

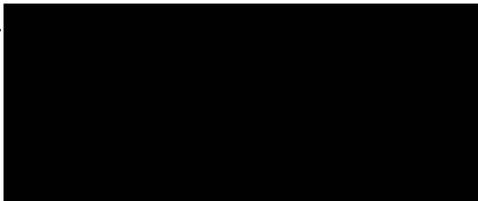
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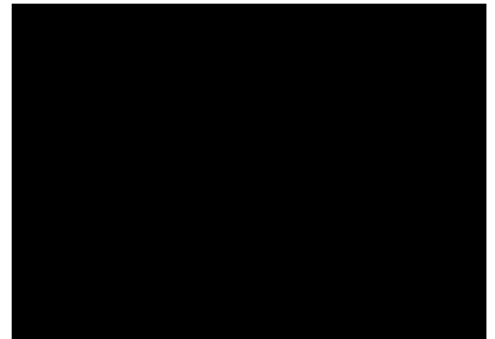
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IPSWICH
BOROUGH COUNCIL



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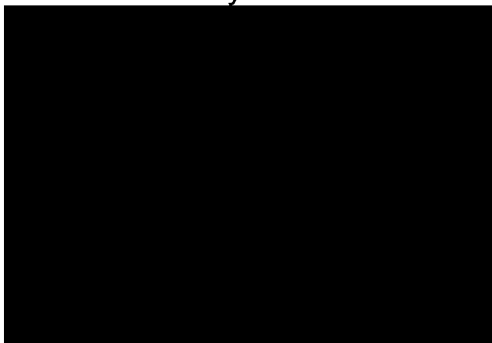
5 February 2013

Dear Sirs

**CONSULTATION - DELIVERING THE GOVERNMENT'S POLICIES TO CUT ALCOHOL-FUELLED
CRIME AND ANTI-SOCIAL BEHAVIOUR**

Please find attached the formal response of the Ipswich Borough Council, to the above consultation.
This response was formulated by the Council's Licensing & Regulatory Committee.

Yours sincerely



Responses to “A consultation on delivering the Government’s policies to cut alcohol fuelled crime and anti-social behaviour

Q1. Do you agree that this minimum unit price level would achieve these aims?

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Don’t Know

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)

On the one hand, the Council believes that this may actually have a detrimental impact and could see a rise in crime figures. People with alcohol dependency are not concerned over the price of alcohol but with the alcohol itself; if those with such a dependency find they can no longer afford that which they require there is the potential to turn to crime for the required money. More work should be done to provide facilities to support harmful and hazardous drinkers reduce their dependency on alcohol. This proposal also disadvantages businesses, particularly small off-licences, and those that are responsible drinkers and seemingly offers little in the battle against irresponsible alcohol consumption that is very much a cultural behaviour.

However it will have an impact on supermarkets by making a more level playing field between the on and off trade, so on this basis a MUP could be beneficial.

There is also a concern that such a policy could encourage purchasing of alcohol from outside England and Wales.

Q2. Should other factors or evidence be considered when setting a minimum unit price for alcohol?

Don’t know

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

We are not aware of any other factors or evidence other than those discussed in the consultation paper.

Q3. 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

The Council believes that a full review of the issue is essential in order to assess the effects of any MUP and should contain a caveat that it could be removed if no benefits are seen.

Q4. 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

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

**Responsible drinkers who are:
Senior citizens and/or
On low incomes**

There are low-risk groups/events that could be affected such as community events, charitable fundraising events, churches providing mulled wine at Christmas (when diluting the alcohol may make it difficult to determine alcohol unit content) and there may be a case to consider appropriate exemptions.

Q5. Do you think there should be a ban on multi-buy promotions involving alcohol in the off-trade?

Yes

Q6. Are there any further offers which should be included in a ban on multi-buy promotions?

Don't know

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

Q7. Should other factors or evidence be considered when considering a ban on multi-buy promotions?

Don't know

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

People are generally well aware of the dangers of alcohol and will often consume to a certain level through their own decision.

Q8. 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

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

**Responsible drinkers who are:
Senior citizens and/or
On low incomes**

Q9. 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

	<i>Prevention of crime & disorder</i>	<i>Public safety</i>	<i>Prevention of public nuisance</i>	<i>Protection of children from harm</i>
<i>Irresponsible promotions</i>	No	No	No	No
<i>Dispensing alcohol directly into the mouth of another</i>	Yes	Yes	Yes	Yes
<i>Provision of free tap water</i>	Yes	Yes	Yes	Yes
<i>Age verification policy</i>	Yes	Yes	Yes	Yes
<i>Provision of smaller measures</i>	Don't know	Don't know	Don't know	Don't know

Q10. Do you think that the mandatory licensing conditions do enough to target irresponsible promotions in pubs and clubs?

No

If no, please state what more could be done in the box below (keeping your views to a maximum of 100 words)

We believe that in its current form the mandatory conditions are open to too much interpretation as they attempt to be specific but allow premises the latitude to put promotions in place and be judged by the outcome by which time serious harm may have been caused. However it is also arguable that it encourages licensees to think about how their promotions impact on the licensing objectives and provides the Licensing Authority some leverage to assess potentially irresponsible promotions and ask for their removal/amendment. Nevertheless, more clarification is needed regarding irresponsible promotions.

Q11. Are there other issues related to the licensing objectives which could be tackled through a mandatory licensing condition?

Yes

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

A mandatory condition requiring minimum training standards for bar staff in certain capacity premises could go a long way to preventing intoxication on premises. People who consume too much alcohol in premises is the main cause of disorder both inside and outside licensed premises.

Q12. 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?

No

If no, please explain why you think the current approach is not the best approach (keeping your views to a maximum of 100 words)

In common with many other large towns and cities Ipswich experiences significant levels of anti-social behaviour by street drinkers. In the main the recourse is to prosecution but the process and punishments are not suited to a quick resolution and this leads to understandable frustrations for communities. Furthermore, there is disparity between the restrictions placed upon the on and off trade; although the potential introduction of a MUP and/or ban on multi buy promotions may assist to redress this imbalance.

Q13. 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

Data on admissions where a pattern points to an unusually high number of patients being picked up with acute alcohol-related injury in a particular geographical area (in the form of trauma or alcohol poisoning) to exclude data relating to chronic alcohol-related illnesses.

Q14. 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?

No

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

Q15. 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 provide added weight to the appropriateness of a CIP in any given area.

Q16. 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
<i>The provision should be limited to a specific list of certain types of business and the kinds of sales they make</i>		No	

<i>The provision should be available to all businesses providing they meet certain qualification criteria to be an ancillary seller</i>	Yes		
<i>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</i>		No	

Q17. 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? (Please select one option in each row)

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

Q18. 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)

Where there is genuinely a low risk in terms of the impact on the licensing objectives eg. a small scale charitable event or exhibition launch where a glass of wine is included in the price of a ticket, provision of mulled wine by a takeaway hot food outlet at Christmas etc.

Q19. 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?

9.6 reads "The 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

Yes

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

Q20. Do you think that these proposals would significantly reduce the burden on ancillary sellers? (Please select one option in each row)

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

Q21. Do you think 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
Allow premises making ancillary sales to request in their premises licence application that the requirement for a personal licence holder be removed	Yes		
Introduce a new, light-touch form of authorisation for premises making ancillary sales - an ASN but retain the need for a personal licence holder		No	
Introduce a new, light touch form of authorisation for premises making ancillary sales - an ASN - with no requirement for a personal licence holder	Yes		

Q22. 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 proposal appears to be contradictory when taken with the rest of the consultation by making it easier for some businesses to provide alcohol to the public. There will be an extra burden on Regulators to monitor and enforce premises however the criteria of ancillary sales are defined.

Q23. 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

Q24. 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		No	
Increase the burden	Yes		

Q25. Should the number of TENs which can be given in respect of individual premises be increased?

No

Q26. If yes, please select one option to indicate which you would prefer.

n/a

Q27. 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
<i>Determining that premises in certain areas are exempt</i>		No	
<i>Determining that certain premises types are exempt in their local area</i>		No	

Such premises undoubtedly have the potential to act as 'hotspots' for late night anti-social behaviour and it is important that local residents retain a power to review a licence in such circumstances.

Q28. Do you agree that motorway service areas should receive a nationally prescribed exemption from regulations for the provision of late night refreshment?

Yes

Q29. 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)

Coach and railway termini, air and sea ports – for late night refreshment, not alcohol.

Q30. Do you agree with each of the following proposals? (Please select one option in each row)

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

Q31. Do you think that each of the following would reduce the overall burden on businesses? (Please select one option in each row)

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

Q32. 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
Remove requirements to advertise licensing applications in local newspapers		No	
Remove the centrally imposed prohibition on the sale of alcohol at MSAs for the on and off-trade	Yes		
Remove the centrally imposed prohibition on the sale of alcohol at MSAs, but only in respect of overnight accommodation - lodges		No	
Remove or simplify requirements to renew personal licences under the 2003 Act	Yes		

Q33. 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.)

None

Q34. 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			Don't know
Multi-buy promotions			Don't know
Health as a licensing objective for cumulative impact			Don't know
Ancillary sales of alcohol			Don't know
Temporary event notices			Don't know
Late night refreshment			Don't know

<i>Removing the duty to advertise licence applications in a local newspaper</i>			Don't know
<i>Sales of alcohol at motorway service stations</i>			Don't know
<i>Personal licences</i>		No	

Q35. Do you have any comments on the methodologies or assumptions used in the impact assessments? If so, please detail them, clearly referencing the impact assessment and page to which you refer. If yes, please specify in the box below (keeping your views to a maximum of 400 words)

Yes

Whilst the impact assessment recommends a MUP of 45p it does not offer any further justification by examining the merits or otherwise of other price levels.

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