

The Licensees' View

A survey of 570 public houses across England
Completed in July 2010



Freedom2Choose seeks to protect the informed choices of consenting adults with sensible and achievable goals on the issues of smoking. We actively campaign to prevent victimisation of smokers, social division, and social isolation, and to alleviate the negative social and economic impacts of the smoking ban. We are funded entirely by donations from the general public and have no connections whatsoever with the tobacco or pharmaceutical industries.
Our membership comprises of smokers and non smokers.

Supported by

Working Men's Clubs and Institutes Union
The Freedom Association
Justice for Licensees
C.Gars Ltd. London
'theedgwareroadassociation' Shisha bar community
Apintandafag.co.uk

This survey was carried by **freedom2choose** executive members, members and trusted supporters.

Over a period of two months 570 venues were surveyed in five different regions, comprising:

North East	118
North West	120
Midlands	112
London	106
S Coast	114
	<hr/>
	570

Respondents came from all types of Public Houses, i.e. Managed, Tenanted, Freehold.

Approximately 70% were pub visitation surveys while the remaining 30% (distanced) were via telephone during the months of May, June and early July 2010.

All respondents were guaranteed total anonymity for:

- a)...concerns of repercussions from Brewery/Pubco;
- b)...totally honest answers.

With less than 60,000 pubs remaining in this country the survey represents approximately 1% of those remaining pubs.

It is well documented that in excess of 6,500 pubs/clubs have closed down since 1 July 2007.

This survey mirrors the situation in Scotland where 11.5% of pubs have closed down since implementing their ban:

<http://www.dailyrecord.co.uk/news/scottish-news/2010/09/09/revealed-700-scottish-pubs-have-gone-to-the-wall-since-smoking-ban-came-into-force-86908-22548651/>

<http://www.express.co.uk/posts/view/198409/Review-smoking-ban-to-save-Scottish-pubs>

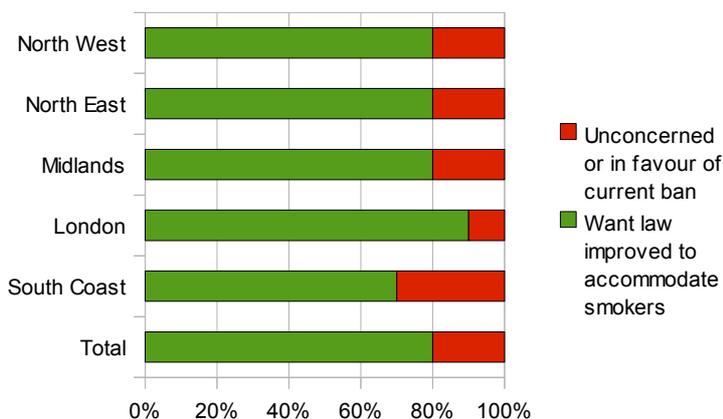
Introduction

After 3 years of the total smoking ban, freedom2choose, the nationwide organisation concerned with giving people choice, undertook a survey of remaining public houses. A total of 570 licensees were interviewed with the results summarised on the following pages.

Public houses in 5 areas were selected for interview:

<u>Area</u>	<u>Number of public houses</u>	<u>General view of licensees to the ban</u>
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North West	118
North East	120
Midlands	112
London	106
South Coast	114
<u>Total</u>	<u>570</u>



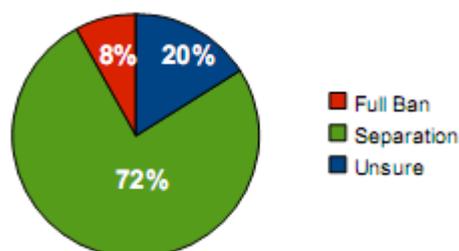
Under guarantee of anonymity all respondents willingly gave their views.

Licensees' general view of the ban

More than 80% of pub operators want improvements to be made to the law to accommodate smokers.

They are strongly opposed to the outright ban as laid down by law and implemented on 1 July, 2007. The initial expectancy of 'millions of new drinkers' filling the pubs has long since died and has been replaced with the knowledge that **5–10%** of non-smokers followed in their smoker-friends' footsteps.

Of the 570, only 45 licensees – 8% – want a full ban with 72% proposing that the outlets should be split into smoking and non-smoking areas or rooms.

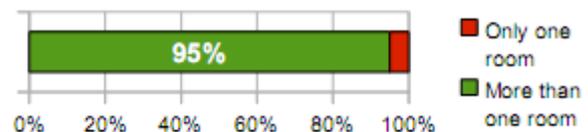


Interestingly, 172 licensees (30%), or their partners, were smokers which means that 253 NON-smoking licensees wanted a change to the ban!

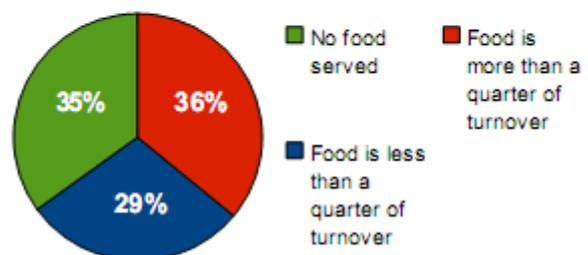
Has the industry retained its traditional structures?

There has been a significant change in the way pubs are run since the smoke ban was implemented in 2007. Many have felt forced into the food side to survive. This does not guarantee good food!

In excess of 95% of English pubs surveyed had more than one room, making separation of smokers and non-smokers relatively simple and effective.



Although food has become more important in recent years 35% of pubs serve no food at all and a further 29% rely on it for less than a quarter of their turnover. The general consensus was that providing there was a smoke-free area/room in which to serve/eat food smokers could still occupy other parts of a pub.

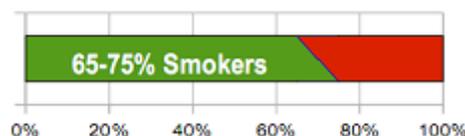
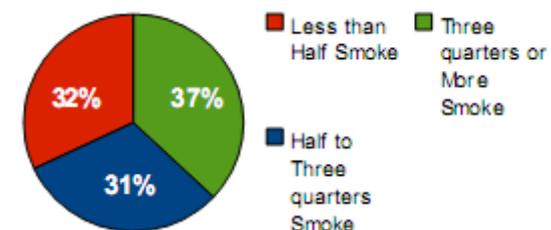


The importance of smokers to the industry

In this relatively traditional community market customers who choose to smoke are a very important part of the business. 68% of licensees believed that over half of their 'regular' customers (who visited at least twice a week) were smokers: http://www.airinitiative.com/docs/LVWales_Smoke_out_the_Truth.pdf

Thirty seven per cent of them believed that three quarters or more of their regulars smoked

Now that they and a proportion of their non-smoking friends have 'walked', pubs are generally bereft of clientele. Pre July, 2007, there were considerably more smokers using pubs than non-smokers. Estimates ranged from 65–75%.



This survey has highlighted the fact that many pubs relied heavily on smokers

for their trade. As much as 90% of core customers were smokers in many northern/midland pubs, which is reflected in the closures figures.

Although smoking rates had steadily decreased by the decade since the 1950s, anti-smoking bodies saw fit to force more legislation through, using 'protection of workers' as the driving force. The unintended consequence of 'protecting the workers' is that 100,000 have lost their jobs in the hospitality sector. Of course, it is well known that losing one's job is a very stressful occurrence. According to the British Heart Foundation (TV ads) stress is the biggest single cause of heart attacks.

It should be noted that the anti-smoking bodies carefully hid the true facts of the unemployment and misery caused by smoking bans.

There were many who suggested that bar staff, if concerned by passive smoking, should have an option of either serving smokers or not.

The impact of the smoking ban on jobs

Sadly pre ban judgements

(http://www.airinitiative.com/docs/LVWales_Smoke_out_the_Truth.pdf) have proven to be extremely lightweight, as the industry has seen almost 100,000 lose their previously safe employment. This figure also includes businesses allied to the pub trade; i.e. BellFruit-Gum (Nottingham) was forced to lay off 50% of its workforce just before Christmas 2009. (Gaming machines usage/repairs fell dramatically.)

One licensee, having run two pubs simultaneously, was forced to shut the 'landlocked' premises, losing 5 staff, and reduce his other option by 3 staff. None of those interviewed considered increasing staff as a possibility in the foreseeable future, with many being reduced to husband/wife only.

It has also been revealed that many licensees now fail to earn anywhere near the minimum hourly wage and many pubs, especially in the north, are only opening part time to save costs.

'I was talking to a former pub landlord from Wetherby a couple of nights ago and he thinks the smoking ban has destroyed pubs. One of Wetherby's main pubs near the river closed down earlier this year. In that region there used to be 40+ pubs and now they are down to 11'.

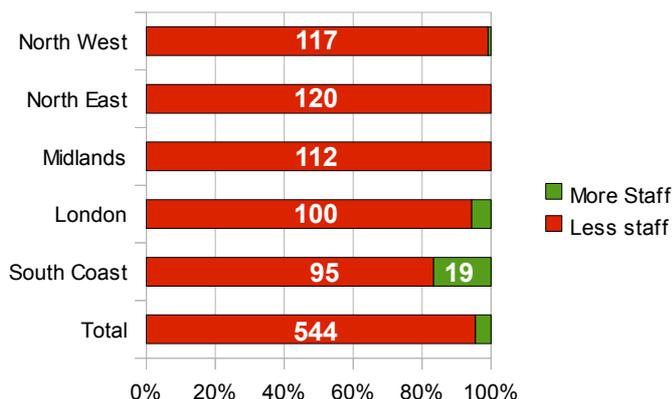
Worse still, the smoking ban has brought Britain's major Pubcos to their knees. Both companies built considerable empires, but both built on debt/loans. The smoking ban has seen the Pubcos closing outlets at an unprecedented rate, many being sold to property development companies in order to reduce vast debts.

It is obvious that the smoking ban has wreaked havoc in the

employment area as many Northern and Midland pubs have been forced to cut staff (i.e. wages) to a bare minimum. Indeed, many of the pubs are now run as husband and wife teams only. The south coast was the only area where any significant change had occurred but this was found to be because large outdoor areas had been created for eating and drinking purposes-thus non-smokers ate and drank alongside smokers anyway!

It was also noticed that the 'gay bars' on the South Coast seemed to hold their own with the smoke ban - but having said that, the gay community are a notoriously 'closed-knit' community. Obviously staff numbers reduced again in the winter.

This survey of 570 public houses fully supports industry figures of 100,000 job losses since the ban, with 544 pubs reducing staff levels (approximately 94.5%).



The cost of the smoking ban

One has to ask the question, just how much money is any government prepared to lose in benefit payments;

- Unemployment Benefit;
- Jobseekers Allowance;
- Income Support;
- Family Credit Tax;
- Housing Benefits;
- Re-Housing costs, etc.,

before they admit that a law was poorly thought out and badly implemented?

At the same time one has to ask just how much lost revenue are they willing to put up with as pub closures steadily rise? Yet simple changes to the existing law would obliterate most of the above! The WMCIU (Working Men's Club Institute Union) have seen bar takings drastically reduced since July 2007. It is reported that each Gala/Mecca Bingo hall that closes costs the government £785,000 per annum in revenue.

Last year alone saw £253m spent on smoking cessation programmes alone, yet the results were negligible with only a 4-week quit figure as any form of guidance.

The impact of a smoking ban on the local community

Pre-ban there was considerable concern that a ban would lead to problems in the local community with smokers forced outside or into the street. This has proven to be a major problem as over 41% did not have an outside area that could be used as an area for smokers.

'If it's sunny day lad, ah can fill yard 3 times over wit' smokers, but can I do same with inards-no chance!' (Northern licensee)

The result has been that many formerly viable businesses have been forced to close. Many have had complaints recorded against them because of smokers outside. One licensee is being sued for loss of value to property (£50,000) because of this consequence.

Noise disturbance for neighbours has been another unintended consequence and councils have become more and more involved in such complaints. One licensee has a 9pm curfew imposed by his local council concerning outside drinking.

Another licensee, in Hastings (The Fox Inn) held an external disco for her customers (90% smokers) only for 1 neighbour to complain. The ensuing court appearance cost her £3,000 in fines and costs. She sold the pub.

Many non-smoking pub goers have complained about 'having to walk through a wall of smoke' to actually enter a pub; a simple example of an unforeseen consequence of smoking bans.

Further complaints have rolled in about smokers using the beer gardens to smoke and drink, but where has this law put them?

On the other hand, smokers have complained bitterly about the so-called 'smoking shelters' allowed, as they have to be 50% open to the elements. This of course means that, being basically useless as shelters, the elderly and the infirm (smokers) cannot visit the pubs/clubs in colder times.

The smoking ban has led to a dramatic increase in drinking in the home. Obviously it is impossible to arrive at a definite figure but looking at the decline in customer pub usage against the rapidly rising beer sales at supermarkets it would seem that pre-ban concerns were well placed. One northern police force has indicated that this has resulted in a rapid increase in domestic violence cases – yet another unintended consequence of an overly zealous ban.

Whole communities are now denied a focal point for meeting and socialising as village pub after village pub closes down through lack of custom. Many council estate pubs have closed for similar reasons. Thousands of elderly and infirm members of our society have been isolated throughout the winter months due to the ban. In short, the ban has divided communities nationwide.

Responsible alternatives to a total destructive ban

As already shown, 80% of licensees surveyed want a change in the law (with similar calls for reform in Scotland, see <http://www.express.co.uk/posts/view/198409/Review-smoking-ban-to-save-Scottish-pubs>)

However, implementation has been very difficult for many pubs. With many pubs venturing into the 'eatery' market we will soon have an overpopulation of cheap food houses, which will inevitably bring more closures.

- a) A reasonable option put forward is to allow smoking (multi-room premises) in at least one room. If this sensible option were adopted all pubs would have at least one, and most several, non-smoking rooms. Note here that the WMCIU provided a **98%** vote in favour of this option. (Survey 2009)
- b) A second inexpensive option would be to allow large single roomed pubs to divide that room by the simple means of a newly created 'stud' type wall, plastered and decorated with a dividing door. 92% were favour of either option.
- c) For the very smallest pubs (1 single room) where this would be impractical, allow the licensee the freedom of choice to decide for him/herself. The owner knows his/her business best. Note: The European measure has worked extremely well; i.e. premises of a less than 'x' sq metres of floor-space are exempt. Customers, especially non-smokers, have a choice of whether to enter or not.
- d) The most popular option is to improve the level of ventilation in the premises at an average cost of up to £3000. Modern Air Quality Management Systems (AQMS) are of such high quality that they are used in hospital theatres to rid the air of such as MRSA etc. AQMS filtrate the air to such a degree that the air returned is 4 times cleaner than the air we breathe in on a daily basis (Professor Andrew Geens of Glamorgan University)

Conclusions

The 2010 survey of English pubs has proven that the smoking ban implemented 1 July 2007 has been a social and economic disaster.

As a tool used to cull the hospitality sector the smoking ban has been a resounding success!

At the time of this report 6,500 venues have closed down and this figure will undoubtedly continue to increase the longer the law stays in its present format (with closures averaging 32–45 per week).

There are many options open to Government for reforming the legislation that can accommodate both smokers and non-smokers, owners and staff. Many licensees may wish to remain smoke-free due to increase in food sales and/or they have decided to go 'food orientated' and have invested accordingly.

However, thousands of pubs have neither the space nor facilities to do so, therefore must remain wet led. They must have choice.

It is obvious that the majority of licensees want to see a reform of the smoking ban, as their business is unsustainable in its present format.

On the question of staffing arrangements the answer is simple. Any prospective staff have the choice of whether they apply for a smoking environment or a non-smoking environment re employment.

It is now beyond any reasonable doubt that smokers in pubs and pub survival go hand in hand. The pre-ban lies (blatant) and empty promises were merely a fabrication to ease the passage of the bill through parliament as the closures below prove:

Annual Pub Closure Figures for 2005 to 2010

2005: 400

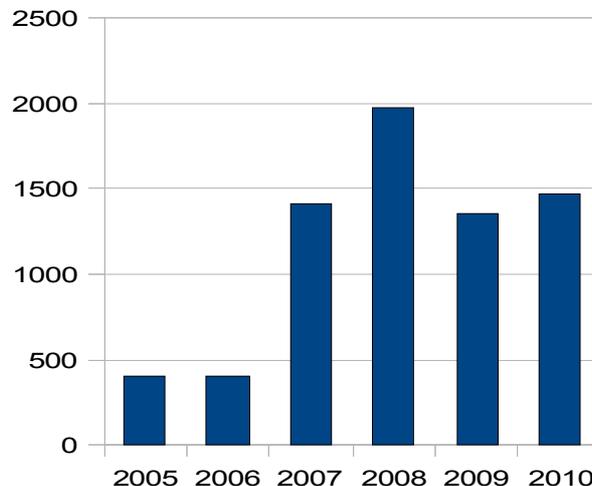
2006: 400

2007: 1,409

2008: 1,973

2009: 1,352

2010: 1,466 (to date)



<http://www.guardian.co.uk/news/datablog/2010/apr/12/general-election-labour-manifesto-pub-closures>

The proof of smoking ban damage to pubs/clubs was already there: i.e. Scotland, S Ireland, America but ignored for non-alarmist/propaganda purposes.

It should also be noted that the Punch Taverns share-price stood at £13.68 immediately before the implementation of the ban. They can now be

purchased at around 70p per share. Smoking bans are bad for investors as well as businesses.

What is clear is that F2C have uncovered a deep vein of dissatisfaction with the smoking ban as it now stands. It's seen as far too all-embracing, draconian and makes no allowances for variations or choice. Even where pubs have a separate room which could accommodate smokers, as many in the survey pointed out, they are simply not allowed to. The wishes of many pub goers are not taken into account by the law and the results have been bad news for many pubs. Choice: this is what F2C is all about.

The Licensees' View (presented by freedom2choose.info)

Review of 'The Licensees' View', produced by Freedom to Choose

This report offers information about the negative effects of the smoking ban on public houses including loss of clientele, sociability and closures. The stated source of information upon which the report is written is given on the title pages as 'as a survey of 570 public houses across England, completed in July 2010.'

The regions of the pubs involved are given clearly with a spread across the country. The report then details how pub operators are 'strongly opposed to the outright ban as laid down by law and implemented on 1 July 2007.' Some details of the opposition is provided in the pages that follow as well as views from pub users such as the problem created by non-smokers having to walk through the smoky beer gardens and outside areas of pubs. This is certainly an unanticipated consequence of the ban, which has turned inside into outside and perhaps shifted the smoke problem somewhere else.

Other useful information is provided about the closures of pubs since the ban and the bleak looking future that lies ahead, not only for pub operators but clientele. Many non-smokers, it is stated, have 'walked' with their smoking friends because they don't want to socialise without their friends presumably and no longer find that pubs have a social atmosphere.

This is a useful and interesting document, which clearly shows there is plenty of room for change within this law which would ensure a fairer 'playing field' for all and a virtual cessation of closures. It is also abundantly clear that freedom2choose have gone to great lengths, in this survey, to amplify the above.

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