

## Home Office Alcohol Strategy Consultation

### Draft responses to questions

**Question 1:** Do you agree that this minimum unit price (MUP) level would achieve these aims?

Yes

Reduction of excessive consumption by hazardous and harmful drinkers. Making alcohol less affordable is the most effective way of reducing alcohol related harm (NICE).

**Question 2:** Should other factors or evidence be considered when setting a minimum price unit for alcohol?

Yes

Regular review. Review of alcohol duties.

**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.

**Question 4:** The aim of minimum unit pricing is to reduce the consumption of harmful and hazardous drinkers, while minimising the impact on responsible drinkers. Do you think that there are any other people, organisations or groups that could be particularly affected by a minimum unit price for alcohol?

Yes

Binge Drinkers; Street Community; Young People; Limited Income

**Question 5:** Do you think there should be a ban on multi-buy promotions involving alcohol in the off trade?

Yes – some consideration should be given to promoting multi-buys of lower ABV drinks.

**Question 6:** Are there any further offers which should be included in a ban on multi-buy promotions?

Yes

Offers should comply with M.U.P.  
½ and ⅓ price offers.

**Question 7:** Should other factors or evidence be considered when considering a ban on multi-buy promotions?

None?

**Question 8:** The aim of a ban on multi-buy promotions is to stop promotions that encourage people to buy more than they otherwise would, helping people to be aware of how much they drink, and to tackle irresponsible alcohol sales. Do you think that there are any other groups that could be particularly affected by a ban on multi-buy promotions?

Yes

Most supermarket customers who shop for people who drink alcohol.

**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 children from harm)?

Irresponsible promotions	Prevention of Crime & Disorder Public Safety Prevention of Public Nuisance
Dispensing alcohol directly Into the mouth	Prevention of Crime & Disorder Public Safety Prevention of Public Nuisance
Mandatory provision of free tap water	Prevention of Crime & Disorder Public Safety Prevention of Public Nuisance
Age verification policy	Prevention of Crime & Disorder Public Safety Prevention of Public Nuisance Protection of harm from children
Mandatory provision of small Measures	Prevention of Crime & Disorder Public Safety Prevention of Public Nuisance

**Question 10:** Do you think that the mandatory licensing conditions do enough to target irresponsible promotions in pubs and clubs?

No

- § The limitations on consumption leading to .... "a significant risk .... to crime and disorder" should be rescinded.
- § Reference to "at a table meal" should be removed as an unnecessary exemption. There's no need to restrict to "unlimited or

unspecified quantities of alcohol" – limited, specified discounted alcohol presents a risk.

New conditions should be considered:

- § A prohibition on commercially organised pub crawls (e.g. Carnage).
- § To address the low enforcement levels concerning sale of alcohol to drunk customers, a new condition requiring a drunkenness prevention policy should be required.

**Question 11:** Are there any other issues related to the licensing objectives which could be tackled through a mandatory licensing condition?

Yes

Prohibition on commercially organised pub crawls.

**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

The off trade should be equally regulated, but the ban on multi-buy promotion in the off-trade helps to address. Some conditions, like small measures and drinking water, seem inappropriate.

**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?

Joint Strategic Needs Assessment  
Report of Director of Public Health

- § Deaths specifically from alcohol and chronic liver disease
- § Alcohol related deaths
- § Alcohol specific and alcohol hospital admissions
- § Alcohol specific hospital admissions (under 18)
- § Estimates of drinking above recommended levels and binge drinking
- § Alcohol related A&E attendances
- § Ambulance call-outs (alcohol related)

**Question 14:** Do you think any aspects of the current cumulative impact policy process would need to be amended to allow consideration of data on alcohol-related health harms?

Yes

- § Wider evidence base

- § Trends in health indicators
- § S5(3) to include DPH.
- § Policy concerns to include protection of public health

**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 provide evidence to support your response.

In Brighton & Hove, evidence of the Director of Public Health was considered along with Sussex Police and City Environmental Health when considering accumulative impact policy in June 2011. The area would be unlikely to change if alcohol related health harms were a legitimate consideration. The DPH's influence would increase and evidence strengthen as no longer limited to protection of children from harm, crime prevention and other extant licensing objectives.

**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?

- A The provision should be limited to a specific list of certain  
No  
types of business and the kinds of sales they make  
(see para 9.5)
- B The provision should be available to all businesses No  
providing they meet certain qualification criteria to be an  
ancillary seller  
(see para 9.6)
- C The provision should be available to both a specific list of  
No  
premises and more widely to organisations meeting the  
prescribed definition of an ancillary seller, that is, both  
options A and B.

**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:

- A Accommodation providers, providing alcohol alongside  
No  
Accommodation as part of the contract.
- B Hair and beauty salons, providing alcohol alongside a No  
hair or beauty treatment.
- C Florists, providing alcohol alongside the purchase of flowers.  
No

- D Cultural organisations, such as theatres, cinemas and museums,  
No  
providing alcohol alongside cultural events as part of the entry ticket.
- E Regular charitable events, providing alcohol as part of the  
No  
wider occasion.

**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

**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 meet this aim?

Yes

This policy aim (reducing burdens) is difficult to reconcile with tackling alcohol related harms, particularly health harms. NICE advised that reducing the number of outlets is an effective way of reducing alcohol related harm. Ubiquitous availability of alcohol reinforces the English drinking culture. The temporary event notice process is already used to avoid cumulative impact policy restrictions; allowing ancillary sales would increase availability, consumption and health harms.

**Question 20:** Do you think that these proposals would significantly reduce the burdens on ancillary sellers?

- A Allow premises making ancillary sales to request in their  
Yes  
premises licence application that the requirement for a personal licence holder be removed.
- B Introduce a new, light-touch form of authorisation for  
Yes  
premises making ancillary sales – an 'ASN' but retain the need for a personal licence holder.
- C Introduce a new, light touch form of authorisation for  
Yes  
premises making ancillary sales – an ASN – with no requirement for a personal licence holder.

**Question 21:** Do you think that the following proposals would impact adversely on one or more of the licensing objectives?

- A Allow premises making ancillary sales to request in their Yes premises licence application that the requirement for a personal licence holder be removed.
- B Introduce a new, light-touch form of authorisation for Yes premises making ancillary sales – an ‘ASN’ but retain the need for a personal licence holder.
- C Introduce a new, light touch form of authorisation for Yes premises making ancillary sales – an ASN – with no requirement for a personal licence holder.

**Question 22:** What other issues or options do you think should be considered when taking forward proposals for a lighter touch authorisation?

ASN would negate measures to reduce availability: CIP, LNL, EMRO, etc. Allowing alcohol to be interwoven into every walk of everyday life creates a culture that conflicts with the Government’s Alcohol Strategy which, in turn, seeks to change individual drinking behaviours and make informed choices about healthier and responsible drinking, discouraging excessive drinking.

**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

**Question 24:** What impact do you think a locally determined notification would have on organisers of community events?

- A Reduce the burden Yes
- B Increase the burden No

**Question 25:** Should the number of TENs which can be given in respect of individual premises be increased?

No

**Question 26:** If yes, please indicate which option you would prefer:

N/A

**Question 27:** Do you think that licensing authorities should have local discretion around late night refreshment in each of the following ways:

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

**Question 28:** Do you agree that motorway service areas should receive a nationally prescribed exemption from regulations for the provision of late night refreshment?

- A Motorway service areas should receive a nationally  
Don't know  
prescribed exemption from regulations for the  
provision of late night refreshment

**Question 29:** Please describe any other types of premises to which you think a nationally prescribed exemption should apply.

None

**Question 30:** Do you agree with each of the following proposals:

- 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 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

**Question 31:** Do you think that each of the following would reduce the overall burdens on businesses?

- A Remove requirements to advertise licensing  
Yes  
applications in local newspapers
- 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

**Question 32:** Do you think that the following measures would impact adversely on one or more of the licensing objectives?

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

**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?

None. The temporary event notice regime should be strengthened. TENs should not be permitted in commercial licensed premises in cumulative impact zones.

**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?

A	Minimum unit pricing	Don't know
B	Multi-buy promotions	Don't know
C	Health as a licensing objective for cumulative Impact	Don't know
D	Ancillary sales of alcohol	Don't know
E	Temporary Event Notices	Don't know
F	Late night refreshment	Don't know
G	Removing the duty to advertise licence applications in a local newspaper	Don't know
H	Sales of alcohol at motorway service stations	Don't know
I	Personal licences	Don't know

**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

There is a fundamental flaw in reconciling two policy objectives:

Cutting red tape (freeing up businesses)

and

Cutting alcohol fuelled crime and anti social behaviour (reducing alcohol availability).

