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Research by Design Ltd.

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Case studies from across the UK of innovation, good practice and productive cooperation in encouraging and enforcing compliance with laws banning sale of alcohol to under-18s and reducing related public nuisance, offering road-tested good ideas for other areas.

Summary In 2008 the British government's [Local Better Regulation Office](#) (now dissolved) commissioned evaluations of several work-based projects focused on preventing underage access to alcohol, improving compliance with the Licensing Act 2003, and reducing alcohol-related harm. Projects intended to tackle under-age drinking and its consequences were selected to provide examples of good practice by local enforcement authorities across the UK. They were based in Blackpool, Lancashire, Brighton and Hove, Cambridgeshire, Aberystwyth, and in respect of under-21 ban schemes, in Redcar and Cleveland, Armadale in West Lothian, Stenhousemuir, and Hampshire. Details were gathered from the local authorities and police responsible for developing initiatives to reduce underage access to alcohol, information available in the public domain, and a telephone survey. The featured report details each example. What follows is based on the concluding remarks and recommendations.

Conclusions

Surveys of licensees demonstrated an overwhelming desire by most to comply with the Licensing Act 2003 in a coordinated approach in which everyone is working together to prevent underage access to alcohol and prevent alcohol-related crime and disorder. Licensees reported that young people trying to buy alcohol is the most common problem across the study areas. Refusal results in staff being verbally abused, intimidated and threatened.

These problems have given rise to the use of tools and the development of initiatives to address them by local authorities, the police and other partners. Licensees wanted to be involved in these initiatives because they helped them comply with legislation as well as

contributing to a reduction in anti-social behaviour, an improved working environment for their staff, and a better shopping environment for their customers.

The national Think/Challenge campaign encourages retailers to refuse sales of age-restricted products to anyone who appears to be under the age of 21 or 25 and who does not have an acceptable form of photo identification proving their purchase is legitimate. Among licensees awareness of the campaign was high, as was participation. By and large it is considered a very effective initiative.

Most licensees were also aware of test purchasing exercises undertaken by their local enforcement authorities, in which people who might be under age try to purchase alcohol and the results are monitored by enforcement authorities. Awareness was at its height in Blackpool, where there is 'zero tolerance' to under-age sales. The featured study found that authorities which each year test-purchase at least 15% of their licensed premises achieve a higher level of licensee compliance (ie, requiring ID to prove legal purchase age) than those which test far fewer. Test purchase exercises are generally readily accepted and felt to be effective, though a minority of licensees are critical. Their effectiveness is questioned when the purchasers or the circumstances of the purchase make it obvious that it is a test purchase, or where the exercise has been leaked, so staff are on their guard. Effectiveness is also questioned when premises caught selling to underage volunteers are seen as not adequately punished, considered unfair to those who stick rigidly to requiring ID from young people before a sale. Some licensees would prefer the resources to be used to help them prevent sales in-store and to catch 'proxy' purchasers buying drink for underage drinkers, and there are also those who argue that test purchasing is an attempt by the enforcement authorities to 'catch them out', especially when volunteers look over 18. These licensees are clearly not as engaged with the Think/Challenge campaigns as they might like to believe and have clearly not bought into the message 'no ID, no sale'.

Licensees commented about the justice and fairness of punishments and trading environments in relation to several issues. Those working hard to comply with legislation and turning away sales want to see those less vigilant caught and appropriately punished. They also want fairness – all premises competing on a level playing field. This is especially relevant in the under-21 ban areas, where licensees voluntarily agree not to sell alcohol to anyone under the age of 21 years at certain times, normally Friday and Saturday nights. It was felt that no one premises should be permitted to opt out and achieve financial gain at the expense of others. Perceived lack of fairness simply leads to resentment and a breakdown of the schemes.

Under-21 bans have acted as a quick way to reduce the number of young people hanging around off-license premises on Friday and Saturday evenings, and to reduce anti-social behaviour. Formed in tight geographical areas (restricted to suburbs of larger towns and cities or small easily defined areas within towns), the bans have been most effective when all licensees in off-sales premises have agreed to take part. However, these measures can create dispersion problems for other areas, highlighted by the number of surrounding towns and communities which subsequently requested participation in the schemes. Effectiveness has undoubtedly been improved when coupled with other initiatives, such as neighbourhood police teams and more robust enforcement against anyone caught buying, selling or having alcohol about them in a public place.

Licensees engaged in localised community schemes felt most informed and supported. Support from enforcement authorities was welcomed, enforcement activity being seen as reducing anti-social behaviour and improving compliance levels. Engagement and partnership working can deliver real benefits for the community as a whole. Placing enforcement officers in high-risk premises to support licensees and their staff and deter underage alcohol purchase attempts is welcomed, as is having the phone numbers of local enforcement officers who can respond quickly to underage purchase attempts. Licensees also requested more promotional material that can be used to raise awareness and to support them in refusing underage sales.

Often local media stories highlight premises which have failed a test purchase attempt. Licensees also asked to be informed when their premises has been included in a test purchase exercise and found to be compliant, evidencing a desire to engage more fully with the regimen and be reassured that staff are behaving correctly.

Some licensees resent being penalised for an inadvertent sale when young purchasers are unpunished and no deterrents are applied. When an underage sale takes place, most think they would be served with a fixed-penalty notice not recorded as a criminal conviction. Others think they would be required to attend a licensing review, but very few identified a court appearance as a likely penalty. A statutory defence to an offence of underage selling is that the seller has taken all reasonable precautions and exercised all due diligence to prevent an offence being committed. In addition to having other measures in place, a seller should if in any doubt ask for age-related identification. In this respect it would help if community safety partnerships were able to fund the **free and widespread issue** of proof-of-age cards to young people. Working with licensees would enable them to identify fake cards, and such schemes would reduce dependence on young customers producing a passport or photo driving licence, documents with a street value which makes them liable to theft.

Multiagency approaches have been a key to the success of the case study projects. In Aberystwyth the licensed trade, university and various council departments were being blamed for noise and disturbance in the town at night, but once they all met, it became apparent that no one sector was to blame. Working together, they have been able to deliver **real improvements** for the town. Licensees agreed to notify police of any forthcoming large event so relevant agencies can put in place plans and resources to deal with it in a proactive manner, rather than having to react to problems as they arise on the night. The role of the Night Time Economy Co-ordinator has been pivotal.

To varying extents, many case study areas have included educational elements to change the local drinking culture. Lancashire in particular has taken an expansive **educational route** to promote cultural change as the basis for its initiatives.

One of the learning outcomes of the featured study has been that projects can be more effectively delivered with increased financial efficiency when funding is in place prior to delivery. Of the difficulties identified in delivering these multi-agency projects, funding stands out. Often success depends on the ability to attract funding from within a local authority, the police, or by way of grant from elsewhere. Unless a project has only a short life, and funding by way of a grant is preferable, multi-agency projects need to be built into mainstream funding or baseline budgets.

Key recommendations

- Initiatives should be developed and implemented through collaborative working with all parties that have an interest in preventing underage access to alcohol and alcohol-related crime and disorder, including licensees.
- All parties should be kept informed of the progress and successes of initiatives including the outcomes of test purchases.
- Licensees should also be regularly reminded of the support available from the police and enforcement officers to overcome specific problems and encouraged to use it.
- Licensees should be advised when enforcement officers are working in their area and they should call in, even if briefly, to raise their awareness and visibility.
- Proof-of-age cards should be readily available within local communities, free of charge, to give the cards the focus licensees require and to marginalise fake IDs.
- More extensive training should also be available to licensees on how to identify fake IDs.
- Greater efforts need to be made by enforcing authorities to clamp down on **proxy** sales.
- Licensees should be supplied promotional materials to support them in avoiding underage sales.
- Adequate funding needs to be identified to support multi-agency projects prior to service delivery.

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