

Submission to Department for Social Development  
On  
Proposed changes to the law regulating the sale and supply  
of alcohol in Northern Ireland

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## **Introduction**

### **The Institute of Public Health in Ireland**

The remit of the Institute of Public Health in Ireland (IPH) is to promote cooperation for public health between Northern Ireland and the Republic of Ireland in the areas of research and information, capacity building and policy advice. Our approach is to support Departments of Health and their agencies in both jurisdictions, and maximise the benefits of all-island cooperation to achieve practical benefits for people in Northern Ireland and the Republic of Ireland.

IPH welcomes the opportunity to submit our views on this review of regulations relating to the sale and supply of alcohol in Northern Ireland. The stated aim of the consultation is to test public opinion on proposed changes to the laws regulating the sale of alcohol in Northern Ireland.

IPH is committed to the development of policy which reduces alcohol-related harm on the island of Ireland. In Northern Ireland the total costs of alcohol-related harm have been estimated at £679.8 million per annum, of which £122.2 million relate to health care costs, £36.9 million relate to child and family services and £41.1 million relate to economic losses associated with premature mortality of persons of working age (DHSSPS, 2011).

This year IPH has submitted views on a number of consultations relevant to the alcohol policy on the island including

- IPH response to Road Safety Authority Ireland Road Safety Strategy 2013-2020
- IPH response to Submission to the Public Consultation on the Draft Road Traffic (Drink Driving) Amendment Bill and Additional Measures to Tackle Drink and Drug Driving in Northern Ireland
- IPH response to the DSD consultation on regulations to prohibit or restrict irresponsible promotions of alcohol in Northern Ireland

Previously we have also submitted our views on alcohol-related harm in the following contexts

- IPH response to Review of Maternity Services in Northern Ireland
- IPH Response to Department of Justice and Equality Review of the Code of Practice on the Sale and Display of Alcohol in Mixed Trading Premises

IPH has also been requested by the Chief Medical Officers in both jurisdictions to facilitate the development of a North South Alcohol Forum. The Forum includes membership from DSD and DHSSPS in Northern Ireland. The primary function of this forum is to support meaningful cross-border cooperation on tackling alcohol-related harm within the context of the implementation of the following policy documents

- Report of the Steering Group on a National Substance Misuse Strategy (Department of

Health, 2012)

- New Strategic Direction on Alcohol and Drugs (DHSSPS, 2011)

IPH welcomes section 1.11 of the review in which DSD commits to continue to monitor developments across the United Kingdom and the Republic of Ireland to ensure that licensing legislation, and any changes brought forward as an outcome of the review, remain effective and responsive to local needs.

## **Key points**

- IPH welcomes the opportunity to submit our views on this review of regulations related to the sale and supply of alcohol in Northern Ireland. IPH notes that the reduction of alcohol-related harm is a stated aim of the review.
- International evidence clearly supports the role of regulation of the sale and supply of alcohol in reducing alcohol consumption and in reducing alcohol-related harm.
- The consultation document does not present any meaningful estimation of the scale or nature of potential positive or negative effects on alcohol-related harm arising from the proposed changes. On this basis, IPH recommends that a Health Impact Assessment should be conducted on the proposed regulations.
- IPH shares the concerns raised in respect of increases in the number of people drinking at home and the availability of large volumes of low cost alcohol in supermarkets. In this regard, we welcome the proposals to enhance the regulation of sale of alcohol in mixed trading premises by more stringent structural separation measures and restricted advertising.
- IPH wishes to emphasise the importance of the work underway to explore the introduction of minimum unit pricing of alcohol on the island of Ireland as this measure will be significant in enhancing the proposals on regulating sale of alcohol in mixed trading premises
- In light of evidence of increased alcohol consumption and harm associated with increased hours and days of sale of alcohol, IPH does not support the proposal to introduce additional late opening hours or extended drinking up time.

### **Questions 1. and 2.**

**To what extent do you agree that mixed trading (i.e. selling alcohol in addition to other items) should be further restricted in supermarkets and shops?**

**To what extent would you agree with increasing the degree of separation in supermarkets between areas where alcohol and other goods are displayed?**

**To what extent would you agree that persons under 18 should not be allowed to enter areas in supermarkets where alcohol is displayed?**

IPH supports the review's recommendation to further restrict mixed trading in supermarkets and shops. A review of the effectiveness and cost-effectiveness of interventions to reduce alcohol-related harm conducted by the World Health Organization clearly emphasizes the importance of addressing availability of alcohol within effective alcohol policy ( WHO, 2009). Furthermore, commitments to address the availability of low cost alcohol in mixed trading premises has become a policy goal within government strategies to address alcohol related harm on the island ( DHSSPS, 2011; Department of Health, 2012).

IPH recommends that the enhancement of statutory regulations governing the placement and promotion of alcohol in mixed trade settings can be effective in reducing alcohol-related harm, but only when supported by a specific commitment to monitoring, evaluation and use of penalties when required.

With regard to the proposal to prohibit all persons under 18 from entering an area in supermarkets where alcohol is displayed including children in the company of their parents, the welfare and safety of children must also be considered and there may be child safety issues regarding leaving children unattended at the entrance to the alcohol-serving area.

### **Question 3.**

**To what extent would you agree that the purchase of alcohol in supermarkets should be restricted to alcohol only checkouts?**

IPH supports the development of alcohol-only checkouts where possible. Where alcohol-only checkouts are proposed, retail staff should be supported by training and management protocols to support them in dealing with issues relating to the sale of alcohol to minors, age identification and sale of alcohol to those who are intoxicated.

#### **Question 4**

##### **Restrictions on advertising of alcohol in supermarkets and off sales premises**

**To what extent would you agree with restrictions on advertising of alcohol in supermarkets and off-sales premises?**

**To what extent would you agree with prohibiting the advertising from taking place within the vicinity of the premises?**

**To what extent would you agree with restricting the display of branded non-alcoholic products to the licensed area in supermarkets?**

**To what extent would you agree that advertising materials which relate primarily to alcohol should be restricted to the licensed area in supermarkets?**

IPH recognizes that there is significant evidence to show that alcohol advertising has a significant effect on alcohol consumption and attitudes, particularly among young people. A European review of the effectiveness and cost-effectiveness of interventions to reduce alcohol-related harm also highlighted the importance of regulating alcohol advertising within a comprehensive alcohol policy (WHO, 2009)

#### **Question 5.**

**To what extent would you agree with the proposal that young people under 18 years of age should not be allowed to accept a delivery of alcohol?**

Strongly agree

**To what extent would you agree with the proposal for identification to be shown and recorded on delivery of alcohol?**

Strongly agree

**To what extent would you agree with the proposal to prevent third parties from profiting from sales of alcohol?**

Strongly agree

**To what extent do you agree that public houses/bars are important to the Northern Ireland economy, including the tourism industry?**

Public houses/ bars are important to the Northern Ireland economy, as is the tourism industry. However, any consideration of costs and benefits of regulation of alcohol sales in both licenced and unlicensed settings should also take into account the cost of alcohol-related harm as highlighted in the introduction section (DHSSPS, 2011).

### **Question 6 Occasional additional late opening hours**

**To what extent would you agree with the introduction of occasional additional late opening hours for certain licensed premises?**

**In your view, what should the limit be on the number of occasions where additional late opening hours are granted each year?**

**Up to 4 occasions**

**Up to 6 occasions**

**Up to 8 occasions**

**Up to 12 occasions**

**Other (please specify)**

**Question 7 To what extent would you agree with the conditions attached to the granting of occasional additional late opening hours?**

**To what extent do you agree that the number of occasions that police may authorise late opening hours in small pubs should be increased?**

**In your view, what should the limit be on the number of occasions where late opening hours are authorised?**

IPH considers that no additional late opening hours should be granted on the basis that extensions in the number of hours / the number of days that alcohol is available has been associated with increases in alcohol consumption and harm ( Popova, 2009; WHO, 2009).

The late night levy is not a solution for alcohol-related harm – it may in some way recoup the cost associated with policing and emergency services but cannot remediate the effect of alcohol-related harm on the individual and families.

### **Question 8 Changing Easter opening hours**

**To what extent do you agree with permitting late opening hours on the Thursday and Saturday before Easter Sunday?**

IPH considers there is little justification for different opening hours to pertain to these particular days.

### **Question 9 Extending ‘drinking up’ time from 30 minutes to 1 hour**

**To what extent would you agree that the current ‘drinking up’ time should be extended from 30 minutes to 1 hour?**

The review suggests that extending drinking-up time from 30 minutes to 1 hour (a) discourages customers from drinking too quickly and stockpiling drinks and (b) allows the gradual departure of customers, allowing staff more time to clear premises in an orderly fashion thereby assisting orderly closure. However, in the absence of any evidence to support this assertion, IPH would caution that the extension of drinking up time may amount to little more than extended overall drinking time with the potential for increased alcohol consumption.

**Question 10 Aligning alcohol and entertainment licences**

**To what extent would you agree with the alignment of alcohol and entertainment licences?**

Where additional occasional late opening licences are granted, the alignment of alcohol and entertainment licences would appear to be sensible.

**Question 11 Further define entertainment in relation to the granting of late opening hours**

**To what extent do you agree that the person providing the entertainment must be present and performing in the licensed premises?**

**Question 12 Clarifying the law in relation to the provision of entertainment in restaurants**

**To what extent would you agree that the Department should change the law to ensure that entertainment provided in restaurants is ancillary to the business of providing food?**

Findings from the AMPHORA study suggested that increased alcohol-related harm is not reduced where there is provision for music and dancing (Hughes and Quigg, Addiction, 2011).

**Question 13 Review of Children's Certificates**

**To what extent would you agree with removing Children's Certificates and allowing young people under 18 years of age to be present in licensed premises until 9.00pm (subject to conditions)?**

**Question 14**

**Allowing young people under 18 years of age to attend functions in licensed premises (provided the bar is closed)**

**To what extent would you agree with allowing young people under 18 years of age to attend functions in licensed premises (provided the bar is closed)?**

**Question 15**

**Selling alcohol via Pour Your Own Pint Tables and Vending Machines**

**To what extent would you agree with preventing the sale of alcohol via Pour Your Own Pint tables?**

Agree

**To what extent would you agree with preventing the sale of alcohol via Vending Machines?**

Agree

**Question 16**

**Preventing the removal of alcohol (carry outs) from pubs after normal opening hours**

**To what extent would you agree with the law being changed to prevent the removal of alcohol (carry outs) from pubs after normal opening hours?**

Agree

**17 Advertising of functions held in private member club premises**

To what extent would you agree to the removal of advertising restrictions in relation to functions held on private member club premises?

No comment

**19 Awards night in sporting clubs**

Would you agree that young persons under 18 years of age be permitted in a sporting club until 11pm, on one occasion a year, in order to attend an awards night?

No comment

**20 Formal approval of industry Codes of Practice**

To what extent would you agree that licensing and clubs' law should be amended to allow statutory approval for industry codes of practice?

No comment

**21 Repeal of the duty exemption for Angostura bitters**

To what extent do you agree that the Department should change the law to ensure Angostura Bitters can only be sold in licensed premises?

Agree



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