



ACS Submission: Alcohol and its impact on policing London's Night-Time Economy

ACS (the Association of Convenience Stores) welcomes the opportunity to respond to the London Assembly Police and Crime Committee's inquiry into alcohol and its impact on policing London's Night-Time Economy. ACS represents 33,500 local shops across the UK, and in London, there are 6,551 convenience stores employing over 51,000 people¹.

Retailers have a considerable interest in the regulatory and voluntary framework surrounding the sale of alcohol with 88% of stores holding an alcohol licence². Alcohol sales in the UK convenience market, on average, account for 13.8% of total sales³. Retailers take their responsibility for the sale of alcohol very seriously and have proactively engaged with partnerships and age verification schemes including 'Challenge 25', Community Alcohol Partnerships and the Retail of Alcohol Standards Group's responsible retailing best practice guide.

ACS has limited data on the late night economy in London and the impact that convenience stores have on the night time economy. However we have outlined our position to the London Assembly on the general principles to reduce alcohol-related harm. ACS is keen to work with London agencies to help them engage and work with convenience retailers.

ACS has answered the relevant consultation question below:

What are licensing authorities doing to prevent alcohol-fuelled crime and anti-social behaviour, and what more could help them carry out their duty?

Licensing authorities already have the power to prevent alcohol-fuelled crime by removing licences from irresponsible retailers who breach licensing conditions. The best practice guidance produced by the Retail of Alcohol Standards Group (RASG) sets out the extensive legislative framework that the retail industry must adhere to sell alcohol, including: age restricted sales, pricing, promotion of alcohol, home delivery and local engagement.

Unfortunately licensing authorities often fail to use the full suite of existing powers. ACS strongly believes that enforcement action should be focused on removing their alcohol licences from irresponsible retailers. We believe that the quality, not volume, of retailers will have the greatest bearing on reducing alcohol harm.

Non Duty Paid Alcohol

Non-duty paid alcohol remains a significant issue which costs the Exchequer £1.2 billion⁴ a year. Non-duty paid alcohol is often the forgotten issue in the alcohol policy debate but a strong correlation exists between retailers selling non-duty paid alcohol and breaching other licensing conditions. Therefore, tackling alcohol duty fraud by removing licences from

¹ [ACS Local Shop Report 2015](#)

² [ACS Local Shop Report 2015](#)

³ [ACS Local Shop Report 2015](#)

⁴ HMRC Measuring Tax Gaps 2015 Edition

retailers will not only reduce alcohol-related harm caused by counterfeit and non-duty alcohol but also reduce associated alcohol-related harm. We would like to see licensing authorities take more action in this space.

Availability

There has been extensive debate about restricting the availability of premises to reduce alcohol harm. We do not believe limiting the number of off-trade premises through Cumulative Impact Policies will reduce alcohol-related harm. Despite claims that a cap on the number of off trade premises would affect the level of alcohol harm no causal link has been established⁵. Limiting licences only deters new stores from opening and protects businesses operating irresponsibly. ACS believes that to prevent alcohol-related harm, the agencies must focus on the quality and compliance of retailers in the market and not on the volume.

The introduction of CIP policies will also have serious implications for investment on high streets at a time when vacancy rates across the UK remain stubbornly high at 12.7%⁶. It will also limit communities' ability to access a range of other essential services offered by local shops such as bill payment services (53%), Post Office (20%), and free to use cash machines (38%). ACS' Community Barometer⁷ identifies that convenience stores are in the top three businesses on high streets that have the most positive impact on communities.

We urge the London Assembly to consider the wider implications of CIPs and whether evidence can be produced to link individual premises with alcohol harm. For reference we have included a case study from a store in Scotland which has been impacted by 'overprovision policies' that have been introduced in some areas⁸.

Industry led initiatives

Non Duty Paid Alcohol

ACS is working with HMRC by chairing the Joint Alcohol Anti-Fraud Taskforce Illicit Trade at Retail Level Working Group to encourage local authorities to use their existing licensing powers to remove licences from retailers involved with duty fraud. As part of the Working Group, ACS is currently updating its guidance for convenience retailers on 'Tackling Alcohol Fraud'⁹ which we continue to promote to retailers. The guide includes information on how to spot duty-fraud, the penalties for participating in duty fraud and how to report suspected duty fraud in their area.

We also commend the work that Islington Council has done to tackle this problem and we would like to see other London councils using their framework and approach.

Retail Alcohol Standard Group (RASG)

⁵ Alcohol Concern's/ University of West England Report: [One on Every Corner](#) states in its methodological qualification that it does not prove a cause and effect of alcohol harm and availability. Also lack of reliable health data and exclusion of regions undermines the report's assertions.

⁶ [Local Data Company 2015](#)

⁷ [ACS Community Barometer 2015](#)

⁸ [Scotfresh Overprovision Case Study](#)

⁹ [ACS Tackling Alcohol Duty Fraud Guide](#)

RASG is made up of the UK's leading alcohol retailers. As part of the Government's Responsibility Deal, the group committed to producing best practice guidance for the sale of alcohol in England and Wales. The guidance sets out legislative compliance necessary the industry must comply with. The guidance¹⁰ also includes the self-regulatory measures that retailers can take such as engagement with local authorities, instore signage and staff training.

ACS is a member of RASG and we have committed to promoting the guidance to our members and encouraging its take up. The guidance has been communicated across our membership and promoted at industry events such as our Responsible Retailing Forums in March 2015 and November 2015. This guidance will be reviewed annually in conjunction with the Home Office to ensure it remains up-to-date and addresses the latest challenges in the alcohol harm debate.

Community Alcohol Partnerships

The retail industry funds Community Alcohol Partnerships (CAPs), which are locally based projects that aim to tackle underage alcohol sales and the associated anti-social behaviour. CAPs take a partnership approach to bring together local retailers, licensees, trading standards, police, health services, education providers and other stakeholders. There are currently 88 CAP schemes in operation which have been developed over 8 years. There are quantifiable benefits¹¹ from CAPs showing a reduction in anti-social behaviour and underage sales.

'Reducing the Strength' Schemes

Over recent years there has been a proliferation of 'Reducing the Strength' schemes, including the establishment of 33¹² 'schemes in London boroughs. Whilst some of our members have set up and led these schemes, others are reluctant to engage because of the competition risks and legal implications.

A number of our members have engaged with 'Reducing the Strength' schemes across the country, including East of England Co-Op who played a fundamental role in supporting the scheme in Ipswich. However, we urge the London councils to consider carefully the legal and practical issues related to these schemes. Badly managed schemes can put retailers at risk of breaching competition law. For example, if a local authority organises a meeting with retailers and they share their business strategy by agreeing not to sell certain products, the retailers have breached competition law. We have advised our members to assess 'Reducing the Strength Schemes' on a case by case basis depending on their proposed targets.

We believe 'Reducing the Strength' schemes should only be used by local authorities if they take an inclusive approach and targeted action to address a specific problem in a particular area. ACS produced retailer guidance¹³ on 'Reducing the Strength' schemes which is designed to help convenience stores understand the competition risks when considering joining a scheme. If councils do wish to establish a scheme to tackle street drinking, we urge

¹⁰ [RASG: Guidance for the responsible retailing of alcohol in England and Wales](#)

¹¹ [Community Alcohol Partnership Progress Report 2015](#)

¹² BBPA Internal Figures

¹³ [ACS Reducing the Strength Guidance](#)

them to follow the guidance from the Local Government Association¹⁴ and the Competition and Markets Authority¹⁵ in order to establish a legal scheme.

For more information on this submission, please contact Julie Byers, ACS Public Affairs Executive at Julie.Byers@acs.org.uk or call 01252 515001.

¹⁴ [LGA Reducing the Strength Scheme Guidance](#)

¹⁵ [CMA High Strength Alcohol Schemes Guidance](#)