



HISTORIC HOUSES ASSOCIATION

Response to Consultation on delivering the Government's policies to cut alcohol fuelled crime and anti-social behaviour

1. The Historic Houses Association (HHA) represents Britain's historic houses, castles and gardens in private ownership. There are 1,500 HHA properties throughout the UK of which about a third open to day visitors, although many more are also active businesses, hosting weddings, corporate or private events, staging festivals, concerts or conferences, or welcoming special interest group tours and other by-appointment visits.
2. HHA properties welcome 13 million visitors a year, generate jobs and incomes in related sectors such as catering, accommodation, retail and transport, and are at the heart of Britain's tourism promotion effort. The beneficial effect that public visiting to these places has on the wider economy is estimated at an additional £1.6 billion from inbound tourists alone (Government responses to PQs and speeches). Over 30,000 people are directly employed by HHA members or are employed in businesses in their grounds. The Heritage Lottery Fund's report, *Investing in Success* (2010), estimates the gross domestic product contribution of the heritage tourism industry to be £20.6 billion, directly supporting an estimated 195,000 full-time equivalent (FTE) jobs.
3. In fragile rural economies expenditure in and related to historic houses and their gardens can be crucial to underpinning the viable management of associated areas of high landscape value; without tourism, agriculture alone would no longer be able to support them. Any threat to the viability of heritage visitor attractions, the profitability of which is in some cases already marginal and in others subject to uncertainties such as the weather, will affect not only the properties themselves, but also the wider rural economy.
4. Many historic houses and their grounds have a programme of events for the public; these include agricultural shows and rural fairs, caravan rallies, open air theatre, large and small musical performances and concerts. Others host weddings and civil partnerships, welcome local businesses and support charitable functions. It is important to note that the HHA's membership is broad and diverse and, while there a number of large, complex events held at some member houses, there are very many other houses organising smaller pre-booked concerts, tours and community events, some of which may be held on behalf of third party charities and from which the house itself will derive no financial benefit. These events are extremely beneficial to the local community and help to extend our historic resource as well as support the historic places themselves. Income raised is ploughed back into the conservation of the fabric of these special places.

Smaller Events and Charitable Events

5. As the Licensing Act has bedded down and local authorities have become more familiar with it, concerns have generally declined for larger event holders. On the whole, our larger members who undertake a reasonable amount of licensable activity – both entertainment and alcohol – have found a combined once-and-for-all licence to be positive. There are, of course, issues about consistency of application and the law has revealed great potential for inconsistent interpretation as well as the adoption of overly prescriptive approaches.
6. Of most relevance to this consultation will tend to be activity at smaller venues which sell, or would like to sell, small quantities of alcohol to visitors in the context of an event, tour, special by-appointment visit, concert or community event. In addition, B & Bs which might provide a welcome drink or self-catering cottages which provide a welcome pack which may include a bottle of wine, are required to go through licensing requirements which are quite disproportionate to the alcohol activity involved.
7. There is a particular need for increased flexibility for places hosting events less frequently and so would not seek to acquire a premises licence. These may be to supplement the income of the houses themselves or, in many cases, independent charities where the house itself typically receives no income. However, as a Temporary Event Notice is required for any licensable activity, it is quite possible for these venues to accumulate a number of TENs as a result of third party activities and thus constrain the ability of the house itself to organise its own events.

Freeing up responsible businesses: Ancillary Sales of Alcohol

8. The HHA's response is therefore focused on **Section 9: Freeing up Responsible Businesses**. We strongly welcome the Government's intention to reduce licensing burdens on "ancillary sellers" and to recognise that where alcohol sales are *de minimis* to the overall activity, a much lighter regulatory touch really is required. The existing regulatory requirements have acted as a disincentive to historic houses wishing to host events, such as tours, talks, group visits and concerts; in these cases, there will be a limited amount of alcohol served – and it will be peripheral to the event - but the compliance burden does not recognise the nature of the alcohol sale. A more proportionate approach would have a positive impact in supporting the historic venue, the wider tourism industry and the rural economy, where many of these businesses are located.
9. **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?*

The HHA supports Option 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**.

10. **Question 17:** *If special provision to reduce licensing burdens on ancillary sellers were to include a list of certain types of business, do you think it should apply to the following?*

The HHA would support the examples listed. The definition of cultural organisation should be widened to include historic houses and gardens where alcohol is provided as part of a wider entry or event ticket.

11. **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. Do you think that the qualification criteria proposed in paragraph 9.6 meet this aim?*

The proposed criteria are that:

- the alcohol must be sold or supplied as a small part or proportion of a sales transaction or contract for a wider service; and
- the amount of alcohol that could be supplied as part of that contract cannot exceed a prescribed amount.

The HHA supports the qualification criteria as being appropriate to distinguish between businesses that undertake alcohol sales as a core component of their business and those where the sales are only a small part of, or incidental, to their wider activities.

12. **Question 20:** *Do you think that these proposals would significantly reduce the burdens on ancillary sellers?*

The HHA supports the second option to introduce a new form of lighter-touch authorisation which would be available to those given the status of an ancillary seller: the “ancillary sales notice” (ASN) which would remove the need for a premises licence at those premises. We believe that this approach would reflect the very low risk that these properties present to crime and anti-social behaviour while, at the same time, providing licensing authorities and the police with the control required to prevent abuse of the system.

We would support **Option C** - to couple the ASN with **no** requirement for a personal licence holder. The main purpose of a personal licence is to ensure that the provision of alcohol to a customer does not result in adverse personal or public outcomes. As the amount of alcohol being provided by ASN properties is accepted to be low, it is therefore unnecessary for the person providing it to be trained to prevent these consequences arising.

13. **Consultation Question 21:** *Do you think that the following proposals would impact adversely on one or more of the licensing objectives?*

The HHA does not believe that the proposals would impact adversely on any of the licensing objectives as the amount of alcohol would be limited and, by definition, would not be the focus of a business’ activity.

14. **Occasional provision of licensable activities at community events**

Undoubtedly deregulation would remove a layer of complexity and bureaucracy and smaller events will be easier to stage, particularly at venues which are restricted by the number of TENs they can hold. It is very difficult to estimate how many further events might be held across the heritage sector but a straw poll of HHA members indicated that small to medium sized historic houses may be able to host two to three extra events each year. In addition, our members are of the view that third party promoters of medium-sized events, such as concerts and plays, would be more willing to promote at historic houses venues if they were more available; this will have a positive effect on the local economy, and on the houses themselves which often depend on such events to secure their conservation.

HHA members are strongly of the opinion that community, charity and voluntary organisation will undoubtedly benefit. There is strong demand to host such events at historic houses and there was a clear view from our members that this could result in a renewed creativity in terms of small arts and music events. Historic houses, which currently

may be reluctant to host third-party events for fear of 'using up' their TENs allowance, would be likely to promote themselves as venues.

15. **Consultation Question 23 and Questions 24:** *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? What impact do you think a locally determined notification would have on organisers of community events?*

The HHA would support this light touch approach. This could mean, as the consultation correctly states, that community groups could notify their licensing authority of all their upcoming events involving licensable activities for the year ahead. This would certainly lead to potential savings in the future through business renewals and, of course, indirect saving in staff time as well as helping the businesses with whom historic house work such as caterers, marquee suppliers and entertainers.

16. **Consultation Question 25 and Question 26:** *Should the number of TENs which can be given in respect of individual properties be increased?*

The HHA would strongly support this and on balance would recommend 15.

