

To: Licensing and Gambling Acts Committee

Date: 15th June 2009 **Item No:** 6

Report of: Head of Environmental Development

Title of Report: Home Office Consultation – New Code of Practice for Alcohol Retailers

Summary and Recommendations

Purpose of report: To inform Committee of the Home Office Consultation on proposals to reduce alcohol-related crime and lower the costs of alcohol-related health problems.

Report Approved by:

Finance: Anna Winship
Legal: Daniel Smith

Policy Framework: Statement of Licensing Policy

Recommendation(s):

- 1) The Committee Members to note the contents of the report
- 2) Comment on the proposed Code of Practice for Alcohol Retailers
- 3) Resolve whether to respond to the consultation
- 4) Ask the Head of Environmental Development to draft a response in consultation with the chair of the Licensing and Gambling Acts Committee

1. A new code of practice has recently been published (May 09) by the Home Office for consultation to help get the balance right between making sure that alcohol is sold responsibly while at the same time not negatively affecting the majority who do drink responsibly.
2. The proposals are to reduce alcohol-related crime and lower the costs of alcohol-related health problems.

3. The key proposals include:
 - a mandatory code of practice for pubs, clubs and supermarkets
 - banning promotions such as 'all you can drink for £10', speed drinking competitions and 'dentist's chairs' - where alcohol is dispensed directly into the mouths of customers
 - making sure bars, pubs and clubs offer single measures as well as doubles for spirits, and small as well as large glasses of wine

The proposals also suggest alcohol retailers display information about the alcohol unit content of drinks, and supermarkets/convenience stores display information on the health impacts of alcohol.

4. The consultation suggests a small number of mandatory conditions for alcohol retailers, as well as new powers for local authorities to help them deal with problem sellers. Those who fail to comply with the new rules will face a range of consequences. These can include:

- losing their licences
- facing additional tough conditions
- £20,000 fine and up to six months imprisonment

5. Furthermore, conditions are being proposed to deal with 'hotspots', where two or more sellers in one area are clearly associated with alcohol-related crime and disorder. These conditions will give local councils more power to take actions including:

- restricting happy hours or pub crawl promotions
- banning irresponsible bulk buy promotions
- enforcing the Challenge 21 policy - where anyone who looks under 21 must produce proof of age to buy alcohol
- banning glass containers altogether, or ensuring that glasses are collected
- making door staff check for weapons and drugs during times when alcohol-related crime is most likely to occur

Consultation

6. The Licensing Authority have been asked to comment on three sections covered by the code of practice.
 - **Mandatory licensing conditions and Food Safety Act requirements** – conditions that could apply to all premises selling or supplying alcohol;
 - **Discretionary local licensing conditions** – allows local licensing authorities to apply chosen conditions to two or more licensed

premises when there is evidence of a link to alcohol-related disorder; and

- **Guidance** – to make sure that the code of practice is implemented and enforced.
7. Responses for the proposal of the new code of should be submitted to the Home Office by the 5th of August 2009. A copy of the questionnaire can be found in Appendix 1.

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Background papers: Appendix 1 - Questionnaire