

For and on behalf of NHS Central Lancashire

We welcome the opportunity to respond to '*A consultation on delivering the Government's policies to cut alcohol fuelled crime and anti-social behaviour*' recently published by the Home Office.

We acknowledge the harm that alcohol has on communities, families and businesses in **Central Lancashire**. We also understand the importance of effective policies in all of the 5 key areas covered in this consultation:

- A minimum unit price for alcohol
- A ban on multi-buy promotions in the off-trade
- Reviewing the mandatory licensing conditions
- Health as a licensing objective for cumulative impact policies
- Freeing up responsible businesses

We have not answered all the consultation questions, but have focussed on areas where we have evidence available and also practical experience to underpin our responses.

Consultation Question 1:

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

No

If you think another level would be preferable, please set out your views on why this might be in the box below (keeping your views to a maximum of 200 words).

Evidence suggests that setting the minimum unit price level at least 50p would achieve far better outcomes than the proposed 45p price level.

The ScHARR model (University of Sheffield, 2009), which is the only UK independently peer reviewed evidence base for minimum unit pricing found that after 10 years a 50p price level would save: **3,060 lives**, 1,020 more than 45p level; **97,700 hospital admissions**, 31,500 more than 45p level; **442,300 days absent from work**, 176,000 more than 45p level; and, **42,500 crimes**, 18,400 more than 45p price level. These are significant savings of lives, for society and the economy and only cost the moderate drinker 6p per week more than a 45p minimum price level.

Consultation Question 2:

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

Yes

If yes, then please specify these in the box below (keeping your views to a maximum of 200 words).

- In the North of England there will be potential cross border issues if the price level is set at 45p as the Scottish Government is proposing a minimum unit price of 50p. This will potentially create a price differential which could encourage people to visit England to purchase and consume alcohol.

- Public houses, bars and other on-trade premises could benefit from the introduction of a minimum price as the differential in prices for alcohol retailed in the off-trade and on-trade would be reduced. This could result in a shift of drinking patterns to on-trade premises which is a regulated and often considered safer environment in which to consume alcohol.

Consultation Question 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.

Consultation Question 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?

Yes

If Yes please specify in the box below (keeping your views to a maximum of 100 words).

Children and young people would be more protected from alcohol harms by raising the cost of alcohol from the cheap prices that are found in some off-licenses and supermarkets. By ensuring that alcohol is less affordable, children and young people will be able to afford to purchase and consume less, this is good for society and the health and wellbeing of children and young people.

Consultation Question 5:

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

Yes

Consultation Question 6:

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

Yes

If yes, please specify in the box below (keeping your views to a maximum of 100 words).

There should be a general principle that the purchase of any goods should not be linked to the purchase of alcohol at a lower than normal sale price.

Some further examples of offers which we believe should be banned are:

- Buying other goods and getting alcohol free, or at a reduced price which would fall below a minimum unit price of 50p
- There should be a consistency across the on- and off-trade so there should be a ban on multi-buy promotions in on-trade premises

- There is a potential to circumvent the multi-buy ban by selling alcohol in different sized packaging. There should be a consistency of price per volume regardless of the size or quantity that the alcohol is sold in, for example 4 bottles of wine should cost the same as one 3 litre box of the same wine.
- Loyalty point schemes which are in anyway linked to alcohol
- Any money off coupons should not include alcoholic products

Consultation Question 7:

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

Yes

If yes, please specify in the box below (keeping your views to a maximum of 200 words).

- The SCHARR study found that there is a greater impact of the multi-buy ban policy when enforced in concert with a minimum unit price policy, we believe that a multi-buy ban will be more effective if implemented with a 50p minimum unit price rather than at 45p.
- A recent report by Alcohol Concern and Balance, the North East Alcohol Office (Binge!, November 2012) published the results of survey work of 16-24 year olds who said that promotions on alcohol products encouraged them to drink more. So a multi-buy ban would protect more children and young people from alcohol.
- Multi-buy promotions encourage people to buy more alcohol than they intend which means there is greater access to alcohol in the home environment. Children access alcohol from the home more than any other place, so a ban would reduce the access to alcohol for children.

Consultation 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?

Yes

If yes, please specify in the box below (keeping your views to a maximum of 100 words).

Alcohol must not be used as a loss leader, and there needs to be a consistency in approach, therefore we would not want to differentiate between groups, however:

- Pubs could benefit as people are less likely to preload on alcohol bought from off-licence premises and shift their consumption of alcohol to on-licence premises

- Young people will benefit as this policy could reduce access and availability of alcohol in the home environment
- These measures do not take into account the effect of minimum unit pricing, some of them may only be effective alongside minimum unit pricing

Consultation 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)?

Our response below highlights which licensing objectives we consider the licensing conditions will **contribute to**. We are not suggesting that any of the licensing objectives will solely be effective at promoting an individual licensing objective.

		Prevention of Crime And Disorder	Public Safety	Prevention of Public Nuisance	Protection of Harm From Children
A.	Responsible Promotion	YES	YES	YES	YES
B.	Dispensing Alcohol Directly Into The Mouth	YES	YES	YES	NO
C.	Mandatory Provision Of Free Tap Water	YES	YES	YES	NO
D.	Age Verification Policy	YES	YES	YES	YES
E.	Mandatory Provision Of Small Measures	YES	YES	YES	NO

Consultation Question 10:

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

No

If yes, please specify in the box below (keeping your views to a maximum of 100 words).

- Promotional materials are banned if they glamourise the promotion of alcohol, we believe that this 'glamourisation' test should be replaced by a ban on all irresponsible drinks promotions.
- The unit content of all drinks, including mixed drinks, should be clearly visible at the point of sale ensuring that any customer should have easy access to know what they are drinking.
- Staff training should be formalised ensuring that licence holders train and re-train their staff to be accredited to a national standard for the safe and responsible retailing of alcohol.

Consultation 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?

Yes

If yes, please specify in the box below (keeping your views to a maximum of 200 words).

- A proportionate seating and standing ratio should be dictated by the capacity of the premises.
- Soft drinks should be priced cheaper than the cheapest alcoholic drink thus removing a possible encouragement for people to drink alcoholic drinks if they are cheaper.
- A ban on irresponsible drinks promotions should be applied to the off-trade.
- Loyalty point schemes for the purchase of alcohol which encourages increased consumption should be banned.
- Offering shots of spirits away from the bar area (e.g. table to table selling of shots of pre-poured vodka) should be banned.
- Happy hours should be banned as they are schemes selling discounted alcohol.
- Organised commercial pub crawls should be banned as they encourage the consumption of excess alcohol in a short space of time in many premises which leads to drunkenness and anti-social behaviour.

Consultation 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?

No

If yes, please specify in the box below (keeping your views to a maximum of 100 words).

There should be as many or as few mandatory licensing conditions as deemed appropriate by the Government. This should include extending the ban on irresponsible drinks promotions to cover off-trade licensed premises to create a consistency across the on- and off-trades.

Consultation 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?

Please specify in the box below, keeping your views to a maximum of 200 words.

- Accident and Emergency data regarding alcohol related attendances
- Ambulance service data

- Substance misuse service treatment data
- Alcohol related mortality
- Mental health and wellbeing indices
- Trauma and Injury Intelligence Group (TIIG) data from the North West Public Health Observatory
- Alcohol related hospital admission data

Consultation 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?

Yes

If yes, please specify in the box below (keeping your views to a maximum of 200 words).

Currently only the police can object to licence applications due to a Cumulative Impact Policies (CIP). We believe that all responsible authorities should be able to object to the application therefore widening the process to consider health data and the impact on health harms. For example if there is a health harm issue but no crime issue, health bodies may object on the grounds of a CIP.

Consultation 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 specify in the box below, keeping your views to a maximum of 200 words. Please provide evidence to support your response.

- In addition to the impact on controlling alcohol related crime the health data can impact upon all policy areas and licensing objectives giving stronger evidence and improving the all round data picture to set a baseline and allow for more informed decision making.
- Including health data in consideration of a CIP would enable local links between alcohol and health harm to be better established
- Reduction in alcohol related health harms. International evidence suggests that making it less easy to buy alcohol, by reducing the number of outlets selling it in a given area and the days and hours when it can be sold, is another effective way of reducing alcohol-related harm.(NICE 2010: Alcohol-use disorders: preventing harmful drinking)

Consultation 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?

(Please write your suggestions in the box below, keeping your views to a maximum of 200 words)

- No. Any sale of alcohol should be regulated. Therefore there are no types of premises for alcohol sales which should be unregulated. Unregulated alcohol sales would create a situation where the objectives of the Licensing Act 2003 would be unenforceable.

- The licensed sale of alcohol also protects and ensures a standard of 'due diligence' is adhered to by people selling alcohol.
- This proposal would create a third tier of licensed premises as it would create a category outside Early Morning Restriction Orders/Late Night Levy and CIPs. This would create confusion for consumers and enforcement officers and lead to increased costs for public sector organisations dealing with the harmful effects of alcohol.
- This extra category of licensed premises could be contributing to the harm of excessive alcohol consumption but would not contribute to the costs, for example through a Late Night Levy being applied to licensed premises.

Consultation 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?

No

If yes, please specify in the box below (keeping your views to a maximum of 200 words).

We don't agree with the 'ancillary seller' status because there is no mechanism to 'police' these businesses, and ensure that they retail alcohol responsibly. The scheme would also take the sale of alcohol out of the remit of the four objectives of the Licensing Act 2003 and the proposed objective of 'Public Health' thus undermining the Licensing Act.

The 'ancillary sellers' of alcohol in the retail environment would not come under the same protection afforded by the Licensing Act or necessarily receive appropriate training therefore creating a three tier system which cannot be monitored, supported or enforced. In addition people purchasing from an 'ancillary seller' need to understand they are purchasing from an unregulated 'ancillary seller' and are therefore not necessarily making a reputable or safe purchase, for example safeguarding underage sales.

Consultation Question 20:

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.		No	
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.		No	

C.	Introduce a new, light touch form of authorization for premises making ancillary sales – an ASN - with no requirement for a personal licence holder.		No	
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Consultation Question 21:

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.	Yes		
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.	Yes		
C.	Introduce a new, light-touch form of authorization for premises making ancillary sales - an ASN - with no requirement for a personal licence holder.	Yes		

Consultation Question 22:

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

(Please specify in the box below, keeping your views to a maximum of 200 words)

We do not agree with any deregulation or unregulated sales of alcohol. The consumption of alcohol should be de-normalised in our society. This can be achieved through proper regulation which would help to reduce consumption with resulting benefits to the health and wellbeing of society.

Consultation 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?

No

Consultation Question 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.		No	
B.	Increase the burden.	Yes		

Consultation Question 27:

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
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A.	Determining that premises in certain areas are exempt.		No	
B.	Determining that certain premises types are exempt in their local area.		No	

Consultation Question 30:

Do you agree with each of the following proposals?

		Yes	No	Don't Know
A.	Remove requirements to advertise licensing application in local newspapers.		No	
B.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.		No	
C.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – "lodges".	Yes		
D.	Remove of simplify requirements to renew personal licences under the 2003 Act.		No	

Consultation Question 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 application in local newspapers.			Don't know
B.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.		No	
C.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation - "lodges".		No	
D.	Remove of simplify requirements to renew personal licences under the 2003 Act.		No	

Consultation Question 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 application in local newspapers.	Yes		
B.	Remove the centrally imposed prohibition on the sale of alcohol at	Yes		

	MSAs for the on and off-trade.			
C.	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation - "lodges".			Don't know
D.	Remove or simplify requirements to renew personal licences under the 2003 Act.	Yes		

Consultation 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? (Please specify in the box below keeping your views to a maximum of 200 words)

We believe there are no processes that could be removed or simplified without having an adverse effect on the licensing objectives or increasing the burden on responsible authorities or the local community

Consultation 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?

		Yes	No	Don't Know
A.	Minimum unit pricing.		No	
B.	Multi-buy promotions.		No	
C.	Health as a licensing objective for cumulative impact.			Don't know
D.	Ancillary sales of alcohol.			Don't know
E.	Temporary Events Notices.			Don't know
F.	Late night refreshment.			Don't know
G.	Removing the duty to advertise license applications in a local newspaper.			Don't know
H.	Sales of alcohol at motorway service stations.			Don't know
I.	Personal licenses.			Don't know