

Appendix 2

From whom	Comment	Paragraph Number	Response
West Midlands Ambulance Service	<p>Section 21.17 First Aid</p> <p>Guidance should be sought from the care Quality Commission – CQC.</p> <p>They are currently in the process of regulating ambulance services. Unless the provider is registered with CQC they will be unable to supply cover at the event.</p>	21.17	Paragraph amended to meet suggestion
ACS	<ol style="list-style-type: none"> <li data-bbox="387 587 1312 922">1. Thank you for offering ACS (Association of Convenience Stores-Annex 1) an opportunity to respond to your draft Licensing Policy Statement. ACS is the voice of the convenience retail sector, representing over 33,500 local shops. Alcohol is a major product category for convenience stores and ACS is committed to supporting our members to ensure they retail alcohol responsibly. ACS is also closely involved with the creation of central alcohol policy with Government. Therefore ACS has developed significant understanding of the implications of licensing reform for local shops and off licences. <li data-bbox="387 930 1312 1201">2. Our members deal with a wide variation of different local licensing policies. We have found that the most successful policies invariably involve local authorities and retailers working together in partnership to create a fair and effective licensing policy. We advise all local authorities to maintain a dialogue with their local retailers and see them as part of the solution rather than part of the problem. <li data-bbox="387 1209 1312 1319">3. Our members encounter a wide variety of different approaches between licensing authorities, which can cause problems for businesses. We would encourage wherever possible for local 		

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	<p>authorities to share best practice and to when appropriate promote consistency between different areas.</p> <p>4. Below are comments raised on specific licensing policy issues:</p> <p>Mandatory Code</p> <p>5. The Policing and Crime Act 2009 created a mandatory code of practice for all alcohol retailers. While four of the mandatory licence conditions relate solely to the on trade, one of the conditions also applies to the off trade. This states that: <i>all those who sell alcohol must have an age verification policy in place requiring them to check the ID of anyone who looks under 18 to prevent underage drinking which can lead to anti-social behaviour and put young people at risk of harm.</i></p> <p>6. ACS works closely with other industry stakeholders to ensure that there are strong and consistent proof of age schemes in place that can be used across the trade. For example, ACS helped create the No ID No Sale scheme. ACS is also a member of the Retail Alcohol Standards Group (RASG). RASG created the Challenge 21 campaign and recently coordinated its launch across the country as Challenge 25. The policy recommends that anyone who appears under 25 is challenged for ID.</p> <p>7. While the mandatory condition demands a proof of age scheme is in place, the condition does not prescribe which schemes retailers have to adopt. We support this flexibility for retailers and strongly discourage a more restrictive approach. The main responsibility of alcohol retailers is to ensure that they do not sell alcohol to those underage. They should not be dictated to on how to achieve compliance.</p>	23.16	Already included within policy
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	<p>Form of Identification</p> <p>8. It is important that there is consistency on which proof of age documents retailers are allowed to accept. ACS is a founding member of the PASS and board member of the CitizenCard proof of age scheme. CitizenCard has given out over 1.8 million cards, and offers young people who do not have a passport or drivers licence a valid form of ID. Particularly in society where identity fraud is a growing problem, it is even more important to offer a form of ID that it is not a passport or driving licence since these can facilitate fraud if lost.</p> <p>9. Government and most local authorities accept passport, driving licence and PASS card as valid proof of age. ACS urges all local authorities to adopt this position. The PASS hologram on a card is the hallmark indicating that the card issuer has passed a stringent and rigorous audit process carried out by Trading Standards Officers and that the card may be relied upon.</p> <p>10. We would also urge Local Authorities to consider how best to tackle fraudulent ID, in consultation with local retailers</p> <p>Community Alcohol Partnerships</p> <p>11. Through our membership of RASG, ACS is also heavily involved in the Community Alcohol Partnerships (CAP) initiative. These innovative projects aim to tackle the local problems with underage drinking and anti social behaviour through partnership working. CAPs brings off-trade retailers together with local</p>	<p>23:30</p>	<p>Already included in policy</p> <p>Herefordshire do not accept PASS as most of the trade are against this scheme</p> <p>We already work in partnership with premises in respect of false ID</p>
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	<p>authorities, police and schools to tackle underage drinking and proxy purchasing in a holistic way. During the schemes test purchases are not carried out; instead any problems are dealt with using communication and support networks.</p> <p>12. The project has been independently evaluated, finding a decline in offences of criminal damage some 6% greater than in non pilot areas. The evaluation is attached (Annex 2). If you would like further information about CAPs please contact ACS.</p> <p>Test Purchasing</p> <p>13. ACS believes that the Partnership approach, where retailers are not penalised but are educated and supported, is a more effective way to tackle alcohol related problems. However we recognise that test purchasing is a tool at the disposal of local authorities and that some will find it necessary to use test purchasing to tackle the small minority of problem premises that repeatedly sell alcohol to children.</p> <p>14. However if test purchasing is utilised it must be done in accordance to Government guidelines. It must be led by clear intelligence that there is a problem in with underage purchasing on a premises. It also needs to be ensured that test purchasing will target both on and off trade when required.</p> <p>15. It is important that test purchasing does not descend into a tool to “catch-out” responsible retailers, who make a genuine mistake. Guidance issued by LACORS on how to conduct a test purchase must be adhered too. Using an individual who looks much older than 18 and allowing them to lie or show fake ID is unacceptable.</p>	18.3	<p>The policy says that we will review on the first occasion. This is aimed at education rather than prosecution.</p>
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	<p>16. If a retailer does fail a test purchase, it is important that the first recourse is constructive support, rather than overzealous punishment. Punishments are effective only when they are proportionate. We support tough sanctions against persistent offenders.</p> <p>17. We also strongly advise local authorities to recommend that retailers are notified of any test purchases they have passed. This helps stores to recognise if their policy to prevent underage sales is working and facilitates a partnership based relationship.</p> <p>18. ACS supports the Local Better Regulation Office (LBRO) on Trading Places Scheme. The scheme places local authority employees with retailers so that they can see the challenges retailers face regarding underage sales on a daily basis and also understand what the retail trade is doing to tackle them. ACS advises Local Authorities to contact LBRO if they wish to partake in the scheme.</p> <p>Crime</p> <p>19. There has been proposals is some draft licensing policy statements that retailers should restrict where they place alcohol to prevent underage theft. Although it may be useful to make retailers aware of best practice, they should not be told where to place they products the sell. Ultimately the retailer will be aware of where best to place products to ensure security.</p> <p>20. It is also important that retailers are not penalised for thefts that occur in store. If alcohol is being stolen from a store then it is not the retailers fault and fully culpability must fall onto the culprit. In these incidences the retailers are victims and should be</p>		<p>Not included in policy but dealt with by way of representation where appropriate</p>
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	<p>supported. Any move to penalise retailers for thefts will be counter productive, as retailers will be discouraged from reporting crime.</p> <p>Underage Drinking and Proxy Purchasing</p> <p>21. Retail staff often face abusive or intimidating behaviour when refusing a sale. It is important that they feel sufficiently supported in their role as enforcers and local authorities have a role to play in this. Underage drinkers need to understand that it is against the law and unacceptable for them to attempt to buy alcohol. The wider community need to understand that it is unacceptable and illegal to buy or supply alcohol to a minor.</p> <p>22. Being given alcohol by a parent or friend, or buying alcohol from someone else is the most common way for underage drinkers to buy alcohol. The proportion of pupils who were given alcohol by a parent or friend has increased from 9% in 1998 to 24% in 2008. 18% of young drinkers buy alcohol from someone else, compared with 6% who buy from the licensed trade. It is clearly a route of supply which needs to be tackled.</p> <p>23. While it is currently offence to proxy purchase or attempt to buy alcohol while underage, there is little enforcement of these laws. Local licensing policies should address these issues and explore the most effective way to combat these crimes in community, rather than just targeting all their enforcement on licensees.</p>		<p>This issue is extremely resource intensive but it tackled where the problem is identified.</p>

