



**Brighton & Hove
City Council**

Overview & Scrutiny

Title:	Children & Young People's Overview & Scrutiny Committee
Date:	17 June 2009
Time:	5.00pm
Venue	Council Chamber, Hove Town Hall
Contact:	Sharmini Williams Overview & Scrutiny Support Officer 29-0451 sharmini.williams@brighton-hove.gov.uk

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CHILDREN & YOUNG PEOPLE'S OVERVIEW & SCRUTINY COMMITTEE

The following are requested to attend the meeting:

Councillors:

Older (Chairman), McCaffery (Deputy Chairman), Allen, Duncan, Hyde, Smart, Wakefield-Jarrett and Drake

Statutory Co-optee with Voting Rights

Nigel Sarjudeen

Diocese of Chichester

David Sanders

Diocese of Arundel & Brighton

Non-Statutory Co-optees without Voting Rights

Dr. Carrie Britton

Children's Health

Mark Price

Youth Services

Rachel Travers

Community Voluntary Sector Forum

Kenya Simpson-Martin

Youth Council

Rohan Lowe

Youth Council

Sarah Khaddar

Youth Council

Azdean Boulaich

Youth Council

AGENDA

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CHILDREN & YOUNG PEOPLE'S OVERVIEW & SCRUTINY COMMITTEE

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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, (29-0451, email sharmini.williams@brighton-hove.gov.uk) or email scrutiny@brighton-hove.gov.uk

Date of Publication - Wednesday, 10 June 2009

Agenda Item 1

To consider the following Procedural Business:-

A. Declaration of Substitutes

Where a Member of the Committee is unable to attend a meeting for whatever reason, a substitute Member (who is not a Cabinet Member) may attend and speak and vote in their place for that meeting. Substitutes are not allowed on Scrutiny Select Committees or Scrutiny Panels.

The substitute Member shall be a Member of the Council drawn from the same political group as the Member who is unable to attend the meeting, and must not already be a Member of the Committee. The substitute Member must declare themselves as a substitute, and be minuted as such, at the beginning of the meeting or as soon as they arrive.

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 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 the public inspection at Brighton and Hove Town Halls.

BRIGHTON & HOVE CITY COUNCIL
CHILDREN & YOUNG PEOPLE'S OVERVIEW & SCRUTINY COMMITTEE

5.00PM 25 MARCH 2009

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Older (Chairman); McCaffery (Deputy Chairman), Allen, Duncan, Hyde, Mrs Norman, Smart and Wakefield-Jarrett

Statutory Co-optees: with voting rights:

Non-Statutory Co-optees: Dr. Carrie Britton (Children's Health) (Non-Voting Co-Optee), Jonathan Stearn and Rachel Travers (Community Voluntary Sector Forum)(Non-Voting Co-Optee), Kenya Simpson-Martin and Rohan Lowe (Youth Council) (Non-Voting Co-Optee)

Apologies: Mark Price and Nigel Sarjudeen

PART ONE

51. PROCEDURAL BUSINESS

51.1 Declaration of Substitutes

There were none.

51.2 Declaration of Interests

There were none.

51.3 Declaration of Party Whip

There were none.

51.4 Exclusion of the Press and Public

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.

51.5 RESOLVED- That the press and public not be excluded from the meeting.

52. MINUTES OF THE PREVIOUS MEETING

52.1 It was agreed to amend the Draft Minutes of the previous meeting – Traveller Education Team Annual Report 2007/8, paragraph 45.9 RESOLVED (2) to read:
“That the Annual Report and an update on the work of the Traveller Education Service in Brighton & Hove with reference to the Achievement Programme Model in the *Gypsy and Traveller Achievement Programme* be brought back to CYPOSC.

52.2 RESOLVED –

To amend paragraph 45.9 as above and the minutes of the meeting on the 28 January, 2009 be approved and signed by the Chairman.

53. CHAIRMAN' S COMMUNICATIONS

53.1 The Chairman updated the Committee that at the last Pre-meeting- there was cross party representation and a standing item on the Pre-meeting agenda is the Forward Plan to see whether there were any items of interest for CYPOSC.

53.2 The Chairman welcomed two Members of the Youth Council: Rohan Lowe and Kenya Simpson-Martin. The Youth Council Representatives will not be able to attend the whole meeting, and the Agenda order has been changed to accommodate this:

56, 58, 60, 57, 61, 59 & 62

53.3 The Chairman thanked Jonathan Stearn who was representing the Community Voluntary Sector Forum for his positive contribution to the Committee and wanted to welcome Rachel Travers as a potential replacement.

53.4 The Chairman informed that at the next CYPOSC meeting on the 17 June, David Sanders from the Catholic Schools Service will be representing the Diocese of Arundel & Brighton and will be a statutory co-optee with voting rights for CYPOSC.

53.5 The Chairman informed that the following reports have been taken off the agenda for the reasons stated :

- **Child Poverty** – A new Strategy has been recently released and involvement from the Local Area Agreement (LAA) is needed before it comes to CYPOSC
- **Update on the Falmer Academy** – There was nothing significant to report since the Pre-meeting. The 2 monthly newsletter is due out in the next week or so and will be distributed to all committee members, you can contact Lorraine directly if you have any questions.

Members requested further information to be brought to the next CYPOSC meeting, in relation to the second unsuccessful appointment of the Principle.

54. PUBLIC QUESTIONS

54.1 There were none.

55. QUESTIONS AND LETTERS FROM COUNCILLORS

55.1 No letters or written questions were received.

56. CHILDREN WITH ADDITIONAL NEEDS

56.1 Alison Nuttall; Head of Child Development and Disability Service (Health Lead) and Jenny Brickell; Head of Child Development and Disability Service (Social Care Lead) and Co Chair Children with Disabilities and Complex Needs Strategic Partnership Board presented an Overview of Child Development and Disability Service presentation.

56.2 In answer to a question on whether there are services offered for children with moderate learning disabilities, it was advised that the Child Development and Disability Service was working with partners in the Voluntary and Community Sector to identify service gaps and the potential to commission services to address them.

56.3 In response to a question on how do you make sure disabled children are included in mainstream services and activities, members were informed that the Child Development and Disability Service works very closely with youth services and were involved in checking that policies such as those designed to address bullying are robust. It was recognised that it was important to work towards including disabled children from early years on in their lives so that they grow up with their peers.

56.4 In answer to a question whether the premises at Brighton General Hospital were acceptable, members were informed that Seaside View had been refurbished to a high standard, with a garden and that these improved changes had resulted in the children being able to use therapy sessions much more productively.

56.5 It was noted that Chailey Heritage was utilised for specialist clinical services.

56.6 In relation to a question on home adaptations and whether there was sufficient funding and resources; members were informed that the adaptations budget is not currently under pressure.

56.7 It was noted how the voluntary sector, statutory services and the parent's carers' council had worked well together to produce strategic development work and how this cross partnership working model should be used in other contexts.

56.8 RESOLVED –

- (1) The Committee thanked Alison Nuttall and Jennie Brickell for their detailed and informative presentation of the Child Development and Disability Service
- (2) A further report on the changes and improvements of the service to come back to CYPOSC in 9 months time.

57. CHILDREN IN CARE STRATEGY FOR CHANGE

- 57.1 This item was taken after Agenda Item 60.
- 57.2 Liz Rugg, Assistant Director for Specialist Services presented the report to members and answered questions.
- 57.3 In relation to a question on what are the educational and social outcomes of Children in Care (CiC), members were told that outcomes were very important and that there was a lot of monitoring in place to ensure that CiC are progressing well. Further information on outcomes and Corporate Parenting could be provided at a future CYPOSC if members would find that helpful.
- 57.4 In answer to a question whether there was any aim to reduce families and friends placement costs, members were told that this would de-stabilise families and these placements increased permanence so there would no wish to decrease funding in this area.
- 57.5 In answer to a question why Brighton and Hove City Council have high figures for CiC, members were informed that there wasn't an exact answer but it could be connected to parents being problematic drug users.

57.6 RESOLVED-

- (1) Members welcomed the report and requested a further report at a later stage.

58. EFFECTIVENESS OF SAFEGUARDING PRACTICE

- 58.1 This item was taken after Agenda item 56.
- 58.2 Steve Barton, Assistant Director of Quality and Performance presented the report to members and answered questions.
- 58.3 In answer to a question on how workers made sure child abuse investigations/assessments were carried out sensitively and were not emotionally damaging, the members were told that there were regular supervisions, continuous training after qualifying and openness was the best form of practice. However some parent and carers are not open and trustworthy which can lead to unfounded allegations and children being upset.
- 58.4 In response to a question on how do you stop young people from harming themselves, members were advised how preventative work within CYPT, Personal Health Social Education (PHSE) curriculum in schools and youth services to support children and their parents was in place.

When these preventative services have not worked and further help and further support is required, the Children and Adolescent Mental Health Services (CAMHS) have specialist Tier 1-3 services available.

58.5 In response to a case in 2007 where a Headteacher's concerns were not heard by social workers, a member wanted to ensure that a repeat of this would not happen again. This particular case went to a serious case review and a detailed action plan was put together which went to the Local Children's Safeguarding Board (LCSB) for reviewing.

Members were told that that the LCSB saw the full confidential report. The Executive Summary is in the public domain. It was confirmed that there were practice issues rather than resource issues.

58.6 In answer to a question on recruitment and retention of social work staff, members were informed that CYPT currently have 11 vacancies (7.5% of the staffing compliment) and have agreed the following; additional funding has been allocated, encouraging students who have just qualified into posts by offering initial payments, offering retention payments for newly qualified staff and further training and support.

58.7 In answer to a question on how the corporate priority - to reduce Children in Care (CiC) is working locally, it was advised that that the Public Law Outline (PLO) has slowed down court processes which has an impact on CiC figures. Teams will need to plan further for children who have to be in care as there are no safer alternatives, which once again will have an adverse impact on figures.

58.8 It was confirmed that social workers have good links with council housing as there are cases where the two departments have to work together to solve housing benefit issues for the parents/carers.

58.9 **RESOLVED –**

(1) It was agreed that once the Lord Laming report was published, a report detailing the impact of this on the CYPT should come to CYPOSC.

59. PERFORMANCE IMPROVEMENT REPORT

59.1 This item was taken after Agenda Item 61.

59.2 Steve Barton, Assistant Director for Quality and Performance presented the report to members and answered questions.

59.3 In answer to a question on why the Breastfeeding statistics is presented at 6 weeks and not before, (as it this doesn't show the level of decline from feeding at birth), members were told that the figures were measured at 6 weeks nationally.

59.4 A question was asked about what the Common Assessment Framework (CAF) was, members were informed that it was a national project to do with the early assessment of parent and children's needs, and identifying improvements at the very early stages. This was work in progress nationally and locally.

59.5 In answer to a question on whether teenage conception action plans were available and whether it could be broken down into schools, members were told that it would be checked whether this data was available and in the public domain.

59.6 RESOLVED-

- (1) A response was requested as to whether the teenage conception action plans were available and whether it could be broken down into schools and if these were in the public domain.

60. EXCLUSION FROM SCHOOL

60.1 This item was taken after Agenda Item 58.

60.2 Janet Swingle, Behaviour and Strategy Manager presented the report.

60.3 In response to a question on Special Education Needs (SEN) children having high exclusion rates, members were informed that when these figures were broken down further it showed that exclusions of statement pupils had reduced and that this was a priority for the service. There is still work to be done on whether SEN pupils' needs are being met.

60.4 It was noted that that better mainstream school representation was required with the Strategic Partnership Board.

60.5 In response to a question on what is being done about the high number of exclusions at Carlton Hill Primary School which has a high level of attainment improvement, members were informed that the school has very good clear systems and structures in place to tackle the high level of exclusions.

60.6 In answer to a question as the rate of exclusions goes down, how do you make sure classes are not disrupted by badly behaved pupils, members were advised that school were not tolerating bad behaviour but provided better support to deal with this.

60.7 In answer to a question on how does the CYPT protect children when they are excluded from school it was noted that is why exclusions were minimised as much as possible and there was an expectation that these children were in care.

60.8 In relation to the mental health support for children that had been excluded, members were informed that there was a pathfinder scheme that prioritised mental health programmes for Year 6 and 7 pupils and strategies were still being developed from this.

60.9 In answer to a question on whether funding was transferred from Primary Schools in East Brighton to the High School in the same admissions area, members were advised that there were initiatives in place for Longhill High School staff to engage with Whitehawk Primary School staff , to assess pupils additional needs and plan additional staffing accordingly.

60.10 RESOLVED-

- (1) It was agreed to have further information on what were the underlying issues in relation to exclusions, SEN exclusions, repeated exclusions, and mental health; when this information became available for a report to come back to CYPOSC.

61. SUMMARY OF OFSTED REPORTS

61.1 This item was taken after Agenda Item 57.

61.2 The Chairman changed the recommendations to say that the Chairman writes to congratulate the schools with a rating of outstanding and when the next Ofsted report comes to CYPOSC that Officers are to provide further information on the schools that were rated as "inadequate" or have a "notice to improve".

61.3 Linda Ellis, Senior Secondary and Special Schools Adviser presented the report to members and answered questions.

61.4 In answer to a question as to what steps Portslade Community College (PCC) are taking to improve, after a "notice to improve" was served on the College at the last Ofsted Inspection, it was advised that the former Headteacher of Falmer High School had applied for the position of Headteacher at PCC and had been successful in this application. PCC had put together a pathway to improve and the College would achieve the necessary improvements required to rate themselves higher next time.

It was noted that there is also a statement of actions which the local authority has to put together e.g. additional management, leadership and financial support.

It was explained that the Inspectors would return in 6 months time, PCC is expected to get better as the results from last year have shown an improvement. If the College doesn't improve it will go into "special measures".

61.5 In response to a question what does the term "Executive Head" mean, it was explained that this was when a Headteacher is managing 2 schools and that the existing Headteacher of PCC, Mark Whitby was also the Head of the Advisory Centre of Education (ACE).

61.6 RESOLVED-

- (1) The Chairman to write to and congratulate the schools that have been rated as "outstanding".
- (2) When the next Ofsted report comes to CYPOSC, for Officers to provide further information on the schools that were rated as "inadequate" or have a "notice to improve"

62. WORK PROGRAMME FOR 2009-10

62.1 It was noted that the suggested items on the Draft Work Programme were highlighted as priorities for Children's Services' and that CYPOSC may want to look at these. Members were asked for their ideas for the CYPOSC Work Programme 2009-10 to be e-mailed by the end of April.

62.2 Ideas that came from the meeting were:

- Changes and improvements of the Child Development and Disability Service
- Further information on the outcomes of Corporate Parenting
- The impacts of Lord Laming's report on CYPT
- Whether teenage conception action plans were available and whether this was available to be broken down by schools
- Further information on exclusions and what mental health support is available
- Teenage pregnancy and obesity information from the PCT
- The new CYPP
- The new CYPT structure

62.3 Members agreed that the Equalities report would add value to the Committee.

62.4 Members were asked for their ideas for the next CYPOSC Ad-hoc Panel to be e-mailed by the end of April.

62.5 RESOLVED-

- (1) Members were asked for their ideas for the CYPOSC Work Programme 2009-10 and the next CYPOSC Ad-hoc Panel to be e-mailed by the end of April.
- (2) To agree the CYPOSC Work programme at the next pre-meeting.
- (3) A scoping report for ideas for the next Ad-hoc Panel to come back to CYPOSC at the next meeting.

63. ITEMS TO GO FORWARD TO CABINET OR CABINET MEMBER MEETING

63.1 There were none.

64. ITEMS TO GO FORWARD TO FULL COUNCIL

64.1 There were none.

The meeting concluded at 8.00pm

Signed

Chair

Dated this

day of

CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 5a

Brighton & Hove City Council

Universal Free School Meals

In December 2008 Full Council passed a motion calling for universal Free School Meals. There is already evidence to suggest that free school meals for everyone improve behaviour and learning for young people from all backgrounds and greatly reduce health inequalities which as we know are stark in this city.

This is a fantastic opportunity for joint working between Children's Services and the health sector.

Would the CYPOSC work with the PCT to investigate:

- a) action being taken to reduce child health inequalities in the city?
- b) existing barriers to take-up of school meals including both those entitled to free meals and those who aren't
- c) possible sources of funding to trial free-school meal pilot projects at schools in Brighton & Hove?

Yours sincerely,

Cllr Rachel Fryer

CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 5b

Brighton & Hove City Council

Dear Councillor Older

I am writing to you and fellow members of the Children and Young People's Overview and Scrutiny Committee regarding the implications for education of Brighton and Hove children – and the management of and admissions to schools run by Brighton and Hove Council – of the financial pressures facing privately-run schools across the city.

In February 2009 it was reported that St Mary's Hall School in Kemp Town faced financial collapse but had been 'rescued' by Roedean School, which, it was reported, agreed to take on St Mary's Hall School's debts and to close the senior school at the end of the current year.

A full report was published in The Times newspaper – the article can be found at:

http://www.timesonline.co.uk/tol/life_and_style/education/school_league_table/article5801838.ece see **Appendix 1**

Although Roedean School's management has, reportedly, agreed to offer places to current pupils, this transfer of ownership will reduce the number of private school places available in the city from September 2009, placing additional pressure on those schools, both privately and council-run, which remain.

This gives rise to a number of questions:

1. Has this likely increase in pressure on the city's schools been quantified?
2. What steps has the council taken to ensure it can cope with this likely increase in demand?
3. What discussions did the council have with St Mary's Hall School prior to the announcement that it was to close its doors and transfer assets to Roedean? If none, why not?
4. Worryingly, Roedean Head Frances King has publicly stated that the intention is to leave the St Mary's Hall site and school buildings and facilities empty until the value of the site's development potential rises. In the aforementioned Times article, it is reported:

Before the downturn, the site may have offered lucrative development potential. But Ms King said that in the current

climate, Roedean would keep the building empty for the time being.

This decision will leave a school sitting empty.

What legal powers exist to force or encourage the owners of a school to seek to bring it into use, rather than allowing it to sit idle whilst waiting for a change in its value, similar to those that exist to do exactly this in relation to homes? The council has staff seeking to bring empty residential properties into use, do we have staff trying to do exactly the same with relation to empty schools? If so, how are they getting on? If not, why not?

Although these questions all relate to St Mary's Hall School, their answers will have resonance across the city, as there are a number of private schools in the area which may find themselves suffering financial difficulty, or even collapse, during the current economic downturn. These circumstances may well be repeated at other schools with Brighton and Hove's boundaries, or at schools located outside the city but attended by children who live here in Brighton and Hove.

Indeed, last month, it was reported that Newlands School in Newhaven, East Sussex, faced imminent financial collapse. I can't imagine it will stop there.

This begs two further, more general questions:

5. Does this council support the principle of bringing financially failed or failing privately-run schools into council control? If so, what steps has it taken to bring about the necessary legal changes to allow this? If not, why not?
6. As recession bites, and unemployment rises, can we expect a significant number of children to seek transfer from private schools to council-run schools within the city? If so, how are we preparing to cope with this increase in demand for school places?

I hope officers will be able to provide answers to these questions for members of CYPOSC to consider at the Committee's next meeting on June 17th, with a view to considering whether to set up an ad-hoc scrutiny panel to examine these issues, or make any recommendations to either the CYPT board or the council in this regard.

Cllr Ben Duncan

From Times Online
February 25, 2009

Roedean School to take over St Mary's Hall Brighton

Alexandra Freaan, Education Editor

One of England's oldest private schools for girls has become the latest victim of the credit crunch. St Mary's Hall in Brighton, founded in 1836 to educate the daughters of clergymen, is to be taken over by the exclusive school Roedean.

The takeover represents a coup for Roedean, which is acquiring St Mary's Hall (SMH) for nothing and which stands to see a significant increase in pupil numbers as a result.

Roedean, once regarded as an elite finishing school for the daughters of the upper classes, is heavily dominated by overseas pupils - one third of its roll comes from abroad - and has been seeking to expand its local intake for years.

Situated on top of a hill outside Brighton in a huge Victorian pile that could easily accommodate twice its existing number of 300 pupils, it is, like many other independent schools, keen to seek economies of scale in the economic downturn.

Frances King, headmistress of Roedean, said she would welcome any girls currently at the SMH Senior School, where annual boarding fees are £20,800, who could afford to transfer to her school, where fees are £24,400.

Ms King is guaranteeing places and financial support for 11 SMH pupils who are on full or significant bursaries. A further 25 places have been guaranteed for SMH pupils who are in the middle of their GCSEs and for a further 11 pupils who are on full or significant bursaries.

Pupils from SMH, which takes girls from a broad ability range, will not be required to take the entrance exam for Roedean, which is more academically selective.

For SMH the deal marks the end of a long struggle. In a statement yesterday it said that "economic circumstances" had left it with no choice but to close and end 173 years of independence.

Susan Meek, headmistress of SMH Senior, said the merger represented a good opportunity for her pupils "to attend a top girls' school without having to be assessed" to get in.

She said that SMH had seen a gradual decline in pupil numbers. “We have noticed that our international students aren’t coming in the numbers that they used to. This academic year we have seen a decline in our year seven numbers,” she said.

Education experts say that many more small schools may face a similar fate as they struggle to cope with parents who cannot pay their fees and a reluctance by banks to lend money.

Recent research from the Headmasters’ and Headmistresses’ Conference (HMC), representing the top end of the market, found that applications for the country’s best-known private schools have increased in defiance of the economic downturn.

But but one in ten HMC heads said they were unsure whether their schools could withstand the recession.

Schools with fewer than 400 to 500 pupils are thought to be particularly vulnerable as are those, like SMH and Roedean, that are located in a highly competitive local market. Brighton is positively saturated with private schools, including the highly successful co-educational Brighton College.

After the previous recession in Britain of the early 1990s, independent schools experienced a steep dive in pupil numbers, losing 11,500 children in the following five years.

Under the terms of the Roedean/SMH deal, Roedean will take on ownership of the buildings and land at the SMH Senior School.

Before the downturn, the site may have offered lucrative development potential. But Ms King said that in the current climate, Roedean would keep the building empty for the time being.

Roedean will also take on the Junior School at St Mary’s Hall, which takes boys as well as girls. The Junior School will remain unchanged on its current site in East Brighton, under its existing head Huw May, but will be called Roedean at St Mary’s Hall. Parents were told of the move yesterday.

CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 5c

Brighton & Hove City Council

School Exclusions

I would like to request a panel to consider School Exclusions to look at the following issues.

1. Who is excluded, why and where from?.
2. What support do students and parents receive prior to, during and post exclusion, including psychiatric, psychological and educational support.
3. What are the outcomes for students, either temporarily excluded more than twice or permanently excluded or who experience "managed" moves?

Yours sincerely,

Cllr Bob Carden

CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 7

Brighton & Hove City Council

Subject:	Children's Centres Performance 2008		
Date of Meeting:	17 June 2009		
Report of:	Director of Children's Services		
Contact Officer:	Name:	Caroline Parker	Tel: 293587
	E-mail:	caroline.parker@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report provides information on the performance of the city's Sure Start Children's Centres in 2008 and priorities for the future.
- 1.2 The performance management arrangements for children's centres sit within the national Public Service Agreement (PSA). The PSA targets relevant to children's centres include the Foundation Stage Profile outcomes, childhood obesity, children in low income households and reducing health inequalities. The full national performance management framework for children's centres is at appendix 1. The Department for Children, Schools and Families requires local authorities to have an annual performance management conversation with each children's centre. This conversation is based on a self-assessment which brings together all performance information, reflects on the previous year's performance and proposes priorities for the future year. An in depth self-assessment framework (SEF) has been completed for each children's centre. The SEFs include linked children's centres in the same document. A summary annual report will also be published and widely distributed for each SEF.
- 1.3 Ofsted are piloting inspections of children's centres in 2009 and plan to begin a full programme from April 2010.

2. RECOMMENDATIONS:

- 2.1 (1) To note the information in this report and consider, if any, which aspects require further reporting on in the future.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1** Children's experiences in their early years have a major impact on their life chances. Sure Start Children's Centres play a central role in improving outcomes for all young children and in reducing inequalities in outcomes between the most disadvantaged children and the rest. Children's Centre services vary across the city to reflect different levels of need and focus on children most at risk of poor outcomes because of deprivation and disadvantage. Services are available from the city's 16 children's centres, with others delivered at places such as GP surgeries, health centres and community halls. Families may also receive services through visits to their homes. The hub children's centres are based in more disadvantaged areas of the city, include nursery provision, and offer a wider range of services than the gateway children's centres.

4. CONSULTATION

- 4.1** Each linked hub and gateway children's centre has or is developing an advisory group with local representatives including parents who advise on the development of services and monitor performance.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1** The Department for Children, Schools and Families allocated Brighton & Hove capital funding of £1,882,000 over three years with effect from 2008/09 to fund both new Children's Centres and maintenance for existing Children's Centres. The revenue funding for Children's Centres will increase from £3.69 million in 2008/9 to £5.23 million in 2010/2011. This increase is to fund the new Centres and to increase funding for outreach workers and parenting support in existing Children's Centres. The cost of delivering the priorities in Appendix 2 will be met from within the grant allocation. Any ongoing revenue costs will be met from within the revenue grant allocation for children's centres. Although grant allocations have only been announced as far as 2010/11 it is anticipated that this funding will be ongoing.

Finance Officer Consulted: M Herrington/Jeff Coates

Date: 20th May 09

Legal Implications:

- 5.2** The local authority has a statutory duty under the Childcare Act 2006 to improve early years outcomes and to narrow the gap for the most disadvantaged children by providing integrated early years services. The authority's partners in health also have a statutory duty to work with the authority to make such arrangements. Access to and provision of the services described via the children's centres assists in meeting the statutory duty towards children in need imposed by the Children Act 1989, and in promoting the priorities the Children's Trust must deliver under the Children Act 2006.

Lawyer consulted: Natasha Watson

Date: 22 May 2009

Health Implications

- 5.3 Children's Centres promote the Being Healthy outcome for young children by providing access to health services including antenatal services and the Child Health Promotion Programme.

Equalities Implications:

- 5.4 Children's Centres must focus on children and families at risk of social inclusion, fathers, teenage parents, children and families from minority ethnic groups, and children with disabilities and additional needs.

Sustainability Implications:

- 5.5 Provision of early years services in local communities supports the sustainable communities goal. Capital developments will take place in accordance with sustainable consumption and production, as well as natural resource protection and environmental impact assessment.

Crime & Disorder Implications:

- 5.6 Research shows access to integrated early years services and good quality childcare supports children's learning and achievement in life.

Risk and Opportunity Management Implications:

- 5.7 "I DO RM" tool will be used for any new projects.

Corporate/Citywide Implications:

- 5.8 The relevant corporate and CYPP objectives is: Reduce inequality by increasing opportunity

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Considered as part of the self-evaluation reports.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The recommendations are based on the self-evaluations completed by the Children's Centres and the outcome of the annual conversation held on 26 April.

SUPPORTING DOCUMENTATION

Appendices:

- 1 Children's Centres Performance Management Framework
- 2 Sure Start Children's Centre Self Evaluation Citywide Summary
- 3 Example of a Children's Centre Annual Report

Documents In Members' Rooms: None

Background Documents: None

New Performance Management Framework for Sure Start Children's Centres

ECM Outcome	Recommended Key Indicators	Difference	Data Source	Timing
Enjoy and Achieve	NI 72 – Percentage of children who achieve a total of at least 78 points across the Early Years Foundation Stage (EYFSP) with at least 6 points scored in each of the personal, social and emotional development (PSED) and communication, language and literacy (CLL) scales. (PSA 10)	SAME (as original framework)	DCSF/LAs based on EYFS Profile results.	Annual. LAs will have their own data now. DCSF will publish data for all LAs mid September 2008, so LAs will be able to benchmark their performance against their statistical neighbours.
	NI 92 - Percentage gap between the lowest achieving 20% in the EYFSP and the rest (PSA 11)	NEW (from 2008-09)	As above	As above
Be Healthy	NI 53 – Percentage of infants being breastfed at 6-8 weeks from birth (PSA 12)	CHANGED (old indicator referred to 'breastfeeding initiation')	PCT – as for old breastfeeding initiation indicator	Quarterly
	NI 55 – Percentage of children in reception year who are obese (PSA 12)	SAME (as original framework)	PCT – same as last year	Annual
Achieve Economic Wellbeing	NI 116 - Percentage of children aged 0-4 living in households dependent on workless benefits (PSA 9)	SAME (as original framework)	DCSF (from SOA level data supplied by DWP), accessed via the Key to Success website.	Annual. 2007 data is available now.
	NI 118 – Percentage of eligible families benefiting from the childcare element of Working Tax Credit; (DWP DSO)	NEW (from 2008-09)	HMRC Tax Credit Admin Data. SOA level data made available on the HMRC website.	2005 data is available now. More recent data will be made available once cleared by HMRC and DCSF

Stay safe	NI 70 - Rate of emergency hospital admissions caused by unintentional and deliberate injuries to children and young people (PSA 13)	NEW (from 2008-09)	Information Centre for Health and Social Care will publish Hospital Episode Statistics. DCSF is discussing with DH how LAs might be able to access data broken down by SOA and age; currently data is published for the 0 to 17 age group and is at a LA level. We will update LAs on the situation later this year.	To be confirmed
Access for the most excluded groups	Percentage of members of the following groups in the children's centre reach area, with whom the children's centre establishes contact Teenage mothers and pregnant teenagers; Lone parents; Children in workless households; Children in Black and Minority Ethnic groups; Disabled children; children of disabled parents; and fathers. Other priority groups in the CC area.	CHANGED ('fathers' has been added to the list)	Collected at children's centre / LA level.	To fit in with self evaluation and LA performance cycle
Parental Satisfaction	% of parents of children aged 0 to 5 in the children's centre area satisfied with services	SAME (as original framework)	Collected at children's centre / LA level.	To fit in with self evaluation and LA performance cycle

Appendix 2 - Sure Start Children's Centre Self-Evaluation Reports 2008/09 – Brighton and Hove Citywide Summary

1. Introduction

This report summarises the results from the 2008 self-evaluation reports for children's centres in Brighton and Hove. Children's centres complete a self-assessment which brings together all the performance information for the year, reflects on the previous year's performance and proposes priorities for the coming year. The self-assessments have followed the national guidance on the process and format of the assessment. Linked children's centres are included in the same SEF document but performance against each indicator is shown separately for each catchment area.

The SEF's include gradings against the Every Child Matters outcomes and other national outcomes together with an overall grading. The performance grades are based on national guidance on descriptors of standards for each grade. This report includes a summary grade for each outcome for the city as a whole. Children's centres are still very new in some areas of the city with five having been open for less than a year: City View opened in March 2008, and Conway Court, South Portslade, Hangleton Park and West Hove in May 2008. Three new Children's Centres are planned to open by 2011: Westdene, Preston Park and Saltdean/Rottingdean.

2. Performance indicators

Children's centres work towards a national performance management framework which includes Public Service Agreement targets on the Early Years Foundation Stage Profile, childhood obesity and children in low income households. Annex 1 includes charts which show performance against the main indicators across the children's centre reach areas.

3. Progress over the last year and citywide judgements (2008/09)

Being Healthy

- Citywide performance is outstanding with a very strong health led integrated model involving health visitors and midwives.
- The children's centres teams deliver the nationally direct Child Health Promotion Programme which includes health promotion and assesses the health and progress of all children under 5.

- There are postnatal depression support groups in each area of the city.
- Data quality has improved, particularly on breastfeeding, which has increased the ability to target services to areas where they are most needed.

Stay Safe

- Citywide performance is good with strong links with social care and effective early intervention.
- Free childcare places were provided in children's centre nurseries and with childminders for vulnerable children.
- Triple P Parenting Programmes were run during 2008 to support parents to find solutions to parenting problems and prevent future problems arising.
- Very effective protective behaviours training in the east area.

Enjoy and achieve

- Citywide performance is good with all Children's Centre nurseries judged by Ofsted to be good or better.
- Jump Start Nursery opened in Moulsecoomb offering childcare and free early learning for 36 children, and an extension was build to Moulsecoomb Primary School nursery to provide space so that children can now stay all day.
- Children's Centres support the Bookstart initiative and distribute packs to babies.
- There is a developed childminding network for the city.
- Speech and language services operate from children's centres.

Make a positive contribution / parental and community involvement

- Citywide performance is satisfactory and improving.
- Enhanced individual support is provided to children and families through the targeting process
- Parental involvement in children's centres has increased, with parents joining, and in some cases chairing, children's centre advisory groups, and parents leading sessions for children. This work has been supported by newly-appointed parent involvement workers. Some volunteering opportunities are offered and this is being expanded.

Achieve economic well-being

- Citywide performance is generally satisfactory and improving
- A citywide anti-poverty conference for children's centre staff increased the focus on anti-poverty work.

- There are strong links with the Family Information Service
- Jobcentre Plus provide a basic service including notice boards in children's centres but have not been able to resource outreach visits.

Excluded Groups

- Citywide performance is satisfactory with some good features is limited by the existing PIMS performance management system which does not allow contacts to be monitored by different target groups.
- Children's centre teams offer an enhanced targeted service to children and parents with additional needs including children with a Child Protection Plan, children with disabilities and looked after children.
- Work with disadvantaged groups was developed and improved, including One O'Clock Clubs for families with English as an Additional Language and groups for teenage parents and for disabled children and their parents.
- Work with fathers has improved, including employing a fathers' worker and developing groups for dads including funding the citywide "Baby Boogie" monthly session for fathers in the Jubilee Library.

Centre leadership and financial management

- Citywide performance is good with a lean management structure, effective budget management and advisory groups established for each group of children's centres.
- The full offer children's centre buildings are well used.

Partnership Working

- Citywide performance is generally good with room for improvement in some areas.
- There is very good engagement with health partners and the local authority but room for improvement in links with Jobcentre Plus and local private and voluntary providers.

4. **Key objectives and planned outcomes for next year (2009/10)**

Objective	Action	Outcome
Be Healthy	<p>Develop breastfeeding project, including peer support to support areas of high priority for breastfeeding education</p> <p>Implement city-wide obesity strategy including reviewing work on healthy eating and weaning advice</p> <p>Improve links and develop joint working with GPs</p> <p>Evaluate children's centre groups in order to establish baseline data and review progress towards outcomes</p> <p>Ensure smoking cessation plans are integrated</p> <p>Maintain data compliance at 90% or above</p>	<p>Improve performance against the breastfeeding and obesity PIs in under performing CCs</p> <p>Data quality sustained and improved</p>
Stay Safe	<p>Improve links across the age groups</p> <p>Embed Common Assessment Framework and Team Around the Child/Family more widely</p> <p>Increase the number of childcare places for children with child protection plans including developing a specialist childminder network</p> <p>Improve links with social care teams</p>	<p>Better transition for children and families</p> <p>CAFs completed for all children with additional needs on transition to school</p> <p>Increase in the number of children with CP plans benefitting from good quality childcare</p> <p>Care plans agreed jointly with the family resulting in improved outcomes for</p>

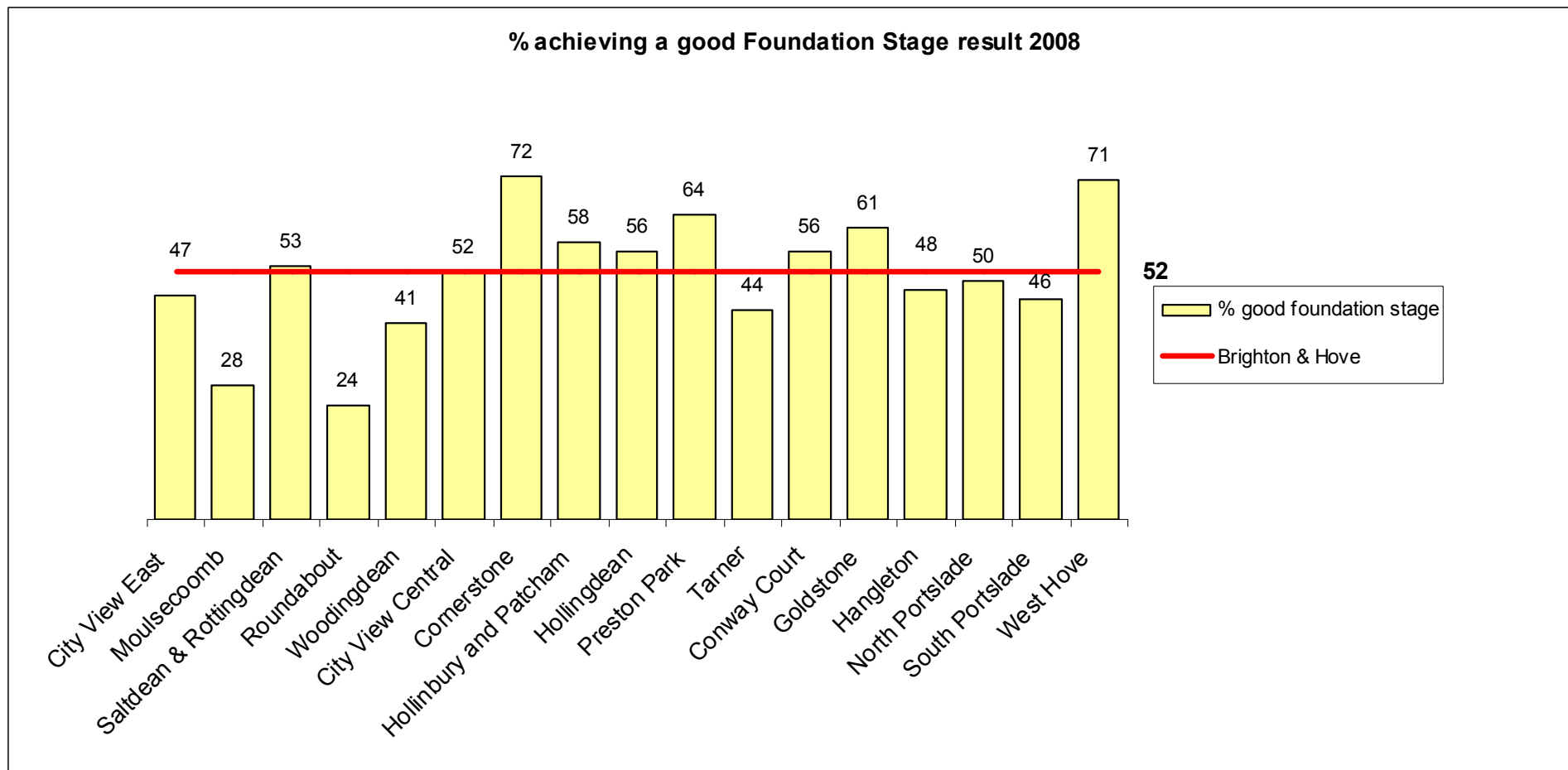
	<p>Strengthen teenage parents support team</p> <p>Establish Stay Safe groups in all Children's Centres</p>	<p>children</p> <p>Reduce second conceptions and teenage parents who are not in employment, education or training</p> <p>Reduce accidental injuries.</p>
Enjoy and Achieve	<p>Promote the importance of the home learning environment to parents and carers by ensuring staff understand the EYFS and developing the role of teachers outside the nurseries.</p> <p>Improve links with city-wide early years services, local schools, other early years setting and childminder networks to focus on narrowing the gap in outcomes for the most disadvantaged young children</p> <p>Ensure children with additional needs are offered coordinated support services to enable them to maximise their potential</p> <p>Improve access to speech and language therapy support</p> <p>Strengthen the childminder networks</p> <p>Commission the Playbus to work in partnership with selected Children's Centres to extend play opportunities.</p>	<p>Improvement in the FSPs scores and narrowing the gap for the most disadvantaged children</p> <p>Parents understand the factors which improve and are confident in engaging in their child's development and learning.</p> <p>Improved school readiness and reduced need for additional support when in school</p> <p>Increased number of network childminders</p> <p>Increase play opportunities for children</p>
Make a Positive Contribution / Parent and	<p>To develop the use of information about older siblings including school exclusions, NEETs and those in the Criminal Justice system to influence preventative work for children under 5</p>	<p>Services are fully evaluated and processes in place to measure effectiveness and outcomes</p>

<p>Community Participation</p>	<p>including learning from the experience of the Family Pathfinder Project.</p> <p>Develop a formal approach to engage with service users to evaluate the outcomes from services offered, including a comprehensive parental/user survey which identifies satisfaction against each ECM outcome</p> <p>Agree volunteering principles and policy, and increase number of parents sitting on children's centre advisory groups</p> <p>Maintain and increase parent consultation and participation on advisory groups</p> <p>Provide staff training on evaluation</p> <p>Involve children in evaluating services, including "listening to children" projects</p>	<p>Improved understanding of parents' views of children's centre services</p> <p>Parents have more confidence and self-esteem and feel ready to identify their needs, influence and facilitate children's centre activities</p> <p>More parents feel able to consider training and routes back into employment</p> <p>Children are more fully engaged and their children's centre experiences are learned from</p>
<p>Achieve Economic Well-being</p>	<p>Improve information regarding organisations offering support to parents who wish to return to work and provide them with clear and supported pathways</p> <p>Ensure Children's Centre staff can refer parents to the Adult Advancement Service</p> <p>Pilot partnership with debt counselling agencies in the East area.</p>	<p>Fewer children living with parents dependent on benefits</p> <p>Increase in the take up of the Working Tax Credit for childcare in under-performing areas</p> <p>Improved service from Job Centre Plus provided</p>

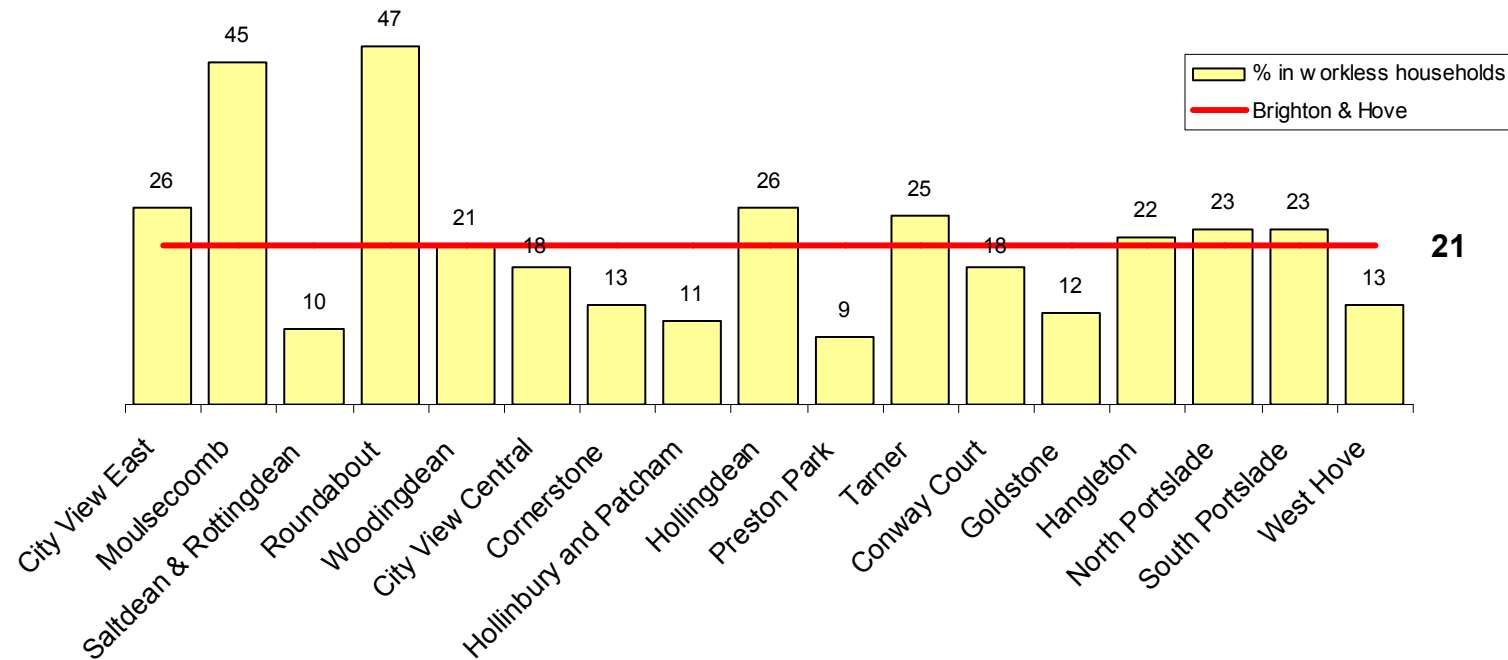
	<p>Continue to try to engage with Job Centre Plus get them to deliver activities in Children's Centres including lobbying at a regional and national level.</p> <p>Support parents to take up volunteering opportunities in order to help develop their skills and assist them to secure future employment or training</p>	
Excluded Groups	<p>Improve the promotion and take up of children's centre services to excluded members of the local communities</p> <p>Review the criteria and processes of targeting children for additional support</p> <p>Establish effective monitoring systems for contact with children and families from most excluded groups</p> <p>Involve hard to reach parents in developing services and overcoming barriers.</p> <p>Improve links between children's centres and Seaside View Child Development Centre</p> <p>Increase disabled children's access to mainstream children's centre activities as part of the Early Support Programme</p>	<p>Improved understanding of children's centre catchment areas and system in place to identify hard to reach groups and to capture and analyse data</p> <p>All children with additional needs have a care plans with clear targets agreed with parents</p> <p>More children from disadvantaged groups using children's centre services</p> <p>More disabled children using children's centre services</p> <p>The CCs make a positive difference to the lives of the most vulnerable children and their families</p>
Centre Leadership and Financial Management	<p>Strengthen the management team by developing Children's Centre Information and Development Managers, to oversee publicity, monitoring, evaluation and partnership working strategies for children's centre activities</p>	<p>Improved management capacity to oversee delivery of communication and evaluation aspects of centre</p>

	<p>Develop the Children's Centre teacher role outside the nursery for children 0-5</p> <p>The new area Children's Centre Information and Development Managers either have or will be working towards the NPQICL qualification.</p> <p>Develop the gateway Children's Centre budgets to reflect the work of the children's centre team in the catchment area and ensure the resources allocated to each area reflects the needs of that area.</p>	
<p>Partnership Working</p>	<p>Develop stronger links with early years providers based in the gateway CCs and improve links with other providers in the area by attending network meetings and improved information.</p> <p>Develop more coherent system for commissioning services that cannot be provided by children's centres through lack of staff capacity or space</p> <p>Improve links with extended services for reception aged children especially for childcare</p>	<p>All partners in the area understand the needs of the children in the reach area and work in partnership to improve outcomes for young children with a focus on the most disadvantaged.</p>

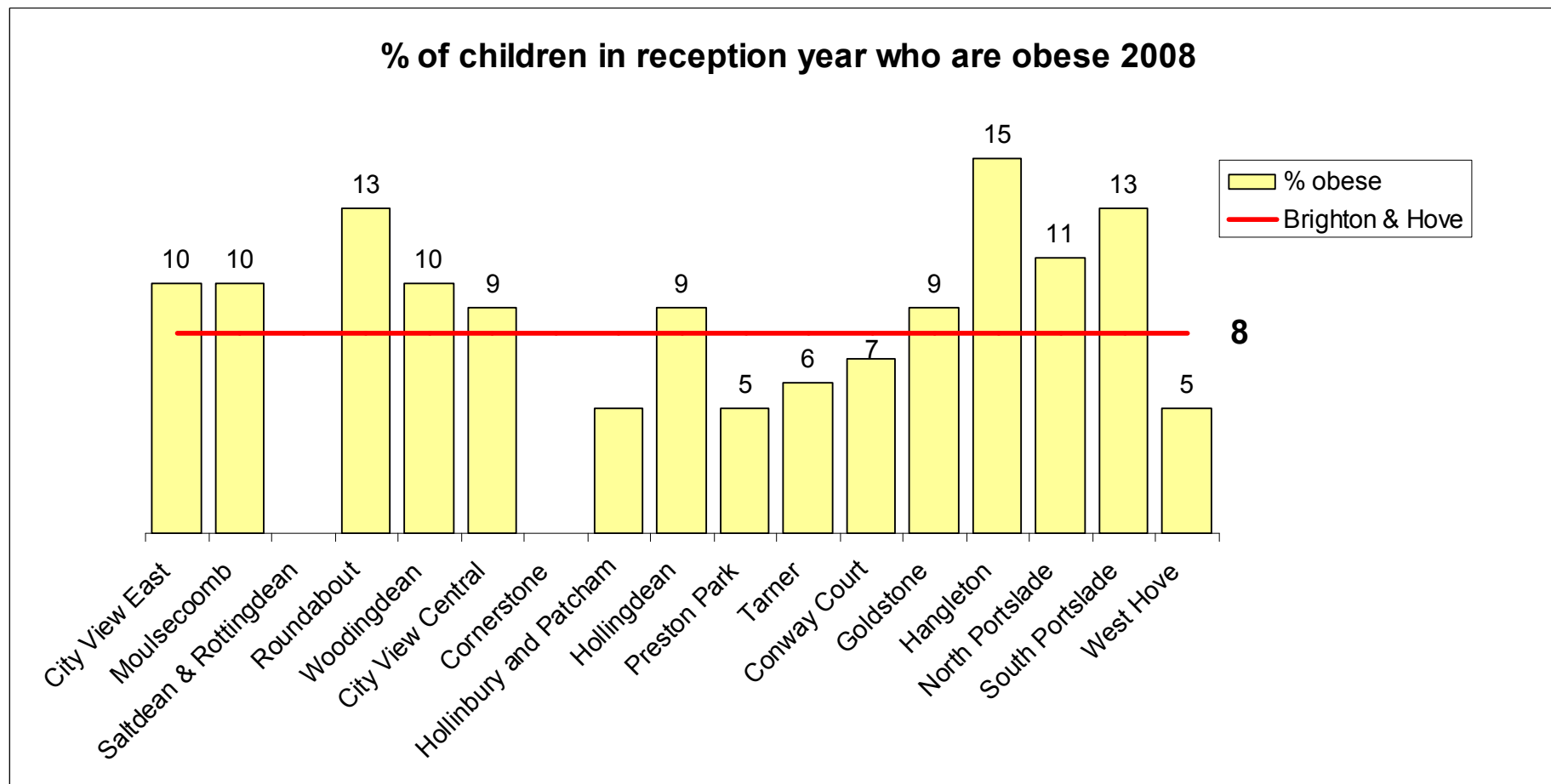
Annex - Charts for the Children's Centre Evaluation April 2009



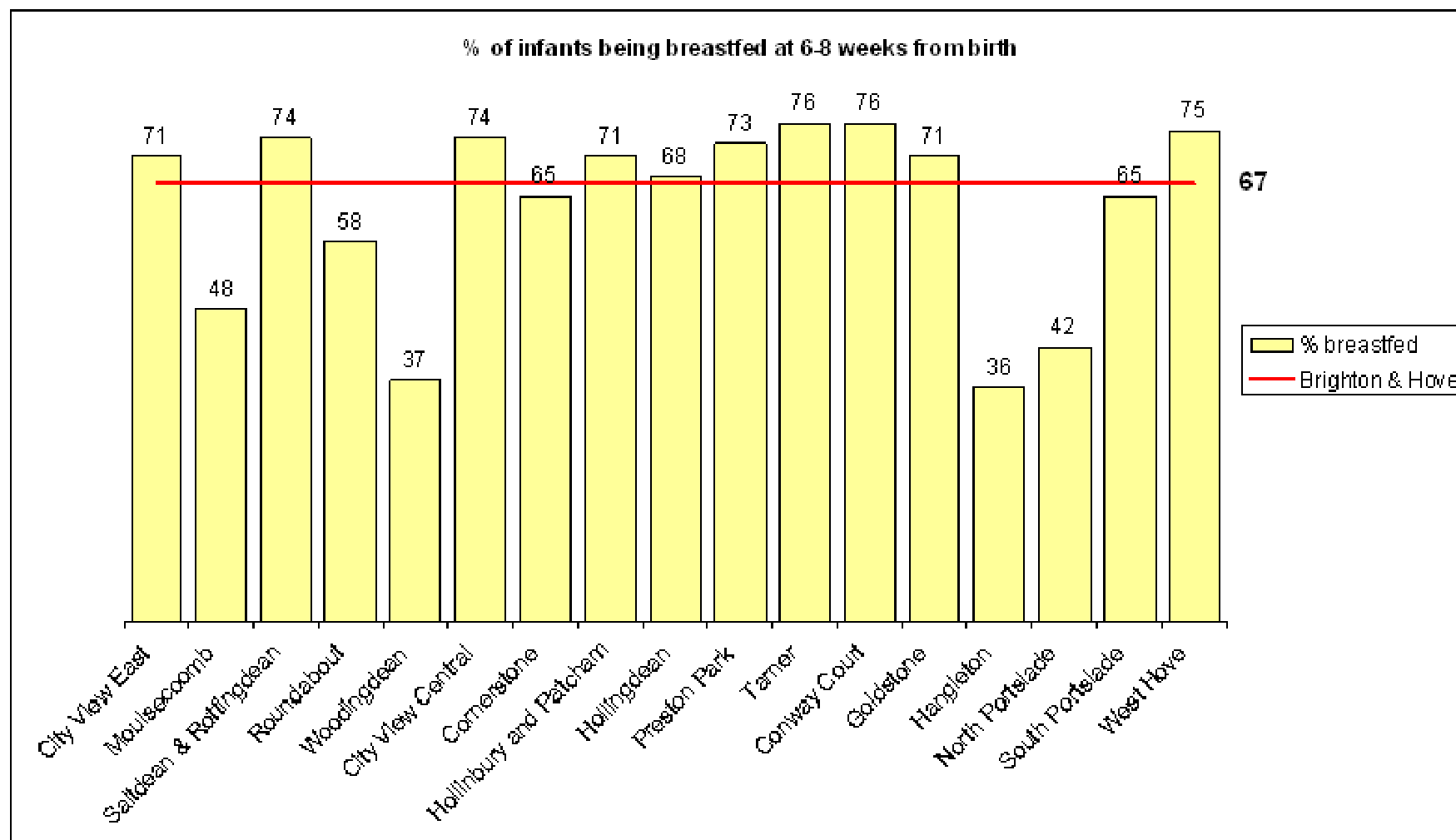
% of children aged 0-4 living in households dependent on workless benefits 2007



% of children in reception year who are obese 2008



NB Data for Saltdean/Rottingdean and Cornerstone was not available



Roundabout and City View East Sure Start Children's Centres

Annual Performance Report 2008/09





Introduction



This report is a summary of the self evaluation we carry out every year to help us plan the work of Roundabout Sure Start Children's Centre in Whitehawk and City View East Sure Start Children's Centre, a gateway centre based at Brighton General Hospital. The centres aim to meet the needs of our local communities with both outreach home visiting and children's centre based activities. Roundabout Children's Centre is well-established and provides a wide variety of groups and activities to the local community. Roundabout Nursery offers childcare and early learning to a large number of children through a range of flexible sessions.

We hope that you can take time to read this report, whether you are a parent, carer, someone who works with the children's centres or have other interests in this vital area of work. If you would like to find out more about us or give some feedback please contact Roundabout Children's Centre on 01273 290300.



Our goals and approach

“We want to ensure all our children and young people have the best possible start in life, so that everyone has the opportunity to fulfil their potential, whatever that might be”

(Brighton & Hove Children and Young People’s Trust ‘Children and Young People’s Plan 2006-09’)



The children’s centre team works with parents and carers to improve the lives of all young children with a strong focus on those who are most at risk of poor outcomes.

There are 618 children under five in the Roundabout area, of whom 37% are targeted to receive additional support.

From October to December 2008 43% of targeted children were seen and 29% of other children were seen. In the City View east area there are 814 children under five, of whom 24% are targeted to receive additional support. From October to December 2008 58% of targeted children were seen and 28% of other children were seen. This is in line with our expectations for the Child Health Promotion Programme. All children are seen as young babies, and at one year, and parents are encouraged to attend the relevant groups and activities at the children’s centres. Families with additional identified needs receive a higher level of service, mostly by home visiting.





Last year our top priorities were to:



- **Improve links between Roundabout Children's Centre and Roundabout Nursery:** we now have regular meetings between nursery and children's centre staff and nurture groups are being co-run by the nursery Special Educational Needs Coordinator and children's centre nursery nurse
- **Develop a parent involvement strategy and volunteering policy:** a volunteering policy is being used across the city and during February 2009 parents were trained to help them contribute to the children's centre advisory groups
- **Develop the services run from City View Children's Centre:** this opened in March 2008
- **Achieve better data quality:** we have improved recording what we do so that we can monitor the impact of our work



Be healthy



The Child Health Promotion Programme for all children under five is key to ensuring children are healthy. The children's centre team assesses children's needs and provides additional support for families who need it. We provide support for breastfeeding and advice about immunisation, as well as information on health promotion, diet and exercise, dental health, smoking cessation and health and safety. We also work with a team of midwives based at Roundabout Children's Centre. We offer health advice and parenting support in people's homes and in groups at the centre.

Our be healthy performance

January – December 2008:

- 58% of infants in the Roundabout area and 71% in the City View east area were breastfed at 6-8 weeks from birth, compared with the city average of 67%
- 13% of reception year children in the Roundabout area and 10% in the City View east area were obese, compared with the city average of 8%

Last year

Our be healthy activities included:

- **Specialist breastfeeding support from an early years visitor**, who worked across the east area offering antenatal sessions and attending health matters groups at Roundabout and City View Children's Centres. Individual support was also given to breastfeeding mothers
- **Roundabout Nursery**, which provided healthy food throughout the day and ensured children had access to a variety of physical activities and outside space in all weather
- **Health Matters**, a weekly group provided breastfeeding advice and baby massage for babies from birth to 12 months

This year

Our be healthy priorities are to:

- Develop a breastfeeding project to support areas of high priority for breastfeeding education
- Review action points from the obesity strategy to ensure we are in line with city-wide approaches to tackling obesity

Stay safe



We aim to keep children safe through the Child Health Promotion Programme which provides health promotion and advice to all families and enhanced services to those most in need. Advice about health and safety hazards in and outside the home, hygiene and accident prevention is a core aspect of the work of health visitors and early years visitors. We also work closely with others to ensure children are safeguarded and protected from harm and provide parents with help and support to manage during difficult times.

Our stay safe performance

January – December 2008:

- 44% of children under five in the Roundabout area and 34% in the City View east area attended Accident and Emergency at the Royal Sussex County Hospital at least once, compared with the city average of 26%

Last year

Our stay safe activities included:

- **Nurture group**, which was run by a community nursery nurse and early years visitor to address anti-social behaviour when first identified
- **Behaviour group**, which was facilitated by two early years visitors to improve common childhood behavioural problems
- **Roundabout Nursery**, a safe space where children could express and recognise their feelings. We provided funding for children with additional needs to attend two sessions per week at the nursery

This year

Our stay safe priorities are to:

- Work more closely with other services using the Common Assessment Framework and the Team Around the Child/Family approach
- Provide additional childcare places for children with identified additional needs



Roundabout and City View Children's Centres Location map

Roundabout Children's Centre
Whitehawk Road
Brighton
BN2 5FL
Tel: 01273 290300

City View Children's Centre
Brighton General Hospital
Elm Grove
Brighton
BN2 3EW
Tel: 01273 265890

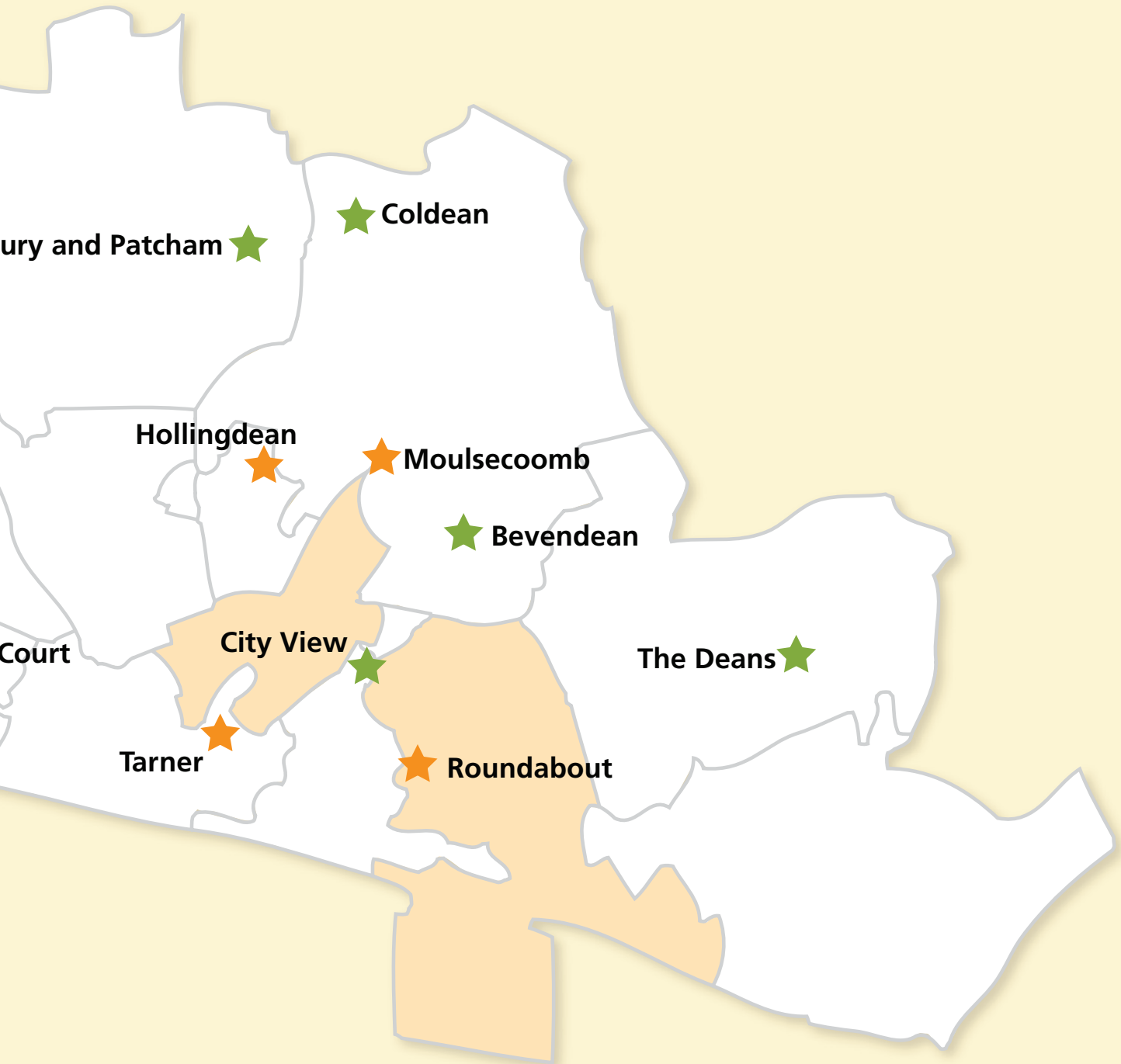


★ Children's Centre (Hub)

★ Children's Centre (Gateway)



Roundabout and City View East Sure Start Children's Centres Annual Performance Report 2008/09





Enjoy and achieve



Both children's centres are accessible and well equipped for all our service users including those who are disabled.

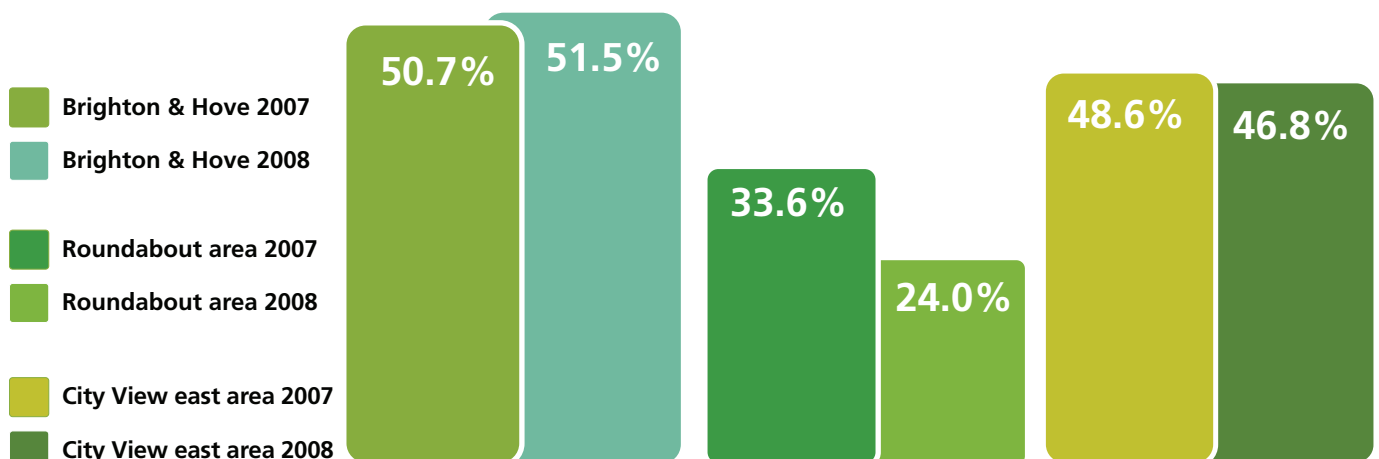
Roundabout Nursery follows the Early Years Foundation Stage and children's learning needs are planned on an individual basis.

Speech and language therapists are based at Roundabout Children's Centre and offer regular appointments and home visits to families to support their children's speech development. There are a range of other early years providers in the area who offer free early learning to three and four year olds.

Our enjoy and achieve performance

Our enjoy and achieve performance data is based on the Early Years Foundation Stage Profile which describes each child's development and learning achievements at the end of the reception year at school.

Achieving a good score in the Early Years Foundation stage





Last year

Our enjoy and achieve activities included:

- **Roundabout Nursery**, an integral part of the children's centre provided early learning for children aged three months to four years. The staff worked hard to narrow the gap between the achievements of children with additional needs and their peers
- **Childminder drop-in at City View Children's Centre**, which was well attended and provided a welcoming inside and outside activity space for the children
- **Family fun days**, at Roundabout Children's Centre during the school holidays which were very well attended by families from the local community

This year

Our enjoy and achieve priorities are to:

- Work with city-wide early years services, local schools, other early years settings and childminder networks to narrow the gap in outcomes for the most disadvantaged young children
- Promote the importance of the home learning environment to parents and carers
- Support the transition process for children moving on from Roundabout Nursery to school
- Support families living around City View Children's Centre to access the groups and activities. Family fun days planned for spring and summer 2009



Make a positive contribution



We are committed to giving parents a voice in the development of the children's centres. Our children's centre advisory group meets every two months and includes three parents and other members of the local community.

Our make a positive contribution performance

January – December 2008:

In a survey at Roundabout Children's Centre 90% of parents said that the centre was 'friendly' or 'very friendly' and 88% said that they found help and information 'easy' or 'very easy' to obtain on arrival

Last year

Our make a positive contribution activities included:

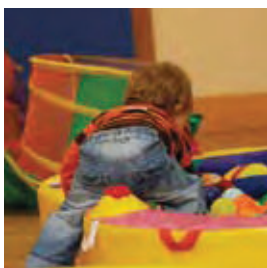
- **Volunteering opportunities in the children's centres were expanded**, including attending and contributing to the children's centre advisory group
- **PROUD, a Parent Run Organisation Understanding Difficulties**, was a very successful group that facilitated able-bodied parents to provide support and play activities for children of parents with a range of difficulties
- **'Listening to Children' project**, which provided opportunities for young children to express their views about Roundabout Children's Centre

This year

Our make a positive contribution priorities are to:

- Encourage parents from the City View area to sit on the children's centre advisory group
- Implement findings from the 'Listening to Children' project
- Develop a robust evaluation system to improve the way we evaluate customer satisfaction

Achieve economic well-being



We support parents in many ways in the journey towards training and employment. Much of the group work focuses on building self-esteem and social skills which are an essential starting point for many people. The role of the early years visitors in supporting parents to access groups and activities is very important. We also encourage parents to become involved in volunteering at the centres and signpost to training and employment opportunities.

Last year

Our achieve economic well-being activities included:

- **Roundabout Nursery**, which provided childcare for a high number of fee paying parents. The flexible sessions allowed parents to seek part-time work with affordable childcare in place
- **Anti-poverty workshop**, which took place in March 2008 to raise the profile of the impact on poverty on outcomes for children and was attended by all those working with children under five across the city

Our achieve economic well-being performance

- In 2006 11% of low income families in the Roundabout area and 20% in the City View east area took up formal childcare, compared with the city average of 19%
- In 2006 47% of children in the Roundabout area and 26% in the City View east area lived in households dependent on workless benefits, compared with the city average of 21%
- In 2008 23% of teenage mothers aged 16-19 in the Roundabout area and 40% in the City View east area were in education, employment or training, compared with the city average of 34%

This year

Our achieve economic well-being priorities are to:

- Develop better links with Whitehawk Inn and Job Centre Plus for access to training and employment initiatives
- Develop volunteering opportunities



Excluded groups



Our teams of health visitors and early years visitors work with families facing difficulties including being excluded from mainstream society through lack of money, ill-health and disability, not speaking English as a

first language and substance misuse. We provide support in these families' homes as well as encouraging them to use our services and take part in activities at the centres to get the support they need to raise their children.

Last year

Our work with families from excluded groups included:

- **Roundabout Nursery**, which was extremely successful at including a range of children who may have been compromised due to the levels of poverty in the area. The nursery also worked closely with the Ethnic Minority Achievement Service to support children whose first language was not English to enjoy nursery activities using their own language. Roundabout Nursery also worked with the Pre-School Special Educational Needs Service to support children with special needs in the nursery
- **MOSAIC**, which ran a weekly session at Roundabout Children's Centre for families with parents who were black, Asian, mixed heritage and Romany gypsies
- **Teenage Parents**, who were supported by a specialist team

which offered them an enhanced targeted service. There was also a midwife for teenage parents who referred parents to the health visitor as appropriate. Teenage parents were encouraged to attend children's centre activities

This year

Our priorities for working with families from excluded groups are to:

- Ensure effective liaison between Seaside View Child Development Centre and the children's centres to support disabled children
- Expand the specialist teenage parent team
- Promote the children's centres to ensure that all families are aware of the services available

Contact us

Roundabout Children's Centre
Whitehawk Road
Brighton
BN2 5FL
Tel: 01273 290300
Email: roundaboutcc@brighton-hove.gov.uk

City View Children's Centre
Brighton General Hospital
Elm Grove
Brighton
BN2 3EW
Tel: 01273 265890
Email: roundaboutcc@brighton-hove.gov.uk

Family Information Service
Tel: 01273 293545
Email: familyinfo@brighton-hove.gov.uk

Translation? Tick this box and take to any council office.

ترجمة؟ ضع علامة في المربع وخذها إلى مكتب البلدية.	Arabic	<input type="checkbox"/>
অনুবাদ? বক্সে টিক চিহ্ন দিয়ে কাউন্সিল অফিসে নিয়ে যান।	Bengali	<input type="checkbox"/>
需要翻譯? 請在這方格內加劃, 並送回任何市議會的辦事處。	Cantonese	<input type="checkbox"/>
ترجمه؟ لطفاً این مربع را علامتگذاری نموده و آن را به هر یک از دفاتر شهرداری ارائه نمایید.	Farsi	<input type="checkbox"/>
Traduction? Veuillez cocher la case et apporter au council.	French	<input type="checkbox"/>
需要翻譯? 請在這方格內划勾, 并送回任何市议会的办事处。	Mandarin	<input type="checkbox"/>
Tłumaczenie? Zaznacz to okienko i zwróć do któregośkolwiek biura samorządu lokalnego (council office).	Polish	<input type="checkbox"/>
Tradução? Coloque um visto na quadricula e leve a uma qualquer repartição de poder local (council office).	Portuguese	<input type="checkbox"/>
Tercümesi için kareyi işaretleyiniz ve bir semt belediye burosuna veriniz	Turkish	<input type="checkbox"/>
	other (please state)	<input type="checkbox"/>

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CHILDREN AND YOUNG PEOPLE OVERVIEW & SCRUTINY COMMITTEE

Agenda Item 8

Brighton & Hove City Council

Subject: Reducing Alcohol Related Harm to Children and Young People - Ad Hoc Panel Report

Date of Meeting: 17 June 2009

Report of: The Acting Director of Strategy and Governance

Contact Officer: Name: Sharmini Williams Tel: 29-0451
E-mail: Sharmini.williams@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report and its appendices detail the findings of the Scrutiny Panel established to examine the issue of Reducing Alcohol Related Harm to Children and Young People.
- 1.2 The Scrutiny Panel's report and its appendices are re-printed as **appendix 1** to this report.

2. RECOMMENDATIONS:

- 2.1 That members:
 - (1) Endorse the Reducing Alcohol Related Harm to Children and Young People Ad Hoc Panel report;
 - (2) Agree to refer the report recommendations to the council's Executive, the council's Licensing Committee and to the appropriate partner organisations.

3. BACKGROUND INFORMATION

- 3.1 The review into Reducing Alcohol Related Harm to Children and Young People was instigated at the 24 September 2008 CYPOSC meeting.

3.2 The suggested terms of reference were to:

“Examine the costs of, social and economic outcomes of, and reasons for the higher than average, and worsening, levels of alcohol related harm suffered by children and young people in Brighton and Hove.

Such a panel will specifically, but not exclusively, examine the impact of the Licensing Act 2003 on the availability to and consumption of alcohol by those aged under 18 in the city and, seeking evidence from, amongst others, Sussex police, premises license holders, the council’s own public safety officers and our partners in the NHS, will determine what steps the council could take to reduce levels of alcohol-related harm to children in the city.

Further, the Panel will examine reasons why the problems of alcohol-related harm appear to be worst in the east of the city.”

3.3 The Panel held five evidence gathering meetings in public, talking to a number of witnesses including representatives of NHS trusts, the police, alcohol retailers, Trading Standards and Licensing, local schools, local authority drugs and alcohol services and the Youth Council.

4. CONSULTATION

4.1 No formal consultation was undertaken in preparing this report, although some of the witnesses who gave evidence to the panel were asked for their comments on drafts of the report, and these comments have been used to inform the final draft version.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 CYPOSC’s decisions in relation to this report (i.e. whether to endorse the Scrutiny Panel report and refer its recommendations to the council’s Executive for consideration) have no direct financial implications.

However, members should bear in mind that the implementation of some of the Scrutiny Panel’s recommendations might have significant financial implications for the council, and that any Executive decision in relation to these matters will need to be made with reference to these costs.

Legal Implications:

- 5.2 If CYPOSC endorses the Panel's report and accepts its recommendations, it is required to prepare a formal report and submit it to the Chief Executive for consideration by Cabinet or the relevant Cabinet Member. CYPOSC may also refer the report to the Licensing Committee and partner organisations, highlighting those recommendations relevant to those bodies. Only if one or more recommendations require a departure from or a change to the agreed budget and policy framework would the report need to be considered by Full Council.

If CYPOSC cannot agree on one single final report, up to one minority report may be prepared and submitted, alongside the majority report, for consideration by the Cabinet or Cabinet Member.

Lawyer consulted: Oliver Dixon

Date: 8 June 2009

Equalities Implications:

- 5.3 None identified

Sustainability Implications:

- 5.4 None identified.

Crime & Disorder Implications:

- 5.5 None identified.

Risk and Opportunity Management Implications:

- 5.6 None identified.

Corporate / Citywide Implications:

- 5.7 None identified.

SUPPORTING DOCUMENTATION

Appendices:

1. Ad Hoc Panel report and appendices

Documents in Members' Rooms:

None

Background Documents:

1. None (other than those listed in the Ad Hoc Panel report itself)

**Children and Young People Overview and
Scrutiny Committee (CYPOSC)**

**Reducing Alcohol
Related Harm
To Children And Young
People
Ad Hoc Panel**

Overview and Scrutiny

Brighton & Hove City Council

Date : June 2009

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A Introduction

This section explains the decision to establish an ad hoc panel, as well as providing general background to issues relating to underage drinking (in both national and local terms) and to the 2003 Licensing Act.

1. Establishment of the Ad Hoc Panel

1.1 At its 24 September 2008 meeting, the Children and Young People's Overview and Scrutiny Committee (CYPOSC) considered the 2008 Annual Report of the Brighton & Hove Director of Public Health: "Brighten Up! Growing Up in Brighton & Hove 2008". The 2008 report (which doubles as a Joint Strategic Needs Assessment for city services) focuses on children's health issues.

1.2 CYPOSC members decided that the committee should investigate some aspect of this public health agenda in greater depth, and after discussion it was determined that the committee's focus should be on the subject of young people and alcohol.

1.3 More specifically, it was proposed that an ad hoc should be established to:

"Examine the costs of, social and economic outcomes of, and reasons for the higher than average, and worsening, levels of alcohol related harm suffered by children and young people in Brighton and Hove.

Such a panel will specifically, but not exclusively, examine the impact of the Licensing Act 2003 on the availability to and consumption of alcohol by those aged under 18 in the city and, seeking evidence from, amongst others, Sussex police, premises license holders, the council's own public safety officers and our partners in the NHS, will determine what steps the council could take to reduce levels of alcohol-related harm to children in the city.

Further, the Panel will examine reasons why the problems of alcohol-related harm appear to be worst in the east of the city."

1.4 Committee members agreed to adopt this wording as the ad hoc Panel's Terms of Reference.

1.5 Councillors Juliet McCaffery and Ann Norman agreed to sit on the Panel alongside Councillor Duncan. Councillor Norman was subsequently appointed as Chairman of the Panel.

1.6 Panel members held a scoping meeting, where they were advised by the Director of Public Health and by officers from the council's Children and Young People's Trust (CYPT).

1.7 The Panel subsequently held a series of evidence gathering meetings in public. Witnesses included police officers, Trading Standards officers, officers representing the council's Licensing team, CYPT officers, public health professionals from NHS Brighton & Hove, a consultant paediatrician, head-teachers, and representatives of the major supermarket and off-licence chains.¹ The Panel also invited a number of independent alcohol retailers to give evidence. However, none of these potential witnesses agreed to appear before the Panel.

1.8 Panel members also met on two occasions with members of the Brighton & Hove Youth Council in order to elicit young people's views on this issue.

2. The 2008 Annual Report of the Director of Public Health

2.1 The 2008 Annual Report of the Director of Public Health makes several references to alcohol-related issues. In particular the report states that:

“It appears that children in Brighton and Hove drink slightly more than their national counterparts and some key alcohol indices among 14-15 year olds in Brighton and Hove show high levels of drinking. Drinking is on the increase and a substantial number of children drink more than fourteen units, the recommended weekly maximum for adult women.

While boys drink more than girls, the culture of binge drinking appears to be more common among girls who are much more likely than boys to get drunk. Overall a quarter of boys and a third of girls report getting drunk in the previous week and in the east of the city the figures for drinking and getting drunk are much higher.

Mental and behavioural disorders due to alcohol were the highest cause of admission to hospital compared to other mental health disorders in 2005/6 and 2006/7.

The number of ambulance calls related to drinking among young people has been steadily increasing and between 10 and 25 children and young people aged less than 18 years attend A&E with alcohol related problems every month.”

2.2 In an attempt to address these problems, the Director of Public Health proposed that:

“The CYPT and the PCT [i.e. NHS Brighton & Hove] should take further action to tackle the increasing levels of drinking among young people, especially the apparent culture of binge drinking among young girls. This should be explored as part of the Joint Strategic Alcohol Needs Assessment currently underway.

¹ A full list of witnesses is contained in Appendix 1 to this report.

The CYPT should work with the ambulance service and A&E Services in order to ensure appropriate treatment and referral for children and young people presenting with alcohol related conditions. This work should be coordinated with the Joint Strategic Alcohol Needs Assessment.”

3. Background

3.1 Population statistics

- Brighton and Hove has a rather lower proportion of children aged less than 16 years (16.65%) than the average for the South East (19.93%) and for England and Wales (20.16%).
- In mid-2005 there were an estimated 255,022 residents in Brighton and Hove, of whom 53,500 were aged between 0-19 years.
- Population trends and projections suggest that the proportion of children in the city is set to rise somewhat in the next few years, with a concomitant increase in demand for children’s services.
- The east and central areas of Brighton & Hove have proportionately more children and young people than the west.
- Brighton and Hove has relatively high levels of deprivation, higher than both regional and national averages. In the more deprived parts of the city (e.g. in parts of East Brighton) up to 45% of children live in families with parents/carers who are out of work.

3.2 Alcohol statistics and further information

- Nationally the proportion of pupils aged 11-15 years who had drunk alcohol in the last seven days fell from 26% in 2001 to 21% in 2006.
- However, those young people who did drink were generally drinking more than hitherto: boys drank an average of 12.3 units per week and girls 10.5 units per week. Girls are more likely to get drunk than boys.
- Of the young people who did drink, 49% consumed more than four units on the days they drank; 22% consumed three or four units; and 28% consumed an average of two units or fewer.
- Half of the young people who drank claimed that they purchased their own alcohol.
- 20% of young people said they had been drunk in the last four weeks and 35% had deliberately tried to get drunk.

3.3 Local statistics

- In Brighton & Hove, 11% of boys and 14% of girls claim that they purchase alcohol from off licences. Children in the east of the city are most likely to purchase alcohol from an off license and drink it in a public place².
- Underage drinking in public spaces (e.g. parks) is very common across Brighton & Hove. Young people who consume alcohol in public spaces are often implicated in anti-social behaviour. They are also at risk of becoming victims of crime, physical injury (i.e. via accidents or assault) or of being exposed to other harmful substances (e.g. illicit drugs). Young people drinking in public spaces often do so in large groups, and this increases the risk of anti-social behaviour and poses serious problems for policing.
- It is estimated that there are 12-20 young people who present at Brighton Accident & Emergency (A&E) each month with overdoses or injuries directly caused by alcohol, and of these, 4-5 young people are consequently admitted for treatment³. The number of young people presenting at A&E with conditions indirectly related to excessive alcohol consumption (e.g. people who engage in risky behaviour and consequently suffer injuries because they are drunk) is almost certainly far higher than this, although these statistics are not necessarily collated.

4 The Licensing Act (2003)

- 4.1** The ad hoc Panel Terms of Reference proposed by Councillor Duncan (see **point 1.3** above) make reference to the 2003 Licensing Act. It may therefore be helpful to give a brief explanation of aspects of the Act and of how it has been incorporated into local licensing policy.
- 4.2** The Licensing Act (2003) represented a major revision and rationalisation of licensing law, replacing the 22 existing Acts which determined licensing issues (including the 1964 Licensing Act – the principle vehicle for alcohol licensing).
- 4.3** The 2003 Act introduced flexible opening hours for licensed premises (subject to their impact upon local residents), simplified the licence application process (by replacing the existing six types of licence with one general licence), and transferred the responsibility for granting licences from magistrates to local authority Licensing Committees.
- 4.4** In addition to simplifying a previously very complex area of law, the 2003 Act sought to make significant changes to national licensing

² This information has been extracted from the Annual Report of the Director of Public Health, Brighton & Hove City NHS Teaching Primary Care Trust (Chapter 2 & 5).

³ This information is from the Health Impact Assessment (April 2009)

policy. In essence, the architects of the Act argued that the *status quo* position of tight restrictions on the number and opening hours of licensed premises was generally ineffective in controlling problems associated with the excessive consumption of alcohol, and in some instances might actually exacerbate the difficulties it sought to mitigate. For example, it can be argued that imposing an 11pm closing time on pubs and bars effectively creates ‘flash-points’ in town centres where several thousand people leaving premises at the same time can overwhelm local services, police etc. Staggering closing times may mean that some people spend longer drinking, but it also means that the police, taxi services etc. are required to cope with a regular trickle of people coming and going rather than with an 11pm deluge.

- 4.5** Similarly it can be argued that restricting the number of licensed premises does little to limit drinking, as people will readily travel to purchase alcohol. Restrictions therefore inconvenience the public and local retailers whilst doing little to mitigate the impact of excessive drinking.
- 4.6** These arguments are by no means universally accepted, with critics contending that extended opening times may reduce flash-points, but only at the expense of prolonging noise nuisance and anti-social behaviour (e.g. instead of having an hour or so when people noisily returned home from a night’s drinking, there are now people creating a disturbance all night long, as groups of drinkers come and go throughout the night). Similarly, whilst some aspects of the growth in licensed premises may not impact upon drink-related problems, others (such as the increase in late night off-licences) may have a deleterious effect (i.e. people who might formerly have stopped drinking when they ran out of alcohol can now continue drinking for as long as they please, with obvious consequences for themselves and their neighbours).
- 4.7** Brighton and Hove City Council’s response to the 2003 Licensing Act is embodied in the council’s “Statement of Licensing Policy 2003”⁴. This sets out the council’s licensing objectives in light of the 2003 Act. The Licensing Authority objectives are:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 4.8** The revised Brighton & Hove Licensing Policy came into force in January 2005, and will be under constant review until January 2011.
- 4.9** The Licensing Committee is limited in its ability to consider the impact of the granting of new licences, being authorised to consider any

⁴ See the Licensing Act 2003, Brighton & Hove City Council, Statement of Licensing Policy, Environmental Health and Licensing Service.

potential impact upon the very local vicinity, but not broader issues of harm (e.g. impact on a wider or more distant geographical area).

4.10 In terms of the current ad hoc panel, the obviously pertinent licensing objective is: Protection of Children from Harm. The Licensing Policy addresses this by:

- Including the moral, psychological and physical harm which may be connected with licensed and club premises (e.g. exposure at a young age to strong language and adult entertainment and films) as a factor to be considered in relation to license applications.
- Insisting that licensees show awareness that under 18s are frequently involved in drink related disorders, and have a robust policy for checking customers' ages in place.
- Demanding that all staff responsible for selling alcohol receive information and advice on the licensing laws in relation to children and young people in licensed premises.

4.11 In order to limit underage drinking and related problems, the Licensing Committee supports the following measures:

- a) (Under powers established by the Confiscation of Alcohol (Young Persons) Act 1997) the Police acting to remove alcohol from young people on the street;
- b) The Police and Trading Standards using Police Cadets to carry out test purchasing (e.g. employing U18s to attempt to purchase alcohol from on and off-sales);
- c) The promotion of proof of age schemes;
- d) The development of in-house, 'mystery shopper' schemes carried out by businesses (i.e. to check whether staff are willing to sell to U18s);
- e) Possible CRB checking of staff providing catering for events with unaccompanied children.

4.12 Licensing enforcement entails close partnership working involving Sussex Police, the East Sussex Fire & Rescue Service and Brighton & Hove City Council.

4.13 Where licensees are found to sell consistently to U18s (or to serve intoxicated people etc.), the licensing authority will take action under its statutory powers. In general, offenders are not prosecuted; the Licensing Committee has the power to attach conditions to, to suspend or to revoke licenses, and typically employs these measures rather than using the courts (prosecution is time-consuming, expensive, and

often less effective than revocation/suspension). Any action taken against licensees must be proportionate; balancing the undesirability of selling to U18s with the need to support local businesses.

B Recommendations

This section of the report describes in more detail the particular problems faced by Brighton & Hove in relation to young people and alcohol, and makes some recommendations in terms of how city services might be improved.

5 On-sales and Off-sales

5.1 The majority of adults probably associate underage drinking with evenings spent in on-sales premises: pubs and bars. However, in recent years this has changed considerably, with fewer under 18s (U18s) drinking in pubs and many more drinking in public places or at home. There has been a particularly noticeable growth in the phenomenon of ‘park drinking’ – with often very large groups of teenagers gathering in parks on Friday and Saturday nights to socialise and consume alcohol, with consequent problems of anti-social behaviour.⁵ There are several possible explanations for this shift:

5.1(a) Better on-sales enforcement. Recent years have seen the introduction of ‘test purchasing’ by the police working in partnership with Trading Standards Officers (TSO). Test purchasing involves employing U18s (police cadets) to attempt to buy alcohol from licensed premises. This method of enforcement is often more effective than alternatives (which may essentially consist of observing premises in the hope of witnessing staff serving or refusing to serve customers who are clearly U18). Test purchasing for alcohol is a relatively recent development as, until 2003, it was illegal to employ people under the age of 18 for this purpose (as it is against the law for U18s to buy alcohol, not just against the law to sell it to them). If fewer U18s are drinking in pubs and bars then, it may be because bar staff are more reluctant to serve them than they were a few years ago, as there is a far greater risk of being caught out.⁶

5.1(b) Pricing. There has always been a difference between on and off-sales (off-licence and supermarket) pricing of alcohol. However, recent years have seen this gap grow to the point where it is almost invariably considerably more expensive to drink in a pub or a bar than to purchase alcohol from off-sales. Since U18s are, on average, fairly

⁵ To a degree this shift is seasonal, with park drinking very popular in the summer months and drinking in on-sales more popular over the winter.

⁶ See evidence from Tim Nichols (point 23.9, 16.02.09).

unlikely to have very much disposable income, this price differential may be a significant factor in determining where they choose to drink.

5.1(c) 'Fashion'. In addition to pressures 'pushing' young drinkers out of pubs and bars, it may be the case that other locations for drinking have attractive elements which act as a 'pull'. For instance, the phenomenon of park drinking may be influenced by high on-sales prices or a decreasing tolerance for U18s in pubs, but it may also be a product of active choice: young drinkers simply prefer congregating outside in large groups to using pubs and bars.

5.2 Whatever the reasons for the change in drinking habits, it seems to be the case that most of the alcohol that U18s drink is not now obtained from on-sales.⁷ But, if they are not purchasing from pubs and bars, where do young people get alcohol? The Panel heard that the principle sources are: U18s purchasing from off-sales; 'proxy-purchase' (over 18s buying from off-sales on behalf of U18s); theft (from off-sales or from the family home); and parents (i.e. parents knowingly providing their children with alcohol).⁸

5.3 In terms of the role the statutory agencies play in enforcement, the key factor here is probably U18 purchase from off-sales.⁹ Is the shift of underage drinking from on to off-sales a significant one? It can be argued that it is, and that there are some worrying implications to such a move:

5.3(a) Traditionally, U18s drinking in pubs would be informally 'monitored' by bar staff and by adult drinkers, with young drinkers who were disruptive being refused service. There need be nothing particularly altruistic about this monitoring – it would generally just be a case of adult drinkers only tolerating U18s who kept a low profile and did not annoy

⁷ It is estimated that approximately 5% of U18 drinking is via on-sales purchase by underage drinkers; 15% via off-sales purchase by underage drinkers. The remaining 80% of alcohol consumed by U18s is not purchased illegally – i.e. it is supplied by parents, by over 18s 'proxy-purchasing', or by theft. (Evidence from Inspector Andrew Kundert, Licensing Inspector, Brighton & Hove Police: point 4.15, 27.02.08). See also evidence from Tim Nichols and Cllr Carol Theobald: points 23.2 and 23.3, 16.02.09. Not everyone working in the field would regard these estimates as accurate.

⁸ It is difficult to be sure where alcohol consumed by U18s originates, as inebriated teenagers (the obvious source of this information) may not be very lucid, and may also be inclined to lie in order to protect friends or family (evidence from Andrew Kundert and Anna Gianfrancesco: point 5.2(b), 27.11.08).

⁹ 'Proxy-purchase' is also an enforcement issue, but this is very difficult to regulate as the obvious targets for enforcement here are the adults who agree to buy alcohol for children rather than the on or off-sales retailers (although retailers do have a duty to be observant and to refuse sales where it is apparent that proxy-purchase may be taking place). The group of potential proxy-purchasers is obviously much larger and more diffuse than that of retailers. Neither is it really possible to do anything equivalent to test purchasing here – i.e. by employing U18s to ask adults to buy alcohol on their behalf – as, legally speaking, this would be considered to amount to entrapment: meaning that no adult caught in such a 'sting' could subsequently be prosecuted (see point 5.2(a), 27.11.08).

them; but the effect may well have been to provide quite a powerful lever to moderate alcohol consumption and behaviour amongst young drinkers in pubs. In contrast, young people drinking in parks or other public places are not monitored in any way, save by their peers.

- 5.3(b)** Large groups of U18 drinkers would not typically have been tolerated in pubs as such groups are bound to be noisy and attract unwanted attention (i.e. from TSO and the police). Thus even publicans who were willing to sell to U18s would probably balk at selling to large groups. Again, there is no such lever to control the size of groups gathering in parks – and there are clear links between the size of a group of drinkers and the likelihood of public disorder.
- 5.3(c)** On-sales prices have always been higher than those in off-sales, particularly so for spirits. Since U18 drinkers are not, on average, likely to have a lot of spare cash, drinking in pubs may mean that young drinkers consume with a degree of moderation and that they drink beer, cider etc. rather than spirits (generally seen as less risky behaviour as it is rather harder to drastically over-consume beer than it is vodka etc). Off-sales prices can be much cheaper, particularly for spirits (which are also far more portable than large volumes of relatively low alcohol beer), thereby encouraging greater and more hazardous consumption.
- 5.3(d)** U18s drinking in pubs would be exposed to the behaviour of adult drinkers, and (assuming that the adult behaviour they saw was relatively benign) might therefore learn to drink sensibly by observation. U18s drinking with their peers have no such role models to draw upon.
- 5.3(e)** Pubs and bars and the areas around them are generally relatively heavily policed, both by the police force and by bar security staff, council officers etc. Clearly, this degree of policing is in reaction to the dangers inherent in adult drinking environments – pubs would not warrant this level of security if they were safe places to be. However, it can certainly be argued that on-sales are still much safer places to congregate than parks or the beach, which have no comparable networks of security in place.
- 5.4** In a number of ways then, it can be argued that U18 drinking in on-sales may be preferable to U18s obtaining alcohol from off-sales (or from the parental home etc.) and congregating in large groups in parks or the like.¹⁰ Given that a certain level of U18 drinking is probably inevitable, it might in fact be preferable if this drinking took place in pubs rather than other, objectively more risky, environments.

¹⁰ These arguments do rather assume a relatively civilised pub environment - the traditional 'local' where adults meet to drink in a sensible manner. Whether or not such pubs ever formed the majority of on-sales, it's certainly questionable whether they do so in the present day; and the argument for the civilising influence of city-centre 'vertical drinking establishments' is perhaps not quite so clear-cut as that for backstreet 'locals'.

- 5.5** Clearly, U18 drinking is illegal in most contexts, and it would not be possible at a local level, even if it was considered desirable, for underage drinking in pubs and bars to be officially tolerated. However, licensing enforcement inevitably involves prioritising certain elements of the licensing regime over others, as with any service which is required to manage finite resources. Panel members believe that the dangers posed by U18 drinking in relation to off-sales (and subsequent consumption of alcohol in public places) considerably outweigh the typical dangers of U18 drinking in on-sales, and that licensing enforcement should be prioritised accordingly.¹¹
- 5.6** However, enforcement of off-sales is led by TSO, whilst on-sales enforcement is, in the most part, carried out by the police. It would therefore be difficult, if not impossible, to switch focus and resources from one type of enforcement to the other in a wholesale manner. The point is rather that, when working in partnership to develop strategies around U18 drinking, TSO and the police should take into account the differential impact of off and on-sales drinking as set out above, and plan accordingly.
- 5.7** In fact, there is considerable evidence that this is already happening, with, for instance, the recent concentration on park drinking via the 'Operation Parks' initiative.¹² The Panel commends this forward thinking and effective partnership working and trusts that city licensing enforcement agencies will continue to focus on the aspects of U18 drinking which are of most pressing concern.
- 5.8** **RECOMMENDATION 1: The Panel welcomes and commends the increased emphasis of Licensing enforcement on off-sales (and on public place drinking), as it shows a commitment to identifying and tackling current problems rather than simply adhering to traditional modes of enforcement. The Panel hopes that this will provide a platform for the further development of Licensing enforcement, both in terms of closer partnership working, and in terms of a continuing concentration on the actual rather than the popularly perceived problems of underage drinking.**

6 Best Practice in Off-Sales

¹¹ This assumes that on-sales premises tolerate moderate levels of U18 drinking rather than that they permit U18s to drink and act irresponsibly. On-sales which effectively facilitate anti-social behaviour by U18 drinkers (by allowing large groups to congregate, by serving people who are already drunk etc.) should remain a licensing enforcement priority.

¹² See evidence from Andrew Kundert: point 4.11, 27.11.08.

- 6.1** During the course of the Scrutiny review, Panel members spoke with Trading Standards officers, with the council's Head of Licensing, with police officers responsible for licensing and with representatives of some of the city's largest alcohol retailers. The Panel learnt of a number of initiatives designed to ensure that U18s are unable to purchase alcohol from off-sales.
- 6.2** Measures in place include comprehensive training of till staff; systems for recording incidents when customers have been refused service; store by store analysis of refusals to identify potential discrepancies¹³; the deployment of security guards to support and reassure till staff; close co-working with TSO and the police; support for voluntary I.D. card schemes; and support for initiatives which require till staff to request identification from customers who appear to be younger than 21 or 25 (depending on the scheme in use).
- 6.3** Whilst there may sometimes be a significant gap between the theory and the practice of some of these measures, it is clear that a great deal has been done to try and avoid selling alcohol to U18s. The retailers who adopt these types of safeguards should be commended for their responsibility, as should TSO and the local police force who have done a considerable amount of work in terms of persuading and requiring city retailers to adopt best practice.
- 6.4** However, it seems to be the case that those firms adopting the measures outlined above are generally the large regional and national off-licence chains and supermarkets. Whilst these firms are responsible for a very significant part of the city off-sales market, this market also includes several hundred independent retailers.
- 6.5** Indeed, it would seem that independent off-sales have proliferated since the Licensing Act (2003) relaxed the terms under which alcohol licences are granted.¹⁴ Many of these retailers are not specialist off-sales, but rather generalist shops which sell alcohol as a sideline alongside newspapers, groceries etc. This may mean that independent retailers are not always as well-trained about, or as focused on, issues of underage selling as might be wished.
- 6.6** Whilst there is no doubt that the great majority of independent off-sales retailers are honourable businesses which do not set out with any intention of selling alcohol to U18s, it is also clear that it can be very difficult for small business to adopt and enact the best practice evolved

¹³ See evidence from Sue Dixon and Chris Denman (Area Manager for Threshers): points 17.3, 17.5, 10.02.09.

¹⁴ In essence the 2003 Licensing Act demands that Local Authority Licensing Committees work on the presumption that a licence should be granted unless there is good reason to oppose it (and members of the public willing to protest). Therefore, applicants for licences do not have to prove that their business will not damage the community; rather, anyone opposing a license application has to 'prove' that there will be damage.

by the large off-sales chains. The kind of systemised approach which seems to have worked very well for Somerfield or Tesco may not be readily adopted by a small family concern, with limited capacity to pay for training, extra security, CCTV etc.

- 6.7** The Panel recognises that TSO is very active in this area, working in partnership with independent retailers to improve their practice, rather than simply assuming the role of licensing enforcer. However, Panel members believe that there would be value in taking an extra step here by compiling a best practice guide on how to avoid selling alcohol to U18s. This guide could then be distributed to all new licence applicants and could also become an important tool for the Local Authority Licensing Committee – e.g. when considering what action to take against retailers who have sold to U18s, the Licensing Committee might request that a licence holder adopted some or all of the recommendations contained within the best practice guide.
- 6.8** Although all the information contained in such a guide might already be transmitted to independent retailers via a number of avenues, there is considerable value in having it compiled and available in one place, as this would mean that retailers could not then plead ignorance of any elements of the best practice advice. A best practice guide would therefore be a tool to complement the work of TSO and the local Licensing Committee; it would not be a substitute for the face-to-face work with retailers that TSO excels in, but would augment this work.
- 6.9** **RECOMMENDATION 2 – City partners (co-ordinated by TSO) should draw up a Best Practice Guide on avoiding selling alcohol to U18s with a view to the guide being disseminated to independent retailers.**

7 ‘Think 21’ and ‘Challenge 25’

- 7.1** It is evident that relatively few off-sales retailers deliberately sell to U18s. Ethical issues aside, the potential downsides of doing so outweigh any benefits in terms of increased sales.¹⁵ However, the issue is not quite as simple as resolving not to sell to U18s, as it can be very difficult for staff to determine which customers are underage and which are not.
- 7.2** In consequence, a number of measures have been adopted by retailers (see **point 6.2** above). Perhaps the most interesting of these are the ‘Think 21’ and ‘Challenge 25’ initiatives. Under the ‘Think 21’ scheme, till staff are instructed to challenge any customer who they

¹⁵ This is perhaps particularly the case for the national chain retailers, which risk attracting adverse publicity if they are found to have sold alcohol to U18s. (See evidence from Sue Dixon, Head of Security, First Quench Retailing [Thresher]: point 17.4, 10.02.09; and evidence from Tony Rickwood, Tesco Store Manager [Portslade]: point 18.5, 10.02.09.)

believe may be under 21. When challenged, customers must show I.D. before being allowed to proceed with their purchase. Think 21 is heavily advertised in participating stores, with prominent checkout notices explaining that the scheme is in operation. Think 21 is designed to remedy a common problem in dealing with U18 alcohol sales: the fact that staff often struggle to accurately identify customers' ages. By setting the 'bar' at several years above the legal drinking age, the Think 21 scheme should ensure that only customers who look 21 or over will be served without an age check. The assumption is that, whilst many younger teenagers may pass for 18, relatively few will pass for 21, and that the number of inadvertent sales to U18s will consequently be reduced.

7.3 'Challenge 25' is essentially Think 21 but with a higher age bar. Again, the intention is to counter ambiguities associated with making visual assessments of customers' ages, and setting a bar at 25 means that even fewer U18s are likely to get served. The introduction of Challenge 25 is perhaps testament to how difficult it can be to assess customers' ages, as it was seemingly felt that Think 21 allowed for too much ambiguity, with staff still struggling to differentiate between 16 and 21 year olds.

7.4 Panel members consider that these age-based schemes are an excellent idea, particularly Challenge 25. Retailers adopting this scheme should be in a position where they rarely if ever inadvertently sell alcohol to an U18.¹⁶ These initiatives may also make it easier for staff to challenge customers who are under age, since they make it less likely that individuals will take offence at being singled out by till staff (i.e. it's not just you who's being asked for I.D.; it's everyone who looks under 25).

7.5 Almost all the major chain off-sales retailers now employ or are planning to adopt the Challenge 25 scheme.¹⁷ However, it is still not widely used by independent retailers, even though it is arguably smaller businesses (or at any rate those that genuinely wish to avoid selling to U18s) which stand to benefit most from the initiative. Panel members therefore believe that Challenge 25 should be more widely encouraged, particularly in the context of the Licensing Committee granting new licences and reviewing existing licenses (i.e. in

¹⁶ Since Challenge 25 and Think 21 rely upon customer I.D., there is an issue of the integrity of I.D. schemes to be considered here. Passports and driving licenses provide a very secure proof of identity, but few young people would wish to carry passports around with them at all times, and not everyone is a driver. This means that it is often necessary to fall back on less formal I.D. schemes. These schemes can be excellent, but people are much more likely to tamper with or forge this kind of I.D. than they are driving licenses or passports, and the police are often reluctant to prosecute this type of fraud (see evidence from Tim Nichols, Head of Environmental Health and Licensing, Brighton & Hove City Council – point 23.4, 16.02.09).

¹⁷ See evidence from Sue Dixon: point 18.6, 10.02.09.

circumstances where a licensee has been found to have sold to U18s). Whilst it may not be possible for the Licensing Committee to impose the adoption of this or similar schemes, there might be considerable value in encouraging licensees to adopt this best practice.

7.6 RECOMMENDATION 3 – Encourage (particularly via the Brighton & Hove Licensing Committee) all off-sales to adopt the ‘Challenge 25’ scheme.

8 Discounting

- 8.1** It may be possible, through good partnership working and effective licensing enforcement, to limit the amount of alcohol U18s obtain from off-sales. However, it seems inevitable that under age drinking, including U18 purchasing from off-sales, will continue to be a problem to some degree. It is therefore necessary to enquire whether there are other factors relating to off-sales which may encourage U18s to use them or to indulge in particularly hazardous drinking practices?
- 8.2** One factor that Panel members were particularly interested in was the price of alcohol (which is typically much cheaper in off than in on-sales), and whether price and various discounting practices affect the amount that young people drink.
- 8.3** In terms of price, some witnesses argued that pricing makes little difference to levels of consumption or to alcohol-related anti-social behaviour. One witness pointed out that France and many other European countries have very low alcohol prices, but also relatively few difficulties with excess underage drinking or alcohol-related behaviour problems. There is therefore no simple and universal correlation between the cost of alcohol and its negative impact¹⁸.
- 8.4** Other witnesses argued that price is an important factor in determining levels of consumption.¹⁹ This seems to be a view which is gathering strength nationally, with several recent calls for a national minimum (per unit) price for alcohol to combat drink related problems.
- 8.5** This argument is a complex one, but perhaps rather simpler in terms of U18s than for adult drinkers. Since U18s may be assumed, on average, to have relatively little disposable income, it seems reasonable to suppose that they will be particularly sensitive to drink pricing – i.e. with relatively little money to spend on alcohol, higher pricing is likely to see them buy less, and lower pricing more, alcohol.²⁰

¹⁸ See evidence from Sue Dixon: point 18.10, 10.02.09.

¹⁹ See evidence from Tim Nichols: point 23.18, 16.02.09.

²⁰ A potential complicating factor to bear in mind here is the type of alcohol which people purchase. If alcohol is made more expensive in an attempt to curb drinking, there is a danger that drinkers with little money will opt to buy very strong cider/lager or cheap spirits rather

8.6 Off-sales also commonly practice discounting on multiple sales: for instance offering ‘2 for 1’ or ‘2 for £10’ deals. The obvious risk here is that these offers encourage customers to buy and then drink more alcohol than they actually require. Of course, this type of discounting need not inevitably lead to excessive drinking: an adult customer might take advantage of a 2 for 1 offer by putting aside some of their purchase for a later date. However, U18 drinkers are unlikely to have anywhere to store unneeded alcohol; everything they buy, they are going to drink. It seems likely therefore, that discounting on multiples may encourage excessive drinking in young and under age drinkers, even if it does not do so for most adults.

8.7 There are few if any local levers in relation to drink pricing, as alcohol duties are set nationally.²¹ However, the local Licensing Committee can request that applicants for new licences or licensees whose licences are being re-considered following incidents of underage selling should consider voluntarily adopting certain measures.²² These might include some or all of the following:

(i) retailers agree not to discount sales below cost (‘loss-leading’)²³

than purchasing average strength beer, ‘alco-pops’ etc (i.e. that they will switch to drinks which offer the best value in terms of units of alcohol). However, there are particular problems associated with consuming these very potent drinks (i.e. that it is much easier to drink excessive amounts of spirits/strong lager than it is of weaker drinks), and these risks need to be born in mind when considering the relationship between the price of alcohol and its consumption by young people.

²¹ The only context in which minimum prices could be set locally would be if it were possible to prove a “clear causal link” between pricing/drinks promotions and anti-social behaviour. However, it is almost impossible to legally prove such a link (see evidence from Tim Nichols: point 23.10, 16.02.09).

²² It appears that the Government is considering granting Local Authorities some powers to compel licensees to adopt more responsible pricing policies. (See . Clearly, the Panel would encourage the use of such powers when and if they become available. In the meantime, the Licensing Committee should seek to persuade licensees to voluntarily adopt good selling practices.)

²³ ‘Loss-leading’ in a strict sense refers to the practice of retailers discounting a line below its actual cost in order to attract customers (who then buy other products in addition to the discounted ones, and/or remain loyal to the retailer after prices have risen again). However, it is not clear that many major retailers actually loss-lead alcohol, instead preferring to negotiate deals with suppliers which guarantee them a supply of some products at a heavily discounted price and others at the standard commercial rate (i.e. the supplier rather than the retailer takes the ‘loss’; suppliers are often willing to do this if the retailer agrees to buy enough additional products at full price, as this allows them to off-set a loss on one line with profits on others). Although this might have the same end result as loss-leading, this practice does not actually involve retailers selling anything at a loss and would therefore not be subject to any informal agreement on loss-leading. (Smaller retailers probably do very little loss-leading of any type, as they are unlikely to be able to balance the loss with a profit from other areas of their business. This is obviously particularly the case for dedicated off-licences, which cannot sell alcohol at a loss when they do not stock a range of other products to be sold at a profit.)

(ii) retailers agree not to discount for multiples²⁴

(iii) retailers agree not to stock certain types of drink²⁵

8.8 RECOMMENDATION 4 – Licensing Committee to request assurances that new and re-assessed licensees will not discount sales below cost, engage in irresponsible multiple discounting or sell products strongly associated with hazardous drinking practices.

9 Drugs and Alcohol issues

9.1 Alcohol is often linked with drugs in terms being a health problem, often under the umbrella of ‘substance misuse’. This grouping is quite understandable, and may often make good sense. However, it can be argued that the drugs element of substance misuse has received a disproportionate degree of attention over the past few years, to the detriment of alcohol services.

9.2 In part, any over-emphasis of drugs issues has been a reaction against their under-emphasis for very many years – recent improvements in drugs services have often been the result of professionals and campaigners working tirelessly to create an understanding of the damage that drugs can do and the legitimacy of seeing them as a social problem requiring public solutions rather than a minority issue which should elicit censure rather than sympathy. This has led to a number of measures, including the ‘ring-fencing’ of funding for some drugs projects, which were necessary to ensure that drugs-related issues were adequately addressed in the face of a good deal of institutional and public scepticism.

9.3 However, now that there is a broad recognition of the value of doing drugs-related work, this prioritising of drugs issues may, in some instances, be of detriment rather than of value, particularly when it means that local substance misuse budgets are inflexibly geared towards drugs issues when there might be greater value in moving some funding into alcohol based projects. This may be of particular relevance to preventative educational projects, where there may be as much to be gained in warning people of the dangers of excessive drinking as of warning about drug use.²⁶

²⁴ Such an agreement would have to be sensibly applied, as some discounting of multiples is established practice for off-sales retailers not associated with U18 drinking – i.e. for wine merchants who typically offer a discount for customers buying 12 bottles or more. There seems no reason for intervening in this practice, unless it is considered likely that U18 drinkers are abusing fine wines.

²⁵ Most obviously, strong lager and cider (i.e. 6% plus) and very cheap spirits.

²⁶ See evidence from Tim Nichols: point 23.12, 16.02.09.

- 9.4** Whilst there may have always been an argument for better funding of alcohol services, the issue has moved up the agenda in recent years, as the health and social impacts of excessive drinking from an early age have become clearer.²⁷ However, there may still be something of a lag between recognising the gravity of alcohol-related harm and funding services designed to ameliorate this harm.
- 9.5** In some instances, there may be little which can be achieved at a local level, as ring-fencing has been imposed nationally (particularly in terms of NHS budgets). However, where there is a degree of local autonomy in terms of substance misuse budgets, Panel members believe that serious consideration should be given to whether alcohol services are being funded as well as they could or should be. Since the Panel's remit is to consider the impact of excessive alcohol on children and young people, this recommendation is directly addressed to children's rather than adult services, although the issue is just as relevant for adults.
- 9.6** The Panel is not necessarily proposing any general shift of budgets from drugs to alcohol. In most instances, continuing support for drugs-based education or treatments may be absolutely vital. In many cases, it may be that what is needed is better central funding for drugs and alcohol services (perhaps particularly in terms of public health/preventative services). In some other cases though, it may be that an inflexible approach, either due to structural inflexibilities (i.e. ring-fencing) or for attitudinal reasons, means that substance misuse funding is not spent in the most effective possible manner.
- 9.7** **RECOMMENDATION 5 – CYPT should consider its substance misuse services in terms of a potential re-deployment of resources from drugs to alcohol-related projects in instances where drugs issues may have been advanced to the detriment of similarly serious alcohol-related problems. CYPT should also consider whether there is value in lobbying NHS Brighton & Hove and central Government to review their resource allocation in regard to alcohol-related services for children and young people.**

10 Cumulative Impact Area (CIA)

- 10.1** The Licensing Act (2003) introduced a presumption in favour of granting licenses to sell alcohol (as well as relaxing opening time restrictions). The reasoning behind this is essentially that excess alcohol consumption is not generally causally linked to the number of on and off-sales premises in an area (i.e. people will still buy as much alcohol if the number of licensed premises is restricted, it will just be more inconvenient for them to do so), and that artificially restricting the supply of alcohol is likely to have little positive effect on drinking

²⁷ See evidence from Dr Oli Rahman, Barbara Hardcastle and Inspector Andrew Kundert: points 5.5-5.6, 27.11.08.

behaviour, but may have a negative impact (e.g. having an 11pm closing time creates a 'flash-point' for anti-social activity).²⁸

- 10.2** However, even if this argument generally holds true, there are local circumstances which may contradict it. This is especially the case for urban areas, where particular localities may become the focus of local and even regional drinking activity. Brighton is a prime example of such a special case – the city is a magnet for tourists visiting the night time economy (pubs, clubs, restaurants etc.), as well as having an unusually young demographic, bolstered by the city's two universities (lots of residents in their twenties and thirties – the people most likely to binge drink in pubs and bars). Furthermore, as Brighton is a seaside resort, it is inevitable that people will tend to gravitate towards the beach and its environs for their entertainment rather than utilising the wider city.
- 10.3** The result is that there is an extremely high concentration of licensed on-sales premises around Brighton sea-front, with lots of additional public drinking from a proliferation of off-sales in and around the beach area.
- 10.4** Although the night time economy is hugely advantageous to the city in terms of the income and the employment it generates, there are also very major problems associated with such a massive concentration of drinking in such a small area. These problems most obviously relate to public order and anti-social behaviour as there is a well established correlation between having very large groups of drunk people in one place and experiencing problems with disorder. In such circumstances, the concentration of on and off-sales can be said to 'cause' crime and disorder problems, with any increase in the number of licenses likely to exacerbate the problem. Thus, although a concentration of drinking in one part of a city may not lead to any absolute increase in alcohol consumption (as people might have drunk just as much had they done so in other areas of the city), it can lead to an increase in crime and anti-social behaviour (as drunk people concentrated in very large groups tend to create many more problems than drunk people dissipated over a larger area).
- 10.5** In response to these particular issues, the council established a 'Cumulative Impact Area' – CIA (sometimes known as a 'Cumulative Impact Zone'). A CIA is essentially an area in which the normal presumptions of the 2003 Licensing Act are reversed, so that new applicants for licenses must prove that their premises will not adversely impact upon the local community (rather than having their licence granted unless a detrimental impact can effectively be argued). The intention is to limit the creation of new licensed premises within this

²⁸ The Panel heard evidence from the council's Head of Environmental Health and Licensing that the 2003 Licensing Act had been effective in facilitating better management of the city's night time economy. With the potential for closing-time 'flash-points' reduced via more flexible licensing, the police and the council have been able to significantly reduce incidents of public place violent crime (evidence from Tim Nichols: point 23.13, 16.02.09).

area and thus maintain some control over alcohol and public order associated problems.²⁹

- 10.6** The Brighton & Hove CIA extends from Rock Gardens in the east of Brighton to Preston Street in the west, and stretches north to Western Road/Edward Street. Areas abutting selected CIA boundaries may be subject to some, but not all the CIA controls.³⁰
- 10.7** Clearly, it would run counter to the intentions of the 2003 Licensing Act to have a CIA that extended over a very large part of the city (unless there was a very high concentration of licensed premises throughout), but this does not mean that the current boundaries of the local CIA are, or should be, set in stone. Panel members believe that the large number of licensed premises in the Hanover/Elm Grove and London Road areas, together with the increasing problems of public drunkenness, noise nuisance and anti-social behaviour in these localities, may justify the extension of the CIA northwards to Elm Grove to include the Hanover and London Road areas south of this line.
- 10.8** Furthermore, the serious problems posed by park drinking and its associated anti-social behaviour (in addition to a rapid growth in off-sales premises in the area) justifies extending the CIA to include Preston Park and potentially other city parks.
- 10.9** The problems in these areas may not always be as acute as in the current CIA (although in terms of say, serious drink-related anti-social and criminal behaviour in the London Road area, it can be argued that they are just as serious), but it would not be necessary to employ all the powers of the CIA in every instance to gain a considerable benefit from extending the CIA boundaries in the ways suggested.
- 10.10** **RECOMMENDATION 6 – CIA boundaries to be re-examined with a view to extending them to other areas of the city which might benefit from CIA powers (e.g. extension around Preston Park and up to Elm Grove).**

11 Policing Underage Drinking

- 11.1** Fewer underage drinkers frequent pubs and bars than was the case a generation ago, but this does not necessarily mean that U18 drinking has decreased. Rather, there seems to have been a displacement of

²⁹ See evidence from Councillor Carol Theobald, Chairman of Brighton & Hove Licensing Committee: point 23.6, 16.02.09.

³⁰ For more information see: The Licensing Act 2003 – Brighton & Hove City Council: Statement of Licensing Policy (available to download at: http://www.brighton-hove.gov.uk/downloads/bhcc/licence_applications/Licensing_Policy_A4_2008.2.pdf)

activity to other locations, most notably to parental homes and to parks and other public places.

- 11.2** U18s drinking in parental homes should have their behaviour observed and moderated by adults (although clearly a good deal of drinking goes on when parents are away or otherwise unaware of what is happening). Drinking in parks and other public places is a more pressing problem, in part because it involves U18s consuming alcohol without adult supervision or intervention (unlike much home drinking and drinking in on-sales – see **points 5.3(a)** through **5.3(e)** above). In part also, park drinking tends to involve very large numbers of young people congregating in one place to get drunk, with obvious public order implications.
- 11.3** There are two issues of concern here: the danger posed by young people acting in an anti-social manner; and the potential risk to young people themselves (e.g. that they may accidentally hurt themselves, or that they may be targeted by other U18s or by older people – inexperienced drinkers who are intoxicated in a public place are an obvious target for assault etc.).
- 11.4** Policing park drinking also poses specific challenges for the police force. U18 drinking is, of course, illegal in most contexts, but in practical terms it may not always be possible or even desirable for the police force to stop all such drinking. The degree to which the police do intervene, and the point of intervention, are key to managing park drinking effectively.
- 11.5** The specific problem here may be described as the escalatory nature of drinking in large groups, which means that gatherings which are entirely peaceable when everyone is sober are almost certain to become disordered when drink is involved. From a policing perspective, this means that it may be necessary to intervene pre-emptively before trouble starts, rather than reactively once problems emerge – particularly as it is generally easier to communicate with sober people than drunk ones.
- 11.6** However, this may mean that teenagers who are drinking illegally, but are not otherwise engaged in any risky or anti-social behaviour, find themselves targeted by police officers and ordered to disperse etc. This can obviously cause resentment, particularly if young people do not understand why they are attracting police attention when they are not themselves acting anti-socially.
- 11.7** It is clearly undesirable for young people to develop a bad relationship with the police force, perhaps particularly in terms of teenagers who might not otherwise be negatively involved with the police (as is presumably the case with many park drinkers); but it also is evident that the police cannot permit very large groups of young people to congregate and get drunk without taking some sort of pre-emptive

action in mitigation of the problems which are likely to arise as the drinking progresses.

- 11.8** There may not be any easy solution to this problem, but young witnesses to the Panel did point out that it was as much the attitude of police officers as their intervention *per se* that young people often found disconcerting, with needlessly aggressive or confrontational approaches adopted in situations where a friendly attitude might have been more appropriate and effective.³¹
- 11.9** Young people's perception of events are important, but they do not necessarily provide an objective evidence base, and Panel members have no actual evidence that police interventions with young drinkers are typically needlessly confrontational or aggressive (clearly there are situations when police interventions will quite properly be very assertive).³² However, given the circumstances surrounding park drinking, it is obviously important that policing is conducted with a degree of sensitivity, and that, whenever possible, pre-emptive action is explained and contextualised in a friendly and non-confrontational manner. If this is not done, the danger is not only that young people may become needlessly alienated from the police force in general, but that very vulnerable young people may be reluctant to use the police force as a resource when they feel threatened by the behaviour of others (particularly in the context of U18 drinking in parks etc.).
- 11.10** Clearly, it is far easier to recommend in the abstract that the police act in a friendly manner than it is in actuality, when the situation may require that a robust attitude to potential disorder be taken. One partial solution may be to encourage the police force to reach out to young people – most obviously via schools – in order to explain why they manage park drinking as they do. This type of explanation may be a good deal more effective in the context of a classroom than at the point where a crowd is being dispersed, and might make at least some park drinkers more amenable to taking directions from the police.
- 11.11 RECOMMENDATION 7 – When engaged with young drinkers, police officers need to ensure that they are not over-confrontational and that the rationale for their actions is widely understood. This may best be achieved by engaging with young people in contexts other than those of front-line policing (particularly by visiting schools).**

³¹ See evidence from Youth Council representatives (Appendix ???).

³² The Panel heard that the police adopt a variety of approaches to park drinking, and may sometimes choose not to intervene in situations where young people are not engaged in anti-social behaviour (evidence from Andrew Kundert: 4.13, 27.11.08). One problem here may be that some young people define anti-social behaviour rather differently than do older people (particularly in terms of what constitutes an unacceptable level of noise), so that teenagers may feel they are doing nothing wrong in situations where their behaviour is actually causing a nuisance to local residents.

12 Education on the Health Risks of Underage Drinking

- 12.1** The police and the licensing authorities have an important role to play in combating excessive underage drinking by limiting the retail supply of alcohol to U18s and by ensuring that when young people do drink in public, they do not get in situations which are risky for themselves or for others. However, other groups of people may have just as much influence on what young people do – these include schools and, perhaps most importantly, parents.
- 12.2** The Panel heard that U18 drinking is not generally a very high profile issue for schools. Although schools do provide some education and training on alcohol-related issues, there is relatively little drunkenness in and around school premises, so the issue is not one of direct concern to most head teachers. Similarly, whilst some students do have serious issues with alcohol which intrude upon their school lives, such students are very likely to drink as a reaction to serious emotional problems: these are therefore best characterised as behavioural issues which manifest in drinking rather than drink problems *per se*. Most students, even if they are involved in alcohol-related anti-social behaviour outside school hours, are unlikely to show the effects in school to any great degree.³³
- 12.3** The issue of hazardous drinking by young people who have serious emotional or other problems is an important one, but is largely beyond the remit of this ad hoc panel. Schools should monitor attendance and achievement records so as to be aware of pupils who may fall into this category (pupils with serious drink problems are likely to do poorly in school and to attend on an irregular basis).
- 12.4** Panel members do believe that more could be done in terms of schools educating young people about the implications of excessive alcohol use. As noted in **point 11.10** above, there may be an opportunity for the police to engage with pupils in schools to explain in strategic terms why they manage U18 drinking in public places as they do. It may also be the case (as argued in **Part 9** of this report), that some of the time and resources which schools currently devote to drugs issues might be better allocated on alcohol-related education.
- 12.5** The strand of alcohol education which might most usefully be developed relates to the health impact of U18 drinking. This is not an area which is currently very comprehensively covered, with the focus of alcohol-related education falling on the legal status of U18 drinking and the risks posed by hazardous consumption in terms of safety (accidents, criminal behaviour, teenage pregnancy etc.).

³³ See evidence from Tim Barclay, Head Teacher, Hove Park School: point 11.2, 22.01.09.

- 12.6** However, several witnesses made the point that there should be a greater focus on the long term health impact of excessive drinking. One health sector witness pointed out that if alcohol was a drug it would be banned due to its harmful side effects.³⁴ There is a growing body of evidence on the damage that alcohol can have on the developing body (i.e. excessive drinking is always problematic, but it can be far more so for adolescents than for adults, as teenagers' bodies are still in the process of developing the systems necessary to safely process alcohol).³⁵ Long term health problems associated with teenage drinking include an increased risk of early onset dementia³⁶, serious liver damage, some cancers, heart disease, and foetal alcohol syndrome (as a result of excessive drinking in early pregnancy).
- 12.7** Clearly, effective public health education is not quite so straightforward as informing people about the dangers of the activities they indulge in and then watching their behaviour change. In particular, people do not always link their current behaviour with long term health risks, which is why it may sometimes be more effective to flag up relatively minor issues (i.e. that smoking gives you bad breath rather than that it gives you lung cancer). However, the situation with underage drinking seems to be rather different, as it is readily apparent that some of the long term health risks of excessive drinking are not very well known at all. There might therefore be considerable value in establishing these risks, even if it were unlikely that increased knowledge would necessarily lead to reduced risk taking in the short term.
- 12.8** There are also considerable short term problems with excessive U18 drinking. These can include the direct effects of over-consumption of alcohol (i.e. 'alcohol poisoning'), as well as indirect consequences of drinking, such as an increased likelihood to have accidents, to become injured in fights, to have unprotected sex, become pregnant etc.
- 12.9** It is not necessarily always clear what effect U18 drinking has on pregnancy rates, attendance at Accident & Emergency (A&E) etc. as statistics may not be collated or may not be particularly reliable.³⁷ However, the Panel did hear that a significant number of young people

³⁴ See evidence from Anna Gianfrancesco, Service Manager, RU-OK: 5.6(b), 27.11.08.

³⁵ See evidence from Dr Oli Rahman, Consultant Paediatrician, Brighton & Sussex University Hospitals Trust: point 5.5(a), 27.11.08.

³⁶ See point 5.5(b), 27.11.08.

³⁷ Traditionally, A&E attendances were only fully recorded if they resulted in an admission/treatment, and only then in terms of the actual admission criteria. Thus, someone who had fallen down and damaged their leg whilst drunk might not have their attendance recorded as alcohol-related, whilst someone who had passed out as a result of drinking heavily would (assuming that both patients received treatment rather than being diagnosed as not requiring urgent attention). This is now changing, with a greater emphasis on recording more information about A&E admittances (although not necessarily attendances), particularly from 'at risk' groups (such as U18s, people with disabilities, mental illnesses etc.). See point 5.4(b), 27.11.08. Panel members welcome this move to a more thorough recording system.

do present at A&E with alcohol-related problems, placing an additional strain on an already over-stretched system.

12.10 RECOMMENDATION 8 – Alcohol education should address the long term physical impact of U18 alcohol use, not just safety/legal issues.

13 The Role of Parents

13.1 It is evident that parents and carers play a key role in combating excessive teenage drinking, not least because parents appear to be the source of so much of the alcohol that U18s consume. In some instances, drink may be taken from the parental home without parents' permission or knowledge, but it seems often to be the case that parents are complicit in their children's drinking. There may be several reasons for this:

13.1(a) Parents may see little or no harm in their children drinking – either because they are unaware of the health and public order impact of U18 drinking, because they feel the risks are exaggerated, or because they feel the risks are not really applicable to their children (who, they believe, drink and act with relative moderation).

13.1(b) Parents have their concerns, but would rather their children socialise with their peers (even if this involves alcohol) than risk them becoming socially isolated.

13.1(c) Parents have concerns, but recognise that they cannot effectively bar their children from drinking, and would prefer to maintain some control over consumption rather than have none at all (e.g. parents may give their children a moderate amount of alcohol rather than risk them obtain an unregulated quantity from off-sales or friends; parents may chaperone parties at which U18 drinking is permitted rather than have their children drink without being monitored etc).³⁸

13.1(d) Parents are unsure what common practice is with regard to U18 drinking, so may not know how to deal with children who tell them that their friends are permitted to drink and that they risk being 'the odd one out'. (The ambiguous status of U18 drinking is a key factor here, as parents have always been complicit in U18 drinking to the degree that they were effectively aware that their children were frequenting pubs, even if they never overtly granted them permission to do so. What may have changed in recent years is the degree to which parents are actively

³⁸ See evidence from Chris Own, Healthy Schools Team Manager: point 11.5, 22.01.09.

complicit in their children's drinking – i.e. actually buying them alcohol rather than tacitly permitting them to drink in pubs.)

- 13.1(e)** Parents may be willing to accept the risks (as they understand them) of U18 drinking since it provides them with respite from their teenage children, particularly in situations where alternative social activities are limited.
- 13.2** Some of these problems seem rooted in a lack of information – parents can feel very isolated, particularly when the modern environment is very different to the situations that they have personal knowledge of (e.g. parents who grew up experiencing relatively moderate U18 drinking in pubs may not have much understanding of the problems caused by binge drinking and drinking in parks).
- 13.3** There is therefore an obvious need for information specifically targeted at parents, information which objectively sets out the actual dangers of U18 drinking – in terms of long and short term health risks, public disorder, teenage pregnancy, safety etc. As well as providing this basic information, any pack should include links to be more detailed resources and should also link to organisations which provide long term support to children and families with serious and ongoing alcohol-related issues.
- 13.4** There is an equally obvious need for advice to parents and carers on how to deal with the (considerable) pressure that children can bring to bear to allow them to drink, and on what a sensible approach to U18 drinking should actually look like (i.e. whether it ought to proscribe alcohol entirely, or allow teenagers to drink moderately in chaperoned situations etc). Rather than consisting of prescriptive advice from the authorities, this support might be better arranged by encouraging parent forums and similar representative bodies to develop their own resource packs, thereby utilising 'on the ground' knowledge of the current manifestations of U18 drinking.
- 13.5** There may be an opportunity to involve some of the city's various community groups, residents' associations etc. in such work
- 13.6** **RECOMMENDATION 9 – Develop and deliver an information pack on alcohol targeted at parents and carers, and facilitate the involvement of parents/carers in creating and maintaining this material.**

14 Activities For Young People

- 14.1** Part of the problem that parents and the authorities face in terms of discouraging U18 drinking is that there may be relatively few alternative outlets available to young people, particularly at the times (e.g. Friday and Saturday nights) when they are most needed. Therefore, U18

drinking may be as much a reaction to there being nothing to do as it is a 'positive' choice.

- 14.2** Clearly, it is possible to overstate this argument: drinking alcohol is a central aspect of British culture, and many young people will surely choose to get drunk even if there are alternative activities available. However, the availability of alternatives to park drinking must surely have some impact on the numbers of young people engaged in these activities, particularly as it seems to be the case that park drinking, for many of the young people involved, is actually as much about having a shared space to socialise as it is about getting drunk.
- 14.3** It is important that activities are developed as direct alternatives to U18 drinking. There is relatively little point, for instance, in offering things to do if they are not available on Friday and Saturday nights when the great bulk of park drinking takes place, or in offering activities which appeal to an entirely different 'market' than does park drinking (e.g. activities which appear very structured and controlled by adults, when a good deal of the appeal of park drinking seems to be that it is unregulated and 'controlled' by young people).
- 14.4** One way of ensuring that these activities actually match what young people want is to ask teenagers for their opinion. This could take the form of a poll/survey of 13-18 year olds (or similar) organised via schools. This would also have the benefit of explicitly involving young people in the design of services, and could form part of an educational programme aimed at explaining the democratic process and local decision making.
- 14.5** **RECOMMENDATION 10 – Survey teenagers for their views and seek to develop alternative activities for young people to engage with as alternatives to illegal drinking in public places.**

15 East Brighton

- 15.1** When the Scrutiny Panel was established, an element of its remit was to establish whether the problems of excessive under age drinking were a constant across the city or whether they were concentrated in any specific areas. The Director of Public Health's Annual Report (2008/9) had stated that there was a higher level of problems in East Brighton than in other parts of the city, and it was determined that this warranted further investigation.
- 15.2** Witnesses were asked about this issue, but no one thought that there was anything singular about the east of the city which might explain a higher incidence of U18 drinking problems, save for the generally higher levels of deprivation in this area.
- 15.3** It was however noted that East Brighton alcohol-related problems do not just impact upon this area of the city, as both the perpetrators and

the victims of alcohol-related crime in the city centre are disproportionately likely to live in East Brighton.³⁹

15.4 Panel members debated whether to include a recommendation for better funding for U18 alcohol services in East Brighton in recognition of the particular problems faced in this part of the city. However, whilst some members argued for such an approach, others felt that area based funding had not been an unqualified success in past years, and that although the allocation of funding might fruitfully track deprivation, this should be on a targeted basis rather than an area level.

15.5 Therefore, whilst the Panel notes the higher incidence of problems involving young drinkers in the east of the city, and Panel members recognise the correlation between alcohol problems and family deprivation, the Panel has not chosen to make a recommendation in this instance.

16 Scrutiny Panel Recommendations and the Sustainable Communities Act

16.1 The Sustainable Communities Act (2007) seeks to make the statutory framework of government more amenable to local and community influence, by encouraging local authorities (via the Local Government Organisation) to report back to Central Government in instances where it is felt there would be value in introducing new statutory powers or varying existing powers.

16.2 When compiling this report, panel members were initially minded to recommend that the local Licensing Committee sought to impose certain conditions on licensees in instances where a licensee had been shown to have sold to U18s, or where an application for a new license was made in an area with particular alcohol-related problems (e.g. in the vicinity of a city centre park; in an area with many existing licensed premises etc.).

16.3 The conditions envisaged by the Panel included licensees being required to refrain from selling alcohol below its cost price (loss-leading), from discounting multiples (e.g. '2 for 1' offers), and from selling certain drinks strongly associated with hazardous drinking (e.g. strong cider, cheap spirits). They also included requiring licensees to adopt best practice in terms of under age drinking (e.g. adopting the 'Challenge 25' scheme).

16.2 However, on taking advice, it became clear that it is generally not the case that local Licensing Committees are able to impose such conditions on aspirant licensees, and not always the case that they can impose this type of condition on licensees facing suspension/revocation.

³⁹ Evidence from Tim Nichols: point 23.14, 16.02.09.

- 16.3** In this report, the Panel has therefore recommended that the Licensing Committee asks for a commitment from licensees that they follow the types of best practice enumerated above.
- 16.4** However, panel members believe that local problems with young people and alcohol could be much more effectively managed if Licensing Committees had the ability to compel licensees to adopt sensible approaches to selling in situations where there was an established problem – either with the particular premises itself or in the local area.
- 16.5** Therefore, the Panel would like to recommend that a proposal to allow Licensing Committees considerably more latitude in terms of imposing conditions on licensees be included amongst this council's submissions to the Local Government Association in relation to the Sustainable Communities Act (2007).
- 16.6** **RECOMMENDATION 11 – The council should request changes to statute relating to the powers of local Licensing Committees (as detailed in point 16.3 above) in line with the powers granted by the Sustainable communities Act (2007).**

Appendix 1: Dates of public meetings and witnesses who attended plus dates of private meetings (witnesses are employed by Brighton & Hove City Council unless otherwise indicated)

Monday 27 October 2008

Private Scoping meeting with the following officers:

- Dr Tom Scanlon – Director of Public Health
- Lydia Lawrence - Public Health Development and Improvement Manager
- Anna Gianfrancesco – Service Manager, RU-OK
- Chris Owen – Healthy Schools Team Manager

Wednesday 26 November

Private meeting – to plan the questions for the witnesses

Thursday 27 November 2008

- Barbara Hardcastle – Brighton & Hove City Teaching Primary Care Trust (PCT)
- Andrew Kundert – Brighton & Hove Licensing Inspector, Sussex Police
- Dr Oli Rahman – Consultant Paediatrician, Brighton & Sussex University Hospitals Trust
- Anna Gianfrancesco – Service Manager for RU-OK

Monday 15 December 2008

Private De-brief meeting

Thursday 22 January 2009

- John Peerless– Head of Trading Standards Office
- Tim Barclay – Head Teacher, Hove Park School
- Chris Owen – Healthy Schools Team Manager
- Eric Price –Trading Standards Licensing Manager, Somerfield

Saturday 31 January 2009

Brighton & Hove Youth Council meeting

Tuesday 10 February 2009

- David Soloman – Store Manager, Tesco Express (Droveaway, Hove)
- Tony Rickwood –Store Manager, Tesco (Portslade)
- Chris Denman- Area Manager for Threshers and the Local
- Sue Dixon - Head of Security for First Quench Retailing (formally known as the Thresher Group)

Monday 16 February 2009

- Cllr. Carol Theobald- Chairman of Licensing Committee
- Tim Nichols – Head of Environment & Licensing

Wednesday 11 March 2009

A private meeting was arranged with Youth Council representatives

Friday 20 March 2009

Private meeting to discuss the recommendations.

Tuesday, 12 May 2009

Private meeting to discuss the first draft of the report.

Tuesday 26 May 2009

Private meeting to discuss the second draft of the report.

Appendix 2: Minutes of the meetings

- a) Thursday 27 November 2008: 2-4pm, Committee Room 1, Brighton Town Hall
- b) Thursday 22 January 2009: 2-4.30pm, Council Chamber, Hove Town Hall
- c) Saturday 31 January 2009: 12pm, Brighton Youth Centre (the Chairman was invited to speak at the Brighton & Hove Youth Council Meeting and to listen to Youth Council representatives' views)
- d) Tuesday 10 February 2009: 9.30-12.30pm, Banqueting Suite, Hove Town Hall
- e) Monday 16 February 2009: Committee Room 2, Hove Town Hall
- f) Wednesday 11 March 2009: 5pm - Private meeting the Chair and a Youth Council Representative

BRIGHTON & HOVE CITY COUNCIL

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

2.00pm 27 NOVEMBER 2008

COMMITTEE ROOM 1, BRIGHTON TOWN HALL

MINUTES

Present: Councillors Mrs Norman (Chairman), Duncan and McCaffery

Other Members present: Councillors

PART ONE

1. PROCEDURAL BUSINESS

1A Declarations of Substitutes

1.1 Substitutes are not permitted on Ad-hoc Scrutiny Panels.

1B Declarations of Interest

1.2 There were none.

1C Exclusion of Press and Public

1.3 The Committee 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 Schedule 12A, Part 5A, Section 100A(4) or 100 1 of the Local Government Act 1972 (as amended).

1.4 **RESOLVED** - That the press and public be not excluded from the meeting.

2. MINUTES

2.1 This was the first panel meeting and there were therefore no minutes from a previous meeting to be approved.

3. CHAIRMAN'S COMMUNICATIONS

- 3.1 The Chairman welcomed the witnesses giving evidence at this meeting, and noted that the panel's Terms of Reference were:

To make practical recommendations by examining the costs of social and economic outcomes of, and reasons for the increasing levels of alcohol related harm suffered by children and young people in Brighton and Hove.

To examine the impacts of the Licensing Act 2003 on the availability to and consumption of alcohol by those aged under 18, in the city.

These recommendations will be made by inviting and gathering evidence from Sussex Police, Council Officers, PCT, NHS and off sales licensed premises.

4. EVIDENCE FROM WITNESSES

- 4.1 The Chairman asked the witnesses to introduce themselves and explain how their work connected with the issue of alcohol use and young people.
- 4.2 Members then asked each witness a series of questions.
- 4.3 Barbara Hardcastle (BH), Brighton & Hove City Teaching Primary Care Trust: PCT told members that she was employed by Brighton & Hove City Teaching Primary Care Trust (PCT), and was responsible for developing and compiling a Joint Strategic Needs Assessment (JSNA) for alcohol services, covering both adult and children's services.
- 4.4 BH noted that Brighton & Hove's performance lagged behind national/regional averages in many aspects of alcohol related health, including having one of the worst performances in England in terms of male deaths from chronic liver disease.
- 4.5 In terms of children and alcohol, BH told members that national trends showed that the numbers of young people drinking were stable or declining slightly, but that those young people who did drink tended to be drinking more.
- 4.6 In Brighton & Hove, BH noted that young people's drinking rates are slightly above the national averages. It seems that more girls than boys are engaged in 'binge-drinking', and that drinking rates are highest in the east of the city (and lowest in the west).
- 4.7 Dr Oli Rahman (OR), Consultant Paediatrician, Brighton & Sussex University Hospitals Trust informed members that he was a consultant

paediatrician working at the Royal Alexandra Children's Hospital. Dr Rahman also works closely with colleagues in the Royal Sussex County Hospital Accident & Emergency (A&E) department.

- 4.8 OR told members that it was difficult to gauge the proportion of young people attending A&E with alcohol related conditions, as, whilst admissions obviously linked to alcohol use would be coded as such, other admissions might not be, even if alcohol was probably a contributory factor (e.g. an alcohol-related fall resulting in injury might just be recorded as a fall).
- 4.9 In addition, OR informed the panel that the great majority of A&E attendances do not result in admission to hospital (i.e. patients are discharged without treatment or are treated without requiring admission as in-patients). Recording the role of alcohol in attendances which do not result in admission can be very challenging.
- 4.10 Inspector Andrew Kundert (AK), Licensing Inspector, Brighton & Hove Police told the panel that he was the Licensing Inspector for Brighton & Hove, and that the Brighton & Hove police force was committed to reducing levels of public place violence and anti social behaviour – both of which were alcohol (and licensing) related matters.
- 4.11 AK noted that, whilst in previous years the police had concentrated on the city's 'night time' economy, there had been a more recent focus on other areas where alcohol related disorder was an issue, particularly in terms of the effective policing and management of young people drinking and socialising in parks and green spaces.
- 4.12 AK told the panel that three localised initiatives had recently been combined to form 'Operation Parks' which sought to address problems associated with the phenomenon of groups of young people meeting up to drink in city parks (particularly on Friday and Saturday nights).
- 4.13 AK noted that effective policing of this issue required a variety of approaches: if young people were not engaging in anti social behaviour, there might be no police intervention; if there was anti-social behaviour, the police might seek to disperse those on the periphery of incidents and to target 'ring-leaders' (e.g. to escort them home to their parents/guardians).
- 4.14 AK informed the panel that it was not always clear whether groups of young people were drinking or not, as young people would typically 'disguise' alcoholic drinks in soft drinks bottles.
- 4.15 AK told members that (in very approximate terms) around 5% of underage drinking involved underage drinkers purchasing alcohol in pubs and bars; approximately 20% involved alcohol purchased by underage drinkers from shops and off licenses. However, around 75% of alcohol was not purchased illegally – i.e. it was bought by parents,

by 'proxy buyers' (over 18s buying alcohol at the request of under 18s), was stolen etc.

- 4.16 AK informed the panel that a good deal of work was done to try and ensure that under 18s were not able to purchase alcohol from either on or off sales. The police work closely with Trading Standards to arrange 'test purchasing' (under 18s will try to purchase alcohol in closely monitored operations). Test purchasing is not at random; it is targeted at businesses where there is intelligence of selling to minors.
- 4.17 AK told members that the citywide 'fail' rate for test purchasing was currently around 20% (i.e. one in five test purchasers was actually served alcohol). This is a very encouraging rate.
- 4.18 AK informed members that if business do fail test purchasing, they will be re-tested. Persistent offenders may have their alcohol licences suspended or revoked.
- 4.19 Anna Gianfranceso (AG), Service Manager, RU-OK? told the panel that she was the Service Manager for RU-OK?, the Children & Young People's Trust specialist substance misuse service, and that she was also heavily involved in the local implementation of the new national alcohol strategy.
- 4.20 AG informed members that she worked closely with the police, and had developed a Care Pathway for young people referred from the police. She is currently seeking to develop a similar pathway to channel referrals from A&E, and eventually hopes to combine the pathways.
- 4.21 AG noted that targeting alcohol use amongst young people was a fairly recent initiative, as drugs misuse had traditionally been prioritised.
- 4.22 AG told the panel that Operation Parks had been very successful in terms of reducing young people drinking in public. However, it was not clear whether this reduction in public drinking actually indicated lower levels of drinking (i.e. it might be the case that young people were simply drinking at home rather than in public places).
- 4.23 AG noted that there had been recent national guidance on alcohol education in schools and that she would pass this guidance on to the panel members.
- 4.24 AG told members that Operation Parks had not identified a large number of 'repeat offenders' in terms of young people drinking and behaving anti-socially in public: fewer than 20% of people escorted home by police are subsequently picked up again.

5. FURTHER QUESTIONS

5.1 Panel members then jointly asked the witnesses a series of questions. The witness responses are detailed below.

5.2(a) In answer to a question as to whether action was taken against adults supplying children with alcohol, members were told (by AK) that Operation Parks had tried to address the issue of 'proxy purchasing'. For example, an operation had been arranged in which under 18s tried to persuade passing adults to purchase alcohol from off-licenses on their behalf. However, such an initiative could not realistically lead to prosecution, as the act of encouraging adults to purchase alcohol for under 18s would probably be viewed as a form of entrapment by the courts.

5.2(b) AK and AG added that it was often difficult to ascertain where an underage drinker had obtained alcohol, as drunk people might not be very lucid, and might lie to protect friends or retailers. However, there was now more focus on tracking back the supply of alcohol, and city partners would share this type of information if they were successful in obtaining it.

5.2(c) John Peerless (JP), Head of Trading Standards, Brighton & Hove City Council, told members that an initiative had been planned for under age drinking in Moulsecomb, which would have included trying to ascertain the origin of the alcohol being consumed – possibly via an analysis of litter.

This scheme would also have sought to encourage off-licenses not to sell to people who looked under 21.

The council failed to get Government funding for this initiative, but does still intend to undertake it at some point.

5.2(d) AG noted that schemes seeking to restrict sales to under 21s had been effective in other localities.

5.3(a) In response to a question about whether the recent proliferation of off licences had led to an increase in drink-related problems, AK replied that the city Cumulative Impact Zone (CIZ) assumed that there was indeed such a causal link.

AK noted that the CIZ had been very successful, particularly in terms of empowering local communities (i.e. individuals felt that their representations were taken seriously and could have a practical effect).

5.3(b) BH added that there had in fact been a very large increase in the number of off-licenses in recent years.

- 5.4(a) In answer to a question regarding repeat A&E attendances, OR told members that very few young people repeatedly attended A&E for alcohol-related issues (unless they were self-harming).
- 5.4(b) OR also noted that A&E record keeping was not perfect in this respect, and that whilst incidents where drink was the primary cause of injury would almost certainly be recorded as alcohol-related, incidents where drink was only a potential contributory factor might not be recorded. Efforts were being made to improve recording, although this needed to be carefully handled as there were issues of patient confidentiality to take into account.
- 5.5(a) In response to a question regarding the physical damage caused by excessive drinking in young people, OR told members that teenagers' bodies were still developing which might mean that they were less able to process alcohol than adults.
- 5.5(b) BH noted that there was growing evidence that excessive drinking from an early age would lead to an increase in alcohol related-dementia in the future.
- 5.6(a) In answer to a question regarding the relative threat posed by alcohol or drugs, OR told members that a significant number of teenage drink or drug hospital admissions were drink related (unless self-harm was a factor).
- 5.6(b) AG added that alcohol could be very dangerous and certainly would not be licensed if it was not so socially established.
- 5.6(c) AK noted that alcohol was a major contributory factor in most public disorder offences, as well as many Domestic Violence incidents.
- 5.6(d) OR added that drunkenness also created major problems for A&E services, particularly at weekends.
- 5.7(a) In answer to questions concerning prosecution of licensees, JP told members that prosecution was rare, as it was a relatively ineffective method of taking action. This was generally the case in Brighton & Hove and across Sussex, where a consistent strategic approach had been adopted by a number of authorities.
- 5.7(b) AK added that the police in Brighton & Hove would generally seek to take action through the city Licensing Committee (e.g. seeking suspension or revocation of a license) rather than via prosecution.
- 5.7(c) JP also noted that most local businesses do not wish to sell to under 18s and are keen to work together with the police and the local authority. Suspension or revocation of the licenses of co-operating businesses is rarely a sensible option.

- 5.7(d) AK noted that suspension was quite rarely used, and questioned whether the Licensing Committee would welcome attempts to employ this power more widely, particularly in situations where a premises had only failed one or two times.
- 5.8 In response to a query about supermarkets, JP told members that supermarkets could be a source of alcohol for under 18s. Supermarkets have a specific problem in that their scale means that it can be difficult for them to properly train and monitor staff (in contrast with small off-licenses where the person making sales may well also be the licensee). Trading Standards have done a lot of work with large local alcohol retailers such as Somerfield and Threshers and are now involved in these organisations' staff training.
- 5.9(a) Asked what could be done to improve the situation in Brighton & Hove, AK noted that one possibility was to take action against under age drinkers buying alcohol rather than focusing entirely on those selling alcohol (as both selling and buying are offences).
- AK also told the panel that it was important to recognise that Brighton & Hove was much safer than formerly – much has been done to tackle alcohol-related anti social behaviour and violence.
- 5.9(b) AG noted that young people replicate adult behaviour, and that children are bound to see adults drinking to excess. This is particularly so given the effects of the smoking ban in pubs and a general modern attitude amongst adults of not being ashamed of being inebriated in public. Adult attitudes to drinking need to change if there is to be any realistic hope of changing children's behaviour.
- 5.9(c) JP added that messages to children about alcohol harm needed to be consistent – which they currently are not.
- 5.9(d) OR suggested that children should be given much more credit for being able to understand information about how their own behaviour might impact upon their health, and that providing an honest assessment of the risks associated with excessive drinking might be effective.

6. ANY OTHER BUSINESS

- 6.1 There was none.

The meeting concluded at 4.00pm

Signed

Chair

Dated this

day of

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: Councillors Mrs Norman (Chairman), 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 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 & TIM BARCLAY (TB)-HEAD OF HOVE PARK SECONDARY SCHOOL

- 11.1** CO presented to the Panel “A summary of the learning opportunities delivered by schools and local data about school age children and young people”

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 reflected in 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.

CO informed members that children of parents with problematic drinking are another group the Panel needs to be mindful of.

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 4.00pm

Signed

Chair

Dated this

day of

Notes from the Brighton and Hove Youth Council meeting on the 31-01-09

1. Present: Councillor Ann Norman (Chair) and Youth Council Representatives (YCR) and Superintendent Grenville Wilson (from Sussex Police)
2. Councillor Ann Norman was asked to speak at the Youth Council meeting and was present to here Superintendent Grenville Wilson speak too.
3. Questions were asked by the YCR's why the Police disperse small groups of youths in parks when they are not being disruptive or loud. The Superintendent explained that the Police tend to work on dispersing small groups early on in the evening before any anti-social behaviour can start; working on prevention rather than waiting for situations to escalate and then dealing with the issues then.
4. A YCR privately told Councillor Norman that young people enjoyed meeting up in groups, as they felt safer and by dispersing the groups they felt more vulnerable and that young people did not see anything wrong with sitting around in small groups. They felt the dispersal technique was unfair especially when they are not causing any trouble.
5. Another YCR privately said that when she was at a party, where lots of additional young people turned up to the party (than previously planned); a Police van came to the location with dogs to disperse the large crowd and that this was seen as a very heavy handed approach and they had been dealt with unfairly.
6. Another YCR privately said that the Police do ask young people to empty their drinks. Some young people take offence to this as some young people do not drink alcohol and therefore have to empty out their soft drinks.
7. A YCR privately said how young people who do not drink alcohol tend to look after their friends that do drink alcohol.
8. A YCR privately said about a positive experience she had with the Police and how she and her friend, (who had been drinking alcohol,) had been treated as individuals and how the policewoman showed that she was concerned for their safety.
9. What upset young people the most was how most of the Police approach these situations by not explaining what they are doing and why they are doing it and not treating each young person as an individual but as a group as a whole.

BRIGHTON & HOVE CITY COUNCIL

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

10.00am 10 FEBRUARY 2009

BANQUETING SUITE, HOVE TOWN HALL

MINUTES

Present: Councillors , Duncan and McCaffery

Other Members present: Councillors

PART ONE

14. PROCEDURAL BUSINESS

14a. Declaration of Substitutes

14.1 No substitutes are permitted on Ad-hoc Scrutiny Panels

14b. Declarations of Interests

14.2 There were none.

14c. Declaration of Party Whip

14.3 There was none.

14d. Exclusion of Press and Public

14.4 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.

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

15. MINUTES OF THE PREVIOUS MEETING

15. That the minutes of the meeting held on the 22 January 2009 need to be approved and signed by the Chairman.

16. CHAIRMAN' S COMMUNICATIONS

- 16.1 Apologies have been sent from the Councillor Ann Norma (Chairman).

17. EVIDENCE FROM WITNESSES

- 17.1 Evidence from **Sue Dixon (SD), Head of Security for the First Quench Retailing** (formally known as the Thresher Group) and **Chris Denman (CD), Area Manager for Threshers and the Local**

- 17.2 SD told members that there were 1500 branches with 4 different brand names: Threshers, Wine Rack, the Local & Hadows in Scotland; of which there were 30 stores in Brighton & Hove.

- 17.3 SD informed the panel around a million people were challenged annually and a third of these were refused. All refusals were recorded on the tills and in books and this information was collated and analysed to identify anomalies.

CD explained that any anomalies were investigated and compared with company and store averages. A “compliant” Store Manager generally meant that refusals would be lower in these stores, as young people would not shop at these branches.

- 17.4 SD informed members that the company derives no benefit from under 18 sales as it would damage their reputation which would not exceed potential income.

- 17.5 SD told members that new staff completed an induction, filled out a booklet, watched a DVD which covered mechanisms to prevent underage selling of alcohol and had to be signed off by their Manager before being authorised to use the tills. These inductions and training materials were developed by working with Trading Standards.

- 17.6 SD informed members that identification is asked for, when any customer looks younger than 21: “Challenge 21”. This is being moved to “Challenge 25”. This makes identification of under 18's easier for staff. Accepted forms of ID are Passport, Driving Licence and any other accredited ID. Test purchases are carried out with over 18's and over a 100 test purchases are carried out nationally per month; from this the company can identify problem areas and target their work on these.

CD confirmed that all Brighton and Hove stores were working to Challenge 25 already

- 17.8 It was advised that Partnership working with local authorities, the Police and Trading Standards was the best way forward. It was noted that enforcement has a role but dealing with issues at an early stage is better and to act on any intelligence to deal with the matter swiftly worked best.
- 17.9 In answer to a question as to how many challenges Brighton and Hove had, it was estimated at around 25/30 per store, per week and challenges were higher in the summer. The exact figures would be forwarded onto the panel.
- 17.10 In relation to a question on what happens to the information about refusals, it was explained that the District Manager and Licensing Manager collate and investigate the information on a store basis.

CD added that store visits are arranged to stores that have anomalies and an investigation would take place by speaking with staff. All stores within each area are visited on a 6 weekly basis.

- 17.11 In response to a question as to where under 18's were sourcing their alcohol and whether proxy sales were the problem, it was advised that staff are trained on proxy purchasing by looking at unusual buying patterns and that staff shouldn't sell if they are suspicious of proxy sales being undertaken.

The Panel were informed that shoplifting was an issue and it was thought that 60% of alcohol consumed by underage drinkers came from homes.

- 17.12 In answer to a query about what information in stores is available for parents, it was noted that stores have been involved in local area schemes where leaflets were put into customers' bags. However it was noted that more education was required.
- 17.13 Tony Rickwood - Portslade Tesco's Store Manager commented that there were many instances of staff overhearing parents asking their children what alcohol they would like their parents to purchase for them. In these experiences the retailer would refuse these sales.
- 17.14 CD informed the panel that refusals do vary from store to store. Stores with higher footfall have higher refusals and smaller "community" stores have lower refusals. Under 18's do not shop at their local stores as there is more chance that they will be refused as the Retailer will probably know their parents.
- 17.15 In response to a question as to whether there are more refusals in the east of Brighton (as underage drinking is worst in the east of city), it was noted that this hadn't been identified.

- 17.16 In response to a question from a Youth Council representative as to whether it would be possible to scan an universal ID card which could total up the amount of alcohol purchased and flag up if the individual was over a guidance level and the possibility that proxy sales may be occurring, TR explained that technically it would not be possible to collate this type of data from the different retailers.
18. Evidence from **David Solomon (DS), TESCO Express, Store Manager -Droeway, Hove** and **Tony Rickwood (TR), TESCO, Store Manager – Portslade**
- 18.1 DS informed members that TESCOs had a vigorous induction training programme, which included “Think 21”, a buddy system, plus training updates, refresher training, till prompts (with the date of birth information), a DVD and also regular team meetings.
- TR handed out training materials that all staff including managers had to complete and noted that there was more comprehensive training for the Licensees at each store. There were “Quarterly Due Diligence Reviews” that a Designated Premises Supervisor completed which reviewed their stores compliance.
- 18.2 The panel noted how managers backed staff with the “you say no and we say no policy” when a transaction was refused.
- 18.3 DS informed the panel how the non-compliance is identified with test purchases, and explained how these stores are targeted for up skilling. It was also very important to work with the Police, Trading Standards and the community and advertise the no selling of alcohol to under 18’s policy around the store.
- 18.4 TR explained how there were very robust systems in place and that he had worked hard to engage with the local Police, to increase store visits which had an impact on reducing theft.
- 18.5 TR told members how it was not in TESCO’s interest to sell alcohol to under 18’s.
- 18.6 In answer to a question on how young staff challenge under 18’s, TR informed the panel that staff under 18 had to have a supervisor authorise any alcohol sales they made. This then prevents under 18 store staff selling to their under 18 friends. TR explained how TESCO is moving to the “Think 25” scheme.
- SD informed members that all retailers were moving to the “Think 25” scheme, expect Waitrose. However independents would not necessarily follow.
- 18.7 In response to a question as to whether there was an increase in sales since the Licensing Act 2003 was implemented, SD told members that

the Act had meant that a tighter regime was in operation and it was hard to determine as this is a very high profile topic and is in the press regularly.

- 18.8 TR informed the panel how there had been a significant improvement in compliance since legislation made individual staff vulnerable to prosecution as well as the retail company.
- 18.9 In answer to a question whether cheap alcohol had increased the levels of drinking, TR felt that people weren't buying more cheap alcohol.
- 18.10 TR informed the panel that by increasing the cost of alcohol it would not have any affect as customers wouldn't trade down to cheaper drinks and that when the VAT had been reduced recently; there wasn't an increase in alcohol sales.

SD noted that alcohol was cheap in France and there were no major issues there.

- 18.11 In answer to a question why young people were drinking more, TR informed the panel that alcohol is increasingly difficult for young people to get from retailers and that more adults were purchasing it for them.

SD questioned whether young people were drinking more or whether anti-social behaviour had increased.

- 18.12 In response to questions as to whether shoplifting was an issue, SD told members that it was a problem as there was little legal deterrent (fixed penalty notice for a first offence). Retailers find it challenging to balance attractive store layouts with crime prevention measures.

Shoplifting varies with different areas and different products.

TR informed the panel how alcohol is purchased with weekly shopping on a regular basis.

- 18.13 In answer to a question on whether there is information for parents about not purchasing alcohol for their underage children, TR responded he could not recall any such information and that parents had a lack of understanding on the subject.
- 18.14 In answer to a question on what recommendations would they make TR responded that the local Police are the key and their support to retailers was invaluable.

Members noted that SD recommended partnership working as retailers were committed to eliminating sales to under 18's and that any intelligence could be dealt with swiftly. Additionally direct links with the retailers Central Office would be useful for more proactive working. It

was also pointed out that enforcement does have a negative impact on retailers.

TR informed members that Trading Standards could do with engaging with Retailers more in the future.

18. ANY OTHER BUSINESS

19.1 No other business was discussed.

The meeting concluded at 11.00am

Signed

Chair

Dated this

day of

BRIGHTON & HOVE CITY COUNCIL

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

2.00pm 16 FEBRUARY 2009

COMMITTEE ROOM 1, HOVE TOWN HALL

MINUTES

Present: Councillors Mrs Norman (Chairman), Duncan

Other Members present: Councillors C Theobald

PART ONE

19. PROCEDURAL BUSINESS

20a. Declaration of Substitutes

20.1 No substitutes are permitted on Ad-hoc Scrutiny Panels.

20b. Declarations of Interests

20.2 There were none.

20c. Declaration of Party Whip

20.3 There was none.

20d. Exclusion of Press and Public

20.4 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.

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

20. MINUTES OF THE PREVIOUS MEETING

- 21.1 That the minutes of the meeting held on the 10 February, 2009 need to be approved and signed by Chairman.

21. CHAIRMAN'S COMMUNICATIONS

- 22.1 Chris Parfitt (Youth Lead on Alcohol) and Mark Whitby (Head of Advisory Centre for education (ACE)) send their apologies.

22. EVIDENCE FROM WITNESSES

- 23.1 Evidence from **Councillor Carol Theobald (CD), Chairman of the Licensing Committee** and **Tim Nichols (TN), Head of Environment and Licensing**

23.2 CT informed the panel that there was ongoing work in schools educating pupils on the affects that alcohol has and that generally, under 18's do not obtain their alcohol from licensed premises.

23.3 TN told members that this was a national problem and that most of the alcohol is obtained from homes, off sales and proxy purchasing.

23.4 TN informed the panel that the Council supports proof of age schemes, but levels of fraud are very high. Police are also reluctant to prosecute under 18's for using false ID. The Licensing Committee is currently enacting the recent national guidelines to deal with problem licensees.

23.5 CT informed the panel that Challenge 25 was very useful, as were out of school activities. She also stated that refusal log books should be kept as evidence relating to underage sales.

23.6 CT confirmed that the Cumulative Impact Area (CIA) had also been introduced to stop further new drinking establishments from opening.

23.7 TN told members that under age drinking is a national priority and a Health impact Assessment (HIA) is being funded by the Primary Care Trust (PCT) and being undertaken by the Council. It was noted that Licensing was not to blame for this problem, and that marketing, pricing and availability were more the reason.

23.8 TN informed the panel that there was a 40% failure rate for test purchasing and it was difficult to decrease this (Subsequently TN said the current rate was 20%).

23.9 TN advised the panel that underage drinking in on licences has moved to parks in recent years as the on licenses are regulated heavily. In the past when Licenses were less heavily regulated publicans tended to tolerate underage drinking providing they didn't drink to access.

- 23.10 In answer to a question as to whether there was a case to charge above a minimum level for alcoholic drinks, TM told members this would be unlawful. For any action to be taken it needs to be demonstrated that there was a “clear causal link” between price promotions and antisocial behaviour. It was noted that it was particularly difficult to establish that link and also to word such restrictions. TN referred to the “*Guidance: Department for `Culture, Media & Sport, sections 10:38 & 10:40 of the Licensing Act 2003*”
- 23.11 TN advised the panel that it was important to be mindful of economic conditions and that most licensees were trying to earn an honest living, however it maybe useful to publicise revocations and suspensions in the future.
- 23.12 TN told members that he was looking forward to the publication of the Health Impact assessment (HIA) and possible changes to the NHS drinking and drug budgets. It was suggested that spending on preventative education might be better allocated on alcohol rather than drugs.
- 23.13 In answer to a question as to whether the Licensing Act 2003 had any impact on the worsening health figures, TN responded that the reverse was true; there had been a long term rise in consumption and disease relating to alcohol and the Licensing Act 2003 was a reaction to the situation rather than a cause. Since the Licensing Act 2003 there were declining rates of public place violent crime. The Police should also be credited for this. The Licensing Act 2003 has given city centres the ability to spread out “closing time” public disorder.
- 23.14 In relation to a question why binge drinking amongst young people was worst in the east of the city, TN responded that the analysis of information from the Police show a disproportionate volume of the postcodes from offenders and victims are in the BN25 and BN26 areas.
- 23.15 In response to a question whether it was possible to restrict the proliferation of off sales premises, TN responded that the Licensing Act 2003 assumed that most of these off sales premises are operating an honourable business; applications are granted automatically unless representations have been made. The Review Panels have more power than the initial License and have a choice of options which are to suspend/revoke the license, remove the premised licensee or take no action. Residents, Trading Standards Officers and the Police can be heard and it is more likely that the Panel would make a more effective decision based on evidence than refuse a new application.
- 23.16 In answer to a question whether smaller stores were selling to under 18’s, CT responded that there was a case where by a non-english speaking relative, who had received no training was covering a shop when the store failed a test purchase. The shop had been to the Review Panel before with a similar problem and the Owner had not

acted upon the advice given by the Review Panel in the first occasion; at the next the Review Panel the decision was taken to revoke the license.

TN told members that sales to underage drinkers was spread out throughout different off and on sales as there were national off licences, franchises, single operators, pubs and bars have all been subjects for reviews.

- 23.17 In answer to a question how Licensing laws could be tightened TN answered that the recently issued government guidance gave the Review Panel power to restrict the trading hours, or even use CCTV to record sales.
- 23.18 In response to a question on whether increasing the tax on alcohol would reduce underage drinking TN advised that this would reduce access for young people, should focus on off sales, stores and supermarkets and Government could hypothecate the money to alcohol treatment services and out of school activities.

23. ANY OTHER BUSINESS

- 24.1 It was agreed to contact any Representatives from the Youth Council who had given their contact details.
- 24.2 It was agreed to collate written questions for Chris Parfitt (Youth Lead on Alcohol) and Mark Whitby (Head of ACE) and ask them for written statements.
- 24.3 The meeting with the youth offender is arranged for Thursday, 19 February and the Chairman will be attending this.

The meeting concluded at 3.00pm

Signed

Chair

Dated this

day of

BRIGHTON & HOVE CITY COUNCIL

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

4.00pm 11 MARCH 2009

MINUTES

Present: Councillors Mrs Norman (Chairman),

Other Members present: Councillors

PART ONE

24. EVIDENCE FROM WITNESS

25.1 Evidence from a Youth Council Representative (YCR)

25.2 YCR told the Panel Member how the view of not being able to drink needs to be changed, as it makes young people want to drink and break the rules.

Her experience of her first alcoholic drink was that it was “not an amazing thing”, and she still didn’t enjoy the taste of it and would drink wine with a sweet fizzy drink to make it more palatable.

The YCR told how there was alcohol always in her parent’s house and how her parent would give wine with a mixer to drink on occasions.

25.3 It was confirmed that peer pressure was one of the reasons why young people drank.

25.4 The YCR told how house parties are popular places for young people to drink. There were varying amounts of alcohol at these parties, more being available if parents were not present. If parents were present they did supervise these parties and tended to water down the alcoholic drinks by providing punches.

At a recent party, the YCR informed the member how some young people arrived already drunk.

The YCR informed the member how at her next party her father will invite his friends to the party to help supervise. Some young people

regularly sleep at certain friends' parents' houses as these parents do not "tell" on them. The next morning the young person has slept off most of their hangover and "is not that much of a wreck" when they return home.

- 25.5 YCR informed the member how teenagers copied adults, parents and their older friends and how they had seen parents having a drink of alcohol after they had a stressful day and copy this; or it's the weekend and they learn how alcohol is consumed to celebrate this. As a result of this, young people get stressed over their exams and can turn to alcohol to relax.
- 25.6 In answer to a question whether parents are aware how much their children drink, the YCR answered, that they say to their parents they drank "smart" levels of alcohol, but didn't mention the additional amounts consumed on top of this too.
- 25.7 When asked where else young people were getting alcohol from other than parents supplying it, the YCR informed that their 18 year old friends purchased it for them.

The YCR told how she could remember that last year her friends bought bigger bottles of spirits but this year, due to the credit crunch parents have less disposable income to give their children and as a result of this, young people were purchasing smaller bottles of spirits as they found the bigger bottles too expensive to purchase.

- 25.8 The YCR recommended that adverts similar to the smoking ones would be affective, showing how it could ruin young people's lives in different ways, for example how it can "mess up your exams".
- 25.9 In response to a question whether young people were aware of what the adverse affects of underage drinking were, the YCR said she wasn't aware of these and she would recommend that these be advertised. She confirmed that in schools there is some Personal Social Health Education (PSHE) which touches on the safety issues when drunk, but not information on the negative affects of drinking alcohol.
- 25.10 The YCR advised the member that she felt it was very dangerous to be drinking on the streets and that more controlled places would be suitable, such as clubs perhaps?
- 25.11 YCR confirmed that a friend had problems at home and some young people did not want to discuss these experiences with anyone so they tended to deal with these on their own, without asking for help and drank alcohol to forget these problems. However, the YCR informed how she had a supportive group of long standing friends and they would try and help anyone they could and have been successful in

doing this, by guiding their friend away from alcohol, studying more and getting them to mix with the right crowd.

25.12 The YCR informed the member how teachers did not understand the pressures that young people were under.

The meeting concluded at 5.00pm

Signed

Chair

Dated this

day of

Appendix 3: Digest of recommendations

- **RECOMMENDATION 1-** The Panel welcomes and commends the increased emphasis of Licensing enforcement on off-sales (and on public place drinking), as it shows a commitment to identifying and tackling current problems rather than simply adhering to traditional modes of enforcement. The Panel hopes that this will provide a platform for the further development of Licensing enforcement, both in terms of closer partnership working, and in terms of a continuing concentration on the actual rather than the popularly perceived problems of underage drinking.
- **RECOMMENDATION 2 –** City partners (co-ordinated by TSO) should draw up a Best Practice Guide on avoiding selling alcohol to U18s with a view to the guide being disseminated to independent retailers.
- **RECOMMENDATION 3 –** Encourage (particularly via the Brighton & Hove Licensing Committee) all off-sales to adopt the ‘Challenge 25’ scheme.
- **RECOMMENDATION 4 –** Licensing Committee to request assurances that new and re-assessed licensees will not discount sales below cost, engage in irresponsible multiple discounting or sell products strongly associated with hazardous drinking practices.
- **RECOMMENDATION 5 –** CYPT should consider its substance misuse services in terms of a potential re-deployment of resources from drugs to alcohol-related projects in instances where drugs issues may have been advanced to the detriment of similarly serious alcohol-related problems. CYPT should also consider whether there is value in lobbying NHS Brighton & Hove and central Government to review their resource allocation in regard to alcohol-related services for children and young people.
- **RECOMMENDATION 6 –** CIA boundaries to be re-examined with a view to extending them to other areas of the city which might benefit from CIA powers (e.g. extension around Preston Park and up to Elm Grove).
- **RECOMMENDATION 7 –** When engaged with young drinkers, police officers need to ensure that they are not over-confrontational and that the rationale for their actions is widely understood. This may best be achieved by engaging with young people in contexts other than those of front-line policing (particularly by visiting schools).
- **RECOMMENDATION 8 –** Alcohol education should address the long term physical impact of U18 alcohol use, not just safety/legal issues.

- **RECOMMENDATION 9** – Develop and deliver an information pack on alcohol targeted at parents and carers, and facilitate the involvement of parents/carers in creating and maintaining this material.
- **RECOMMENDATION 10** – Survey teenagers for their views and seek to develop alternative activities for young people to engage with as alternatives to illegal drinking in public places.
- **RECOMMENDATION 11** – The council should request changes to statute relating to the powers of local Licensing Committees (as detailed in point 16.3 above) in line with the powers granted by the Sustainable communities Act (2007).

Appendix 4: Background papers

'Brighten Up! Growing Up in Brighton & Hove 2008': Annual Report of the Director of Public Health (and Joint Strategic Needs Assessment, Children and Young People. Brighton and Hove City Council and Brighton & Hove City Teaching Primary Care Trust, 2008.

'Are the kids driving you mad?': Positive Parenting Programme leaflet. Brighton & Hove Children & Young People's Trust.

Draft Alcohol Needs Assessment for Children and Young People: Brighton & Hove City Primary Care Trust (Draft 4), November 2008.

'Drug Education: An Entitlement For All': A report to Government by the Advisory Group on Drug and Alcohol Education, 2008.

Government Response to the report by the Advisory Group on Drug and Alcohol Education: Department for Children, Schools and Families.

Health Impact Assessment of the introduction of flexible alcohol hours in Brighton & Hove: Brief for consultants 2007 v2. Brighton & Hove City Council, 2007.

Licensing Act 2003: Statement of Licensing Policy. Environmental Health and Licensing Service, Brighton & Hove City Council.

Report of stakeholder responses to the Health Impact Assessment of the Introduction of Flexible Alcohol Hours in Brighton and Hove, 6th April 2009.

Setting Targets for Core, Enhanced and Intensive Services (presentation on drug use among vulnerable young people): from 'Crime & Drugs Analysis & Research,' Home Office, September 2007.

"Safe, Sensible, Social: the next steps in the National Alcohol Strategy." Department of Health, Home Office, Department for Education and Skills and Department for Culture, Media and Sport, 2007.

Scrutiny Review of Alcohol Misuse amongst Children & Young People. East Sussex County Council, March 2008.

Sustainable Communities Act 2007 : A Guide for Communities and local Government.

Young People and Alcohol, Overview and Scrutiny Review, Lancashire County Council, February 2008.

CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 9

Brighton & Hove City Council

Subject: Consultation on the CYPP – proposed Workshop
Date of Meeting: 17 June 2009
Report of: Director of Children's Services
Contact Officer: Name: **Steve Barton** Tel: **29-6105**
E-mail: steve.barton@brighton-hove.gov.uk
Wards Affected: All

FOR GENERAL RELEASE/ EXEMPTIONS

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Children and Young People's Trust is developing a second Children & Young People's Plan (CYPP) for 2010-2013.
- 1.2 Local authorities have a statutory duty to produce a Children and Young People's Plan, with their partner agencies setting out the vision and priorities for children's services in their area to improve outcomes for children and young people.

2. RECOMMENDATIONS:

- 2.1 (1) That members agree to hold a one off workshop to consider and comment on the draft Children and Young People's Plan (CYPP).
- 2.2 (2) Potential dates for the workshop could be the 6-9 July or anytime after this up to 20 July.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 A preliminary document came to CYPOSC in December 2008 with the intention of presenting a final CYPP to full council in April 2009. In January 2009 the Director of Children's Services identified a number of factors which meant that the timetable had to be revised i.e.
 - new national guidance on the content of children and young people's plans issued in January 2009
 - capacity issues within the Children and Young People's Trust (CYPT) to complete the drafting process
 - details of the re-structure process within the CYPT could not be included until after July 2009

3.2 In summary the current position is that:

- The CYPT has engaged a consultant to support the senior management team to complete the drafting process
- A final version of the CYPP will be presented to full council in October 2009 and to the CYPT Board in September 2009, which precludes consideration by CYPOSC at its September meeting
- A draft CYPP will be considered by the CYPT senior management team on June 25th, which precludes consideration by CYPOSC at its 17th June meeting
- It is therefore proposed to convene a one off workshop between 6th and 20th of July in order to ensure that the views of CYPOSC are fed into the consultation and drafting process

4. CONSULTATION

4.1 This is part of the consultation process.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 There are no direct financial implications to this report.

Legal Implications:

5.2 There are no direct legal implications to this report.

Equalities Implications:

5.3 There are no direct equalities implications to this report.

Sustainability Implications:

5.4 There are no direct sustainability implications to this report.

Crime & Disorder Implications:

5.5 There are no crime and disorder financial implications to this report.

Risk and Opportunity Management Implications:

5.6 There are no direct risk and management implications to this report.

Corporate / Citywide Implications:

5.7 There are no direct corporate/citywide implications to this report.

DRAFT Children and Young People's Overview and Scrutiny (CYPOSC) Work Programme 2009-2010

Issue	Date	Reason for agenda item	Outcome and Monitoring/Dates
Update on the Falmer Academy	17 June	Opportunity to receive an update and identify whether future issues need to come to CYPOSC	
Sure Start Children's Centre's Self Evaluation City Wide Summary	17 June	Information on early years equalities	
Ad-hoc Panel report- reducing alcohol related harm to children & young people	17 June	Feedback to CYPOSC and the Committee to endorse the report	
Consultation on the CYPP proposed workshop	17 June	The Committee to submit its comments to the Plan (1 of the 10 budget and policy framework items)	
Draft Work Programme	17 June	To be agreed by the Committee	
4 th Quarter PIR	16 September	Standing item- CYPOSC to review underperforming items	
Ofsted Inspection reports	16 September	Standing item – Portslade CC to be reviewed	
Safeguarding	16 September	Updating CYPOSC on the national and local changes	
Corporate Parenting	16 September	Information requested on Councillors responsibilities	
SEN/special schools-a major change strategy	16 September	Proposed by Directorate- for information	
Exclusions and mental health report	16 September	CYPOSC agreed (25/3/2009) to have further information on the factors	
1 st & 2 nd Quarter PIR	18 November	Standing item- to review underperforming areas	
Teenage pregnancy including teenage conception action plans	18 November	Directorate (1 of 10 PCT priorities)	
Childhood Obesity	18 November	Directorate (1 of 10 PCT priorities)	
Building schools for the future	18 November	Directorate	

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Issue	Date	Reason for agenda item	Outcome and Monitoring/Dates
Changes & improvements of the Child Development & Disability service	20 January	Committee asked for this item to return to CYPOSC (25/3/2009)	
3 rd Quarter PIR	20 January	Standing item- to review underperforming areas	
Standards report	20 January	Standing item- to review underperforming areas	
Equalities- charter on the Rights of the Child	20 January	CYPOSC agreed (25/3/2009)	
Child Poverty	20 January	CYPOSC agreed (25/3/2009)	
Ofsted Inspection reports	24 March	Standing item- to review underperforming schools	
Update on Traveller Education Service (TES) in B&H with reference to the Achievement Programme Model	24 March	Committee asked for this item to return to CYPOSC (25/1/2009)	