

EAST AYRSHIRE COUNCIL

CABINET – 3 SEPTEMBER 2008

COMMUNITY PLANNING ALCOHOL AND DRUGS PLEDGE AND NATIONAL CONSULTATION ON SCOTTISH GOVERNMENT'S ALCOHOL STRATEGY

Report by the Depute Chief Executive/Executive Director of Corporate Support

1. PURPOSE

- 1.1 To update Cabinet on progress in relation to the Community Planning alcohol and drugs pledge and to seek endorsement of the submission to the Scottish Government on the national consultation on Changing Scotland's Relationship with Alcohol.

2. BACKGROUND

- 2.1 Following a Community Planning Event in November 2007 on drug and alcohol use in East Ayrshire, Community Planning Partners resolved via a Community Planning pledge to prioritise tackling substance use for the period 2008-10.
- 2.2 During consultation at the event in November 2007 and subsequently with partners it became clear that there was significant concern around the risk to children and young people from alcohol and drugs. In particular statistical evidence suggested that those young people most vulnerable were in the 13-15 year old age group. Preventative work to address this issue is part of the workplan related to the Community Planning Pledge.
- 2.3 Additional resources for alcohol misuse were announced by Shona Robison MSP earlier this year. For 2008/09, the Ayrshire and Arran Health Board area was allocated £1,775,000. Scottish Government has confirmed that this figure will rise in year 2009/10 and again 2010/11 although allocations have not yet been announced. This 2008/09 allocation represents an increase on the 2007/08 alcohol allocation of approximately £1M.
- 2.4 The Scottish Government also announced as part of additional alcohol resources a consultation paper on national initiatives that seek to address Scotland's ongoing challenge around the topic of alcohol. The proposals, widely trailed and discussed in national media have been viewed as radical and if implemented will impact on the alcohol and drugs pledge.
- 2.5 Following publication of the proposals, Scottish Government is consulting on a number of them. The consultation period for responses closes on 9 September 2008. The attachment at appendix 1 provides the consultation questions as well as a proposed response from a Council perspective for consideration by Cabinet prior to submission to the Scottish Government.

3. CHANGING SCOTLAND'S RELATIONSHIP WITH ALCOHOL: A DISCUSSION PAPER ON OUR STRATEGIC APPROACH

- 3.1 The new approach outlined by the Scottish Government is set against a background of a doubling of consumption since 1950 and the associated economic and social costs of this increase in consumption. The Scottish Government has set out a number of proposals within the document and has put these proposals out to public consultation until September 9 with a final document expected by the end of 2008.
- 3.2 This document has been circulated widely and a number of groups and organisations have indicated their intention to submit a response. The Association of Directors of Social Work (ADSW) held a consultation event on 15 August 2008, which had representation from East Ayrshire Council. A Community Planning response is being co-ordinated via the Improving Health Group and the Alcohol and Drug Action Team (ADAT) has organised a workers consultation event for 20 August 2008. ADAT has also organised a number of public consultation events throughout Ayrshire. In addition, Legal, Procurement and Regulatory Services have indicated their intention to submit a response from the Licensing Board.

4. COMMUNITY PLANNING PLEDGE

- 4.1 Community Planning thematic action plan working groups were asked to develop two distinct actions specific to alcohol and drugs. These actions along activity raised at the November 2007 workshop now form the basis of a work plan supporting the pledge. Within East Ayrshire Council, an officers group has been established to take forward actions with the Council. This group has as its chair, the Chief Executive.
- 4.2 In order to resource the pledge and the key elements of prevention/education, young people and older people, a number of investment opportunities are being examined. The pledge and associated workplan is available within the Member's Portal.
- 4.3 Positive discussions have taken place with Diageo UK, producers of Johnnie Walker whisky with a view to them providing funding to further develop and enhance alcohol education within schools. Diageo UK is also keen to examine proposals which will see the University of the West of Scotland research the effectiveness of sport and leisure opportunities in reducing levels of alcohol use in communities.
- 4.4 By using the Scottish Government's Cash Back for Communities Scheme, it is hoped to provide personal development programmes via the Venture Trust for some of the most at risk and vulnerable 16-18 year olds. Whilst discussions are at an early stage, Venture Trust is keen to work alongside officers from East Ayrshire Council
- 4.5 Last year, Strathclyde Police completed over 800 'contact' cards. These 'contact' cards are completed by police when they encounter young people engaging in anti-social behaviour. The contact card alerts the parents to the young persons behaviour. As many of these contact cards were for underage drinking, with the potential for progress to an acceptable behaviour contract (ABC), ADAT is being approached with a view to providing additional resources for increased activity

around alcohol in East Ayrshire with a specific focus on young people and older people via the Scottish Government's additional resources for alcohol allocated to NHS Ayrshire and Arran. ADAT has given initial indications that they are keen to support work with young people. Given the evidence that young people experiencing difficulties around alcohol use do not respond to traditional interventions around substance use, examples of how we could best utilise an increased resource allocation could include:

- Additional youth work provision via Community Learning and Development;
- Provision of parenting programmes such as The Solihull approach delivered via Educational and Social Services. This approach, developed in 1996 in Solihull provides professionals with a framework for thinking about children's behaviour that develops practice that can support effective and consistent approaches across agencies. It is an early intervention model and is also used for prevention and group work. The model incorporates three concepts of containment, reciprocity and behaviour management; and
- Provision of group work programmes to young people affected by parental alcohol use.

5. STRATEGIC RESPONSIBILITY FOR ALCOHOL AND DRUGS ACTIVITY

5.1 As a consequence of the strategic focus on and importance of preventative activity in relation to alcohol and drugs, both locally and nationally, Liam Wells, the Team Manager (Youth and Addiction Service) from Educational and Social Services has transferred to the Community Planning and Partnership Unit for a one year secondment (to be reviewed within a six month period).

5.2 The main focus of activity for the Team Manager will be to:

- develop a strategic approach to the alcohol and drugs agenda, ensuring a greater understanding of local issues and priorities in the context of the national agenda;
- ensure an increased preventative focus to activity in relation to alcohol and drugs; and
- drive forward the 'Community Planning Pledge' in relation to alcohol and drugs, ensuring effective progress within Council and across the Partnership.

6. POLICY/LEGAL IMPLICATIONS

6.1 Upon completion of the consultation on Changing Scotland's Relationship With Alcohol: A Discussion Paper On Our Strategic Approach, Scottish Government intend to introduce regulations under the Licensing (Scotland) Act 2005 which is due for full implementation on 1 September 2009.

7. FINANCIAL/PERSONNEL IMPLICATIONS

7.1 In order to fully address alcohol misuse in East Ayrshire application is being made to ADAT as part of the £1.7M alcohol misuse allocation from Scottish Government. There are no financial or personnel implications for arising from this report.

8. COMMUNITY PLAN IMPLICATIONS

- 8.1 The Community Planning alcohol and drugs pledge has established alcohol misuse as a central theme across all community planning themes.
- 8.2 Proposed actions contained within the Scottish Government's Changing Scotland's Relationship With Alcohol: A Discussion Paper On Our Strategic Approach, if implemented will help deliver actions on alcohol specific to community safety and improving health.

9. RECOMMENDATIONS

- 9.1 Cabinet is asked to:
- i) note the work being carried out as part of the Community Planning Pledge
 - ii) endorse the draft Council response to the Consultation on the Alcohol Strategy - Changing Scotland's Relationship with Alcohol, for submission to the Scottish Government by 9 September 2008; and
 - iii) otherwise, note the content of the report.

Elizabeth Morton

Depute Chief Executive/Executive Director of Corporate Support

26 August 2008

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LIST OF BACKGROUND PAPERS

- (i) Changing Scotland's Relationship With Alcohol: A Discussion Paper On Our Strategic Approach consultation response
- (ii) Community Planning alcohol and drugs pledge work plan

IMPLEMENTATION OFFICER:

Anyone wishing further information please contact: Gwen Barker, Community Planning and Partnership Manager. Telephone: 01563 554602.

IRRESPONSIBLE PROMOTIONS AND BELOW-COST SELLING

Question 1.

We invite views on our proposals to make regulations, under the Licensing (Scotland) Act 2005, to:

- put an end to off-sales premises supplying alcohol free of charge on the purchase of one or more of the product, or of any other product, whether alcohol or not
- put an end to off-sales premises supplying alcohol at a reduced price on the purchase of one or more of the product, or of any other product, whether alcohol or not
- prevent the sale of alcohol as a loss-leader.

Proposed Response:

East Ayrshire Council recognise the findings contained within the report Alcohol: No Ordinary Commodity by Babor et al (2003) and therefore fully support the above proposals.

MINIMUM RETAIL PRICING

Question 2.

We invite views on whether a minimum pricing scheme should be based on the following principles:

- the scheme should apply equally to all premises selling alcohol;
- prices should be determined with reference to the alcoholic strength of the product rather than any other factors, such as type of product;

- minimum prices should be set independently of those connected either directly or indirectly with the manufacture, retail, supply or distribution of alcohol products or any other connected activity;
- it should be straightforward to vary the levels at which prices are set;
- arrangements should be as straightforward as possible to minimise the burden on the licensed trade and to ensure compliance.

Proposed Response:

East Ayrshire Council supports minimum pricing for alcoholic drinks as evidence, particularly from Northern Europe suggests that price has a direct correlation to consumption.; however, whilst we agree with principles 3,4,5 we would like to see a distinction in pricing for the off sale trade and the on sale trade.

INFORMATION FOR PARENTS

Question 3.

What particular information do you think parents and carers would find helpful to enable them to support their children to make positive choices about alcohol?

Proposed Response:

Since evidence from the drugs misuse sector suggests that general 'broad brush' information available to parents and carers via national literature and campaigns has limited impact with those most at risk or with the greatest concerns, East Ayrshire Council would therefore like to encourage Scottish Government to develop localised information that could be specifically targeted at those who require it most. There has been previous good practice in this area via 'Drinkwise'.

MINIMUM LEGAL PURCHASE AGE FOR ALCOHOL

Question 4.

Do you think that the minimum age for off-sales purchases should be raised to 21 in Scotland?

Proposed Response:

With robust evidence from the USA and Northern Europe as well as small scale trials conducted in Scotland suggesting that increasing the minimum age for off-sales purchase price for alcohol to 21 reduces levels of anti social behaviour as well as drink driving offences, East Ayrshire Council fully support this proposal.

SOCIAL RESPONSIBILITY FEE

Question 5.

What criteria should be used to determine the types of premises (or specific premises) that should be subject to a 'social responsibility fee'? (e.g. late opening premises, or premises in a particular area)?

What criteria should be used to consider exemptions from the fee?

And how should the fee be determined? (e.g. based on rateable values, alcohol sales turnover)?

Question 6.

Should a fee be applied to Occasional Licences as well as Premises Licences?

Question 7.

Should a similar fee be applied to other premises licensed under separate legislation?

If so, what types of premises should be subject to a fee?

Proposed Response:

East Ayrshire Council has remitted these particular specialist questions (5,6,7) to the Licensing Board for inclusion in their response.

PROMOTIONAL MATERIAL IN LICENSED PREMISES**Question 8.**

Do you agree that regulations should be made, under the Licensing (Scotland) Act 2005, to extend the existing regulations to:

- prevent the display on licensed premises of promotional material relating to alcohol in a way visible to persons outside the premises;
- prevent the use on licensed premises of any special display designed to promote sales of alcohol for consumption off the premises;
- prevent on licensed premises any other promotional activity to induce the sale of alcohol for consumption off the premises?

Proposed Response:

East Ayrshire Council supports the above proposals and recognises the impact of preventing the display of promotional materials relating to tobacco in reducing levels of tobacco use.

SEPARATE ALCOHOL CHECKOUTS**Question 9.**

Do you think that there should be separate checkouts for alcohol sales?

What criteria should be applied in determining which types of premises should be subject to any such arrangements?

Proposed Response:

East Ayrshire Council agrees with the proposal to provide separate checkouts for sales of alcohol. In determining the criteria we suggest applying these criteria to premises where there are already separate checkouts for tobacco.

Question 10.

Should there should be a requirement for alcohol checkout staff to be at least 18 years old.

Proposed Response:

Whilst we agree in principle with this proposal we appreciate that there may be some practical considerations for small to medium retailers who employ family members or young people at weekends. In protecting children, East Ayrshire Council has a bye-law (East Ayrshire Council Bye-laws on the Employment of Children 2001) prohibiting the employment of children under the age of 13. Children and young people over the age of 13 and under 18 in keeping with statutory legislation may be permitted to sell alcohol under adult supervision

With larger retailers however who already have separate checkouts for tobacco sales then with the introduction of separate checkouts for alcohol then there should be a requirement that staff employed at these separate checkouts should be at least 18 years old.