

Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill
Note by the Clerk Fact Finding visit to Newcastle City Council and Northumbria Police

26 October 2015

Attendees

Duncan McNeil MSP

Malcolm Chisholm MSP

Colin Keir MSP

Nanette Milne MSP

Rebecca Macfie, Senior Assistant Clerk

Abi Bremner, Senior Researcher, SPICe

The Committee met with:

Mr Stephen Savage, Assistant Director Public Safety and Regulation

Chief Superintendent, Bruce Storey, Northumbria Police

Robyn Thomas, Service Manager Community Safety

Christine Knox, Community Safety Officer

Dan Lloyd, Principal Researcher Analyst

Natalie Goodman, Public Health Practitioner

Ed Foster, Service Manager, Environmental Health, Trading Standards & Licensing

Sgt Grant Urquhart, Northumbria Police

The Committee's visit included a series of presentations on a range of initiatives aimed at encouraging the safe consumption of alcohol in the Newcastle area. The Committee also had a site visit to the Denton area with a local police sergeant to discuss how some of the initiatives operated in the local community. The main themes and findings from the visit are detailed below:

New Licensing Policy

- New Licensing Policy 2013-18 introduced against backdrop of:
 - 19.8 million visitors to Newcastle
 - Perception of Newcastle as "a party city"
 - £346 million spend on food and drink
 - 7000 jobs and Off Trade 60% of alcohol sales
 - Newcastle rating poorly in comparison to other local authorities for male alcohol mortality and chronic liver disease.

- The new licensing policy is designed to address saturation of off licences and ‘on premises’ in some areas and protect residents. The policy approach includes a suite of measures, those done in conjunction with the licensee and those done/more imposed on the licensee.
- Emphasis placed on the importance of collaborative working across police and council officers being central to ensuring that the new licensing policy is effective.

Minimum Pricing Policy

- Voluntary scheme which has introduced minimum pricing through making it a condition of licence for new applicants in the Grey street area of Newcastle. The policy has required the buy in of new operators to maintain the area as a premium price quality area. It has resulted in investment by licensed premises in refurbishing their buildings.
- The scheme has been operating for over four years and to date the scheme has not faced legal challenge. The current trading environment means that “wet trade” is unlikely to survive without food being provided too. There has been a reduction in “vertical drinking”.
- It can be argued that sales at a premium price are more profitable. Prices for minimum pricing are index linked:
 - Bottle/Pint £3.50
 - Wine (175 ml) £4.00, (Bottle) £14.00
 - Spirits (25 ml) £3.50
 - No offers

Late Night Levy

- On 1 November 2013 Newcastle was the first licensing authority to introduce a Late Night Levy on licensed premises. 247 levy payers and 121 variations received from licences to change their licensing hours since the levy has been in operate, with some premises choosing to reduce their opening hours so they don’t have to pay the levy.
- Police spend £1.8 million per annum to Police the city centre – midnight to 6am.
- The levy generates an income of £300k per year to be spent in the City (split 70:30 between the Police and the Council).
- Important to ensure that when the scheme was first introduced that it clearly supported those in the licensed trade operating late at night. This included the support of various activities including Street Pastors, Taxi Marshals, CCTV, Safe Haven, Club Scan (an electronic scanner for ID), additional police operations and street cleaning.
- The reduction in the council’s budget has meant that if the levy had not been in operation some of the services and activities would have been cut.

- How the money generated from the Levy is used has changed from additional money to being replacement money.

Alcoholwatch

- Benefits of the system:
 - A system that is based on hotspot areas of regular street drinking or anti-social behaviour.
 - Is able to identify repeat individuals drinking in public
 - Links retailers to seized or found containers
 - Provides intelligence for problem solving
 - Provides evidence to support licensing applications
- The initiative is targeted at specific shops and within those shops specific products. The use of Alcoholwatch in shops is limited to specific timescales.
- There has not been any negative response from the alcohol industry to the use of this initiative to mark their products.
- Implementation is through intelligence-led identification of key shops where it is suspected they are selling to underage drinkers or on street drinkers. The initial visit is made by a Police Sergeant and Community Safety Officer. It costs 12p per sticker, average intervention 2,000 stickers = £240.
- Stickers are delivered by the Community Safety Officer (CSO) and put on the product by the shopkeeper. A4 posters are displayed in windows and A5 poster on the counter or till.
- The initiative is quite resource intensive as it requires regular follow up visits to the shop. Neighbourhood CSOs record information and spread sheets are returned on a monthly basis.
- They have tried to involve supermarkets in the initiative but with limited results. A barrier is the volume of sales being high in supermarkets meaning that it is resource intensive for them to apply stickers. Also suggestion that it may be more appropriate to target smaller traders as they may be seen as being more likely to be targeted by children looking to buy alcohol.
- Evidence gathered from the initiative has been used as part of licence reviews and for further applications for licences. This included evidence gathered from the scheme regarding sales made to street drinkers from off-licences in the city centre. This evidence was used to support the case for why a licence application from Tesco for an off-license in the city centre should be declined.
- Advantage of the scheme is that it builds relationships between CSOs and retailers. Provides shops with reassurance of support to tackle those being targeted by under-age or street drinkers. Provides a message to community that action is being taken and information at a neighbourhood level.

- Alcoholwatch can be useful as part of a package of measures, test purchasing, CCTV footage etc.
- The alcoholwatch scheme was highlighted as being potentially more effective than test purchasing schemes. Test purchasing schemes may not be effective as retailers may guess that the individual is a test purchaser and only sell alcohol to customers that are known to them.
- Potential issue with the scheme is that it is voluntary and requires the support of the retailer, which is unlikely in circumstances where retailers are willingly selling to underage or street drinkers. The scheme can be circumvented by the retailer. They can keep bottles under the counter for sale that are not marked.
- Another issue is that even if an underage drinker is found with a marked bottle this does not necessarily mean they bought it direct from the retailer. There are instances where adults are selling alcohol on to children and examples where parents are giving their children alcohol.

Alcohol Behaviour Change (ABC)

- Those arrested for drunk and disorderly behaviour who fit the eligibility criteria for a Fixed Penalty Notice of £90 (roughly half of those arrested) are given the opportunity to pay £45 to attend a drink awareness course.
- Used in Newcastle since December 2012 and rolled out to Northumbria in June 2014. It is self-financing (10 people per course). Average three course run per month.
- The course aims to support behaviour and attitude change towards alcohol and promote a healthier relationship with alcohol.
- The 3-4 hour course covers understanding units, binge drinking, physical, psychological and social harms, links of alcohol and offending, legal risk for the future (restrictions on travel and employment).
- Six month evaluation of the scheme found 50% of participants reported to have reduced their drinking.

Super Strength

- Voluntary scheme designed to stop the sale of super strength alcohol in off licences to reduce street drinking in specific areas.
- The schemes typically target beer, larger and cider above a specified level of ABV – in Newcastle's case above 5.6%.
- Mixed response to the scheme, with off-licences feeling under pressure from what they see as additional licence or operational conditions.

- Street drinkers generally ambivalent towards the scheme, perhaps because Super Strength Free did not appear to limit their purchasing ability to a significant degree.
- Statistics present a picture of a steadily reducing number of street-drinking-related crimes in the locality, both adult and youth. This was occurring before the initiative and has continued after the scheme became operational.
- The scheme needs to be clearly defined to ensure voluntary buy in.

Best Practice Scheme

- 'Raising the Bar' a best practice scheme for licensed premises.
- Successful applications receive 30% discount on the Late Night Levy.
- Approximately 50-60% premises apply of the 220 premises which are eligible.
- Scheme developing over three years.
- Now includes health criteria and advice and signposting.
- Aim is to be publicity focused – staggered accreditation (Bronze, Silver, and Gold).
- Criteria getting harder but standard of applications improving.

**Rebecca Macfie
Senior Assistant Clerk
Health and Sport Committee
October 2015**