

**Derby City Council Licensing Authority**  
**Response to the Alcohol Strategy Consultation – 6 February 2013**

Question	Licensing Response
<p>Consultation Question 1:</p> <p>Do you agree that this Minimum Unit Pricing level would achieve these aims?</p>	<p>We do not believe that Minimum Unit Pricing would achieve the aims set out in the strategy.</p> <p>Alcohol is a drug and individuals will still find the money to buy it regardless of price.</p> <p>Minimum Unit Pricing is not the answer and will not be a deterrent.</p>
<p>Consultation Question 2:</p> <p>Should other factors or evidence be considered when setting a minimum unit price for alcohol?</p>	<p>n/a</p>
<p>Consultation Question 3:</p> <p>How do you think the level of minimum unit price set by the Government should be adjusted over time?</p>	<p>If used, minimum unit price should be reviewed after a set period of time.</p> <p>We believe more emphasis should be focussed on alternative ways of tackling higher strength products.</p>
<p>Consultation Question 4:</p> <p>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?</p>	<p>Tax payers, as the duty raised from alcohol will be reduced and legitimate responsible drinkers.</p>
<p>Consultation Question 5:</p> <p>Do you think there should be a ban on multi-buy promotions involving alcohol in the off-trade?</p>	<p>No.</p>
<p>Consultation Question 6:</p> <p>Are there any further offers which should be included in a ban on multi-buy promotions?</p>	<p>n/a</p>

<p>Consultation Question 7:</p> <p>Should other factors or evidence be considered when considering a ban on multi-buy promotions?</p>	<p>The emphasis on this and the two preceding questions is on off-sales. The Council considers that approach to be a missed opportunity. If introduced, restrictions on multi-buy promotions are just as applicable to the on-licensed trade, and arguably more so.</p>
<p>Consultation Question 8:</p> <p>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?</p>	<p>Yes, community groups holding their own event. Not affected as an individual by irresponsible drinking, buying for re-sale.</p> <p>Also legitimate responsible drinkers.</p>
<p>Consultation Question 9:</p> <p>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)?</p>	<p>A. Irresponsible promotions – yes to all 4 licensing objectives</p> <p>B. Dispensing alc . directly into mouths – yes to all 4 licensing objectives</p> <p>C. Mandatory [provision of free tap water – yes to all 4 licensing objectives</p> <p>D. Age verification policy – yes to all 4 licensing objectives</p> <p>E. Mandatory provision of small measures – yes to all 4 licensing objectives</p>
<p>Consultation Question 10:</p> <p>Do you think that the mandatory licensing conditions do enough to target irresponsible promotions in pubs and clubs?</p>	<p>No. Need to be more prescriptive as to what is an 'irresponsible promotion' – to make it easier to enforce. Better advice, guidance, regulations and ultimately case law?</p>
<p>Consultation Question 11:</p> <p>Are there other issues related to the licensing objectives (prevention of crime and disorder / public safety / prevention of public nuisance / protection of children from harm) which could be tackled through a mandatory licensing condition?</p>	<p>More information about labelling of unit levels particularly in relation to cocktails/mixed drinks.</p>

<p>Consultation Question 12:</p> <p>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?</p>	<p>For ease of enforcement, perhaps specific mandatory conditions for each type of trade.</p> <p>Need to be separate for clarification as many Premise Licence Holders and Designated Premises Supervisors have little or no idea.</p>
<p>Consultation Question 13:</p> <p>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?</p>	<p>Numbers of attendees at A&amp;E, age, information to be taken in respect of area / venues the injured party had been drinking.</p> <p>Police arrests for drink and disorder etc.</p> <p>Siting of drop-in centres and support agencies.</p> <p>The Government should also consider increasing the age of consent to purchase alcohol.</p>
<p>Consultation Question 14:</p> <p>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?</p>	<p>Yes, health authorities to provide information as above.</p>
<p>Consultation Question 15:</p> <p>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.</p>	<p>Not sure, as not seen the information. CIP has relied on police evidence.</p>
<p>Consultation Question 16:</p> <p>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?</p>	<p>Do not need ancillary sellers. Alcohol is freely available 24/7 at numerous venues in the high street. Why extend it further?</p> <p>If so, we need clear definitions and examples of what in a practical context constitutes 'ancillary sellers'.</p>
<p>Consultation Question 17:</p>	<p>A. No</p>

<p>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?</p>	<p>B. No. C. No. D. No E. No</p>
<p>Consultation Question 18:</p> <p>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?</p>	<p>n/a</p>
<p>Consultation Question 19:</p> <p>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 (see paragraphs 9.2 and 9.3). Do you think that the qualification criteria proposed in paragraph 9.6 meet this aim?</p>	<p>n/a</p>
<p>Consultation Question 20:</p> <p>Do you think that these proposals would significantly reduce the burdens on ancillary sellers?</p>	<p>A. No B. No C. No</p> <p>We do not support de-regulation in relation to ancillary sellers.</p>
<p>Consultation Question 21:</p> <p>Do you think that the following proposals would impact adversely on one or more of the licensing objectives?</p>	<p>A. Yes B. Yes C. Yes</p>
<p>Consultation Question 22:</p> <p>What other issues or options do</p>	<p>No to a lighter touch, as alcohol is known to be causing serious social issues, impacting on communities &amp; future generations. There are significant concerns about the</p>

you think should be considered when taking forward proposals for a lighter touch authorisation?	insufficiency of the current statutory provisions and any lightening of its impact would only serve to make the situation worse.
<p>Consultation Question 23:</p> <p>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?</p>	No. But if so, we need a prescriptive definition of 'community events'
<p>Consultation Question 24:</p> <p>What impact do you think a locally determined notification would have on organisers of community events?</p>	n/a
<p>Consultation Question 25:</p> <p>Should the number of TENs which can be given in respect of individual premises be increased?</p>	No, we believe that 12 is sufficient.
<p>Consultation Question 26:</p> <p>If yes, please indicate which option you would prefer: (15, 18 or another figure)</p>	n/a
<p>Consultation Question 27:</p> <p>Do you think that licensing authorities should have local discretion around late night refreshment in each of the following ways?</p>	<p>A. No</p> <p>B. No</p> <p>Late Night Refreshment – takeaways – sex exploitation / crime and disorder / drugs etc.</p>
<p>Consultation Question 28:</p> <p>Do you agree that motorway service areas should receive a nationally prescribed exemption from regulations for the provision of late night refreshment?</p>	Yes but only for late night refreshment, not alcohol.
Consultation Question 29:	None.

Please describe any other types of premises to which you think a nationally prescribed exemption should apply.	
<p>Consultation Question 30:</p> <p>Do you agree with each of the following proposals?</p>	<p>A. No. How would the general community know of applications etc. ? It is far too soon to presume that internet access is sufficient for all non-patrons of licensed premises</p> <p>B. No</p> <p>C. Yes – bona fide residents only</p> <p>D. Do not agree. Need to control personal licence holders and issues have not been addressed previously</p>
<p>Consultation Question 31:</p> <p>Do you think that each of the following would reduce the overall burdens on business?</p>	<p>A. Yes</p> <p>B. n/a</p> <p>C. Yes</p> <p>D. Yes</p>
<p>Consultation Question 32:</p> <p>Do you think that the following measures would impact adversely on one or more of the licensing objectives?</p>	<p>A. Yes</p> <p>B. Yes</p> <p>C. No</p> <p>D. Yes</p>
<p>Consultation Question 33:</p> <p>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?</p>	<p>Personal licences: greater responsibility must lie with the licence holder to enhance opportunities for more effective control by the Licensing Authority.</p> <p>Personal licence holders should mandatorily notify the Local Authority of relevant convictions or other intervention by other licensing authority/Local Authority other than that at which they were licensed, or within whose area they currently operate.</p>
<p>Consultation Question 34:</p> <p>Do you think that the Impact Assessments related to the consultation provide an accurate representation of the costs and benefits of the proposals?</p>	<p>There is no reason to assume that they do not provide an accurate representation.</p>
<p>Consultation Question 35:</p> <p>Do you have any comments on</p>	<p>No comments.</p>

<p>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.</p>	
<p>Any other comments?</p>	<p>Given the fact that a commitment has been given to introducing most of the proposals, we are concerned that this consultation process is not a real consultation and just a box-ticking exercise.</p> <p>There is no provision to test personal licence holders' ability, or to challenge continuing entitlement , because the database which was promised by central government when the 2003 Act was introduced has not been forthcoming.</p> <p>The licence fee should cover the cost of administering the licences. The extent of the work involved in the administering the licensing scheme is not reflected in the fee charged.</p> <p>We have experienced cases whereby individuals (sometimes under 18) are being intimidated into selling alcohol to them by people also under age. More needs to be done to prevent this.</p> <p>Consideration should be given to introducing a power for the Licensing Authority to be able to immediately revoke a premises licence under certain circumstances.</p>