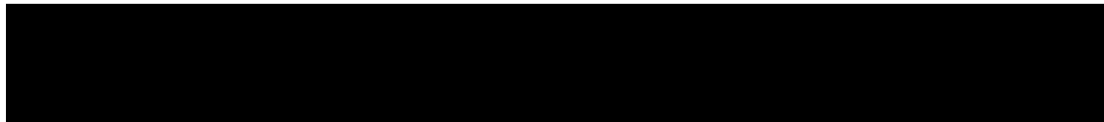


**A consultation on delivering the Government's policies to cut alcohol fuelled crime and anti-social behaviour**

**This consultation response has been prepared by Public Health Manchester on behalf of the Director of Public Health for Manchester, and approved by the Manchester City Council Executive Members for Adult Services and Neighbourhood Services.**



**Consultation Question 1:**

The Government wants to ensure that the chosen price level is targeted and proportionate, whilst achieving a significant reduction of harm. The Government is therefore consulting on the introduction of a recommended minimum unit price of 45p. 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).

We are fully supportive of the introduction of a Minimum Unit Price (MUP) to reduce alcohol-related harm.

Locally, we experience high levels of alcohol-related harm, as evidenced by:

- 150% increase in alcohol-related hospital admissions between 2002/3 and 2010/11
- Approximately 90,000 alcohol-related A&E attendances in a year
- Being in the highest 5% nationally for prevalence of alcohol-related mortality and hospital admissions (Local Alcohol Profiles for England)
- Being in the highest 10% nationally for prevalence of alcohol-related crime and violent crime (LAPE)
- Having twice the regional average for alcohol-related incapacity benefit claims (LAPE)

Whilst we believe a MUP of 45p would contribute to reducing alcohol-related harm, we believe that the MUP should be set at 50p per unit in order to have a greater impact on reducing local levels of alcohol-related harm; this is consistent with the Sheffield model (SchARR, University of Sheffield, 2009) which estimates increased benefits from a 50p MUP in terms of more lives saved, fewer hospital admissions, fewer days absent from work, and fewer crimes.

It is estimated (by Drinkwise North West) that the impact of a higher 50p MUP on moderate drinkers would be minimal (an additional 6p a week compared to a MUP of 45p).

**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).

Consideration needs to be given to the impact of a price differential if a MUP is introduced in England at a lower rate than the proposed rate in Scotland (50p). This is likely to impact disproportionately on bordering regions i.e. the North West and North East, which may see an increase in people visiting to purchase and consume alcohol, with potential associated impacts in terms of A&E attendances and alcohol-related crime and disorder.

Alcohol-related attendees at A&E departments in the city are asked the venue where they had their last drink; approximately 70% state 'home'. Additionally, nearly 2/3 of young people asked in a local survey said that home was where they obtained the alcohol they consumed (either with or without parents'

knowledge). In addition to these increased risks resulting from the normalisation of home drinking, there are close links between alcohol and domestic abuse and child safeguarding concerns. We believe that reducing the price differential between the alcohol sold in on and off-licences would result in a reduction in the harms resulting from home drinking. There may also be additional benefits in terms of a shift of drinking patterns to on-trade premises, which are generally safer and more regulated environments; this could benefit small community-based businesses such as independent pubs.

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

If Yes please specify in the box below (keeping your views to a maximum of 100 words).

A recent local price survey found that alcohol could be bought in the city for as little as 15p a unit. Cheap alcohol is particularly attractive to dependent drinkers (an estimated 10-12,000 locally) and young people. MUP would protect children from alcohol-related harm by reducing access to low-priced alcohol, and by addressing the perception that alcohol is an everyday commodity like soft drinks. Non-drinkers would also benefit – it is estimated that alcohol harm cost the city £280 million in 2010/11 (costs to local NHS, crime, economy and social services).

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

Consultation Question 6:

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

Yes ✓

No

Don't Know

If yes, please specify in the box below (keeping your views to a maximum of 100 words):

As a general principle, we believe that the purchase of any goods should not be linked to the purchase of alcohol at a lower than normal sale price. This could include:

- Buying goods and getting alcohol discounted or free i.e. meal deals
- Multi-buy promotions in on-trade premises should end to be consistent with the off-trade.
- Lower prices for larger quantities i.e. 3 litre box of wine cheaper than 4 bottles of equivalent wine.
- Loyalty point schemes and money off coupons linked to alcohol.

<p><b>Consultation Question 7:</b> Should other factors or evidence be considered when considering a ban on multi-buy promotions?</p>		
<p>Yes      ✓</p>	<p>No</p>	<p>Don't Know</p>
<p>If yes, please specify in the box below (keeping your views to a maximum of 200 words):</p> <ul style="list-style-type: none"> <li>○ The SchARR study found that there is a far greater impact of the multi-buy ban policy when enforced alongside a MUP policy; we believe that a multi-buy ban will be more effective if implemented with a 50p MUP rather than at 45p.</li> <li>○ Legislation covering the marketing of alcohol should be strengthened to support other approaches</li> <li>○ A recent report by Alcohol Concern and Balance (Binge!, November 2012) reported that a survey of 16-24 year olds said that promotions on alcohol products encouraged them to drink more. A multi-buy ban would protect more children and young people.</li> <li>○ Multi-buy promotions encourage people to buy more alcohol than they intend which means there is greater access to alcohol in the home environment. As outlined previously, 2/3 of young people locally said they accessed alcohol at home, so a ban would reduce the access to alcohol for children.</li> <li>○ 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.</li> </ul>		

<p><b>Consultation Question 8:</b> 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?</p>		
<p>Yes      ✓</p>	<p>No</p>	<p>Don't Know</p>
<p>If yes, please specify in the box below (keeping your views to a maximum of 100 words):</p> <ul style="list-style-type: none"> <li>○ Public services would benefit from reduced demand resulting from alcohol misuse (including health, social care, criminal justice), this would also benefit non-drinkers</li> <li>○ 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</li> <li>○ Young people will benefit as this policy could reduce access and availability of alcohol in the home environment</li> <li>○ To be most effective, the ban should be implemented alongside MUP at 50p per unit</li> </ul>		

<p><b>Consultation Question 9:</b> 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)?</p> <p>Please state Yes / No / Don't know in each box:</p>					
		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

<p>Consultation Question 10: Do you think that the mandatory licensing conditions do enough to target irresponsible promotions in pubs and clubs?</p>		
Yes	No ✓	Don't Know
<p>If no, please specify in the box below (keeping your views to a maximum of 100 words):</p> <ul style="list-style-type: none"> <li>○ There should be a ban on all irresponsible drinks promotions in on-licences (not just those that 'glamourise' alcohol)</li> <li>○ The mandatory conditions can only be applied to individual premises – should extend to other situations that may promote irresponsible drinking i.e. organised pub crawls across a number of venues</li> <li>○ Age verification schemes should have a written policy on all premises, be set at 25 as standard, and include mandatory signage to make patrons aware of the policy.</li> <li>○ There should be a national standard for the accreditation of training in the safe and responsible sale of alcohol</li> </ul>		

<p>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?</p>		
Yes ✓	No	Don't Know
<p>If yes, please specify in the box below (keeping your views to a maximum of 200 words):</p> <ul style="list-style-type: none"> <li>○ A proportionate seating and standing ratio should be dictated by the capacity of the premises.</li> <li>○ Soft drinks should be priced cheaper than the cheapest alcoholic drink to remove the incentive for people to drink alcoholic drinks.</li> <li>○ Drinks should be decanted from bottles at the bar. The removal of bottles will provide a safer drinking environment and reduce crime and injuries.</li> <li>○ The mandatory code should be extended to include legislation to prevent: <ul style="list-style-type: none"> <li>- irresponsible drinks promotions in the off-trade.</li> <li>- happy hours/ladies' nights offering discounted alcohol at specific times or to specific groups</li> <li>- offering shots of spirits away from the bar area (e.g. table to table selling of shots of pre-poured vodka)</li> <li>- the inclusion of alcohol in loyalty point schemes</li> <li>- organised commercial pub crawls which encourage increased consumption in short time periods</li> </ul> </li> </ul>		

<p>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?</p>		
Yes	No ✓	Don't Know
<p>If no, please specify in the box below (keeping your views to a maximum of 100 words):</p> <p>Supermarket alcohol sales now account for 70% of off-trade sales and can sell alcohol at discounted prices. Pricing surveys carried out locally provide evidence of alcohol being sold very cheaply in off-licences across the city. 70% of alcohol-related A&amp;E attendees cite home as the place they had their last drink. We believe that increasing Licensing Act powers over off-licences, together with a ban on irresponsible promotions in the off-trade, would support reductions in alcohol-related harm (both health</p>		

and crime). We also believe it would be beneficial to increase consistency across on and off-licences.

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.

We believe 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.

Evidence of alcohol-related health harm could include:

- Accident and Emergency data (including violence data)
- Ambulance/paramedic data
- GP/walk-in centre data
- Alcohol prevalence and treatment data
- Hospital data including NI39, alcohol-related mortality and morbidity
- Mental health and wellbeing indices
- Child protection and domestic abuse data
- Custody suite data

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).

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.

We support the introduction of health as a consideration for cumulative impact, but believe that this still does not give sufficient leverage to allow health bodies to respond to the causes of alcohol-related harm through their powers as a Responsible Authority. In order to fully recognise the impact of alcohol in terms of health, public health should be an additional licensing objective. This would enable all Responsible Authorities to more effectively use the health data currently available to make informed decisions about licence applications; review problem premises, and establish clearer links between the sale of alcohol, cumulative impact, and health harms.

However, we recognise that establishing health as an objective for cumulative impact could also have a range of benefits, including:

- improved partnership decision making across responsible authorities using a range of data
- strengthen links between cumulative impact and health harms
- reduce incentive for increased consumption as a result of price competition in areas where there are high numbers of premises
- improved health and reduced crime and disorder

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.		✓	
B.	The provision should be to all businesses providing they meet certain criteria to be an ancillary seller.		✓	
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.		✓	

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 accommodation as part of the contract.		✓	
B.	Hair and beauty salons providing alcohol alongside a hair or beauty treatment.		✓	
C.	Florists, providing alongside the purchase of flowers.		✓	
D.	Cultural organisations, such as theatres, cinemas and museums, providing alcohol alongside cultural events as part of entry ticket.		✓	
E.	Regular charitable events providing alcohol as part of the wider occasion.		✓	

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):

We believe 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 could be unenforceable. The licensed sale of alcohol also protects and ensures a standard of 'due diligence' is adhered to by people selling alcohol, ensures a clarity of message to members of the public and businesses, and allows a level of distinction between alcohol and other commodities which is important given the potential harm that can arise from the misuse of alcohol.

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 believe that all alcohol sales should be regulated, in order to ensure that alcohol is sold responsibly, and that there are mechanisms in place to address irresponsible sales through current and future Licensing Act objectives.

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.			✓
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.			✓
C.	Introduce a new, light touch form of authorization for premises making ancillary sales – an ASN - with no requirement for a personal licence holder.			✓

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.	✓		
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.	✓		
C.	Introduce a new, light-touch form of authorization for premises making ancillary sales - an ASN - with no requirement for a personal licence holder.	✓		

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. Alcohol can be a harmful substance, and should be treated as such. 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.			✓
B.	Increase the burden.			✓

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
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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.		✓	
B.	Determining that certain premises types are exempt in their local area.		✓	

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?

Consultation Question 30:

Do you agree with each of the following proposals?:

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

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.			✓
B.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.			✓
C.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – "lodges".			✓
D.	Remove or simplify requirements to renew personal licences under the 2003 Act.			✓

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.	✓		
B.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.	✓		
C.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – “lodges”.	✓		
D.	Remove or simplify requirements to renew personal licences under the 2003 Act.	✓		

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.

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?:

		Yes	No	Don't Know
A.	Minimum unit pricing.			✓
B.	Multi-buy promotions.			✓
C.	Health as a licensing objective for cumulative impact.			✓
D.	Ancillary sales of alcohol.			✓
E.	Temporary Events Notices.			✓
F.	Late night refreshment.			✓
G.	Removing the duty to advertise license applications in a local newspaper.			✓
H.	Sales of alcohol at motorway service stations.			✓
I.	Personal licenses.			✓

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.

Yes	No ✓	Don't Know
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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).

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