

1 August 2014

RDA consultation  
Police Resources Policy Team  
Crime and Policing Group  
6th floor Fry Building  
2 Marsham Street  
London  
SW1P 4DF

Dear Sir,

ACS (the Association of Convenience Stores) welcomes the opportunity to respond the consultation reviewing the Riots Act 1886. ACS represents 33,500 local shops across the UK including the Co-operative Group UK, Spar, Nisa Retail as well as thousands of independent retailers.

A large number of convenience stores across the country were affected by the August 2011 riots. During that period we worked proactively with the Government and local agencies to communicate the best information and guidance to retailers on how to stay safe and respond to fast moving events. We also had to issue additional guidance, following the riots, on how to navigate the process for claiming compensation [here](#).

As a result it is clear that the Riot (Damages) Act requires reform, especially in the administration of the compensation and we welcome the completion of the independent review. However, we are concerned that the introduction of a cap for compensation payments undermines the original principle of the Act, which is to compensate any house, shop, or building where the police have lost control.

**Consultation Questions:**

*Question 6: To what extent do you agree or disagree that a cap should be based on business turnover?*

*Question 7: To what extent do you agree or disagree that £2m is an appropriate figure for a business turnover cap?*

*Question 8: To what extent do you agree or disagree that a (£2m) cap should be applied to uninsured businesses who make claims under the Act?*

We urge the Government to reconsider their proposal to introduce a cap on compensation payments to business with a turnover of less than £2 million. A significant proportion of convenience stores will fall outside of this threshold and have to shoulder the full burden of riot damages despite having no control over these circumstances.

The micro business definition used in the EU of £2m turnover is not an appropriate definition. Many small retailers, with two to three shops or a forecourt site, would automatically fall out of this category because of the high turnover nature of their business. These were precisely the types of businesses that were attacked during the 2011 riots.

We understand that in the event of use of the Riot (Damages) Act 1886 additional pressure is applied to the public purse, however, events that result in compensation claims are very rare. We believe that the original principle of the act should not be undermined and that where police lose control over an area the businesses and citizens affected should be reimbursed accordingly.

We would also like to seek clarity on how the turnover for a business would be clarified for franchisee/ symbol group businesses in the convenience sector 40% of small business are part of larger “symbol” groups. If the Government persists with a business turnover based threshold then it must not exclude these small businesses from the protections offered by the Act.

### **Consultation Questions**

*Question 12: Which option on the deadline for submitting claims is more appropriate?*

We support option A; The two-tier process – 42 days to submit the initial form followed normally by 90 days to provide full details from when the claim is lodged. We support the Government’s view that is difficult for retailers to provide significant detail on the damaged caused so soon after such serious events. The two tier approach provides retailers with a window to fully assess the extent of the damage.

*Question 14 - to what extent do you agree or disagree that introducing the ability to submit claims by phone or e-mail would simplify the process of making an application?*

We support proposals to allow claims to be processed by phone or email to the police in the event of riots.

ACS is keen to take part in further discussion on the reform of the Riot (Damages) Act 1886. For further information on this submission please contact Edward Woodall, ACS public Affairs Manager; [Edward.woodall@acs.org.uk](mailto:Edward.woodall@acs.org.uk) or call 01252 533014.

Yours sincerely,

James Lowman  
ACS Chief Executive