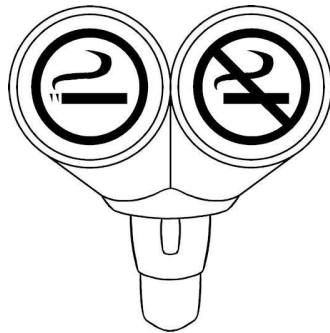


Freedom 2 Choose Smoking Ban Survey Results : April 2008

# The Smoking Gun



Prepared For  
freedom2  
choose

By

Independent Analysis and Research

YORVIEW



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## 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.

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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, the campaign group, 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 1<sup>st</sup> 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 1<sup>st</sup> 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 year<sup>1</sup>.

However, a survey by the Campaign for Real Ale suggested that in England over 7 million people would visit pubs more regularly after the ban<sup>2</sup>.

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.”<sup>3</sup>

Yet the British Beer and Pub Association<sup>4</sup> 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.

---

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

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

<sup>3</sup> [http://www.morningadvertiser.co.uk/news\\_detail.aspx?articleid=57678](http://www.morningadvertiser.co.uk/news_detail.aspx?articleid=57678) (25.2.08)

<sup>4</sup> [http://www.beerandpub.com/newsList\\_detail.aspx?newsId=235](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

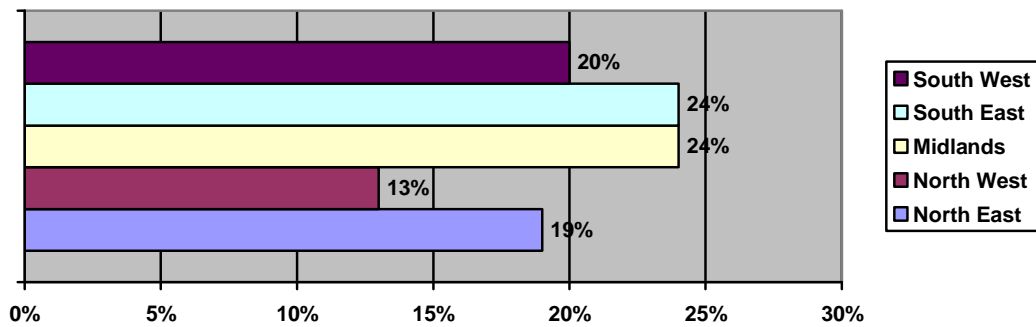
**Accuracy :** The survey package ensured that only one response was possible from a particular computer – and the e-mail could not be forwarded on. It was decided not to allow open access to the survey from e.g. the Freedom to Choose website, because of the danger of illicit multiple entries. Manual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

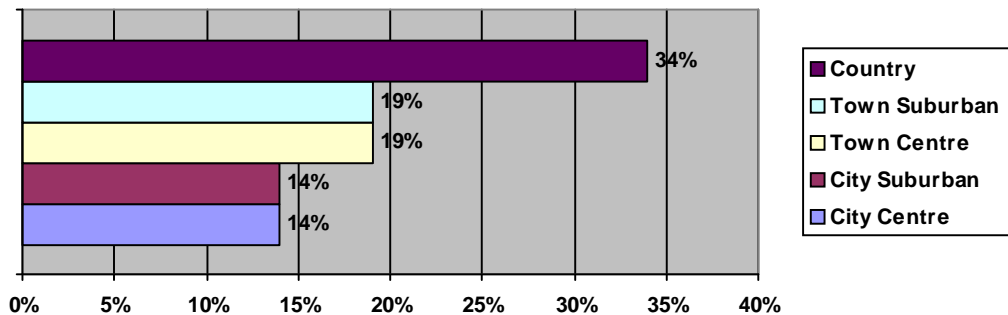
## 1. Category of Premises

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



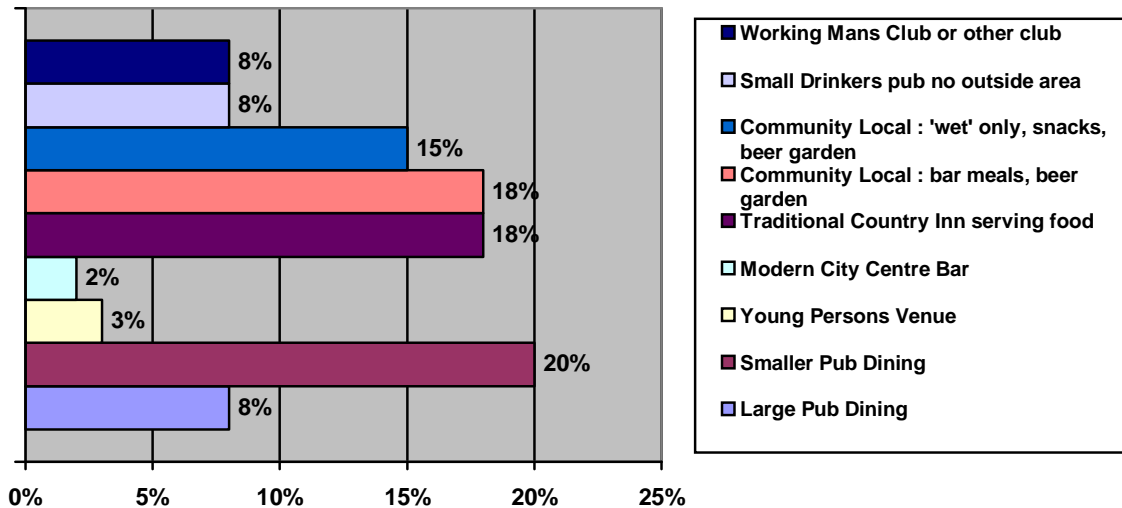
This shows the survey covered all regions of England.

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



Premises in different locations were surveyed.

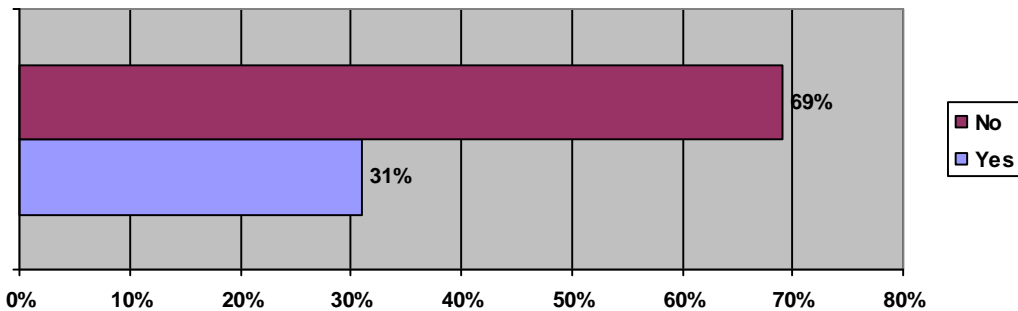
**1.3 Please select the category of premises which best describes your business.**



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?**



**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.'

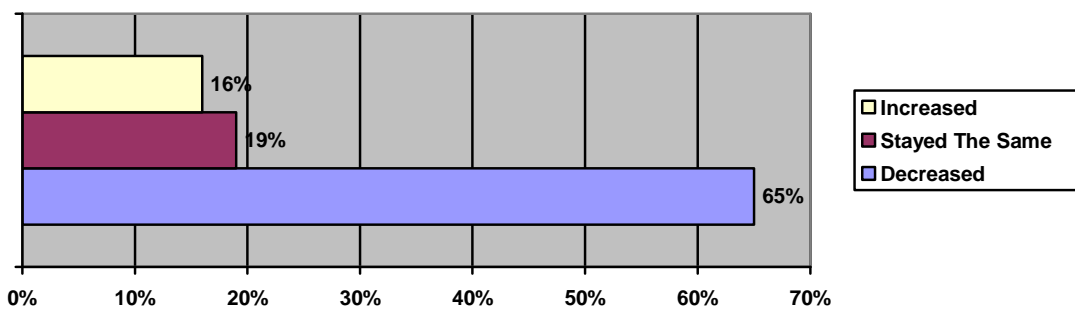
'We fundamentally believed that publicans and customers should have had the right to choose. Employees, too, should be given the right to opt in to working in potentially smoky environments.'

'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.)



## 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 then we used to. Our sales have decreased by about 15 to 20 percent.'

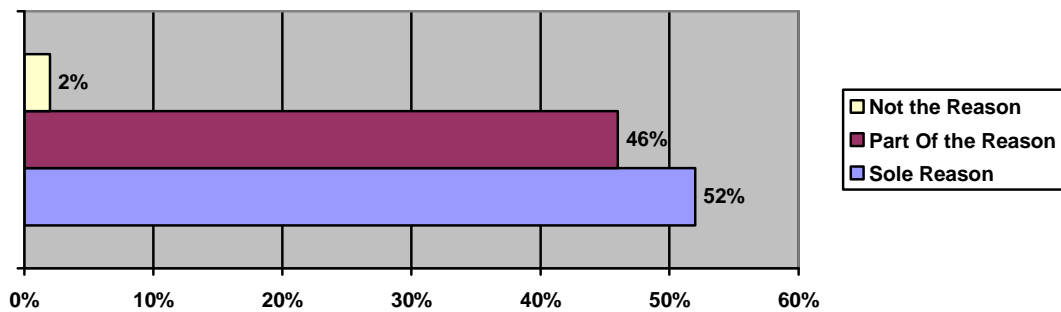
'Some smokers no longer use the pub and some stay for less time and spend less. It is also very disruptive with people going outside and then returning frequently.'

'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?



### 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.'

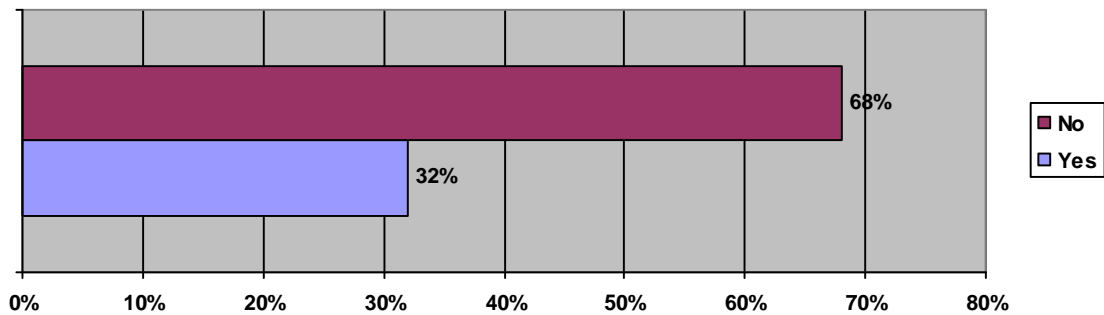
'Competitor pubs and bars have outside or garden areas. I do not.'

'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?



### 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.'

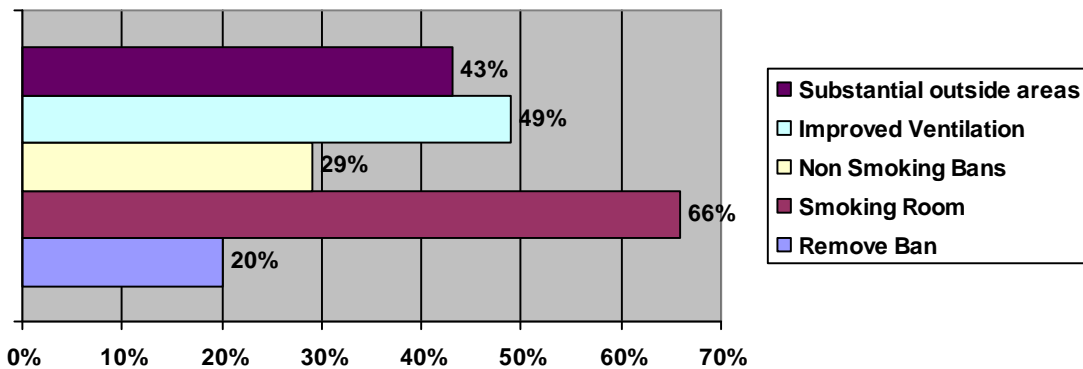
'No Smoke = less drinkers.'

'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. Please tick all that apply.**

No supporting measures necessary – just remove ban	20%
Smoking Rooms	66%
Non Smoking Rooms	29%
Improved ventilation/air quality by using extractor fans	49%
Allow more substantial outside covered areas than currently permitted	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!'

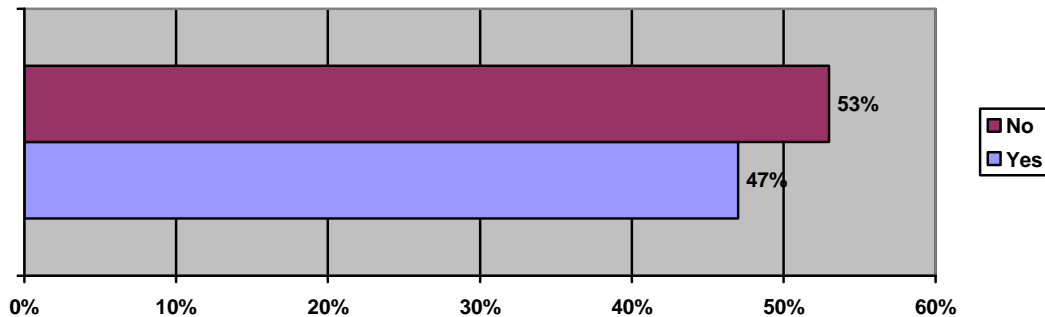
'Remove ban on pubs not serving food.'

'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)



### 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 hyperphermia-inducing shelters.'

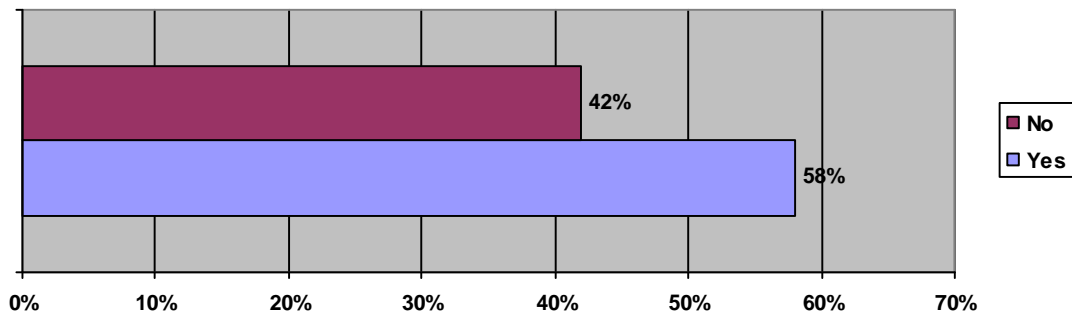
'Now the customers who are eating outside are complaining about the smokers.'

'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?



### 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.'

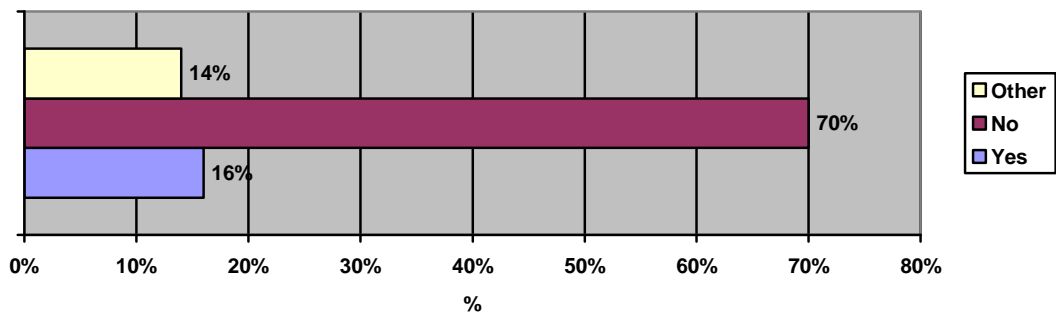
'We had, and still have, excellent extraction and purifying systems.'

'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?



### 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

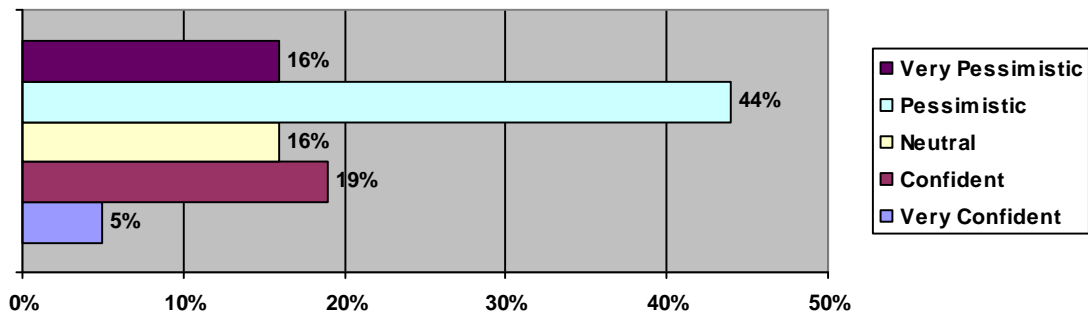
'The insistence on signs stating the obvious, and defacing public buildings, is deeply offensive.'

'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?



### 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.'

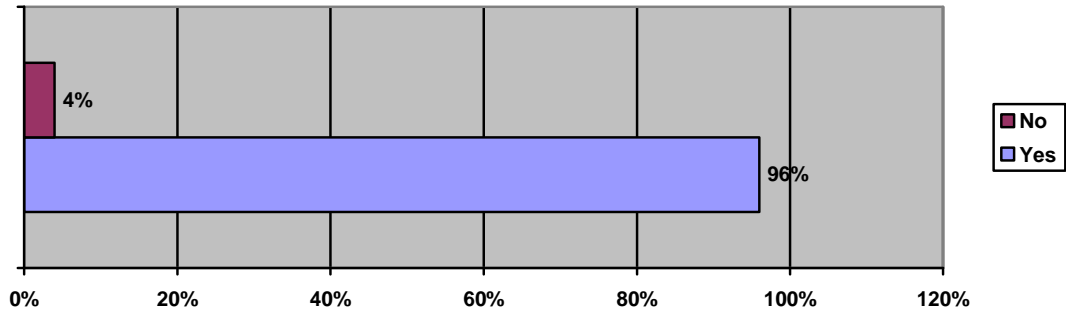
'This next year will see the survival of the fittest. Many wet-led pubs will go to the wall and the seriously food led establishments will continue to trade. My fears are more for the impact on communities. With drink driving laws, cheap supermarket booze, changing leisure activities (i.e. internet, 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?



### 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.'

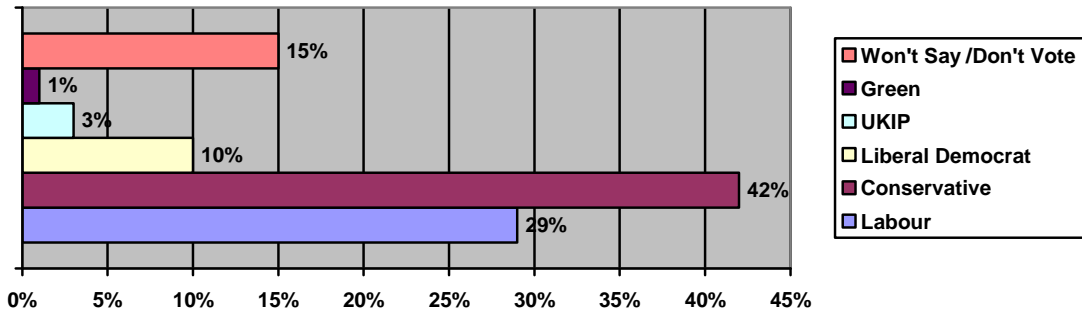
'Possible restrictions on outside drinking.'

*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



#### Analysis

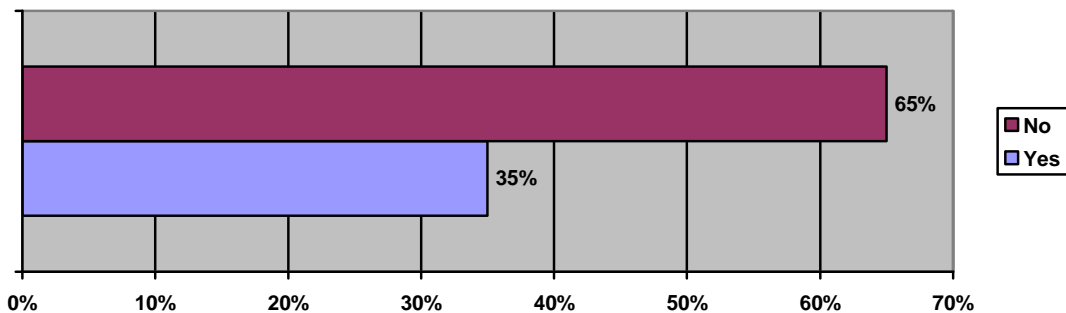
This reflects fairly closely the current voting intentions in other National Opinion Polls , e.g. an April 2008 ICM opinion poll shows the Conservatives 43% , Labour 32%, Lib Dem 18%, Others 7%. This shows that landlords' voting intentions may be fairly typical of those in the general population.

#### Sample Comments

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

'None, they are all the same.'

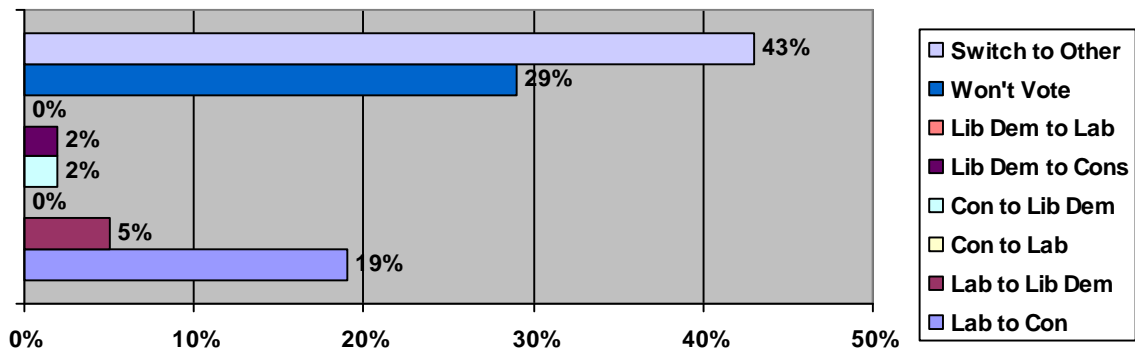
#### 3.2 Would the effects of the Smoking Ban on your business change the way you would vote if there was a General Election tomorrow?



#### 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?



#### 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.

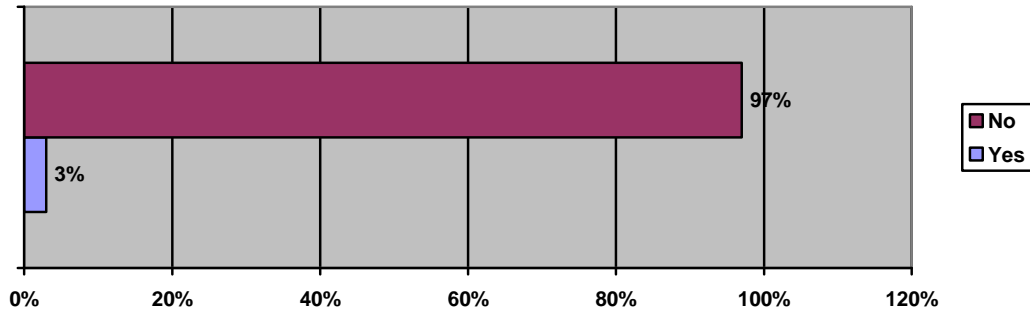
If people did decide to switch to a party opposing the ban, UKIP would be the most likely beneficiary, provided that they promote their position on the ban.

#### 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?



#### 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:

*'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.

*'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:

*'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.

*'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:

*'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.

*'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 1<sup>st</sup> 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.

