

MPs

**Response on behalf of Cheshire & Merseyside
Directors of Public Health to 'A consultation on
delivering the Government's policies to cut alcohol
fuelled crime and anti-social behaviour'**

Consultation Question 1:

Do you agree that this MUP level would achieve these aims?

Yes	✓	No	Don't Know
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If you think another level would be preferable, please set out your views on why this might be in the box below (keeping your views to a maximum of 200 words).

Evidence strongly suggests setting the minimum unit price level at 50p (at 2009 prices. It should be noted that due to inflation since the SchARR (University of Sheffield) model in 2009 (1), this figure is now equivalent to 54p). This would achieve far better outcomes than the proposed 45p price level.

The SchARR model - the only UK independently peer reviewed evidence base for minimum unit pricing, predicts that, after 10 years a 50p price level would save:

- **3,060 lives**, 1,020 more than 45p level;
- **97,700 hospital admissions**, 31,500 more than 45p level;
- **442,300 days absent from work**, 176,000 more than 45p level;
- **42,500 crimes**, 18,400 more than 45p price level.

These are significant savings of lives, benefits for society and the economy and only cost the moderate drinker 6p per week more than a 45p minimum price level.

It should also be noted that all 24 Directors of Public Health across the North West of England support a minimum unit price of at least 50p (2).

Consultation Question 2:

Should other factors or evidence be considered when setting a minimum unit price for alcohol?

Yes	✓	No	Don't Know
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If yes, then please specify these in the box below (keeping your views to a maximum of 200 words).

- Pubs, bars and other on-trade premises will greatly benefit from a minimum price as it would reduce the differential in prices retailed in the off-trade and on-trade. Evidence suggests that this would result in a shift of drinking patterns to on-trade premises which is a safer, regulated environment to consume alcohol and positive for community pubs. This is important as CAMRA (3) reports that 16 pubs are closing every week.
- Inflation since the SchARR model was published in 2009 means that 50p is now valued at 54p. Minimum unit pricing's success should be measured against revised levels when this policy is implemented.
- The Scottish Government is proposing a minimum unit price of 50p creating a potentially serious cross border issues if the price level is 45p in the North West. This may encourage people to visit England to purchase and consume alcohol.
- The price level should be regularly revised to ensure that alcohol doesn't become more affordable.
- Additional money earned by retailers should be recouped by the Treasury and directed to local services which reduce alcohol harm.

Consultation Question 3:

How do you think the level of minimum unit price set by the Government should be adjusted over time?

Do nothing – the minimum unit price should not be adjusted.	
The minimum unit price should be automatically updated in line with inflation each year.	✓
The minimum unit price should be reviewed after a set period.	
Don't know.	

Consultation Question 4:

The aim of minimum unit pricing is to reduce the consumption of harmful and hazardous drinkers, while minimising the impact on responsible drinkers. Do you think that there are any other people, organisations or groups that could be particularly affected by a minimum unit price for alcohol?

Yes ✓	No	Don't Know
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If Yes please specify in the box below (keeping your views to a maximum of 100 words).

- Children and young people would be better protected from alcohol harms by reducing access to pocket-money priced alcohol.
- Alcohol would be de-normalised for children, to whom alcohol has become an everyday commodity.
- Drinkers and non-drinkers would benefit. Alcohol harm costs the North West more than £3billion/year (4).
- 43% of people in the North West are afraid to enter town centres at night (5) – reduction in harm would reduce crime and the fear of crime.
- Frontline workers would benefit from less drunken violence (6).
- There would be a positive effect on offenders - 63% of male offenders are problem drinkers (7).

Consultation Question 5:

Do you think there should be a ban on multi-buy promotions involving alcohol in the off-trade?

Yes ✓	No	Don't Know
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Consultation Question 6:

Are there any further offers which should be included in a ban on multi-buy promotions?

Yes ✓	No	Don't Know
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If yes, please specify in the box below (keeping your views to a maximum of 100 words):

- As a general principle, the purchase of any goods should not be linked to the purchase of alcohol at a lower than normal sale price.
- Buying goods and getting alcohol discounted or free which would fall below a minimum unit price of 50p.
- Multi-buy promotions in on-trade premises should end to be consistent with the off-trade.
- There should be consistency of price per volume of a product regardless of the size or quantity of packaging that alcohol is sold in.
- Loyalty point schemes and money off coupons which are in anyway linked to alcohol.

Consultation Question 7:

Should other factors or evidence be considered when considering a ban on multi-buy promotions?

Yes	✓	No	Don't Know
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If yes, please specify in the box below (keeping your views to a maximum of 200 words):

- There is a far greater impact of the multi-buy ban policy when enforced alongside a minimum unit price of 50p (at 2009 prices) (1).
- Marketing of alcohol should be legislated for ensuring that it does not circumvent the spirit and intention of this legislation.
- An Alcohol Concern and Balance report of 16-24 year olds (8) found that promotions encouraged more drinking. A multi-buy ban would protect more children and young people.
- Multi-buy promotions encourage people to buy more alcohol than they intend resulting in easier access to alcohol in the home environment. We already know that children access alcohol from the home more than any other place (9), so a ban would reduce the access to alcohol for children.
- Trading Standards needs a strengthened operation to monitor and enforce a multi-buy ban effectively as it is unlikely that relying on consumers policing the ban will be effective enough.
- In a report to Parliament (10), alcohol was named as the most dangerous drug in the UK. Unlike illegal drugs, it is easily accessible and costs as little as 12p/unit (11).
- Reduced consumption would improve health inequalities as lower

income groups suffer greater health harms (12).

Consultation Question 8:

The aim of a ban on multi-buy promotions is to stop promotions that encourage people to buy more than they otherwise would, helping people to be aware of how much they drink, and to tackle irresponsible alcohol sales. Do you think that there are any other groups that could be particularly affected by a ban on multi-buy promotions?

Yes	✓	No	Don't Know
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If yes, please specify in the box below (keeping your views to a maximum of 100 words):

There should be a consistency in approach, therefore we would not want to differentiate between groups, however:

- Pubs could benefit as people are less likely to preload on alcohol bought from off-licence premises and shift their consumption of alcohol to on-licence premises.
- Young people will benefit from reduced access and availability of alcohol in the home environment.
- Some of these measures may only be effective alongside minimum unit pricing.
- Public services, such as the NHS, would benefit, as less people would binge drink and pre-load and result in a lower burden on services (13).

Consultation Question 9:

Do you think each of the mandatory licensing conditions is effective in promoting the licensing objectives (crime prevention / public safety / public nuisance / prevention of harm to children)?

Please state Yes / No / Don't know in each box:

		Prevention of crime and disorder	Public safety	Prevention of public nuisance	Protection of harm to children
A.	Irresponsible promotions	Yes	Yes	Yes	Yes
B.	Dispensing alcohol directly into the mouth	Yes	Yes	Yes	Yes
C.	Mandatory provision of free tap water	Yes	Yes	Yes	Yes

D.	Age verification policy	Yes	Yes	Yes	Yes
E.	Mandatory provision of small measures	Yes	Yes	Yes	Yes

Consultation Question 10:

Do you think that the mandatory licensing conditions do enough to target irresponsible promotions in pubs and clubs?

Yes	No ✓	Don't Know
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If no, please specify in the box below (keeping your views to a maximum of 100 words):

- Remove the 'glamourisation' test for promotions and ban all irresponsible promotions.
- Remove the 'need to demonstrate a link with crime and disorder' clause relating to irresponsible promotions as it is too restrictive.
- The unit content of all drinks should be clearly visible at the point of sale so customers know what they are drinking.
- Age verification schemes should be a minimum 'check 25', have a written policy and include mandatory signage on premises.
- Licensees should train and re-train their staff to be accredited to a national standard for the safe and responsible retailing of alcohol.

Consultation Question 11:

Are there other issues related to the licensing objectives (prevention of crime and disorder / public safety / prevention of public nuisance / protection of children from harm) which could be tackled through a mandatory licensing condition?

Yes ✓	No	Don't Know
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If yes, please specify in the box below (keeping your views to a maximum of 200 words):

- A proportionate seating and standing ratio should be dictated by the capacity of the premises.
- Soft drinks should be priced cheaper than the cheapest alcoholic drink to remove the incentive for people to drink alcoholic drinks.
- Beer should be decanted from bottles at the bar. The removal of beer bottles from the drinking environment will provide a safer drinking environment.
- A ban on irresponsible drinks promotions should be applied to the off-trade.
- Loyalty point schemes for the purchase of alcohol which encourages increased consumption should be banned.
- Offering shots of spirits away from the bar area (e.g. table to table selling of shots of pre-poured vodka) should be banned.
- Happy hours should be banned as they sell discounted alcohol.
- Organised commercial pub crawls should be banned as they encourage the consumption of excess alcohol in a short space of time which leads to drunkenness and anti-social behaviour (14).
- Ladies nights, (where there are discounted or free drinks) should be banned as they encourage excessive consumption of alcohol.
- Drinking games should be banned.

Consultation Question 12:

Do you think the current approach, with five mandatory licensing conditions applying to the on-trade and only one of those to the off-trade, is appropriate?

Yes

No

✓

Don't Know

If no, please specify in the box below (keeping your views to a maximum of 100 words):

There should be as many or as few mandatory licensing conditions as deemed appropriate by the Government. This should include extending the ban on irresponsible drinks promotions to cover off-trade licensed premises to create a consistency across the on- and off-trades.

Supermarket alcohol sales now account for 70% of off-trade sales (15, 16) and can sell alcohol at discounted prices. Stopping irresponsible promotions would also help to tackle pre-loading and binge drinking of alcohol purchased from the off-trade. People who have pre-loaded are more likely to be a victim or perpetrator of crime (16).

Consultation Question 13:

What sources of evidence on alcohol-related health harm could be used to support the introduction of a cumulative impact policy (CIP) if it were possible for a CIP to include consideration of health?

Please specify in the box below, keeping your views to a maximum of 200 words.

A robust Joint Strategic Needs Assessment would provide consistency in approach, we recommend that it would include:

- Accident and Emergency data
- Ambulance data
- Paramedic data
- GP data
- Urgent care/walk in centre data
- Treatment data including specialist treatment
- Demand/unmet demand for alcohol treatment
- Alcohol related mortality (including suicides and self harm)
- Mental health and wellbeing indices
- Foetal Alcohol Spectrum Disorders data
- CEM Home Office monitoring data on violence
- Trauma and Injury Intelligence Group data from the North West Public Health Observatory

- Other hospital admissions data NI39 e.g. specific (drunkenness) and non specific (cancers)
- Map out premises and correlate alcohol related admissions
- Domestic abuse data including child protection issues

Public health should be a licensing objective in its own right and not tied to CIPs. This would not be disproportionate as suggested in the impact assessment, and would play a role in the economic development and health of an authority area. Experience from Scotland suggests that public health should be taken into consideration across the whole authority area rather than at smaller scale when assessing the over-provision of alcohol to take into account all points of sale.

Consultation Question 14:

Do you think any aspects of the current cumulative impact policy process would need to be amended to allow consideration of data on alcohol-related health harms? (Please select one option):

Yes ✓	No	Don't Know
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If yes, please specify in the box below (keeping your views to a maximum of 200 words).

Currently only the police can object to licence applications due to a Cumulative Impact Policies (CIP). We believe that all responsible authorities should be able to object to the application therefore widening the process to consider health data and the impact on health harms. For example if there is a health harm issue but no crime issue, health bodies may object on the grounds of a CIP.

As noted in question 13, public health and assessment of over-provision of alcohol should be considered across the authority area as consideration at ward level could be insufficient and not take into account sales from neighbouring wards.

Consultation Question 15:

What impact do you think allowing consideration of data on alcohol-related health harms when introducing a cumulative impact policy would have if it were used in your local area? Please specify in the box below, keeping your views to a maximum of 200 words. Please provide evidence to support your response.

- In addition to the impact on controlling alcohol related crime the health data can impact upon all policy areas and licensing objectives giving stronger evidence and improving the all round data picture to set a baseline and allow for more informed decision making, e.g. alcohol related assaults reporting to A&E but not to

the police.

- Including health data in consideration of a CIP would enable local links between alcohol and health harm to be better established.
- There will be a positive impact on people's mental health and wellbeing because there is less violence, improving healthiness of the population, increased life expectancy and increased economic productivity.
- Where there is a saturation of licensed premises, for example in a city centre, competition drives down the price of alcohol which encourages additional consumption. An authority wide over-provision policy backed by public health would lessen 'competition by price' and so limit availability of alcohol to young people, which is an indicator of harm (17).
- The World Health Organisation (18) has reported that availability effects levels of harm therefore Licensing Authorities should be able to control the availability of alcohol.

Consultation Question 16:

Should special provision to reduce the burdens on ancillary sellers be limited to specific types of business, and/or be available to all types of business providing they meet certain qualification criteria for limited or incidental sales? (Please select one option in each row):

		Yes	No	Don't know
A.	The provision should be limited to a specific list of certain types of business and the kinds of sales they make.			See q.35
B.	The provision should be to all businesses providing they meet certain criteria to be an ancillary seller.		No	
C.	The provision should be available to both a specific list of premises and more widely to organisations meeting the prescribed definition of an ancillary seller, that is, both options A and B.		No	

Consultation Question 17:

If special provision to reduce licensing burdens on ancillary sellers were to include a list of certain types of premises, do you think it should apply to the following? (Please select one option in each row):

		Yes	No	Don't Know
A.	Accommodation providers, providing alcohol alongside		No	

	accommodation as part of the contract.			
B.	Hair and beauty salons providing alcohol alongside a hair or beauty treatment.		No	
C.	Florists, providing alongside the purchase of flowers.		No	
D.	Cultural organisations, such as theatres, cinemas and museums, providing alcohol alongside cultural events as part of entry ticket.		No	
E.	Regular charitable events providing alcohol as part of the wider occasion.		No	

Consultation Question 18:

Do you have any suggestions for other types of businesses to which such special provision could apply without impacting adversely on one or more of the licensing objectives? (Please write your suggestions in the box below, keeping your views to a maximum of 200 words):

In principle, we disagree with the 'need to free up business' in relation to alcohol. It should not be treated as an everyday, ordinary product (19).

- Any sale of alcohol should be regulated. Therefore there are no types of premises for alcohol sales which should be unregulated. Unregulated alcohol sales would create a situation where the objectives of the Licensing Act 2003 would be unenforceable.
- The licensed sale of alcohol also protects and ensures a standard of 'due diligence' is adhered to by people selling alcohol.
- This proposal would create a third tier of licensed premises as it would create a category outside Early Morning Restriction Orders/Late Night Levy and CIPs. This would create confusion for consumers and enforcement officers and lead to increased costs for public sector organisations dealing with the harmful effects of alcohol.
- This extra category of licensed premises could be contributing to the harm of excessive alcohol consumption but would not contribute to the costs, for example through a Late Night Levy being applied to licensed premises.

Consultation Question 19:

The aim of a new 'ancillary seller' status is to reduce burdens on businesses where the sale of alcohol is only a small part of their business and occurs alongside the provision of a wider product or service, while minimising loopholes for irresponsible businesses and maintaining the effectiveness of enforcement (see paragraphs 9.2 and 9.3). Do you think that the qualification criteria proposed in paragraph 9.6 meet this aim? (Please select one option):

Yes	No ✓	Don't Know
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If no, please specify in the box below (keeping your views to a maximum of 200 words).

- We don't agree with the 'ancillary seller' status because there is no mechanism to police these businesses, and ensure that they retail alcohol responsibly.
- The scheme would also take the sale of alcohol out of the remit of the four objectives of the Licensing Act 2003 and the proposed objective of 'Public Health' thus undermining the Licensing Act.
- The 'ancillary sellers' of alcohol in the retail environment would not come under the same protection afforded by the Licensing Act or necessarily receive appropriate training therefore creating a three tier system which cannot be monitored, supported or enforced.
- In addition people purchasing from an 'ancillary seller' need to understand they are purchasing from an unregulated 'ancillary seller' and are therefore not necessarily making a reputable or safe purchase, for example safeguarding underage sales.

Consultation Question 20: Do you think that these proposals would significantly reduce the burdens on ancillary sellers?				
		Yes	No	Don't Know
A.	Allow premises making ancillary sales to request in their premises licence application that the requirement for a personal licence holder be removed.			<i>See q.35</i>
B.	Introduce a new, light-touch form of authorisation for premises making ancillary sales - an 'ASN' but retain the need for a personal licence holder.			<i>See q.35</i>
C.	Introduce a new, light touch form of authorisation for premises making ancillary sales - an ASN - with no			<i>See q.35</i>

	requirement for a personal licence holder.			
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Consultation Question 21:

Do you think that the following proposals would impact adversely on one or more of the licensing objectives?

		Yes	No	Don't Know
A.	Allow premises making ancillary sales to request in their premises licence application that the requirement for a personal licence holder be removed.	Yes		
B.	Introduce a new, light-touch form of authorisation for premises making ancillary sales an - 'ASN' but retain the need for a personal licence holder.	Yes		
C.	Introduce a new, light-touch form of authorisation for premises making ancillary sales - an ASN - with no requirement for a personal licence holder.	Yes		

Consultation Question 22:

What other issues or options do you think should be considered when taking forward proposals for a lighter touch authorisation?
(Please specify in the box below, keeping your views to a maximum of 200 words):

We do not agree with any deregulation or unregulated sales of alcohol. The consumption of alcohol should be de-normalised in our society. This can be achieved through proper regulation which would help to reduce consumption with resulting benefits to the health and wellbeing of society.

Consultation Question 23:

Do you agree that licensing authorities should have the power to allow organisers of community events involving licensable activities to notify them through a locally determined notification process?

Yes	No ✓	Don't Know
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Consultation Question 24:

What impact do you think a locally determined notification would have on organisers of community events?

		Yes	No	Don't Know
A.	Reduce the burden.		No	
B.	Increase the burden.	Yes		

Consultation Question 25:
Should the number of TENs which can be given in respect of individual premises be increased?

Yes	No ✓	Don't Know
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Consultation Question 26:
If yes, please indicate which option you would prefer:

15	N/A
18	N/A
Don't know	N/A

Consultation Question 27:
Do you think that licensing authorities should have local discretion around late night refreshment in each of the following ways?

		Yes	No	Don't Know
A.	Determining that premises in certain areas are exempt.		No	
B.	Determining that certain premises types are exempt in their local area.		No	

Consultation Question 28:
Do you agree that motorway service areas should receive a nationally prescribed exemption from regulations for the provision of late night refreshment?

		Yes	No	Don't Know
A.	Motorway service areas should receive a nationally prescribed exemption		No	

	from regulations for the provision of late night refreshment.			
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Consultation Question 29:
Please describe any other types of premises to which you think a nationally prescribed exemption should apply (keeping your views to a maximum of 100 words):

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Consultation Question 30:
Do you agree with each of the following proposals?:

		Yes	No	Don't Know
A.	Remove requirements to advertise licensing application in local newspapers.		No	
B.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.		No	
C.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – "lodges".		No	
D.	Remove or simplify requirements to renew personal licences under the 2003 Act.		No	

Consultation Question 31:
Do you think that each of the following would reduce the overall burdens on business?:

		Yes	No	Don't Know
A.	Remove requirements to advertise licensing application in local newspapers.			Don't know See q.35
B.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.		No	
C.	Remove the centrally imposed prohibition on the sale of alcohol at		No	

	MSAs but only in respect of overnight accommodation – “lodges”.			
D.	Remove or simplify requirements to renew personal licences under the 2003 Act.		No	

Consultation Question 32:
Do you think that the following measures would impact adversely on one or more of the licensing objectives?:

		Yes	No	Don't Know
A.	Remove requirements to advertise licensing application in local newspapers.	Yes		
B.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.	Yes		
C.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – “lodges”.	Yes		
D.	Remove or simplify requirements to renew personal licences under the 2003 Act.	Yes		

Consultation Question 33:

In addition to the suggestions outlined above, what other sections of or processes under the 2003 Act could in your view be removed or simplified in order to impact favourably on businesses without undermining the statutory licensing objectives or significantly increasing burdens on licensing authorities?
(Please specify in the box below keeping your views to a maximum of 200 words):

There are no processes that could be removed or simplified without having an adverse effect on the licensing objectives or increasing the burden on responsible authorities or the local community.

<p>Consultation Question 34: Do you think that the Impact Assessments related to the consultation provide an accurate representation of the costs and benefits of the proposals?:</p>				
		Yes	No	Don't Know
A.	Minimum unit pricing.		No	
B.	Multi-buy promotions.			See q.35
C.	Health as a licensing objective for cumulative impact.			Don't know
D.	Ancillary sales of alcohol.			Don't know
E.	Temporary Events Notices.			Don't know
F.	Late night refreshment.			Don't know
G.	Removing the duty to advertise license applications in a local newspaper.			Don't know
H.	Sales of alcohol at motorway service stations.			Don't know
I.	Personal licenses.			Don't know

<p>Consultation Question 35: Do you have any comments on the methodologies or assumptions used in the impact assessments? If so please detail them, referencing clearly the impact assessment and page to which you refer.</p>		
Yes	✓	No
<p>Don't Know</p>		
<p>If yes, please specify in the box below, referencing clearly the impact assessment and page to which you refer (keeping your views to a maximum of 400 words).</p> <p>We have not seen the methodologies used to support the conclusions for the effectiveness of a 45p minimum unit price in section 5 of the consultation. As this information is not available we have used as evidence the findings of the University of Sheffield's SchARR report (2009) as this is the only UK peer reviewed research into the effects of minimum unit pricing.</p> <p>The cost of alcohol harm to North West England has been calculated to</p>		

be more than £3 billion (4). These costs are unsustainable. We strongly support setting the minimum unit price level at 50p which would reduce these very high costs to society and public services. The SchARR report modelling has shown a 50p level annually would, after 10 years (1):

- Save 3,060 lives
- Reduction hospital admissions by 97,700
- Result in 442,300 fewer days absent from work
- Reduce crimes by 42,500

Drink Wise has principled problems responding to several questions due to the way some questions and impact assessments are written.

Therefore we have left some responses blank.

Q16 A. - Drink Wise cannot answer this question as we believe that, as a matter of principle, we do not believe that there should be any reduction in the regulation of alcohol.

Q20 - As a matter of principle, Drink Wise does not believe that there should be any reduction in the regulation of alcohol.

Q31 A. - The question is constructed in such a way that seems to assume the outcome of the proposal to remove this requirement. We disagree with this proposal and believe that this will increase alcohol consumption which increases burdens to businesses. The cost of alcohol harm affecting the workforce and the wider economy in the North West amounts to over £1.2billion/year (4).

Q34 B. - The principles adopted by the impact assessment look good, we do not feel there is sufficient information given to enable us to answer this question.

Signed on behalf of all 9 Directors of Public Health Cheshire & Merseyside



