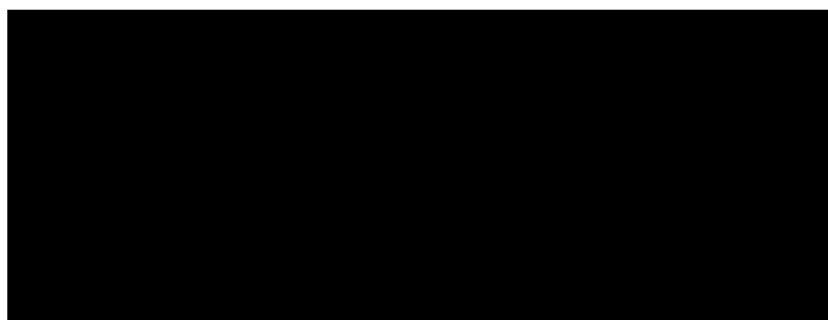


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Consultation response on Delivering the Government's policies to cut alcohol fuelled crime and anti-social behaviour.



Alcohol Strategy Consultation
4th Floor Fry
Home Office
2 Marsham Street
London
SW1P 4DF

To whom it may concern,

CONSULTATION RESPONSE ON DELIVERING THE GOVERNMENT'S POLICIES TO CUT ALCOHOL FUELLED CRIME AND ANTI-SOCIAL BEHAVIOUR.

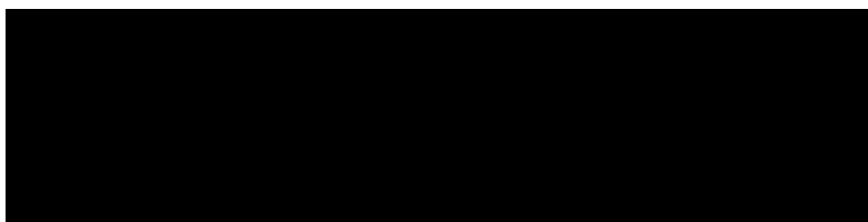
The National Federation of Retail Newsagents (NFRN) is one of Europe's largest retail trade associations, with a membership comprising more than 16,500 independent newsagents and convenience store owners throughout the UK and Ireland, over half of whom have off-licenses.

Due to the high and rising incidence of alcohol fuelled crime and anti-social behaviour, the minimum pricing of alcohol is a subject close to our members' hearts so we welcome the opportunity to contribute to this consultation.

The NFRN has long supported the Home Office's aim of tackling the problems caused by the minority of people who, fuelled by largely supermarket subsidised cheap alcohol, act in ways that disrupt and reduce the quality of life of members of the public, including the small shop-keepers that the NFRN represents.

The NFRN welcomes the introduction of a minimum unit price for alcohol. Not only will such a minimum help to tackle the crime issues mentioned above, it will also bring relief to an independent retail sector hard-pressed to compete against the unfair trading practices of the large multiple chains.

The large multiple chains regularly sell alcohol at below cost price as loss leaders, often employing multi-buy offers to entice customers and gain market share. The cross subsidising that this requires not only puts small independent retailers who lack the buying power or capital at an unfair disadvantage, but by reducing the cost of alcohol encourages



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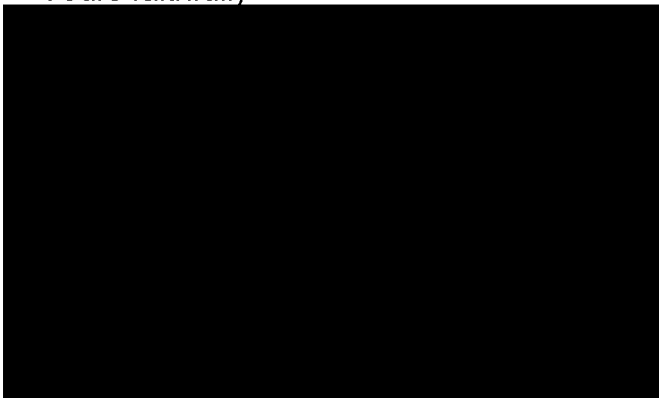
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higher alcohol consumption, particularly amongst the young, who would otherwise be priced out of “binge drinking”.

The NFRN is clear, however, that to be credible to the public the reforms must not only impose a minimum price for alcohol, but that multi-buy and other offers that reduce the effective price of the products acquired to less than the minimum price, should be outlawed. The offers form an important part of the public’s perception of the problem of alcohol fuelled crime and anti-social behaviour, and although it can be a legitimate marketing tool, any reform must include regulation of multi-buy and discount offers.

The NFRN and its members would be delighted to provide the government with further information, should this be required.

Yours faithfully



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

The NFRN believes that policy should be both rigorous and evidence based and that the case for the introduction of minimum unit pricing for alcohol meets both these criteria. The NFRN does not have the expertise to determine the relative effects of one MUP over that being considered in other parts of the UK, but equally, has no reason to believe that the forty-five pence MUP under consideration would be neither ineffective nor harmful.

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

The NFRN firmly believes that the introduction of MUP will have a beneficial effect on the hard-pressed independent retailer sector, levelling the playing field with the large multiple chains that have irresponsibly used loss leaders and multiple purchase offers on alcohol products to gain market share at the expense of the smaller local shops, many of whom have been driven out of business as a result.

It is also the belief of the NFRN's members that the minimum unit price will reduce the availability of cheap alcohol and, in accordance with government's stated aims, will lead to a reduction in the alcohol fuelled abuse and violence that is too often directed at our members.

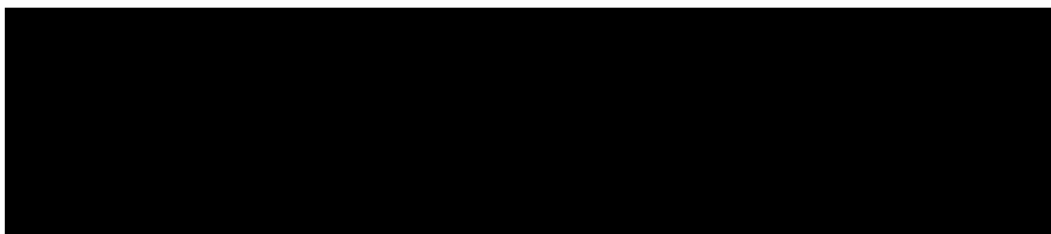
3. How do you think the level of minimum unit price set by the Government should be adjusted over time?

While it is important that the level of the MUP be maintained at a level that achieves the government's objectives with respect to reducing alcohol fuelled crime and anti-social behaviour, the NFRN is concerned that automatic rises, for example linked to inflation, without any consideration of the effectiveness of the prevailing rate, could over time have a detrimental effect on the affordability of alcohol products to moderate and sensible drinkers. The negative impact on sales that might result from the cumulative annual increases in the MUP would impact on smaller retailers disproportionately.

The NFRN therefore believes that the level of the MUP should be the subject of regular evidence based reviews which consider the success or failure of the prevailing rate and the impact on all stakeholders of any revision of the MUP.

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?

The introduction of a MUP for alcohol would level the playing field between small retailers, such as the members of the NFRN, and the large multiple chains. The chains frequently leverage their buying power to promote below cost alcohol sales and buy one get one free type offers that encourage increased levels of drinking, particularly amongst the young, by making larger quantities of alcohol affordable to these groups.



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By outlawing these excessively cheap promotions, not only is supermarket subsidised binge drinking curbed, but the hard-pressed smaller retailer sector will be able to compete on more equal terms with the larger retailers.

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

The introduction of a ban on multi-buy promotions is essential if the introduction of MUP is to achieve the government's aims. While multi-buy promotions can, if responsibly used, be a useful and proper marketing tool, without such a ban the large multiple chains will be able to use the advantage of their buying power to simply adjust the terms of the offer to in effect nullify the increase in cost of the purchased item. The MUP will then have achieved nothing other than to move competition from the marked cost to the number of free or reduced cost items offered for each item purchased.

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

The structure of offers and promotions can quickly develop to exploit loopholes or limits of legislation or regulation. The NFRN is therefore wary of too closely defining the type of promotion that should be banned in favour of two principles: that alcohol should not be sold at below the cost to the retailer and that the effect of the promotions should not be to reduce the effective MUP on the items being sold / provided to less than the MUP set by government.

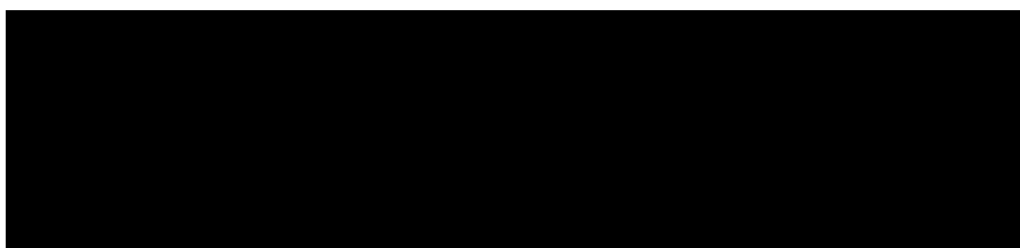
7. Should other factors or evidence be considered when considering a ban on multi-buy promotions?

While multi-buy offers can be a legitimate marketing tool, the rise of this type of offer has been linked in the minds of the public with "binge drink Britain". While this may be unfair to many responsible local retailers, it is also these retailers who are the victims of the kind of alcohol fuelled crime and anti-social behaviour that the government wishes to reduce. Any set of measures that did not include a ban on multi-buy offers would not only be limited in effectiveness but would also lack credibility in the eyes of the victims of crime and the public more widely.

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?

No.

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)?



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Retailers represented by the NFRN are affected only by condition iv of the mandatory conditions laid out in the consultation document, namely "A requirement to have an age verification policy to prevent the sale of alcohol to persons under 18 years of age".

As leading members of their local communities who see the social impact of underage and binge drinking first hand, the NFRN and its members have long been active on the issue of age verification.

The CEO of the NFRN, Paul Baxter, is the latest member of the Federation to sit on the board of PASS, and the Federation has long promoted "Citizen Card" to its members. The NFRN and its members see the issue of age verification as central to their position as responsible local retailers and have been fully supportive of the "Challenge 25" and "no id, no sale" campaigns, working hard to stop all sales of age restricted products to under age customers.

The NFRN, therefore, firmly supports mandatory licensing conditions as a means of promoting licensing objectives.

However, the NFRN does believe that more needs to be done to ensure that enforcement by local authorities is both fair and consistent across the country.

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

The NFRN represents small retailers and has no experience of these market sectors and is therefore unable to draw any conclusions on this matter.

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?

No.

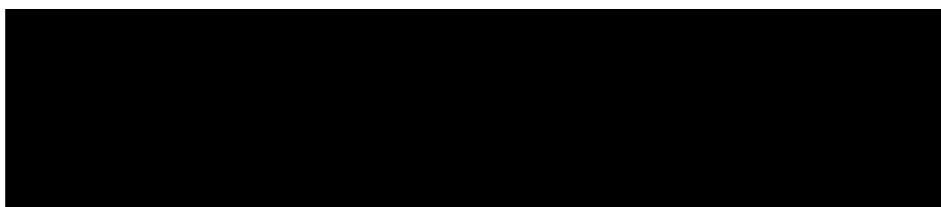
12. Do you think the current approach, with five mandatory licensing conditions applying to the on-trade and only one of those to the off-trade, is appropriate?

Yes, the NFRN supports the current approach.

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?

The NFRN has not sought medical or other advice on this issue and considers the matter to be outside the expertise of our membership, save for the NFRN's overriding belief in rigorous, evidence based policy making.

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?



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The NFRN has not sought medical or other advice on this issue and considers the matter to be outside the expertise of our membership, save for the NFRN's overriding belief in rigorous, evidence based policy making.

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.

The NFRN has not sought medical or other advice on this issue and considers the matter to be outside the expertise of our membership, save for the NFRN's overriding belief in rigorous, evidence based policy making.

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?

The membership of the NFRN does not fall within the category of ancillary sellers and, therefore, the matters fall outside of the experience of our membership.

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?

The membership of the NFRN does not fall within the category of ancillary sellers and, therefore, the matters fall outside of the experience of our membership.

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?

The membership of the NFRN does not fall within the category of ancillary sellers and, therefore, the matters fall outside of the experience of our membership.

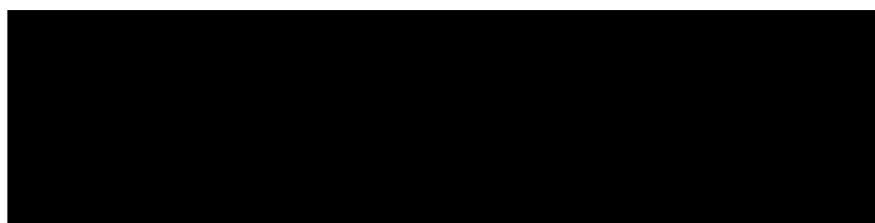
19. The aim of a new 'ancillary seller' status is to reduce burdens on businesses where the sale of alcohol is only a small part of their business and occurs alongside the provision of a wider product or service, while minimising loopholes for irresponsible businesses and maintaining the effectiveness of enforcement (see paragraphs 9.2 and 9.3). Do you think that the qualification criteria proposed in paragraph 9.6 meet this aim?

The membership of the NFRN does not fall within the category of ancillary sellers and, therefore, the matters fall outside of the experience of our membership.

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

The membership of the NFRN does not fall within the category of ancillary sellers and, therefore, the matters fall outside of the experience of our membership.

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



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The membership of the NFRN does not fall within the category of ancillary sellers and, therefore, the matters fall outside of the experience of our membership.

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

The membership of the NFRN does not fall within the category of ancillary sellers and, therefore, the matters fall outside of the experience of our membership.

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?

This matter falls outside of the experience of the NFRN and its members.

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

This matter falls outside of the experience of the NFRN and its members.

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

This matter falls outside of the experience of the NFRN and its members.

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

Not applicable.

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

This matter falls outside of the experience of the NFRN and its members.

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

This matter falls outside of the experience of the NFRN and its members.

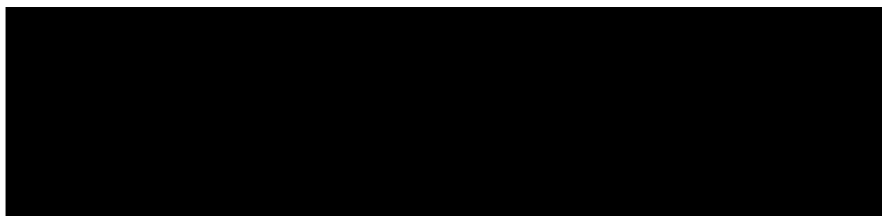
29. Please describe any other types of premises to which you think a nationally prescribed exemption should apply.

None.

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

MSA are outside of the experience of the NFRN and its members and we are therefore unable to comment on this issue.

The NFRN and its members see no reason to change the current system of personal licences. As for the issue of the advertising of licence applications in local newspapers, the NFRN and its members believe that such applications need to be advertised to the public but that other channels, such as the licensing authority's website or social media, may be a



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better way of achieving the desired goal. It is important in the current tough economic climate that everything possible is done to minimise costs to small retailers.

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

MSA are outside of the experience of the NFRN and its members and we are, therefore, unable to comment on this issue.

On the remaining issues, the NFRN does not believe the proposals would lead to a reduction on the burdens on business.

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

MSA are outside of the experience of the NFRN and its members and we are, therefore, unable to comment on this issue.

On the remaining issues, the NFRN does not believe the proposals would lead to a reduction on the burdens on business.

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?

The NFRN has not sought legal advice on this issue and considers the matter to be outside the expertise of our membership.

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

The NFRN and its members have no basis upon which to judge the accuracy or otherwise of the Assessments.

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.

The NFRN and its members have no basis on which to judge the methodologies or assumptions made in the impact assessments.

