

ACS Submission: Working Together to Reduce Harm Delivery Plan (2016-18)

ACS (the Association of Convenience Stores) welcomes the opportunity to respond to the Welsh Government's consultation on the Working Together to Reduce Harm Delivery Plan (2016-18). ACS represents 33,500 local shops across the UK, which employ more than quarter of a million staff. In Wales, there are 3,167 convenience stores, employing over 25,000 people. ACS supports the Welsh Government's aims to tackle alcohol misuse by raising awareness of alcohol harms and continued partnership working with the alcohol industry.

Retailers have a considerable interest in the regulatory and voluntary framework surrounding the sale of alcohol with 88% of stores holding an alcohol licence¹. Alcohol sales in the UK convenience market, on average, account for 13.8% of total sales². Retailers take their responsibility for the sale of alcohol very seriously and have proactively worked with the Welsh Government to create both a regulatory and voluntary framework to deliver responsible retailing and marketing of alcohol products.

ACS has answered the relevant consultation questions below:

Are the broad actions the right ones to achieve these outcomes?

Key Aim 1 – Preventing Harm

Outcome 1. People are able to make informed choices in order to prevent and reduce the harm associated with substance misuse

Raise awareness of the harms associated with substance misuse and risky behaviours in the general population.

vi) *“WG to raise awareness of alcohol misuse issues through Alcohol Concern Cymru. Including but not limited to:-*

- *Challenging the role of the alcohol industry*
- *Opportunities for intervention*
- *Sport and alcohol”*

There are a range of partnership initiatives working to support people to make informed choices and prevent alcohol related harm. The Local Alcohol Partnership Group³ brings a range of these partners together including Community Alcohol Partnerships (CAP). The Welsh Government Alcohol Industry Network has recently worked with CAP to ensure the development of new projects in Wales and it is important that the Welsh Government continue to utilities these schemes. ACS recommends that the Welsh Government build in a

¹ [ACS Local Shop Report 2015](#)

² [ACS Local Shop Report 2015](#)

³ [Local Alcohol Partnership Group](#)

broader network of partnership initiatives, in addition to Alcohol Concern Cymru, to tackle and raise awareness of alcohol related harm.

vii) “WG to implement the outcome of the UK Chief Medical Officers’ review of the current alcohol guidelines including advice given to pregnant mothers”

The implementation of the outcome of the UK CMO review of current alcohol guidelines will affect our members. Retailers who have own-brand products will have to adapt their alcohol labelling to ensure that they are compliant or risk breaching EU Food Information to Consumers Regulations, while general retailers will need to ensure their alcohol stock features current alcohol unit labelling or face enforcement action.

In the interim period while final wording and timescales have been established, the Food Standards Agency has sent a letter to local authorities which urges that no enforcement action to be taken on the “basis of out of date CMO guidance appearing on labels of alcoholic beverages”. While we welcome the clarification from the Food Standards Agency, ACS is recommending to Department of Health that once wording has been finalised, they must ensure that retailers will have a long enough sell-through period to sell stock with labelling referring to the out of date CMO guidance.

We have urged the Department of Health to continue to consult and work with the industry during the implementation of the new CMO guidance on alcohol labels. This will ensure that the changes to labelling will not disproportionately burden the alcohol industry.

Key Aim 2: Support for substance misusers to improve their health and aid and maintain recovery

Outcome 3. The general health and wellbeing of people with substance misuse issues are improved and related health inequalities are minimised.

Reduce the amount of alcohol related illness and the number of alcohol related deaths in Wales.

i) WG to review the responses to the consultation on a draft Public Health (Minimum Price for Alcohol) (Wales) Bill and consider next steps.

While we welcome the published summary of responses to the consultation on the introduction of minimum unit pricing (MUP) for alcohol, ACS urges the Welsh Government to await the final ruling from the Edinburgh Court of Session on the legal challenge from the Scotch Whisky Association on the legality of MUP before it proceeds with next steps. The Welsh Government should not proceed with the implementation of MUP if the Court rules it illegal.

ACS responded to the Welsh Government’s consultation on the “Draft Public Health (Minimum Price for Alcohol) Bill”, which can be found [here](#).

ACS is not convinced that the introduction of MUP would have a significant impact on alcohol related harm. In our submission, we raised concerns that it would act as a blunt instrument instead of focusing on harmful drinkers who need more support to curb their consumption.

We also raised concerns that the Welsh Government does not hold power over the alcohol licensing system which makes it unclear whether the implementation of MUP in Wales would be legal. In response to the Welsh Government's proposals to introduce MUP through a new mandatory condition within the Licensing 2003 Act, we asked for clarity over the legality of the proposals.

Key Aim 4: Tackling Availability and protecting individuals and communities via enforcement activity

Outcome 9. People are / feel safer in relation to crime

Reduce the inappropriate availability in alcohol in Wales

- i) *WG to work with Alcohol industry to ensure safe drinking messages are promoted in licensed premises.*

We welcome the reference to continued partnership working with the alcohol industry to reduce alcohol related-harm through promotional material. ACS currently promotes best practice by encouraging our members to use Drinkaware material in-store where alcohol products are sold. We urge that any measures taken to promote safe drinking messages within licensed premises are on a voluntary basis.

The industry has done good work to promote the use in 'Challenge 25' age verification schemes in their stores. This is one of the key drivers in reducing underage sales over the last decade. ACS also has an assured advice scheme delivered by Bridge End Authority in Wales to give retailer complete legal assurance about how to prevent underage sales in stores. ACS' Underage Sales Guidance is available [here](#).

Key Aim 4: Tackling Availability and protecting individuals and communities via enforcement activity

Outcome 10. A safe and vibrant night time economy is fostered across Wales.

Ensure that people taking part in the night time economy are able to do so safely.

- i) *APBs to engage with relevant groups in order to implement the SMTF 'Night Time Economy' due to be published in March 2016.*

We welcome continued engagement with industry on the implementation of the SMTF 'Night Time Economy'. ACS previously responded to the Welsh Government's consultation on "A Framework for Managing the Night Time Economy in Wales". Our response can be found [here](#).

- ii) *WG to review the current evidence around the effectiveness of alcohol unit labelling.*

As outlined above, retailers will be affected by any changes to alcohol unit labelling. Therefore, any review of current evidence around the effectiveness of alcohol unit labelling

must be done in consultation with the industry. This is to ensure that any outcomes from the review do not place further burdens on the alcohol industry.

- iii) *WG to continue to push for a reserved powers model that provides the Welsh Government with the powers to tackle alcohol related harm in Wales.*

ACS believes licensing powers should be retained at Westminster. Devolving licensing powers to Wales would add further complexity to the existing licensing system for retailers who trade across the United Kingdom. 25% of convenience stores are operated by multiple companies⁴ (which are more likely to trade across the UK). Consistency in licensing legislation makes it easier for retailers trading across borders to be compliant with legislation.

Are there any other specific actions under Key Aim 1 we should be taking to prevent harm?

We recommend that the Welsh Government include reference to tackling the illicit alcohol market as a way to reduce alcohol-related harm in the delivery plan. The illicit alcohol trade currently costs the Exchequer £1.2billion⁵ a year and research from Portsmouth Council has shown a strong correlation between retail premises selling illicit alcohol and breaching other licensing conditions.

As such, it is fundamental that retailers trading irresponsibly are targeted by local authorities. We urge the Welsh Government to encourage local authorities to use their existing powers to remove alcohol licences from retailers selling non-duty paid alcohol. Targeting retailers operating illegally is a more effective way of ensuring better responsible retailing of alcohol than imposing further regulatory restrictions.

Are there other specific actions we should be taking to tackle availability and protecting individuals via enforcement activity?

We have no recommendations for any additional actions to tackle availability and protecting individuals via enforcement activity. However, we recommend that the Welsh Government continue working with industry to reduce alcohol-related harm by promoting partnership working through initiatives including Community Alcohol Partnerships.

Partnership working plays a vital role in reducing alcohol-related harm. Retailers have already taken proactive action to tackle alcohol-related harm by participating in partnership initiatives. For example, convenience retailers have the opportunity to participate in Community Alcohol Partnerships (CAP), which bring together local retailers and licensees, trading standards, police, health services, education providers and other local stakeholders to tackle the problem of underage drinking and anti-social behaviour. There are currently 88 CAP schemes in across the UK, 4 of which are located in Wales⁶. We would welcome any further support that the Welsh Government could offer in promoting these successful and effective partnerships across Wales.

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

⁴ ACS Local Shop Report 2015

⁵ HMRC Measuring Tax Gaps 2015

⁶ [Community Alcohol Partnerships](#)