

**Annual Report 2007–2008
For Annual General Meeting, 18 October 2008**

Held at Saffron Lane WMC Leicester

During the past year we have seen the smoking ban wreak havoc on the hospitality trade the social and private lives of smokers and their friends.

However, Freedom2Choose have started to fight back and is definitely making inroads into restoring common sense and respect for personal freedoms.

This document provides a summary of what Freedom2Choose has been engaged in during the past year, with some notable achievements.

Of course there is some way to go before we see a return to sanity. Our plans on how to achieve this will be driven ahead over the coming year.

This report and discussions at the AGM will serve as a view of how Freedom2Choose will strive to reach our goal of reformation of the worst law in modern times.

The report is divided into sections according to areas of executive responsibility or particular project.

MEMBERSHIPS – Pete Jackson

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1) Overview.

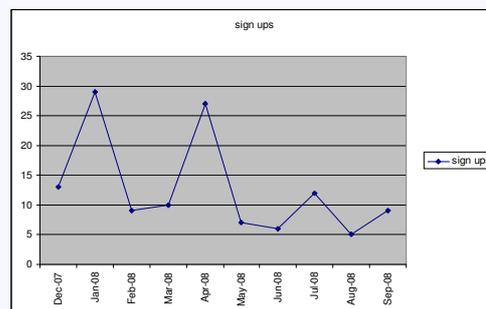
Freedom To Choose became a membership organization with the adoption of our constitution at a meeting in London in 2007. Between the acceptance of the constitution and December of that year the membership form was designed to cover the various aspects of;

- necessary membership data,
- the inclusion of the aims of the organization,
- pertinent information with regard to the data protection act
- and the ability to opt 'in' to further communication from Freedom2Choose.

Also during the same period and in tandem with the above a solid and versatile membership database was developed to hold membership details securely with the ability to;

- automate the printing of membership cards,
- inform members either electronically or by post when their membership expired,
- inform members either electronically or by post when a regular donation was late;
- automatically produce written reports on membership; information for other areas of the organisation.

On the 24 December 2007, Freedom2Choose issued its first membership card. Since then the take up has been erratic and gradually tapered off during 2008, as the majority of members joined and only a trickle of new forum members took up membership during the latter part of the year.



Despite several initiatives, including a prize draw for a mobile phone kindly donated by a member, take-up has remained slow, giving rise to various discussions about lowering the membership fee. It was considered that a £10 fee was not overly prohibitive and that lowering the fee would not significantly increase membership numbers but would negatively impact on the organisation's funds.

One concession to fee levels was introduced in the hope to entice more people to actively push memberships: this is a £2 discount scheme set up to allow £10 paying landlords/staff to push Freedom2Choose £10 memberships to their customers and to keep £2 of funds raised for themselves.

With the breakthrough into the CIU, new initiatives were required to entice club members into joining Freedom2Choose, as potential numbers here were very high. Therefore, the 'associate membership' was introduced.

The nature of this scheme is that several members of the club committee would become full members in order to give them the authority to 'sell' memberships; they would then sell to their (club) members either a full (£10) membership or the 'club associate' membership (£2).

The 'associate' membership incurred no privileges to 'associate members' other than them being classed as official Freedom2Choose members. Their clubs would receive a certificate upon signing up a member, and an updated list of their membership at intervals of 5 members signed. This would minimize the cost burden on Freedom2Choose, while allowing us to gain useful numbers of members, as well as funds.

At this time the scheme has yet to start in earnest and its success is yet to be determined.

With the introduction of the 'associate' scheme a dedicated membership form was designed, and the database has been radically augmented to cope with the new information required, with the same considerations needed as previously mentioned.

2) Membership schemes.

At this time Freedom2Choose offers the following types of membership;

- £10 Full membership with newsletter and voting rights + membership card.
- £5 Full discretionary hardship membership with the same advantages as above.
- £5 Junior membership with newsletter and membership card and no voting rights.
- £2 Associate membership with no rights or privileges (for Clubs only).

3) What Next?

The next step for memberships, will be the club initiative: it is hoped that the exposure we gain here will increase not only our membership levels directly, but also raise awareness of Freedom2Choose in the general population as a consequence. With success in the clubs the increase in member numbers may give the Publicans feelings of greater security in joining our cause, and hopefully rekindle the £2 rebate scheme.

The biggest problem with membership recruitment is simple numbers, for every ten people that find out about us, it can be assumed that about half of those will never return, 3 or 4 will join the forum, 1 will never post, the remaining 2 or 3 are open to recruitment.

So we may get 2 new members, a take up rate of about 20–25% on visitors, but a more positive 60–70% of people who come within our area of active catchment.

The reason therefore for our low membership levels is a combination of the newness of our organization, the general lack of exposure and public apathy. This is a problem for all areas of our organization, not just for memberships, but one that will improve as our 'brand' grows.

At present we have low membership numbers, therefore we have low capital: this impacts on how Freedom2Choose can get its 'brand' in the public eye, and this also precludes offering 'enticements' to get people to join. However as our membership grows (especially with winter on its way) we will be able to put more funds into 'flashy sign up gimmicks' and membership drives that will ultimately benefit all areas of our organisation.

4) Membership statistics.

The current levels of membership are laid out below.

4.1) Current membership status.

Freedom2Choose has at the time of writing this report 127 members;

4.1.1) We currently have 126 fully paid up members of which 6 are full members from the clubs initiative.

4.1.2) We have 1 current discounted member.

4.1.3) We have no junior members.

4.1.4) We have no associate members.

4.2) Regular donations.

We also introduced from the first a regular donation scheme, urging members to commit to regular payments by standing order which is our preferred method at this time. Our regular donations pledged are;

4.2.1) £0.00 donated weekly.

4.2.2) £110 donated monthly by 15 members.

4.2.3) £100 donated yearly by 1 member.

EXTERNAL COMMUNICATIONS – Helen Daniels

Press Office Annual Report

Purpose of the Press Office:

The Press Office enables Freedom2Choose representatives to be made available for comment or interview regarding all aspects of the smoking ban including, but not limited to, the impact on business and communities, the scientific basis for smoking bans, human rights and political issues and alternatives to blanket bans.

The Press Office provides a central area for press enquiries, quotes and interview requests, and records the press releases and Freedom2Choose in the media.

A general press information sheet is also available from the office, providing the background of Freedom2Choose along with the contact details for each Executive member and department.

Overview of Activities Undertaken:

- Enquiries have been received and acted upon from the radio, TV, authors, online and printed press with interviews and responses released, i.e.
- Colin Grainger – Talk 107
- Bob FM – Swindon radio
- Q&A session with author of Smoke Screens, Richard White
- 12 full press releases have been distributed
- 6 instances of Freedom2Choose in the media have been recorded
- Assistance has been provided to local groups developing relationships with media contacts as well as the press office nationally, i.e. the Meanwood meeting with a press release published and Tim on BBC Radio Leeds.
- 2 articles in the Leicester Mercury from Phil Johnson and attendance of journalists at Freedom2Choose Midlands meetings
- For the anniversary of the ban, the press office organised the distribution of Colin's letter to all MPs
- Media contacts sought out

Plans/Strategy for Forthcoming Year:

- To aim for a minimum of 1 full press release each month (500 or so words), preferably with 'new' news of what Freedom2Choose are doing, rather than reactionary to the current situations
- To begin to distribute shorter responses to news as it is broken – speedily to ensure that it is still current – (approx 60 word response)
- To continually seek out new media contacts for maximum coverage
- Freedom2Choose Press Office aims to be a natural source of contact for other media outlets requiring a response from pro-choice groups in relation to all aspects surrounding tobacco control and smoking bans.

INTERNAL COMMUNICATIONS – Alison Pearce

In April 2008, the executive committee decided to address the shortfall in communications between the membership and executive by introducing the formation of an 'Advisory Panel' consisting of ordinary paid-up members. The remit of this panel was to allow the membership to help form official Freedom2Choose policy, introduce new ideas and assist the executive in decision-making. The important contributions of the A.P. so far, are evidenced by two areas of adopted policy, implementation of a dedicated members only forum and further discussions have enabled the organisation to take speedy decisions in difficult circumstances. Many good ideas have been put forward for further consideration and it has provided an invaluable conduit for exchanging ideas, reconciling differences and progressing Freedom2Choose.

Freedom2Choose Policy: Alternate methods of delivery of nicotine including E-cigarettes:

Following discussions in the AP and a members and executive vote the official position of Freedom2Choose with regard to all alternate methods of delivery of nicotine is as follows;

Freedom2Choose does not support alternate methods of delivery of nicotine (including e-cigs) due to the fact that they are being used as products of coercion to replace the real choices of consenting adults.

Both Action on Smoking and Health (ASH) and The Royal College of Physicians have indicated a desire to force smokers onto such alternate methods of delivery of nicotine in order to remove all other choice entirely, which is contrary to the values of Freedom2Choose.

Freedom2Choose Policy: Editorial

The AP recommends the following proposal for Freedom2Choose publications:

1. Non-political. Articles should be non-partisan, and adhere to Freedom2Choose's stance of showing no bias towards or against any political party and or ideology.
2. Non-discriminatory.
3. Non-abusive to individuals or organisations.
4. Fair, balanced and accurate
5. Adhering to both libel and copyright laws.
6. Articles shouldn't be too lengthy.
7. Articles should reflect Freedom2Choose's mission statement:

'Our Mission is to highlight the injustice of the imposed smoking bans, in particular on the four countries of Britain, but also on our friends in Ireland and the rest of Europe, the USA and Canada.'

8. Articles illustrating the broader loss of civil liberties (not necessarily, but preferably connected with the 'smoking ban experiment' or SBE) penned by invited guest writers to be considered on an occasional basis (no more than monthly).
9. The editor can use his/her discretion and put possibly contentious material before the AP for discussion prior to publication.

Ideas implemented so far:

- Mobile phone competition
- Ban your MP poster campaign
- Members' open chat
- Club Institute Union (CIU) initiative (planning, posters, etc.)
- Freedom Charter
- Traffic Light Device
- Business Petition

Accounts – Belinda Cunnison

FREEDOM 2 CHOOSE			
INCOME AND EXPENDITURE ACCOUNT			
FOR THE PERIOD 21 SEPTEMBER 2007 TO 30 JUNE 2008			
INCOME	Notes	21 September 2007 to	30 June 2008
		£	£
General Donations			2,352
Donations to Publicans Funds	Note 1		3,998
Donations re Judicial Review			4,723
Membership Fees Received			1,160
Advertising Income - Z M T C			39
Bank Interest Received - Gross			2
			12,274
 EXPENDITURE			
Marketing Costs		895	
Printing, Postage and Stationery		377	
Legal Costs - Judicial Review	Note 2	4,675	
Donation to Publicans	Note 1	3,998	
Donations - Royal British Legion		48	
Donations from General Fund		81	
Professional Costs - Independent Review		140	
Paypal Account Charges		139	
Corporation Tax	Note 3	8	
			10,361
 SURPLUS OF INCOME OVER EXPENDITURE			1,913
	Transferred to Reserves		1,913

FREEDOM 2 CHOOSE		
BALANCE SHEET		
AS AT 30 JUNE 2008		
	Notes	30 June 2008
		£ £
CURRENT ASSETS		
Bank Current Account		1,742
Paypal Account		159
Petty Cash		0
Debtors and Prepayments - F2C Scotland		20
		1,921
LESS CURRENT LIABILITIES		
Taxation	Note 3	8
		1,913
CURRENT ASSETS LESS CURRENT LIABILITIES		
		1,913
CAPITAL AND RESERVES		
Surplus of Income over Expenditure during the period		1,913

FREEDOM 2 CHOOSE Review Statement

I have examined the Income and Expenditure Account and Balance Sheet as at 30th June 2008 herewith, and confirm that it reflects a true and fair view of the books and records and other information provided to me.

CAROLINE BLOWS
CPA Accountancy.
14th October 2008

FREEDOM 2 CHOOSE

**NOTES TO THE ACCOUNTS
AS AT 30 JUNE 2008**

NOTES

**1 Donations to Publicans
Funds**

These donations were received for three specific funds to provide assistance with the payment of fines and legal costs incurred in relation to the Smoking Ban. They were then paid out to the individual publicans as follows:

	Received	Paid
	£	£
<u>Hamish Howitt</u>	1,541	1,541
<u>Nick Hogan</u>	1,653	1,653
<u>Tony Blows</u>	804	804
	<u>3,998</u>	<u>3,998</u>

2 Legal Costs re Judicial Review

These costs comprise the following:

<u>Payment to Hilton Potts</u>	8 Nov	1,000
<u>Payment to Hilton Potts</u>	12 Nov	940
<u>Government legal costs</u>		2,735
		<u>4,675</u>

3 Corporation Tax

The Corporation tax due is made up as follows:

Tax due on Advertising income	20%	07/08	5
Tax due on Advertising income	21%	08/09	3
			<u>8</u>

CLUB LIAISON – Phil Johnson

The idea sprang to mind that Freedom2Choose needed a rapid surge in memberships, which would equal funding, ultimately equalling people power and giving us a voice to be heard.

I set about creating a situation whereby all these goals could be achieved through distant contacts within the sphere of the Working Men's Clubs as it seemed to me that they were suffering equally as much as the pubs but there was a unique difference – they were unified!

From initial talks with various 'clubmen' I formed a strong link with Norman Yates, General-Secretary of the Leics/Notts branch of the Club Institute Union. Upon his guidance, no less, and introductions to various people, I have built up a strong link between myself (representing Freedom2Choose) and the Leicester Clubs, so much so that the first Club (Eyres Monsell WMC) readily aligned themselves with Freedom2Choose for a fee of £60.00, the figure equalling six committee members @ £10 per member. (I will return to this figure.)

I can also state in this report that after consultation with CIU head honcho Mr Kevin Smyth in London, we have his full support in this move to gain people power-but that is not to say that we can bandy the good name of the CIU around in 'willy-nilly' fashion. I am most observant of the power these three little letters give to Freedom2Choose, thus we must protect the CIU from any possible damage at all times! The CIU will not tolerate advocacy of law breaking nor will they combine with any organisation that does so. This, as I have been made aware, is 'cast in stone'.

It should also be noted here that we have now picked up a very useful contact: the sub-editor of the Journal – the CIU news sheet/paper.

What we (Freedom2Choose) have done is to provide them with a lifeline to salvation – we are the vehicle they have been crying out for to amend this socially devastating law and rescue this abysmal situation for them.

Initially I asked 2 members of Freedom2Choose to help me with this project. I apologise here and now to the executive committee for my 'closed ranks' approach to this situation but it was not a situation I felt could be cast into the open at such an early and tentative stage.

I also introduced Carl Till (zanuzi) as he 'speaks the language' in the West Midlands.

Helen Daniels and Frank (Tug) Wilson were both dyed in the wool 'clubs people', thus ideal for what was needed. They both spoke from the heart, thus if anyone was going to impact upon the clubs in their areas it would, I felt, be them.

Helen has been highly active in the Wigan area but with muted response. Many she talked to wanted to do something but weren't sure what. I mean to say, who are this fledgling group called Freedom2Choose?

Tug faced similar problems in Nottingham, which I found quite frustrating.

Carl (zanuzi) has sent 80 letters out in the Birmingham/Walsall area but with no response whatsoever. I will redevelop this area shortly via Branch Area Secretaries.

Overview of progress

Letters, visits and leaflet drops to clubs in the Wigan & surrounding areas

Letters, visits and leaflet drops in the Nottingham/Leicester areas

Discussions with club members promoting Freedom2Choose and Freedom2Choose marketing materials/posters

Encouraging clubs to use the 'Ban Your MP' poster

Communications with club's local MPs (Wigan/Nottingham)

Telephone calls to clubs

Highlighting plight of clubs in newspapers via letters/comments

Information packs sent when requested

Progress made

Since receiving the backing of the CIU and revising the 'Clubs Letter' confirming this, progress has been swift. Prior to this, although full agreement was reached with the clubs that had expressed an interest in us, we did find it hard to get any to commit.

Helen now has 2 meetings arranged. One of Helen's clubs is already displaying Freedom2Choose material from the information pack sent and a meeting is arranged shortly, the other isn't as yet doing anything, but has confirmed that it wishes to act, and a meeting has been arranged with the committee.

Helen is also fortunate to have ongoing communications with clubs' local MPs.

Tug has found the task equally frustrating inasmuch that the clubs can see a way forward but have been reluctant to commit, despite our assurances that by aligning with Freedom2Choose they are not deserting the CIU. However, again since the new 'Clubs' Letter' has been issued, the situation has turned itself around and Tug is now getting calls and considerably more interest in his area.

Naturally I have found a similar situation in Leicester but, again, the situation is turning around to our advantage. I have two more clubs putting Freedom2Choose to committee approval and fully expect the required result.

Club Contributions

One of the most difficult decisions has been to set a fair and just levy to entice the clubs into the Freedom2Choose fold. An initial fee of £10 per committee member was thought adequate, but it transpires that some clubs have up to 20 committee members, therefore such a fee is a daunting prospect for them in these stringent financial times. Therefore after quick consultation with my able deputies I decided that a flat fee of £60 per club was the best approach. The 'salesman' pitch for this is very simple: 'it works out at £1.25 per week per club, which basically covers our printing and postage'.

This change of direction has gone down exceptionally well thus far and I envisage more clubs aligning with Freedom2Choose at this rate than the initial rate.

The second initiative we have introduced is the £2.00 'associate membership scheme'. This scheme is designed for the rank and file who want to 'do their bit' for the cause but do not want full membership and all that goes with it. This scheme is being very well received in Tug's area and will now be expanded to all other areas. It is also interesting to note that through the sale of the £2 Associate Memberships the clubs are now more inclined to align themselves, so we see the best of both worlds in this respect.

Although I have talked thus far about CIU involvement club-wise, there are thousands of other clubs to aim at. To this end I have involved the executive committee as I can see the whole shebang literally 'taking off' nationwide. With the full backing of Freedom2Choose executive committee we have now expanded considerably.

Posters have been designed for the clubs displaying 'their' need to get behind Freedom2Choose. POS holders for membership forms will be displayed next to the posters, which I envisage will rapidly boost memberships of all varieties.

It has also been decided that the entire section of clubs under the 'Ex-Servicemen's' banner should be separated. To this end I have formed teams, the larger being for 'all clubs', the lesser team concentrating on a different approach for Service Clubs.

Approach Format

- 1- Letter provided to regional team by Club Liaison Officer
- 2- Mail-shot sent by regional team-member to local clubs
- 3- Club contacts Freedom2Choose CL officer as a result
- 4- Information pack sent out by main Freedom2Choose Office
- 5- Follow up phone-call by regional team member to ensure information pack received and to arrange an appointment for a visit
- 6- Visit to committee arranged with regional team member

This system has proven to be highly effective and although new memberships are so far small, I fully envisage this situation 'mushrooming' as we go nationwide. I expect a 'domino effect' alignment with Freedom2Choose over the next few months, for once the word spreads around the clubs that Freedom2Choose are indeed the vehicle that can save them I feel they will want to be on board.

I prepared a front page article to launch Freedom2Choose's Club Blitz starting Wednesday, 1st October, 2008. We have also been promised mention in the CIU Journal and we are also 'hyperlinked' to Dr Ruth Cherrington's own 'History of the Clubs' website; all of which I see as positive moves.

In summing up the clubs' situation, I feel we have made giant strides in this area and they are strides that will only get bigger. I also see this initiative as the move that will put Freedom2Choose on the map as far as memberships and lobbying power are concerned.

I have 14 good people on the Club Liaison team, but to succeed I need more. Finally I thank the executive committee for their faith in myself, Helen and Tug and now look forward to massive influx of funds and membership.

Freedom2Choose OFFICE

Expectations of Your Office!

It is reasonable to expect any organisation's office to be the hub of communications and the office of Freedom To Choose is no different.

Since we first became an organisation, rather than just forum activists, many initiatives have been put into action over the past year that required the following:

- a) A secure postal address
- b) A secure email address
- c) A unique telephone/fax number
- d) A distribution point for the products needed to meet initiatives started.
- e) Membership forms and fees to be processed and stored in a secure location.
- f) Membership fees to be sent to the Treasurer on a regular basis, (weekly.)
- g) Copies of all paper records kept securely after the relevant committee member or initiative line manager has been informed of their content
- h) Passing on telephone messages received to relevant Freedom2Choose member/committee member or group member.

Your office has sent out nearly 200 Information packs, both for clubs and pubs, over the last year. Your office has received, on delivery of receipts to the Treasurer, £400 in 'petty cash' during the past 12 months, (to be verified by the Treasurer,) for:

1. The posting of Information packs.
2. The posting of cheques to the treasurer on a weekly basis.
3. Buying in printer's ink.
4. The purchasing of stationary i.e. paper, envelopes, stamps, etc.
5. The posting of POS's and other initiative material i.e. The Future of Tobacco Control which was sent to both the Department of Health and Tory Central Office, etc.
6. Miscellaneous, i.e. anything that can't be put under a heading but, on request, can be located when needed if any member should furnish details of what is wanted.

Your office will always be vigilant with all monies received whilst carrying out its duties on behalf of the Freedom2Choose membership, sourcing supplies and supplier's that offer the best value for your money.

ACHIEVEMENTS AND INITIATIVES

Throughout the year Freedom2Choose has produced some imaginative ideas and initiatives.

We have had a huge impact on comments pages, blogs, and other forums.

These efforts by members have paid dividends and the argument against the ban and other smoking issues is far more balanced than a year ago. In fact there is usually a clear majority in favour of our viewpoint. Most moderates now tend to accept and favour choice. This leaves only hardcore antis and bigots defending curtailments to freedoms.

Evidence of effectiveness was borne out by two illegal attacks on our website during the past year.

Our site was hijacked and redirected to anti-smoking sites. The truth is obviously starting to hurt those trying to conceal it.

We have trialled initiatives such as Ban Your MP, and a Business Petition. These have met with some success and should be considered continuing over the coming year.

The CIU initiative has been a huge success and is documented under the Club Liaison heading. Other notable initiatives are summarised below:

Smoking Ban Survey

Freedom 2 Choose Smoking Ban Survey Results : April 2008

The Smoking Gun

Prepared For – Freedom To Choose.
By - Yorview Ltd

Introduction

Freedom to Choose is a non-profit making voluntary organisation. Its members, both licensees and members of the public from all walks of life, feel that the government has lied to them on the smoking ban issue by not carrying through the promises made in its manifesto.

Freedom to Choose does not represent either extreme of the smoking ban debate; rather, they are a pro-choice organisation seeking accommodation of the needs of smokers and non-smokers alike and to allow both to work and socialise in harmony.

The aims of the group are:

- i) to promote freedom of choice and oppose any coercive restraints upon that freedom by any lawful means and with particular reference to the negative effects of smoking bans on individuals, businesses and organisations.
- ii) to advance public education in such matters.

This report was prepared by **YORVIEW**, an independent research organisation based in Knaresborough, North Yorkshire. Yorview Ltd is a Registered Company in England & Wales no. 3630056.

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Statement from Colin Grainger Chairman of Freedom to Choose:

"This survey shows us in no uncertain terms how devastating the smoking ban has been for those in the hospitality industry. It should be a clarion call for politicians of all stripes. The message is loud and clear: the ban is disproportionate to the perceived harms of second hand smoke.

The government got it wrong, the anti-smoking groups got it wrong, and the "independent" advice by the Scientific Committee on Tobacco & Health failed to include those studies that were crystal clear: second hand smoke has never been proven to be anything more than an irritant to some. We genuinely hope that the government pays close attention to this crucial survey and acts immediately to amend this spiteful smoking ban".

Foreword by Godfrey W Bloom MEP

Member of the European Parliament for Yorkshire and North Lincolnshire I personally gave up smoking over 4 years ago although sadly I lapse every now and then. A smoky atmosphere makes your clothes smell and sometimes irritates the eyes.

However as an economic researcher (recently retired) for actuarial and life assurance companies I know health threats to 'passive' smokers are built on a totally bogus science. I also know that revenue raised on tobacco is a major source of government wealth.

With over 20 pubs a week closing I feel a major cultural platform is being removed from the British people. A free born Englishman with a liberal disposition the choice of tobacco use in pubs and clubs is the proprietor's and his alone. It is simply a matter of personal freedom of choice.

We are entering a new dark age where politicians increasingly interfere with our lives and the cost and unfairness of enforcement is totally disproportionate to the so called offences.

Not since the English Civil War have we seen such extraordinary Puritanism. It was then the abolition of Christmas, maypole dancing and the such. Now the humourless fascists masquerading as liberals pretending they act pro bono publico seem bent on spoiling everyone's lives. It makes me really angry when I see an old age pensioner standing forlornly outside a Bingo Hall to enjoy a cigarette in the freezing cold in the autumn of their years. It makes me furious that my own parliament overwhelmingly voted against patio heaters for smokers when they themselves can smoke in a relaxed atmosphere of their own parliamentary members' bar. As always, one rule for them and another for us.

Away then with bogus science, political lies and back with tolerance and the traditional British 'live and let live' approach to life.

Godfrey Bloom MEP

Executive Summary

From Jan 17th to March 28th 2008, Freedom to Choose, carried out a comprehensive survey of the effects of the smoking ban on hospitality establishments in England.

The survey has found that 65% of establishments are experiencing reduced trade since the ban was introduced on July 1st 2007. Of those establishments, only 2% state that the smoking ban had no effect on the reduced trade. 52% state it was the sole reason for the reduced trade. 68% of respondents wanted the ban to end. Smoking rooms are cited as the most preferred method of re-introducing smoking. The Survey shows 60% of Hospitality Sector managers were pessimistic or very pessimistic about the future. 96% expect further Government restrictions to be introduced, such as restricting alcohol sales, banning outside smoking and patio heaters.

In political terms, there will be an effect on voting intention: 35% state that the smoking ban will change the way they will vote at the next election. A party that opposes the ban is the most often cited preferred option. No one specified they would switch to Labour. If people did switch to a party opposing the ban UKIP would be the most likely beneficiary, provided that they promote their position on the ban.

The survey was conducted via e-mail and also through manual responses by Yorview Director Tim Hunter, who co-ordinated the survey for Freedom to Choose. Nearly 2,600 premises were surveyed. Responses were obtained from pubs and clubs in the hospitality sector from all areas of England.

Background

On July 1st 2007 the Government introduced a blanket smoking ban for virtually all enclosed public places and workplaces in England.

The extent to which the legislation would affect the pub and club industry was much debated.

Based on the experience of Scotland which had seen a 4% decline in beer sales in the year following its smoking ban, market researchers Nielsen estimated that sales in England and Wales could drop by 200 million pints each year¹.

However, a survey by the Campaign for Real Ale suggested that in England over 7 million people would visit pubs more regularly after the ban².

Eight months after the ban, views are still sharply divided over its effects on the hospitality industry.

In February 2008 Health Secretary, Alan Johnson, claimed "We have seen no significant evidence to suggest that smoke free legislation either in this country, or in others where similar legislation has been in place for years, will create any long term economic problems for pubs or for the hospitality trade in general."³

Yet the British Beer and Pub Association⁴ said that pub closures are at a record level, with 27 pubs closing every week across the UK. The current closure rate is 7 times higher than in 2006 and 14 times higher than in 2005, it claims.

¹ <http://uk.nielsen.com/news/SmokingBan.shtml> (18.6.07)

² <http://www.camra.org.uk/page.aspx?o=233600> (20.2.07)

³ http://www.morningadvertiser.co.uk/news_detail.aspx?articleid=57678 (25.2.08)

⁴ http://www.beerandpub.com/newsList_detail.aspx?newsId=235 (5.3.08)

While there is no doubt that the British pub and club industry is in crisis, the extent to which the smoking ban is responsible is less clear.

Pro-choice campaign group, Freedom to Choose, decided to initiate research into the effects the ban is having on hospitality premises in England.

Survey Methodology

The survey was carried out by e-mail and by visiting premises to obtain manual responses. A software package was used to collect and analyse the results.

Survey Design :

The set of questions was agreed by the Freedom to Choose Executive. The survey asked for quantitative information but also provided for free formatted comments. Many respondents were only too willing to comment about their experiences of the ban. Some of the comments are included in the detailed results. These are only a small sample of the total comments received. The comments shown are included because they are typical of the type of view being expressed.

Running the Survey:

Pub and club e-mail addresses were selected randomly and entered into the survey package. The survey was then e-mailed with a covering note to 2,500 premises throughout England. The results of 100 random manual surveys were also entered into the survey package. No incentive for survey completion was offered.

Analysis :

The responses were then analysed using the survey package, and the results are now available in the Appendix of this report

Accuracy :

The survey package ensured that only one response was possible from a particular computer and the e-mail could not be forwarded on. It was decided not to allow open access to the survey from e.g. the Freedom to Choose website, because of the danger of illicit multiple entries. Manual surveys were taken from a named list of pubs.

Sample Size:

Out of 2600 surveys sent out, 186 responses were obtained, which was about a 7% response rate on average. This is reasonable for e-mail surveys of this nature which offer no incentive, e.g. prize draw, for completion. Responses were received from all areas of England.

Key Findings From Survey Questions

1. Category of Premises

1.1 Please specify the English region your premises are based in.

South West	19%
South East	13%
Midlands	24%
North West	24%
North East	20%

This shows the survey covered all regions of England.

1.2 Please select the location which best describes the location of your premises.

Country	14%
Town Suburban	14%
Town Centre	19%
City Suburban	19%
City Centre	34%

Premises in different locations were surveyed.

1.3 Please select the category of premises which best describes your business.

Working Mans Club or other club	8%
Small Drinkers pub no outside area	20%
Community Local : 'wet' only, snacks, beer garden	3%
Community Local : bar meals, beer garden	2%
Traditional Country Inn serving food	18%
Modern City Centre Bar	18%
Young Persons Venue	8%
Smaller Pub Dining	8%
Large Pub Dining	15%

Different types of premises were surveyed.

2. Effect of Smoking Ban on Business

2.1 Did you support the idea of a smoking ban prior to its introduction?

No	31%
Yes	69%

Analysis

From these responses it is clear that the ban was unwelcome. 69% stated they had not supported the idea before its introduction. Interestingly this supports the Office of National Statistics survey of general public attitudes towards a smoking ban, (ONS, 2006) showing

that 67% did not want a total ban. Many pubs, of course, were already smoke-free, and most preferred to have the choice themselves whether to allow smoking or not. In some cases smoke-free rooms had been available, but were infrequently used.

Sample Comments

- 'I have offered a no smoking lounge bar for 2 years before the ban and it has always been quieter than the public bar.'*
- 'We fundamentally believed that publicans and customers should have had the right to choose. Employees, too, should be given the right to opt in to working in potentially smoky environments.'*
- 'It should have been left at the discretion of the licensee as to whether or not to permit smoking as with other business decisions that are taken.'*
- 'There would be nothing wrong with a smoking area, inside with ventilation, filtration, extraction.'*

60 comments : Most frequent comment type : Against the ban, stating choice would be preferable, mentioning the fact that the majority of customers and staff smoke, and critical of the way the ban was introduced (37) .

2.2 On average has your trade decreased or increased since the smoking ban was introduced on July 1st?

(Please mention in the Comments section if you have had to reduce your opening hours and/or staffing levels.)

Increased	65%
Stayed The Same	19%
Decreased	16%

Analysis

65% of establishments are experiencing reduced trade, some by as much as 35%. Many premises are laying off staff, reducing staff hours, shutting early or not opening at all on some evenings.

Sample Comments

- 'We are struggling like hell and don't know if we can continue much longer. £ 500.00 per week down on bar sales. Staffing being cut but you can only cut back so far.'*
- 'I did have 6 members of staff. I am now down to 3. I have increased my opening hours to try to make some ends meet.'*
- 'Turnover down around £2k / week.'*
- 'The pub always used to be the place where people could meet after work to have chat, a drink and a smoke.'*
- 'No decrease in hours or staff, just customers. The non-smokers that the government said would flock to the pubs still buy cheap booze in supermarkets.'*
- 'We now close a lot earlier than we used to. Our sales have decreased by about 15 to 20 percent.'*
- 'Some smokers no longer use the pub and some stay for less time and spend less. It is also very disruptive with people going outside and then returning frequently.'*
- 'I have substantially reduced staffing levels and reduced winter opening times.'*
- 'My trade is down by around 60 (SIXTY) percent since the ban.'*

62 comments. Most frequent comment types : reducing staff hours (20) and trade down (12).

2.3 If you answered 'Decreased' in question 2.2, to what extent, if any, has the smoking ban affected the decrease?

Not the Reason	52%
Part Of the Reason	46%
Sole Reason	2%

Analysis

For those experiencing a reduction in trade since the introduction of the smoking ban, 98% of establishments attribute the ban as either the sole or partial cause of their reduced trade, with 52% stating that it is the sole reason.

Sample Comments

- 'Drinking and smoking go hand-in-hand so if people can't smoke in a sociable environment they will stay at home, or if they do go to the pub they won't stay as long.'*
- 'Whilst our smokers still come in, they do not stay very long and consequently our non-smokers leave earlier as well. The pub atmosphere has been ruined, in more ways than one.'*
- 'Smokers used to play the machines whilst they smoked and drank, now they stay at home with the cheap drinks from the supermarkets, smoke and gamble online with little or no control over what they do.'*
- 'Competitor pubs and bars have outside or garden areas. I do not.'*
- 'People do not want to go outside in cold weather so no longer call in the pub after work.'*
- 'Other contributory factors include cheap alcohol from supermarkets.'*

61 comments. Most frequent comment type : Other factors (additional to ban): Economy(25), weather(16), supermarket alcohol prices (14)

2.4 Are you happy for the blanket smoking ban to continue?

No	32%
Yes	68%

Analysis

68% of respondents want the ban to end. The message from the majority of survey respondents is quite clear: scrap the ban and let the landlord decide.

Sample Comments

'This is completely out of order and is depriving many thousands of people in the country of their livelihood.'
'A pub is a place that people choose to go to and not a place they have to go to. Why can't we have a sign outside informing people that smoking is allowed in the pub and then they can make their own decision on whether they want to come in or not.'
'We are a wet led pub whose main clientele are from the building industry. They looked forward to be able to relax with a pint, cigarette and have a chat.'
'The smoking ban has taken away conversation and atmosphere from pubs.'
'Customers just standing outside pubs is not what English pubs are about.'
'No Smoke = less drinkers.'
'There used to be a 'Freedom to Choose' whether you were a smoking or non-smoking establishment. That is all that is required.'

41 comments. Most frequent comment type: Against the ban, stating freedom of choice is necessary and other options e.g. smoking rooms needed (27)

2.5 If you answered NO to question 2.4, what measures if any would you like to see to support the re-introduction of smoking in hospitality establishments?

Substantial outside areas	20%
Improved Ventilation	66%
Non Smoking Bans	29%
Smoking Room	49%
Remove Ban	43%

Analysis

Smoking rooms are cited as the most preferred method of re-introducing smoking (66%). 20% want the ban removed without any supporting measures. Many premises already had a perfectly acceptable arrangement with a dedicated smoking room.

Sample Comments

'We had a non smoking room for years before the ban which was generally empty.'
'A pub is EITHER SMOKING or NON-SMOKING, remember the democratic use of choice extends to the lowly publican as well!'
'Remove ban on pubs not serving food.'
'We had a workable solution in place prior to the ban with a dedicated smoking room.'
'I don't want a compromise. It's either a smoking or non-smoking establishment.'

16 comments. Most frequent comment type: allow freedom of choice (13)

2.6 Are you experiencing any problems with providing outside smoking areas (e.g. anti-social behaviour etc)

No	47%
Yes	53%

Analysis

47% report experiencing problems with the provision of outside smoking areas. Many respondents stated problems with neighbours complaining about noise and other pubs complained they did not have sufficient room to accommodate a proper smoking area. Some premises can't get planning permission to build an outside shelter or afford outside facilities. Others mentioned the problems of elderly people having to go outside and smoke in the cold, where there may be louts congregating. Landlords cannot monitor the outside of their premises as effectively as the inside. This can lead to litter, more drunkenness and, potentially, under age drinking, drug abuse and anti-social behaviour.

Sample Comments

'Council won't approve a shelter and only limited outside space.'
'Not enough room to have a proper smoking shelter and we can't keep an eye on people outside.'
'Atmosphere ruined in the pub as large numbers congregate outside rather than inside. More noise and litter in outside areas. Those smoking outside the front of the pub make it unattractive for those arriving and having to run the gauntlet of smokers cluttering up the entrance...'
'Even with a covered area and heaters, it's bloody freezing.'
'The rules for outside smoking are ridiculous. Not only do we alienate smokers by making them go outside, we can only provide them with half-covered hyperphemia-inducing shelters.'
'Now the customers who are eating outside are complaining about the smokers.'
'I have elderly people who cannot walk outside. Once they are in the hall, it is inhumane sending them outside.'
'I am a land-locked pub, so people have to stand in the street and this upsets the local council.'

73 comments. Most frequent comment type : Limited space outside (16), litter problems (12), neighbours/noise (9), problems with planning permission (8)

2.7 Do you believe that Second Hand Smoke is a danger for staff?

No	58%
Yes	42%

Analysis

This question asked if the managers believed that second hand smoke was a danger to staff. This is an important issue as the case for the smoking ban rests solely on the fact that hospitality premises are the workplace for people and the assumption that it poses a health risk. 58% of respondents believe that SHS is a danger to staff, although many made the point that most of their staff are smokers. Others made the point that it is up to the individual to decide if they want to work or not in a smoking environment:

A number of respondents pointed out that there is no clear evidence that second hand smoke (SHS) is a danger, or that any risks are exaggerated.

Another solution mentioned to the perceived SHS problem was the option of managing any risk, for example, installing a good ventilation system or having separate smoking rooms.

Sample Comments

- 'There should be no-smoking at the bar and the smoking area away from the bar and ventilated.'*
- 'But no more so than other commonly accepted risks, such as driving or viral infections in NHS hospitals.'*
- 'My Dad who does not smoke, has been a passive smoker for over 50 years, as my mum smokes. He is in his late 80s now.'*
- 'I have read the research and I am satisfied this is just social engineering.'*
- 'Obviously it is not great but, when compared to other chemicals found at places of work and, indeed, in everyday life, I do not believe that 2nd hand smoke poses a significant risk.'*
- 'No more than petrol smoke fumes and the general polluted air we breath, especially inner city'*
- 'I am unsure. I am not a scientist or medical person. I have a 'gut feeling' that dangers have been wildly exaggerated. Staff should be able to choose where they work even if that includes a smoking area.'*
- 'We are quite right to protect staff by providing non-smoking work places. However if they want to work in smoking permissive premises then that should also be their right.'*
- 'Of course it's a risk, but it could have been managed to a minimum.'*
- '95% of our staff smoke'*
- 'All of our staff were well aware that they were going to be working in an environment where people smoke. This was made quite clear to them and obviously they had the choice not to accept the job if this was an issue.'*
- 'If you don't want to work in it - don't. Get a job somewhere else. It is again about choice.'*
- 'We had, and still have, excellent extraction and purifying systems.'*
- 'How, for example, does it compare to breathing carbon monoxide in the high street on a Saturday afternoon adjacent to the long queues of traffic and the extra buses etc. etc..'*
- 'As 90% of bar staff smoke, the argument is difficult to sustain.'*

60 comments. Most frequent comment type : Choice of worker to work in smoking environment (27), sceptical about risks of passive smoking (11), ventilation would solve problem (7)

2.8 Do you think the public cost of introducing the smoking ban has been justified?

Other	16%
No	70%
Yes	14%

Analysis

Public cost is a major issue, a typical Borough Council will have spent around £80,000 introducing the ban. 70% thought the public cost of introducing the ban was unjustified.

Sample Comments

- 'The insistence on signs stating the obvious, and defacing public buildings, is deeply offensive.'*
- 'Choice would have been cheaper'*
- 'None of our smokers have given up. Introducing smoking rooms for social/drinking establishments would have been more acceptable and required less public expense in policing and convincing the public about the current regulations.'*

25 comments. Most frequent comment: waste of public money (7)

2.9 How confident are you about the future of the hospitality trade?

Very Pessimistic	5%
Pessimistic	19%
Neutral	16%
Confident	44%
Very Confident	16%

Analysis

The majority of landlords are not confident about the future. 60% were pessimistic or very pessimistic about the future of the hospitality trade, especially in wet-led pubs.

Sample Comments

- 'Going to be opening for nothing, smoking ban just driving people out of pubs.'*
- 'I cannot see how my trade can continue if my customers are being policed on their human rights.'*
- 'The Government appears to be on a mission to destroy not just the licensed trade but all small businesses that provide a public service, particularly in rural areas. Everything they introduce, new licensing laws, smoking ban, increased onus on the owner for H&S, fire risk, etc. is costing publicans money upon which we get absolutely no return just more work.'*
- 'If you care to look at the pub sales figures you may find an increase in publicans wanting to leave the trade, especially wet-led pubs.'*
- 'We are reasonably confident about our own future, but are very concerned that many of our colleagues in landlocked wet-led pubs will fail. This has possibly damaged the English pub culture for good.'*
- 'Pessimistic - for small community pubs that I believe provide a real service to the local inhabitants throughout England.'*

'This next year will see the survival of the fittest. Many wet-led pubs will go to the wall and the seriously food led establishments will continue to trade. My fears are more for the impact on communities. With drink driving laws, cheap supermarket booze, changing leisure activities (i.e. internet, sat TV etc) and now the smoking ban, customers are inclined to say "why should I bother getting out of my chair to go to the pub!" Village life and the community spirit is now a thing of the past. Many villagers do not now bother to visit their local as it is unlikely there will be anyone there they know!! Pubs are people.'

'The trade is currently ruined. Legislation has strangled it, prices and costs are crippling it.'

'The public house will disappear completely soon.'

'Most traditional pubs will be closed within 5 years.'

2.10 Do you think that further restrictions to the way you run your business will applied by this Government?

No	96%
Yes	4%

Analysis

Further Government interference in the hospitality trade is now expected by 96% of respondents. Such interference is strongly resented, as reflected in the following comments:

Sample Comments

'Where is it going to stop? No Smoking, go outside, no patio heaters, get cold! Best go home, drink and smoke, close pub!'

'They are imposing their own will - not that of the electorate'

'Probably, it's not just the smoking that they interfere with is it. To be fair, they don't seem to pay any attention to the majority of the public who voted them into power.'

'Since Labour came to power, taxation up, paperwork and record keeping up... and now they are viewing beer with the same sanctimonious attitude directed at smoking in the 1980s.'

'They want to penalise everyone and everything we do.'

'I am convinced that this government is determined to change the British way of life to suit immigrants more than British people.'

'I feel as if they want to kill this industry, make it more Americanized, have purely eating places get us out of the culture of going to the pub.'

'Possible restrictions on outside drinking.'

63 comments. Most frequent comment type : Restrictions on the sale of alcohol (13), outside heaters will be banned (4), stop smoking outside pub (3), Government determined to change British way of life (3)

3. Effect on Voting Intention

The Smoking Ban has been introduced as a result of a political decision, and we believed responses to these questions would help us gain a greater understanding of the political impact (if any) of the ban.

3.1 Which political party do you normally support at General Elections

Won't Say /Don't Vote	29%
Green	42%
UKIP	10%
Liberal Democrat	3%
Conservative	1%
Labour	15%

Analysis

This reflects fairly closely the current voting intentions in other National Opinion Polls , e.g. an April 2008 ICM opinion poll shows the Conservatives 43% , Labour 32%, Lib Dem 18%, Others 7%. This shows that landlords' voting intentions may be fairly typical of those in the general population.

Sample Comments

'We do not vote because we feel all parties are useless.'

'None, they are all the same.'

3.2 Would the effects of the Smoking Ban on your business change the way you would vote if there was a General Election tomorrow?

No	35%
Yes	65%

Analysis

A substantial minority of respondents (35%) claimed the smoking ban would change the way they vote at the next general election.

3.3 If you answered Yes to question 3.2, which statement best describes the way your vote would change?

Switch to Other	19%
Won't Vote	5%
Lib Dem to Lab	0%
Lib Dem to Cons	2%
Con to Lib Dem	2%
Con to Lab	0%
Lab to Lib Dem	29%
Lab to Con	43%

Analysis

In political terms, there will be an effect on voting intention: 35% state that the smoking ban will change the way they will vote at the next election. Of those, 19% will switch from Labour to Conservative, 29% won't vote, and 43% will consider switching to another party. A party that opposes the ban is the most often cited preferred option. No one specified they would switch to Labour.

If people did decide to switch to a party opposing the ban, UKIP would be the most likely beneficiary, provided that they promote their position on the ban.

Sample Comments

'Hopefully there will be one who works for the people.'

'I would vote for whichever party reassessed the smoking ban.'

3.4 Do you feel the Government is sufficiently sympathetic towards the problems faced by the Hospitality trade?

No	3%
Yes	97%

Analysis

Whatever landlords' views are on the ban, there is an overwhelming feeling that the government does not understand the industry. 97% felt the Government were unsympathetic to the problems faced by the hospitality trade.

Sample Comments

'It is clear by their policies that they have no regard for our Industry except perhaps as a cash cow.'

'They seem content with allowing supermarkets to serve to kids and to undercut everyone else. I think their main aim is to get people to stay at home. A sort of economically enforced curfew.'

'Labour seem set on destroying our trade'

'They have no idea. They are totally out of touch.'

'They are messing with people's lives and do not care. they are costing jobs and more importantly they do not care.'

'It seems like a never ending tirade of new legislation and taxation designed to make life harder for us.'

'They listen to much to liberal so-called do-gooders and not the views of the general public.'

'We are an easy target to blame many social ills upon.'

4. Any Other Comments

4.1 If you have any other comments on the Smoking Ban (and related matters) please state these in the box below.

Sample Comments

'In the summer all the smokers were taking up spaces in the outside smoking area. No sign of non-smokers now it's winter.'

'Small traditional pubs will be extinct in a few years. I am a tenant and can voice my opinion.'

'The ban has divided small communities whose only point of social contact is their local pub. It is particularly hard on the elderly, who will now stay at home alone rather than go out and be unable to smoke. Families have also been divided. My own partner won't go out to be unable to smoke with a drink, so on nights off we now stay in!'

'I am a non-smoker who chose to work in a smoking pub. I then chose to buy the smoking pub. I don't believe and have had no evidence to prove that the denial of my choices are any benefit to me, my family or business.'

'On occasions the pub is empty as everyone is outside smoking.'

'I think it should be up to the individual premises whether to be smoking or non-smoking.'

'All we want is to run our business pay our taxes and to have the freedom to choose.'

54 comments. Most frequent comment type : Landlords want freedom of choice (29).

Additional Findings:

Pub Atmosphere and Community Impact of the Ban

Many respondents mentioned the changed atmosphere in pubs following the introduction of the ban.

The local community has also been affected. People are staying for less time in pubs and people going outside the pub to smoke causes disruption:

Sample Comments

'Pubs have been the main part of people's lives for all of my life. Where will we be when they don't exist, because that is the way it is going!'

'The ban has effectively killed a tradition and killed the atmosphere as in social in any licensed premises.'

Wet-led pubs are suffering, as well as small pubs that serve food.

In fact, 60% of the pubs reporting decreased trade were in the 'small pubs with dining' and 'Community' Locals 'wet-only' and 'serving snacks and some bar meals'.

'Food has slightly increased, but not enough to compensate for lost drink revenue.'

'Whilst our food trade has increased slightly, we are about 35% down on the wet side.'

Elderly pub-goers have been particularly affected by the ban.

'The ban particularly has affected some of our elderly customers. They smoke, and even with heaters it is cold for them to sit outside. Therefore they have become housebound, and lack company.'

Pubs that were already Smoke-Free

Some pubs were already smoke-free prior to the ban, by choice. They have now lost a degree of uniqueness. Interestingly not many of them support a compulsory ban.

Sample Comments

'We did not, and do not support the ban. However we went non-smoking as an establishment out of choice two years prior to the ban.'

'I support no smoking especially in our business. Unfortunately I don't support it being imposed upon me.'

'Whilst I agreed with the principles of a ban, I felt that I should have had the right to choose.'

Some smoke-free pubs are losing out from the general decline.

'We were already non-smoking, however I perceive that less people are using the other pubs in the village so we have lost some overflow trade that we used to get.'

Non-Smoking Landlords

Many landlords are non-smokers who are pro-choice:

Sample Comments

'As a non-smoker I support people having a choice. I supported a ban in places serving food, but not an outright ban.'

'As non-smokers we both support designated internal smoking areas (i.e. properly ventilated room) outside areas are demeaning and discriminatory.'

'As a non-smoking owner I already had the choice whether to allow smoking or not and customers are capable of making their own decisions.'

People who feel they have benefited from the ban and those who support the ban:

It would not be fair to exclude comments from people who feel they have benefited from the ban and those who support the ban, even though such comments were in the minority.

Some people support the ban but are not sure they will benefit in business terms. Some people are benefiting from the ban, but don't necessarily support it.

Sample Comments

'My pub is a more pleasant environment in which to work now but whether it will remain viable is another matter!'

'Despite my upturn in trade, I would much prefer to live in a free country.'

Some seem to be certain that smoking is on the decrease:

Sample Comments

'My regulars who smoked 10 cigarettes a time at the bar have reduced their intake in the same period and have said they benefit from that. In all they are now used to the idea and enjoy a clean looking pub.'

Some are definitely convinced by the health arguments:

"The long-term effect on the health of the nation is ultimately more important than the short term effect on those that are against the ban."

Some are concerned about issues regarding keeping the pub clean and concerns about the smell of smoke:

'The place is a lot cleaner without smokers.'

'We run a rural pub 50/50 food/drink and couldn't wait for the ban to come in - we have refurbished, re-carpeted, re-decorated and dispensed with air cleaning kit which is now redundant. We will never allow smoking again in our pub, even if legislation allowed it.'

'I have seen an increase of spouses and partners coming to the pub and staying for longer without the fear of smelling of smoke.'

Some feel the ban will in time become accepted and that pubs must adapt.

Sample Comments

'Smoking bans are a global item and will happen globally over the years so we need to accept them and adapt.'

Some accepted the idea that a smoke-free would provide a supportive environment for people to give up smoking.

'I wanted to give up smoking myself, but found it impossible with the smoking going on around me.'

Regional Variations

For certain questions the responses showed marked regional variations.

- Effect on trade: The North East has been particularly badly affected, with the largest decrease. In no area was an increase in trade reported by the majority of respondents.
- There is vehement opposition to the ban in the North. This opposition is less pronounced in the Midlands and the South, with the South East being equally split on the issue.
- The introduction of the ban was particularly unwelcome in the North East.
- Most pessimistic about the future of the hospitality trade are the North and the South West. Least pessimistic are Midlands and South East.
- Predictably, amongst respondents, Labour is the major party in the North, with Conservative ahead in the Midlands and the South.
- The ban is likely to have the greatest effect on voting intentions in the North.
- Amongst those who state the ban will affect their voting intentions, the option of switching vote is favoured by the North. Not voting at all for this category of respondent is most favoured by the South and Midlands.

Other issues facing the hospitality trade

The responses to the survey provided an excellent insight into the many day-to-day problems facing this industry.

Whatever their views on the smoking ban, 97% of managers stated they felt the Government was unsympathetic to the problems facing the hospitality trade. 96% of managers believed that further government restrictions were on their way. 69% of managers didn't want the smoking ban in the first place, 70% thought the public cost of its introduction was unjustified.

For the 64% who reported a reduction in trade since the smoking was introduced on 1st July 2007, other factors contributing to the reduced trade were mentioned, and these included:

- _ Cheap alcohol from supermarkets (a major contributor to binge drinking culture);
- _ Bad weather in July 2007;
- _ More holidays/short breaks being taken;
- _ Overall 'credit crunch' & economic slowdown.

In the future, the industry is worried that:

- _ Patio heaters may be banned (after the industry has spent millions investing in them), literally leaving smokers in the cold;
- _ There may be restrictions on alcohol consumption/price increases to combat binge drinking. Some respondents made the point that the Government should perhaps consider restricting supermarket beer sales to encourage people to drink in pubs. They believe that if people are encouraged to drink in pubs, the behaviour and potential problems can be contained more easily by professionals;
- _ Possible restrictions on outside drinking, due to the problems of providing outside smoking areas;
- _ Stricter limits on drink driving may reduce custom.

It is clear from the survey results that the hospitality industry does not want this ban to continue and perceives it to be an unwelcome additional burden on an already difficult situation.

Conclusions & Recommendations

While it is accepted that some people dislike tobacco smoke and want to avoid smoky places, the blanket ban is clearly too draconian and unfair to be an acceptable solution. Clearly, such sensitivities cannot be grounds for destroying an entire industry. The Government should review the smoking ban with great urgency, because it has had unintended adverse consequences and is causing **real hardship** to businesses.

The ban is unfair to smokers, who sometimes make up the vast majority of customers in some premises (particularly clubs, bingo halls and small independent pubs). It is also clearly resented by a large number of managers of hospitality premises who would prefer to decide themselves whether to allow smoking or not.

Landlords have been taught to look after their customers, but are now in the uncomfortable situation of having to send their smokers outside in all weathers, and to police a law which may be detrimental to their own livelihoods. We have the untidy situation of people having to stand in prescribed areas or the doorway of a pub while they smoke. Is this really the image we want to project of the traditional, hospitable British pub that many tourists will want to visit, many of whom come from countries (in the EU and elsewhere) with more tolerant attitudes to smoking?

The smoking ban was enacted to protect employees from the effects of passive smoke, yet all of the potentially harmful components of SHS are covered by the Health and Safety Executive's Workplace Exposure Limits. None of these components could ever come close to exceeding these limits in any hospitality venue.

Freedom to Choose recognises that, whilst there can be no real harm caused by SHS, there is a need for comfort for all workers and customers within a venue that allows smoking. Fortunately there are sensible solutions that more than adequately cater for smoking in a pleasant, comfortable and healthy environment.

Modern air management systems can make indoor air safer and cleaner than outdoor air whether smoking takes place or not, successfully removing 99.97% of airborne toxins. This technology is already used in hospitals and commercial premises where a standard level of air quality needs to be maintained. These systems are inexpensive, would avoid the many problems associated with outside shelters and would maintain choice in line with that available to most of our European neighbours.

This is an industry beleaguered by Government interference. However, politicians ignore the fact that landlords are influential people at the heart of their communities: what better place to discuss politics and decide which way you will vote?

Political parties advocating choice based upon the scientifically demonstrable solutions such as those promoted by Freedom to Choose can benefit from the support of publicans and their clients, while also improving public health in the process.

Freedom to Choose intends to continue researching into the effects of the smoking ban and will publish further results when they are available.

Traffic Light Device

Freedom2Choose believes that choice is missing in the current inflexible policy towards smokers and smoking. Interim results from our survey of licensed businesses show that over 60 per cent of landlords want to choose whether to allow smoking or not. Look out for our new traffic light symbol that can be displayed outside businesses to indicate whether smoking is forbidden (red light); restricted (amber light) or permitted (green light), under the banner 'managed air quality'. Modern air cleaning equipment can make indoor air cleaner than the air outside, regardless of smoking, and the public will have the information to make an informed choice about which premises they enter. Sadly, such signs cannot be used under current legislation, but we will use the 'traffic lights' as a campaigning device.

The International Coalition Against Prohibition – TICAP

During the first weekend in May, Freedom2Choose and Freedom2Choose Scotland signed up to The International Coalition Against Prohibition at their inaugural summit.

During the few days covering the 1–3 May a group of people gathered for a Summit meeting on board the Aldebaran, an old sailing ship docked at the small port of Hoorn, in Holland. (Hoorn is fairly close to Amsterdam.) The purpose of this Summit was twofold: firstly to establish the existence of the International Coalition Against Prohibition (TICAP), and secondly, to plan for the 1st International Conference Against Prohibition intended to take place 27th to 28th January next year.

TICAP was registered as a not-for-profit company limited by guarantee. There was a significant agreement between national representatives, many of whom had never met before, and which became known as The Aldebaran Treaty.

Planning for the International Conference is in progress, although there is still an enormous amount of careful and painstaking work necessary to be undertaken. As representatives of European and transatlantic nations and organisations we are now bound in solidarity against smoking bans and the so many other damaging prohibitions that are lucrative and fashionable in today's world of scientific fraud and political stupidity where adults are treated as children and freedom of choice is under threat. Furthermore, although all our strategies and objectives have not been fully agreed, as much of this will be decided at the coming International Conference, we now have the vehicle with which to co-operate nation with nation and this co-operation has already started. Also, as a result of the Summit, one of the participants – well known British publican and freedom fighter Nick Hogan – has already been invited to Brussels by a British MEP in order to lobby and network.

Coverage by the local Dutch press was very good and Freedom2Choose representatives Nick Hogan and Bill Gibson also did interviews with an independent British radio journalist. Countries represented by the signatories of TICAP's governing document include: England, Scotland, Wales, Germany, Holland, Denmark, Italy, America and Canada.

Organisations represented at the Summit were: **Freedom2Choose (UK), Freedom to Choose (Scotland)**, Forces International, Forces Italy, Forces Holland, Forces Germany, Dary (Denmark), The Danish Smokers' Party, The Party Against Nannyism (Holland), Smokers' Interest (Holland), The Association of Dutch Coffee Shops, The Hungarian Association of Smokers' Societies. We have also had positive responses to the formation of the Coalition from a Group in Belgium as well as established organisations such as My Choice, CAGE in Canada, The Smokers Club and PASAN in the USA. Since its inception TICAP has grown and is welcoming new members on a regular basis.

www.antiprohibition.org

AGM – Chairman's Statement

Freedom2Choose's first AGM as an association will take place on 18 October 2008, at Saffron Lane Workingmen's club, Leicester. This will be the first gathering of official members of Freedom2Choose.

This will be a chance to review the year and discuss the forthcoming 12 months. I hope it will be an enjoyable occasion, where we can get to know each other better, and forge stronger links.

I'd like to take this opportunity to thank the Exec for their hard work and commitment to the cause during the past year.

It's no mean task running this organisation. A lot of work goes on behind the scenes to produce a coherent policy and move us in the right direction. Not to mention the day to day functioning of F2C.

I would also like to extend the same thanks to our active members. As you know some big projects have been taken on during the past year. Some have taken off, others have not. Either way the devotion and effort applied to these is much appreciated, and invaluable to F2C.

The amount of time and effort involved in F2C business demonstrates a devotion to the cause, that perhaps you can't adopt, maybe it has to be part of you.

Last but not least, I'd like to thank all members. You are vital to the development of F2C. We need funds to move forward. Members attract more members. If we keep growing it will create a snowball effect and then we will be a force to be reckoned with.

With the necessary funding we can market our point of view, and thus receive the recognition we deserve.

In the meantime, I will ask all members who are not yet active members, to please consider stepping forward to get more involved wherever possible.

Whether you make suggestions or present ideas, or join or start up a project; simply by participating, you are making a difference and furthering our cause.

I'd like to see us all as members of Freedom2Choose, become a stronger, unified force against denormalisation of lifestyle choices.

I hope this event will prove to be a step closer to becoming this force, and move us towards achieving our end goal.

I look forward to seeing many of you there.

Andy Davis