None for the road: an attempt to identify the responsibility for ethical alcohol service.

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Introduction

Those who sell goods have responsibilities to their customers. The concept of 'merchandisable quality' is now generally accepted. Others would go further and debate the ethics of persuasion in the retailing process. When the goods are potentially harmful, then the arguments intensify. The pleasures of alcohol are familiar to many, but others have moral or religious grounds to oppose its production and sale. The problems caused by excessive consumption are equally well-known. This paper is not an attempt to reject the use of alcohol: if the product is legally produced and sold in a country, then this may not be an appropriate argument. Instead it is intended to ask what society wants from alcohol service and how well those requirements are being satisfied. It offers some suggestions about what could be done to minimise excessive use of alcohol. However, no proposal can succeed without the general will of the populace, as the USA discovered during Prohibition. Most of the examples are based on the experiences in the UK, but then same debate could be applied to any country, and similar propositions advanced.

Methodology

The medical and social problems associated with excessive alcohol consumption are identified using UK sources. The roles of the various stakeholders in alcohol service are identified and their attitudes examined. Again, this concentrates on the UK. The current ethical views are considered at each stage of the debate. Secondary sources dominate the study, for, as Dalton and Metzger (1992: 207) have pointed out, 'virtually every empirical enquiry of issues relevant to applied business ethics involves the asking of questions that are sensitive, embarrassing, threatening, stigmatizing or incriminating' and so access to primary evidence is difficult or even impossible.

However, this author has undertaken an earlier study of twenty-two licensees who rent their bars. This work has been adapted and augmented by a similar survey of ten managers and ten owners, so as to see if three types groups had different attitudes to their responsibilities. Cowton (1998) has noted the difficulty of obtaining the truth on occasions in interviews, and this did prove to be a problem on occasions in this study. Some licensees, especially managers appeared reluctant to offer any comments that

could appear critical of the policies of their employers. Some independent licensees were careful to ensure that they avoided statements which could suggest they would ever transgress any regulation. Nevertheless, the material offered does represent the views of those interviewed.

Having examined the role of the stakeholders and their attitudes to alcohol service, there are some suggestions relating to methods of ensuring a more responsible approach to the serving and consumption of the products.

The problems of excessive alcohol consumption

Excessive alcohol consumption can cause problems to both users and those who come into contact with them. Alcohol Concern, a UK charity which aims to reduce the incidence and costs of alcohol related harm, has suggested that that 30,000 early deaths a year are attributable to its misuse in the UK alone (Alcohol Concern 2002). It claims that about one million children live with parents who have drink problems. Social issues attributable to excessive alcohol consumption include domestic arguments and violence, child neglect, accidents, absenteeism from work, inefficient work, public drunkenness and aggression, criminal damage, theft, assault and drinking and driving. This can lead to serious disruptions to family life, such as divorce, homelessness, unemployment, financial difficulties and even vagrancy. There are also serious concerns about alcohol-related crime. In the UK, in 47 per cent of all violent incidents the victim described the assailant as being under the influence of alcohol at the time of the assault (Home Office 2003).

The rejuvenation of urban centres in the UK has brought economic benefits of greater business and increased employment, but environmental disadvantages. In recent years, many towns and cities have experienced the emergence of leisure complexes, as well as café bars, bistros and fast food establishments. At the same time, a late evening culture has developed, with large pubs and clubs offering alternative entertainment to the more traditional activities of a city's night life. This has been encouraged by the granting of later closing times for pubs and clubs. As a result, the 18-30 age group are attracted and their presence is often closely associated with the consumption of alcohol. A recent study (Jones et al 2003) commented upon the influx of visitors who enjoy the facilities. For example, Norwich will have about 15,000 people in its centre on weekend nights; Newcastle upon Tyne's city centre has 100 pubs and 22 night clubs, registered to allow 30,000 people to enjoy music and dancing. Croydon expects to attract 25,000 visitors on Saturday evening, and Cheltenham welcomes 20,000.

As a result, local residents often complain about noise throughout the night. The large influx of merrymakers leads to the disposal of litter in the streets. The easy availability of alcohol appears to encourage anti-social behaviour such as rowdiness, criminal damage and violence. This has necessitated a greater and more visible police presence, with the costs borne by the police authorities. The arrest of miscreants places additional financial burdens on the judicial and penal system. The violence that can result places costs on the health service. Local authorities have often purchased and installed CCTV cameras, which must then be monitored. The cleansing departments must clear up the debris left behind. Businesses and individuals are obliged to repair petty damage and the removal of graffiti. Insurance companies pay

claims for more extensive losses, and this is reflected in higher premiums for policy-holders. However, This does not mean that the sale or consumption of alcohol is necessarily wrong, but rather that it can be misused. The key questions relating to this must centre around what society expects from alcohol, its producers and vendors and the actions of the government.

The stakeholders

Firms clearly exist to make profits. The debate surrounding the profit maximisation concept are well enough known to need no revival in this context. In the same way, there is no real need to enter into a debate about the accountability of business organisations. There has developed an expectation that they should operate in the interests of the community. Lambin (1997) has argued that companies should seek to benefit society as a whole. Even if they not actually operate in the public interest, they nevertheless are expected to demonstrate a corporate social responsibility. Radebauh and Gray (2002:119) have defined this as 'accountability to society as a whole with respect to matters of public interest such as community welfare, public safety and the environment'. McWilliams and Siegel (2001:117) described it as 'actions that appear to further some social good, beyond the interests of the firm and that which is required by law'.

It is clear that there are groups of people whose lives are affected by the decisions of each business entity. These have been described as stakeholders, whom Freeman (1983:38) has defined as a 'a group or individuals who can affect and are affected by the achievement of an organisation's mission'. Donaldson and Preston (1995) insist that the various stakeholder groups, such as employees, customers, suppliers and the local community should be considered in their own right with no section necessarily having priority other the others. Thus, to identify the various stakeholders and examine their ethical stances would provide a valuable framework before examining alcohol service in practice. Fitchertt (2005:18) maintains that 'consumers are generally thought to constitute a legitimate and important stakeholder group'. However, this can create conflict. Friedman and Miles (2002) have argued that the firm-consumer relationship has a 'necessary incompatible' configuration. For example, shareholders want profits, but customers would welcome lower prices. Vranceanu (2005:99) concluded that 'the basic fact of life that sometimes the objectives of the various stakeholders are contradictory'. This does not preclude a firm limiting its objectives in order to satisfy the needs of the community

There is a school of thought that supports this concept of self-regulation. For them, responsible behaviour can influence customer purchase decisions, and thus benefit the firm (Adams and Hardwick 1998, Waddock and Graves 1997, Pava and Krausz 1996). Klein and Dawar (2004:203) found that 'firms have been found to engage is socially responsible behaviours not only to fulfil external obligations such as regulatory compliance and stakeholder demands, but also due to enlightened self-interest considerations such as increased competitiveness and improved stock market performance'. An example of this is Bansal and Roth's research (2000) on the ecological considerations being adopted by firms. A study of food retailers by Piacentine et al. (2000: 466) showed that the most proactive firms in the area of social responsibility 'acted largely as a result of consumer pressure'.

If firms do not act, then they may be obliged to so do. The moral or ethical concerns of stakeholder groups can lead to regulation (Key and Popkin 1998). Lantos (1999:223) insisted that 'the same moral standards should be applied in the business domain as in other realms since we still have human beings causing potential harms to other human beings. Being a businessperson is not a license to do things you are not permitted to do as an everyday person' and agreed that failure to behave properly could result in government action.

In reality, society, consumers and producers or suppliers may have different motivations and aspirations. That is hardly surprising. When applied to the alcohol industry, it is clearly true. The basic aim of suppliers is to sell as much alcohol as possible. The public as a whole does not want the ill-effects of excess, and the consumers have differing needs. For many, a quiet drink in surroundings they enjoy is the sole aim of alcohol consumption. For others, it means drunkenness, rude and aggressive behaviour, breaches of the peace and even violence. It is impossible to reconcile all of these views, though it is logical to assume that the majority seek to avoid the difficulties created by those who wish to indulge in excesses. It may also be reasonable to assume that those who actually provide the alcohol could be considered responsible for any difficulties caused by its consumption, and so the activities of those involved in the supply chain should be examined.

Producers

For the producers, their role is clear: they make and sell the products. This is perfectly legal, and in no way irresponsible. It is true that they might sell at low prices to supermarkets and other stores which retail to the public, but it would be possible to argue that low prices benefit the consumer, giving them more money to spend elsewhere, rather than the opportunity to drink more. Of course if they advertise to promote the attractions of alcohol to the young, or to imply that heavy consumption is attractive, then we could reject such activities as morally wrong. However, governments ensure that this does not happen. For example, all members of the European Union signed the WHO's European Charter on Alcohol, which declared that 'children and adolescents have the right to grow up in an environment protected from the negative consequences of alcohol consumption and, to the extent possible, from the promotion of alcoholic beverages'. The result was that each member state reduced the advertising of alcohol addressed specifically to young people. As illustrations: Belgium stopped spirit advertising on commercial TV and all alcohol advertising on radio; France prohibited advertising on TV for alcohol over 1% ABV and on advertising in publications for young people and sports venues; Ireland banned spirit advertising on radio or TV, refused to allow alcohol adverts before sports programmes and insisted that the same advert could appear only once per night on any channel; Italy permits alcohol adverts on TV only after 8pm; Luxembourg radio and TV adverts must not depict consumption of alcohol or feature young people or sportsmen or drivers consuming alcohol; Portugal has restricted alcohol advertising on TV to 10pm and later, and Spain's watershed is 9.30 pm (Institute of Alcohol Studies). This does not exonerate suppliers from their responsibilities, but it does indicates that governments are able to control alcohol advertising and help to ensure that children are not encouraged to participate.

Pub owning companies

The position of ownership of public houses in the UK is, perhaps, different from that in many other countries, as many are owned by large organisation. Just over one quarter are in private hands; over half are in the possession of estates who rent them out to individuals and the remainder are owned by companies who employ managers (Publican 2005:9). In January 2006 there were 30,323 leased and managed pubs and 11,806 managed outlets in Britain. The largest owners of leased and tenanted estates were Punch Taverns (9,810) and Enterprise Inns (8,637). The main owners of managed houses were Greene King (2,400), Wolverhampton and Dudley Breweries (2,292) and Mitchell and Butlers (1,900) (Publican 2006: 53).

The managed estates have large outlets, controlled as effectively as any other type of retail chain, and are capable of generating high volumes of sales. The leased estates rent their pubs to tenants and lessees, who are usually responsible for all repairs, and a tie on beers, stouts and lagers so that purchases have to be effected from a single nominated company, owned by the landlord, and charging higher prices than other wholesalers. Thus the parent company makes profit from the rentals and the sale of the beer.

A difference between the two types of public house may be found in their pricing policies. Both the managed and the rented estates are able to negotiate substantial price discounts from the brewers. The managed estates will pass some of the savings on to the customer in the form of advertising promotions such as cheap drinks during "happy hour" or "two for the price of one" offers. This is intended to increase the volume of sales and create loyalty to the pub. In the rented sector, the discounts are retained by the supplier, so few pubs will offer drinks at reduced prices. The sale of cheap drinks is claimed to be one of the causes of "binge drinking" and so is under severe criticism. In a speech made at an alcohol and public health conference in Nottingham, Chris Holmes, the owner of Tynemill, an independent operator with 19 pubs, 15 of which are managed, maintained that managers of some chains are under pressure to maximise profits, leading to underage sales and serving intoxicated customers (Halstead 2004).

Many of the operators of managed estates have made clear statement of their corporate social responsibility, both in their annual reports and on their websites. They issue Codes of Conduct to guide employees in their dealings with stakeholders as well as an alcohol and social responsibility policies. Nevertheless, price-cutting and promotions remain a feature of the sector. They rely on high volume sales, which they seek to attract by techniques including discounting. The editor of the monthly trade newsletter, M and C, Mark Stretton (2005:9) summed up their position when he noted that 'they cannot raise prices – if volumes collapse, highly geared companies quickly become loss making ones. Companies it seems are walking a tightrope between staying competitive and becoming responsible'. At the operational level, the setting of targets for individual managers and their staff and the payment of bonuses for their achievement may encourage sales, and thus achieve that end, but there is the potential accusation that managers will respond by irresponsible sales behaviour.

The income for the owners of leasehold estates depends not only on rent but also profit from the supply of drinks. The relationship between the owners and their

lessees is not always pleasant, as their aims are not complementary. High rents and high wholesale prices might benefit the parent company, but the individuals who operate the pubs find profit more difficult as a consequence (see, for example, Pratten 2005a). Nevertheless, on their respective websites, the companies emphasise their good relationships with their lessees. For example, in the Enterprise Inns Annual Report and Accounts 2003, the Chairman announced that the company 'continues to attract and motivate top quality licensees, who are the key to our long-term success'. Ted Tuppen, the Chief Executive Officer, maintained that 'a well-run pub represents a controlled environment able to promote responsible, sociable drinking', but there were no statements about the organisation's efforts to promote responsible drinking.

The role of the bar owner or lessee

In order to sell alcohol, most countries insist on some form of control. For example, in England and Wales, the sale of alcohol is governed by the Licensing Act of 2003. Local authorities are authorised to grant two licences: one for the specific premises to sell alcohol and another for individuals to run pubs. The police can object to applicants because of a criminal background or because they have not properly applied the licensing laws in the past. Most authorities require that applicants possess Part Two of the National Licensee's Certificate from the British Institute of Innkeepers. In fact, they can make a wide variety of demands and conditions before granting the licences for premises or personnel.

The Licensing Acts place on the licensee the responsibility to ensure that no 'drunkenness or violent, quarrelsome or disorderly conduct' takes place on the premises. If the police do find anyone drunk, then the license holder must demonstrate that he or she took all reasonable steps to prevent it. Prosecution and loss of licensee are potential penalties. Decisions about the refusal of service are made difficult by the absence of a formal legal definition of drunkenness in the UK, so the licensee has to effect a judgement about the state of the customer. In addition, alcohol service to those under the age of eighteen is forbidden, with similar penalties.

This would imply that responsible alcohol service is in the hands of the bar owners and managers. They should refuse to serve anyone who is intoxicated. However, problems arise even at this stage. Managers are under pressure to meet the sales targets given to them by the employers; in the independent sector the licensees struggle to make adequate profits. Smith (1985) felt that there were additional role conflicts when the licensee drank, talked and played pub games with the customer and then had to exercise control over them. Moreover, he was concerned about the amount of alcohol a licensee might consume over the day, and the consequent ability to exert control at the end of the night, the very time when control might be necessary.

There have been a limited number of studies of the micro-business, employing less than ten people, so 'our knowledge … remains highly limited' (Scase 1996: 570), and even fewer relating to their ethical attitudes. Humphries et al (1993) argued that the key issue lay in social responsibility – the relationship between small firms and their customers. Russell (1993) encountered barriers to ethics within small firms. Owners reported that ethics and business did not mix. They maintained that if it was legal, then it should be regarded as ethical and regularly maintained that their own operation was more ethical than its rivals.

Thus, work relating to small bar operators is minimal. However, Pratten (2005b) made a study of a town's twenty-two lessees to discover their ethical attitudes. All were primarily concerned about profitability. They asserted their support for licensing laws. However, on the issue of under age drinking, it was clear that a few were less vigilant than others. Several hinted that they might serve beyond the permitted hours. All were appalled that some customers spent so much time and money in the pub, to the neglect of their families, but none automatically refused this trade. None would accept responsibility for causing any alcohol-related illness. All agreed that they would refuse service to someone who was intoxicated, but their definitions of this state varied enormously. Several of the licensees in community pubs were prepared to accept behaviour that would not be tolerated elsewhere. Such licensees maintained that they could deal with rowdy customers.

An additional ten owner/proprietors were chosen to continue the comparison. They were all located on the outskirts of towns and villages, or isolated in the countryside. None of these were frequented by large groups of young people, because they were so far away from the town centre. Profit remained a key issue, but these pubs were often food-led, so high standards of behaviour were expected, so as not to deter customers. One problem that was raised was the issue of drinking and driving. Seven licensees agreed that they would discourage an intoxicated patron form driving, but none would remove the keys or call the police. The other three would not reveal how they would behave in the circumstances.

The role of managers

It is vital to remember that 'front-line employees are often the primary reflection of a firm's image' (Maxham III and Netemeyer 2003:47). Moreover, sales staff exercise a key role in the organisation, as 'they are primarily responsible for generating the firm's revenues…and…are often evaluated on the basis of short-term objectives' (Roman and Munuera 2005:473). The need to effect sales can cause ethical problems. Howe et al (1994) noted that firms may offer incentives to sales staff when immediate sales are required. Honeycutt et al (2001) have observed that the rewards system significantly influenced the behaviour of salespeople. Kurland (1999) has argued that in these circumstances salespeople may act unethically to make the sale and gain commission. This would be prevented by salary based methods of remuneration. 'The higher the fixed salary percentage of the salesperson, the more ethical the salesperson's behaviour' (Roman and Munuera 2005:476).

Ten managers were interviewed and asked questions similar to those put to owners and lessees. All were employed by firms that had issued codes of conduct relating to alcohol service, and all had received extensive training. Six agreed that they were given targets, with financial incentives for meeting and even exceeding them. The other four refused to discuss their remuneration packages. It may be assumed that they were all measured on their sales. This created a pressure similar to the need for profitability experienced by the independent sector. They all employed doormen, who were supposed to check the age of customers and refused entry to those who were drunk. They all maintained that they offered their customers, who tended to be young, a fun evening under strict control systems. Questions relating to the issue of the

discounting of prices and promotion were answered by reference to the owners, as they felt that they were obliged to comply with company policy.

The role of bar staff

All staff must be trained, and there is no exception with alcohol service. However, it is usually done in-house, so that the attitudes and behaviour of the license holder are likely to be installed. In Australian, Mosher et al (1989) noted that bar staff are unlikely to implement responsible service practices unless encouraged by management. This is hardly surprising: staff who have not been specifically trained will follow existing practice. Alexander (1998) found that 'most studies of responsible alcohol service (in Australia) have identified a lack of commitment on the part of management to make the programmes work as a major impediment to their success'. According to Nicoll (1994), even where industry members were aware of their legal obligations in responsible service, there existed a limited understanding and use of such practices. Thus, staff are likely to mirror the performances of their employers, and so irresponsible service will be replicated.

The role of government

The government benefits from high levels of revenue. In 2000-2001, excise duties and VAT on alcohol raised over £12b, 4.3% of all government tax revenues (Institute of Alcohol Studies). It also already exerts a great influence on alcohol service. It passes legislation relating to who is allowed to own or operate bars, the age at which people can effect purchases or even enter the premises, the hours of opening, whether gambling is allowed, etc. Drunkenness is forbidden. In some countries, those who sell alcohol can be responsible for the consequences. For example, in New South Wales, Australia, if an intoxicated person causes 'reasonably foreseeable' injury, the sellers are liable for damages (Simmons 1994). A code of behaviour for the service of alcohol could be developed, laying out carefully the legal obligations. Penalties for breaches could be strengthened, but, as Chonko and Hunt (1985) observed, this does not mean that practices will be more ethical.

Thus, the government alone cannot eliminate the problem of drunkenness. It can only go so far in trying to ensure that its citizens behave in what may be regarded as a responsible manner. There has also to be some form of consensus that this is the correct direction. Thus, the duty becomes that of citizens as a whole.

The role of society

In Australia, Mosher (1990) advocated a co-ordinated and co-operative community wide programme. This view was supported by (McKnight 1993), who felt that responsible alcohol service can only be achieved by a combination of community awareness and leadership, enforcement, management and training. Saltz (1985) referred to the development of good community relations. Thus, these studies found that the reduction of heavy drinking could only take place in a suitable environment. The local community and the licensees had to actually want to achieve this aim. This could be regarded as ethical service. Research by Working Solutions (1998) on behalf of the Portman Group supports many of the conclusions from Australia.

Conclusions

Alcohol is a pleasurable substance for most people. To many others, its consumption can be a religious taboo and a small group of people are harmed by its use. There can be no doubt that excessive consumption can lead to medical, social and environmental problems. Thus, it is necessary to investigate how it can be controlled. All of the stakeholders within the sector have a responsibility, and it is easy to blame the producers, for advertising the product, and thus making it appear attractive. The pub-owning companies can be condemned for their concentration on profit. The operators are at the front line of service, and they must be at fault if they serve any customer an excess of the product. Governments take a large amount of revenue from alcohol, and so might appear to have a vested interest in its consumption, but they also do attempt to limit its availability. It is the consumer who makes the decisions about when and how much to consume. The majority of these and the remainder of society appears to support a moderate intake. However, there are those who wish to drink to excess. Alcoholics will always manage to acquire drink, and even without money will beg, borrow or steal enough to satisfy their desires. The trouble-maker who wants to participate in anti-social will behave in this way with or without the presence of alcohol. However, those who misbehave after following the current trend of heavy drinking can be prevented from so doing by the force of public opinion. The real point is to make it clear that such attitudes and desires are not wanted. The alcoholic will only consider giving up drink when he has done something so bad that he is reviled by society. So will the hooligan only rethink his desire to annoy those around him when it is clear that he is unsupported. If government is to achieve the wishes of the populace, then it should concentrate on changing the attitudes of all of those stakeholders who encourage excess. Then it will not be fashionable, and so will diminish.

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