

**SOUTH GLOUCESTERSHIRE  
SAFER AND STRONGER COMMUNITIES STRATEGIC PARTNERSHIP  
CONSULTATION RESPONSE**

**DELIVERING THE GOVERNMENT'S POLICIES TO  
CUT ALCOHOL FUELLED CRIME  
AND ANTI-SOCIAL BEHAVIOUR**

<b>ABOUT YOU</b>	
Which of the following best describes you or the professional interest you represent?	Other Community Safety Partnership
Please specify which organisation, licensing authority or police force you represent in the box below	South Gloucestershire Safer and Stronger Communities Strategic Partnership
If you are responding on behalf of an organisation or interest group, please write in the box below the number of members in your group or organisation.	24, co-ordinating 5,000 plus individuals
How did you obtain the views of your members?	Draft response circulated to all members of the Partnership,
Please indicate in which region you or your organisation is based.	South West England

A minimum unit price for alcohol	
<p>In the alcohol strategy, the government committed to introducing a minimum unit price for alcohol in England and Wales. This consultation will contribute to the debate on the most appropriate price per unit and the mechanism by which, once set, minimum unit pricing would remain effective. It is also an opportunity for interested parties to raise other issues around minimum unit pricing.</p> <p>The purpose of minimum unit pricing is to reduce alcohol consumption, particularly by the most hazardous and harmful drinkers who tend to show a preference for the cheapest alcohol products. By doing so the government estimates there will be a reduction in the associated crime and health harms, especially the numbers of hospital admissions, alcohol-related deaths and alcohol-related crimes.</p> <p>Minimum unit pricing is not intended disproportionately to affect responsible drinkers or particular social groups but to reduce the availability of alcohol sold at very low or heavily discounted prices.</p>	
<p>The impact of minimum unit pricing will depend on the price per unit of alcohol. The government wants to ensure that the chosen price level is targeted and proportionate, whilst achieving a significant reduction of harm. The government is therefore consulting on the introduction of a recommended minimum unit price of 45p.</p> <p>The government estimates a reduction in consumption across all product types of 3.3 per cent, a reduction in crime of 5,240 per year, a reduction in 24,600 alcohol-related hospital admissions and 714 fewer deaths per year after ten years.</p> <p>Do you agree that this minimum unit price level would achieve these aims?</p>	<p>YES</p>
<p>If you think another level would be preferable, please set out your views on why this might be in the box below.</p>	<p>Disorder connected with alcohol abuse is a major concern both for residents and for those dealing with this disorder. The minimum price should therefore be higher in order to better protect communities and individuals from the harm caused by binge drinking and regular alcohol abuse.</p>
<p>Should other factors or evidence be considered when setting a minimum unit price for alcohol? If yes, please specify these.</p>	<p>Yes. There are merits in the proposal but it should not be seen as the solution to the problem. It needs to be introduced in conjunction with other measures.</p> <p>Any introduction of minimum pricing must be consistent and comprehensive enough to prevent the current trend amongst young people of pre-loading on off sales before going out to pubs and clubs.</p>

<p>The government wishes to maintain the effectiveness of minimum unit pricing and is therefore proposing to adjust the minimum unit price level over time.</p> <p>How do you think the level of minimum unit price set by the government should be adjusted over time?</p>	<ul style="list-style-type: none"> <li><input type="radio"/> Do nothing - the minimum unit price should not be adjusted</li> <li><input checked="" type="radio"/> The minimum unit price should automatically be updated in line with inflation each year</li> <li><input type="radio"/> The minimum unit price should be reviewed after a set period</li> <li><input type="radio"/> Don't know</li> </ul>
<p>The aim of minimum unit pricing is to reduce the consumption of harmful and hazardous drinkers, while minimising the impact on responsible drinkers.</p> <p>Do you think that there are any other people, organisations or groups that could be particularly affected by a minimum unit price for alcohol?</p>	<p>Yes.</p> <p>The commercial sector (e.g. those who make their living selling alcohol).</p> <p>We would not wish to see shopkeepers and licensees penalised unnecessarily, but their financial benefits should not override the rights of communities and individuals who all too often are blighted by the affects of ubiquitous alcohol access and abuse.</p> <p>There is also a possibility that a reduction in the price differential between off and on licences caused by the introduction of a minimum unit price could see increased trade for on licences.</p>

## A ban on multi-buy promotions in the off-trade

The government is consulting on introducing a ban on multi-buy promotions in the off-trade (e.g. shops and off-licences) as part of its wider strategy to reduce excessive alcohol consumption, and alongside the introduction of a minimum unit price. A ban on multi-buy promotions would therefore not apply to pubs, clubs, bars or restaurants.

The term 'multi-buy promotions' refers to alcohol promotions that offer a discount for buying multiple items.

The aim of a ban would be to stop promotions that encourage people to buy more than they otherwise would, making it cheaper (per item) to purchase more than one of a product than to purchase a single item.

As well as being part of a wider strategy to reduce consumption and tackle irresponsible alcohol sales, a ban on multi-buy promotions would also contribute to the government's aim of encouraging people to be aware of how much they drink and the risks of excessive drinking, so that they can make informed choices. The aim of this consultation is to assess support for such a ban and contribute to our understanding of the impact a ban on multi-buy promotions may have.

The types of promotion it is proposed that a ban would include, are:

- two for the price of one
- three for the price of two
- buy one get one free
- buy six and get 20 per cent off
- 24 cans of lager costing less than 24 times the cost of a single can of lager in the shop
- a case of wine sold cheaper than the individual price at which the same bottles are sold in the shop
- 3 for £10 where each bottle costs more than £3.33.

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

Yes.

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

Yes.

Any free or reduced price alcohol provided with any other sale – or retailers will give multiple free drinks with the purchase of shop food for instance.

There should be rule that any offer cannot reduce the averaged price of the alcohol involved below the minimum price level irrespective of the value of any other goods involved in the sale.

<p>Should other factors or evidence be taken into account when considering a ban on multi-buy promotions?</p>	<p>Yes.</p> <p>The danger is that any definition will lead to manipulation by creative retailers and licensees. It would therefore be preferable to define the promotions to be permitted, rather than those to be prohibited.</p>
<p>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.</p> <p>Do you think that there are any other groups that could be particularly affected by a ban on multi-buy promotions?</p>	<p>No</p>

## Reviewing the mandatory licensing conditions

In its response to the 'Rebalancing the Licensing Act' consultation in 2010, the government committed to review the impact of the current mandatory licensing conditions. More recently, the alcohol strategy made a commitment to review these mandatory licensing conditions to ensure they are sufficiently targeting problems such as irresponsible promotions in pubs and clubs.

The government has also committed to consult on whether these mandatory licensing conditions should, where relevant, apply to both the on- and off-trade. This consultation forms part of that review, and will contribute to the government's understanding of how these mandatory conditions are perceived.

The five mandatory licensing conditions currently set out in regulations in relation to the supply of alcohol are:

- a ban on irresponsible promotions
- a ban on dispensing alcohol by one person directly into the mouth of another
- a requirement to provide free tap water on request to customers
- a requirement to have an age verification policy to prevent the sale of alcohol to persons under 18 years of age, and
- a requirement to make available to customers small measures such as half pints or beer or cider or 125ml glasses of wine

Do you think each of the mandatory licensing conditions is effective in promoting the licensing objectives?		
Irresponsible promotions	Yes	Prevention of crime and disorder
	Yes	Public safety
	Yes	Prevention of public nuisance
	Yes	Protection of children from harm
Dispensing alcohol directly into the mouth	Yes	Prevention of crime and disorder
	Yes	Public safety
	Yes	Prevention of public nuisance
	Yes	Protection of children from harm
Mandatory provision of free tap water	Yes	Prevention of crime and disorder
	Yes	Public safety
	Yes	Prevention of public nuisance
	Yes	Protection of children from harm

Age verification policy	Yes	Prevention of crime and disorder
	Yes	Public safety
	Yes	Prevention of public nuisance
	Yes	Protection of children from harm
Mandatory provision of small measures	Yes	Prevention of crime and disorder
	Yes	Public safety
	Yes	Prevention of public nuisance
	Yes	Protection of children from harm
Do you think that the mandatory licensing conditions do enough to target irresponsible promotions in pubs and clubs?	<p>No.</p> <p>While the mandatory licensing conditions are better than not including having these conditions, they could go much further to prevent crime and disorder; improve public safety; prevent public nuisance; and protect children from harm.</p> <p>Licensing authorities should have the power to more rigorously enforce existing laws on people who sell alcohol (eg to reduce the amount of alcohol getting into the hands of children).</p>	
Are there other issues related to the licensing objectives which could be tackled through a mandatory licensing condition?	<p>No.</p>	
Do you think that the current approach, with five mandatory licensing conditions applying to the on-trade and only one of those to the off-trade, is appropriate?	<p>No.</p> <p>Greater emphasis needs to be placed on the off trade in order to protect communities, especially those where alcohol sales form a disproportionately high element of local retail shops.</p> <p>Consideration should be given to limiting spirit sales to special off license premises similar to many states in America. Supermarkets should be limited to selling beer/cider/wine level of drink under 15% proof in order to remove the ease of getting access to strong spirit alcohol.</p>	

<b>Health as a licensing objective for cumulative impact policies</b>	
<p>We want to ensure that licensing authorities are able to take alcohol-related health harms into consideration when making decisions about cumulative impact policies (CIPs) which can be used to manage problems linked to the density of premises in specific areas.</p> <p>A CIP introduces a rebuttable presumption that all new licence applications and variations in that area will normally be refused if the licensing authority receives a relevant representation stating that the application will add to the cumulative impact. However each application must still be considered on its own merits and the licensing authority may still grant the application if it is satisfied that the application will not contribute to the cumulative impact.</p> <p>We are proposing that licensing authorities will be able to take evidence of alcohol-related health harm into account in deciding whether to introduce a CIP and the extent of that CIP. This would be a discretionary power and not an obligation. We expect that those areas with the highest levels of alcohol-related health harm, or fast rising levels of harm from alcohol, will be most likely to use this power. It will allow local health bodies to fully contribute to local decision making and mean licensing authorities can restrict the number of licensed premises in the local area on the basis of robust local evidence.</p>	
<p>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?</p>	<ol style="list-style-type: none"> <li>1. Level of alcohol related crime and disorder.</li> <li>2. Arrest reports</li> <li>3. Public disorder arising from existing licensed premises.</li> <li>4. Petitions or overwhelming levels of public objection to additional off trade shops selling alcohol in a local area.</li> <li>5. Deprivation indices relating to health.</li> <li>6. Alcohol admissions to hospital by post code and other health related information.</li> </ol>
<p>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?</p>	<p>Yes.</p> <p>Greater attention needs to be placed on the cumulative impact of off sales as well as clubs and pubs.</p>
<p>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</p>	<p>The pattern of serious crime and disorder within South Gloucestershire is very closely related to a few areas which have a high density of alcohol retail. Some areas involve pubs/clubs and at least one other involves off sales.</p> <p>Allowing consideration of data on alcohol-related health harms when introducing a cumulative impact policy would enable the licensing authority to take stronger action to prevent these hot spots. Spreading premises out in this way would enable</p>



	<p>incidents to be dissipated and so enable authorities to better respond to them.</p> <p>Alcohol concern statistics show that 29% of drinkers in South Gloucestershire are increasing or higher risk drinkers, which have health costs of £11.8 million. The lower risk drinkers (71%) health cost are £2.8 million, this equates to over 4 times lower. Alcohol-related healthcare costs in South Gloucestershire are an estimated £14.6m per annum, equating to £68 per adult</p>
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## Freeing up responsible businesses

The government has committed to consult on giving licensing authorities greater freedom to take decisions that reflect the needs of their local community. Following the government's [Red Tape Challenge](#) in 2011, three areas of reform were specified: alcohol licensing for certain types of premises providing minimal alcohol sales, temporary event notices (TENs) and the licensing of late night refreshment.

This section asks for views on these proposals and suggests further ways to reduce burdens on business. The proposals set out here can be seen alongside work undertaken by the Department for Culture, Media and Sport to remove unnecessary red tape from regulated entertainment.

There are five subjects covered in this section. They are:

- ancillary sales of alcohol
- occasional provision of licensable activities at community events
- an extension of the temporary event notice limit at individual premises
- late night refreshment, and
- further proposals to reduce burdens on business

### **Ancillary sales of alcohol**

For many businesses, the sale of alcohol is only a small part of, or incidental to, their wider activities, and occurs alongside the provision of another product or service (which this consultation refers to as an 'ancillary sale'). For example, a guesthouse might wish to provide wine to its guests with an evening meal or a complimentary bottle of wine in a guest's room, while a hairdresser might wish to offer clients a glass of wine.

Should special provision to reduce the burdens on ancillary sellers be limited to specific types of business, and/or be available to all types of business, providing they meet certain qualification criteria for limited or incidental sales?

The provision should be limited to a specific list of certain types of business and the kinds of sales they make	YES
The provision should be available to all businesses providing they meet certain qualification criteria to be an ancillary seller	NO
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 the above options	NO
If special provisions 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?	
Accommodation providers, providing alcohol alongside accommodation as part of the contract	YES

Hair and beauty salons, providing alcohol alongside a hair or beauty treatment	NO
Florists, providing alcohol alongside the purchase of flowers	YES
Cultural organisations, such as theatres, cinemas and museums, providing alcohol alongside cultural events as part of the entry ticket	YES
Regular charitable events, providing alcohol as part of the wider occasion	YES
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?	Special provisions to enable accommodation providers to provide alcohol alongside accommodation as part of the contract should be limited to hotels, guesthouses etc and not permitted for those providing long-term accommodation.
<p>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.</p> <p>Alternatively, a second option is to broaden the definition of 'ancillary sales' to include all businesses (and/or not for profit activities) through the use of a general set of qualification criteria, for example, to the effect that:</p> <ul style="list-style-type: none"> <li>• alcohol must be sold or supplied as a small part or proportion of a sales transaction or contract for a wider service, and</li> <li>• the amount of alcohol that could be supplied as part of that contract cannot exceed a prescribed amount</li> </ul> <p>Do you think that the qualification criteria proposed meet this aim?</p>	<p>YES. However it would be impracticable to enforce them as licensing authorities would need access to accounts, sales figures etc. in order to do so.</p>
<p>The government is consulting on two basic approaches which could be used to reduce the burden on premises where they have been given the status of an ancillary seller.</p> <ul style="list-style-type: none"> <li>• Option A - removing the need for a personal licence holder</li> <li>• Option B - removing the need for a premises licence</li> </ul>	

Do you think that these proposals would significantly reduce the burdens on ancillary sellers?	
Allow premises making ancillary sales to request in their premises licence application that the requirement for a personal licence holder be removed	YES
Introduce a new, light-touch form of authorisation for premises making ancillary sales - an ASN but retaining the need for a personal licence holder	YES
Introduce a new, light touch form of authorisation for premises making ancillary sales - an ASN - with no requirement for a personal licence holder	YES
Do you think these proposals would impact adversely on one or more of the licensing objectives?	
Allow premises making ancillary sales to request in their premises licence application that the requirement for a personal licence holder be removed	YES
Introduce a new, light-touch form of authorisation for premises making ancillary sales - an ASN but retaining the need for a personal licence holder	NO
Introduce a new, light touch form of authorisation for premises making ancillary sales - an ASN - with no requirement for a personal licence holder	YES
What other issues or options do you think should be considered when taking forward proposals for a lighter touch authorisation?	The fact that some unscrupulous individuals or companies will abuse lighter touch authorisation cannot be ignored. A mechanism must be introduced whereby the right to make ancillary sales can swiftly be removed in such circumstances

### **Occasional provision of licensable activities at community events**

Those who wish to provide licensable activities (for example selling alcohol or providing late night refreshment) on an occasional basis must obtain an authorisation, normally a temporary event notice (TEN).

The consultation proposes that individual licensing authorities should be able to enable holders of community events to notify them of their intention to provide licensable activities through a mechanism set out locally by the licensing authority (such as an email or a

<p>letter) instead of applying for a TEN through the usual process.</p> <p>This could mean, for example, that community groups could notify their licensing authority of all of their upcoming events involving licensable activities for a certain period (such as a year).</p> <p>To ensure a consistent process remains available, the current TEN process would continue to be available, alongside any local approach.</p>	
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
What impact do you think a locally determined notification would have on organisers of community events?	
Reduce the burden	YES
Increase the burden	NO
<p><b><u>An extension of the TEN limit at individual premises</u></b></p> <p>Those who wish to provide licensable activities (for example selling alcohol or providing late night refreshment) on an occasional basis must obtain an authorisation, normally a temporary event notice (TEN).</p> <p>There is currently a limit of 12 TENs per year at individual premises. As the full consultation document sets out, a number of safeguards were added to the TENs process through the Police Reform and Social Responsibility Act 2011.</p> <p>It is proposed that the number of TENs which can be given in respect of individual premises should be increased from 12 to either 15 (an increase of 25 per cent) or 18 (an increase of 50 per cent).</p>	
Should the number of TENs which can be given in respect of individual premises be increased? (If Yes should this be to 15 or 18?)	NO
<p><b><u>Late night refreshment</u></b></p> <p>Late night refreshment is the provision of hot food and drink to the public after 11pm and before 5am. It requires a licence because of the problems that can occur, for instance outside late night takeaways.</p> <p>While we believe that the ability to regulate late night refreshment should continue, there is scope to reduce the burdens of licensing requirements for businesses that provide late night refreshment but do not sell alcohol, and are not associated with the alcohol-related late night economy.</p> <p>The government is consulting on two proposals which are set out in more detail in the full consultation document.</p>	
Do you think that licensing authorities should have local discretion around late night refreshment in each of the following ways?	
Determining that premises in certain areas are exempt	YES

Determining that certain premises types are exempt in their local area	YES
Do you agree that motorway service areas should receive a nationally prescribed exemption from regulations for the provision of late night refreshment?	YES
Please describe in the box below any other types of premises to which you think a nationally prescribed exemption should apply	N/A

#### **Further proposals to reduce burdens on business**

At present, those applying for new licences and club premises certificates or making full licence variations must advertise their applications in a local newspaper or circular. We propose to remove this requirement. The way people consume news locally is changing, both in its frequency and form. Local residents have opportunities to learn about applications online or by notices on the premises themselves.

The government is also considering deregulating more widely elements of the ban on alcohol sales that applies to motorway service areas (MSAs). Licensing legislation and current government guidance results in a general prohibition of the sale of alcohol at MSAs.

One option is to lift this centrally imposed restriction and make on-sales and off-trade sales (see glossary) of alcohol at MSAs a matter for licensing authorities to determine locally, in the same manner as any other application for a licence. There is a separate question as to whether lodges and other overnight accommodation at MSAs should be able to serve alcohol to residents. These proposals must be balanced against strong messages against drink-driving.

Finally, under the 2003 Act, each sale of alcohol under a premises licence must be made under the authority of a personal licence holder. All personal licences must be renewed after a ten-year period to be valid. This consultation invites views on whether this requirement should be removed or simplified to reduce the burden on responsible businesses.

Under the 2003 Act, licensing authorities have a duty to carry out their functions under the Act with a view to promoting the licensing objectives. These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

Do you agree with each of the following proposals?

Remove requirements to advertise licensing applications in local newspapers	NO
Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade	NO
Remove the centrally imposed prohibition on the sale of alcohol at MSAs, but only in respect of overnight accommodation - lodges	YES

Remove or simplify requirements to renew personal licences under the 2003 Act	NO
Do you think that each of the following would reduce the overall burdens on business?	
Remove requirements to advertise licensing applications in local newspapers	NO
Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade	YES
Remove the centrally imposed prohibition on the sale of alcohol at MSAs, but only in respect of overnight accommodation - lodges	YES
Remove or simplify requirements to renew personal licences under the 2003 Act	YES
Do you think that the following measures would impact adversely on one or more of the licensing objectives?	
Remove requirements to advertise licensing applications in local newspapers	YES
Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade	YES
Remove the centrally imposed prohibition on the sale of alcohol at MSAs, but only in respect of overnight accommodation - lodges	NO
Remove or simplify requirements to renew personal licences under the 2003 Act	YES
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?	N/A

<b>Impact assessments</b>	
Impact assessments for the proposals in this consultation have been published alongside the full consultation document.	
Do you think that the impact assessments related to the consultation provide an accurate representation of the costs and benefits of the proposals?	
Minimum unit pricing	YES
Multi-buy promotions	YES
Health as a licensing objective for cumulative impact	YES
Ancillary sales of alcohol	YES
Temporary event notices	YES
Late night refreshment	YES
Removing the duty to advertise licence applications in a local newspaper	YES
Sales of alcohol at motorway service stations	YES
Personal licences	YES
Do you have any comments on the methodologies or assumptions used in the impact assessments?	NO