

Report to: Community Protection Panel Regulation Committee
Date: 2 June 2008 18 June 2008
Subject: Alcohol and Licensing Enforcement
Report of: Director of Environmental Services
Contact officer: Julie Middlehurst Ext 86758

Purpose / summary: To inform members of changes to work within Regulatory Services on alcohol related enforcement.

Alternative options considered and reason for selecting the one recommended: N/A

Recommendation / decision: N/A

Key Decision: This report does not involve a key decision.

Risks / Implications:

Financial: None
Staffing: Within existing resources
Policy:
Equal Opportunities - Has a Diversity Impact Assessment been conducted? No
Wards affected: All

Property Implications – Does the proposal involve a reduction, addition or change to the Council’s asset base or its occupation?

No

If yes, have the property implications been agreed with the Corporate Property Officer?

Does this proposal have significant implications for the Council and the local population?

A full diversity impact assessment has been undertaken and is attached as an appendix to this report.

Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

Has the Service Director - Borough Solicitor confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? **N/A**

Has the Executive Director Business Support Services confirmed that any expenditure referred to within this report is consistent with the Council's budget? **N/A**

Are any of the recommendations within this report contrary to the Policy Framework of the Council? **No**

For Cabinet reports only :

Categorisation of the report:	x		x
Discussion leading to a decision		Discussion	
Monitoring		Decision	
Sharing for corporate understanding		Information	

Tracking/Process:

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
CPP 2 June 2008			
Regulation Committee 18 June 2008			

There are no Background Papers to this Report within the meaning of Section 100D of the Local Government Act 1972.

Proper Officer Martin Kimber

Date 13 May 2008

1 Background:

- 1.1 Regulatory Services have in recent years been proactive in prevention of the sale of alcohol to under 18's, thereby helping to reduce levels of anti social behaviour. Trading Standards officers regularly visit and advise off-licences and supermarkets, as well as carrying out test purchases with young volunteers. In 2007/08, there were 5 successful prosecutions with fines reaching up to £1000, and 9 Simple Cautions issued to those who had sold to a person under 18.
- 1.2 Licensing Enforcement Officers have also regularly visited both off- and on-licenced premises, to advise and to enforce issues relating to the Licensing Act and conditions attached to their Licence.
- 1.3 One outcome of the review of Regulatory Services carried out in 2007/08 was the creation of a 'joined up' Community Protection Section within Regulatory Services, which will enable improved utilisation of the Licensing Act provisions.

2 Proposals:

- 2.1 Within the Community Protection Section, the Crime and Community Team will be responsible for all Licensing Act enforcement, including under age sales, late night refreshments, and breaches of licensing conditions. This report outlines some of the planned activity which results from this reorganisation.
- 2.3 The Community Protection Section will continue to carry out test purchases in 2008/9 on an intelligence-led basis, but in addition will
 - Provide retailers with advice and information in relation to both Licensing provisions and under age sales,
 - Provide an enhanced training packages for licensees and their staff to improve awareness of under age sales, and to suggest practical steps that they can take to avoid making such sales, and to make clear the implications for them should they sell,
 - Provide education in schools to advise children of the fact that they commit an offence if they themselves buy alcohol,
 - Implement a "Voluntary Conditions" scheme whereby premises licence holders will be asked to voluntarily agree to implement a number of conditions to address specific problems associated with their premises. Some examples of these conditions are the adoption of an 'Over 21' policy; provision of documented training for their staff; requirement for the premises licence holder to be on the premises on Friday and Saturday evenings; and appropriate positioning of alcoholic drinks that are popular with young people (i.e. behind the counter),
 - Implement a "recognition" scheme whereby responsible retailers are recognised for the steps that they take to ensure that they do not sell alcohol to children,
 - Develop a strategy jointly with Greater Manchester Police to address the problem of proxy sales. (A 2007 report commissioned by Trading Standards

North West identified that 55% of 14-17 year olds who didn't buy alcohol themselves, obtained alcohol from friends who were over 18),

- Regularly deploy CCTV cameras around 'problem' premises to enable identification of the specific problems associated with the premise. (Subject to the necessary authorisations under the Regulation of Investigatory Powers Act),
- Seek to accredit officers within the Section to enable them to issue £80 Penalty Notices for Disorder to those who sell alcohol to under 18's,
- Seek to apply to review Premises Licences where the Licence Holder fails to satisfy the 4 Licensing Objectives.

3 Conclusions:

- 3.1 The Community Protection Section will seek, through this innovative package of measures and activity, to tackle the continuing problems associated with alcohol and young people in the Borough.

Diversity Impact Assessment form

Section: Community Protection Section

Policy/Service Area: Under Age Sales

Person Completing Form: Alan Blundell

Date: 12 May 2008

Do any of the below groups suffer specific disadvantage (please indicate)

	Yes	No		Yes	No
Race			Disability		
Ethnicity			Gender		
Age	X		Religion		
Class			Sexual Orientation		

Is there evidence of disadvantage or associated problems?

Many people under the age of 18 consume alcohol. When they consume it in public places, there are often related anti social behaviour issues. Evidence from a 2007 Trading Standards Survey indicated that young people obtain alcohol from a number of sources- they purchase it themselves, they get it from friends who are over 18, and from adults who they approach outside shops and ask to buy it on their behalf

How was the information collected and/or who have you consulted with?

Trading Standards North West Survey, 2007, based on questionnaires completed by 14-17 year olds.

Action Plan – *What specific actions are planned to tackle any disadvantage identified?*

Provision of information and advice to retailers, children, and adults who purchase for children.
Test Purchase program and subsequent action against those who sell to children, and a range of other enforcement related steps detailed in the report.

Is the policy in line with current equality legislation and relevant codes of practice?

Yes

Timescale

Responsibility

Comments

Are the actions specified included in any other documents/plans?

Departmental Service Plan	
Section/Team Plan	Community Protection Service Plan 2008/9
Other (Specify)	

Date for further review
