



The Relationship between
Off-Sales and Problem Drinking
in Scotland

Literature Review



**THE RELATIONSHIP BETWEEN OFF-SALES AND
PROBLEM DRINKING IN SCOTLAND:**

LITERATURE REVIEW

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EXECUTIVE SUMMARY

Background

This literature review forms part of a study commissioned by the Scottish Executive on behalf of the Deputy Minister for Finance and Parliamentary Business to gather evidence to assess the validity of current beliefs about the off-sales trade and respond as appropriate, e.g. the belief that off-sales shops and supermarkets are the primary source of alcohol for underage drinking; and that low prices charged by some off-sales premises promote binge and excessive drinking, and contribute to localised antisocial behaviour. The purpose of this research is to provide evidence to inform policy about which measures, if any, should be applied to the off-sales sector to reduce the alleged effects of binge and excessive drinking.

The literature is gathered from a wide range of sources and includes articles from peer reviewed journals, policy reports, news articles and web articles.

The literature review is divided up into a number of sections. Chapter 1 contains the introduction and approach taken for the review, the questions considered and the search terms used. Chapter 2 describes background to the subject area, and Chapter 3 includes discussion about the concept of promotions. Chapter 4 contains information about the selling of alcohol through off-sales and the issues involved, and Chapter 5 discusses the issues surrounding the effects of off-sales on the community. Chapter 6 looks at international licensing law and the impacts of the recent changes in England, and finally Chapter 7 draws the conclusions of the review together.

In considering this subject area there is a lack of material, particularly from the UK in the more rigorous, peer reviewed journal articles. Where pertinent, material has been gathered from international sources, however, this must be taken into account when considering Scottish policy making.

It must be noted that a lack of evidence in this subject area does not prove or disprove a link between off-sales of alcohol and problematic drinking; rather it is an indication of the complexity of the subject area, and the difficulties of developing suitable methodologies to explore the area.

Summary of review

- There is a limited range of literature exploring the links between off-sale of alcohol and antisocial/unwanted behaviour and the concept of alcohol promotions and their impact on alcohol related problems.
- Selling to underage people at off-licences is prevalent, however, there is less evidence surrounding selling to those who are already intoxicated.
- Literature suggests that stronger enforcement of law could reduce incidents of irresponsible selling.
- Promotions vary in style and effectiveness across the differing types of alcoholic drinks.
- The impact of ‘value’, and ‘own brand’ drinks needs to be explored.
- Alcohol groups need to give a consistent and cohesive message concerning alcohol promotions.

- In US literature, density and presence of off-sales outlets has been shown to contribute to levels of assault. In the UK, there is a link between alcohol and disorder, however, the route of obtaining that alcohol is unclear.
- There is limited published material discussing the impact of recent changes to English licensing laws.

CHAPTER 1 INTRODUCTION AND APPROACH

This literature review covers the following areas related to the selling of alcohol through off-sales:

- Definitions and effects of off-sales promotions
- The selling of alcohol through off-sales
- Community implications of off-sales
- Impact of recent changes in English licensing law
- The exploration of links between off-sales and antisocial behaviour/crime

It examines research literature, policy documents, and newspaper and internet articles to give a picture of the nature of selling, promotions, links to antisocial behaviour and the effects of these on the local community. It must be noted that there is a paucity of data related to this subject area, in particular, a limited amount of articles related to the concept of promotions within the off-sales sector.

English language articles were analysed and collected through the Bath Information and Data Services (BIDS) services as well as the databases listed in the appendix (see Appendix A). Material from the periods 1990 to 2006 was collected, both from the UK and internationally.

1.1 Questions considered

The main questions relating to the area of off-sales and problem drinking contained within this literature review are:

- Promotions
 - The concept of promotions within the off-sales trade¹
 - What standard terms are used to define ‘promotion’
 - Effects on purchasing patterns
- Alcohol off-sales in the community
 - Underage drinking
 - Drinking/purchasing whilst intoxicated
 - ‘Front-loading’
 - Focus for antisocial behaviour
- Effects of selling alcohol off-sales in the community
 - Crime
 - Disorder
 - Injury
 - Off-sales location density

The data resources have been searched to gather the following:

- Published papers in peer reviewed academic journals
- Published Government papers
- Previous literature reviews and meta- analyses

¹ For the purpose of the research ‘promotion’ is referred to in terms of discounts (and ‘special offers’), and other in-store activities designed to increase sales, *and not* the general marketing/ advertising of products.

- News articles
- Any available reports, reviews and outcome studies from services
- Also, material in more unconventional forms ('grey literature')

1.2 Search criteria

The terms in table 1 outline the main words used in various combinations when searching the databases. Single word and Boolean searches (words separated by the operators 'OR', 'AND' and 'NOT,' e.g. Albany University Library, 2004) were used when the exact phrase searches yielded too many, too few or irrelevant results.

Early on in the searches it was discovered that different databases operate using different taxonomies, this slowed the search as at times the word searches would not produce any results. To ensure that this was due to the lack of research rather than the combination of words used, searches would be modified to extract information from the databases.

When the above terms produced a high amount of information, other words were gradually introduced to the search criteria until the titles or abstracts or articles became more relevant to the review. These words were used to ensure additional information was not missed, but were not included in all searches as some searches gave a sufficiently small number of results to be examined in full without being further limited by these additional terms.

Table 1: Words used in searches

promotions	marketing	English licensing law	alcohol	off sales/licences	young person	convenience store
alcohol and violence	alcohol outlets	drunk	intoxicated	staff training (+ benefit)	server training (+ benefit)	effect community
effect availability alcohol community	drinks promotion	drinks promotion encourage excess	increase crime	increase antisocial behaviour	designer drink/alcohol pop	promotions
drink packaging	targeted selling	targeted advertising	irresponsible selling	irresponsible marketing	binge and drinking	alcohol outlets
licensing and law	alcohol and retail	off-sales/off-licences	alcohol and antisocial	underage	antisocial behaviour	supermarket

CHAPTER 2 BACKGROUND

2.1 Background to study

Since 1980, alcohol-related deaths have risen from less than 1 in 100 deaths to 1 in 30 of all deaths in Scotland (NHS National Services Scotland, 2005). In addition to rising concern about the health impacts of alcohol misuse, there are high levels of concern about the social effects of problem drinking in terms of crime and disorder.

There is a growing perception of a link between off-sales of alcohol and antisocial behaviour. However, this perceived link needs careful examination particularly in relation to the encouragement of binge drinking and direct promotional activity that could be seen as irresponsible (Daniels, 2004).

This review has compiled relevant literature from all major sources and where available has utilised UK based studies. However, at the present there is very limited UK based information, and for some sections of the report there has been a reliance on US based literature.

2.2 The Nicholson report

2.2.1 Introduction

The Nicholson committee was appointed in June 2001 to undertake an evaluation of liquor licensing in Scotland. The stated remit of the committee was to:

”review all aspects of liquor licensing law and practice in Scotland, with particular reference to the implication for health and public order; to recommend changes in public interest, and to report accordingly.”

The report proposes a number of licensing principles which underlie the outcome recommendations, these include the:

- Prevention of crime and disorder
- Promotion of public safety
- Prevention of public nuisance
- Promotion of public health
- Protection of children from harm

2.2.2 Recommendations

The Nicholson report produced ninety recommendations; most pertinent to the present study were the principles relating to crime and disorder, public nuisance and off- sales. These include:

- Irresponsible promotional activities – there should be a standard condition attached to all premises licences to the effect that nothing must be done in connection with the business of the premises, whether by way of promotional advertising, by way of offering discounted prices, or in any other way which encourages excessive consumption of alcohol (Rec 58).
- Alcohol and the Under 18s - current prohibitions on the sale or supply of alcohol to persons under the age of 18 should be retained. The Scottish Executive should arrange for the introduction of a national proof-of-age card (Rec 60).

- Police - the Licensed Premises (Exclusion of Certain Persons) Act 1980 should be amended to extend its scope to all licensed premises including in particular those which currently operate under an off-sales licence.

2.3 The Daniels report

2.3.1 Introduction

The Daniels report (Scottish Executive, 2004) was the result of raised concerns through the Nicholson report regarding the links between alcohol and crime, underage drinking and how young people obtained alcohol, and anecdotal evidence of off-licences being a focus for antisocial behaviour.

There were 17, 023 liquor licences in force in Scotland at 31 December 2004. Over a third of these were for off-sale premises. The number of off sale licences rose from 489 in 1980 to 6368 in 2000, before reducing to 6103 in 2004. The Daniels report states that: “...*the increase in off-sales licences suggests that a significantly larger quantity of alcohol is now being purchased for consumption away from on-licensed premises than was formerly the case*” (p.2).

Of particular relevance to the concerns about the regulation of off-sales is the information obtained by the Working Group from the SALSUS Report (CAHRU, 2003), with regard to how young people obtain alcohol. The Daniels report notes that:

“...*although it is illegal to sell alcohol to under-18s (and for under-18s to buy or attempt to buy alcohol), shops and off-licences were the most frequently reported source of alcohol for 15 year olds. 31% reported buying from shops and supermarkets and 23% reported buying from off-licences. It is worth noting, however, that 30% reported that they never buy alcohol*” (Scottish Executive, 2004, p.3).

2.3.2 Recommendations

The Daniels Report highlighted several issues with specific reference to off-licences, and made recommendations with reference to these issues formed around irresponsible selling and marketing, and the wider effects of these problems. Recommendations of particular relevance are:

- Developing a Government- accredited national proof of age card
- Endorsing and promoting a *No Proof No Sale* initiative in Scotland
- Amendment of the Licensed Premises (Exclusion of Certain Persons) Act 1980 to allow exclusion for disorder in ‘or associated with’ a licensed premises
- Production of a new model byelaw on public drinking
- Possible reprioritisation by Chief Constables of the priority their forces give in responding to the problems generated by antisocial behaviour around off-sale premises
- How to address binge drinking and prevent irresponsible promotions
- Making training courses mandatory for personal licence holders and appropriate onsite training provided for all other employees with refresher training being undertaken every five years. Failure to undertake or complete refresher training should lead to licence suspension.

(Scottish Executive, 2004, pp. 30-31)

CHAPTER 3 PROMOTIONS

3.1 Definitions of promotions within the off-sales industry

Promotional strategies to increase purchasing are a common and expected phenomenon within our consumer culture; the sale of alcohol is no different with various strategies being employed to encourage additional and/or unplanned purchasing.

Whilst the range of literature examining the effect of advertising on alcohol consumption is substantial, there is limited literature describing the type of promotions utilised within the off-sales industry and their effects. Diamond (1990) developed a taxonomy of general promotional techniques based on consumer perception which indicated there are three main groups:

- Other product
 - Other product free now
 - Inpack coupon other product
 - Packon established product
 - Other product in mail
 - Inpack premium
 - Packon new product
- Extra product
 - Bonus pack
 - One free with several
 - Packon same product
 - Free same in mail
- Price offer
 - Cents off
 - Percent off
 - Newspaper coupon
 - Inpack coupon
 - Tear off coupon
 - Mail in rebate

However, in today's marketing climate, this is somewhat outdated. A more useful definition of sales promotion can be found in an established and highly edited Wikipedia² article. Sales promotions are defined as:

“...non-personal promotional efforts that are designed to have an immediate impact on sales. Sales promotion is media and non-media marketing communications employed for a pre-determined, limited time to increase consumer demand, stimulate market demand or improve product availability...Sales promotions can be directed at either the customer, sales staff, or distribution channel members (such as retailers).”

² Wikipedia is the largest reference website on the Internet. The content of Wikipedia is free and written collaboratively by people from all around the world. An established and edited article is more likely to have common consensus between 'experts'.

Examples of promotions include:

Consumer promotion techniques:

- Price deal: A temporary reduction in the price.
- Loyalty rewards program: (e.g. collecting points).
- Money-off deal including price percentage reduction marked on the package.
- Price-pack deal: The packaging offers a consumer a certain percentage more of the product for the same price.
- Coupons: Free-standing insert (FSI) - A coupon booklet is inserted into the local newspaper /magazines for delivery; On-shelf couponing - Coupons are present at product shelf; Checkout dispensers; On-line coupons.
- Loss leader: the price of a product is temporarily reduced in order to stimulate other profitable sales.
- Rebates: Consumers are offered money back if evidence of purchase is sent to the producer.
- Contests/sweepstakes/games: The consumer can enter by purchasing the product.
- Point-of-sale displays.

Trade sales promotion techniques

- Trade allowances: short term incentive offered to encourage a retailer to stock up on a product.
- Dealer loader: An incentive given to encourage a retailer to purchase and display a product.
- Trade contest: A contest to reward retailers that sell the most product.
- Point-of-purchase displays: Extra sales tools given to retailers to increase sales.
- Training programs: dealer employees are trained in selling the product.
- Push money: An extra commission paid to retail employees to push products.

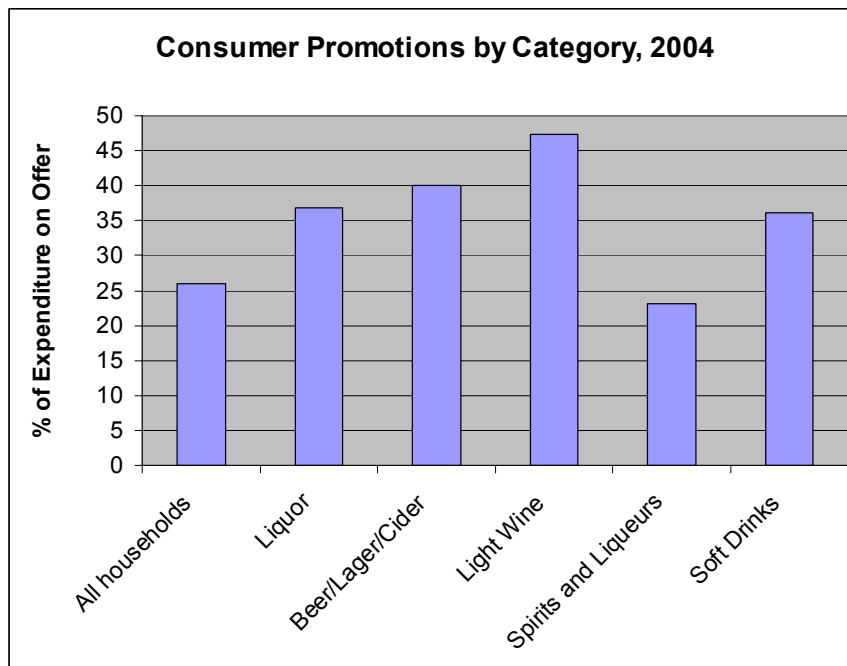
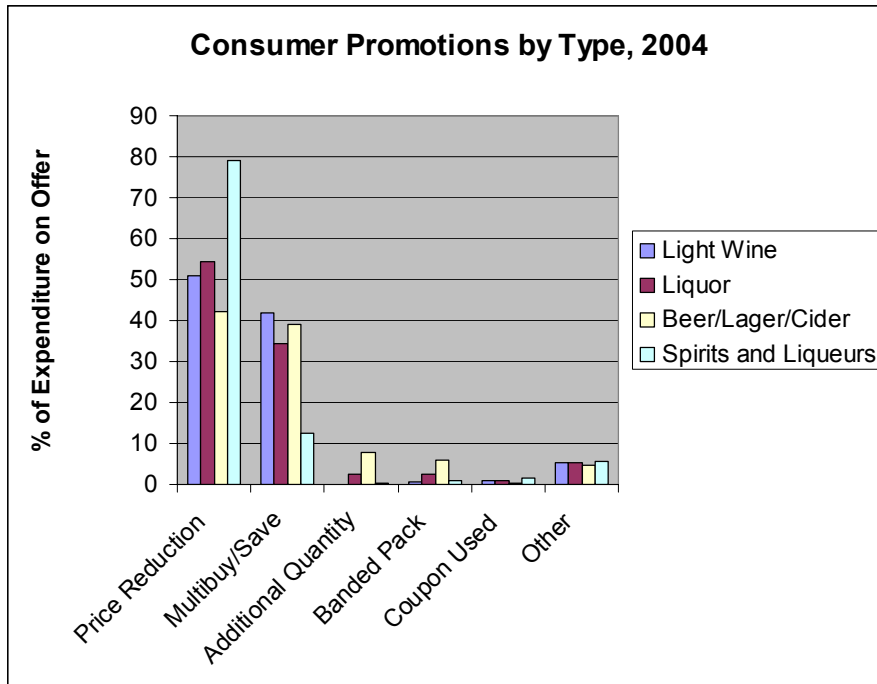
Whilst the examples above cover the general area of consumer products, popular promotional techniques used in the off-sales trade are a subset of the above, and in the 2006 'Drink Pocket Bible' (WARC, 2005) the main types are listed as:

- Price reduction
- Multibuy/save
- Additional quantity
- Banded pack
- Coupons

3.2 Spending on promotions

The following table illustrates the percentage spend on various types of alcoholic drinks with a range of promotional offers, also the percentage spend on promotions within each of the alcohol categories.

Table 2: Consumer Promotions by Type and Category



What is clear from the tables above is that the important promotional types within the alcoholic drinks sector are price reduction and multibuy/save, with wine being the most promoted product (WARC Publications, 2005).

Whilst there is fierce competition amongst retailers (for share of retail sales) and manufacturers (for shelf space and share of category) the effectiveness of promotions is questionable as evidence shows they can undermine consumer loyalty (Fearne, 1999). This is a complex subject which cannot be discussed in detail here, however, suffice to say, promotions are used within the alcoholic drinks market to a greater or lesser degree depending upon the type of drink. With core, alcoholic beverages like wine and beer which are consumed more frequently, promotions are a more effective means of gaining share and generating trials of new products (Fearne, 1999).

3.3 Governance of promotions

There are guidelines issued by the Committee of Advertising Practices (CAP) which govern the promotion of alcohol. Within the area of off-sales, this principally means that sales promotions that require multiple purchases of an alcohol product should not encourage or condone excessive drinking with the number of items required for purchase not exceeding Department of Health guidelines for safe drinking. The duration of promotions should be of sufficient length to allow consumers to participate without drinking excessively or irresponsibly. Other promotions, such as competitions with alcohol as prizes, need to consider how the prize is to be given, for example, with large amounts of alcohol should it be given in one go or offered over a period of time with the winner to collect consignments of the product over time. Also, promoters who send alcohol product samples to consumers should try to ensure that they are packaged and promoted in a responsible way; for example, people under 18 should not be targeted (CAP, 2005).

3.4 Effects of promotions on purchasing and consumption habits

There is limited literature surrounding the effects of promotions on purchasing and consumption habits. A UK study by Garner (2002) explores the concept of reduced purchasing intervals after multibuying, i.e. the purchasing interval after multibuying two products (in this case shampoo) is less than double for one purchase (substantially less). In this case, consumers are bolstering home stocks, however it would be interesting to know if alcoholic goods are consumed more quickly, or also stockpiled.

Categories of alcoholic drinks brands which are not technically promotions however, should be included in this discussion are 'value' and 'own label' brands. The growth in these types of brands may also explain the divergence of expenditure and volume growth. An increase from 9.9% to 12.4% of 'value' whisky in 1995-6 illustrates this effect as the average price of 'value' whisky is 75% of branded whisky (Fearne, 1999). If this phenomenon has continued, and is repeated across the spectrum of alcoholic drinks, then it means there are a large number of products available at permanently low prices.

3.4.1 Low cost drinks promotions

There has been a growing trend in the design of alcoholic beverages which are specifically intended to appeal to young people, and are promoted using well informed and precisely targeted marketing strategies (e.g. "happy hour" promotions). This has led to mounting anxiety about the implications for public health; and a resultant demand for tighter control to regulate alcohol marketing practices. However, this criticism is notably directed towards on-sale promotions, with convincing arguments made that off-sale promotions do not contribute to alcohol related harm.

For example, the Portman Group, in a Code of Practice compliance help note for the third edition entitled *Avoiding the Encouragement of Excessive Consumption in Multi-Purchase, On-Trade Promotions by Producers* makes clear its lack of concern with regard to off sales:

"Rule 3.2(f) of the Portman Group's Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks requires that a drink's promotional material should not encourage immoderate consumption and drunkenness...Promotions in the off-trade are less likely to be problematic in this way because even if the promotion encourages the purchase of a large volume of alcohol, that alcohol may be consumed at the purchaser's leisure over many weeks or months" (Portman Group, 2003).

Similarly the Northern Ireland Drinks Industry Group Joint Industry Code of Practice Sales and Marketing booklet (2005) states:

“It is clear that promotional activity in a retail outlet is different from on-license promotions. Customers cannot consume alcohol on the premises and purchases may be stored for a significant period of time before consumption” (p. 10).

Brain and Parker (1997), in a report commissioned by the Portman Group, found that off- sales promotions do influence the drink choice of young people who routinely frequent shops, parks, canals etc; and that the reported ‘ideal’ purchase was affected by finance in terms of favouring drinks of higher strength, good value and acceptable status. Such findings are supported by MacAskill et al (2001) and MacKintosh et al (1997).

Evidence regarding whether off- sales promotions encourage excessive alcohol consumption comes from a recent US study. Kuo et al (2003) found that among 1684 off-sales premises surrounding 118 college campuses, the: *availability of large volumes of alcohol (24- and 30-can cases of beer/ kegs/ party balls), low sale prices, and frequent promotions and advertisements at both on- and off-premise establishments were associated with higher binge drinking rates on the college campuses [studied]* (p. 204). In other words, large volume and cheaper priced alcohol was associated with higher binge drinking rates. However it must be pointed out that the groups looked at were US college students and not wider populations.

3.5 Targeted advertising, marketing and packaging

Whilst there is little published evidence of targeted advertising, marketing and packaging on the part of off-licences directly, the general effect of alcohol advertising on young people is certainly worthy of note. This is of particular relevance given the evidence that many young people do drink, and that many acquire their alcohol from off-licences.

The Institute of Alcohol Studies (IAS) fact sheet entitled *Alcohol and Advertising* cites work by Saffer and Dave (2003) which found that heavy advertising by the alcohol industry in the US has such considerable influence on adolescents that its removal would lower underage drinking (IAS, 2005). Further work cited by Dring and Hope (2001), found that alcohol advertisements were identified as the favourite by teenagers in Ireland, that these teenagers believed that a majority of the advertisements were targeted at young people and that these teenagers interpreted the advertisements as suggesting that alcohol is a gateway to social and sexual success and has mind altering and therapeutic properties (IAS, 2005). One specific example of these concerns is the alcopop and designer drinks market (see section 3.5.1).

The World Health Organisation reports that in the U.S., spending on indirect promotional activities such as sponsorship, product tie-ins, contests and special promotions is around three times higher than spending on direct advertising. If the situation in the UK is similar then the total value of promotional activity is in excess of £500 - £800 million per annum with many campaigns directed at the younger end of the adult market. Growing concerns have led the British Medical Association to call for deliberate targeting of young people to be made illegal, a view supported by Barnardo’s Scotland (IAS – Alcohol and Advertising, 2005; ESRC, 2005; Barnardo’s 2003).

3.5.1 ‘Alcopops’ and designer drinks

The available evidence suggests that few peer-reviewed studies have been carried out on ‘alcopops’ and young people’s drinking since their introduction, and in particular, since they became

‘mainstream’. For example, Austin (2001) surmises that although Bacardi Breezers were launched in 1993, it was between 1995 and 1998 that the brand really took off, and between 1999 and 2000, that it became supremely popular.³

Where studies and government reports have become available, they have, however, made headline news. A report by the newspaper Deutsche-Welle states:

Doctors in Britain have put the blame for the surge in teenage drinking squarely on alcopops... According to an international study by the World Health Organization, 3.6 percent of 11 year-olds admitted to drinking alcopops regularly. At age 15, the figure jumps to almost 15 percent. In Germany, a government report last year said every second alcopop sold was purchased by 14 to 19 year-olds... In Germany, sales of Rigo and Breezer -- two popular mixed drinks -- account for 56 percent of Bacardi Deutschland's turnover (Deutsche Welle, 2004)...Rival company Diageo depends on Smirnoff Ice for half its profits (Deutsche Welle, 2003).

Whilst such reports evoke mass media attention due to the perceived ‘deliberate’ targeting of young people, evidence that alcopops have a significant contribution to young people’s drinking is mixed. Brain and Parker (1997) note that preference for alcopops in their study was, in fact rare, and was not linked to delinquent behaviour.

Similarly, in their work with young street drinkers the authors noted that whilst it is recognised that alcopops have entered the under 18s (and even under 15s) drinking sector, they were rarely drunk by street drinkers being regarded as too expensive, too weak, too childish or insufficiently masculine. Instead the authors found brand-name, high alcohol, designer lagers and ciders were the drink of choice; moreover low cost socially acceptable versions of these were usually bought instead due to low funds (Brain and Parker, 1997; McKeganey et al, 1996). Furthermore, Hughes et al (1997) found that the popularity of designer drinks peaked between the ages of 13 and 15 years and declined among 16 and 17 year olds. In contrast more conventional drinks such as beer and spirits showed a consistent increase in popularity with age. Such research suggests that there are identifiable alcohol brands which, by accident or design, appeal predominately to the underage market in terms of their affordability, potency, and attractiveness (both aesthetic and taste). Concluding that whilst there is evidence that particular types of alcoholic drinks appeal predominately to underage drinkers, these are not ‘alcopops’ but high alcohol designer drinks such as high alcohol ciders and fruit (fortified) wine.

3.5.2 Pricing and promotion based on community characteristics

A further concern regarding targeted advertising and marketing is with regard to specific communities; essentially the encouragement of low income or minority ethnic people to buy alcohol. In a US study, Harwood et al (2003) suggest that promotion and pricing of alcohol (specifically beer) varies systematically dependent on the individual characteristics of communities, neighbourhoods and stores, i.e. low beer prices (including promotions) were located in predominately white and low-middle income neighbourhoods; and in stores classified as ‘large retail establishments’ or drug stores, suggesting that alcohol is made readily available to people on low incomes. Nevertheless, no evidence was found of neighbourhood effects such as racial composition, although Harwood et al (2003) believed this could be accounted for by the products they chose to monitor and the lack of minority communities in their sample.

³ It should be noted that some sources of research make a distinction between alcopops such as alcoholic lemonades and ‘pre-mix cocktails’ such as Bacardi Breezer however such distinction is not made here.

Furthermore, a number of US studies have found that: alcohol availability (including off-sales) and advertising are disproportionately concentrated in racial/ minority ethnic communities⁴; alcohol outlet density is an important determinant of the amount of alcohol advertising in a community; and African-American and Latino neighbourhoods had proportionally more billboards advertising alcohol than white or Asian neighbourhoods⁵ (Alaniz, 1998; Alaniz and Wilkes, 1995; Altman et al, 1991).

Finally, a further study by Mack (1997 [see Alaniz, 1998]), found that West Oakland, California - an area in which racial and ethnic minorities and the poor are concentrated - had 1 liquor outlet for every 298 residents. By comparison, Piedmont, a more affluent, predominantly white area of Oakland, had 1 alcohol outlet for every 3,000 residents (Mack 1997).⁶

Pollack et al (2005) recently investigated the link between neighbourhood deprivation and the availability of alcohol. The authors found that although the most deprived areas had considerably higher levels of accessibility to alcohol (in terms of outlet density etc), it was the least deprived areas which showed heaviest alcohol consumption. This indicates that alcohol availability was not associated with heavy drinking. Therefore, it can be considered that those living in areas dense with off-licences may be disproportionately suffering negative health consequences despite overall lower alcohol consumption.

3.5.3 Pricing and promotion related to alcohol related harm

There is a fundamental lack of evidence regarding the impact of alcohol promotion on alcohol related harm. Although there is a perceived link between alcohol price and consumption, there is little direct support of the relationship of this upon alcohol related crime and disorder (Reid-Howie Associates, 2003).

Section 5.1.1 discusses a study by Matthews et al (2006) who looked at violence related injury and the price of beer in England and Wales, where it is found that an increase in alcohol prices would result in substantially fewer injuries and reduced demand on trauma services. Although it is unclear how much of the element of 'alcohol prices' relates to off-sales the authors indicate the real price of beer within the model acts as a proxy for alcohol prices.

3.6 Potential solutions

3.6.1 Increased pricing/ taxation

There is evidence that increasing the price of alcohol may be an effective method of reducing its use by young people. A number of countries (Germany, Austria and France) have introduced 'sin taxes' on mixed drinks sold in cans and bottles, raising costs by approximately €1, and Deutsche Welle (2004) suggest this has 'left a serious dent' in France's alcohol market. MacKintosh et al (1997) agree with this move, suggesting that taxation increasing in line with alcohol content would mean that products high in alcohol would no longer be relatively cheap.

A study in Sweden examined the effects of altering the tax on alcohol related to its absolute alcohol content (Ponicki, 1997). This allowed for an examination of the purchasing habits of the three

⁴ For example, there were five times more alcohol advertisements in Latino, than in predominantly white, neighbourhoods (Alaniz, 1998).

⁵ In addition, the neighbourhoods appeared to be targeted by specific products, with a majority of neighbourhoods in the Latino community advertising beer and wine; and a majority in the African-American neighbourhood advertised malt liquor and distilled spirits (see Alaniz, 1998).

⁶ The relative prevalence for Scotland is 1 off-licence/ 800 total population; 1 licence/ 240 adults.

classes of alcoholic beverages, namely, beers, wines and spirits. The effects of this tax change were a compression of the range of prices of wines and spirits, and an expansion of the range of prices of beer. Consumers shifted away from drinks that became relatively more expensive. In conclusion, it is suggested that policies to reduce alcohol consumption should consider the entire price/quality spectrum as well as differences in absolute alcohol per volume across the three classes of alcoholic beverage.

In addition Heeb et al (2003) found that following the reduction of the price of spirits in Switzerland, consumption of spirits increased significantly by 28.6% with no effect on the consumption of wine or beer. This finding is of particular interest when considering that, in general, alcohol consumption in Switzerland was in decline (Heeb et al 2003). Concerns have been raised that buying alcoholic drinks in many cases can be cheaper than buying non-alcoholic ones (e.g. SAAAT, 2005).

The evidence that tax and price increases reduce alcohol related harm is in fact, stronger than the efficacy of educational measures (Babor 2003), however it is tenuous to suggest this has the capacity to tackle young people's attitudes or the culture surrounding binge drinking. It could be suggested that currently Scotland is at a stage where a concerted effort must be made in more areas than drinks promotion, involving a review of cultural attitudes in general.

3.6.2 Education and harm reduction

It is recognised that government-led education, and mass-media health campaigns, regarding hazardous drinking and 'the designer drinks culture', particularly for young people, is an important factor in encouraging sensible drinking cultures; and that if young people cannot be dissuaded from drinking alcohol then a harm reduction approach must be adopted to minimise the risks of irresponsible, uninformed drinking practices to both themselves, and others (MacKintosh et al, 1997; MacAskill et al, 2001). Despite this recognition of the benefit of education, MacAskill et al (2001) suggest that school-led education may not be as prominent as perhaps it should be. It is also postulated that where such educatory practices are engaged with, a media literacy approach may be most appropriate which demonstrates the power of marketing to young people in terms of how the: *'...advertising, retailing and pricing of alcohol products make drinking appear prevalent, acceptable and attractive...'* (MacKintosh et al, 1997).

3.6.3 Restricting off-sales promotions

In 2000, Harrison et al demonstrated that a large proportion of underage drinkers obtain their alcohol from social sources such as from friends, older siblings or at parties and few rely exclusively on commercial sources and as such, restrictions on licensing and enforcement of licensing laws may not have much of an impact on adolescent behaviour. However the majority of the other available evidence suggests that the restriction of young person's access to alcohol, (through off- sales) *is*, in fact, key (see Home Office, 2005; Mackintosh et al, 2003; Kuo et al, 2003; Bradshaw, 2003). And MacKintosh et al (2003) clearly implicate off- licences as the major purchase source of designer drinks for young people suggesting that curtailing the distribution of such products from off- sales premises will limit young person's access. Perhaps more so than focusing on educatory messages and changing behaviour (Kuo et al, 2003 [see section 3.4.1]).

An attitudinal survey, conducted in Scotland, found that in the current climate the general public feel that information regarding drinks promotions is more readily available than health messages to educate/ warn against the dangers of alcohol, or to advise on sensible drinking practices (Lancaster and Dudleston, 2002).

3.6.4 Community responses

Looking at pricing and promotion based on community characteristics, Alaniz (1998) noted that low-income minority ethnic communities are aware of the problems associated with alcohol availability. The author cites a community-based solution to alcohol problems potentially added to by targeted advertising described by Mack (1997).

In 1993 US citizens formed the Coalition on Alcohol Outlet Issues (CAOI) in an effort to reduce the problems associated with alcohol outlet concentration in Oakland's minority neighbourhoods. The primary purpose of the CAOI was to reduce the density of alcohol outlets. The group's efforts led to the passage of an ordinance creating the Education, Monitoring and Enforcement Program. This program established operating standards for all city alcohol outlets. It mandated that alcohol outlets *avoid creating a public nuisance, endangering public health or safety, or violating criminal laws* (Mack 1997). If a merchant was found liable, specific conditions were placed on the operation of the outlet. If the conditions were violated, the alcohol outlet was no longer considered "approved" by the city. Based on the success of the pilot program, this ordinance was implemented citywide in Oakland (Mack, 1997).

CHAPTER 4 SELLING OF ALCOHOL THROUGH OFF-LICENCES

4.1 Background to selling off-sales alcohol in the community

The UK drinks market is set to have a value of \$65.9 billion by 2008; a growth of 9% since 2003. In 2003, the alcoholic drinks segmentation showed that beers, ciders and FAB's (flavoured alcoholic beverages) accounted for 59.0% of the market, Spirits = 24.6% and Wine 16.4%. With Britain's drinking habits changing dramatically over the last ten years with not only alcohol sales increasing, but the type of alcohol being purchased changing too. Wine is becoming more popular as it is perceived as healthier than beers and spirits (Datamonitor, 2004).

Consumer spending on alcoholic beverages in the off-sales sector has seen strong growth over the last five years (2000-2005) however this is attributed to increases in duty and consumers developing more discerning palates hence trading upmarket and drinking more wine. It is not clear if part of this growth is due to a higher level of consumption (Verdict, 2006).

The Drinks Pocket Book details the number of shops and turnover in Scotland is as follows (NTC, 2005):

	Scottish Borders		Central Scotland		North East Scotland ⁷	
	No. Shops	Turnover (million)	No. Shops	Turnover (million)	No. Shops	Turnover (million)
Multiple Grocers⁸	21	340	359	4,628	124	1,696
Co-ops⁹	30	57	229	534	121	264
Independent grocers	446	81	1,793	521	667	189
Multiple specialists¹⁰	15	8	301	171	68	36
Symbols/Other¹¹	1	1	498	379	180	133

The following data from Verdict's report on Grocery Retailers 2006 (Datamonitor, 2005) shows the allocation of space supermarkets devote to different types of alcohol. This gives an overview of their individual markets.

⁷ All stores across Scotland were categorised into these three geographical areas. There are three main reporting regions covering Total Scotland; Border, Central and North. The North of Scotland is described as North East, because this is where the majority of the Postcodes within it lie. Those postcodes that are more North West of Scotland are included in the Central Scotland region.

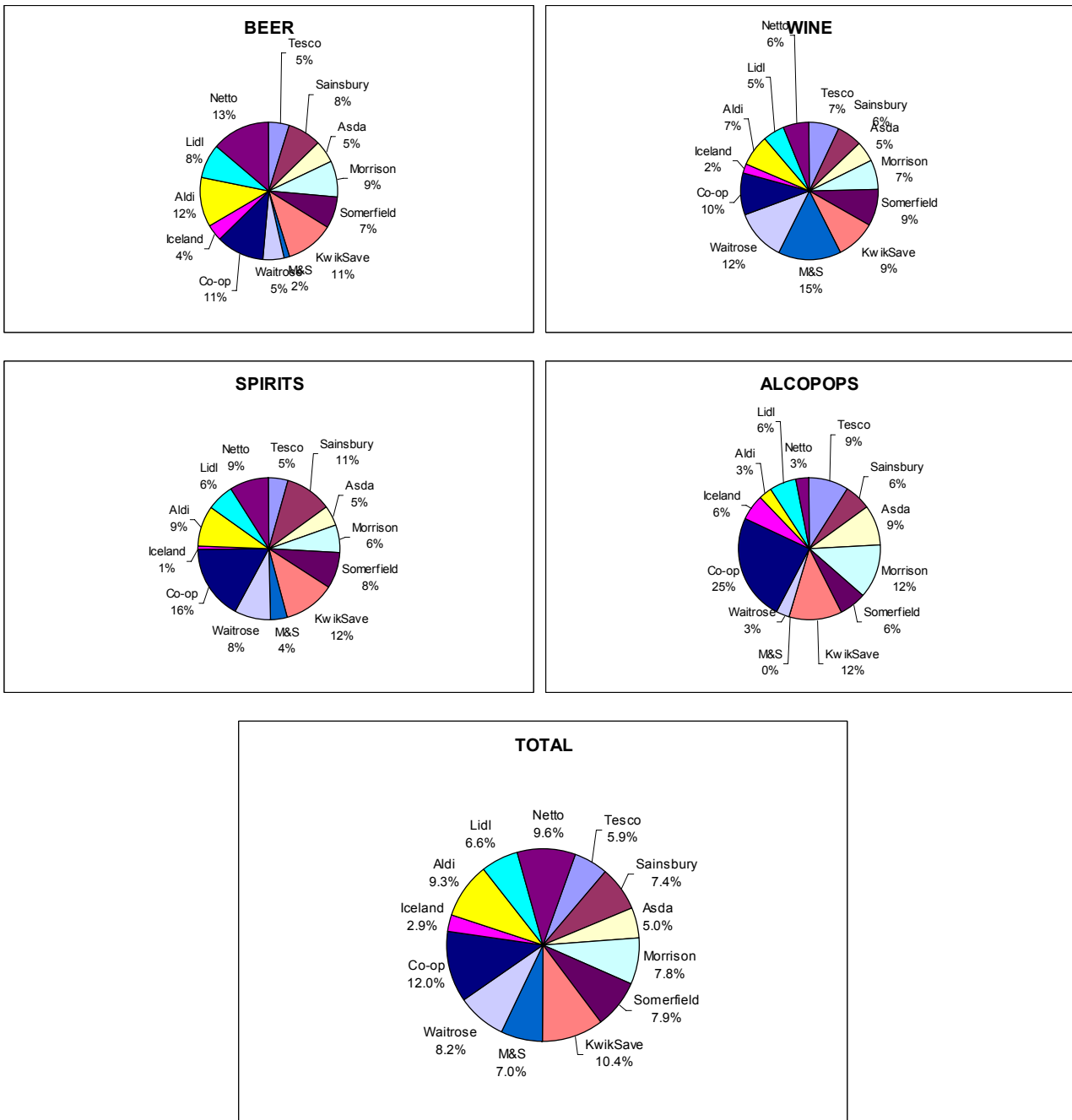
⁸ Grocers are defined as an off-licence with 20% or more of its commodity turnover in groceries. Multiple Grocers have 10 or more branches of which 5 or more have licences.

⁹ Includes: Alldays; Balfour; The Co-Operative Group; United Co-Op; Other Co-Ops.

¹⁰ Multiple Specialists are off-licence with 50% or more of all commodity turnover in alcoholic drink. This must be 80% or more if the balance is groceries.

¹¹ Symbols groups are an organisation of independent retailers who buy supplies through a specific wholesaler which are then delivered directly to the store (enables large quantity discounts).

Table 3: Allocation of Space to Different Types of Alcohol



Information provided by the Scottish Grocers Federation (SGF) details that 70% of a modern convenience store's turnover comes from age related products, with licensed products accounting for 30% of turnover. Supermarkets account for 80% of the total grocery market and direct alcohol promotions at their 'car-borne' customers. Small, community stores address the convenience aspect of purchasing hence sales volumes are much lower (SGF 2005).

A study by The Office of National Statistics (ONS) surveyed 3,528 adults (over 16yrs) and showed 70% of people were most likely to have bought alcohol in the last year from a supermarket with (28%) from an off-licence (a fall over the survey period), with men far more likely to purchase from an off-licence (8% compared with 4%). Very few (5%) had purchased alcohol from somewhere other than a retail outlet. (ONS, 2004).

4.2 Prevalence of selling to those who are underage

There is a substantial body of evidence to suggest that off-sales selling to underage people is relatively common in many countries (see Home Office, 2005; Huckle et al, 2005; Bradshaw, 2003; Friesthler et al, 2003; Lewis et al, 1996). In particular, the Edinburgh Study of Youth Transitions and Crime found that nearly half of all respondents (3950 young people aged around 15 years) had purchased alcohol illegally from at least one or more sources in the previous year; and one third of these had obtained their alcohol from a small, licensed grocer or shop, whilst only one quarter had bought from an off-licence, and one-fifth from a supermarket (Bradshaw, 2003).

As part of an Alcohol Misuse Enforcement Campaign, police and trading standards officers found similar statistics for off- licences in test purchase operations against nearly 1000 licensed premises across the UK (Home Office, 2005). In addition the Health Education Authority survey 'Young People and Alcohol' (1997) found that this pattern is particularly true of 11 to 16 year olds, with those of age 17 years more likely to purchase the majority of their alcohol from on-sales (i.e., pubs and clubs).

Since the introduction of test purchasing, a number of pieces of evidence have shown underage people are highly likely to successfully purchase alcohol from a number of different locations¹² (see Stockport Express Newspaper, 2003; Willner et al, 2000); and successful purchase figures were generally comparable across locations, alcohol and outlet types. Most worryingly, the age at which young people can successfully begin to purchase alcohol appears to be around 12 years of age;¹³ and rather than apparent age of consumer, it was noted that refusals were more likely when there was another vendor present by (Willner et al, 2000).

Evidence from the US suggests they have a similar problem with underage people successfully purchasing alcohol (Fletcher et al, 2000; Wolfson et al, 1996; Forster et al, 1995). In particular, it was found: that buyers were more successful if the salespersons were male, or if the businesses were located in residential areas or malls (Forster et al, 1995), or they included older licences (i.e. age of outlet), or were not affiliated with a chain (Wolfson et al, 1996).

4.3 Prevalence of selling to those who are already intoxicated

Less evidence exists with regard to off-licences selling to those who are already intoxicated. Toomey et al (2004) used trained actors attempted to purchase alcohol while acting out signs of obvious intoxication at a census of on- and off- sale alcohol establishments in 11 communities in the U.S. The authors found that 83% of off-sales establishments sold alcohol to a pseudo-intoxicated buyer and that this was a significantly higher percentage than on- sales selling (76%).

Another U.S. study utilised similar techniques investigating the ease of which underage and intoxicated people could purchase alcohol in both on- and off- sale premises. The results showed that apparent minors were less successful in their purchase of alcohol (39% of successful attempts) than pseudo intoxicated persons (who were served alcohol in 58% of attempts). The results of the study showed that server characteristics were the prime determinant affecting the sale of alcohol. Sales were also more likely to be affected by location; both more frequently found in highly populated areas. The relationship between sale of alcohol to either underage persons, or intoxicated persons, and type of outlet was not significant (Freisthler et al 2003).

¹² Off- licences, corner shops, supermarkets and public houses.

¹³ In the Willner et al (2000) study an outstanding 41.6% of 13 year old girls successfully purchased alcohol from off-sales locations.

4.4 Frontloading

The concept of ‘frontloading’ or ‘pre-loading’, where individuals consume quantities of off-sales alcohol before frequenting on-sales establishments is a pattern of behaviour causing increasing concern. There is little UK evidence discussing this concept, however consensus from experts at a recent conference in Glasgow ‘Play Safe in Glasgow’ exploring the issues of the night time economy is Glasgow (2005) was that this was a worrying trend and one of the conference aims was to target this behaviour at off-sales premises and ensure it was addressed within licensing reform.

4.5 Potential solutions

Manufacturers and retailers take responsible selling and promotion seriously, for example, with initiatives such as ‘Drinkaware’ in the UK and guidelines issued by the Association of Convenience Stores (ACS/BRC/WSA, 2004). The Portman Group for the UK drinks industry have worked hard over the last 30 years to address responsible selling, however there is a careful balance to be made between responsible selling and allowing retailers to maximise market opportunity. A study by Giesbrecht (2000) discusses the role of commercial interests in alcohol policies in USA and Canada and describes their powerful effect on alcohol policy. Conclusions from the study show that a series of measures should be put in place to ensure that there is a balance of interest in the development of alcohol policies. These measures include: Governments applying an evidence-based approach to funding prevention efforts, and facilitate evaluation of industry-sponsored prevention efforts; greatest attention and resources should be directed to interventions which reduce drinking-related problems; funding for prevention from alcohol industries be at ‘arms-length’; alcohol industries should be encouraged to consider strategies that do not increase access to alcohol but rather reduce drinking-related risks.

Evidence suggests that potential solutions to the problems of selling to those who are underage or those who are already intoxicated can take many forms - including server training, police enforcement, media involvement, ID schemes, and automation of refusal records (see Holder, 2000; Buka and Birdthistle, 1999; Wolfson et al, 1996; Hopkinson and Humphreys, 2006). Nevertheless, it should be noted that due to the lack of research carried out on selling to intoxicated patrons in off-licences, the evidence for server training reducing selling to such customers comes from studies carried out with reference to on-sales establishments.

4.5.1 Server training

Evidence regarding the benefits of server training is mixed, and in some cases it is unclear whether studies refer to on- or off- sales, or both. Buka and Birdthistle (1999) found that a US training program in a Rhode Island town had strong positive effects on serving practices¹⁴, and although these decreased over time, they remained higher than pre-program levels. In addressing underage drinking, research also suggests that training of off- sales assistants, and enforcement of underage alcohol sales laws, has a positive effect in terms of reduction of alcohol sales to those not of age (Holder, 2000).

When implementing service training it is important to recognise that ‘one- off’ courses may not be sufficient and the impetus on, for example, checking IDs, may decrease over time therefore it is important to build into such training programmes refresher sessions (Buka and Birdthistle, 1999; Wolfson et al, 1996). What has yet to be firmly established is the most effective *type* of training, and Grube (1997) postulates that server training may not contribute to a reduction in underage selling of alcohol in off-licences more than any other intervention (see section 4.5.2). In addition Wagenaar et al (2005) found that training for off-premise establishments had no significant effect on the likelihood of selling to underage people, although it did for on-sales establishments.

¹⁴ checking IDs, not serving those who were beginning to show signs of intoxication or who were already intoxicated.

Hopkinson and Humphreys (2006) reported that current training got a mixed response from off-sales staff. Some viewed it as positive for teaching the ‘rules’ of what they can sell, and handling certain situations, but some were less convinced that training could help with regards to assessing age and it did not reflect the realities of the store environment. Recommendations from the study included ensuring training is less repetitive and focus is less on the content of the law and more on training and testing staff on assessing customer age, and outlining strategies to help with the process of selling age-related products. They also recommended that continued vigilance should be paid to the ‘freshness’ of the *Think 21*¹⁵ message and it should have maximum publicity, however, off-sales staff did view this initiative as positive.

The lack of clarity with regard to the effect of server training on the likelihood of selling to underage (and also intoxicated) people may simply be due to the fact that there is usually only one person on duty in an off-licence. In on-sales premises, consumers have to deal with a number of trained individuals (e.g. a doorman, perhaps a cloakroom attendant, a CCTV observer, staff on the floor), before they reach the area where the purchase will take place. Even at this point there is usually more than one person on duty. This cumulative amount of training versus the training of one individual could explain why the effects of training for on-sales staff are much stronger. Reinforcing this argument is the finding of a number of studies (e.g. Willner et al, 2000) that refusals at off-licences are more likely when another vendor is present.

4.5.2 Other interventions

The evidence of the contribution of other interventions in reducing irresponsible selling is slightly clearer. Grube (1997) found that increased underage enforcement activities by local police and a media advocacy campaign reduced the likelihood of selling to apparent minors. Similarly utilising various community interventions has a significant positive effect on selling to young people without age identification (Huckle et al, 2005) and direct community pressure has also been shown to elicit a marked decrease in selling of alcohol to underage people (Lewis et al, 1996).

More recently Wagenaar et al (2005) [supported by Scribner and Cohen, 2001] found that although enforcement checks may initially have a beneficial effect on decreased sales to people underage, this effect was short-lived and after only two months evidence of decreased sales was negligible.¹⁶ Therefore suggesting that to have significant effect such checks should be conducted more frequently. Notably the authors also found some evidence that this deterrent effect did not diffuse to other establishments in the community which had not been checked, meaning that checks would have to be carried out in all establishments.¹⁷

Worryingly, a UK- based study did not replicate the above findings of the US- based papers. Willner et al (2000) found that in fact police intervention¹⁸ *did not* decrease sales to underage test purchasers in two independent sites. One possible flaw to the research was that the same young people were used in the ‘before’ and ‘after’ tests which lays possibility that maturity and previous experience could make such people appear more ‘expert’ and confident therefore increasing the likelihood of successful alcohol purchase.

¹⁵ Think 21 is a training initiative to reduce the instances of age restricted products being sold to underage people.

¹⁶ This is in direct contrast to the authors’ findings with regard to on-sales establishments where enforcement had significant short and long term effects

¹⁷ However, it must be noted that the findings of this study could be due to the geographical area covered in the research, and that diffusion of enforcement messages may occur across shorter distances such as the same street or neighbourhood without the need to individually monitor separate establishments

¹⁸ Consisting of warning letters and visits to licensed premises in the area, media publicity and the issue of a small number of formal warnings to licensees who had sold alcohol in other test purchases

The Scottish Executive does postulate that improving the enforcement of the law through targeting specific groups/ areas to regulate the availability and consumption of alcohol will have positive effects on alcohol- related public disorder (Reid-Howie Associates, 2003). And it is recognised that the success of interventions targeted at the culture of selling alcohol (encouraging shop keepers to remain vigilant regarding proof of age, and instilling confidence to ask for such ID) should be a continuing process and follow up of community interventions is important to retain initial figures (Huckle et al, 2005; Lewis et al, 1996).

Other potential solutions include further use of a standardised proof of age card, a ‘no ID, no sale’ policy and asking for identification from those who appear under 21. These types of interventions were endorsed by young people interviewed for their perceptions in a recent study. They also highlighted the following as being instrumental in reducing alcohol related disorder and harm:

- The targeted policing of busy entertainment areas
- Harsher penalties for those arrested for alcohol related crimes
- Improved vetting procedures and intensive training for door staff and
- Longer opening hours. (Richardson and Budd 2003)

CHAPTER 5 EFFECTS OF OFF-LICENCES ON THE COMMUNITY

Off-sales are a predominant source of supply for underage drinking (CAHRU, 2003) and evidence indicates that promotions such as volume discounts contribute to binge drinking (Kuo et al, 2003). There is a growing body of evidence within the US linking the number or density of all alcohol outlets (sometimes specifically off-licences) and/ or alcohol consumption in a community with various negative alcohol related consequences. This does suggest that controls on and regulation of alcohol sales should be uniformly applied across all sources of alcohol.

5.1 Crime

5.1.1 Assault

Work carried out by Stevenson et al (1999a) examined the relationship between alcohol sales and assault in New South Wales (NSW), Australia, and how outlet numbers, outlet types and alcohol types contributed to this relationship. Multiple regression analyses revealed a significant relationship between overall alcohol sales in an area and its incidence of assault for both Sydney and country NSW. There were few effects of outlet or alcohol type for Sydney, but the effect of alcohol sales from hotels and off-licences accounted for most of the alcohol - assault relationship for country NSW. Notably however, alcohol outlet density per se was not significantly related to the incidence of assault.

Studies carried out by Gorman et al (2001), Speer (1998), and Scribner et al (1995) all examined the extent to which alcohol outlets in a community influence assaultive violence/ violent crime. In all cases, outlet density significantly accounted for higher rates of violence once other (socio-demographic) factors were controlled for, although it is unclear whether or not off-sales were included in their analyses.

A study by Matthews (2006) looking at violence-related injuries and the price of beer in England and Wales used data collected from 58 NHS Emergency Departments between 1995-2000 to develop an economic model of the determination of violence-related injuries. The findings showed that a 1% rise in the real price of alcohol would equate to an economy wide reduction in Emergency Department assault cases of 5000 per year. It was also shown that there was a clear seasonal pattern to the data, in that violence related injuries were highest in summer. Major sporting events, which engage the national population also produce a significant increase in assault related violence (note it is unclear what the effects of 'sporting' promotions are). Whilst it is unclear what element of the model relates the cost of off-sales, the authors indicate the real price of beer within the model acts as a proxy for alcohol prices. It would be necessary to explore the model further before implications for off-sales can be drawn.

5.1.2 Homicide

Scribner et al (1999) looked at homicides occurring during 1994 and 1995, and active on- and off-sale licence premises in New Orleans, in order to determine any geographic relation between homicide rate and two measures of exposure to alcohol outlets: alcohol outlets per square mile and alcohol outlets per person. Once socio-demographic confounders were accounted for, adding off-sale alcohol outlet density using both of the above measures yielded a strong geographic relationship with homicide and increased the amount of variance explained. A 10% higher off-sale outlet density accounted for a 2.4% higher homicide rate.

Taking a slightly different angle, Norström looked at the relationship between private alcohol consumption (gauged as retail sales of beer, wine and spirits) and the number of homicides per 100

000 inhabitants in Sweden between 1956 and 1994. According to the author's findings the homicide rate was significantly associated with retail sales of spirits (Norström, 1998).

5.1.3 Drinking and driving/ alcohol related crashes

The research regarding off-sales density and the effect on drunk driving is less clear. Overall, Gruenewald (1996) asserts that '*...alcohol availability, measured in terms of geographic density of alcohol-sales outlets, is linked to specific patterns of alcohol-related motor vehicle crashes in communities...*' (p. 244). However, McCarthy (2003) analysed data from 111 small cities in California from January 1981 to December 1989 in order to ascertain any effect of alcohol availability on highway safety, using the measure of alcohol licences per square mile and alcohol related crashes. Although it was found that the number of licences per square mile was a significant determinant of alcohol-related crashes, the direction of this effect was dependent on the type of licence. In fact, increases in the density of general alcohol licences for off-sales were actually beneficial to highway safety, and it was general on-sales licences which had a detrimental effect.

Lapham et al (2004) attempted to assess what effect New Mexico's 1998 drive-up liquor window closure had on alcohol related crashes. Analysis of the data yielded no significant difference, although the rate of alcohol related crashes did decline following the drive-up window closure. However, Lapham et al (2004) found, as with McCarthy (2003), indications that a greater percentage of crashes occur where there are fewer off-premise outlets.

Scribner et al (1994) used 1990 data from 72 cities within Los Angeles County to examine the relationship between densities of four types of alcohol outlets (restaurants, bars, liquor stores and mini-markets) and alcohol related crashes. Overall the findings of this study demonstrated that increased alcohol availability is geographically associated with increased alcohol-related crashes. In contrast with the above findings, there was some indication that this was significant for the off-sales premises studied (Scribner et al, 1994).

5.2 Disorder

5.2.1 Young people

In general there is substantial evidence showing a link between alcohol use and offending especially with young people. A recent report utilising data from the Youth Lifestyles Survey explored these links. Overall it was clear that the frequency of drunkenness was more strongly associated with general offending than frequency of drinking – this was particularly so for violent crime (Richardson and Budd 2003).

A more recent Home Office document (Matthews et al, 2006) has explored this link to a greater extent. The results of the study specifically focused on results for those aged 10-17 years and found that:

- *Those who drank alcohol once a week or more committed a disproportionate volume of crime, accounting for 37% of all offences reported by 10-17 year olds, but only 14% of respondents.*
- *Those who had never drunk alcohol or had not drunk alcohol in the past year committed 16% of all offences but comprised 45% of respondents*
- *A higher proportion of those who drank alcohol once a week or more reported committing criminal damage (12%) and theft (4%) offences during or after drinking than those who drank less frequently.*

Whilst there is little evidence that off-licence density contributes to the levels of general disorder, it is clear that there is a relationship between overall alcohol sales and disorder related offending.

Stevenson et al (1999b) explored the relationship between alcohol sales and malicious damage to property and offensive behaviour in both Sydney and country NSW. After controlling for socio-demographic variables it was found that both offence types occurred more frequently in areas with greater sales of alcohol in both locations studied, although the effect was stronger in Sydney itself.

As noted in a study by Bradshaw (2003) who found that 49% of young people had purchased alcohol illegally during the year that the study took place, with a vast majority of these purchases coming from off-sales premises. It also found that purchasing alcohol was strongly related to involvement in delinquent behaviour (e.g. damage to property, public disorder, and graffiti) and was actually a better predictor of delinquent behaviour than frequency of drinking. Similarly, young people aged 18-24, in focus groups carried out by Engineer et al (2003), all acknowledged the relationship between excessive drinking and disorder which included fighting and drunken pranks, and many of those interviewed had been involved in both.

Antisocial behaviour in the vicinity of off-sales premises remains anecdotal (e.g. Scottish Executive, 2004); with few peer reviewed studies being carried out on this topic. A guidance document for the off trade does acknowledge that:

“The problem of youths congregating outside stores, especially in the evening, is familiar to retailers. Such meeting points are often considered to be a flash point for antisocial behaviour. It is also clear that retailers suffer from this problem, with young people causing litter, deterring customers and possibly intimidating staff”(ACS/BRC/WSA, 2004, p.7).

5.3 Injury

When analysing the relationship between alcohol availability and general injuries, Treno et al (2001) found that self reported injury is related to the density of both on- and off-sale premises independent of other predictors (e.g. gender, age, ethnicity, community, etc). It is acknowledged that although the reasons behind this relationship are unclear, there is a distinct possibility that: a) greater outlet density could mean more drinking and therefore more injury (Gruenewald et al 1995); or b) specific outlets could influence neighbourhood characteristics such that individuals are at more risk of injury independent of their drinking; or c) alcohol outlets may simply be a surrogate measure for broader community conditions (Treno et al, 2001). Liquor licensing and public disorder research (Reid- Howie Associates, 2003) also found evidence pertaining to different types of outlet experiencing different levels and types of alcohol- related crime/ disorder. As such, *the type of outlet* may have different societal and cultural effects – particularly in relation to alcohol-related problems.

5.4 Off-sales density and availability

A recent study published by the Scottish Executive notes that there is some evidence to suggest that there is an association between the number of alcohol outlets and levels of alcohol related problems; and as such restricting the number of such outlets may have a positive effect in alleviating these issues (Reid- Howie Associates, 2003).

Increased density of bars, restaurants and off-sales establishments in a particular location has often been highlighted in the literature as a potential problem. There are more instances of drunk driving (Jewell and Brown, 1995), pedestrian injury collisions (LaSacala et al, 2005) and violent assaults (Stevenson et al, 1999a) in areas highly populated with on and off-licences. However, while these studies indicate that there may be a relationship between density of premises and alcohol related problems, these have not been clearly demonstrated over time (Gorman et al, 2001).

Gruenewald et al (1993) found by using a time series design looking at information from 24-38 American States that variations in numbers of outlets significantly predicted alcohol sales. Thus, a change in the number of outlets in a particular area can have a substantive effect on consumption and alcohol related problems. Similar findings were shown with Nielson et al (2003) who showed that alcohol availability has strong positive effects on rates of non-lethal violence and the percentage of recent immigrants is also a positive predictor. These findings however, must be judged with caution as most studies have failed to differentiate the difference between density of on- and off- sales, rather they have been considered together.

Subsequently, an American study used longitudinal data to identify the relationship between alcohol outlets and violence/ antisocial behaviour. The overall results showed that changes in the numbers of alcohol outlets over time were directly related to changes in violence rates across 581 index locations. Contributing to these findings was that local characteristics also influenced the rates of violence – the most salient of these being median household income and percent African American populations. These findings were independent of coexisting changes in other population and place characteristics, were consistently found over time and were independent of effects related to other alcohol outlets (Gruenewald and Remer, 2006).

Raistrick et al (1999) suggests that the association between number of outlets and alcohol consumption may depend on the type of outlet, as in UK studies, overall effects tend to vary with type of alcohol product.

5.5 Potential solutions

5.5.1 Drinking and driving/ alcohol- related crashes

Holder et al (2000) studied the effect increased local enforcement on drinking and driving laws on self reported driving after drinking, and rates of alcohol- related crashes. The interventions were part of a 5 year community alcohol trauma prevention trial. Actions included police being equipped, trained for, and then carrying out special DUI (driving under the influence) patrols, and carrying out random roadside checks. The authors found that self reported driving whilst over the legal limit was 51% lower per 6 month period in the intervention communities in compared to comparison communities. In addition, night time crashes declined by 10% and crashes in which the driver had been drinking declined by 6% (Holder et al, 2000).

Wechsler et al (2003) used a national (US) sample of full time college students in order to examine policy factors associated with alcohol-involved driving. He found that the rates of drinking driving were significantly lower among students who attended colleges in states with: more comprehensive laws on underage drinking; restriction of high volume sales; and a strong rate of drinking and driving enforcement.

5.5.2 Assault

The Holder et al (2000) study also measured the effect of the community interventions on the rates of assault in the intervention communities vs. comparison communities. The interventions were increased DUI monitoring (see 5.5.1) community mobilisation (e.g. taskforce formation and media mobilisation), reducing access to alcohol (e.g. restriction on availability at special events, implementation of new distance regulations between outlets and public places) and responsible beverage service. The study found that assault injuries observed in emergency departments declined by 43% in the intervention communities versus the comparison communities, and all hospitalised assault injuries declined by 2% (Holder et al, 2000).

5.5.3 Antisocial behaviour around off-licence premises

Whilst there is little in the way of formal studies on this topic, anecdotal evidence for this problem is strong, and a number of potential solutions have been suggested. A guidance document for the off trade suggests making the outside of the store less attractive as a place to congregate by, for example, removing any low level walls from outside the premises, removing any directly adjoining canopies that provide shelter from inclement weather and ensuring that the area outside the store is such that it may deter youths from congregating. In addition the document suggests becoming involved in community crime reduction initiatives (ACS/BRC/WSA, 2004).

A motion to the Scottish Liberal Democrat conference 2004 called for a new offence of loitering outside licensed premises, which was prompted by concerns about gangs congregating outside off-licences and intimidating members of the public (Swanson, 2004). According to Swanson (2004) crackdowns have also been announced on off-licences which become a magnet for antisocial behaviour. In addition, proposals have been announced to give local residents a bigger say in the granting of off-sales licences and allow licensing boards to block applications in areas hit by antisocial behaviour.

An unusual solution, preventing groups of youths congregating where they are unwanted, is using piped classical music. According to Jackson (2005) some Co-op stores are trying this out outside some of its shops. The Tyne and Wear metro was one of the first to use this solution, having heard of the success of some schemes in Canada, and it plays classical music at some of its outlying stations. According to a spokesman this has virtually eliminated the problem of young people hanging around, getting involved in low level antisocial behaviour such as swearing and harassing passengers. Pilot projects have also begun at London Underground stations and a bus station in East Yorkshire (Jackson, 2005).

CHAPTER 6 OFF-SALES LICENSING LAW

6.1 International perspective

Alcohol policy around the world shows comparable licensing restrictions for off-sales. The most common policy is to limit the places where alcohol can be sold (e.g. the location must not exceed certain distance boundaries from a school/place of worship – normally 500m), which is practiced in most countries. Furthermore, some countries were shown to limit the hours of sale, restrict the days of sale, and also regulate the density of alcohol retailers (typically, Sweden, Finland and Norway) (Alcohol Policy, 2006). However, a cluster of central and eastern European countries do not share these restrictions (Austria, the Czech Republic, Germany, Luxembourg and Slovakia), together with several southern European countries (Portugal, Italy and Greece).

All countries exercise access restrictions to alcohol in some way; with a minimum age of 16-20 years to buy alcohol in bars (this consistency is seen to differ for off-sales purchases)¹⁹. Furthermore, as previously mentioned, there are instances of targeted taxes in a number of countries – namely in response to young people’s preference for certain types of drinks. France, Switzerland, Germany and Denmark have employed this intervention, with relative success (Babor, 2003).

Overall, areas where countries are relatively similar include policies concerning drink driving, licences for alcohol sales, and the existence of a minimum age at which alcohol can be purchased in bars. However, wide differences can be seen in the enforcement of the exact age at which people can buy alcohol (particularly in off-sales), limits on availability and advertising restrictions (Sewell, 2002).

6.2 Changes in English licensing laws

The table below outlines the major changes between the old and new laws in England.²⁰

Table 4: Major changes in English licensing law

OLD SYSTEM	NEW SYSTEM
Magistrates have responsibility for alcohol licensing (Liquor licences and Restaurant licences) Local authorities have responsibility for entertainment licences and night café licences	Local authorities responsible for all alcohol and entertainments licensing (liquor, restaurant, entertainment and night café licences). Approx. 3,600 existing licences in Westminster.
Separate licences for cinema, theatre, sale of alcohol, public entertainment, etc.	One premises licence to cover all activities and no additional licence costs for more than one activity.
Individuals licensed to sell alcohol from particular premises.	Separate premises and portable personal licence.
Applicants for licences have to prove themselves fit and proper.	New applicants for personal licences need to gain an accredited qualification and obtain a criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Intelligence Service (or words to that effect).

¹⁹ Some southern/ central countries do not enforce a minimum age restriction, compared to Northern countries where age restrictions consistent across on and off sales. This variation is further apparent in that age regulations can also differ across type of alcohol i.e. beer or spirits (with spirits being treated more severely)

²⁰ (<http://www.licensingaid.org.uk/systems.html>).

OLD SYSTEM	NEW SYSTEM
Public entertainment fees set by individual local authorities.	Fees set by Government for premises and personal licences.
Two in a bar rule means that where more than two artists perform, a public entertainment licence is required.	All public entertainment will normally require a licence, but entertainment consisting of the performance of live music will not need a licence where it is incidental to other activities.
The law regarding children's access to licensed premises is confusing and inconsistent.	Children's access will be the norm, except where there is a good reason for them being excluded – balanced by clear objective of protection of children from harm.
The law concerning consumption of alcohol by under 18s in public places is confusing and unrealistic for example it is legal to buy an alcoholic drink and give it to a six year old in a public garden.	16 and 17 year olds will only be able to consume alcohol in pubs when it is bought for them by someone 18 years old or older, and is consumed with a meal in the company of someone 18 or over.
Licences are required for tombolas and raffles where alcohol is offered as a prize.	Tombolas or raffles will be exempted from the requirements for a licence in most cases
Anyone wishing to hold a one-off event must apply for an occasional permission from the Court.	A new system of temporary permitted activities will allow extensions for premises licences, (for example a big sporting event or a wedding) and the sale of alcohol by non-licence holders within permitted limits after a simple notification
Anyone can sell alcohol in wholesale quantities to the public without a licence	The exception for wholesale will only apply to sales between businesses or to personal or premises licence holders.
There is broad discretion for licensing authorities on the reasons for making licensing decisions.	There will be four specific licensing objectives on which all decisions in relation to licensing applications must be based.
Alcohol can only be served within specific limited permitted hours, subject to some extensions being obtained.	Permitted hours will be abolished and each licensed premises will choose its own hours of opening, subject to there being no objections from others.
Police powers to close relate only to permanent on-licensed premises	Police powers to close premises extended to all temporary events such as one-off raves

The media focus for the Licensing Act 2003 has concentrated upon potential 24 hour opening, what is clear however, is that it has opened the door to longer hours and the increased availability of alcohol. There are elements of the bill that could be extremely positive; such as the introduction of server training, the curtailment of 'happy hours' and constraints on the overprovision of licensed premises (Evening Times, 2004; BBC News, 2005).

There is varying evidence to support increases in licensing restrictions of alcohol. Evidence based on current practice concerning licensing of alcohol shows a mixed result. For example, in Australia, Ireland, Iceland and Canada the extension of opening times and availability of alcohol have led to an increase in violence, alcohol consumption and drunkenness (Parliamentary Office of Science and Technology, 2005). While in Norway, Finland and Sweden there was a decrease in consumption of heavy drinkers (Holder et al, 1998).

Central to this seems to be the drinking culture; where there is a culture of binge drinking; extended opening hours seems to encourage consumption of alcohol. In general for the UK there is some indication to suggest that extended licensing hours may be linked to increased problems with alcohol related crime and disorder (Babor, 2003). However, Barnardo's Scotland believe it is important to 'normalise' drinking habits so children grow up with a '*responsible and healthy attitude to drink*' hence they support the relaxation of opening times as they feel the correlations between alcohol and aggression will not be solved by imposing '*...draconian licensing*

restrictions', but, any changes in law must be supported by appropriate education, prevention, treatment and support (Barnardo's, 2003).

A review in Scotland investigated the perceptions and attitudes of the public to changes in licensing laws. The majority of interviewees expressed that an extension to licensing laws would do nothing to change the current situation surrounding problem drinking. Rather, alcohol was seen as a substance that is already readily available (Lancaster and Dudleston, 2002).

There is limited literature discussing the effects of the English Licensing changes as it has only fairly recently been implemented, and it is reported that there are also difficulties surrounding analysis of the impact due to the introduction of the Act being accompanied by a major Alcohol Misuse Enforcement Campaign (AMEC). It is, therefore, difficult to separate the effects of the Licensing Act from those of the AMEC campaign (IAS, 2006a + b).

Since the Act came into force, early indications show no change in the overall level or a shift in the times of offences. Abolishing fixed closing times does not seem to have reduced crime and disorder as originally intended (IAS 2006b).

A discussion paper by McNeill (2005) providing a critique of the assumptions underlying the Licensing Act 2003 outlines his strong reservations about the de-regulation of on-trade closing times.

CHAPTER 7 CONCLUSIONS

7.1 Summary

The worth of the literature in this field is restricted by methodological flaws and reports failing to incorporate basic and consistent material suitable for meta-analytic review (Wagenaar et al, 1995). Furthermore, whilst there has been a reliance on US literature in some sections, these results must be interpreted with caution as they cannot necessarily be used as direct comparison to the UK. There is also some evidence of publication bias in US designs.

Similarly, across many initiatives in the UK there is a general lack of systematic evaluation of the effectiveness in terms of reducing alcohol related crime/disorder and antisocial behaviour (Reid-Howie Associates, 2003).

Evidence from a large body of research carried out in the UK and elsewhere has established that alcohol consumption is a significant contributory factor with respect to a range of offences, and in particular violence, disorder and antisocial behaviour. However, drinking alcohol is a popular activity associated with enjoyment and being sociable. These are the conflicting realities that make the issue very complex, and underline why work in this field needs to be carefully balanced. It is not alcohol consumption *per se* that is at issue; at issue are those circumstances and situations where the consumption of alcohol contributes to unacceptable forms of behaviour.

Difficulty arises when trying to discern where the groups involved in antisocial behaviour etc. obtain alcohol and what their subsequent behaviour is. Ultimately there is an overall paucity of studies in the area specifically looking at the relationship between antisocial/unwanted behaviour and off-licence sales.

7.1.1 Irresponsible selling

Examination of the cited studies demonstrates that selling to underage people in off-licences is prevalent. In addition, initial indications are that selling to those who are already intoxicated is also common. More work is necessary on the prevalence of selling to those already intoxicated in off-licences and the factors that may prevent or reduce selling.

Solutions to the problem of irresponsible selling need to be implemented or reinforced. The literature suggests that stronger enforcement of the law through regular checks and test purchasing, along with server training, ID schemes, and media coverage of these measures could help reduce the level of irresponsible selling (e.g. Holder, 2000; Grube, 1997; Huckle, 2005; Hopkinson and Humphreys, 2006). This checking and enforcing would presumably come under the remit of the proposed Liquor Licensing Standards Officers (LLSOs), and/or the police. In addition Proof of Age and No Proof No Sale schemes should be reinforced.

7.1.2 Drinks promotions

Recent studies have shown that cheap drinks promotions in off-licences have an effect on alcohol consumption (e.g. Kuo et al, 2003). However, there seems to be some confusion on the part of UK alcohol industry related bodies as to whether off-sales alcohol promotions do present a problem (e.g. Portman Group, 2003; Northern Ireland Drinks Industry Group, 2005).

Alcohol policy groups in the UK need to clarify or update their position on off-sales alcohol promotions in order to present a clear message. More research is needed on the topic to provide a stronger evidence base. The initial evidence suggests that drinks promotions in off-sales could be

curtailed to some degree (Kuo et al, 2003), although again, further research is required to make definitive recommendations.

Further investigation is also required into the impact of 'value' and 'own brand' alcohol brands to understand their share of the market, who is buying these products and what the effects are.

7.1.3 Targeted marketing

Alcopops, though generally perceived as targeting underage drinkers (and possibly do provide a more accessible introduction to alcohol), are not generally drunk to excess by young people due to their being too expensive, too weak and often perceived as too childish (e.g. Brain and Parker, 1997; Hughes et al 1997). Underage drinkers wanting to become intoxicated quickly and cheaply instead opt for cheaper, high alcohol, brands (e.g. Brain and Parker, 1997). By the time young people are closer to legal drinking age they generally drink conventional drinks which are not perceived as being aimed at young people (Hughes et al, 1997).

One suggestion requires pricing drinks by alcohol content (e.g. MacKintosh et al, 1997, Ponicki 1997) along with some restriction on off-sales drink promotions; this could prevent cheap access to high alcohol drinks. In addition there seems to be the suggestion that there should be more alcohol education offered at school (e.g. MacKintosh et al, 1997) as current substance education tends to focus on drugs (MacAskill et al, 2001). Finally, further research needs to be carried out on social sources of alcohol for young people and how these can be limited.

In addition there is some evidence from the US that advertising and pricing does target both minority ethnic and low income areas (Alaniz, 1998; Harwood et al, 2003). Responses at local level (e.g. Mack, 1997) appear to be helpful in preventing this.

7.1.4 Effects of off-licences on the community

Evidence suggests that the density of and even the very existence of off-sales outlets contributes to levels of assault (e.g. Stevenson et al, 1999), homicide (e.g. Scribner et al, 1997) and self reported injury rates (e.g. Treno et al, 2001). However, again the point must be made that the evidence is largely US based.

With regards to drink-driving and alcohol related crashes the evidence is mixed, with some studies showing off-sales related to a higher rate of such incidents and other studies showing off-sales as a potential preventive factor (e.g. Gruenewald, 1996; McCarthy, 2003). In addition there is a clear relationship in general between alcohol sales and disorder (e.g. Stevenson et al, 1999b).

Increased monitoring (as mentioned in section 7.1.1) would be beneficial in order to reduce the large contribution that young people and those already intoxicated make to these problems. In addition increased police drink driving checks would be helpful (e.g. Holder et al, 2000). Further alcohol/planning restrictions could be put in place such as laws relating to the distance between alcohol outlets and public places (Holder et al, 2000) along with further reinforcement of current public drinking and confiscation bylaws.

Finally, the area outside off-sales establishments could be made less desirable as a place to be through various environmental measures (e.g. Jackson, 2005; ACS/BRC/WSA, 2004), along with the introduction of new laws against loitering outside off-sales establishments (e.g. Swanson, 2004).

7.2 Overall Conclusions

The aim of this review was to examine the depth and range of information and evidence available with regards to off-sales and the effect promotions have on the selling of alcohol in the community.

It would be fair to say that as a whole, across the different sections of the literature, there are wide gaps in understanding of the intricacies of this subject. A large amount of research has been conducted on the selling of alcohol in pubs and clubs, along with a considerable amount of work on violence and disorder and the relationship with alcohol. However, investigations of the exact connections between where alcohol is purchased in the community setting and the effects are limited.

We know that promotion of alcohol does have an effect on consumption. There is evidence to suggest alcohol availability and affordability has increased over the last ten years and the work looking at alcopops in the 1980's and 90's is now, to a certain extent, out of date. What is still unclear is published evidence of the effects of promotions within the off-sales sector.

There is considerable evidence showing that irresponsible selling to youngsters does happen within the off-sales sector, however, again, the literature contradicts itself on the best solutions to this problem. Outlet density work is prominent in the US but less so in the UK, and issues such as front loading of alcohol through increased sales of alcohol via off-sales is not addressed within the formal literature. Obviously licensing laws within the UK have changed recently and it is too early to find within the literature any research conducted on the effects of these changes.

It seems from this brief literature trawl that the off-sales sector has been missed when researchers have been looking at key issues. There is no doubt that Scotland shows some of the highest levels of alcohol- related harm in Europe. However there is often a jump from the link between alcohol-related harm and anecdotal evidence of where the problems lie.

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APPENDICES

Appendix A – Document Sources

Alcohol Concern (Website and Library)	http://www.alcoholconcern.org.uk
Alcohol Information Scotland	http://www.alcoholinformation.isdscotland.org/
Applied Social Sciences Index and Abstracts (ASSIA, through Cambridge Scientific Abstracts)	http://www.csa.com
BIDS	http://bids.ac.uk
Biological Sciences (through CSA)	http://www.csa.com
Biology Digest (through CSA)	http://www.csa.com
Clean and Safe Worldwide	http://www.cleanandsafeworldwide.org
Conf. Papers Index (through CSA)	http://www.csa.com
Criminal Justice Abstracts	
Emerald	http://www.emeraldinsight.com
Google	http://www.google.com
IDOX	
Ingenta	http://www.ingenta.com
ISI Web of Science	
Medline (Through CSA)	http://www.csa.com
MIMAS Web of Science	http://www.wos.mimas.ac.uk
Nat. Crim. Justice Reference Service Abstracts (through CSA)	http://www.csa.com
National Institute on Alcohol Abuse & Alcoholism	http://www.etoh.niaaa.nih.gov/
Ovid	http://gateway.uk.ovid.com
PubMed	http://www.ncbi.nlm.nih.gov/entrez/query.fcgi
Scottish Executive	
Social Services Abstracts (through CSA)	http://www.csa.com
Sociological Abstracts (through CSA)	http://www.csa.com
Swetswise	
TOXLINE (through CSA)	http://www.csa.com
TRIP	http://www.tripdatabase.com/

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