

Implementation of the Licensing Act 2003: A national survey

Background

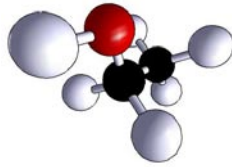
The Licensing Act 2003 (The Stationery Office Ltd 2003) came into force in November 2005 following a nine month transition period from February 2005. The Act transfers decisions on liquor licensing from committees of magistrates to local authorities and seeks to establish a single, integrated licensing system to include the regulation of personal licences, premises licences, club premises certificates, and powers of enforcement. The system of licensing has four fundamental objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance and
- the protection of children from harm.

The Licensing Act should also be considered alongside the *Alcohol Harm Reduction Strategy for England*, (The Prime Minister's Strategy Unit 2003; 2004) and subsequent strategy outlined in *Safe. Sensible. Social. The next steps in the National Alcohol Strategy* (HM Government 2006). The Home Office and the Department of Health have been nominated as the lead departments in furthering the national strategy, although other departments are also involved.

Alcohol policy statements have aroused a storm of controversy in the media and in relevant academic and professional journals with particular emphasis on the conflict of interest between the alcohol industry and groups representing health and crime and safety priorities. Much of the debate revolves around the rationale and evidence for permitting 24-hour licensing. Critics have rejected the argument that extended licensing hours will reduce harm and contribute to the creation of a more 'continental' or 'café' style of drinking.

This project aimed to investigate perceptions of the first year of implementation of the Licensing Act and to consider the extent to which extended licensing hours had resulted in changes in alcohol-related harms.



Methods

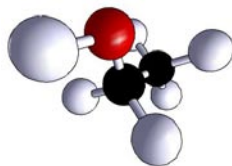
A telephone/ email survey was conducted aiming to capture the views of key informants - chairs of licensing committees and heads of local licensing teams - in each of the 356 local authorities of England. The questionnaire took approximately 10-15 minutes to complete. It mainly consisted of structured questions but there were also a number of opportunities for the respondents to expand on their answers. The following information was requested:

- General profile of the area with reference to variables that could impact upon drinking patterns - e.g. predominantly urban, rural or mixed, economically advantaged/disadvantaged/mixed.
- Whether a decision had been taken to create a “Cumulative Impact” area and the Stakeholders/evidence used in coming to such a decision.
- The numbers and types of applications/appeals- how disputes were resolved
- Allocation of resources/level of costs/ training
- The impact of the Licensing Act upon the following: a) noise and disturbance levels, b) variety of licensed premises, c) alcohol related crimes and d) underage drinking e) drink driving.
- Perceptions of the influence of different stakeholders in licensing decisions (police, health professionals, local residents and licensees).
- Similar questions relating to the stakeholders involvement in reviewing and monitoring the Act.
- Questions concerning the political make up of the Council and whether licensing decisions were seen as “political”

Key Findings:

In total 225 (63%) of 356 local authorities in England were surveyed (including City of London and Isles of Wight). Of these n=53 (23%) were completed by the Chairs of the licensing committee, n= 168 (74%) by heads of the licensing team and n=4(3%) by other members of the licensing team.

The majority (63%) described their area as mixed, whilst 28% felt it to be urban and 21% rural. In terms of economic ranking, 63% rated their area as “mixed”,



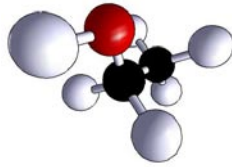
19% as economically advantaged and 18% as economically disadvantaged. The self-reported economic ranking showed a level of agreement ($p < 0.001$) with a deprivation index compiled by Office of Deputy Prime Minister (2004).

The main findings of the study were as follows:

- The perception of those surveyed was that the effect of the Licensing Act 2003 had been largely neutral. There had been little change in noise levels, alcohol-related violence/fights, drink driving, alcohol-related crime and under-age drinking.
- Very few cumulative impact /saturation areas had been created. Virtually all had been created in urban areas in response to concerns from the police around crime and disorder and binge drinking.
- The general perception was that police activity had increased since the introduction of the Licensing Act especially in urban and mixed areas.
- There was a tendency towards greater stakeholder involvement in urban areas. This reflects an impression from the data that the changes introduced under the Licensing Act 2003 are responses to largely “urban issues.”
- There were more applications for extended hours than new off/on-licenses; new off licenses were more common in urban areas.
- New applications for public houses were more common in disadvantaged areas. This suggests that in some areas the Licensing Act has been seen as opening an opportunity for economic growth.
- There is a need for continued evaluation of the impact of policies, including the Licensing Act 2003, on changes in alcohol consumption and on drinking cultures. In particular, the differential effects of alcohol policy in advantaged and disadvantaged areas and in urban centres, suburban and rural areas warrants further attention.

Issues for Policy

There are a number of powerful players in the area of alcohol licensing, most notably criminal justice, health, the alcohol industry and increasingly large supermarkets and off-licenses. Each of these players has been putting their own particular “spin” on the data that has emerged on the impact of the Licensing Act. Most of



these representations have been based upon localised data. Our study suggests that, contrary to much of the media reports, the impact of the Licensing Act has been largely neutral. However a number of riders should be added: a “true picture” of the changes introduced may not emerge for a number of years and in terms of health consequences, many years. Since the Licensing Act is just one of a number of changes aimed at reducing alcohol-related harm and promoting “sensible drinking”, evaluation of the impact of the Licensing Act 2003, in isolation from other interventions, is likely to prove difficult. There have been a number of initiatives that have coincided with the introduction of the Licensing Act, such as pilot home office schemes aimed at reducing the impact of alcohol-related crime and disorder, and measures to address under age drinking such as “pub-watch”, to name but two. Equally important, results from our national survey suggests the importance of greater police alcohol-related activity and that the police have played a crucial role in local decision-making since the implementation of the Licensing Act. The increase, decrease or maintenance of police activity is likely to be a major factor in future implementation of the Act and other measures designed to reduce alcohol-related harms at local level.

Thus it is important that monitoring is undertaken that attempts to disentangle the impact of different initiatives; monitoring also needs to be continued over a long period. (This is essential to enable a true picture of the possible health consequences of the changes to emerge). When assessing the impact of the Licensing Act it is much too simplistic to consider the impact of greater flexibility in alcohol licensing in isolation from other changes introduced.

References:

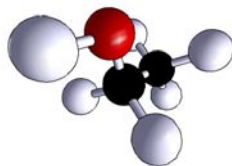
Home Office (2007) *Safe, Sensible, Social. The next step in the National Alcohol Strategy*. London, Home Office.

Office of Deputy Prime Minister. (2004) *The English Indices of Deprivation 2004: Summary (revised)*. London, HMSO

The Prime Minister’s Strategy Unit. (2004) *Alcohol Harm Reduction Strategy for England* Cabinet Office, London (www.strategy.gov.uk)

54

ALCOHOL INSIGHT



The Prime Minister's Strategy Unit. (2003) *Alcohol Project: Interim Analytical Report* Cabinet Office, London (www.strategy.gov.uk)

The Stationery Office Ltd. *Licensing Act 2003* ISBN 010 541 703 3, London. See also The Licensing Act 2003 (Transitional Provisions) Order 2005 No. 40 www.culture.gov.uk/alcohol_and_entertainment

Research Team:

John Foster, Rachel Herring, Seta Waller, Betsy Thom School of Health and Social Sciences, Middlesex University. Correspondence to Dr. John Foster

Enquiries to:
Contact Dr John Foster:
email: J.Foster@mdx.ac.uk

ALCOHOL INSIGHTS
Alcohol Insights are brief summaries of the findings made from research or development grants. They may be copied and used without permission provided that the source is attributed to the AERC.
Further information about *Alcohol Insights* can be found at www.aerc.org.uk or email: info@aerc.org.uk