

**Police Force: Hampshire Constabulary**

**Number of employees within the organisation: Just over 6,000**

**Organisation based : South East England**

**Confidentiality and disclaimer: No requirement for response or details to be treated as confidential**

**Consultation Question 1:**

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

**Yes**

We strongly support the MUP proposal, but do not believe the 45p level is restrictive enough to have the desired effect of significantly reducing harm. We would support ACPO's view of a 50p MUP as being more effective in reducing consumption and thus reducing alcohol related crime and disorder and harm.

MUP at these levels would have little or no effect on drinks sold through on-licence premises other than tackling some irresponsible promotions.

MUP would target off sales venues, especially those offering cheap, high ABV drinks. It is from these outlets that the current change in trends to "pre load" has emerged. It is becoming increasingly difficult to challenge these venue for supplying alcohol early on, that subsequently causes the drinker higher intoxication levels than if the alcohol had been purchased in an "on sales" venue.

The type of product targeted, would also have an impact on its financial availability to the "street drinker" to buy their alcohol and with the implementation of a MUP it would be expected that crime and disorder and ASB would drop in line with the reduced consumption.

**Consultation Question 2:**

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

**Yes**

Although setting a MUP will generally cause the high ABV ciders to increase in cost, with the expectation that the "street drinker" will consume less, leading to a reduction in associated crime and disorder, it could have a secondary effect. The impact assessment suggests own brand cider could double in price over night. This could be argued to reduce consumption by half due to the limited finances of "street drinkers". From experience we would argue that consumption will remain constant for the vast majority and the additional alcohol 'required' will be stolen, increasing crime and disorder.

The above argument needs to be balanced with the overall health and financial benefits to the rest of the population with the proposed reduction in hospital admissions.

**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 there are any other people, organisations or groups that could be particularly affected by the minimum unit price of alcohol?**

**Yes**

The MUP will have an effect on the entire drinks industry. A fall in overall consumption will lead to some manufactures/distributors having to close. This will have a knock on effect on secondary employers such as distributors.

The retail outlets themselves will see a loss in revenue due to lower sales and may be subject to increased rates of theft.

**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 other offers which should be included in a ban on multi-buy promotions?**

**Yes**

The banning of all promotions involving the sale of alcohol is the simplest and easiest to administer and enforce. By including certain promotions and excluding others it opens loopholes which will be exploited.

MUP could negate the need for multi-buy legislation if the level was set appropriately.

**Consultation Question 7:**

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

**Yes**

We do not believe that there is as great an issue with certain types of product, (wine & spirits) and consideration should be given for multi-buy promotions to only cover beers, ciders and Alco-pops. It is these types of product that are most commonly purchased for "pre loading".

Consideration could be given to limiting the quantity of alcohol which can be purchased in any one transaction as is the case with some over the counter medicines.

Reductions in consumption would improve the health of lower income groups amongst which alcohol related deaths are significantly higher.

**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 there are other groups that could be particularly affected by a ban on multi-buy promotions?**

**Yes**

A reduction in alcohol consumption will result in a corresponding reduction in the demand for resources provided by Health and the police.

Underage drinkers and those with serious alcohol problems will be affected by a multi-buy promotion ban as these are the groups who drink the high ABV products and pre-load. By making the products more expensive it would be expected that consumption would fall.

**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 – see glossary)?**

		Prevention of Crime and disorder	Public Safety	Prevention of Public nuisance	Protection of harm to children
A	Irresponsible promotions	Yes	Yes	Yes	No
B	Dispensing alcohol directly into the mouth	Yes	Yes	Yes	No
C	Mandatory provision of free tap water	Yes	Yes	Yes	Yes
D	Age verification policy	Yes	Yes	Yes	Yes
E	Mandatory provision of small measures	No	No	No	No

**Consultation Question 10:**

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

**No.**

We do not believe the 'irresponsible promotion' condition is effective. Mandatory conditions should be made absolute, so that the activities mentioned are prohibited. Currently an 'irresponsible promotion' occurs only where .... *'carries a significant risk of leading or contributing to crime and disorder....'* In practice police would have to wait for a significant risk of crime or disorder before deeming a free bar, to have been provided irresponsibly.

Age-verification policy requirement- it would be better if the condition required, that the policy be *written, published or reproduced in a form which is available to staff (and customers)*

Small measures- Selling up should be prohibited.

**Consultation Question 11:**

**Are there other issues related to the licensing objectives (prevention of crime and disorder/ public safety/public nuisance/prevention of harm to children) which could be tackled through a mandatory licensing condition?**

**Yes**

Mandatory licensing conditions should include consideration of customer safety. This might include a requirement of door staff in (say) town centre locations and criteria for the training and accreditation of those staff.

Training of staff could be included for both on and off sale premises to an approved national minimum standard every six months with training records being available on the premises for inspection.

**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.**

However with stricter control through the government intention to introduce MUP and multi-buy restrictions, which focus more on the off sale premises, will assist in redressing this balance.

The proposal that Cumulative Impact Policies should apply to both on-trade and off-trade is strongly supported.

**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?**

- Alcohol related conditions seen in hospital admissions and A&E departments
- Under 18 admissions to hospital
- Alcohol related conditions seen by local general practitioners
- Statistics related to recorded assault with injury
- Alcohol-related anti-social behaviour, crime and disorder statistics
- Liver disease and alcohol related deaths
- Domestic abuse

**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?**

**No**

However to obtain the information from the health service, the data collection at the initial point of contact, i.e., hospital or ambulance would have to be accurate, searchable and detailed. This information, albeit redacted, to comply with the Data Protection Act would need to be made available at relatively short notice for reviews, objections, hearings and appeals.

**Consultation Question 15:**

**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?**

Allowing consideration of data on alcohol-related health harm when considering a CIP would be of great benefit to the local authority as they would be empowered to take into account the full impact of alcohol harm within their boundaries. The availability of alcohol would be under some form of control by the local authority and they in turn would be able to limit the level of harm.

**Consultation 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 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 (paragraph 9.5)		No	
B	The provision should be available to all businesses provided they meet certain Qualification criteria to be an Ancillary seller (paragraph 9.6)	Yes		
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	Yes		

**Consultation Question 17:**

**If a 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	Yes		
B	Hair and beauty salons, providing alcohol alongside a hair or beauty treatment	Yes		
C	Florists, providing alcohol alongside the purchase of flowers	Yes		
D	Cultural organisations, such as theatres, cinemas and museums, providing alcohol alongside cultural events as part of the entry ticket		No	
E	Regular charitable events, providing alcohol as part of the wider occasion		No	

**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?**

No

**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. Do you think that the qualification criteria proposed in paragraph 9.6 meet this aim?**

**No**

As with any definition there will always be loopholes created which will not be identified at the time, but will be exploited in the future.

The quantity of alcohol supplied should be carefully defined. This is to ensure that if the proposal were to be adopted there would be no, or an absolute minimum probability of any of these sellers contributing to crime and disorder.

There should be a restriction on how ‘supplied as a part of a contract’ is defined. For example, is the sale of a single rose one contract and could a dozen roses be treated as 12 contracts by those seeking a loophole?

**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 license 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 authorisation for premises making ancillary sales – an ASN – with no requirement for a personal license holder	Yes		



**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 authorisation for premises making ancillary sales – an ASN – with no requirement for a personal license 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?**

There would need to be a simplified review process introduced to allow revocation or removal of an ASN. It is believed with its introduction, there would be a large number of additional premises seeking ASN status who previously could not shoulder the financial or administrative burden of a premises or personal licence application.

An ASN should be restrictive around its hours of operation, which should be set such that there is little or no impact on the Night Time Economy.

Licensing authorities should have the power to require a full license should problems arise as a result of a business's ancillary seller status.

**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	Yes		
B	Increase the burden		No	

**Consultation Question 25:**

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

No

**Consultation Question 26:**

**If yes, please select the option you prefer:**

N/A

**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
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 28:**

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

		Yes	No	Don't know
A	Motorway service areas should receive a nationally prescribed exemption from regulations for the provision of late night refreshment	Yes		

**Consultation Question 29:**

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

None

**Consultation Question 30:**

**Do you agree with each of the following proposals:**

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

**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 applications in local newspapers		No	
B	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.	Yes		
C	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – 'lodges'.	Yes		
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 increase burdens on licensing authorities?**

None

**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	MUP	Yes		
B	Multi-buy promotions	Yes		
C	Health as a licensing objective for cumulative impact	Yes		
D	Ancillary sales of alcohol	Yes		
E	Temporary event notices	Yes		
F	Late night refreshment	Yes		
G	Removing the duty to advertise licence applications in a local newspaper	Yes		
H	Sales of alcohol at MSA	Yes		
I	Personal licences	Yes		

**Consultation Question 35:**

Do you have any comments on the methodologies or assumptions used in the impact assessments:

Yes	No	Don't know
	No	