Aberdeenshire Council Environmental Health Service

Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill

I refer to the call for evidence on the Alcohol (Licensing, Public Health and Criminal Justice) (Scottish) Bill. The comments below are on behalf of the Environmental Health Service of Aberdeenshire Council; this response has not been subject to Committee scrutiny. I understand the Licensing Boards of Aberdeenshire Council may also submit evidence.

In respect of the 6 questions posed our comments are as follows:

1. **Do you support the Bill as a whole?**

Parts of the Bill are supported, but not all the provisions; see following comments.

2. **Do you support particular powers in the Bill?**

Yes. Provisions 1, 6 and 9 are supported.

There are other provisions where the Environmental Health Service (within which Licensing Standards officers sit) are neither for or against:

**Provision 2. Alcoholic drinks containing caffeine:** There is little evidence of Buckfast type drinks being a problem in Aberdeenshire.

**Provision 7. Alcohol education policy statements:** Some evidence suggests that alcohol education and public information campaigns are not very effective in preventing excessive alcohol consumption.

**Provision 8. Drinking Banning Orders:** This could be useful but also could criminalise already vulnerable people and compound their situation. Other provisions already exist such as bail conditions etc.

**Provision 10: Notification of offender’s GP.** No comment

3. **Do you have concerns about particular provisions in the Bill?**

Yes.

**Provision 3. Age discrimination in off-sales:** seeks to overturn existing provisions allowing a Licensing Board to prevent those aged 18-20 from purchasing alcohol for consumption off relevant premises despite no evidence of the current provision being abused.

**Provision 4. Container marking in off-sales:** This would enable Licensing Boards to impose container marking schemes as an additional tool in tackling under-age drinking. Whilst this might help with the small number of under-age sales or proxy purchase sales, it is unlikely to be helpful for the majority of cases where alcohol has been supplied by parents. This is not supported, may be unworkable and will be resource intensive.
Provision 5. Consultation and publicity for licence applications: This enhances local people’s ability to influence alcohol licensing decisions by consulting with residents 50 metres from the premises where there is no active community council and extends the consultation period from 21 to 42 days. This is not supported because:

- it will encourage representations,
- the 42 day time-limit is too long, and
- the current 21 day period is sufficient.

4. How will the particular provisions in the Bill fit with your work or the work of your organisation?

As far as the Licensing Standards Officers and the Environmental Health Service are concerned, the provisions that we support will be compatible with current work. There are concerns about resource implications in respect of the provisions which we do not support.

5. Will the Bill have financial or resource implications for you or your organisation?

In respect of those provisions supported by the Environmental Health Service no such implications are envisaged. There are concerns about resource implications for those provisions we do not support.

6. Do you have any other comments or suggestions relevant to the Bill?

No.

Aberdeenshire Council Environmental Health Service