





**Brighton & Hove
City Council**

Overview & Scrutiny

Title:	Children & Young People's Overview & Scrutiny Ad-Hoc Panel - Reducing Alcohol Related Harm to Children & Young People
Date:	10 February 2009
Time:	10.00am
Venue	Banqueting Suite, Hove Town Hall
Members:	Councillors: Mrs Norman (Chairman), Duncan and McCaffery
Contact:	Sharmini Williams Overview & Scrutiny Support Officer 29-0451 sharmini.williams@brighton-hove.gov.uk

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AGENDA

Part One	Page
14. PROCEDURAL BUSINESS Copy attached.	1 - 2
15. MINUTES OF THE PREVIOUS MEETING Minutes of the previous meeting held on the 22 January, 2009	3 - 8
16. CHAIRMAN' S COMMUNICATIONS	
17. EVIDENCE FROM WITNESSES Tony Rickwood – Manager of Portslade TESCO's David Soloman – Manager of the Droveaway, Hove TESCO EXPRESS Chris Denman – Area Manager for Thresher and the Local Sue Dixon - Thresher Group Head of Security	
18. ANY OTHER BUSINESS	

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Sharmini Williams, (01273 29-0451, email sharmini.williams@brighton-hove.gov.uk) or email scrutiny@brighton-hove.gov.uk

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Agenda Item 14

To consider the following Procedural Business:

A. Declaration of Substitutes

No substitutes are permitted on ad hoc scrutiny panels.

B. Declarations of Interest

- (1) To seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code of Conduct for Members in relation to matters on the Agenda. Members who do declare such interests are required to clearly describe the nature of the interest.
- (2) A Member of the Overview and Scrutiny Commission, an Overview and Scrutiny Committee or a Select Committee has a prejudicial interest in any business at a meeting of that Committee where –
 - (a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the Council's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken the Member was
 - (i) a Member of the Executive or that committee, sub-committee, joint committee or joint sub-committee and
 - (ii) was present when the decision was made or action taken.
- (3) If the interest is a prejudicial interest, the Code requires the Member concerned:
 - (a) to leave the room or chamber where the meeting takes place while the item in respect of which the declaration is made is under consideration. [There are three exceptions to this rule which are set out at paragraph (4) below].
 - (b) not to exercise executive functions in relation to that business and
 - (c) not to seek improperly to influence a decision about that business.
- (4) The circumstances in which a Member who has declared a prejudicial interest is permitted to remain while the item in respect of which the interest has been declared is under consideration are:
 - (a) for the purpose of making representations, answering questions or giving evidence relating to the item, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, BUT the

Member must leave immediately after he/she has made the representations, answered the questions, or given the evidence;

- (b) if the Member has obtained a dispensation from the Standards Committee; or
- (c) if the Member is the Leader or a Cabinet Member and has been required to attend before an Overview and Scrutiny Committee or Sub-Committee to answer questions.

C. Declaration of Party Whip

To seek declarations of the existence and nature of any party whip in relation to any matter on the Agenda as set out at paragraph 8 of the Overview and Scrutiny Ways of Working.

D. Exclusion of Press and Public

To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is confidential and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

DRAFT

BRIGHTON & HOVE CITY COUNCIL

CHILDREN & YOUNG PEOPLE'S OVERVIEW & SCRUTINY AD-HOC PANEL - REDUCING ALCOHOL RELATED HARM TO CHILDREN & YOUNG PEOPLE

2.00pm 22 JANUARY 2009

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Mrs Norman (Chairman)

Also in attendance: Councillor Duncan and McCaffery

Other Members present: Councillors

PART ONE

7. PROCEDURAL BUSINESS

7a. Declaration of Substitutes

7.1 No substitutes are permitted on Ad-hoc Scrutiny Panels

7b. Declarations of Interests

7.2 There were none.

7c. Declaration of Party Whip

7.3 There was none.

7d. Exclusion of Press and Public

7.4 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

7.5 **RESOLVED** – That the press and public be not excluded from the meeting.

8. MINUTES OF THE PREVIOUS MEETING

- 8.1 RESOLVED** – That the minutes of the meeting held on the 27 November 2009 be agreed.

9. CHAIRMAN'S COMMUNICATION

- 9.1 The Chairman announced that Mark Whitby (Head of Advisory Centre for Education - ACE) had been obliged to send his apologies for this meeting. Mark Whitby will be invited to attend the next meeting of the panel.
- 9.2 John Peerless (Head of Trading Standards) kindly agreed to give evidence at this meeting at late notice.

10. EVIDENCE FROM WITNESSES

10 Evidence from John Peerless (JP), Head of Trading Standards Office (TSO)

- 10.1 JP told members that the council was currently being evaluated on its approach to regulating alcohol sales to children. A copy of the report would be forwarded to the panel when it was published.
- 10.2 JP informed the panel that work on limiting alcohol sales to under 18s altered significantly in 2001, when changes to licensing law permitted 'test purchasing' (using under 18s to try and purchase alcohol).
- 10.3 JP noted that the TSO has a very broad remit and limited resources (amounting to 15 Full Time Equivalent officers). The Brighton & Hove TSO considers under-age drinking to be a city priority and has allocated its resources accordingly. In the past few years the local TSO has developed initiatives such as 'Too Young to Buy' and 'Think 21', and has promoted the use of an identity card scheme for young people.
- 10.4 JP told members that a major piece of work had been undertaken in 2004 in which local authorities, working together with the Home Office Alcohol Standards Unit, had developed a campaign to encourage co-working between regulators of licensed premises. Test purchasing conducted as part of this work showed very high levels of non-compliance for both on and off licences. Partly as a result of this, local authorities have subsequently been strongly encouraged to incorporate work to limit under-age drinking as part of their core business, rather than relying upon time-limited initiatives. Experience suggests that a good rate of compliance is reliant upon constant reinforcement: as soon as a time-limited initiative ends, rates of non-compliance soar.
- 10.5 Non-compliance rates are still around the 35% mark. Problems are particularly associated with newly licensed premises or those with a very high turnover of staff, managers or licensees. The TSO attempts to 'risk assess' newly licensed premises, offering advice on how best to train staff so as to minimise sales to under 18s.
- 10.6 JP told members that eliminating off sales to under 18s would not stop under-age drinking as there are several sources of alcohol: co-ordinated action from other services is required for any initiative to be successful.

- 10.7 TSO initiatives to counter under age drinking are not always effective, as targeting a particular location can result in displacement of drinking activity to neighbouring areas. Informal intelligence networks used by teenage drinkers (via texting, Face Book etc) are often very efficient. To some degree this may be a resource-related issue, as displacement might be less of a problem if a greater geographical area could be targeted by TSO, although better planning and co-working between agencies rather than extra resources *per se* might produce good results.
- 10.8 JP confirmed that prosecution of licensees is very rarely considered, as the licence review/revocation process is far more effective. JP stressed that this approach is intended to help retailers sell alcohol responsibly: it is not meant to be punitive.
- 10.9 In answer to a query about the spread of problems across the city, JP told members that the TSO had not encountered any particular problems in East Brighton. However, if there was a spike in figures in the East of the city, it probably reflected other problems encountered here, as problematic under age drinking could often be a symptom/result of other problems.
- 10.10 JP informed the panel that the way forward for his work may well lay in encouraging local partners to work together to tackle under age drinking. JP referred to ongoing work in Moulescoomb, which he identified as embodying good practice in this area.
- 11. Evidence from Chris Owen (CO), Healthy Schools Team Manager, and Tim Barclay (TB), Head of Hove Park secondary school.**
- 11.1 TB explained what is done in his school in terms of drug and alcohol education, how this programme is reviewed in the light of emerging data from students, surveys etc.
- 11.2 TB noted that there are two distinct groups of underage drinkers: the first group can be characterised as 'risk takers' – individuals who use alcohol (and who may display other types of risky behaviour) due to underlying emotional/social problems. The second, much larger, group uses alcohol as a way of bonding with their peers/in a celebratory manner etc. Many young people feel a sense of empowerment and safety in large groups, and this includes groups of people sitting in parks etc. drinking. This is not necessarily about a lack of facilities, youth clubs etc.
- 11.3 CO noted that the behaviour of young people frequently mirrors that of their elders, and that adult culture currently features many patterns of drinking which are very similar to teenage behaviour.
- 11.4** Recent years have seen a reduction of young people drinking in licensed premises, and this drinking has been displaced to parks etc where it can be much more visible and can lead to problems of disorder.
- 11.5** CO told members that many parents were uncertain how to deal with the issue of underage drinking – e.g. unsure whether the best approach was to try and proscribe their children's drinking or to supply a limited amount of alcohol in the hope that this would encourage a relatively sensible approach to alcohol.

- 11.6 In answer to a question on the impact of alcohol on educational attainment, TB told the panel that there was not necessarily a link between 'Friday night drinking' and attainment, but that people with more serious drink problems could see their attainment fall (however this is a complex issue as excessive alcohol use is often a 'symptom' of other social or emotional problems rather than a discrete problem).
- 11.7 TB added that schools do lots of work with students in terms of advising on how best to deal with the stress associated with exams, and this may include advice on sensible drinking.
- 11.8 CO noted that schools may simply not be aware of problems associated with their students' drinking as very few students actually attempt to drink in the school environment, and contact with students out of school is generally limited.
- 12. Evidence from Eric Price (EP), Somerfield Trading Standards Licensing Manager.**
- 12.1 EP told the panel that almost all Somerfield stores (859) have an alcohol license, and that the company is committed to implementing licensing law. Somerfield uses comprehensive training and re-training; till prompts for staff, maintains a 'refusal record' for under age sales, has a 'three year rule' (i.e. staff will ask for ID from anyone who doesn't look 21), and supports 'citizen cards.'
- 12.2 EP noted that, prior to 2003, retailers were less aware of the level of their sales to under 18s, as it was not legal to conduct test purchasing. Very few if any complaints were received from the general public about sales being made to under age persons. Since test purchasing became widespread, it became clear that there was an industry wide problem with staff failing test purchases. An industry group, the Retail of Alcohol Standards Group was formed to seek ways to drive down under age sale. Great improvements were then made.
- 12.3 In recent years retailers have had to think very hard about how best to deal with this problem – this is far more involved than simply having a policy in place. Issues to be dealt with include: staff problems with identifying under 18s; staff reticence Re: challenging customers; dealing with groups of under 18s.
- 12.4 Somerfield does a lot of data analysis, looking at situations where staff actually challenge customers, and at the results of its own internal test purchasing (although it cannot use 18s for this).
- 12.5 Larger stores tend to be better performers, perhaps because young people buying alcohol are more conspicuous in this type of environment (most customers in big stores tend to be doing a large weekly shop, whereas smaller stores tend to have a higher percentage of shoppers buying only a few items).
- 12.6 In terms of the London Road, Brighton, store there are obvious problems associated with the siting of this store: on a very busy bus route, near to the level and to several nearby housing estates etc.
- 12.7 Measures introduced at the London Road store include: an increased use of door supervision (particularly reassuring for counter staff); only using over 18 counter staff;

marking alcohol so that it can be traced back to the shop (although none ever has been); employing a new store manager who has a track-record of supporting staff; collaborating with TSO on training of staff. These measures have turned the situation around in this store – the store has passed its last three test purchases, and the working culture has significantly improved.

- 12.8 In response to a question regarding alcohol sales to adults, EP told members that Somerfield was increasingly concerned with facilitating sensible drinking via providing information on units, safe drinking practices etc.
- 12.9 In answer to a question about what more could be done locally to tackle the problem of underage drinking, EP told the panel that the key was to involve all elements of the community in initiatives – including police, schools, TSO etc.

13. ANY OTHER BUSINESS

- 13.1 It was agreed to contact St. Neots for further information on their partnership working, as mentioned by Eric Price.
- 13.2 Members agreed to find out young people's views through attending a school or sixth form college.

The meeting concluded at Time Not Specified

Signed

Chair

Dated this

day of

