



A great place to live, work & play

Consultation questions and draft replies

Minimum Unit Price

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

Question 1:

Do you agree that this MUP (minimum unit price) level would achieve these aims?

Answer: YES

The policy would be useful in helping to tackle issues such as “preloading” and the Sheffield Alcohol Policy Model suggests a significant reduction in harm, particularly in terms of health. However, evidence suggests that more impact will be achieved by setting the unit price considerably higher than 45p, but this will impact more significantly on the general population and on the off sales trade.

Question 2:

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

Answer: NO

Question 3:

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

Answer:

The MUP should be reviewed after a set period of time

Question 4:

The aim of minimum unit pricing is to reduce the consumption of harmful²⁵ and hazardous²⁶ drinkers, while minimising the impact on responsible²⁷ 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?

Answer: YES

The policy will impact on responsible drinkers who will have to pay more for some alcohol products. This will have most impact on those with very limited budgets. Including the elderly on low incomes and again on the small off licences.

Ban on multi-buy promotions

Question 5:

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

Answer: YES

This probably won't have a major impact on reducing harm but it seems sensible not to incentivise multiple purchases, which encourage the purchasing of a greater quantity and to enable those people who may only wish to purchase small quantities to be able to do so without paying a higher price. It encourages people to buy double the quantity when they would have possibly bought half the amount.

However again the majority of sensible drinkers will be penalised for the irresponsible behaviour of so few.

Question 6:

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

Answer: YES

Competitions to win free alcohol and free wine with meals should all be considered.

Question 7:

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

Answer: YES

Banning multi-buy promotions will not succeed as the off trade will look at introducing a discounting process in its place. They have already inferred that they will find another way around the system.

The free houses will lose the financial benefit of buying in bulk at a lower cost.

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?

Answer: NO

Again, this policy will also impact on the general population/responsible drinkers and those on the lowest incomes will be affected the most. It will also impact on those that stock pile for party etc. It may have a positive impact on the pre loading culture.

Review of the mandatory licensing conditions

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)?

Answer:

		Prevention of crime and disorder	Public Safety	Prevention of public nuisance	Protection of children from harm
A	Irresponsible promotions	No	No	No	No
B	Dispensing alcohol into the mouth	Yes	No	Yes	Yes
C	Free tap water	No	Yes	No	No
D	Age verification policy	Yes	No	No	Yes
E	Small measures	Yes	No	No	No

Question 10:

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

Answer: NO

Some of the mandatory conditions are unenforceable, e.g. irresponsible drinks promotions has never been, or likely to be, challenged in a court. The provision of free tap water is vague as licence holders are unclear on when they must offer it, i.e. if a member of the public just comes into the premises and ask for water.

The age verification is a verbal condition and should be strengthened to a written document requirement.

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?

Answer: YES

The age verification condition should be amended to insist that the Policy be made in writing.

Why four spirits only? Suggest stating that a Notice should be displayed prominently advertising smaller measures.

Irresponsible drinks promotions needs clarification and more of a direct focus on what the Government are seeking to achieve by it.

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?

Answer: YES

Health as a licensing objective in CIP's.

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?

Answer:

At the present time there are difficulties in obtaining specific and relevant statistics (health data tends to deal with more general population data). However, there is some locally collected data which could be useful, for example, we have data on violent incidents from our local hospital which identifies specific locations and premises. This type of data would be more useful and relevant than more generalised data e.g. about liver disease.

The key to any data used, is that it is specific, robust and reflects the alcohol related problems in the specific areas.

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?

Answer: NO

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 provide evidence to support your response.

Answer:

There would be no negative impacts and it may be useful in specific circumstances. In practice, we think it unlikely it would generate additional CIP areas and would probably just reinforce data from other sources to support a CIP in a specific area.

If the Health Authority had accurate statistics then we seen no reason why health and alcohol related harm could not be included in the CIP. In addition it may encourage the Responsible Health Authority to engage more effectively with the Licensing process. (currently our experience is that Health do not engage in the Licensing Act as a Responsible Authority).

Reducing the burden

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?

Answer:

		Yes	No	Don't Know
A	The provision should be limited to a specific list of certain types of business and the kind of sales they make	✓		
B	The provisions should be available to all business 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		✓	

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?

Answer:

		Yes	No	Don't Know
A	Accommodation providers		✓	
B	Hair and beauty salons	✓		
C	Florists	✓		
D	Cultural organisations (cinemas, theatres, museums etc)		✓	
E	Regular charitable events			✓

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?

Answer:

Wine tasting events, ticketed events where alcohol is included in the price of entry, e.g. mulled wine and carol singing concert or plays in village halls.

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?

Answer: NO

Question 20:

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

Answer:

		Yes	No	Don't Know
A	Allow ancillary sellers to remove need for personal licence holder	✓		
B	Introduce new ancillary sales notice (ASN) but retain need for personal licence holder		✓	
C	Introduce new ancillary sales notice (ASN) but with no need for personal licence holder	✓		

Question 21:

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

Answer:

		Yes	No	Don't Know
A	Allow ancillary sellers to remove need for personal licence holder		✓	
B	Introduce new ancillary sales notice (ASN) but retain need for personal licence holder		✓	
C	Introduce new ancillary sales notice (ASN) but with no need for personal licence holder		✓	

Question 22:

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

Answer:

None.

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?

Answer: NO

The TEN is a light touch process anyway and works well.

Question 24:

What impact do you think a locally determined notification would have on organisers of community events?

Answer:

		Yes	No	Don't Know
A	Reduce the Burden	✓		
B	Increase the Burden		✓	

Question 25:

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

Answer: YES

Question 26:

If yes, please indicate which option you would prefer:

Answer:

15

18

Don't Know

Question 27:

Do you think that licensing authorities should have local discretion around late night refreshment in each of the following ways?

Answer:

		Yes	No	Don't Know
A	Premises in certain areas exempt		✓	
B	Certain premises types are exempt		✓	

Late night refreshment premises not serving alcohol often cause a problem particularly where they are located in an area where there are a number of late night licensing premises.

Question 28:

Do you agree that motorway service areas (MSA) should receive a nationally prescribed exemption from regulations for the provision of late night refreshment?

Answer:

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

A	Motorway service areas should receive nationally prescribed exemption from regulations for the provision of late night refreshment	✓		
---	--	---	--	--

Question 29:

Please describe any other types of premises to which you think a nationally prescribed exemption should apply.

Answer:

Garages perhaps should be exempt from late night refreshment. They are unlikely to serve full blown meals or be a late night takeaway.

Question 30:

Do you agree with each of the following proposals?

Answer:

		Yes	No	Don't Know
A	Remove requirement to advertise applications in a newspaper		✓ but suggest other local publications be included such as Parish magazines, newsletters, etc.	
B	Remove prohibition of sale of alcohol in MSAs	✓		
C	Remove prohibition of sale of alcohol in MSAs but only in respect of overnight accommodation		✓	
D	Remove or simplify requirement to renew personal licences		✓	

Question 31:

Do you think that each of the following would reduce the overall burdens on business?

Answer:

		Yes	No	Don't Know
A	Remove requirement to advertise applications in a newspaper	✓		
B	Remove prohibition of sale of alcohol in MSAs	✓		
C	Remove prohibition of sale of alcohol in MSAs but only in respect of overnight accommodation	✓		
D	Remove or simplify requirement to renew personal licences	✓		

Question 32:

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

Answer:

		Yes	No	Don't Know
A	Remove requirement to advertise applications in a newspaper	✓		
B	Remove prohibition of sale of alcohol in MSAs		✓	
C	Remove prohibition of sale of alcohol in MSAs but only in respect of overnight accommodation		✓	
D	Remove or simplify requirement to renew personal licences	✓		

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?

Answer: Don't know

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?

Answer:

		Yes	No	Don't Know
A	MUP	✓		
B	Multi buy	✓		
C	Health as an objective	✓		
D	Ancillary sales of alcohol	✓		
E	TENS	✓		
F	LNR	✓		
G	Remove duty to advertise in newspaper	✓		
H	Sale of alcohol at MSAs	✓		
I	Personal licences	✓		

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.

Answer: Don't Know

25 Harmful drinking is defined as when a person regularly drinks more than double the weekly equivalent of the NHS daily guidelines, that is more than 50 units weekly for men or more than 35 units weekly for women.

26 Hazardous drinking is defined as when a person regularly drinks over the NHS daily guidelines (equivalent to 21 units weekly for men and 14 units weekly for women), but less than double the guidelines.

27 Responsible (or moderate) drinkers are those who do not regularly exceed the daily guidelines (men should not regularly drink more than three to four units of alcohol per day and women should not regularly drink more than two to three units per day).