

Consultation Response –Public Health Dept, Middlesbrough PCT

The Government wants to ensure that the chosen minimum unit price level is targeted and proportionate, whilst achieving a significant reduction of harm

Consultation Question 1:

Do you agree that this MUP level would achieve these aims? (Please select one option)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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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)

Whilst agreeing that minimum unit pricing is a highly targeted and effective approach that would have the greatest impact on younger and heavier drinkers, we would urge the Government to set a MUP for alcohol of at least 50p for the following reasons:

- The University of Sheffield has modelled the effects of MUP on a number of parameters (1). A MUP of 50p compared to a MUP of 45p would save annually an additional 1,000 deaths; 31,000 alcohol-related hospital admissions; 18,000 crimes and would reduce consumption by a further 2.4%
- The previous Chief Medical Officer called for a 50p MUP of alcohol in 2009 which at today's value would be in excess of 50p (2)
- The Faculty of Public Health supported the call for a MUP of 50p for alcohol in their "12 Steps to Better Health Manifesto" (3) with 50p MUP being 'Step No. 1'
- The Association of North East Council's Leaders' and Elected Mayors' Group support MUP set at 50p
- Consideration needs to be given to cross-border purchases if a MUP below that proposed for Scotland (50p) is set, particularly in border areas in the North of England
- We believe that a MUP, particularly set at 50p, provides clarity and would be easier to enforce than alternative levels of MUP and different ways of raising price.

Consultation Question 2:

Should other factors or evidence be considered when setting a minimum unit price for alcohol? (Please select one option)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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If yes please specify in the box below (keeping your views to a maximum of 200 words)

**Factors**

- MUP should be set at no less than 50p per unit, and regularly reviewed to ensure alcohol does not become more affordable over time
- Consider cross-border purchases if a MUP below that proposed for Scotland (50p) is set
- A mechanism for channelling the increased monies received by retailers into reducing the problems caused by alcohol at the local level should be introduced
- The initial introductory period for MUP provision should be in line with that agreed in Scotland and independent evaluations on effectiveness set up, to include whether the level has been set appropriately.

**Evidence:**

- 82% of publicans in the North East (NE) state supermarket promotions are hitting their trade (4)
- 18 pubs close each week in Britain (5). MUP would close the price difference between pubs and cheapest supermarket deals. In his speech at the APPG on Beer the Secretary of State for Communities and Local Government stated that community pubs contributed £19 billion and 900,000 jobs to the economy (6). That contribution is being eroded by cheap off-licence sales alcohol
- 70% of publicans in the NE are in support of MUP (4)
- 53% of people in the NE, support MUP (7)
- 81% of people in the NE stated they were more likely to support MUP if it reduced drunk and rowdy behaviour (7) – which evidence suggests it would (1)
- The BMA support 50p MUP (8) and 80% of GPs in the NE support MUP (9)

- The North East has the highest rate of under 18 alcohol specific hospital admissions (10) and evidence from Sheffield University indicates that a minimum unit price set at 50p would result in larger reductions in alcohol consumption amongst this group
- Alcohol harm is costing the North East economy over £1 billion a year (11)
- 40% of child protection cases and 74% of child mistreatment cases in the UK are alcohol related (12).

Consultation Question 3:

How do you think the level of minimum unit price set by the Government should be adjusted over time? (Please select one option)

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

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? (Please select one option)

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Don't know <input type="checkbox"/>
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If Yes please specify in the box below (keeping your views to a maximum of 100 words)

It would:

- Help children through:
  - Fewer drinking – and those drinking consuming less (1)
  - Reduced risks of excessive consumption shaping behaviour
  - Reduced numbers exposed to parental alcohol misuse
  - Protect children in the family context – alcohol has been identified as a factor in 40% of child protection cases (12)
- Help protect current and future victims of domestic abuse, around 40% of which are linked to alcohol (13)
- Result in fewer crimes (1), victims of crime and reduced fear of crime
- Benefit frontline workers – i.e. reduced assaults on A & E and police staff, time and money saved dealing with excessive alcohol misuse
- Benefit drinkers and non - drinkers as dealing with alcohol harm in the North East costs more than £1 billion a year (11)
- Benefit community pubs and bars which are finding it difficult to compete with cheap off license sales

Consultation Question 5:

Do you think there should be a ban on multi-buy promotions involving alcohol in the off-trade? (Please select one option)

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Don't know <input type="checkbox"/>
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<p>Consultation Question 6: Are there any further offers which should be included in a ban on multi-buy promotions? (Please select one option)</p>			
Yes	<input checked="" type="checkbox"/>	No	Don't know
<p>If Yes please specify in the box below (keeping your views to a maximum of 100 words)</p> <p>We would support an end to multi-buy promotions in the off <b>and on</b> trade as alcohol is addictive and should not be treated like just another product. Indeed any incentive to purchase and consume more than intended – such as money off or reductions to other products or services or voucher points – should be prohibited. This should include packaging alcohol as part of a meal deal or offering free alcohol on flights or as part of first-class rail travel.</p> <p>For the same reasons we believe that all promotions – including those offering money off individual items – should be stopped. Alcohol is not an ordinary product and should not be treated as such.</p>			

<p>Consultation Question 7: Should other factors or evidence be considered when considering a ban on multi-buy promotions? (Please select one option)</p>			
Yes	<input checked="" type="checkbox"/>	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>• Work carried out by Sheffield University on behalf of the Scottish Government indicated that a ban on multi-buy promotions would increase the effectiveness of MUP. For example, a MUP of 50p plus an off trade discount ban would lead to further falls in consumption resulting in more lives saved, greater falls in hospital admissions, a larger fall in alcohol related crimes and bigger falls in absence days and unemployment (14)</li> <li>• A report presented to the HASC (29/6/2012) by Prof. Nutt suggested that alcohol is the most dangerous drug in the UK beating heroin and crack cocaine into second and third place (15). Yet alcohol, in contrast to those illegal drugs, is as easy to access as regular grocery items. Worse than that, it has been used as a loss leader by supermarkets and in Balance's last price survey was being sold for as little as 12p per unit (16)</li> <li>• Cheap alcohol deals may result in young people drinking more, as highlighted in the Alcohol Concern and Balance Report 'Drinking to Get Drunk' in which 16-17 year-olds were quoted as saying that price promotions 'attracted young people to drink more than they would have' (17)</li> <li>• A joined up policy approach which addresses the price and availability of alcohol as well as the quality and co-ordination of hospital and community services, is both coherent and evidence-based. It will deliver the health outcomes and reductions in alcohol related mortality (1)</li> <li>• Reductions in consumption levels would improve health inequalities as health harms have a greater impact on lower income groups. For example, alcohol related deaths are 45% higher in areas of high deprivation (18).</li> </ul> <p>The wording on any ban on multi buy promotions should be able to be applied to the potential promotions the trade are likely to operate to avoid breaching the ban.</p> <p>Also, will the ban on multi-buy promotions apply if the alcohol does not cost less than the MUP?</p>			

<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? (Please select one option)</p>
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Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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If Yes please specify in the box below (keeping your views to a maximum of 100 words)

Young people in particular would benefit from a ban on cheap alcohol deals as outlined above.

People on low incomes are likely to benefit most from any measure which leads to a reduction in consumption. For example, in the most deprived areas men are five times, and women three times, more likely to die an alcohol related death than those in the least deprived areas (18).

Community pubs would benefit as they are currently struggling to compete with cheap supermarket prices.

Our front line services would benefit as multi-purchase deals encourage pre-loading which, in turn, leads to more problems in the night time economy.

Families would benefit as these deals encourage home drinking where excessive consumption is hidden and harder to control.

The public in general would benefit as consumers would be discouraged from buying and therefore drinking more alcohol than they otherwise would have.

<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 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:</p> <p>Do you think that the mandatory licensing conditions do enough to target irresponsible promotions in pubs and clubs?</p> <p>(Please select one option)</p>		
Yes	No x	Don't know

If no please state what more could be done in the box below (keeping your views to a maximum of 100 words)

The mandatory conditions are having some effect but need amending. For example, the condition relating to irresponsible promotions should have the clause referring to the clause " in a manner which carries a significant risk of leading or contributing to " removed as it makes the condition ambiguous and very difficult to use.

Similarly, the condition relating to the age verification policies should stipulate the need for a written policy which is advertised within the venue. Consideration should also be given to a minimum age 21 verification scheme

Furthermore, anything which encourages greater consumption than intended should not be allowed, including:

- Price-based promotions
- Other incentives, e.g. meal deals or voucher schemes
- student 'drink the bar dry' promotions
- organised pub crawls associated with students
- drinks sold in one large container for consumption from that container, e.g. 'goldfish bowls'
- mobile sales, e.g. shots sold from a tray or dispensed from a tank at your table
- offering an alcoholic drink cheaper than an one without alcohol, i.e. vodka and coke vs coke alone
- the sale of bottles of spirits in on trade premises, seen in some VIP areas of clubs.

The 35ml spirit measure should be withdrawn, leaving the 25ml single measure which equates to one unit of alcohol and is easy to track for those counting their alcohol intake.

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?

(Please select one option)

Yes X	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)

- Age verification training
- The need to keep a refusals book
- Till prompts re age verification (i.e. Challenge 25)
- Mandatory training to sell alcohol
- Provision and promotion of lower strengths beers and wines
- Promotion - not simply provision - of small measures; active promotion of soft drinks
- Upselling should be prohibited
- Point of sale information should be made compulsory stipulating units of alcohol and the recommended limits together with health harms.
- Location of alcohol displayed in premises.

In Middlesbrough, specific conditions have been applied to some premises licences regarding the position of the alcohol in their premise. This has also been stated in Middlesbrough Licensing Policy

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? (Please select one option)

Yes	No X	Don't know
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If no please explain why you think the current approach is not the best approach in the box below (keeping your views to a maximum of 100 words)

The problems of alcohol harm are increasingly associated with cheap alcohol sold from off licence premises, yet only one condition applies to the off trade. Surveys and research consistently point to more alcohol being purchased from supermarkets (19, 20) and more consumed at home where problems of domestic abuse and child protection can be hidden. There is also the issue of pre-loading. Almost one in two publicans in Balance's recent survey (4) indicated that they were seeing customers arriving drunk because of cheap supermarket offers. We also know that people who have pre-loaded before they go out into the night-time economy are more likely to be a victim or perpetrator of crime. (20)

Irresponsible promotions and the provision and promotion of smaller measures could both be applied to the off trade together with the practices highlighted in our answer to question 10.

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)

There are a range of sources available, including:

- A&E data
- Ambulance data
- Alcohol specific hospital admissions
- Alcohol attributable hospital admissions
- Under 18 admissions
- Liver and other alcohol related deaths
- The cost of the treating the above
- Domestic abuse and child protection data
- Alcohol related crime figures
- Local data sources, e.g. residents' surveys.

In principle, we believe that public health should be a licensing objective in its own right and not tied to CIPs. We do not accept the rationale on p7 of the relevant impact assessment stating that it would be disproportionate because the alcohol industry is already taking action as part of the Responsibility Deal. Promises on alcohol labelling have been made before – and been broken. What's more, industry efforts to promote unit information are small and sporadic when compared to the weight of pro alcohol marketing. In Balance's latest public opinion survey the public's awareness of alcohol unit is falling – and has been for the last three years. (7)

It is also difficult to engage with small local retailers in the Responsibility Deal and increasingly in Middlesbrough we have seen more corner shops, newsagents and post offices applying to sell alcohol. The locations where these shops are situated are unlikely to be subject to a CIP, but the health impact concerns of alcohol stand alone. Without a public health objective, there will be reliance on the reactive public safety and crime and disorder matters, and not the chronic impact of alcohol consumption.

If health data is only able to be considered to support a CIP, then in some locations the whole authority would become a CIP.

Experience in Scotland suggests that public health data should be used to underpin over-provision policies covering entire local authority areas to ensure the overall availability of alcohol is taken into account.

However, there are some practical difficulties when using public health data.. It is difficult to tie public health data to specific locations such as a licensed premise, particularly an off licence. Also, taking a small geographic area would fail to represent the scale of the problem being dealt with by the public services in that area.

Furthermore, public health should be a consideration at the highest level in local authorities, playing a central role in planning and economic development.

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 X

No

Don't know

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

There is a concern that although the stats from a PCT wide perspective may look compelling, once reduced to neighbourhood / ward size the figure may be small and too easily dismissed. Most relevant public health stats are not



It may be more practical for a public health objective to be linked to borough-wide saturation policies as this is the level at which data becomes meaningful. It also reflects the Scottish experience in areas such as West Dumbartonshire. Furthermore, it gives local politicians the opportunity to take control of the availability of alcohol in their council areas, helping to fulfil their new responsibility for public health.

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.

A CIP is considered when the concentration of licensed premises is impacting negatively on the licensing objectives. In Middlesbrough CIP, alcohol related injuries were also considered to support the policy, though there was strong evidence from the crime and disorder statistics to support the decision.. However, the additional health data referred to above would have provided more evidence for the CIP.

Introducing a public health objective, particularly to support over-provision or saturation policies at the borough-wide level, would enable all licensing decisions to take into account the full impact of alcohol harm within that council's boundaries. It would enable local authorities to control the availability of alcohol in their area – and we know from the World Health Organisation (21) that availability affects the level of harm.

If there are fewer premises within a particular area it would reduce the need for competitive pricing. It would limit the availability of alcohol at a local level to young people, which we know from Alcohol Concern's report 'One On Every Corner' (22) is an indicator of harm. It would evidence the hidden harm of alcohol consumption in terms of home drinking. Finally, through sources such as A&E data, it would help to record the level of alcohol-related assaults reporting to A&E, many of which are not reported to and recorded by the police.

Middlesbrough used the role of NHS Middlesbrough as a statutory consultee for public health to support a review by the Police of a premises licence of a night club in Middlesbrough. The costs were calculated of the alcohol related injuries arising from the premises. The review for NHS Middlesbrough had to be centred around the public safety objective, as there is no public health objective. This was questioned in the Hearing by the defence barrister. Clearly in this case, public health was a major consideration, the incidents clearly fuelled by excessive alcohol consumption and the injuries which arose caused by this. It is our view that not having the public health objective weakened the evidence. It is likely that challenges to alcohol related health data will be challenged in the review and application process if there is no direct public health objective to link it to.

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 met key 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 available to all businesses providing they meet certain qualification 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 –		X	
B	Hair and beauty salons providing alcohol alongside a hair or 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? Please write your suggestion in the box below, keeping your views to a maximum of 200 words)

The WHO states that, 'An increased density of alcohol outlets is associated with increased levels of alcohol consumption among young people, increased levels of assault, and other harm such as homicide, child abuse and neglect, self-inflicted injury and, with less consistent evidence, road traffic accidents.' (21)

We profoundly disagree with the need for 'freeing up the burdens on businesses' to make it easier to sell alcohol. It will increase the availability of alcohol and further cement our pro-alcohol culture. It will lead to increased personal and social harm. It will worsen health inequalities. It will say to our children that alcohol has to be a central part of adult life. Furthermore, the 'ancillary license' provisions directly contradict the direction of travel set out in the Police Reform and Social Responsibility Act which, through measures such as the Night Time Levy and Early Morning Restriction Orders sets out to give localities greater power to restrict the availability of alcohol in their own neighbourhoods.

What's more, while it may reduce the burden on business, it will increase the costs and stresses on our public services, particularly our front line staff. This is particularly damaging at a time when resources are stretched in the public sector. In a recent survey of 1,100 frontline police officers in the North East of England Balance found that 60 per cent of respondents estimated that dealing with alcohol related crime and disorder took up at least half of their time. The same survey found that 97% of frontline officers felt at 'high risk' or 'some risk' from being assaulted when policing the night time economy with over a third having suffered injury four or more times when dealing with drunken members of the public. (23)

There are significant dangers of loopholes should such changes be introduced. For example, would a taxi-firm running a dial-a-drink service qualify for an ancillary license? Would we see even more petrol stations selling 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 X	Don't know
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If no please describe the changes you would make in the box below (keeping your views to a maximum of 200 words)  
What is the legal definition of 'small part of, or incidental to'?

This provision represents a real risk that alcohol becomes even more normalised, thus failing to take into account the negative impact it has on society in terms of health harms, crime and disorder and wider societal and economic issues.



There is serious concern amongst police and local authority partners with regard to whom and how premises would be investigated to ensure that they are still eligible to be classed as an ancillary seller. At times of austerity and job cuts, why should a reduction in bureaucracy for businesses have to result in an increased workload and therefore increased cost for local authorities?

Consultation Question 20:  
Do you think that these proposals would significantly reduce the burdens on ancillary sellers?(Please select one option in each row)

		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 authorisation for premises making ancillary sales – an 'ASN' but 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? (Please select one option in each row)

		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 authorisation for premises making ancillary sales – an 'ASN' but with no requirement for a personal licence holder	X		

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)

There needs to be accountability and responsibility for selling a product which has the potential to cause harm. The licensing Act reregulated the sale of alcohol, but maintained some powers to take action when necessary for breaches of the licensing objectives. Lighter touch should be applied with caution as this does not take away the need for regulation and enforcement, particularly if the exemptions are not clearly worded or ambiguous.

Who would be responsible for ensuring the alcohol sold does not exceed a certain amount, and whether the sale of alcohol is supplied as a small part of a transaction – and how easy would this be to regulate.

Who would check or respond to complaints about alcohol being sold to children or people who are already intoxicated; that training is being provided to staff; that the business is run in support of the licensing objectives?

Community premises are generally non-profit making whilst the proposed ancillary sellers are businesses. At a time when businesses are under pressure, there may be a temptation to make alcohol a more important part of their offer to customers.

In our experience, community events regularly revolve around alcohol consumption and in many cases are

located within a pub's grounds for this reason. If there was an exemption, these events would increasingly become centred around a community venue with no controls in relation to the consumption of alcohol. If a locally determined policy were to be applied, this would need to be supported with the option of regulatory action if the policy is not complied with. It is likely that A locally determined policy would be similar to those controls currently in place and backed up with reference to the licensing objectives.

Our partners have significant concerns that the legislation would provide loopholes for irresponsible businesses to abuse.

Removing the need to advertise contradicts the government's consultation: Rebalancing the Licensing Act - a consultation on empowering individuals, families and local communities to shape and determine local licensing which resulted in the vicinity test being removed to encourage communities to participate in licensing at a local level.

The proposal to withdraw the annual fee for ancillary sellers is also a concern to local authorities as licensing even with the licensing fees is not cost neutral. Again, the previous consultation introduced the ability to set fees to cover costs, yet with this proposal, a significant number of premises would be exempt.

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? (Please select one option)

Yes	No X	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? (Please select one option in each row)

		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? (Please select one option)

Yes	No X	Don't know
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Consultation Question 26:

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

15	
18	
Don't know	

Consultation Question 27:

Do you think that licensing authorities should have local discretion around late night refreshment in each of the following ways? (Please select one option in each row)

		Yes	No	Don't know
A	Determining that premises in certain areas are exempt		X	
B	Determining that certain areas are exempt in their local area		X	

<p>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? (Please select one option)</p>				
		Yes	No	Don't know
A	Motorway services should receive a nationally prescribed exemption from regulations for the provision of late night refreshment	X		

<p>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)</p>				
<p>None – the World Health Organisation states that one of the key ways to reduce alcohol harm is to control the availability of alcohol (21). Alcohol is more available than ever before. It is available 24 hours a day, seven days a week and dial a drink services mean it can even be delivered to your door. The suggestions laid out here risk compounding the errors made in trying to create a so called 'café/24 hour drinking culture'.</p>				

<p>Consultation Question 30: Do you agree with each of the following proposals? (Please select one option in each row)</p>				
		Yes	No	Don't know
A	Remove the requirements to advertise licensing applications in local newspapers		X	
B	Remove the centrally imposed prohibition on the sale of alcohol at MSA's for the on and off trade		X	
C	Remove the centrally imposed prohibition on the sale of alcohol at MSA's but only in respect of overnight accommodation – "lodges"		X	
D	Remove or simplify requirements to renew personal licences under the 2003 Act		X	

<p>Consultation Question 31: Do you think that each of the following would reduce the overall burdens on business? (Please select one option in each row)</p>				
		Yes	No	Don't know
A	Remove the requirements to advertise licensing applications in local newspapers		x	
B	Remove the centrally imposed prohibition on the sale of alcohol at MSA's for the on and off trade		x	
C	Remove the centrally imposed prohibition on the sale of alcohol at MSA's but only in respect of overnight accommodation – "lodges"		x	
D	Remove or simplify requirements to renew personal licences under the 2003 Act		x	

<p>Consultation Question 32: Do you think that the following measures would impact adversely on one or more of the licensing objectives? (Please select one option in each row)</p>				
		Yes	No	Don't know

A	Remove the requirements to advertise licensing applications in local newspapers	X		
B	Remove the centrally imposed prohibition on the sale of alcohol at MSA's for the on and off trade	X		
C	Remove the centrally imposed prohibition on the sale of alcohol at MSA's but only in respect of overnight accommodation – "lodges"	X		
D	Remove or simplify requirements to renew personal licences under the 2003 Act	X		

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)

**31 & 32 A** - limits the ability to engage local communities, an ambition set out in 'Rebalancing the Licensing Act.

**31 & 32 B & C** – send a negative mixed message about drinking and driving, increases availability, and underlines a pro-alcohol culture.

**31 & 32 D** – the need for a personal license underlines the seriousness of selling alcohol and makes an individual directly responsible for the safe and responsible sale of alcohol. It should not be removed.

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? (Please select one option in each row)

		Yes	No	Don't know
A	Minimum unit pricing		X	
B	Multi-buy promotions			
C	Health as an objective for cumulative impact		X	
D	Ancillary sales of alcohol		X	
E	Temporary Event Notices			
F	Late night refreshment			
G	Removing the duty to advertise licensing applications in local newspapers			
H	Sales of alcohol at motorway service stations			
I	Personal licences			

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 X	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).

**Impact Assessment: A minimum Unit Price for Alcohol**  
**Ref: p5:** We believe the estimates are likely to under represent the costs associated with alcohol harm. For example, a report from the National Social Marketing Centre which includes wider social harm puts the economic cost at £55 billion (24). Balance's own work in this area includes social services related costs of

£1.9 billion (11). From conversations with police officers from three constabularies in the North East, we believe it is also likely that the costs associated with crime and disorder are significantly higher than has been assumed. We believe alcohol-related crime is under recorded, as evidenced by a Balance survey of over 1,000 frontline officers in the North East of England which found that 60 per cent perceived alcohol related crime and disorder to take up at least half of their time. (23)

**Ref p10:** We are concerned that new methodology has been applied to work out the benefits delivered by a MUP at 45p. While we accept that the methodology should be updated to take account of inflation, no comparison has been provided for a MUP set at alternative levels such as 50p.

There is also no rationale as to why the figure of 45p has been chosen. In its report on the Government's Alcohol Strategy the House of Commons Health Committee states that: "If the minimum unit price in England were to be fixed at a different level to that in Scotland, we would expect the evidence supporting that decision to be set out clearly." (25)

#### **Impact Assessment: Health as an objective for cumulative impact**

**Ref p7:** In principle public health as an objective should be ranked alongside the other four licensing objectives and not tied to CIPs. The only argument for such a link is the practical one of being able to using meaningful public health data. We do not accept the rationale for the link made in the impact assessment. It is not disproportionate for the industry to promote sensible drinking and low and non-alcoholic drinks. In fact they should be forced to do so as their current corporate social responsibility programmes in this area are not working. Take the question of the awareness of units, which the document refers to as being promoted by the alcohol industry. In a Balance survey of over 1,800 members of the North East public, awareness of measuring alcohol in units was 87%, down from 92% in 2010. Awareness that there is a maximum recommended limit has fallen from 82% to 69% over the same period, with less than half of those interviewed being able to name the limits.

#### **Impact Assessment: Ancillary sellers**

**Ref p 1, 2, 3:** We are concerned that the potential benefits to business are insufficient to run the risk of increased alcohol-related health harms, a risk highlighted on also highlighted in the document.

**Ref p6:** We are concerned that the section on "Minimal" sales is highly ambiguous and provides no reassurance that loopholes would not be created. Local decisions by licensing authorities are likely to be subject to legal challenge, an expensive process for local authorities, especially given the current economic climate.

**Ref p8:** The document estimates that up to 9,116 new alcohol sales venues could be created after three years, a significant increase in the availability of alcohol. This figure is partly based on the take up of licenses by 'community premises'. While the figure has been increased from 4% to 6%, we believe that increase may be insufficient given the profit motive behind businesses which is not so present for community premises.

### Illustrative Minimum Prices

	At 45p	At 50p
Pint of beer, 4.2%	£1.07	£1.19
500ml bottle of beer, 5%	£1.13	£1.25
25cl bottle of beer (stubby), 4%	45p	50p
75cl bottle of wine, 12%	£4.05	£4.50
75cl bottle of spirits, 40%	£13.50	£15.00
1 litre bottle of spirits, 40%	£18.00	£20.00
1 litre bottle of cider, 8%	£3.60	£4.00
25ml measure of spirits, 40%	45p	50p