

Swindon Borough Council submission to Home Office consultation 'Rebalancing the Licensing Act'

We welcome the principles underlying the proposed overhaul of the legislation and the imagination which has been shown in many of the points of detail. There are some gaps and some unintended consequences, which we will address in our detailed responses to the questions which have been posed.

Question 1: What do you think the impact would be of making relevant licensing authorities responsible authorities ?

Some clarity is needed over what this would mean. Empowering licensing officers to bring their professional expertise to bear by making recommendations and providing a detailed context for decision-making would be a major boost to the interests of local communities, whilst enabling a more forthright defence of local businesses against complainants who have a hidden agenda. At present, the agenda is set in an arbitrary way by the scope of lay representations, which are generally of a very poor standard evidentially, notwithstanding the very real concerns which they attempt to express. Leaving discretion entirely in the hands of licensing officers or making their discretion subject to political control would undermine trust and the important partnership between officers and elected members. Members of the Licensing Committee should have the power to request that any licence is 'called in'. It may be appropriate to have such requests sanctioned by the Chair of the committee, although that might properly be a matter for local discretion.

The main impact of this move would be to speed up examination of a problem, if the responsible authorities are dragging their heels on bringing a review. Such delays do happen. The danger of course is that the licensing authority will be left high and dry, with responsible authorities refusing to supply any data by way of further representations. The matter having been heard without proper backing, further examination of the problem would be blocked. Where the licensing authority itself launches a review, a formal obligation should be placed on any other nominated responsible authority identified by the authority as being a key player to provide a comprehensive report on the situation from their perspective, where a proper amount of information has not been provided in the form of a representation. In other words, they should not be allowed to sit on their hands, on the basis that it was "not their idea".

A possible unintended consequence of this proposal is that responsible authorities may deliberately keep licensing officers in the dark, so as not to provide them with the ammunition needed for a review. Any such behaviour should lay those individuals and organisations open to disciplinary sanctions.

Question 2: What impact do you think that reducing the burden of proof on licensing authorities will have ?

There is a real risk of any change in this regard being illusory. At present, hearings are supposed to be a relatively informal directed 'discussion'. It is possible to conduct them in that way but the reality is always that the rigours of appeal and potential judicial review force them into the straitjacket of highly formalised judicial structures. Changing the rules for evidence in hearings would not necessarily create the same flexibility further up the line. In reality, all hearings are conducted on the basis that legal challenge is a significant risk. The need to protect taxpayers' money means that a proper level of caution is exercised. It has been suggested that requiring all off licences to label bottles and cans indelibly to identify the seller would greatly advance the licensing objectives. At present, licensing authorities are dissuaded from this by the requirement to show that it is 'necessary'. If this is amended to 'desirable' the case is self-evident. The challenge then is whether it is a reasonable and proportionate burden. This is one of several areas in which a national lead is more appropriate than the exercise of local discretion. If it is a good idea it should apply everywhere.

Question 3: Do you have any suggestions about how the licence application process could be amended to ensure that applicants consider the impact of their licence application on their local area ?

One of the key aims of the review is to cut out some of the huge weight of gratuitous bureaucracy associated with making an application. The danger of this proposal is that it could mound up yet more red tape. For the benefit of applicants and authorities alike, it would be helpful to have a range of standard templates available, setting out a model scenario and model safeguards. The previous administration baulked at 'standard conditions' but the reality is that off the peg solutions are efficient and elegant. They would allow for some fast-tracking, where the proposal is a standard one. An off-licence and general store on a deprived estate in Swindon is the same as one in Colchester or Exeter. There is no need to re-invent the wheel. The same is true of a high street department store selling hampers with wine included at Christmas. "This is [for example] a standard 11b type application" should be enough to encompass at least 80% of applications, saving a huge amount of administrative effort and freeing up resources to concentrate on areas of real challenge. To some extent, this simplification could encourage the adoption of low risk models, such as closing an off licence in the early evening. Whether submitted by amateurs or professionals, the quality of licensing applications is typically very low. Experience has shown that without explicit prompts, submissions usually have little coherence or relevance. In the more complicated cases, it might be possible to take the nearest match available from the set of standard templates and then address the differences from there. Left to their own devices, applicants will never refer to or consider the nature of the area in which they wish to operate. They will do so only if they are asked explicit questions. The inevitable consequence of doing so would however be to place a massive burden on public authorities. Applicants will expect relative crime statistics to be provided to them by the police and they will expect noise enforcement teams to draw up sound-proofing measures for

them. In some cases, they will resort to the Freedom of Information Act to force public authorities to do free consultancy work for them.

Question 4: What would the effect be of requiring licensing authorities to accept all representations, notices and recommendations from the police unless there is clear evidence that these are not relevant ?

This suggestion supposes that submissions from the police are always coherent, properly evidenced, proportionate, reasonable and constructive. The proposal is a potentially dangerous one. It could facilitate the bullying of businesses by the police and make possible wide disparities in practical policy brought about by little more than the personality of a particular senior police officer. The police are a very powerful institution and giving them an effective right of veto in a judicial situation would be contrary to the principles of justice. To take an analogy, the police might wish a new department store not to be built, on the grounds that a new store means a new environment in which shop theft can take place – and hence more work for them to do. In the licensing context, if the police are wedded by tradition to policing the night time economy on Fridays and Saturdays but the real economy is evolving into a Thursday and Saturday phenomenon, should they be empowered to shape that economy to fit in with their habitual policing approach ? Licensing authorities must be allowed the right of coming to a view independently. A facility to issue diktats would encourage lazy thinking and lead to a lack of interest in engagement with businesses, to find constructive solutions. Relations between the police and businesses would be soured by this proposed approach, undermining trust in the police and harming partnership working. Sham hearings would undermine the credibility of licensing authorities. This proposal is not in accordance with democratic norms.

Question 5: How can licensing authorities encourage greater community and local resident involvement ?

At the level of “Are you happy about Britain’s binge drinking culture ?” the idea of local involvement has little meaning. Universal concerns require a universal response. Engagement will suffer all round if communities are encouraged to expect solutions at local level which in reality can be delivered only by government. That said, concerns which have a genuinely local dimension could be addressed more effectively than they are now. Information is provided at the moment only by public notices in local newspapers or in A4 format on premises. The former is successful only in providing a significant subsidy to the newspaper industry. It is tempting to think of bureaucratic solutions e.g. ‘licensing authorities / applicants shall send letters to the 100 nearest households’ but an such arrangement would be impossibly expensive and quite unthinkable in the current financial climate. Any thought of a specifically ‘licensing’ mechanism is probably misguided. The model ought to be of an outreach worker heading out to a meeting of a heavily modified version of Neighbourhood Watch, asking “Is there anything interesting I can tell them about licensing issues ?”. Organic engagement is the way forward, rather than too great a reliance on formal protocols. The answer to this

question lies in better engagement across the board. Formalism may divert attention from that debate because it represents the easy way out.

Question 6: What would be the effect of removing the requirement for interested parties to show vicinity when making relevant representations ?

Rather than giving more power to local communities, this would place a new weapon in the hands of campaigners and eccentrics. Inevitably, it would shift the debate away from specifics and onto the ground of moral argument and political discourse. Since representations normally trigger hearings, the workload of licensing committees would increase many times over, bringing massive new pressures to bear on finances and stretching member resources to well beyond their limit. From the perspective of the 'genuine' local resident, any gain would be largely illusory. The change as proposed would have a direct impact on the admissibility of comments. It would however have no impact whatever on the weight which will be given to comments, based on the immediate practical consequences to the particular complainant. Concerns expressed by someone who lives next door will be taken very seriously. Concerns expressed by someone who lives a mile away are likely to be ignored. Do we take into account the views of ex pats living in France ? If the rule is that the person making representations must live in the borough, that will empower someone who lives six miles away but disenfranchise someone else who lives 500 metres away. The test should be one of 'direct material effect' rather than the arbitrary 'in the vicinity'.

Question 7: Are there any unintended consequences of designating health bodies as a responsible authority ?

Self-evidently there are. Application procedures are already hopelessly top-heavy and there are far too many responsible authorities. Bombarding health bodies with paperwork, none of which has any practical relevance, would constitute an appalling waste of resources and get in the way of providing health services. We already have this situation with Child Protection Departments, added to the list with no thought to the consequences. They throw away copied applications, as would health bodies. On those rare occasions when they intervene, they do so through their police partners, who have responsible authority status and have routine experience of submitting reviews. This suggested bureaucratic fix is a mistake. Giving health bodies consultee status will burden everyone with more paperwork. What would be genuinely useful is to grant them a right to make representations, which they can do if they are given interested party status. There is a case that they should be able to compel other parties to deliver data but this can be achieved as described previously, by giving licensing officers a power to require responsible authorities to deliver reports.

Question 8: What are the implications in including the prevention of health harm as a licensing objective ?

This is a laudable idea but it has inherent difficulties. There is a clear indirect, general link between the consumption of alcohol and the health of the nation. The linkages are a matter for political discourse and epidemiological analysis. Since licensing operates at the level of individual premises, there is little scope for addressing generalised problems. In a busy high street, it is already very difficult to hold responsibility for disorder in the street to any one bar. Making any sense of the linkage between a particular off licence and general trends in cirrhosis of the liver would be virtually impossible. These concerns feed naturally into wider public policy and the remedial mechanisms are principally around price and availability. It is possible, for all practical purposes, for a pub to operate without any conflict with the four existing licensing objectives. With health effects it is much more a case of containable, socially acceptable harm. There are relatively small numbers of town centre pubs and estate pubs which cater throughout the day for a significant number of (overwhelmingly) men in their 40's and 50's, often allegedly 'builders' who sit and drink for hour after hour, often from early in the morning. Daytime disorder in those premises is rare but these individuals clearly have a degree of alcohol dependence, sufficient to harm their health. Some of them are street drinkers. Others will soon become street drinkers. If we close those bars during the day do we help by cutting out one of the key stages in developing severe alcohol dependency or do we displace the customers to park benches where they will be much more of a nuisance ? Without a power to require compulsory health screening of the customers, powers framed around 'health' would be elusive. Adding a 'health' licensing objective is going too far. Primary responsibility will always rest with government and be the subject of social policy. A distinction could usefully be made between acute health consequences such as alcohol poisoning and injury [a formal clarification that public safety encompasses this] and morbidity, where the policy response is necessarily universal.

Question 9: What would be the effect of making community groups interested parties under the Licensing Act, and which groups should be included ?

To a large extent, this is about variations in the practice of licensing authorities. We have always taken it for granted that church councils, schools governing bodies etc. were entitled to comment. The provision should be as open as possible, including an bona fide grouping. They should be defined not by what they are or how they are constituted but by how licensable activity impinges on them in a real and immediate sense. If it is simply that the idea of a lawful licensable activity offends their sensibilities they should not be given an opportunity to engineer a gratuitous public debate by making use of the Licensing Act.

Question 10: What would be the effect of making the default position for the magistrates' court to remit the appeal back to the licensing authority to hear ?

In the case of an error or impropriety on the part of the licensing authority, an agreed option to revisit the decision would be helpful. If a condition imposed

at a hearing is unclear, unenforceable or conflicts with another condition, it ought to be possible to tidy that up easily by the licensing committee Chair getting together with the licensing officer to sort out the problem. A seven day grace period would be useful. The logic of the default position suggested is to go straight to a 'second opinion' option, under a new panel. That would be a recipe for an instant doubling of the number of hearings. With the possibility of a 'proper' appeal blocked, the number of judicial reviews would mushroom. Costs and delays would then escalate far beyond those currently experienced with the magistrates courts. The ability of traders to cheat the taxpayer by slipping out of their responsibility to pay court costs (they routinely fold the liable company having shifted the assets into a new shell) is a major problem for local authorities. To prevent this behaviour, a bond of around £20k could be demanded of the appellant, first call on which would be any costs awarded against them. That would discourage appeals designed purely to 'play the system'.

Question 11: What would be the effect of amending the legislation so that the decision of the licensing authority applies as soon as the premises licence holder receives the determination ?

This would be welcomed as an option in the case of revocation, as this is only applied in the most serious cases. Otherwise the current arrangements should apply. Revocation is only resorted to in very serious cases, where the public are at real and immediate risk. Suspending the effect of that sanction, as at present, is equivalent to suspending a prohibition notice on an unfenced meat slicer. In many cases, a business will collapse as a result of revocation. The knowledge of that is very much in the minds of those who make the decision and there is no evidence that any panel takes such a momentous course of action on a trivial and unsupported basis. More often, it is late in the day before that entirely necessary action is taken. A decision on immediate effect should be in the hands of a court but there must be a provision which requires that an application from a licensing authority to that effect is heard in days.

Question 12: What is the likely impact of extending the flexibility of Early Morning Restriction orders to reflect the needs of the local areas ?

Such a move would be very popular indeed and would likely be taken up in some form or other by almost every local authority. There would be a very powerful counter reaction from the trade and a raft of judicial reviews would be taken as test cases. Their hope would be that by threatening a few with financial disaster, they would be able to force the rest into line and thereby neutralise the measure. To have any realistic prospect of actually empowering local authorities, they would need guaranteed access to a centrally held pot of money in order to fight the challenge, subject of course to their having proceeded properly within the legal framework provided.

Question 13: Do you have any concerns about repealing Alcohol Disorder Zones ?

No. The mechanism was unworkable and did not offer any lasting solution. It has not been taken up anywhere and there is no realistic prospect that such a zone will ever be implemented.

Question 14: What are the consequences of removing the evidential requirement for Cumulative Impact Policies ?

Again, this would be an illusory change. Irrespective of any changed wording, licensing authorities would be cognisant of the danger of judicial review and would self-impose a requirement for rigorous evidence.

Question 15: Do you agree that the late night levy should be limited to recovery of these additional costs ? Do you think that the local authority should be given some discretion on how much they can charge under the levy ?

If local authorities have to prove what costs are 'additional' or if there is local discretion on the scale of fees, the risk of legal challenge will be very high. Fixing and recovering these fees would be a local authority responsibility but the main benefit is expected to go to the police. All of the financial risk therefore rests on the shoulders of the local authority who stand to gain little and none of the risk rests with the police who stand to gain a lot. That disparity was a major factor in the refusal to engage with Alcohol Disorder Zones. The police must shoulder the risk, in proportion with how much they receive. Otherwise, this scheme will sink too. To avoid a postcode lottery and to head off the inevitable rash of legal challenges, fees should be prescribed by statute, with no local discretion. In whatever form, the amount that could realistically be collected in this way would be trifling, compared with the actual costs incurred by the public authorities. It might cover the cost of one or two weekends but not much more than that. It is on the wrong scale. A heavy additional tax on all alcohol sold after midnight, no matter where it is bought, would address the true scale of the problem. A late night levy is incapable of bringing in anything like the £3 billion + which is needed to mitigate the costs of policing, cleansing and remedial health care.

Question 16: Do you think it would be advantageous to offer such reductions for the late night levy ?

The late night levy is a blunt instrument, just as Alcohol Disorder Zones would have been. Schemes might come into being specifically in order to generate discounts. All schemes go in cycles of greater or lesser effectiveness and need to be renewed periodically. There will be times when they offer little. Different businesses put in a varying commitment. There is a danger of a complicated regime, with a burden of dealing with multiple challenges and requests for re-evaluation. The best approach is to keep it very simple. It would be better to have a universal principle that drinking alcohol after midnight is challenging behaviour, which merits a levy to public funds, in proportion with the amount consumed by a particular individual. A licensing levy will not be visible to individuals or be linked in any way to their actions.

Question 17: Do you agree that the additional costs of these services should be funded by the late night levy ?

It would not be practicable to recover costs on the scale required, by using a mechanism of this kind. There is a further problem that discount feeder bar chains and discounting supermarkets add greatly to the problem but would be able to walk away from the problem. This defect is carried over from Alcohol Disorder Zones. Their total failure to contribute would tie the hands of local authorities, at least in moral terms.

Question 18: Do you believe that giving more autonomy to local authorities regarding closing times would be advantageous to cutting alcohol-related crime ?

When alcohol-related incidents are plotted against time, a clear pattern emerges in which they become more frequent, more serious and more geographically concentrated. It is very clear that if the line is drawn at an earlier time, many incidents will be avoided. There is a case not only for licensing authorities to decree earlier closing times than apply now. There may be benefits in requiring bars to pause e.g. from midnight until 00:45hrs or to sell during that time only drinks which are relatively low in alcohol, to slow the pace of consumption.

Question 19: What would be the consequences of amending the legislation relating to temporary event notices so that ~

- a. all the responsible authorities can object to a TEN on all of the licensing objectives ?**

That would generate a huge and largely pointless burgeoning of bureaucracy. It is bad enough already with the paper-chase around premises licences. Allowing objections on noise grounds would be sensible. Rather than expand processes, it should be left to the licensing officer to prompt where there might be issues.

- b. The police (and other responsible authorities) have five working days to object to a TEN ?**

It would be sensible to give the police that greater opportunity to comment.

- c. The notification period for a TEN is increased, and is longer for those venues already holding a premises licence ?**

That is heading in the wrong direction overall. By far the greater number of TENs are to enable wine to be sold in the interval of a play or for a film to be shown at a youth centre. These are activities involving very little risk. This should be acknowledged either by granting a global exemption from the need for any form of consent or by shortening the notice period. The distinction is not between those premises which already hold a premises licence and those which do not. It is between bona fide community run events and business

activities conducted with a view to a profit. The TENS facility was not aimed at businesses initially but they are used inappropriately, for example to hold live music events in a beer garden every weekend during the summer, when a premises licence to that effect would be unthinkable. Authorisation for a cider stall at a market ought to be forthcoming within the space of a week but major extensions to pub licences should take a full 28 days.

d. Licensing authorities have the discretion to apply existing licence conditions to a TEN ?

Where an event held on a TEN goes badly wrong, the premises licence cannot be reviewed because it did not provide the authority. There should be an automatic link back to the premises licence, so that a TEN for a commercial premises is treated as an extension of the premises licence, for all practical and legal purposes.

Consultation question 20: What would be the consequences of

a. Reducing the number of TENS that can be applied for by a personal licence holder to 12 per year ?

Under the 1964 Act, only landlords could lay on a bar at short notice. Community groups had to apply well in advance. That enabled some landlords to diversify into providing that service. The 50 limit was designed to soften the blow at the loss of that advantage. It is now an anachronism and would be no loss. It is better for a community organisation to take the legal liability on itself, rather than devolve it onto a contractor invited onto their premises.

b. Restricting the number of TENS that could be applied for in the same vicinity (e.g. a field) ?

A convention has grown up, allowing a bar to be provided in the midst of a large event, provided that no more than 499 people can be accommodated in the bar area and that they are not permitted to wander elsewhere with a drink in their hand. This makes a mockery of the requirement for a premises licence, where an event is 'large'. There is confusion over whether three such bars (or five ?) can be set up using TENS, in a crowd of 20,000 people ? The Licensing Act 2003 almost completely ignored outdoor events and it applies to them only in a very crude manner. This minor detail pales into insignificance when set beside the gaping inadequacy of the Act when it comes to the management of large outdoor events.

Question 21: Do you think 168 hours (7 days) is a suitable minimum for the period of voluntary closure that can be flexibly applied by police for persistent underage selling ?

It is questionable whether the necessary staff training and tightening of procedures can be completed that quickly. If the action is initiated on a Saturday night, it will be a salutary reminder to customers if they turn up on the next Saturday (as is likely) and find that their favoured haunt is closed.

Ten days would be more appropriate, although multiple sales during one session should count as only one failure.

Question 22: What do you think would be an appropriate upper limit for the period of voluntary closure that can be flexibly applied by police for persistent underage selling ?

The maximum sanction which can be applied as a suspension by a licensing authority is three months. Since that is a sanction which can be pursued by means of review, a sensible maximum period for the sanction mediated by the police would be six weeks.

Question 23: What do you think the impact will be of making licence reviews automatic for those found to be persistently selling alcohol to children ?

In our case it will make no difference at all. We already properly use the powers available to us.

Question 24: For the purpose of this consultation we are interested in expert views on the following ~

a. Simple and effective ways to define the 'cost' of alcohol.

This approach is flawed. The large supermarkets will use their buying power to compel suppliers to provide them with a batch of bottles at a wholesale price of 10 pence a bottle and will sell them at 12 pence a bottle. It is already well established at the discount end of the club market to buy cans or bottles with an expired best before date for almost nothing and then sell them cheaply. The alcohol content is of course unchanged.

Alternative options would be to forbid the sale of alcohol at less than the cost of the duty, tax and typical container cost combined.

A stipulation could be made that no lager shall be sold for less than half of the average price of all lagers on sale in the establishment.

A requirement could be imposed that no alcoholic drink may be sold for any less than half the price of the cheapest soft drink available, volume for volume.

None of these formulations would be anti-competitive.

Question 25. Would you be in favour of increasing licence fees based on full cost recovery, and what impact would this have ?

A change of that kind would be welcomed. Devolving the setting of fees would result in a postcode lottery for applicants, additional work for licensing authorities and the prospect of legal challenges the cost of which could wipe out any benefit. We would welcome continuation of the current practice of

setting fees by statute, although on a more realistic basis. Naturally 'cost' depends on the scale of resources deployed. These need to be sufficient but not intrusive. It would be unreasonable to swamp leisure venues and then expect them to pay for the privilege. Linking funding to directly to 'Licensing' would have the unintended consequence of promoting silo working, with so-called 'licensing' inspections. It is now widely accepted that a generic, multi-disciplinary approach is more efficient and effective. It would be a mistake to undermine that. This is another reason for setting fees centrally – it fosters the right degree of flexibility and imagination.

Question 26. Are you in favour of automatically revoking the premises licence if the annual fees have not been paid ?

Very much so. Chasing bad payers is a drain on public funds. A further benefit would be to flush out those who operate a business under the umbrella of a premises licence which is not held by them, often at two or more steps away in terms of ownership. In some cases the licence holder has moved abroad. The only saving grace at the moment is that the actual business owner is not a party to review proceedings and has no right to defend a proposal to revoke. There is a loop-hole here though. Businesses do not have to hold a licence in their own name, in order to carry on trading. That should be remedied. Applicants should be barred from making any new applications while they still owe annual fees on an existing licence.

Question 27. Have the first set of mandatory conditions that came into force in April 2010 had a positive impact on preventing alcohol related crime ?

The new regulations were poorly drafted and are ambiguous. They control some harms inadequately but appear to penalise some activities which are innocuous. Review powers already exist and permit any matters related to the licensing objectives to be taken into account. The regulations add little and may indeed undermine intervention, by generating confusion. If there is a desire to have regulations of this kind, they should be re-drafted with greater clarity.

Question 28. Would you support the repeal of any or all of the mandatory conditions (a) to (e) above ?

Yes. By setting out to ban a few headline-grabbing but rare promotions, many legitimate activities have been called into question and other more common but worrying promotions have been granted a new legitimacy by virtue of not having been included. The regulations actually make enforcement more difficult, by creating unintended loop-holes.

Question 29. Would you support measures to de-regulate the Licensing Act and what sections of the Act in your view could be removed or simplified ?

- It was likely the original intent that it should be lawful to hold a temporary event notice, a premises licence and a club premises certificate in parallel became confused in translation, allowing multiple premises licences to be held simultaneously. In order to remove confusion and the frustration of enforcement activity, premises licences which overlap in place and /or time should not be permitted.
- As the statistics on reviews show, there are far too many responsible authorities. Copy applications are routinely binned on receipt by some agencies. Planning, Child protection, Health & Safety, Fire Brigades should be removed from the list. The licensing authority should be a responsible authority and should be empowered to act as a conduit for relevant representations from any source with something useful to say.
- The requirement to place a public notice in a newspaper is an expensive anachronism and should be scrapped.
- The requirement to 'keep a register' should be replaced with a specification of those matters to which the public have a right of access.
- The definition of licensable activities should be rationalised by deleting the seemingly meaningless 'facilities for' categories and bringing together the existing types of regulated entertainment into a. 'sporting', b. 'live music, karaoke and discos' and c. 'all the others'. That will simplify form filling and avoid a mass of surplus detail.
- Remove altogether from the definition of licensable activity – hospital in-patients, florists, stretch limo operators, seasonal mixed hampers, parent teachers dances, interval service at a community play etc.
- Remove the provisional statement procedures which are almost never used and serve no purpose.
- Remove the vagueness over who can hold a licence and the extent of their responsibilities.
- Require premises supervisors to 'supervise'.
- Impose ongoing responsibility on individual directors, to block avoidance by creating new front companies.
- A mechanism should be introduced, allowing for withdrawal of a review, with agreement of all parties.
- It should be left to licensing authorities to update licensing policies as they see appropriate, rather than on a set renewal date.
- Greater clarity should be given, around access by guests to premises with a club premises certificate.
- Clearer authority should be put in place to enable licensing authorities to dispose of seized alcohol.
- The Police should have the power to review a personal licence at any time, in the light of relevant convictions.
- The offence of buying alcohol on behalf of children is unenforceable and should be changed to an offence of supplying

alcohol to children, in the vicinity of premises where it has been bought. The problem at the moment is showing that money has changed hands and that the money was for the alcohol.

- **Remove the question about adult entertainment (since it has no consequences) or make the provision of adult entertainment a specific licensable activity.**