

Title of Report:	Underage Sales Test Purchase Exercises - Sunbeds
Committee Report Submitted To:	Environmental Services Committee
Date of Meeting:	12th November 2024
For Decision or For Information	For Information
To be discussed In Committee	NO

Linkage to Council Strategy (2021-25)	
Strategic Theme	Healthy and Engaged Communities
Outcome	Implementation of statutory requirements
Lead Officer	Head of Health & Built Environment

Estimated Timescale for Completion	
Date to be Completed	N/A

Budgetary Considerations	
Cost of Proposal	N/A
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

1.0 **Purpose of Report**

- 1.1 The purpose of this report is to update Council on the outcome of underage sales test purchase exercises in relation to sunbeds during 2023-24.

2.0 **Background**

- 2.1 District Councils have a statutory duty to enforce the provisions of The Sunbeds Act (Northern Ireland) 2011 which came into effect in May 2012. The Act prohibits the use/sale and/or hire of sunbeds to persons under the age of 18. The aim of the legislation is to reduce the likelihood of the use/sale and/or hire of sunbeds being made to children.
- 2.2 Research on sun exposure has shown that sunburn in childhood can greatly increase the risk of developing skin cancer later in life. The Young Persons' Behaviour and Attitudes Survey (YPBAS), a school-based survey conducted among 11-16 year olds, revealed in 2022 that 3% of young people had used sunbeds despite being aware of the associated risks. Some of these young people reported using sunbeds in commercial premises.
- 2.3 To raise awareness of the above legislation and assess compliance among sunbed premises across the Borough, Council Environmental Health Officers conducted a test purchase exercise in August 2023.

3.0 **Test Purchase Exercise Protocol**

- 3.1 All test purchase exercises are carried out in accordance with best practice followed by other Local Authorities, in addition to the following guidance laid down by the Department for Business Innovation & Skills, Better Regulation Delivery Office Age Restricted Products and Services: A Code of Practice for Regulatory Delivery and Local Government Regulation (formerly LACORS) 'Code of Best Practice' on test purchasing as endorsed by the Home Office.
- 3.2 The test purchase involved sending a young person under 18 years of age into a sunbed premises to ask to buy a sunbed session.
- 3.3 Council's Environmental Health Officers have been working with sunbed premises in the Borough since the legislation was introduced to raise awareness and highlight its implications for them. This has included visits to relevant premises and provision of written information.
- 3.4 All sunbed premises are written to once a year reminding them of their legal obligations with guidance on how to prevent a sale to an underage child prior to the test exercise taking place. The letter informs the sunbed premises owner that a test purchase exercise will be carried out but does not state the date when this will take place.

4.0 Outcome

- 4.1 A total of 11 premises were selected and 2 sales were made. Fixed Penalty Notices of £250 were issued in respect of both premises and payment was made in both cases.

5.0 Discussion

- 5.1 This activity is essential to protect young people from the known health risks associated with sunbed exposure and to ensure sunbed premises owners and their staff fulfil their legal obligations.
- 5.2 The overall compliance rate indicates that the majority of retail premises are diligent in applying the legislation, which reflects the ongoing commitment of the Council and staff of the Environmental Health Department staff to its education and enforcement programme. While failures are disappointing, they underscore the importance of undertaking this activity.
- 5.3 Council's test purchase programme for 2024-25 is ongoing.

6.0 Recommendation

- 6.1 It is recommended that the report is noted.