

**PLEASE NOTE THAT THIS DOES NOT REPRESENT THE VIEWS OF THE INSTITUTE OF LICENSING OR THE WELSH REGION OF THE INSTITUTE OF LICENSING< IT ONLY REPRESENTS THOSE VIEWS OF THE OFFICERS IN ATTENDANCE AT THE MEETING ON THE 28<sup>TH</sup> JANUARY 2013.**

**Consultation response on delivering the Government's policies to cut alcohol fuelled crime and anti social behaviour. From those attending the Welsh Institute of Licensing meeting on the 28<sup>th</sup> January 2013.**

The regional meeting was attended by mostly local authority licensing specialists as well as solicitors and representatives from Police authorities. All of the attendees are from Wales. The Welsh region is one of the 11 regions which are run by a locally voted in committee.

The aims of the Institute are to:

- to advance the development, evaluation and recognition of professional skill, technical competency, ethical conduct and practical achievement in the field of licensing and regulatory activity; including their application in the public and private sectors and in the framing and enforcement of laws and regulations in pursuit of prevention of crime disorder and nuisance, the promotion of health and safety, the protection of children and vulnerable people, the protection of the environment and other licensing and regulatory objectives;
- the fostering of mutual understanding and respect between practitioners and the communities and sectors they serve;
- the development, encouragement and certification of related standards, education, training, study, scholarship, communication, consultation, knowledge creation and information dissemination; and
- other activity consistent with the public good in the field.

Q1.

Do you agree that this MPU level would achieve these aims?

Yes 4                      No 10                      Don't Know 6

For those that said yes they believed that the MUP should be inline with 50 p in line with Scotland. This MUP should be set the same through Wales, England and Scotland.

For the other 16 they were of the view that MUP should not be introduced.

Q2.

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

Yes 1                      No 0                      Don't know 19

If yes, please specify in the box.

Nothing

Q3. How do you think the level of minimum unit price set by the government should be adjusted over time?

Do nothing	0
The MUP should be automatically updated in line with inflation	0
The MUP should be reviewed after a set period	14
Don't know	6

Q4. The aim of MUP 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?

Yes	4
No	2
Don't know	14

If yes, please specify.

Knock on to the enforcement agencies, counter fitting, internet sales. Also negative for community venues and raising funds.

Q5. Do you think there should be a ban on multi-buy promotions involving alcohol in the off-trade?

Yes	6
No	12
Do know	1

Q6. Are there any further offers which should be included in a ban on multi-buy promotions?

Yes	0
No	2
Don't know	18

Q7. Should other factors or evidence be considered when considering a ban on multi-buy promotions?

Yes	4
No	0
Don't know	16

If yes, please specify:

For those that answered yes they said:

Responsible drinkers will be affected. Those who irresponsible will just take advantage of multi buys in another form.

Q8. The aim of a ban on multi-buy promotions is to stop promotions that encourages 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?

Yes 7  
 No 0  
 Don't know 13

If yes, please specify:

For those that answered yes they said:

Responsible drinkers affected, consideration should be taken to increase the alcohol age for purchase.

Q9. 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	No 0	No 0	No 0	No 0
B	Dispensing alcohol directly into the mouth	No 0	No 19 Yes 1	No 20	No 20
C	Mandatory provision of free tap water	No 20	No 19 Yes 1	Yes 20	No 20
D	Age verification policy	Yes 20	Yes 20	Yes 20	Yes 20
E	Mandatory provisions of small measures	No 20	No 20	No 20	No 20

Q10. Do you think that the mandatory licensing conditions do enough to target irresponsible promotions in pubs and clubs?

Yes 0  
 No 18  
 Don't know 2

If no, please state your views:

Those who answered no stated that;

Mandatory conditions were unrealistic, difficult to enforce and were lacking any useful definition.

Q11. Are there other issues related to the licensing objectives which could be tackled through a mandatory licensing conditions?

Yes	3
No	0
Don't know	17

If yes, please specify:

For those that answered yes they stated:

There should be a written age verification policy including, training records, record keeping in terms of refusal registers etc and other age related concerns.

Q12. 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	1
No	17
Don't know	2

If no please specify:

For those that answered no they stated:

Conditions should be standardised and equitable. They should apply to both.

Q13. What source of evidence on alcohol – related health harm could be used to support the introduction of a cumulative impact policy, if it were possible for a CIP to include consideration of health?

Please specify:

Data accurate and should be based on the principle of the Cardiff model. A and E data would be accident data and would only deal with immediate issues and would not pick up any underlying health issues. The data should be standardised for comparable purposes. Issues around training for A and E staff as well as data protection issues. Destination venues may not have access to health data from areas where the patrons are coming into an area and leaving for treatment to a LHB outside of the authority area.

Q14. Do you think that any aspects of the current CIP would need to be amended to allow consideration of data on alcohol related health harms?

Yes	0
No	20
Don't know	0

Q15. What impact do you think allowing consideration of data on alcohol – related health harms when introducing a CIP would have if it were used in your local area?

Acute injuries only, not taking into account destination venues e.g. Tenby incoming patrons from the valley areas, Cardiff incoming patrons from all over Wales and the West Country.

Issues from the feeder authorities such as the valley authorities as a result of alcohol consumption in other licensing authority areas.

Q16. 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.	0	20	0
B	The provision should be available to all businesses providing that they meet certain qualification criteria to be an ancillary seller.	0	20	0
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 option A and option B.	0	20	0

Q17. 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		20	
B	Hair and beauty salons, providing alcohol alongside a hair or beauty treatment		20	
C	Florists, providing alcohol alongside the purchase of flowers		20	
D	Cultural organisations, such as theatres, cinemas and museums, providing alcohol alongside cultural events as part of the entry ticket.		20	
E	Regular charitable events, providing alcohol as part of the wider occasion		20	

No agreement to this at all.

Q18. 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?

These proposals would be considered totally unenforceable and create additional loopholes in the legislation.

The purpose is to reduce harm not t give more provisions.

TENS are already in place and are considered a light touch, these have now bedded in and are working well.

Q19. The aim of the new ancillary seller is to reduce the burden on business where the sale of alcohol is a small part of the business...?

Yes 0  
No 20  
Don't Know 0

Less enforcement, more loopholes, less transparency so more shades of grey to dispute. Access to records for proof of sales is needed if you went down this route but still very difficult. It is felt that the existing provisions are adequate.

Q20. Do you think that these proposals would significantly reduce the burdens on ancillary sellers?

		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	0	20	0
B	Introduce a new light touch form of authorisation for premises making ancillary sales – an ASN but	0	20	0

	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 need for a personal licence holder	0	20	0

Q21. Do you think that the following proposals would impact adversely on one or more of the licensing objectives?

		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	20	0	0
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	20	0	0
C	Introduce a new light	20	0	0



	touch form of authorisation for premises making ancillary sales – an ASN but with no need for a personal licence holder			
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Q22. What other issues or options do you think should be considered when taking forward proposals for a lighter touch authorisation?

We do not agree that there should be lighter for ancillary sellers, enforceable, loop holes definition not equitable.

Q23. 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 0  
No 20  
Don't know 0

Already adequate procedures in place.

Q24. 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			
B	Reduce the burden			

- Leave this alone already TEN's in place. Already processes in place.

Q25. Should the number of TENs which can be given in respect of individual premises increase?

Yes 5  
No 14  
Don't know 1

Q26. If yes, please select one option to indicate which you would prefer.

15 0  
18 18  
Don't know 0

Q27. Do you think that licensing authorities should have local discretion around late night refreshment in each of the following ways?

	Yes	No	Don't know
A Determining the premises in certain areas are exempt	18	0	2
B Determining that certain premises type are exempt in their local area	0	17	3

Q28. Do you agree that Motorway service areas should 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 exemption from regulations for the provision of late night refreshment.	12	2	6

Q29.

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

19 Hot drinks

19 Alcohol LNR without vary implications

1 Not

Q30. Do you agree with each of the following proposals?

		Yes	No	Don't know
A	Remove requirements to advertise licensing	2 Believe this is out of date	12	6

	applications in the newspapers.			
B	Remove the centrally imposed prohibition on the sale of alcohol at MSA's for the on and of trade	3	11	6
C	Remove the centrally imposed prohibition on the sale of alcohol at MSA's but only in respect of overnight accommodation "lodges"	1	12	7
D	Remove or simplify requirements to renew personal licences under the 2003 Act	0	19	1

Q31

		Yes	No	Don't know
A	Remove requirements to advertise licensing applications in the newspapers.	3	0	17* Believe this to be a loaded question and do not agree with it
B	Remove the centrally imposed prohibition on the sale of alcohol at MSA's for the on and of trade	1	1	18
C	Remove the centrally imposed	0 Believe this to be a loaded	0 Believe this to be a loaded	20

	prohibition on the sale of alcohol at MSA's but only in respect of overnight accommodation "lodges"	question and do not agree with it	question and do not agree with it	
D	Remove or simplify requirements to renew personal licences under the 2003 Act	0 Believe this to be a loaded question and do not agree with it	0 Believe this to be a loaded question and do not agree with it	20

Q32. 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 the newspapers.	5	0	15
B	Remove the centrally imposed prohibition on the sale of alcohol at MSA's for the on and of trade	2	3	15
C	Remove the centrally imposed prohibition on the sale of alcohol at MSA's but only in respect of overnight accommodation "lodges"	1	0	19
D	Remove or simplify requirements to renew personal licences under	4	1	15

	the 2003 Act			
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Q33. in addition to the suggestions outlined above, considering simplifying the 2003 Act .....

17 stated that there should be no fee for minor variations if a responsible requests for changes to conditions.

Q34. Did not consider this

Q35. Did not consider this