

Consultation Response

A minimum unit price for alcohol

This is a paper response which sets out the questions asked on an electronic consultation form. A number of questions had Yes/No/Don't Know answers where only one could be picked, hence the suggested response / comments set out.

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

Yes / No / **Don't Know**

Comments

It will increase the price of certain alcohol from off licences such as high percentage spirits and packs of beer/lager. It will also prevent on licensed premise doing promotions of pints of lager/beer/cider for 80p.

It may prevent supermarkets selling alcohol as loss leaders, however they may introduce other promotions, for example buy a bottle of spirit and get 2 free bottles on mixer.

Any change in legislation should prevent any loop holes relating to multi-buys including alcohol.

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

For people who purchase alcohol from an off licence and consume at home there are no controls in place regarding the amount of alcohol consumed, for example spirits are not measured in 25ml shots and there's no one to say "you've had enough tonight". More and more people are consuming alcohol at home, in much larger quantities than in a pub.

If the price of alcohol increases considerably it could lead to illegal sales of alcohol.

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.

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 other people, organisations or groups that could be particularly affected by a minimum price for alcohol?

Yes / No/ Don't know

Responsible drinkers on low income..

There is the potential for an increase in illegal sales of alcohol and thefts of alcohol from off licences if customers cannot afford to buy alcohol.

A ban on multi-buy promotions in the off-trade

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

Yes / No / Don't Know

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

Yes / No / Don't Know

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

When customers purchase alcohol such as lager/beer/cider from an off licence they usually buy a box/pack not an individual item, for example a four/six/eight pack of lager not an individual can or bottle. By introducing a minimum unit price this may increase the cost of buying multi-packs.

The introducing of a minimum unit price will also stop off licences selling 3 bottles of wine with an alcohol content of 13% for £10.00.

However, this may encourage other types of promotions, for example buy three bottles of wine (at MUP) get free bottle of coke or lemonade.

- 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 / No / Don't Know

Responsible drinkers who purchase alcohol on multi-buy promotions to consume over a period of time, for example 3 bottles of wine for £10.00 which are consumed by 2 adults over a 7 day period, not consumed by 2 adults in one evening.

Charities/clubs holding events including a bar under a temporary event notice who purchase alcohol through multi-buy promotions, sell the alcohol at their event with profits going to charity or club funds.

Reviewing the mandatory licensing conditions

9. Do you think each of the mandatory licensing conditions is effective in promoting the licensing objectives?

	Prevention of crime & disorder	Public safety	Prevention of public nuisance	Protection of harm from children
Irresponsible promotions	No	No	No	Yes
Dispensing alcohol directly into the mouth	No	No	No	No
Mandatory provision of free tap water	No	No	No	Yes
Age verification policy	No	No	No	Yes
Mandatory provision of small measures	No	No	No	No

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

Yes / **No** / Don't Know

Premise still do drinks promotions, some of which could be classed as irresponsible, in the hope of attracting customers into their venue.

However it is very difficult for the licensing authority and police to evidence a breach of licence conditions, licensed premises have a tendency not to call the police when their venues have crime and disorder issues.

11. Are there other issues related to the licensing objectives which could be tackled through a mandatory licensing condition?

Yes / No / Don't Know

It should be a condition that more information and advice regarding alcohol units is displayed in all licensed premises, for example a bottle of wine of 13% wine has 9.8 units and a pint of Stella has 2.8 units. Information regarding the recommended daily alcohol units for men and women should also be displayed.

12. Do you think the current approach, with five mandatory licensing conditions applying to the on-trade and only one of those to be off-trade, is appropriate?

Yes / No / Don't Know

The on-trade has a tendency to do drinks promotions to encourage customers to their venue. However it is still cheaper for people to buy alcohol at off licences and consume at home, or to pre load on alcohol at home before going to the pub.

The introduction of MUP and a ban on multi-buy promotions will impact the off licence trade more than the on trade.

Health as a licensing objective for cumulative impact policies

13. What source of evidence on alcohol-related health harm could be used to support the introduction of a cumulative impact policy?

Alcohol related admissions to A&E, if data collected.

Ambulance attendance to licensed premises, if data collected.

Alcohol related illness in the authority area, this would be population level data.

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 harm?

Yes / No / Don't Know

It would be very difficult to prove that an specific area within the whole licensing authority area requires a CIP on health harm grounds.

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?

The CIP could be legally challenged.

It could be easier for licence applicants to legal challenge a licensing decision if an applications is refused to conditions imposed on health harm grounds.

Freeing up responsible businesses

- 16. Should special provision to reduce the burden 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
The provision should be limited to a specific list of certain types of business and the kinds of sales they make	√		
The provision should be available to all businesses providing they meet certain 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 options A & B	√		

- 17. If 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
Accommodation providers, providing alcohol alongside accommodation as part of the contract	√		

Hair and beauty salons, providing alcohol alongside a hair or beauty treatment.	√		
Florist, providing alcohol alongside the purchase of flowers	√		
Cultural organisations, such as theatres, cinemas and museums, providing alcohol alongside cultural events as part of the entry ticket		√	
Regular charitable events, providing alcohol as part of the wider occasion.	√		

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?

Yes / No / Don't know

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?

Yes / No / Don't know

Very clear definitions need to be in place.

Option A – removing the need for a personal licence holder

Option B – Removing the need for a premises licence

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

	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.	√		
Introduce a new, light-touch form of authorisation for premises making ancillary sales – an 'ASN' but retain the need for a personal licence holder.	√		
Introduce a new, light touch form of authorisation for premises making ancillary sales – an ASN – with no requirement for a personal licence holder.	√		

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

	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.		√	

Introduce a new, light-touch form of authorisation for premises making ancillary sales – an ‘ASN’ but retain the need for a personal licence holder.		√	
Introduce a new, light touch form of authorisation for premises making ancillary sales – an ASN – with no requirement for a personal licence holder.		√	

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

There needs to be a very clear definition of an ancillary sale, and the amount of alcohol that can be included.

Dependant on the production theatre allow customers to go to the bar throughout, for example comedy nights or live music events, and cinemas allow customers to go to the bar throughout the showing of a film. Customers can therefore consume large quantities of alcohol.

Even at an event where the alcohol is part of the ticket entry price, it needs to be very clear regarding the amount of alcohol that can be include, for example one glass of wine.

Occasional provision of licensable activities at community events

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?

Yes / **No** / Don't know

24. What impact do you think a locally determined notification would have on organisers of community events

	Yes	No	Don't know
Reduce the burden	√		
Increase the burden		√	

An extension of the TEN limit at individual premises

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

Yes / **No** / Don't know

26. If yes please select one option to indicate which you would prefer:

Late night refreshment

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
Determining that premises in certain areas are exempt		√	
Determining that certain premises types are exempt in their local area		√	

28. Do you agree that motorway service areas should received a nationally prescribed exemption from regulations for the provision of late night refreshment?

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

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

Further proposals to reduce burdens on business

30. Do you agree with each of the following proposals?

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

31. Do you think that each of the following would reduce the overall burdens on business?

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

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

	Yes	No	Don't know
Remove requirements to advertise licensing application in local newspapers.		√	
Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade		√	

Remove the centrally imposed prohibition on the sale of alcohol at MSAs but only in respect of overnight accommodation – ‘lodges’.		√	
Remove or simplify requirements to renew personal licences under the 2003 Act.	√		

33. In addition to the suggestions outlined above, what other sections 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?

Impact assessment

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
Minimum unit price			√
Multi-buy promotions			√
Health as a licensing objective for cumulative impact.			√
Ancillary sales of alcohol			√
TENs			√
Late night refreshment			√
Removing the duty to advertise licence applications in a local newspaper			√

Sales of alcohol at motorway service stations			√
Personal licences			√