

EAST AYRSHIRE COUNCIL

LICENSING FORUM

LICENSING LAW AND THE IMPACT OF THE PUBLIC HEALTH OBJECTIVE - A REVIEW PAPER

1. PURPOSE

- 1.1 To provide the licensing forum with an overview of a research paper commissioned by Alcohol Focus Scotland examining the impact of liquor licensing on public health.

2. BACKGROUND

- 2.1 The Licensing (Scotland) Act 2005 contains five key objectives that Licensing Boards must consider prior to granting a license. The Licensing (Scotland) Act 2005 also requires licensing boards to produce policy statements indicating how they will address each of the objectives.
- 2.2 In 2008, Alcohol Focus Scotland commissioned a literature review to see if there is any evidence that shows the impact of licensing law on the wider health of a population.
- 2.3 This literature review also included a review of Licensing Board's policy statements to gauge how Licensing Boards were indicating how they were going to tackle the public health objective.

3. FINDINGS

- 3.1 Some conflict and tension appears to exist around the issue of licensing law and the public health objective since on the one hand licensing law is focused on the control and sale of alcohol involving an industry that focuses on increasing those sales within a regime that has increased availability and access to alcohol, and on the other hand there is a public health agenda that focuses on reducing the harm of alcohol on the population.
- 3.2 Unsurprisingly, there is very little evidence that focuses on the positive use of licensing as having an impact on public health. The evidence that is available focuses on the negative impact on public health of liberalisation of licensing legislation and, in particular extended opening hours. This mainly international evidence shows a high correlation of the relaxation of licensing regimes to increases in consumption, increased crime and disorder and increased hospital attendances.
- 3.3 Several research studies have been conducted in England following the implementation of The Licensing Act 2003, however given this act does not include the 'public health' objective the focus of research around this act is on the impact on public safety and crime and disorder.
- 3.4 The studies available that do examine the health impact of the Licensing Act 2003 appear to show that since licensing regulations in England and Wales were relaxed

there has been no associated increases in consumption or increased attendances at hospitals for alcohol related illnesses.

- 3.5 Many Licensing Boards in Scotland within their policy statements have addressed the issue of public health by focussing on demand reduction via provision of information relating to alcohol units and safe drinking levels. Despite this approach also being one favoured by U.K Governments and their industry partners, no evidence exists as to its effectiveness.
- 3.6 Strategies that reduce harm such as cheap late night transport, shatterproof glass, staff training, availability of food and water are viewed as positive elements within the public health licensing objective.
- 3.7 Of the 32 Licensing Board policy statements examined, 14 local boards (44%) produced detailed sections on how as a board they will address issues concerning public health. Twelve of the boards (37.5%) considered the topic with a brief specific standard mention, whilst 6 local boards provide no specific mention at all with regards to the key objective of public health.
- 3.8 Licensing Boards that make specific mention of the public health objective within their policy statement have included the need for a multi agency approach by engagement with local Alcohol and Drugs Action Teams (ADAT's) and Community Safety Partnerships, as well as encouragement to provide food, reasonably priced non alcoholic drinks and free and accessible tap water.

4. RECOMMENDATIONS

- 4.1 The Licensing Forum is asked to:
 - i) keep under review the public health objective contained within the Licensing (Scotland) Act 2005
 - ii) recognise the limited research evidence available in support of the objective; and
 - iii) otherwise, note the content of the report.

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