons under the age of eighteen years and the likely timescale for its implementation.

- 3.4 Officers decided to adopt a precautionary approach and advise that all products that feature any of the corrosive substances pictograms, detailed below, should be subject to an age test before sale.



- 3.5 A baseline survey has been undertaken by officers. Nine out of the ten shops tested using a sixteen year old test purchasing volunteer sold a product marked as a corrosive substance.
- 3.6 A press release is being issued highlighting these results and urging retailers to voluntarily implement a Challenge 25 regime on the sale of these products.
- 3.7 The message encouraging traders to adopt a voluntary scheme will be reinforced with guidance material being provided by officers from the Trading Standards, Food & Safety and Licensing teams as they make their programmed inspections of shops.
- 3.8 It is proposed to undertake another test purchasing exercise later this year to ascertain whether retailers have adopted a Challenge 25 policy.

## 4 Risk Management

### 4.1

<b>Risk</b>	<b>Description</b>	<b>Action to avoid or mitigate risk</b>
Availability of corrosive substances to young people in the retail environment.	Risk of the product being used in criminal activity.	Implementation of a voluntary Challenge 25 policy and support for the creation of statutory age controls.
Corrosive substances products used in an incident in Medway.	This will directly physically harm the victim but will also have a wider detrimental effect on the confidence of the community.	The wider work of the Community Safety Partnership will work to address this issue. Kent Police will address the criminality and the wider partnership will support the local community.
Ambiguity of what constitutes an applicable corrosive substance.	The range and scope of products used is extremely large, it includes both acids and alkalis.	An adoption at this stage of a precautionary approach that states anything featuring a corrosive substances pictogram should not be sold to young people

<p>Traders fail to adopt the voluntary Challenge 25 initiative and products are still available to young people.</p>	<p>Complaints or further test purchasing operations illustrate that the products still available to persons under 18 years old.</p>	<p>The Council will engage with Central Government for the need for statutory controls.</p> <p>If the availability persists the Council could consider 'naming and shaming' businesses who sell in local media.</p>
<p>Legislation is produced on the sale of corrosive substances to young people.</p>	<p>In implementing any legal controls the Government will enter into formal consultations with interested parties.</p>	<p>Medway will respond to any Government consultations to ensure that the prospective legislation is robust and fit for purpose.</p>

## 5. Financial and Legal Implications

- 5.1 With no legal framework for the age control of the sale of corrosive substances, the Trading Standards team are endeavouring to effect change on a voluntary basis with local businesses. The sphere of work nonetheless comes within the Authority's core priority of *Medway: A place to be proud of* and because of its seriousness is being progressed by the team.

The work of the Trading Standards team is funded through the revenue budgets. The Trading Standards team work to an annual business plan which includes the ability to react to emergent products or issues that present a risk or harm to local consumers. The initiative is being actioned through this work stream, within the existing resource allocation.

- 5.2 Officers will seek guidance from the Council's Legal Team should the work need to be elevated in the local media and any likelihood exists that specific sellers will be named.

## 6. Recommendations

- 6.1 The Committee is asked to note this report and the arrangements for progressing voluntary application of Challenge 25 to the retail sale of corrosive substances.
- 6.2. The Committee is asked to note that a letter has been sent to the Home Secretary advising her of Medway Council's actions, the results of Medway's

retail survey and asking for the swift adoption of statutory age restriction controls.

- 6.3 The Committee is asked to note officers' intention to respond to any Government consultations on the implementation of legal controls on the sale of corrosive substances to persons under eighteen years old to ensure that the prospective legislation is robust and fit for purpose.

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**Appendices**

Flyer issued to local business by Council Officers

**Background Papers**

Letter to Home Office, dated: 20 October 2017

Draft press release on issue.