

Minutes of the meeting of the Community Protection Overview and Scrutiny Committee held on 1 May 2007.

Present:

Councillor John Appleton
" David Booth
" Richard Chattaway (Chair)
" Gordon Collett
" Michael Doody
" John Haynes
" Barry Longden
" Mike Perry
" Heather Timms
" John Wells (Vice Chair)

Also present: Councillors Richard Hobbs (Portfolio Holder for Community Protection), Richard Grant, Chair, Children, Young People and Families Overview and Scrutiny Committee and Sarah Boad.

Officers:

William Brown, Strategic Director of Community Protection and County Fire Officer, Community Protection Directorate.

Jean Hardwick, Principal Committee Administrator, Performance and Development Directorate.

Kit Leck, Drug and Alcohol Action Team Manager, Performance and Development Directorate.

Michelle McHugh, Scrutiny Officer, Performance and Development Directorate.

Peter Nicholls, Team Leader, Trading Standards and Healthier Communities, Adult Health and Community Services.

Glen Ranger, Assistant County Fire Officer, Community Protection Directorate

Mark Ryder, Head of Trading Standards and Healthier Communities, Adult, Health and Community Services.

Balbir Singh, Head of Policy and Performance, Community Protection Directorate.

1. General

John Wainwright

The Committee stood in silent tribute in memory of John Wainwright, a retired non-uniformed member of the Fire and Rescue Service, Operations, Leamington Headquarters, and formerly a Retained Duty Fire Fighter in Nuneaton, and whose funeral had taken place that day. William Brown praised and commended the work undertaken by John Wainwright during his time with the Service.

(1) Apologies for absence

None.

(2) Members' Declarations of Personal and Prejudicial Interests

Members declared personal interests arising by virtue of them serving as district/borough councillors as listed below:

Stratford-on Avon District Council – Councillors John Appleton and Mike Perry

Warwick District Council – Councillors Michael Doody

Rugby Borough Council – Councillor Heather Timms

(3) (a) Minutes of the meetings held on 27 March 2007

The minutes of the meetings held on 27 March 2007 were agreed as a correct record.

(b) Matters Arising

None.

2. Public Questions

None

3. Alcohol Test Purchasing

Mark Ryder referred to the launch of the Alcohol Harm Reduction Strategy 2006-2009, which had been launched that day (a copy of the Strategy was circulated to Members), and introduced Peter Nicholls to explain the process and regulations surrounding test purchasing of alcohol (presentation material attached)

Peter Nicholls highlighted that –

- (1) The goal of Trading Standards, by sensible and proportionate intervention was to help to “Improve the long-term health of young people and reduce anti-social behaviour”.
- (2) Test purchasing was aimed at reducing the availability of the sale of alcohol from licensed premises, targeting premises and sharing intelligence gathered by the Police, Multi-Agency Licensing Group (MALG) and CDRPs. Test purchasing was carried out in accordance with the LACORS code of practice.
- (3) Identification of premises did not necessarily result in prosecution but assistance and education was offered to Licensees whom it was clear would

benefit from education. If these measures did not work then enforcement action would be considered.

(4) The power for taking enforcement action was contained within the Licensing Act 2003 and a new Act, which was introduced on 5 April 2007, The Crime Reduction Act 2006 (3 offences – and application could be made for closure of licensed premises).

(5) The key message was –

“Trading Standards, the Government, the Licensing Authority and the Police were working together to crack down on illegal and irresponsible selling and consumption of alcohol.

In Warwickshire we will continue to build alliance with local and national stakeholder, promote education as a means of reducing underage sales and where necessary test purchase and take formal action.”

Councillor Richard Grant thanked the Committee and Trading Standards for sharing what it was doing with regard to the Alcohol Harm Reduction Strategy and which demonstrated that the Council was working in co-ordinated manner. He referred to the work being carried out by the Children, Young People and Families Overview and Scrutiny Committee gathering evidence on young people and alcohol which would reach a conclusion in the summer with a view to impacting on the school and youth work curriculum in September 2007. Evidence had been taken from a wide range of agencies including a presentation from a group from Lancashire County Council’s Alcohol Project and a further, large, investigative meeting would be held later in the month. The scoping report recognised the links between drugs and alcohol, and the impact that they have on the well-being and health of young people but it was agreed to focus on alcohol. The scope of the review had not included test purchasing as that area of work fell within the remit of this Committee. Nevertheless, during debate his Members had commented on test purchasing and these had been passed onto Trading Standards. Any other information gleaned during his Committee’s investigation relating to test purchases would also be passed on.

The Chair referred to the launch of the Alcohol Reduction Strategy and suggested that its progress should be reviewed later on in the year. He also referred to a series of e-mail exchanges between Members on this issue and, in particular, about how resources were prioritised across the county and borders (Coventry) and invited comment.

In response Mark Ryder said the prioritising of resources related to where test purchases/visits to premises took place and this was very much intelligence led (from complaints and information received). There were no random visits to licensed premises and visits themselves were time consuming and resource intensive to organise. He encouraged Members, therefore, to report all complaints and concerns to Trading Standards so that they could be acted on.

With regard to cross border working Peter Nicholls said that there was information sharing through SENSOR, which was made up of 14 local government authorities, and enabled the sharing of nation-wide intelligence and feed back.

During discussion the following comments were noted-

- (1) That alcohol consumption and under-age drinking was a major, cultural, problem which Members considered was out of control and affected young people and children as young as 7-8 years of age and was learned from the example set by some parents. A series of incidents witnessed by one Member revealed that drinking by young-people in public places was a major problem and that intervention by the Police and Community Protection Support Officers did not deter repeat incidents from occurring. It was considered that unless drastic action was taken and the licensed premise closed that the situation would not improve.
- (2) That many licensees felt obliged to serve underage drinkers because of intimidation and fear of reprisal.
- (3) That there needed to be a multi-agency approach to this problem and which should include schools, the media, peer groups and parents.
- (4) That there was concern about the difficulty of prosecuting supermarkets for selling alcohol to under-age young people.
- (5) That peer pressure and the publicising in the press of bad behaviour of famous people set a bad example and one which young people tried to copy.
- (4) About whether resources were sufficient to make an impact on this issue and whether there was merit on pooling resources with other councils.

In reply to questions Peter Nicholls—

- (1) said that more power to close premises would be welcomed as one closure would act as a deterrent to other licence holders and send a stern message to all licensees.
- (2) agreed that prosecuting supermarkets was difficult but that persistent offenders could be prosecuted and premises closed for up to 24 hours. The Violent Crime Reduction Act would have a significant impact on the power to prosecute supermarkets contravening the licensing laws in that it enabled premises to be closed for up to a period of 3 months.
- (3) said that it was an offence for any person under the age of 18 years to purchase alcohol but prosecution of the young person was not easy and required Police action and a re-prioritising of resources by the Police. Society at large needed to be educated that purchasing alcohol by under-age young people was a criminal offence and about the detrimental impact of alcohol consumption on the health and well-being of young people.

- (4) said that he spoken to the Police and Community Safety Officers on the beat about tracking back and confiscating "proxy" purchases of alcohol but this was not seen as a Police priority and without this support it was difficult to know how it could be addressed.
- (5) said that the new Act gave the power to close premises. Good co-operation from the Police in Nuneaton had been received for the TUSAC campaign (a national campaign with funding from the Police supporting test purchasing). Currently there were 20 officers working two days a week on the TUSAC Campaign but additional funding would be welcomed. The outcome of this national campaign and details of test purchasing would be recorded.
- (6) Trading Standards was consulted by the Licensing Authorities on licence revocations or variations and comments would be provided if there had been any complaints recorded about individual premises.

Mark Ryder, in reply to a suggestion, said that pooling of resources with other counties to set up specialist teams could be considered and that precedence for joint working had been set on other trading standards issues. He undertook to give this suggestion further consideration.

Councillor Richard Hobbs referred Members to the Alca Red Study and its list of partners, which was looking at one part of the County Council's approach to reducing the consumption of alcohol.

The Committee thanked Mark Ryder and Peter Nicholls for their presentation and asked for a report in 12 months assessing the impact of the Alcohol Reduction Strategy.

4. Fire and Rescue Service Comprehensive Performance Assessment (CPA)

The Committee considered the report of the Strategic Director of Community Protection and County Fire Officer following the 2006 Fire and Rescue Authority CPA covering Operational Assessment of Service Delivery (OASD), Use of Resources and Direction of Travel.

Balbir Singh reported that the OASD self-assessment had rated the WFRA as performing well but that the site review had resulted in two of the Key Lines of Enquiry (KLOE)s and the overall assessment score being changed to performing adequately. He highlighted that the WFRS would have achieved a rating of performing well if the score in one of the KLOE areas had increased by 1 point. Supplementary evidence was provided to the DCLG, which was accepted in the final report but did not alter the overall rating. An OASD action plan had been produced for the 29 areas for improvement and good progress was being made and specific measures implemented to improve the results of the KPIs. (Copies of the action plan were provided for Members at the meeting).

Discussion followed during which Members –

- (1) suggested that the action plan should be reviewed periodically through the year to assess progress.
- (2) asked about the Service's confidence in its internal self-assessment.
- (3) commented on the value of the CPA when the public's view on performance was based on how quickly a fire engine arrived at an incident.

In response William Brown highlighted –

- (1) that the results of the CPA should not be treated lightly and would contribute the value for money assessment. He suggested that this should be set alongside the changing role of the Service, which was aimed at prevention, education and fire safety. There was perhaps need for more publicity to change the public's perception of the Service's role in the community.
- (2) that an analysis of the WFRA performance against other similar Services was being carried out but no one authority was exactly like another in all respects.

The Chair said the WFRA value for money review had been agreed and would be reported in August/September.

In reply to further comments Glen Ranger explained the statistics in Appendix 2 of the report and highlighted that these figures reflected a snapshot in time and that performance had since improved.

The Committee –

- (1) noted the performance of the Warwickshire Fire and Rescue Authority (WFRA) Comprehensive Performance Assessment as detailed in the report.
- (2) asked that the officers consider how the OASD action plan can be reviewed by the Committee in the lead up to the CPA.
- (3) noted that the value for money review of the WFRA will be reported to Committee in September.

5. Final Report of the Older People's Safety Review

The Committee considered the report of the Chair of the Community Protection Overview and Scrutiny Committee, which outlined the evidence, gathered by the Committee during the Older People's Safety Review and included the Committee's recommendations for improvement.

Councillor John Wells, seconded by Councillor Michael Doody, commended the work on the Review, moved that Cabinet be asked to implement the recommendations listed in the report, and that a review of the recommendations be brought back to the Committee in 12 months time.

Member commented on whether the report adequately covered the concerns about how information was disseminated to ensure that it reached all older people. Additionally, how the recommendations would be progressed by organisations and agencies outside the County Council.

In response the Chair highlighted that access to information was addressed in the report and said that Michelle McHugh had discussed with the Police how the recommendations relating to them would be progressed. He recommended that the report be presented to Cabinet and for Cabinet to decide whether the approach outlined in the report should be supported.

The Committee –

- i) agreed the contents of the Older People’s Safety Final report.
- ii) agreed that the recommendations for improvement be forwarded onto the Cabinet and relevant external partners for consideration.
- iii) congratulated Michelle McHugh, Vicky Cook and Jean Hardwick on their endeavours on progressing the review.

6. Provisional Items for Future Meetings and Forward Plan Items Relevant to this Committee

(a) Provisional items for future meetings

The Committee considered the work programme and it was agreed that –

- (1) Michelle McHugh would discuss with Trading Standards Councillor Longden’s request for information on the Knife Policy/Amnesty and ask for a briefing note to be brought back to the Committee or circulated to Members as appropriate.
- (2) Congratulations should be passed to Jeremy Lee for arranging an excellent Seminar for Members on Emergency Planning.

(b) Forward Plan – Items Relevant to this Committee

The Committee noted the Forward Plan items relevant to the work of this Committee.

7. Any Other Items

None

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Chair of the Committee

The Committee rose at 4:10 p.m.