

## **A consultation on delivering the Government's policies to cut alcohol fuelled crime and anti-social behaviour.**

### **3. Information about you**

Company Name or Organisation

**North Yorkshire Police**

Which of the following best describes you or the professional interest you represent?

**Licensing Authority (Responsible Authority)**

If you are from a licensing authority please specify which licensing authority in the box below.

**Police Force**

If you are from a police force specify which force in the box below

**North Yorkshire**

If you are responding on behalf of an organisation or interest group, how many members do you have?

**Not applicable**

Please select one box from the list below that best describes where you live or where your organisation is based:

**Yorkshire and the Humber**

### **4. Confidentiality and disclaimer**

Please select if you would like your response or personal details to be treated as confidential

**No**

### **5. A minimum unit price for alcohol**

Consultation Question 1:

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

**Don't Know**

**Generally support the introduction of minimum unit pricing. Introduction would have an immediate and disproportionate impact on the off-sales trade, especially the small to medium sized traditional off-licence retailer who would be unable to offset initial losses due to their limited product range.**

**Introduction of minimum unit pricing will provide a clear steer in respect of specific aspects of what should be classified as being an irresponsible drinks promotion.**

Consultation Question 2:

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

**No**

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 reviewed after a set period.**

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?

**Small to medium sized retailers (traditional off-licences) whose primary trade is in off-sales will be particularly affected by the minimum unit pricing. These business will not be able to offset temporary losses, whilst the marketplace adjusts to the new regime, in the same manner large supermarkets are able to do so.**

**Responsible drinkers on limited incomes may also be disadvantaged, dependant on type of drink consumed.**

## **6. A ban on multi-buy promotions in the off-trade**

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?**

**Cross product promotions that include alcohol as a constituent part e.g. "2 dine for £10". This type of promotion forces the purchaser to accept alcohol as part of the deal regardless as to whether or not this was the purchasers original intention.**

**Consultation Question 7:**

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

**Yes**

**Competitions, future discounts, prizes associated to the purchase of alcoholic products.**

**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**

**Banning multi-buy promotions removes the financial incentive and reason why individuals stockpile vast quantities of alcohol in private residences. Easy access to this perceived 'cheap source' of alcohol is fuelling the practice of pre-loading. Banning multi-buy promotions should reduce the volume of alcohol stored on residential premises, which in turn will start to influence personal consumption trends. In the medium to long term the ambulance service, Accident & Emergency, council street scene and the police would benefit from changes in consumers drinking patterns through a reduction in calls for service (demand).**

**Independent free houses will lose the financial benefit of being able to purchase multi-buy promotions from the large retailers for resale as "on sales" products within premises.**

**The 'single can' sector of the market may disappear altogether if retailers attempt to prevent low volume sales in order to counter the proposed practice whereby individual unit prices (single cans) must reflect the price on offer via multi-pack purchases.**

### 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	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
B	Dispensing alcohol directly into the mouth	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Don't know</b>
C	Mandatory provision of free tap water	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
D	Age verification policy	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
E	Mandatory provision of small measures	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

### Consultation Question 10:

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

**No**

**No statutory guidance on what is classed as an irresponsible promotion in terms of the provision of 'unlimited or unspecified quantities of alcohol for a fixed or discounted price'. This situation may be resolved through the introduction of minimum unit pricing.**

**The availability of free tap water does not appear to influence drinking habits within our late night economies.**

**The age verification condition needs to be more prescriptive. North Yorkshire Police is doing this through the introduction of specific conditions on premises licence at the new grant /variation process or via review proceedings.**

**To prevent bistros / restaurants becoming vertical drinking houses we commonly insert a 'no draft beer' clause onto premises licences. There are very few bottled beers on the market which comply with the small measure stipulation, discounting the statutory exemption. This is at odds with the purpose of the small measure provision.**

### 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?**



**Premises operating after midnight that have alcohol as a licensable activity (late night economy venues) should be required to install a CCTV system as a means of promoting all four licensing objectives.**

**Customers should be given more information at point of sale as to the volume of alcohol within specific drinks, the potential consequences of alcohol consumption re. crime and disorder, personal safety, nuisance to those living in the immediate vicinity and the harm excessive alcohol consumption may cause to a young persons (health).**

**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?**

**Don't Know**

## **8. Health as a licensing objective for cumulative impact policies.**

**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?**

- local Accident & Emergency admission data (alcohol related)**
- Ambulance service attendance data (from geographic locations within a CIZ)**
- Trading Standards test purchase results (harm to young people)**

**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?**

**It should be mandatory for licensing authorities to consider health data when formulating cumulative impact policies. Making it discretionary will open the floodgates for legal challenge especially where neighbouring licensing authorities take opposing views on the matter.**

**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?**

**The introduction of the health objective will provide Licensing Authorities with a wealth of information that will create a more holistic picture of**

health related harms within our communities. The outcome of which will be to clearly illustrate the true cost to both individual and society. It will also provide the ability to track the true cost of alcohol related incidents from source to conclusion.

## 9. Freeing up responsible businesses

### 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)	<b>Yes</b>		
B	The provision should be available to all businesses provided they meet certain Qualification criteria to be an Ancillary seller (paragraph 9.6)	<b>Yes</b>		
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	<b>Yes</b>		

### 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	<b>Yes</b>		
B	Hair and beauty salons, providing alcohol alongside a hair or beauty treatment	<b>Yes</b>		
C	Florists, providing alcohol alongside the purchase of flowers	<b>Yes</b>		
D	Cultural organisations, such			

	as theatres, cinemas and museums, providing alcohol alongside cultural events as part of the entry ticket		<b>No</b>	
E	Regular charitable events, providing alcohol as part of the wider occasion	<b>Yes</b>		

### 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?**

**Residential Care Homes** (ability to provide alcohol to guests with meals – cost incorporated into overall residential care package)

### 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**

**The definitions in 9.6 needs to be more prescriptive. New businesses would find it impossible to evidence the fact that alcohol sales would only be a small part or proportion of sales transactions (no trading history) and responsible authorities would find it difficult to reverse this position once ancillary sale status was granted. Anticipate the same difficulties as evidenced by Section 176 garage applications.**

**Once ancillary seller status is granted, what power would Licensing Authorities have to ensure that the amount of alcohol supplied as part of a contract did not exceed the prescribed amount?**

### 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	<b>Yes</b>		
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.		<b>No</b>	

C	Introduce a new light-touch form of authorisation for premises making ancillary sales – an ASN – with no requirement for a personal licence holder	<b>Yes</b>		

#### 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.		<b>No</b>	
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.		<b>No</b>	
C	Introduce a new light-touch form of authorisation for premises making ancillary sales – an ASN – with no requirement for a personal licence holder		<b>No</b>	

#### Consultation Question 22:

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

**Where ancillary sellers provide alcohol in open drinking vessels to customers (hairdressers etc.) the following mandatory conditions should apply:-**

- irresponsible promotions
- dispensing alcohol directly into the mouth of another
- requirement to make available to customers small measures

#### 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			<b>Don't Know</b>
B	Increase the burden			<b>Don't Know</b>



**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:**

**Not applicable**

**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.		<b>No</b>	
B	Determining that certain premises types are exempt in their local area		<b>No</b>	

**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	<b>Yes</b>		

**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	<b>Yes</b>		
B	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.		<b>No *</b>	
C	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – 'lodges'.		<b>No *</b>	
D	Remove or simplify requirements to renew personal licences under the 2003 Act.		<b>No</b>	

**\* Query whether a number of the recently constructed motorway service areas fall within the definition of an MSA e.g. those accessed from a series of roundabouts away from the main carriageway.**

**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	<b>Yes</b>		
B	Remove the centrally			

	imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.	<b>Yes</b>		
C	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – 'lodges'.	<b>Yes</b>		
D	Remove or simplify requirements to renew personal licences under the 2003 Act.		<b>No</b>	

### 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		<b>No</b>	
B	Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade.	<b>Yes</b>		
C	Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – 'lodges'.	<b>Yes</b>		
D	Remove or simplify requirements to renew personal licences under the 2003 Act.	<b>Yes</b>		

### 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?**

**All aspects of alcohol licensing should be governed by a single nationally accredited e-commerce licensing package. Applicants should be able to send a single copy of any type of licensing application to the licensing authority that automatically distributes it to the relevant responsible authorities (dependant on type) for consultation and response.**

**This would significantly reduce the administrative burden on both applicant and responsible authority in terms of administration, audit and storage.**

**Introduction of a national Personal Licence Holder Register to prevent the practice of multiple registrations and to assist Magistrates Courts when passing sentence on offenders for a Schedule 4 - relevant offences. Introduction should be prior to the expiry of the first 10 year personal licences due in 2015.**

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



**Consultation Question 35:**

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

Yes	<b>No</b>	Don't know
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