



# Home Office

**Rt Hon Lynne Featherstone MP**  
**Minister for Crime Prevention**

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Anna Lynch  
Director of Public Health  
Durham County Council  
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18 DEC 2014

Dear Ms Lynch,

Thank you for your letter of 24 November to the Rt Hon Jeremy Hunt MP, Secretary of State for Health, about the concerns raised by Durham County Council's Children and Young People's Overview and Scrutiny Committee about the availability of alcohol and the protection of young people. I am replying as the Minister of State for Crime Prevention.

The Government believes that the sale of alcohol to children is unacceptable. For this reason we raised the maximum fine for the offence of persistently selling alcohol to children to £20,000. We have also lowered the evidence threshold that must be met before the licensing authority can take action to review a licence and we have also issued statutory guidance to licensing authorities to ensure that they consider revoking the licence completely.

Turning to your concerns about outlet density being linked to harms, I should explain that the cumulative impact of licensed premises on the promotion of the licensing objectives is a matter which a licensing authority may consider in developing its licensing policy statement. Cumulative impact policies (CIPs) may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises.

When the licensing authority decides to introduce an approach to cumulative impact, it must indicate this in its statement of licensing policy. A CIP is a special policy whereby, when a licensing authority receives relevant representations, there is a rebuttable presumption that new applications or applications to vary a licence will be refused or subject to certain limitations. While there are no plans to prevent the sale of alcohol in cinemas, cinemas applying for a premises licence in a CIP area would be subject to the provisions of the special policy.

Where any person has concerns that alcohol sales might undermine one of the four licensing objectives (these are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm), he or she may make a representation to the licensing authority to seek a review of the premises licence.

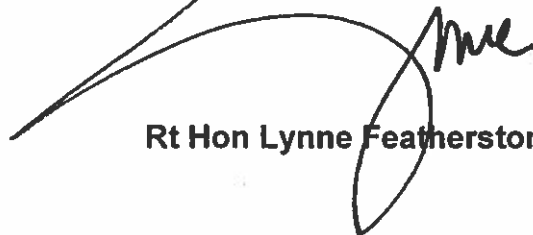
With regard to the marketing of alcoholic drinks, the Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display point-of-sale material, until there has been compliance with the decision.

There are also specific provisions governing the advertising of alcohol in cinemas. The Advertising Standards Authority's (ASA) remit covers cinema advertisements. The policy on alcohol advertising is set out in the guidelines for commercial content as outlined in the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing (the CAP Code). The Cinema Advertising Association (CAA) also requires that cinema advertisements comply with the CAP Code.

The codes on alcohol advertising state that alcoholic drinks should not be advertised if more than 25% of its audience is under eighteen-years-of-age. To comply with this code, alcohol advertisements are scheduled to screen only with films that will have an average audience of 75% or more adults, based on audience predictions by the CAA's alcohol panel. According to the provisions of the CAA Alcohol Film panel, alcohol advertisements can be shown with all '18' certified films. The CAA policy also requires that alcohol advertisements must not constitute more than 40 per cent of advertisements and that they must not run sequentially.

I hope that this information is helpful.

Kind regards

A handwritten signature in black ink, appearing to read 'Lynne', with a long, sweeping underline that extends to the left and then loops back under the name.

**Rt Hon Lynne Featherstone MP**