

This is the joint response to the Government's Alcohol Strategy Consultation on behalf of Nottingham City Council and Nottinghamshire Police City Division.

1. Do you agree that this MUP level would achieve those aims?

Yes.

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

No. There appears to be comprehensive research at an academic level, which demonstrates the link between alcohol consumption, violent crime and ASB.

There appears to be limited research around the health implications and the cost to the NHS. Consider how the Government have promoted the damages associated with smoking.

We support the 50p level.

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

The minimum unit price should be automatically updated in line with inflation each year.

4. The aim of the minimum unit pricing is to reduce the consumption of harmful and hazardous 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?

No.

The findings of research carried out by the University of Sheffield should be considered. Changes in pricing affect mostly harmful drinkers, with hazardous drinkers somewhat affected and moderate drinkers affected very little.

Smaller independent off licences will be affected by the MUP. We believe this to be a positive consequence of the MUP, as one of the most significant challenges for us is super strength products (beer, lager, cider) sold cheaply in single cans by this type of premises. Primarily bought by street drinkers who are dependant on alcohol and have a negative impact on society and public sector services.

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

Yes.

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

Not that we're aware of.

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

Should be aligned to minimum unit pricing. That minimum unit price should be 50p e.g., half price offer on a bottle of wine (£10 to £5) cannot go below the minimum unit price.

8. The aim of the 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?

Groups of people not of concern in relation to criminal activity or a personal/wider impact, e.g. buy 6 get 20% off may impact on regular "every day" shoppers who buy 6 bottles to last them 2 or 3 weeks.

9. Do you think each of the mandatory licensing conditions is effective in promoting the licensing objectives?

		Prevention of crime and disorder	public safety	Prevention of public nuisance	Protection of harm from children
A.	Irresponsible promotions	DK	DK	DK	DK
B.	Dispensing alcohol directly into the mouth	DK	DK	DK	DK
C.	Mandatory provision of free tap water	DK	DK	DK	DK
D.	Age verification policy	Y	Y	Y	Y
E.	Mandatory provisions of small measures	N	N	N	DK

10. Do you think that the mandatory licensing conditions do enough to target irresponsible promotions in pubs and clubs?

No. Clear guidance (in law) re: what constitutes an irresponsible promotion, e.g. 5 bombs for £5 is above the proposed minimum unit price but we consider it to be irresponsible but are restricted in law and in practice in terms of addressing this.

Where we have answered Don't Know to question 9 above, e.g. for dispensing alcohol directly into the mouth and mandatory provision of tap water, this is because we don't have particular issues in Nottingham with dispensing alcohol directly into the mouth but generally

we don't think the mandatory licensing conditions are effective in promoting the licensing objectives.

11. Are there any other issues related to the licensing objectives which could be tackled through a mandatory licensing condition?

Mandatory requirement to have free bottled machine water in venues (rather than mandatory provision of free tap water on request).

There's a default position/assumption for wine, spirits, measures that e.g. a gin and tonic is a single, glass of wine is a small 125 ml etc unless the customer specifically requests otherwise.

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?

No, irresponsible promotions should be applied. Limit on the maximum bottle size that can be purchased for certain types of products e.g. beers, ciders, lagers over 5.6%.

Nottingham City is introducing a voluntary code for off licences and supermarkets to seek their support in voluntarily removing lagers, beers, ciders over 5.6%.

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?

Clarity required on alcohol related health harm could be made available to support the introduction of a cumulative impact policy; at present there are a number of mixed messages associated with the consumption of alcohol. Density, super strength and cheap products e.g. white cider availability and accessibility. In order to make a real difference, people need to be educated to the actual health consequence of drinking too much e.g. super strength or binge drinking/quantity rather than the arbitrary 14/21 units per week.

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?

Yes. Primarily focussed on crime and disorder evidence from the Police. The Police look at it from the cumulative impact of another on or off-licence premise in the saturation zone rather than the health impact of another premise.

Is it the off-licences selling super strength alcohol or density of the on-licensed trade re: health perspective?

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.

Positive, as long as informed and co-ordinated without mixed messages.

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?

		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.	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

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?

		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.	Florists providing alcohol alongside the purchase of flowers.	X		
D.	Cultural organisations such as theatres, cinemas and museums, providing alcohol alongside cultural events as part of the entry ticket.		X	
E.	Regular charitable events, providing alcohol as part of the wider occasion.		X	

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. The Government's work to reduce the burden of bureaucracy should not allow the availability of alcohol to be increased.

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

Don't know. Would need to know what a prescribed amount is and what businesses potentially could buy into this. What are the business needs?

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

		Yes	No	DK
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- with no requirement for a personal licence holder		X	

21. Do you think the following proposals would impact adversely on one or more of the licensing objectives?

		Yes	No	DK
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			X

	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- with no requirement for a personal licence holder	X			

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

Where does the burden of proof lie, the applicant or the licensing authority?
Concerns about how we monitor compliance i.e. who monitors it and how?

The objective of introducing lighter touch authorisation should be questioned. In a comparison of the harm caused by drug use, the final report of the UK Drugs Commission (October 2012) scores alcohol higher than any other drug considered.

It would be appropriate to consider a Cumulative Impact Statement for the area in which the ancillary seller would be trading.

There should be an ability to revoke or remove an ancillary sales notice and to restrict hours of operation.

A procedure similar to that for minor variations would appear to be an appropriate mechanism.

Any de-regulation should be balanced against the risk of an increase in alcohol consumption and the likely impact on crime and disorder, particularly within the Night Time Economy.

Licensing authorities should have the power to require a full license should problems arise as a result of a business's ancillary seller status.

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
	X	

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	X		
B.	Increase the burden		X	

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

Yes	No	Don't know
	X	

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

N/A

27. Do you think that licensing authorities 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.	X		
B.	Determining that certain premises types are exempt in their local area.		X	

28. Do you agree that motorway service areas 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.	X		

29. Please describe in the box below any other types of premises to which you think a nationally prescribed exemption should apply

None

30. Do you agree with each of the following proposals?

		Yes	No	Don't know
A.	Remove requirements to advertise licensing applications 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		X	

	the 2003 Act.			
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31. Do you think that each of the following would reduce the overall burdens on business?

		Yes	No	Don't know
A.	Remove requirements to advertise licensing applications 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		

32. Do you think that the following measures would impact adversely on one or more of the licensing objectives?

		Yes	No	Don't know
A.	Remove requirements to advertise licensing applications 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

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?

In answer to question 30, the answer is no unless powers are given to the licensing authority to revoke personal licences on application of Trading Standards and/or the Police.

34. Do you think that the Impact Assessments related to the consultation provide an accurate representation of the costs and benefits of the proposal:

		Yes	No	Don't know
A	MUP		X	
B	Multi-buy promotions		X	
C	Health as a licensing objective for cumulative impact		X	
D	Ancillary sales of alcohol		X	
E	Temporary event notices		X	
F	Late night refreshment		X	
G	Removing the duty to advertise licence applications in a local newspaper		X	
H	Sales of alcohol at MSA		X	
I	Personal licences		X	

35. Do you have any comments on the methodologies or assumptions used in the impact assessments:

Yes.

The impact assessments lack the detail required to inform key decisions.

