

## **Proposed changes to the liquor licensing legislation to allow off-licensees to obtain occasional licences**

The Institute of Alcohol Studies is concerned with the prevention and management of alcohol-related problems, and it is from this perspective that we approach the question of occasional licences.

We infer from the Consultation Paper that the essential aim of the proposed change is to assist English wine producers. We do not see any particular difficulty arising from this specific aim, but we are concerned that the proposal would permit all holders of off-licences to obtain unlimited numbers of occasional licences each year.

The Consultation Paper suggests that the number of additional occasional licences is likely to be limited. However, it is difficult to see how this can be known in advance and it may be that over time, off-licence holders such as specialist off-licence chains and the major supermarkets may see substantial marketing opportunities in occasional licences for agricultural fairs, town fairs, village fetes and a whole range of other events even perhaps, especially on Sundays, car boot sales.

As there is no requirement in the legislation for the licensee to reside in the district where the occasional licence is sought, there would be nothing to prevent a specialist off-licence chain, for example, setting up what, in effect, would be an 'Occasional Licence Division' with a fleet of vehicles to tour such events across the country.

Thus, the Government's proposed change could in fact have more impact than is envisaged. This is especially so given the policy of the European Union to promote wine consumption. This campaign is to be funded with taxpayers money. The European Parliament has requested a promotion fund of 150 million ECU. When visiting the Commission (DGV1) we discovered that it was likely to make a response of 15 to 20 million ECU. The matter has not been resolved and has not yet gone to the Council of Ministers for decision. However, if substantial funds are made available and if European wine producers perceive English wine growers to be successfully promoting their products by means of this change of the legislation, then they are also likely to wish to take advantage of the same opportunities, and to be funded by the European Union to do so. Whatever the desire to help English wine producers, it could well be the traditional wine producing countries which will derive the greatest benefit.

Were these developments to take place, then the extra burden on the courts could turn out to be considerable as clearly, and as noted in the Consultation Paper, the courts would be required to consider each application in order to ensure that the licence was appropriate to the event and that proper arrangements for staffing and security were in place.

The Home Office proposals leave it to the Justices to decide which events should be given a licence, although it provides no guidance on the criteria they should employ in doing so. However, it is clear that Justices would not be able to discriminate in favour of English wine producers.

Before pursuing the proposed changes the Government should give further consideration to these possible consequences. Certainly, we urge the Government, should it continue with this proposal, to ensure that the granting of occasional licences to off-licensees be monitored and should the demand for licences exceed what is presently envisaged, the situation be reviewed.