

## **HIGH STRENGTH ALCOHOL INITIATIVE – OUTCOME OF CONSULTATION PROCESS**

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**Wards Affected:** Abbey

### **PROPOSED DECISION**

That the Committee support a voluntary prohibition on the sale of specific and harmful high strength alcohol products (notably white cider) within a specified area of High Wycombe town centre which correlates with the current Designated Public Places Order, to be effective from the 1<sup>st</sup> April 2013.

### **Executive Summary**

Further to a discussion at a previous meeting of this Committee in relation to the harms caused by white cider and other high strength alcohol products, a consultation exercise has now been undertaken to gauge the views of affected licence holders and other relevant bodies and individuals. As a result of this consultation process it is now considered appropriate to implement a voluntary prohibition on specified alcohol products within the proposed area of High Wycombe town centre, to be effective as of the 1<sup>st</sup> April 2013.

### **Sustainable Community Strategy / Corporate Plan Implications**

The implementation of the scheme contributes to the Sustainable Community Strategy themes of Safe Communities and Health and Wellbeing.

### **Corporate Implications**

The Council has a statutory duty under section 4 of the Licensing Act 2003 to promote the four licensing objectives, which are: the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. It is considered that the scheme would promote and support all of these objectives by reducing crime, disorder and nuisance and promoting improvements in health and safety.

### **Detailed Report**

#### Background and Issues

1. There is a perception by members of the public that there is an issue with street drinking and resulting anti-social behaviour within the town centre.
2. This perception is reinforced by information provided by Thames Valley Police who consider that there is a small core of street drinkers in and around the town centre who cause nuisance and anti-social behaviour and are involved in low level crime.
3. Westminster City Council implemented a voluntary ban on certain types of high volume alcohol in 2009 in an attempt to reduce the problems caused by street

drinkers in specific areas of Westminster. This scheme proved to be highly effective with a resulting reduction in anti-social behaviour and thefts from off licences.

4. Ipswich City Council has also recently implemented a similar scheme in Ipswich town centre, although it is too early to gauge the beneficial effects this scheme will have.
5. There is documented evidence to suggest that certain high strength alcohol products, most notably white cider, have particularly harmful effects on those consuming these products and that the drinkers are less likely to respond positively to assistance and intervention by health professionals and other bodies.
6. The proposed scheme was discussed at the meeting of this Committee in November last year where significant support was shown for further investigation. The proposal was also discussed at the Town Centre Committee meeting in January this year with similar results. The police are also strongly in favour of the proposal.
7. The Board of the High Wycombe Town Centre Partnership have discussed the proposal and have given their support. The Board represents the business retail community within the High Wycombe Town Centre.

### Consultation

8. As a result of the above, it was considered appropriate to investigate the possible benefits of introducing a similar scheme within Wycombe town centre and a consultation exercise was undertaken to obtain the views of relevant parties.
9. This consultation was carried out with all of the affected licence holders plus other relevant bodies and individuals who may have an opinion or be able to input into the exercise.
10. A meeting with all affected licence holders was held to discuss the proposal and seek their views. The outcome of this meeting was generally favourable, although concerns were raised by some individuals that the scheme would not be successful unless all premises within the designated area participated. There was also a concern over loss of income.
11. The other significant concern which has been raised by some organisations and individuals is the likely affect of prohibiting the sales of speciality beers and ciders (most notably Special Brew and Tennents Super) which are purchased both by street drinkers and other members of the public.
12. The written responses to the consultation were generally very supportive although concerns were raised about the likely affect of the proposed boundary and resulting effects for licensed premises falling immediately outside of the area. Comments were also received in relation to anti-competition law and whether any voluntary ban would be contrary to European law in this respect.

### Conclusion

13. As a result of the consultation and the meeting with the off licence trade, it is considered appropriate that the scheme should be implemented as of the 1<sup>st</sup> April this year, although under slightly different terms from those originally proposed.

14. The proposed boundary for the scheme is still considered to be the most appropriate in the circumstances, although this will be monitored closely should the scheme be implemented and amended as required in the future.
15. The proposed limit on alcohol by volume is no longer considered to be the most appropriate means of dealing with the issue of street drinkers in light of the comments about speciality beers and ciders and other more commonly consumed types of high strength alcohol.
16. The most harmful type of alcohol in relation to the street drinking community is deemed to be white cider. The street drinkers themselves have confirmed this at meetings held by relevant bodies and have even welcomed the concept of the voluntary ban insofar as it will make the product less available to them.
17. It is therefore deemed to be most appropriate in the first instance for the voluntary ban to apply only to white cider products. This type of alcohol is predominantly consumed by the street drinking community and should therefore have no adverse affects of the availability of other forms of high strength alcohol to other consumers.

### **Next Steps**

1. Should the Committee be minded to support the proposal, the affected licence holders will be visited and offered to amend their licences to include a condition prohibiting the sale of white cider from their premises. It is proposed that the usual statutory fee would not be charged for this amendment.
2. It is proposed that the condition to be applied to any varied licences should read as follows:

“There shall be no sales of any “white cider” products permitted from the premises. White cider is defined as “cider produced with culinary or desert apples, which reduces the presence of any colour.”

### **Background Papers**

Licensing Act 2003