

Alcohol strategy consultation

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Page 1: About you

Q1. Please select if you would like your response or personal details to be treated as confidential.

No Response

Score

0

Q2. Which of the following best describes you or the professional interest you represent? Please select one option from the menu below.

Individual involved in licensed trade/club premises

Please specify which organisation, licensing authority or police force you represent in the box below:

Costco Wholesale UK Limited

Score

0

Q3. If you are responding on behalf of an organisation or interest group, please write in the box below the number of members in your group or organisation.

No Response

Q4. How did you obtain the views of your members? Please explain in the box below keeping your response to a maximum of 100 words.

I am a solicitor at Winckworth Sherwood LLP and am authorised to respond to the consultation on behalf of Costco. In addition, we have submitted a written response by post.

Q5. Please indicate in which region you or your organisation is based. Please select one option from the menu below.

Rest of the world

Score

0

Q6. If you are responding as a member of the public, what is your gender? Please select one option.

No Response

Score

0

Q7. If you are responding as a member of the public, what is your age? Please select one option.

No Response

Score

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Page Score

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Page 2: A minimum unit price for alcohol

Q8. In the alcohol strategy, the government committed to introducing a minimum unit price for alcohol in England and Wales. This consultation will contribute to the debate on the most appropriate price per unit and the mechanism by which, once set, minimum unit pricing would remain effective. It is also an opportunity for interested parties to raise other issues around minimum unit pricing. The purpose of minimum unit pricing is to reduce alcohol consumption, particularly by the most hazardous and harmful drinkers who tend to show a preference for the cheapest alcohol products. By doing so the government estimates there will be a reduction in the associated crime and health harms, especially the numbers of hospital admissions, alcohol-related deaths and alcohol-related crimes. Minimum unit pricing is not intended disproportionately to affect responsible drinkers or particular social groups but to reduce the availability of alcohol sold at very low or heavily discounted prices. More information (including the definitions of hazardous and harmful drinkers) is available in the full consultation document and the impact assessment. Do you want to answer questions on minimum unit pricing? Please select one option.

Yes

Score

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Page Score

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Page 3: A minimum unit price for alcohol

Q9. The impact of minimum unit pricing will depend on the price per unit of alcohol. The government wants to ensure that the chosen price level is targeted and proportionate, whilst achieving a significant reduction of harm. The government is therefore consulting on the introduction of a recommended minimum unit price of 45p. The government estimates a reduction in consumption across all product types of 3.3 per cent, a reduction in crime of 5,240 per year, a reduction in 24,600 alcohol-related hospital admissions and 714 fewer deaths per year after ten years. Do you agree that this minimum unit price level would achieve these aims? Please select one option.

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):

Costco does not support the introduction of a MUP, believing it to unfairly burden the responsible drinker. Our business is part wholesale and part retail. We assume that there will be an exemption for wholesale businesses. If this exemption were to apply to wholesale only businesses Costco would be unable to compete on price with wholesalers and many of our trade customers would choose to shop at a

wholesale only business not affected by MUP. As the majority of our sales are to trade members, their choosing to shop elsewhere would impact very heavily on our operation in England and Wales.

Score

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Q10. Should other factors or evidence be considered when setting a minimum unit price for alcohol? Please select one option.

No

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

Costco does not support a MUP. It is not proportionate to the social and health objectives which the legislation is aimed at achieving. Costco submits that the MUP as proposed would be in breach of EU law as it would impose minimum pricing levels which create an unfair competitive benefit for wholesalers and impose additional costs on Costco's business. It would also affect Costco's ability to compete by importimng lower priced products from EU countries (breach of Article 34 Treaty on the Functioning of the Europaena Union.

Score

0

Q11. The government wishes to maintain the effectiveness of minimum unit pricing and is therefore proposing to adjust the minimum unit price level over time. How do you think the level of minimum unit price set by the government should be adjusted over time? Please select one option.

No Response

Score

0

Q12. 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

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

As indicated in other responses Costco's model of business (combination of wholesale and retail to members) would be seriously affected with consequences for jobs and reduced growth.

Score

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Page Score

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Page 4: A ban on multi-buy promotions in the off-trade

Q13. The government is consulting on introducing a ban on multi-buy promotions in the off-trade (e.g. shops and off-licences) as part of its wider strategy to reduce excessive alcohol consumption, and alongside the introduction of a minimum unit price. A ban on multi-buy promotions would therefore not apply to pubs, clubs, bars or restaurants. The term 'multi-buy promotions' refers to alcohol promotions that offer a discount for buying multiple items. The aim of a ban would be to stop promotions that encourage people to buy more than they otherwise would, making it cheaper (per item) to purchase more than one of a product than to purchase a single item. As well as being part of a wider strategy to reduce consumption and tackle irresponsible alcohol sales, a ban on multi-buy promotions would also contribute to the government's aim of encouraging people to be aware of how much they drink and the risks of excessive drinking, so that they can make informed choices. The aim of this consultation is to assess support for such a ban and contribute to our understanding of the impact a ban on multi-buy promotions

may have. The types of promotion it is proposed that a ban would include, are: two for the price of one, three for the price of two, buy one get one free, buy six and get 20 per cent off, 24 cans of lager costing less than 24 times the cost of a single can of lager in the shop, a case of wine sold cheaper than the individual price at which the same bottles are sold in the shop, 3 for £10 where each bottle costs more than £3.33. More information is available in the full consultation document and the impact assessment. Do you want to answer questions on a ban on multi-buy promotions in the off-trade? Please select one option.

Yes

Score

0

Page Score

0

Page 5: A ban on multi-buy promotions in the off-trade

Q14. Do you think there should be a ban on multi-buy promotions involving alcohol in the off-trade? Please select one option.

No

Score

0

Q15. Are there any further offers which should be included in a ban on multi-buy promotions? Please select one option.

No

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

Costco does not support a ban on multi-buy promotions

Score

0

Q16. Should other factors or evidence be taken into account when considering a ban on multi-buy promotions? Please select one option.

Yes

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

Much of what Costco offers for sale to its members could be deemed to be a multi-buy. Both Individual and Trade members would expect that, say, a case of wine will be cheaper than buying 12 individual bottles. A ban on multi buy promotions would impact harder on warehouse businesses. Costco does not believe that the Scottish ban on multi buy promotions has any positive effect. Indeed it can encourage the practice of selling alcohol cheaply under a special offer making cheap alcohol more easily affordable to hazardous and harmful drinkers - exactly the opposite of the policy's intentions.

Score

0

Q17. 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

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

A ban on multi buy promotions in the manner proposed would impact on the business of warehouses with a consequent impact on jobs and growth. We fear that such a ban could also result in more 'special offers' and reduced prices which do not constitute multi buy promotions. This could result in the vary group that is being targetted by the proposal (harmful/hazardous drinkers, being able to by more alcohol fo less.

Score

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Page Score

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Page 6: Reviewing the mandatory licensing conditions

Q18. In its response to the 'Rebalancing the Licensing Act' consultation in 2010, the government committed to review the impact of the current mandatory licensing conditions. More recently, the alcohol strategy made a commitment to review these mandatory licensing conditions to ensure they are sufficiently targeting problems such as irresponsible promotions in pubs and clubs. The government has also committed to consult on whether these mandatory licensing conditions should, where relevant, apply to both the on- and off-trade. This consultation forms part of that review, and will contribute to the government's understanding of how these mandatory conditions are perceived. The five mandatory licensing conditions currently set out in regulations in relation to the supply of alcohol are: a ban on irresponsible promotionsa ban on dispensing alcohol by one person directly into the mouth of anothera requirement to provide free tap water on request to customersa requirement to have an age verification policy to prevent the sale of alcohol to persons under 18 years of age, anda requirement to make available to customers small measures such as half pints or beer or cider or 125ml glasses of wine More information is available in the full consultation document. An explanation of each of these terms can be found on page 20 of the consultation document, in the glossary at the end. Do you want to answer questions on reviewing the mandatory licensing conditions? Please select one option.

No

Score

0

Page Score

0

Page 7: Reviewing the mandatory licensing conditions

Q19. Do you think each of the mandatory licensing conditions is effective in promoting the licensing objectives? For more information on the licensing objectives please see the glossary at the end of the full consultation document. Please select one option (Yes, No, Don't know) from each drop down menu.

No Response

Score

0

Q20. Do you think that the mandatory licensing conditions do enough to target irresponsible promotions in pubs and clubs? Please select one option.

No Response

Score

0

Q21. Are there other issues related to the licensing objectives which could be tackled through a

mandatory licensing condition? Please select one option.

No Response

Score

0

Q22. Do you think that 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.

No Response

Score

0

Page Score

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Page 8: Health as a licensing objective for cumulative impact policies

Q23. We want to ensure that licensing authorities are able to take alcohol-related health harms into consideration when making decisions about cumulative impact policies (CIPs) which can be used to manage problems linked to the density of premises in specific areas. A CIP introduces a rebuttable presumption that all new licence applications and variations in that area will normally be refused if the licensing authority receives a relevant representation stating that the application will add to the cumulative impact. However each application must still be considered on its own merits and the licensing authority may still grant the application if it is satisfied that the application will not contribute to the cumulative impact. We are proposing that licensing authorities will be able to take evidence of alcohol-related health harm into account in deciding whether to introduce a CIP and the extent of that CIP. This would be a discretionary power and not an obligation. We expect that those areas with the highest levels of alcohol-related health harm, or fast rising levels of harm from alcohol, will be most likely to use this power. It will allow local health bodies to fully contribute to local decision making and mean licensing authorities can restrict the number of licensed premises in the local area on the basis of robust local evidence. More information is available in the full consultation document and impact assessment. Do you want to answer questions on health as a licensing objective for cumulative impact policies? Please select one option.

No

Score

0

Page Score

0

Page 9: Health as a licensing objective for cumulative impact policies

Q24. 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):

No Response

Q25. 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.

No Response

Score

0

Q26. 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 your answer in the box below, providing evidence to support your response (keeping your views to a maximum of 200 words):

No Response

Page Score

0

Page 10: Freeing up responsible businesses

Q27. The government has committed to consult on giving licensing authorities greater freedom to take decisions that reflect the needs of their local community. Following the government's Red Tape Challenge in 2011, three areas of reform were specified: alcohol licensing for certain types of premises providing minimal alcohol sales, temporary event notices (TENS) and the licensing of late night refreshment. This section asks for views on these proposals and suggests further ways to reduce burdens on business. The proposals set out here can be seen alongside work undertaken by the Department for Culture, Media and Sport to remove unnecessary red tape from regulated entertainment. More information on each of these areas for reform is available in the full consultation document. There are five subjects covered in this section. They are: ancillary sales of alcohol, occasional provision of licensable activities at community events, an extension of the temporary event notice limit at individual premises, late night refreshment, and further proposals to reduce burdens on business. Do you want to answer questions on freeing up responsible businesses? Please select one option.

Yes

Score

0

Page Score

0

Page 11: Freeing up responsible businesses

Q28. Ancillary sales of alcohol For many businesses, the sale of alcohol is only a small part of, or incidental to, their wider activities, and occurs alongside the provision of another product or service (which this consultation refers to as an 'ancillary sale'). For example, a guesthouse might wish to provide wine to its guests with an evening meal or a complimentary bottle of wine in a guest's room, while a hairdresser might wish to offer clients a glass of wine. 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? Please select one option in each row.

| | Yes | No | Don't know |
|---|-----|----|------------|
| The provision should be limited to a specific list of certain types of business and the kinds of sales they make | | | X |
| The provision should be available to all businesses providing they meet certain | | | X |

| | | | |
|--|--|--|---|
| qualification criteria to be an ancillary seller | | | |
| 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 the above options | | | X |

Score

0

Q29. If special provisions 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? Please select one option in each row.

| | Yes | No | Don't know |
|---|-----|----|------------|
| Accommodation providers, providing alcohol alongside accommodation as part of the contract | | | X |
| Hair and beauty salons, providing alcohol alongside a hair or beauty treatment | | | X |
| Florists, providing alcohol alongside the purchase of flowers | | | X |
| Cultural organisations, such as theatres, cinemas and museums, providing alcohol alongside cultural events as part of the entry ticket | | | X |
| Regular charitable events, providing alcohol as part of the wider occasion | | | X |

Score

0

Q30. 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 Response

Q31. 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. Alternatively, a second option is to broaden the definition of 'ancillary sales' to include all businesses (and/or not for profit activities) through the use of a general set of qualification criteria, for example, to the effect that: alcohol must be sold or supplied as a small part or proportion of a sales transaction or contract for a wider service, and the amount of alcohol that could be supplied as part of that contract cannot exceed a prescribed amount. Do you think that the qualification criteria proposed meet this aim?

Don't know

Score

0

Q32. 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 |
|---|-----|----|------------|
| Allow premises making ancillary sales to request in their premises licence application that the requirement for a personal licence holder be removed | | | X |

| | | | |
|---|--|--|---|
| Introduce a new, light-touch form of authorisation for premises making ancillary sales - an ASN but retaining the need for a personal licence holder | | | X |
| Introduce a new, light touch form of authorisation for premises making ancillary sales - an ASN - with no requirement for a personal licence holder | | | X |

Score

0

Q33. Do you think these proposals would impact adversely on one or more of the licensing objectives?
Please select one option.

| | Yes | No | Don't know |
|---|-----|----|------------|
| Allow premises making ancillary sales to request in their premises licence application that the requirement for a personal licence holder be removed | | | X |
| Introduce a new, light-touch form of authorisation for premises making ancillary sales - an ASN but retaining the need for a personal licence holder | | | X |
| Introduce a new, light touch form of authorisation for premises making ancillary sales - an ASN - with no requirement for a personal licence holder | | | X |

Score

0

Q34. 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 response to a maximum of 200 words:

The personal licence renewal process is cumbersome and expensive and should be simplified.

An applicant should not be required to state its opening hours in the application for a premises licence as this does not relate to a licensable activity. If relevant, the question of opening hours can be raised as a representation.

There should be no requirement to advertise an application in a newspaper.

The requirement to advertise every 50 metres for large premises is onerous and difficult to comply with. Often a single notice sensibly positioned will bring an application to the notice of residents.

Page Score

0

Page 12: Freeing up responsible businesses

Q35. 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.

Don't know

Score

0

Q36. 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 |
|---------------------|-----|----|------------|
| Reduce the burden | | | X |
| Increase the burden | | | X |

Score

0

Page Score

0

Page 13: Freeing up responsible businesses

Q37. Should the number of TENs which can be given in respect of individual premises be increased? Please select one option.

Don't know

Score

0

Q38. If you answered yes, please select one option to indicate which you would prefer. Please select one option.

Don't know

Score

0

Page Score

0

Page 14: Freeing up responsible businesses

Q39. 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 |
|--|-----|----|------------|
| Determining that premises in certain areas are exempt | | | X |
| Determining that certain premises types are exempt in their local area | | | X |

Score

0

Q40. 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.

Don't know

Score

0

Q41. Please describe in the box below any other types of premises to which you think a nationally prescribed exemption should apply (keeping your views to a maximum of 100 words).

No Response

Page Score

0

Page 15: Freeing up responsible businesses

Q42. Do you agree with each of the following proposals? Please select one option in each row.

No Response

Score

0

Q43. Do you think that each of the following would reduce the overall burdens on business? Please select one option in each row.

No Response

Score

0

Q44. Do you think that the following measures would impact adversely on one or more of the licensing objectives (see glossary)? Please select one option in each row.

No Response

Score

0

Q45. 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 keep your views to a maximum of 200 words.)

An applicant should not be required to state its opening hours in the application for a premises licence as this does not relate to a licensable activity. If relevant, the question of opening hours can be raised as a representation.

The requirement to advertise every 50 metres for large premises is onerous and difficult to comply with. Often a single notice sensibly positioned will bring an application to the notice of residents.

Page Score

0

Page 16: Impact assessments

Q46. Impact assessments for the proposals in this consultation have been published alongside the full consultation document. 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 |
|--|-----|----|------------|
| Minimum unit pricing | | X | |
| Multi-buy promotions | | X | |
| Health as a licensing objective for cumulative impact | | X | |
| Ancillary sales of alcohol | | | X |
| Temporary event notices | | | X |
| Late night refreshment | | | X |
| Removing the duty to advertise licence applications in a local newspaper | X | | |
| Sales of alcohol at motorway service stations | | | X |
| Personal licences | X | | |

Score

0

Q47. Do you have any comments on the methodologies or assumptions used in the impact assessments? If yes, please specify in the box below, clearly referencing the impact assessment and page to which you refer (keeping your views to a maximum of 400 words).

No Response

Page Score

0

Scoring Summary

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