



**Northern Ireland
Assembly**

COMMITTEE FOR COMMUNITIES

Please use this form to submit written submissions in relation to the Licensing and Registration of Clubs (Amendment) Bill. Return to committee.communities@niassembly.gov.uk by Wednesday 19 October 2016.

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Organisation: (if applicable) ASCERT

Date: 19th October 2016

ASCERT is a Northern Ireland charity providing a range of services and supports that address the risk and harm from alcohol and other drugs.

The risks and harm from alcohol misuse are well rehearsed. 73% of adults in Northern Ireland drink alcohol and 31% of those binge drink. In 2013/14 there were 10,486 emergency hospital admissions because of alcohol.¹ Each year there are around 4000 crimes committed near licensed premises and the PSNI say that a fifth of all crime and is alcohol related. There are significant concerns about the linkage of alcohol to not just physical health but mental health, alcohol is a factor in 60% of patient suicides and in 70% of suicides of young people known to mental health services.²

The fact is that we have a culture in Northern Ireland where alcohol plays a big part. The focus of our response to the proposed amendments to the legislation is to minimise the harm from alcohol use and sensible legislation is one tool to do that. Managing how alcohol is accessed is important as is encouraging an environment where safer drinking can be supported. Pubs, entertainment venues, sporting clubs, and restaurants are key outlets for social interaction and that can deliver physical and mental health benefits.³ In

¹ DHSSPSNI (2015) New Strategic Direction for Alcohol and Drugs Phase 2 Third Update Report

² Royal College of Psychiatrists in Northern Ireland (2011) Alcohol-What does it really cost?

³ Dunbar R, Launay J, Pearce E et al (2016) 'Friends on Tap- the role of pubs at the heart of the community' CAMRA report

saying that, the environment for the sale of alcohol needs to be managed in a way that is sensible and constructive and that those that sell alcohol are responsible contributors to creating a safer, less harmful & more positive environment that actually contributes to the health & well-being of more moderate customers.

Clause 1: Additional hours at Easter

We have no objection to this measure.

Clause 2: Additional hours: applications to court

Our concerns in relation to an extension of drinking hours are primarily in relation to the impact on drinking behaviour. We have a culture of excessive drinking in Northern Ireland and it is important that this is taken into account. It has been argued that encouraging people to consume alcohol in pubs rather than at home is better, in terms of being more aware of the amount of alcohol taken because of measures and a safer and controlled environment. It is also argued that most people will self-manage their intake and for some that will be case. But for others longer hours will result just drinking more and until they are drunk.

It is the case that purchase of alcohol from off-licenses and supermarkets has increased at the expense of drinking in pubs and clubs, but will having longer to drink in pubs mean less alcohol is consumed overall? A 2015 study found that the extension of opening hours in England and Wales in 2005 resulted in a net increase of alcohol consumption. In other words the amount of alcohol consumed on-premises increased without a corresponding decrease of alcohol purchased off-premises.⁴

We would suggest that any relaxation of licensing laws needs to be balanced with greater controls and responsibility by those selling alcohol to ensure that people are kept safe and that responsible drinking is supported.

This should include greater definition of drunkenness and the restrictions on serving people once they are drunk. There should be a requirement for policies to be put in place in pubs and clubs to ensure that alcohol is not sold a person has had too much already, and that staff are trained to be able to manage that situation and to ensure that person can be kept safe.

There are examples elsewhere that can be learned from. An evaluation of the 'Drink Less Enjoy More' intervention in Liverpool found that it significantly reduced the sale of alcohol to or on behalf of someone intoxicated.⁵ The

⁴ Green, C.P Hollingsworth, B Navarro, M. (2015) 'Longer opening hours, alcohol consumption and health' Division of health research, Lancaster University,

⁵ Quigg, Z et al. (2016) Evaluation of the Liverpool Drink Less Enjoy More intervention, Centre for Public Health, John Moores University ISBN: 978-1-910725-44-3

initiative was delivered through a range of activities including social media, promotional materials, and other messaging targeting bars and university halls. Bar staff were trained in refusal skills and enhanced police enforcement.

Clause 3- Section 2: consequential provision etc.

We have no comment on this clause.

Clause 4: Additional hours: police authorisations

We restate our position as outlined in relation to clause 2

Clause 5: Extension of 'drinking up time'

We do not agree with the extension of drinking up time from 30 minutes to 1 hour, based on our opinion that this is likely to simply result in customers stockpiling more drinks with a goal to drink more before they have to leave.

The main concern with drinking up time in general is that in practice the consumption of multiple drinks in a short period of time will be that the person will get more drunk after they leave the premises as the alcohol consumed enters their bloodstream, which could put them at greater risk. The fact is that most people that get into trouble after an episode of drinking do so after they have left the pub.

We suggest that there should be provision to restrict the number of drinks available to a person so that they only have one drink they can consume during drinking up time.

Clause 6: Alignment of liquor, entertainment and refreshment provision etc.

We have no comment in relation to this clause.

Clause 7: Removal of requirement for children's certificate, etc.

We have no objection in relation to the removal of certificates based on our understanding that suitable safeguards are required to be in place in premises. We suggest that the duty to display a notice in relation to age should also require the safeguards to be specified.

Clause 8: Underage functions

We have no objection to this clause. We recognise that using licensed premises as facilities to provide activities and entertainment to under 18's can be of benefit. We do not believe that licensed premises should be no-go areas for young people, and that in fact they can be important community and social resources, particularly in some communities.

Provided that alcohol is not available or promoted during an under 18's event we have no reason to believe that the fact that the venue is a licensed premises, selling alcohol on other occasions has any material impact on a young person's attitudes or behaviour. What is important is that access to alcohol by under 18's is prevented are supportive of opportunities for licensed premises to provide alcohol free events.

We are supportive of restrictions on gaming machines at under 18 events.

Clause 9 : Delivery of intoxicating liquor to young persons

We welcome this clause as a positive measure that can restrict the accessibility of alcohol, to under 18 year olds. The increase in home delivery of goods purchased online from supermarket supports the need for such measures to be in place. The issue here is the enforcement of the legislation. For example despite regulations being in place there is little evidence of actions being taken to address the purchase of alcohol by adults, knowingly on behalf of under 18's and there continue to be examples where home deliveries of alcohol are made by taxi drivers to under 18's.

Clause 10: Restaurants and guest houses: notice displaying licensing conditions

We welcome this clause. A requirement to display information about licensing conditions is helpful so that customers are aware of restrictions. However we suggest that consideration is given to introducing measures in relation to unlicensed restaurants where customers can bring their own alcohol and consume it on the premises but there are no controls in place. In our opinion there should be a duty of care where alcohol is consumed regardless whether the premises is licensed or not.

Clause 11: Prohibition on self-service and sales by vending machines

We welcome this clause to prevent the unsupervised sale of alcohol using vending machines. We are concerned, however, about the potential to introduce alcohol dispensing vending machines into hotels and guesthouses could easily result in under 18's having access to alcohol. Examples of such vending machines in hotels in other jurisdictions, where alcohol is displayed alongside confectionary could be confusing to under 18's and does not send the message that it is a restricted product. It is also difficult to monitor the ability to buy alcohol using a vending machine where these machines are often available on every floor of a hotel.

Clause 12: Restrictions on off-sales drinks promotions in supermarkets etc.

We are generally supportive of restrictions on drinks promotions and as such

agree with this clause. Restricting where drinks promotions are displayed is relevant, but we would point out that alcohol is promoted online by supermarkets and off-licences and through printed direct marketing catalogues and so we would question to what extent this measure will have a real impact. Of at least equal importance is consideration of greater restriction on the content of drinks promotions, particularly in relation to offers based on low cost alcohol and high volume purchases.

Cause 13: Code of practice

We welcome the scope to introduce codes of practice. There have been positive examples where pubs and off-licenses have voluntarily adopted codes of practice, for example in relation to checking for age, and we believe it is important that efforts are made to identify and define areas where practice can be introduced that will result in increased responsibility by licensees and accountability and that can provide a greater duty of care and support responsible drinking.

Clause 14: Removal of exemption for angostura bitters

We are supportive of this clause

Clause 15: Sporting clubs: extension of premises

We have no objection to this provided that the same safeguards are in place to manage the consumption of alcohol as would otherwise be the case and the restriction of access to alcohol by under 18's

Clause 16: Additional hours at Easter

We have no objection to this measure.

Clause 17: Extension of 'drinking up time'

Our position on this matter is the same as outlined to clause 5

Clause 18: Removal of requirement for children's certificate, etc

Our position on this matter is the same as outlined to clause 7

Clause 19: Underage functions

Our position on this matter is the same as outlined to clause 8

Clause 20: Young people in sporting club premises

We have no objection to this clause.

Clause 21: Prohibition on self-service and sales by vending machines

We are supportive of this clause.

Clause 22: Restrictions relating to advertisement

We have no objection to this clause.

Clause 23: Code of practice

We are supportive of this clause.

Clause 26: Ancillary provision

We have no comment on this clause.

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