Renfrewshire Licensing Board

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

Q1 Do you support the Bill as a whole?

A1 Renfrewshire Licensing Board welcomes initiatives proposed at a national level to address alcohol-related harms. The Board would, however, wish to comment specifically on particular provisions in the Bill which relate to the administration of the Board’s licensing functions:

(a) The Board welcomes the new provisions on multi-packs. While the Board appreciates that the mandatory conditions of premises licences are now complex, it is of the view that existing provisions can be easily circumvented by not stocking an individual container of a particular product.

(b) While the Board understands the concerns in the Policy Memorandum over age restrictions in respect of off-sales, which cannot presently be introduced as a matter of policy, the Board is not persuaded that the case has been made to prevent such a restriction being applied in relation to particular premises where issues have already been identified. This could include circumstances where a premises has a history of failing to properly implement age verification policies and being involved in underage or agency sales, where the Board feels that revocation or suspension of a licence is not necessary or appropriate. Renfrewshire Licensing Board has not, to date, required to impose such a restriction, but would welcome the flexibility as a local licensing authority to do so should the circumstances merit it.

(c) The Board considers that a power to impose a bottle marking requirement would assist the police to gather evidence in relation to poor practices in licensed premises, which would in turn assist the Board in considering applications for review of licences where relevant issues are identified. The Board agrees that, to make the bottle marking scheme effective, it is important that the Board is given the power to impose the requirement as a condition. The proposal that this should occur only where a request is made by the police appears a proportionate approach.

(d) The Board recognises the desirability of improving community involvement in the licensing process. In terms of the Bill, notifications would be given over an enlarged radius where “the Board reasonably believes that any community council within whose area the premises are situated is inactive”. In practice, it is likely that this power would be delegated to officers, although situations may arise where the position is not clear cut. The extended consultation period of 42 days would, in the Board’s view, assist consultees (and community councils in particular) to respond more effectively to applications, although this may lead to applicants having to wait longer for their applications to be determined.
While the Board accepts that the advertising of alcohol in the vicinity of schools and premises used primarily for the care of children, and at sporting and cultural events mainly attended by children, should be controlled, the Board have some concerns as to the potential scope of these provisions, which may cover advertising appearing within a 200 metre “vicinity” of a prohibited place on a fleeting basis. The terms of the provisions, and the Policy Memorandum, state that, in the specific case of cultural or sporting events, any alcohol branding on an individual’s clothing would be covered by the section. The Board would wish careful consideration to be given to these provisions prior to the potential criminalising of individual citizens for what may be low-level contraventions of the proposed section.

Q2 Do you support particular provisions in the Bill?

A2 Reference is made to the detailed comments at Answer 1. The Board welcomes the provisions detailed at Answers 1(a) and (c) above and, subject to the concerns detailed above, supports the general principle of the provisions at Answers 1(d) and (e).

Q3 Do you have concerns about particular provisions in the Bill?

A3 Reference is made to the terms of Answers 1(b), (d) and (e).

Q4 How will the particular provisions in the Bill fit with your work, or the work of your organisation?

A4 The provisions of Part 1, Chapter 1 (Alcohol Licensing) will impact directly on the work of Renfrewshire Licensing Board.

Q5 Will the Bill have financial or resource implications for you or your organisation?

A5 The provisions around multi-pack pricing and alcoholic drinks containing caffeine will require advisory and compliance work through the Licensing Standards Officers. The potential to impose requirements of container marking could result in additional hearings before the Licensing Board, ultimately additional review hearings, which would have to be accommodated with the Board’s resources and within the available meetings of the Licensing Board.

Q6 Do you have any other comments or suggestions relevant to the Bill?

A6 No.

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