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Dear Sir

Safe. Sensible. Social.

Selling Alcohol Responsibly: A Consultation on the New Code of Practice for Alcohol Retailers

Introduction

The Safer Stockton Partnership response to this consultation embraces the views of a wide range of organisations and individuals including health, police, fire brigade, the voluntary sector and the local authority.

General Comments

We welcome the opportunity to comment upon the proposals for a new code of practice for alcohol retailers. We firmly believe that pricing and availability are key issues in seeking to address problems associated with alcohol and certainly the consultation opens up public debate around both subjects and this is something which we are encouraged by. However having had opportunity to examine the proposals in some detail we are disappointed that the Code of Practice is heavily weighted towards the on-trade when in actual fact many of the problems which we encounter here in the North East are associated with off licence outlets.

The basis of the code is to introduce measures to further address alcohol related crime and disorder and this is to be commended. However we feel that both the mandatory and discretionary elements of the code appear to be largely targeted towards addressing crime and disorder arising from the night time economy within town and city centres. There is a seemingly inherent assumption throughout the consultation that responsibility for such violence lies with pubs and clubs within those areas and whilst this will certainly be true in some instances, we remain unconvinced that this is the root cause of current problems.

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There is an increasing body of evidence that the availability of cheap alcohol in off-licence outlets (particularly supermarkets) has led to the proliferation of 'pre-loading' across the country i.e. consuming large amounts of cheap alcohol at home before setting off for a night out to save money, resulting in many customers arriving at pubs and clubs already inebriated. Much pressure is rightly placed upon bars and nightclubs to prevent sales of alcohol to people who are drunk, to manage customer behaviour and to reduce alcohol-related crime and disorder within the night time economy.

Over recent years significant progress has been made in this regard with working relationships between licensees, the police, licensing authorities and other regulatory bodies improving notably. However if people are already drunk before they reach town and city centres this can represent an unfair burden for on-licensed premises to tackle problems stemming from alcohol purchased elsewhere. Studies into pre-loading have concluded that there is a massive link between drinking at home before a night out and subsequent alcohol related violence. One such study undertaken by the Centre for Public Health, Liverpool John Moores University in 2007 concluded that those who pre-loaded were two and half times more likely to become involved in violence and disorder.

The issue of alcohol fuelled anti social behaviour by young people in public places is also largely attributable to off sales. This is a huge area of concern for the public and has a detrimental impact upon community confidence and feelings of safety. There is evidence of increased unsupervised drinking by young people in open-air public places such as parks, bus stops, and shopping areas, with the proportion of 11–15-year-olds who drink in such localities increasing from 21 per cent in 1999 to 31 per cent in 2006. Alcohol consumption is one of the key factors associated with young people committing criminal offences. Evidence suggests that 10–15 year olds who have been drunk once a month or more in the past year are over twice as likely to commit an offence than those who had not. More specifically, drinking by young people is clearly linked with violent behaviour - in a recent study, only 15 per cent of respondents aged 10–17 drank once a week or more; yet they were responsible for 34 per cent of all violent offences committed by this age group (Source – Youth Alcohol Plan 2008).

Although mindful of the issues associated with on-licensed premises, we believe that the case for increased emphasis towards the off trade as opposed to clubs and pubs is compelling. This in turn has led us to the conclusion that the focus of the proposed Codes of Practice is disproportionate in terms of its potential impact upon the on-trade when in fact the greater majority of problems emanate from the off-licence trade.

Chapter 2: Overview

Sections 2.42 to 2.46

We are hugely disappointed that the Government has decided not to proceed with any local or national measures concerning a minimum alcohol price per unit within the mandatory codes, preferring to await further evidence before identifying what, if anything will be taken forward in this regard. It is our contention that there is already a significant amount of research available which confirms that pricing can reduce irresponsible, harmful and binge drinking and the associated problems. In 2008 the Department of Health published the 'Independent Review into the Effects of Alcohol Pricing and Promotion' which had been conducted by the School of Health and Related Research at the University of Sheffield. This work concluded that the higher the level of minimum price, the greater the reduction in consumption and alcohol-related costs and harms. The recent Alcohol Concern report 'The Price is Right - Protecting Communities Through Action on Alcohol Sales' which was published in May 2008 endorses these findings and proposes that a minimum price per unit should be included as part of the mandatory codes.

The introduction of a minimum price per unit would not impact significantly upon on-licensed premises, but it would have a positive impact upon off licence outlets which we believe are the major contributors to crime and disorder problems associated with alcohol. Of particular concern are supermarkets which increasingly use alcoholic products as loss leaders to entice people into their stores. For many years large supermarket chains have used everyday products such as

bread as loss-leaders, however, we believe that alcohol is unlike any other product available for sale, in that its misuse can impact massively upon both health and crime.

Indeed we regard the use of alcohol as a loss-leader to be an irresponsible practice which fuels the increasing problems associated with alcohol within our communities. This can be put into context by the fact that the average price of a standard alcohol unit within the UK on-trade is estimated to be around £1.02, while the typical cost in a multiple outlet is 30p per unit. When the fact is added that around half of all Britain's drink sales are made at Britain's six major supermarkets and that off-sales promotions within those stores have been shown to increase sales by 25%, it becomes increasingly obvious that such availability and pricing is contributing massively to the problems associated with alcohol.

We believe that there is already sufficient research available to justify a minimum price per unit. The adoption of such a measure is supported almost universally across the North East Region by health, crime and disorder agencies, Balance, the North East Alcohol Office and the Regional Alcohol Advisory Group and is promoted within the North East Regional health strategy 'Better Health, Fairer Health'. We are, therefore, of the opinion that the mandatory codes should include the introduction of a minimum price per unit in both on and off licensed premises. We are aware that Alcohol Concern advocated a level of 50p per unit, as did the Chief Medical Officer Sir Liam Donaldson in his annual report published in March 2009 and we do not think this is an unreasonable starting point.

Chapter 3: Proposed Mandatory Conditions

In general terms we are supportive of the concept of mandatory conditions and those included within the consultation document appear to provide a sensible starting point towards addressing the issue of irresponsible drinks promotions and excessive consumption levels. Notwithstanding this we do have some general comments around the proposals, and some specific views around the individual conditions which we have included below for your consideration:-

General Observations

- We feel that some clarity is required around Temporary Event Notices (TENs) – would the mandatory conditions apply to such authorities? Should this be the case then we feel that this needs to be explicit within the code – if TENs are not included then there is a potential loophole which could undermine the principles of the code.
- Although specific mention is made within the consultation in respect of the four licensing objectives, there is an opinion that some of the measures proposed are health-led rather than linking back to the objectives. We in 'Balance' have a remit which is cross cutting and hence have no concerns in this regard. However, the consultation is a Home Office publication centred upon the reduction of alcohol-related crime and disorder and, therefore, a review of the wording of some of the conditions could be advantageous.
- The consultation invites comment as to whether or not the mandatory conditions should apply to all types of licensed premises, or if certain premises should be excluded. Whilst we understand the logic behind such discussions, we are of the opinion that to start making exceptions or creating eligibility criteria for exclusion would make application of the codes and enforcement difficult. Additionally, if certain types of premises were to be excluded there is a danger that advantage could be taken for commercial gains in running promotions, which ordinary pubs or clubs would be unable to do under the code of practice. In effect this could again encourage a 'pre-loading' effect. We believe, therefore, that mandatory conditions should apply to all premises.

Observations upon Mandatory Conditions

Mandatory Condition 1

Bans irresponsible promotions, such as *'all you can drink for £10'* or speed drinking competitions, or any promotion that encourages the consumption of large quantities of alcohol or the rapid consumption of alcohol that could increase the risk of alcohol-related crime and disorder, public nuisance, and cause a risk to public safety.

We believe the conditions proposed are acceptable but also believe that 'happy hours' should be subject to control. Such initiatives merely bring forward the commencement of the drinking period and hence contribute to increased alcohol intake. Additionally we believe these conditions should also apply to the off-trade.

Mandatory Condition 2

Bans alcohol from being dispensed directly into the mouth of any customer, which encourages the type of excessive and irresponsible drinking that could increase the risk of alcohol-related crime and disorder, public nuisance, and risk to public safety.

We are of the opinion that this is an ultimately sensible measure of which we are fully supportive.

Mandatory Condition 3

Ensures that smaller measures (not smaller glass sizes) of alcohol are made available to customers to help them manage their alcohol consumption and reduce the risk of alcohol-related crime and disorder.

We are generally supportive of this proposal. However in terms of spirit measures, we believe that the current situation whereby premises can choose to serve one of either 25ml or 35ml measures should be discontinued. All premises should serve the same standard measures in order to ensure that consumers do not become confused with regard to their units intake. We are of the opinion that the standard measure of spirit to be served in all on-licence premises should be 25ml.

The reason for this recommendation is that the difference between a 'double' 25ml measure and a 'double' 35ml measure is almost 1 unit. This could therefore make a significant difference to an individual's unit intake across a drinking session.

Mandatory Condition 4

Ensures that free tap water is available to customers to help them manage their alcohol consumption and reduce the risk of alcohol-related crime and disorder.

There is merit in making free water available for those people who have consumed drugs such as ecstasy in order to protect their health as far as is possible and in this light we would not oppose such a mandatory condition. Indeed many public houses in Stockton already have this as a condition that was carried over from their public entertainment licence under the old regime. The imposition of such a condition has not caused the trade any problems but may have saved lives. We would also strongly urge consideration of a mandatory condition whereby soft drinks have to be made available at reasonable prices which are significantly below the cost of alcoholic drinks. If

we are seeking to encourage people to alternate between alcoholic and non-alcoholic drinks, there must be some incentive to encourage such a mix – if non alcoholic beverages are similar in price to alcohol then people are highly unlikely to choose the soft drink option. We would therefore support a revised mandatory condition which also embraces the price of non-alcoholic drinks

Mandatory Condition 5

Seeks to ensure that online or mail order alcohol retailers have robust age-verification systems in place to prevent underage sales.

This is undoubtedly an area of growing concern. The availability of alcohol online provides opportunities for under 18s to acquire alcohol and has been hitherto largely left to develop with little in the way of enforcement or regulation. We are supportive of the condition that retailers must have in place robust age verification systems but believe that this should include a requirement that proof of age must be produced by the purchaser at the time of delivery. If identification is not produced, the goods should not be delivered and monies refunded accordingly.

Stockton, as far as we are aware, is the only authority in the North East region to have undertaken home delivery test purchases, 2 out of 3 national chains delivered and Fixed Penalty Notices were issued.

This has revealed a potential problem, when an order is place on the internet/telephone this is then relayed to one of a number of local stores in your area, but not necessarily the same one each time. Therefore on a repeat check, as we would normally carry out, you may get a delivery from another store. This means that a different premise licence is involved and the usual “2 strikes and your out” policy is negated. This potentially gives internet/phone order national chains an unfair advantage compared with other forms of retailing.

Food Safety Act Provisions

Mandatory Condition 6

Point-of-sale information.

We are extremely supportive of any measure which raises the public’s awareness of alcohol units and health risks of excessive drinking and hence recognise this as a potentially effective mandatory condition. This is in line both with the Government’s alcohol strategy and also supports one of our key work priorities. However we believe that the requirement and content of the information should be identical for both on and off premises. There is a need to get a common understanding amongst the public around units and associated health risks and this can only be done by means of a consistent and standardised message. To have two different sets of information is, in our opinion, counter productive and we would urge that the requirements for both on licence and off licence outlets are standardised within the mandatory condition. There is of course a danger that irresponsible drinkers may choose to maximise the amount of units they consume if information is available but we feel that the potential benefits far outweigh such issues.

Chapter 4: Discretionary Local Licensing Conditions

We are supportive of the proposal to have a ‘menu’ of discretionary licensing conditions which can be utilised by licensing committees as a means of dealing with problematic premises. That said, we have a number of comments which we would like to offer as part of the consultation process as follows:-

General Observations

- The justification for discretionary licensing conditions appear to mirror the requirements of Alcohol disorder zones (ADZs) which were introduced under Section 16 of the Violent Crime Reduction Act 2006. This act permits local authorities (with the consent of the police) to designate areas where there are problems with alcohol-related nuisance and crime and disorder that cannot be directly attributed to individual licensed premises. Although the act concerns the requirement of contributory payments from all licensed premises within an Alcohol Disorder Zone to pay for additional policing and other enforcement activities, this process also requires the development of an accompanying action plan embracing issues such as those suggested within the 'discretionary' conditions list. It would be useful if the relationship between the proposed Code of Practice and ADZ processes could be clarified and reflected in the subsequent guidance. By way of example would an ADZ and discretionary conditions run side by side, or would the discretionary conditions come as an earlier stage with the ADZ being the absolute last resort? Clarity is required in this regard.
- With reference to the proposed 'four point' test which a licensing authority must consider to ensure that conditions are both necessary and proportionate, we are surprised that alcohol-related **crime** has not been included. Although disorder and nuisance are referred to in the four points, crime is notable by its absence. Although it could be argued that violent crime, e.g. assaults, could be embraced within the sphere of disorder, we feel that crime should be explicit within the test criteria.
- Section 4.4 – We are of the opinion that this section is misleading – it states that *“licensing authorities will only be able to take action on two or more premises where there has been alcohol-related nuisance, and disorder associated with those premises. This is to ensure that only those premises that are actually contributing to the problems have additional conditions imposed upon them”* Our understanding of the proposed discretionary conditions is that they are designed to be implemented whereby there is disorder in an area but that disorder cannot be attributed to specific premises thereby preventing the instigation of review processes. This particular section appears to suggest otherwise and we would propose that it be reworded for clarity.

Observations upon Discretionary Codes

Discretionary Condition 1

Bans the discounted sale of alcohol where the discount applies at particular times of the day or week, or is for less than 72 continuous hours in duration (e.g. 'happy hours'), during periods of time most associated with alcohol-related nuisance or disorder (i.e. evenings and weekends) to help to prevent nuisance and disorder.

We believe that the sale of discounted alcohol encourages 'binge drinking' and that this, in turn leads to associated problems of crime and disorder. Whilst Balance would like to see an end to all such promotions we accept that in a highly competitive market it is likely that the desire to operate such activities will continue. In the absence of support to prohibit all such promotions (which would be our preferred approach) we believe it is appropriate that licensing authorities have the ability to apply conditions to restrict promotions in those premises that are contributing to local problems. However we believe that these discretionary conditions should also be applicable to off licences – there are certain days and times when it would be beneficial for off licence outlets to not run drinks promotions and this discretionary condition would be useful to counter the associated problems.

Discretionary Condition 2

Bans the sale of alcohol at a discounted price where the discount applies according to whether the customer has purchased alcohol at other licensed premises in one 24-hour period (e.g. 'pub crawl' offers) during periods of time most associated with alcohol-related nuisance and disorder (i.e. evenings and weekends) to help to prevent crime and disorder and reduce the risk of public nuisance.

Balance View

Whilst we understand the reasoning behind such a proposal, we are of the opinion that such a condition would be almost impossible to enforce.

Discretionary Condition 3

Ensures that a risk review of the premises is carried out by the licence holder, and a management plan is put in place which must be agreed with the licensing authority and then regularly reviewed to help to prevent crime and disorder, keep the public safe and prevent public nuisance.

We are not opposed to the principle of a documented risk assessment and counter measure processes being introduced to each of the 'group' of premises which are then reviewed periodically.

Discretionary Condition 4

Ensures the regular collection of empty or abandoned glasses during periods of time most associated with alcohol-related crime and disorder (i.e. evenings and weekends) to help to prevent nuisance or disorder.

Taking account of the level of violent crimes associated with bottles and glasses it is justifiable and proportionate to have a condition which seeks to ensure that articles are regularly removed in order that potential weapons are not at the disposal of customers. The only observation we have relates to the fact that the condition is prescriptive as to the times and frequency which the enhanced collections could apply. Although the proposed schedules are highly likely to embrace the majority of the 'problem' times and days, there will be some premises whereby the need falls outside of these periods.

In this light we believe that the condition should also include an all encompassing condition which allows for times to be set at the discretion of the licensing authority. As an addition to this condition we would also suggest the use of secure bottle banks by the premises in question thereby preventing the possible access to bottles for use as weapons.

Discretionary Condition 5

Bans the serving of alcohol in glass containers during periods of time most associated with alcohol-related nuisance or disorder (i.e. evenings and weekends) to help to prevent nuisance or disorder.

There are proven benefits of polycarbonate and as such we are fully supportive of this as a discretionary condition. However where this condition is introduced we believe that it should apply at all times rather than just those proposed.

Discretionary Condition 6

Stops customers leaving licensed premises with unsealed glass containers during periods of time most associated with alcohol-related nuisance or disorder (i.e. evenings and weekends) to help to prevent nuisance or disorder.

We are supportive of this condition in principle. However, there are potentially some real difficulties with its practical application. The smoking ban within licensed premises means that smokers frequently exit the premises during a drinking session to have a cigarette. Attempting to prevent people leaving the premises with their drinks could in itself create disorder. In this light we believe that the application of this condition should also mean that serious consideration is given to the requirement to have Security Industry Authority licensed door staff deployed at the premises.

Discretionary Condition 7

Ensures that toilets are checked regularly during periods of time most associated with alcohol-related nuisance and disorder (i.e. evenings and weekends) to help to prevent nuisance and disorder.

Whilst we can accept the justification for this condition, enforcement would be virtually impossible.

Discretionary Condition 8

Ensures that Security Industry Authority licensed door staff conduct checks for weapons and drugs and manage admissions to licensed premises during periods of time most associated with alcohol-related nuisance or disorder (i.e. evenings and weekends) to help to prevent nuisance or disorder and keep the public safe

This is a common sense condition for premises associated with disorder which has our support. An additional consideration should be the use of 'knife wands' during the search processes. The Safer Stockton partnership has made the loan of 'knife wands' available to door staff through its Think B4U Drink Campaign.

Discretionary Condition 9

Ensures that an incident record is maintained to keep police and licensing authorities informed and to help to prevent future nuisance or disorder.

We believe that such a condition is meaningless in as much as the incident record is only as good as the information recorded. We believe the responsible license holder would record every incident whilst the irresponsible licence holder would be unlikely to do so.. The incident record could be shown on demand to an authorised person, the reality is that all they would be a party to would be the information which the irresponsible person wants them to see. We do not believe this to be an effective discretionary condition albeit there could be some supporting evidence available if the premises has CCTV.

Discretionary Condition 10

Ensures the preparation and implementation of a dispersal policy for licensed premises in consultation with police and licensing authorities to help to prevent nuisance or disorder and help people to get home safely.

This is a fully justified condition which we are supportive of. We do not see the logic behind including off licence premises within this condition. It may also be worthwhile considering a contribution from those premises to taxi marshalling schemes where appropriate.

Discretionary Condition 11

Ensures that CCTV is in operation during periods of time most associated with alcohol-related nuisance or disorder to help prevent nuisance or disorder.

This is a common sense proposal of which we are fully supportive. However, although the proposed schedules are highly likely to embrace the majority of the 'problem' times and days, there will be some premises whereby the need falls outside of these periods. In this light we believe that where this condition is applied the requirement should direct use of CCTV systems at all times - this would incur no additional cost for the licensee but would potentially provide significant benefits in terms of reducing crime and disorder and apprehending offenders. We are pleased to note the inclusion of off licences within this condition.

Discretionary Condition 12

Ensures the display of information to customers on the location of local public transport links and telephone numbers for local licensed taxi companies to get people home safely and prevent potential nuisance or disorder.

We are supportive of such a condition. The only additional observation we have is that when discretionary condition 10 is applied to a licence (dispersal policy) this condition should always accompany it.

Discretionary Condition 13

Ensures the provision of a direct telephone line to local licensed taxi companies to get people home safely and prevent potential nuisance or disorder.

We would be supportive of such a condition. The only additional observation we have is that when discretionary condition 10 is applied to a licence (dispersal policy) this condition should always accompany it. We do not see a reason for this to be applied to off licensed premises.

Discretionary Condition 14

Ensures that a senior member of staff, together with any door supervisors, maintains a live text or radio pager link for instant communication with local police to facilitate a rapid response to any nuisance or disorder.

Such measures are common place in many areas and are effective. In this light we are supportive of this as a potential discretionary condition.

Discretionary Condition 15

Ensures that a 'Challenge 21' scheme is in operation to reduce underage sales of alcohol and prevent potential nuisance or disorder.

We are fully supportive of Challenge 21 scheme – a recent survey revealed that 91% of 18-24 year olds questioned knew about the scheme and therefore the need to carry appropriate identification. However we believe that this should be a mandatory condition applicable to all on and off licences.

In addition we are of the opinion that this condition should also include the requirement for staff training and periodic refresher training to be undertaken and be appropriately recorded. In Stockton the Trading Standards & Licensing Service have issued every licensee with appropriate (interactive) training materials and records. This enables all licensees to provide training at little/no cost.

Discretionary Condition 16

Ensures that bulk discounts cannot be offered during stipulated times.

We believe that this is a step in the right direction in attempting to control the availability of cheap alcohol from off licence outlets but does not go nearly far enough. The link between disorder and individual off licence premises is extremely difficult to establish – cheap alcohol can be consumed many miles away from the point of purchase meaning that outlets will rarely fall within the criteria to consider discretionary conditions. Additionally if licence conditions were to be applied restricting sales at certain times, purchases would simply be made outside of those times or at other premises further afield. We would, therefore, recommend that:-

- 1) This should be a mandatory condition for all off licensed outlets.
- 2) There should be no specified times applicable to the condition i.e. it should be applied at all times.

Areas for Further Local Discretionary Conditions

Training

There is little doubt that the provision of training can have a beneficial impact, particularly for new staff. There are some examples from the North East Region where training provided by the police has had a positive influence upon the manner in which night time economy issues are dealt with. It is important that the quality and content of training is specified within the guidance otherwise it could simply become a box ticking exercise.

We are fully supportive of training (and regular refresher training) as a potential additional discretionary condition. We believe that the guidance should stipulate minimum standards of course content and standards. In a wider context we also believe that mandatory staff training should become a part of the 'Best Bar None' assessment criteria.

Seating

There is much debate around the issue of 'high volume vertical drinking establishments' and their contribution to crime and disorder. In recent years there has been a proliferation of such premises in town and city centres as national pub chains purchase and convert former cinemas, theatres and other entertainment venues. The North East is no exception in this regard and there is a general acceptance that drinkers who frequent these premises tend to consume more alcohol than they would in a traditional pub with seats. With this in mind any discretionary condition which could be applied to premises in high crime and disorder areas is to be welcomed.

We would be supportive of a potential discretionary condition around the provision of seating facilities within vertical drinking establishments. Whilst we acknowledge the comments in the consultation around the potential difficulty in stipulating a level which would be suitable for all premises to which the discretionary condition would apply, we do not regard this as a problem. Any condition could merely state that seating will be provided for a % of the total capacity.

Door Staff

The introduction of Security Industry Authority (SIA) licensed door staff has done much to foster effective working partnerships with a common aim of reducing crime and disorder. The value of effective door staff cannot be overstated and should be one of the first considerations in seeking to address crime and disorder associated with two or more premises.

We believe that this should be included within the list of discretionary conditions and should be amongst the first in order of consideration. The provision of SIA door staff is a proven tool in terms of dealing with crime and disorder and we believe that this has got to be a starting point for any discretionary conditions. We do not believe that the application across multiple premises would be difficult, provided that the associated condition is carefully worded so that numbers of door staff are linked to premises capacity, e.g. 1 x door staff member required for every 20 customers. By taking this approach, although the condition applied to all premises would be the same, the numbers could potentially be different.

Background Music

There is speculation as to whether the provision of loud music can have a direct impact upon the amount of alcohol which customers drink. Much of the evidence is anecdotal and we are unaware of any specific research which makes this a compelling argument. There is existing legislation which can deal with general issues around excessive noise emanating from licensed premises and we do not feel that this issue has a huge bearing upon the crime and disorder agenda.

In the absence of conclusive evidence which proves the link between loud music and increased alcohol consumption we do not feel that there is a need to have a discretionary condition around this issue.

Consideration for Future Action: Public Safety

The concern around people, in particular women, being intimidated, assaulted or sexually harassed in or around the night-time economy is well placed and, as such, it is important that measures are put into place to counter such issues. Many of the discretionary measures set out in

the consultation document will go some way to assist in this regard as well as the expansion of CCTV systems, taxi marshals, and effective night time economy transport policies.

We do not feel that 'one size fits all' measures are feasible to address such complex issues and effective solutions need to be designed on a locality basis. However we are of the opinion that the following measures may be worthy of further consideration:-

- Display of relevant telephone help lines within female toilets e.g. domestic abuse support contacts
- Provision of free devices to prevent drink spiking
- Provision of 'safe haven' within premises beyond closing time for lone females (this function could be shared on a week to week basis by premises) who have been harassed / are fearful pending the arrival of transport home.

Additional Observations

Although the proposed discretionary conditions provide some potentially effective measures, there are a number of other issues which we feel are worthy of consideration as additional items for the menu of discretionary measures available to licensing authorities.

We are of the opinion that the following measures are worthy of consideration for inclusion on the menu of discretionary conditions:-

- Requirement to join and participate in local 'Pubwatch' Scheme
- Requirement to participate in 'Best Bar None' assessments process (albeit it is accepted that not all areas utilise this scheme and we recognise that for the scheme to be successful there is a significant resource implication)
- Requirement for door staff to utilise metal detection devices at the point of entry into licensed premises
- Condition whereby premises allow access to toilet facilities for a period beyond closing time to prevent incidents of urinating in shop doorways etc.
- Condition whereby 'end of aisle' promotions, and promotional display of alcohol products at the entrance / exits to the premises are prohibited.

It would be remiss of us, in closing, to fail to mention the potential financial impact upon local authorities. The imposition of mandatory conditions would necessitate the re-issue of all licences, and there would be additional resource implications in gathering evidence to support the introduction of discretionary conditions. Such matters are not embraced within the consultation and we believe that unless some set up funding is made available, enthusiasm for the proposals is likely to be lukewarm from many local authorities who are key partners in managing the licensing agenda.

I hope you find these comments useful. If you have any queries about any of the points raised please feel free to contact David Kitching, Trading Standards & Licensing Manager, e-mail dave.kitching@stockton.gov.uk, telephone (01642) 526530, or at the address above.

Yours sincerely



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