

Response by Redland & Cotham Amenities Society,

Response to specific consultation questions

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

Consultation Question 1: Do you agree that this MUP level would achieve these aims? (Please select one option)		
Yes	<input checked="checked" type="checkbox"/>	No <input type="checkbox"/> Don't know <input type="checkbox"/>
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)		
<p>We support the introduction of a MUP set at 50p in the first instance, for two reasons:</p> <p>1) Increased health and social impact Modelling conducted by the University of Sheffield (based on price data from 2007/8) predicts that at full effect, a MUP of 50p would prevent more than 3,000 alcohol related deaths, 98,000 hospital admissions and more than 40,000 alcohol related crimes each year in England. The modelling presented by the Home Office in this consultation document (we assume to be based on forecast price data for 2014) predicts that a MUP of 45p at full effect would prevent more than 700 alcohol related deaths, 24,600 hospital admissions and 5,240 crimes each year, which are significantly lower levels of health and social impact. Whilst we cannot compare these figures like for like without seeing the HO modelling data, given the well-established relationship between price and harmful consumption of alcohol, we can confidently assume that a higher MUP will have greater benefits.</p> <p>2) Uniformity with Scotland Given that the Scottish Government has proposed to introduce a MUP of 50p, IAS believes that England and Wales should set the same level of MUP in order to avoid problems created by cross-border trading, which could undermine the policy north or south of the border.</p>		

Consultation Question 2: Should other factors or evidence be considered when setting a minimum unit price for alcohol? (Please select one option)		
Yes	<input checked="checked" type="checkbox"/>	No <input type="checkbox"/> Don't know <input type="checkbox"/>

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

There is a wealth of evidence from around the world to show that raising the price of alcohol reduces levels of health and social harms, including rates of crime, violence, accidents and alcohol related liver disease. In Canada, minimum pricing has effectively reduced consumption of high-strength cheap alcohol bought in shops and supermarkets, reducing the public health burden of hazardous drinking as consumers switched to lower alcohol alternatives.

The distinction between MUP and taxation must be made when considering the impact of pricing policies as these are two distinct mechanisms for controlling alcohol prices and are complementary rather than substitutable policies. Raises in alcohol duty levels can have an overall population effect on the price of alcohol, however MUP is a more targeted means of raising the price of the cheapest alcohol, which is known to be consumed by harmful drinkers who cause the most damage to themselves and others.

Consultation Question 3:

How do you think the level of minimum unit price set by the Government should be adjusted over time? (Please select one option)

Do nothing – the minimum unit price should not be adjusted	<input type="checkbox"/>
The minimum unit price should be automatically be updated in line with inflation each year	<input checked="" type="checkbox"/>
The minimum unit price should be reviewed after a set period	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

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?
(Please select one option)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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If Yes please specify in the box below (keeping your views to a maximum of 100 words)

Reducing the consumption of harmful and hazardous drinkers will help to relieve the burden on the health and emergency services, to ensure that communities are safer and residents have better access to these services. For example, A&E waiting times and police response times could be improved if the number of alcohol related incidents is lowered.

MUP will also help to reduce the harms experienced by those other than the drinkers. Such groups include children and families, victims of crime and domestic violence and drink driving accident victims.

Consultation Question 5:

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

(Please select one option)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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Consultation Question 6:

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

(Please select one option)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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If Yes please specify in the box below (keeping your views to a maximum of 100 words)

The philosophy behind a ban on multi-buy bans is that customers should not be encouraged to buy greater quantities of alcohol than they otherwise intended. This philosophy, and therefore this policy, should apply to the on-trade as well as the off-trade.

Consultation Question 7:

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

(Please select one option)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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If Yes please specify in the box below (keeping your views to a maximum of 200 words)

Research from the University of Sheffield indicates that a ban on multi-buy promotions would increase the efficacy of MUP. Modelling shows that MUP combined with a ban on off licensed trade discount bans in Scotland would show greater reductions in levels of alcohol consumption, alcohol related hospital admissions and alcohol related deaths. The same effect is therefore likely in England and Wales.

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?

(Please select one option)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Don't know	<input type="checkbox"/>
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If Yes please specify in the box below (keeping your views to a maximum of 100 words)

Reducing the consumption of harmful and hazardous drinkers will help to relieve the burden on the health and emergency services, to ensure that communities are safer and residents have better access to these services. For example, A&E waiting times and police response times could be improved if the number of alcohol related incidents is lowered.

A reduction in alcohol consumption will also help to reduce the harms experienced by those other than the drinkers. Such groups include children and families, victims of crime and domestic violence and drink driving accident victims.

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)?

Please state Yes/No/Don't know in each box

		Prevention of crime and disorder	Public Safety	Prevention of public nuisance	Protection of harm to children
A	Irresponsible promotions	Yes	Yes	Yes	Yes
B	Dispensing alcohol directly into the mouth	Yes	Yes	Yes	Yes
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	Yes	Yes	Yes	Yes

Consultation Question 10:

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

(Please select one option)

Yes	No <input checked="" type="checkbox"/>	Don't know
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If no please state what more could be done in the box below (keeping your views

to a maximum of 100 words)

The ban on 'irresponsible promotions' should be extended to include a ban on multi-buy discount promotions. This will ensure that similar licensing conditions for both the on- and off- trade apply and therefore easier to enforce. It will also remove any ambiguity regarding the degree of 'responsibility' of price-based promotions which encourage consumers to purchase more than they otherwise intended to.

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?

(Please select one option)

Yes X	No	Don't know
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If Yes please specify in the box below (keeping your views to a maximum of 200 words)

Mandatory training for all servers who sell alcohol other than at small or infrequent charity events, including training on verification of age and serving to people already intoxicated, would be a useful addition to the mandatory licensing conditions.

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?

(Please select one option)

Yes	No X	Don't know
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If no please explain why you think the current approach is not the best approach in the box below (keeping your views to a maximum of 100 words)

Given the increasing shift towards consumption at home, with sales in the off-trade far exceeding those in the on-trade, it would be sensible to apply mandatory condition A to the off-trade as well as the on-trade. This would help to prevent high levels of 'pre-loading', where drinkers enter the night-time economy intoxicated from off-trade purchases consumed at home or in public spaces.

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)

Creating a robust Joint Strategic Needs Assessment would ensure a consistent

approach to data for CIPs. JSNAs should include:

- A&E, and urgent care centre data
- Ambulance data
- Alcohol specific hospital admissions
- Alcohol attributable hospital admissions
- Under 18 alcohol related admissions
- All alcohol-attributable deaths
- Demand/unmet demand for alcohol treatment services
- Alcohol related domestic abuse and child protection data
- Alcohol related crime figures
- Local data sources, e.g. residents' surveys in CIP areas.

We would prefer making the prevention of health harm a material consideration for licensing authorities by making it a fifth objective of the Licensing Act, rather than tying it to just CIPs. The rationale on p7 of the relevant impact assessment stating that a fifth objective related to health would be disproportionate because the alcohol industry is already taking action as part of the Responsibility Deal is disappointing. Relying on voluntary industry action has not always worked in the past and should not be a substitute for empowering local authorities to assess the impact of the on and off-trades on local residents' health.

Furthermore, public health should be a consideration at the highest level in local authorities, playing a central role in planning and economic development.

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? (Please select one option)

Yes ☒

No

Don't know

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

The ministerial guidance should be altered to encourage licensing authorities to gather relevant data on alcohol related harm. In CIP areas public health data at the level of a single premises or small cluster of premises may be small and too easily dismissed. It may be more practical for a public health objective to be linked to district/borough-wide data and policies as this is the level at which data is usually more available. If the

Providing effective guidance on how to incorporate and interpret public health data would be essential to support changes in process.

There should be capacity to hear representation from all responsible authorities, not just the police, so that health harms can be accurately taken into account as well as crime and disorder issues.

The licensing authority in areas of cumulative impact should require the relevant responsible authority/ies to collect data across the CIP area of the health effects on the resident population living and/or working within a CIP. Factors such as

stress, noise nuisance, sleep deprivation and other related impacts on those living and working in these areas should be assessed as relevant as well as the health harms to those consuming alcohol in the 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.

It would at last help to articulate and quantify the adverse impacts on those consuming too much alcohol and doing so too regularly and also on those living alongside licensed premises within CIP areas in terms of their own health and mental health as regards sleep deprivation, stress, safety and security.

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 met key criteria for limited or incidental sales? (Please select one option in each row)

		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			X
B	The provision should be available to all businesses providing they meet certain qualification criteria to be an ancillary seller		X	
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		X	

Consultation 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? (Please select one option in each row)

		Yes	No	Don't know
A	Accommodation providers, providing alcohol alongside accommodation as part of the contract –			X
B	Hair and beauty salons providing alcohol alongside a hair or beauty treatment			X
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		X	

D	Florists providing alcohol alongside the purchase of flowers			X
E	Regular charitable events providing alcohol as part of the wider occasion	X		

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 suggestion in the box below, keeping your views to a maximum of 200 words)

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 (see paragraphs 9.2 and 9.3). Do you think that the qualification criteria proposed in paragraph 9.6 meet this aim? (Please select one option)

Yes

No **X**

Don't know

If no please describe the changes you would make in the box below (keeping your views to a maximum of 200 words)

We do not agree with the concept of deregulating the licensing conditions for small businesses on the grounds that there is already a degree of protection for businesses under the current licensing conditions – which require that all licensing decisions must be proportionate. If some businesses are allowed to sell alcohol on an unregulated basis then it is likely that there will be temptation for some to abuse the position which will impose unnecessary inspection and enforcement costs on licensing authorities to prevent abuse of the relaxations.

If the sale of alcohol is important enough for the success of a commercial enterprise, then this aspect must be considered important enough for the licensing law. There could be an exception to this argument with regards to occasional charitable events which by their nature are not for profit.

Consultation Question 20:

Do you think that these proposals would significantly reduce the burdens on ancillary sellers?(Please select one option in each row)

		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			X
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			X

C	Introduce a new light touch form of authorisation for premises making ancillary sales – an ‘ASN’ but with no requirement for a personal licence holder			X
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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? (Please select one option in each row)

		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	X		
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	X		
C	Introduce a new light touch form of authorisation for premises making ancillary sales – an ‘ASN’ but with no requirement for a personal licence holder	X		

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)

Personal license holders are required by law to be responsible and accountable for the sale of alcohol and receive training on adherence to the mandatory licensing conditions. The removal of the requirement for personal license holders to be present when alcohol is served opens up the risk that aspects of the licensing conditions will not be adhered to, causing risk to drinkers and others around them. Such risks include serving of alcohol to underage drinkers and serving to intoxicated customers which can fuel alcohol related problems.

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? (Please select one option)

Yes X	No	Don't know
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Consultation Question 24:

What impact do you think a locally determined notification would have on organisers of community events? (Please select one option in each row)

		Yes	No	Don't know
A	Reduce the burden	X		
B	Increase the burden		X	

Consultation Question 25:

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

be increased? (Please select one option)		
Yes	No X	Don't know

Consultation Question 26: If yes, please select one option to indicate which you would prefer:	
15	
18	
Don't know	

Consultation Question 27: Do you think that licensing authorities should have local discretion around late night refreshment in each of the following ways? (Please select one option in each row)				
		Yes	No	Don't know
A	Determining that premises in certain areas are exempt			X
B	Determining that certain areas are exempt in their local area			X

Consultation Question 28: Do you agree that motorway service areas should receive a nationally prescribed exemption from regulations for the provision of late night refreshment? (Please select one option)				
		Yes	No	Don't know
A	Motorway services should receive a nationally prescribed exemption from regulations for the provision of late night refreshment	X		

Consultation Question 29: Please describe any other types of premises to which you think a nationally prescribed exemption should apply (keeping your views to a maximum of 100 words)	
None	

Consultation Question 30: Do you agree with each of the following proposals? (Please select one option in each row)				
		Yes	No	Don't know
A	Remove the requirements to advertise licensing applications in local newspapers			X
B	Remove the centrally imposed prohibition on the sale of alcohol at MSA's for the on and off trade		X	
C	Remove the centrally imposed prohibition on the sale of alcohol at MSA's but only in respect of overnight			X

	accommodation – “lodges”			
D	Remove or simplify requirements to renew personal licences under the 2003 Act			X

Consultation Question 31:

Do you think that each of the following would reduce the overall burdens on business? (Please select one option in each row)

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

Consultation Question 32:

Do you think that the following measures would impact adversely on one or more of the licensing objectives? (Please select one option in each row)

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

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)

Require all licensing authorities to place details of applications and record their register of licensed premises on their websites. If this were done it might then be sensible to remove the requirement to advertise the applications in local newspapers.

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? (Please select one option in each row)				
		Yes	No	Don't know
A	Minimum unit pricing	X		
B	Multi-buy promotions			X
C	Health as an objective for cumulative impact			X
D	Ancillary sales of alcohol			X
E	Temporary Event Notices			X
F	Late night refreshment			X
G	Removing the duty to advertise licensing applications in local newspapers			X
H	Sales of alcohol at motorway service stations			X
I	Personal licences			X

Consultation 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.

Yes X	No	Don't know
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If yes please specify in the box below, referencing clearly the impact assessment and page to which you refer (keeping your views to a maximum of 400 words).

Impact Assessment: A minimum Unit Price for Alcohol

Ref p10: We are concerned that new methodology has been applied to work out the benefits delivered by a MUP at 45p. While we accept that the methodology should be updated to take account of inflation, no comparison has been provided for a MUP set at alternative levels such as 50p.

There is also no rationale as to why the figure of 45p has been chosen. In its report on the Government's Alcohol Strategy the House of Commons Health Committee (2012) states that: "If the minimum unit price in England were to be fixed at a different level to that in Scotland, we would expect the evidence supporting that decision to be set out clearly."

Impact Assessment: Health as an objective for cumulative impact

Ref p7: In principle public health as an objective should be ranked alongside the other four licensing objectives and not tied to CIPs. We do not accept the rationale for the link made in the impact assessment. It is not disproportionate for the industry to promote sensible drinking and low and non-alcoholic drinks in all areas.

Impact Assessment: Ancillary sellers

Ref p 1, 2, 3: We are concerned that the potential benefits to business are insufficient to run the risk of increased alcohol-related health harms, a risk highlighted on also highlighted in the document.

Ref p6: We are concerned that the section on "Minimal" sales is highly ambiguous and provides no reassurance that loopholes would not be created. Licensing authorities would need to gather evidence and local decisions by

licensing authorities are likely to be subject to legal challenge, an expensive process for local authorities, especially given the current economic climate.

Ref p8: The document estimates that up to 9,116 new alcohol sales venues could be created after three years, a significant increase in the availability of alcohol. This figure is partly based on the take up of licenses by 'community premises'. While the figure has been increased from 4% to 6%, we believe that increase may be insufficient given the profit motive behind businesses which is not so present for community premises.