

# **HYWEL DDA HEALTH BOARD RESPONSE TO THE HOME OFFICE CONSULTATION ON DELIVERING THE UK 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 <b>X</b>	Don't Know
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Hywel Dda Health Board supports the proposal to introduce a minimum unit price for alcohol set at a level that will impact on excessive alcohol consumption. Available evidence suggests that a minimum unit price of alcohol of 50p per unit would yield more significant reductions in crime, greater improvement in health outcomes, a reduction in absenteeism and a reduction in unemployment rates without unduly affecting the licensed on trade. The Chief Medical Officer's report for England (2008) identified the need for a MUP of 50p alongside research conducted by Sheffield University arguing also the need for an MUP of 50p in order to prevent a further 1000 deaths; 31,000 alcohol related hospital admissions; and 18,000 crimes per year.

## **Consultation Question 2:**

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

Yes <b>X</b>	No	Don't Know
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The impact on Emergency Departments needs to be considered as this is likely to be where the greatest effect will be realised. There may currently be a lack of robust local data but where it exists, the difference between 45p and 50p will be significant. Research by the University of Sheffield based on the population of Scotland found that as minimum price threshold increases, alcohol-related hospital admissions and deaths are estimated to reduce. Within the research model a reduction of 5,100 hospital admissions per annum was forecast for a 40p threshold compared with a 6,600 reduction for a 45p threshold and 8,600 for 50p threshold.

Therefore Hywel Dda Health Board believes that the outcomes associated with MUP with respect to the on and off trade, data on alcohol related deaths and alcohol related admissions should be taken into consideration when setting a MUP for alcohol.

## **Consultation Question 3:**

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

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

#### **Consultation Question 4:**

The aim of minimum pricing is to reduce the consumption of harmful and hazardous drinkers, while minimising the impact of 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 <b>X</b>	No	Don't Know
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Hywel Dda Health Board believes that the following population groups would benefit from a MUP:

- Children and young people. A MUP of 50p will result in fewer children and young people being exposed to parental alcohol misuse. Also, many children and young people who do drink under age will purchase cheaper alcohol brands. The impact of a MUP on the overall costs on for instance supermarket own brands will challenge existing drinking patterns in this age group
- Employers. A MUP of 50p will result in a reduction of over 440,000 days lost to alcohol related absenteeism per year.
- Pubs. Cheap alcohol in the off trade has contributed to the decline of the local British pub. Recent surveys have highlighted that the majority of pub landlords support the MUP.
- Victims of crime. A MUP of 50p will result in 18,000 fewer crimes per year

[Purhouse, R. (2009) Modelling to assess the effectiveness of public health related strategies and intervention to reduce alcohol attributable harm in England using the Sheffield Alcohol Policy Model version 2.0 Report to the Public eHealth Development Group, Sheffield University]

#### **Consultation Question 5:**

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

Yes <b>X</b>	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 <b>X</b>	No	Don't Know
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Available evidence suggests that any promotion that promotes and encourages the purchase of more alcohol than intended should not be permitted. This should encompass the following:

- All you can drink promotions
- Promotions offering money off incentives

- Multi-buy promotions in the on trade
- Loyalty schemes such as those offering points for alcohol purchases

**Consultation Question 7:**

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

Yes <b>X</b>	No	Don't Know
<p>Rather than deal with the harm of alcohol misuse retrospectively, evidence suggests that it is more effective to address the prevalence of alcohol related harms through the reduction of alcohol related deaths; hospital admissions; absenteeism; and crimes.</p>		

**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 <b>X</b>	No	Don't Know
<p>Hywel Dda Health Board believes that the following population groups will benefit from a ban on multi-buy promotions:</p> <ul style="list-style-type: none"> <li>• Children and young people would be less incentivised to drink more than they otherwise would choose to.</li> <li>• Ambulance Services; Hospitals; and Police. Front line services would deal with a reduced numbers of the population affected by alcohol misuse.</li> <li>• People on low income. Evidence suggests that those members of the population receiving a low income would benefit from a ban on multi-buy promotions as they are disproportionately affected by alcohol related harm. Research conducted by the Department of Health (2009) demonstrates that alcohol related mortality is significantly higher in areas of high deprivation</li> </ul>		

**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)?

		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 <b>X</b>	Don't Know
<p>Hywel Dda Health Board would support restrictions being applied to irresponsible promotions that encourage excessive drinking in pubs and clubs.</p> <p>Volume discounting or incentives to buy more alcohol than might otherwise be purchased should be prohibited, including voucher/reward card deals which are becoming increasingly common, as should promotions that cut prices for a specified time e.g. happy hours. Also promotions that encourage excessive drinking in pubs and clubs where organised by a third party e.g. as student bar crawls.</p>		

**Consultation Question 11:**

Are there others 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 <b>X</b>	No	Don't Know
<p>Additional mandatory conditions should be in place for the following:</p> <ul style="list-style-type: none"> <li>• Illegally produced alcohol – licensing conditions should be imposed to restrict the production of illegally produced alcohol;</li> <li>• Non alcoholic drinks – to be cheaper than the cheapest alcoholic drink;</li> <li>• Sporting events – local licensing conditions should be imposed on the sale of alcohol;</li> <li>• Smaller measures – wine should not be sold in measures of 250ml as this is likely to contain 2.5 to 3.5 units of alcohol. Furthermore the 35ml spirit measure should be replaced with a 25ml spirit measure which equates to one measure.</li> <li>• Maximum number of drinks – no more than 4 drinks should be sold per</li> </ul>		

<p>person as currently seen in musical and sporting events.</p> <ul style="list-style-type: none"> <li>Responsible Messages – licensed premises should be responsible for promoting sensible drinking and harmful drinking messages, including displaying the mandatory licensing conditions on the majority of alcohol labels</li> </ul>
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**Consultation Question 12:**

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

Yes	No <b>X</b>	Don't Know
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Conditions relating to irresponsible promotions should be applied to both the on and off trade. Many off licensed premises sell alcohol late into the evening. Ensuring that alcohol at these premises is sold and promoted responsibly is relevant to the effective management of a safe night time economy. Available evidence suggests that those amongst the population who pre-load and subsequently enter the night time economy are more susceptible to negative health and criminal justice outcomes.

**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?

In order to make decisions in respect of CIPs, health related evidence / data should be included on the following:

- Alcohol related deaths
- Numbers of calls attended by ambulance services in respect of alcohol
- Number of children and young people taken into care due to parental negligence associated with alcohol misuse
- Numbers of drink drivers
- Alcohol related conditions seen in hospital admissions and A&E departments
- Under 18 admissions to hospital
- Alcohol and violence/assault
- Alcohol related conditions seen by local general practitioners
- Liver disease and alcohol related deaths

**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 harms?

Yes <b>X</b>	No	Don't Know
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Health related harm should be taken into consideration by licensing authorities. However, the proposal to make this discretionary rather than obligatory is questioned. Rather than tying the consideration of health harm to CIPs, we recommend including the protection of public health as a fifth licensing objective.

All CIPs~~Cumulative Impact Statements~~ should include an assessment by the relevant Local Health Board of the implications of granting or continuing to allow a licence. The proposal to introduce a health related objective for licensing related specifically to the cumulative impact is therefore welcomed. As a responsible authority, it is very appropriate that Health Boards in Wales should be able to both instigate and contribute to the review of any 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?

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.

**Consultation Question 16.**

Should special provision to reduce the burdens on ancillary sellers be limited to specific types of businesses, do you think it should apply to the following?

		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>X</b>		
B	The provision should be available to all businesses providing they meet certain qualification criteria to be an ancillary seller.	<b>X</b>		
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.	<b>X</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?

		Yes	No	Don't know
A	Accommodation providers, providing alcohol alongside accommodation as part of the contract.		<b>X</b>	

B	Hair and beauty salons providing alcohol alongside a hair and beauty treatment.		X	
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.		X	
D	Florists providing alcohol alongside the purchase of flowers.		X	
E	Regular charitable events providing alcohol as part of the wider occasion.	X		

**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?

No

**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 maintaining the effectiveness of enforcement – paragraphs 9.2 and 9.3. Do you think that the qualification criteria proposed in paragraph 9.6 meets this aim?

Yes

No X

Don't Know

The definition leaves considerable scope for interpretation. The amount of alcohol on offer requires clear definition

**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 license application that the requirement for a personal license 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 license holder.	X		
C	Introduce a new light touch form of authorisation for premises making ancillary sales – an “ASN” but with no requirement for a personal license holder	X		

**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 license premises making ancillary sales to request their premises license application that the requirement for a personal license holder be removed.	<b>X</b>		
B	Introduce a new light touch form of authorisation for premises making ancillary sales – an “ASN” but retain the need for a personal license holder.	<b>X</b>		
C	Introduce a new light touch form of authorisation for premises making ancillary sales – and “ASN” but with no requirement for a personal license holder.	<b>X</b>		

**Consultation Question 22:**

What other issues or options do you think should be considered when taking forward proposals for a lighter touch authorisation?

Nothing to comment

**Consultation Question 23:**

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

Yes      No **X**      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.			<b>X</b>
B	Increase the burden.			<b>X</b>

**Consultation Question 25:**

Should the number of TENs which can be given in respect of individual premises be increased?

Yes      No **X**      Don't Know

**Consultation Question 26:**

If yes please select one option to indicate which you would prefer:

15	No <b>X</b>
18	
Don't know	



<b>Consultation Question 27:</b> 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>X</b>	
B	Determining that certain areas are exempt in their local area.		<b>X</b>	

<b>Consultation Question 28:</b> 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 services should receive a nationally prescribed exemption from regulations for the provision of late night refreshment.		<b>X</b>	

<b>Consultation Question 29:</b> Please describe any other types of premises to which a nationally prescribed exemption should apply.	
Hywel Dda Health Board does not support a nationally prescribed exemption.	

<b>Consultation Question 30:</b> Do you agree with the following proposals?				
		Yes	No	Don't know
A	Remove the requirements to advertise licensing applications in local newspapers.		<b>X</b>	
B	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off trade.		<b>X</b>	
C	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – "Lodges".		<b>X</b>	
D	Remove or simplify requirements to renew personal licenses under the 2003 Act.		<b>X</b>	

<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 the requirements to advertise		<b>X</b>	

	licensing applications in local newspapers.			
B	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off trade.			<b>X</b>
C	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – “Lodges”.			<b>X</b>
D	Remove or simplify requirements to renew personal licenses under the 2003 Act.	<b>X</b>		

**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 the requirements to advertise licensing applications in local newspapers.	<b>X</b>		
B	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off trade.			<b>X</b>
C	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – “Lodges”.			<b>X</b>
D	Remove or simplify requirements to renew personal licenses under the 2003 Act.			<b>X</b>

**Consultation Question 33:**

In addition to the suggestions outlined above, what other sections or processes under the 2003 Act could in your view be removed or simplified in order to impact favourable on businesses without undermining the statutory licensing objectives or significantly increasing burdens on licensing authorities?

Hywel Dda Health Board believes We think it should be as easy as possible for members of the public to make their views known on licensing applications and decision making and suggest this process is determined locally. Any system should seek to engage the public as much as possible through whatever means is most successful.  
We do not support removing the prohibition of alcohol sales at motorway service areas.

**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>X</b>

B	Multi-buy promotions.			<b>X</b>
C	Health as an objective cumulative impact.			<b>X</b>
D	Ancillary sales of alcohol.			<b>X</b>
E	Temporary event notices.			<b>X</b>
F	Late night refreshment.			<b>X</b>
G	Removing duty to advertise licensing applications in local newspapers.			<b>X</b>
H	Sales of alcohol at motorway stations.			<b>X</b>
I	Personal licenses.			<b>X</b>

**Consultation Question 35:**

Do you have any comments on methodologies or assumptions used in the impact assessments? If so please detail them, referencing clearly the impact assessment and page to which you refer to.

Yes	No <b>X</b>	Don't Know
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