

# **Response 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

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).

Yes. However, there is an essential need for regular review of the impact of the pricing increase. The affordability of alcohol has increased by 45% since 1980 and although sales of alcohol have declined by 5% over the last few years it is important to maintain this downturn in consumption. The evaluation of the 50p per unit implementation in Scotland (when the legal challenge of this comes to an end) should also be monitored to ascertain if this is a more impactful figure. It would make sense to be consistent with Scotland.

Evidence strongly suggests setting the minimum unit price level at 50p would be markedly more effective in reducing consumption and thus reducing alcohol related health, crime and disorder issues. Research (supported by BMA findings) has identified that a level of 50p would be needed to reduce the number of hazardous and harmful drinkers. A 50p per unit price would not affect the vast majority of drinks sold through on-licence premises although it would prevent irresponsible promotions. It is however, strongly believed that any cost increase would affect the quantity of alcohol bought cheaply at supermarkets for the purpose of pre-loading. It is difficult to imagine how further reductions in alcohol related violent harm can be made should supermarkets continue to sell alcohol cheaply. Unfortunately, the commonly accepted myth is that a minimum price would hit the responsible drinker hard in the pocket. This is not the case with the weekly additional cost estimated to be 21p. A minimum price would target those drinks preferred by the heaviest drinkers and children (with little available cash); largely ciders and own brand spirits.

The SchARR model, which is the only UK independently peer reviewed evidence base for minimum unit pricing, found 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, for society and the economy and only cost the moderate drinker 6p per week more than a 45p minimum price level.

Consultation Question 2:

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

Yes    ✓	No	Don't Know
----------	----	------------

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.
- 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 price level should be regularly revised to ensure that alcohol doesn't get 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
----------	----	------------

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

Yes. A minimum price per unit will raise awareness of the health, social and economic implications of alcohol consumption and have a positive impact on all drinkers, families, workplaces and front line staff.

There will be implications for retailers, particularly supermarkets, which use alcohol sales as a loss-leader. It is anticipated that price reductions of other products will be used to maintain customer numbers and ensure that additional alcohol costs are off-set as offers are moved to non-alcohol sales. The average shopper should be no worse off and those with low alcohol consumption may be better off.

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):

Yes. A ban should be imposed as part of an overall strategy which includes a minimum price per unit. If price reductions are used to promote sales, the minimum price per unit should be maintained. For example for offers allowing:

- a multi-buy discount to be hidden in another offer (eg buy 3 cases of alcohol and get a £10 discount on food, petrol)
- a discount on other items eg buy 2 cases of beer get vodka half price.
- a significant discount on case sales of a particular sized can/bottle over 4-packs of another size of the same product
- retailers who artificially inflate the cost of an item for a set period of time before offering it for sale, apparently, at a discount. This is common practice with bottles of wine.
- Half price offers – surely these amount to the same things “buy one get one free” and “2 for the price of one”?
- Multi buy promotions in on trade should be consistent with the off trade

Consultation Question 7:

Should other factors or evidence be considered when considering 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 200 words):

- Marketing legislation
- Research undertaken by Alcohol Concern and Balance (2008) which found that promotions encouraged more drinking.
- Multi-buy ban policy needs to be enforced alongside a minimum unit price.
- Multi-buy ban encourages people to buy more alcohol than they intend.
- Reduced alcohol consumption on a population level should reduce inequalities in health experiences.

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

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

Yes. A reduction in alcohol consumption will result in a corresponding reduction in the demand for resources provided by Health and the Police. Pubs would benefit as customers are less likely to preload and young people would benefit from reduced access to alcohol at home.

<p>Consultation Question 9:</p> <p>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 from children
A	Irresponsible promotions	Yes	Yes	Yes	No
B	Dispensing alcohol directly into the mouth	Yes	Yes	Yes	No
C	Mandatory provision of free tap water	Yes	Yes	Yes	No
D	Age verification policy	Yes	Yes	Yes	Yes
E	Mandatory provision of small measures	Yes	Yes	Yes	Yes

<p>Consultation Question 10:</p> <p>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>• Need to consider:</li> <li>• Making unit content of all drinks clearly visible at point of sale</li> <li>• Ongoing training of bar and door staff</li> <li>• Age verification schemes</li> <li>• Remove the 'need to demonstrate a link with crime and disorder' clause relating to irresponsible promotions as it is too restrictive.</li> </ul>		

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
----------	----	------------

If yes, please specify in the box below (keeping your views to a maximum of 200 words):

Yes. Mandatory licensing conditions should include consideration of customer safety. This might include a requirement of door staff in (say) town centre locations and criteria for the training and accreditation of those staff.

The promotion of large volume drinks, sold to be shared, in pubs, clubs and restaurants e.g. pitchers of cocktails. It is unclear for the customer how many units are in the total volume and how many they are consuming in each glass.

Soft drinks should be priced cheaper than the cheapest alcoholic drink

Ladies nights and happy hours should be banned as they will see discounted alcohol

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):

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.

- Alcohol related conditions seen in hospital admissions and A&E departments
- Under 18 admissions to hospital
- Alcohol related conditions seen by local general practitioners
- Statistics related to recorded assault with injury
- Alcohol-related anti-social behaviour, crime and disorder statistics
- Liver disease and alcohol related and attributable deaths
- Alcohol related and attributable hospital admissions
- Levels of foetal alcohol syndrome
- Numbers of ambulance call outs related to alcohol

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.

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

If yes, please specify in the box below (keeping your views to a maximum of 200 words).

All responsible authorities should be able to object. Health related harm should be taken into consideration by licensing authorities. The proposal to make this discretionary rather than obligatory is questioned. This process should be mandatory and not voluntary, and therefore open to misuse. Cumulative Impact Statements should include an assessment by Health. The proposal to introduce a health related objective for licensing related specifically to the cumulative impact is welcomed. As a responsible authority, it is very appropriate that Health should be able to both instigate and contribute to the review of a licence.

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.

Introducing a public health objective, particularly to support over-provision or saturation policies at a local level, would enable licensing decisions to be made taking into account the full impact of alcohol harm within the local council's boundaries. It would enable local authorities to control the availability of alcohol in their area – and thus impose some measure of control on the level of harm. Fewer premises within a particular area would reduce the need for competitive pricing. It would limit the availability of alcohol at a local level to young people. A&E data would highlight the level of alcohol-related assaults reporting, many of which are not reported to the police. As part of this, however, there needs to be an improvement in the quality and consistency of data collected as current hospital coding systems do not always accurately reflect the alcohol-related nature of admissions and A&E attendances. As well as data collection an agreed mechanism for sharing analysed data needs to be agreed locally.

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.			x
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 accommodation as part of the contract.		No	
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):

Any sale of alcohol should be regulated.

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
If no, please specify in the box below (keeping your views to a maximum of 200 words).  The definition leaves scope for wide interpretation. The criteria could be exploited. We would question how will this be monitored and enforced, how can it be ensured that they are responsible retailers.		

<p>Consultation Question 20:</p> <p>Do you think that these proposals would significantly reduce the burdens on ancillary sellers?</p>				
		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.			X
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.			X
C.	Introduce a new, light touch form of authorization for premises making ancillary sales – an ASN - with no requirement for a personal licence holder.			X

<p>Consultation Question 21:</p> <p>Do you think that the following proposals would impact adversely on one or more of the licensing objectives?</p>				
		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 authorization for premises making ancillary sales - an ASN - with no requirement for a personal licence holder.	Yes		

<p>Consultation Question 22:</p> <p>What other issues or options do you think should be considered when taking forward proposals for a lighter touch authorisation?</p> <p>(Please specify in the box below, keeping your views to a maximum of 200 words):</p>
<p>We do not support any deregulation or unregulated sales of alcohol.</p>

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
-----	------	------------

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 X
-----	----	--------------

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 from regulations for the provision of late night refreshment.		No	

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):	

<b>Consultation Question 30:</b> 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	

<b>Consultation Question 31:</b> 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.			X
B.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.			X
C.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – “lodges”.			X
D.	Remove or simplify requirements to renew personal licences under the 2003 Act.			X

<b>Consultation Question 32:</b> 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		

<b>Consultation Question 33:</b> 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):				
---	--	--	--	--

--

**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.		No	
B.	Multi-buy promotions.			<i>Don't know</i>
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

**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
<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>Has there been any thought to the impact of other substances by these suggested changes?</p>		