Central Aberdeenshire Licensing Board

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

1. Do you support the Bill as a whole?

Central Aberdeenshire Licensing Board does not support this Bill as a whole and has reservations as the Bill stands in its current form.

2. Do you support particular provisions in the Bill?

The Central Aberdeenshire Licensing Board supports the provision on extending the ban on discounted multi-packs of alcohol (Section 1).

The Board, in general, supports the proposed new mandatory condition regarding alcoholic drinks containing caffeine (Section 2).

The Board supports removing the power of Licensing Boards to restrict off-sales to customers aged between 18 and 21, in light of current equalities legislation (Section 3).

The Board, in general, supports the provision regarding the introduction of container marking schemes for off sales premises (Section 4). The Board is aware of a similar scheme which worked well a number of years ago in their Ellon and District area. The Board agrees with the policy behind such a scheme to identify whether retailers are selling alcohol to people who should not have it and that if an underage person is found with a marked bottle, the idea is that this could be used against the retailer whose mark is on the bottle of evidence. The Board however acknowledges that there will be real difficulties with this provision in relation to practicalities and evidential links. Please see the Board's comments in relation to question 3 below.

The Board supports the provision substituting the 21 day consultation period for a 42 day consultation period (Section 5). The Board acknowledges that there may be some delay to licence holders in obtaining their licence due to the longer consultation period, however the Board feels that the longer consultation period may be of benefit to statutory consultees such as Community Councils who do not always have a Community Council meeting within the 21 days period to discuss any new applications. The Board also feels the longer consultation period may benefit any neighbours or members of the public who may be on holiday during the 21 day period, as the longer timescale will give a longer period of notice for the new application.

The Board in general supports the restrictions on advertising of alcohol near schools, within licensed premises and at sporting and cultural events (Sections 6-9).
The Board are supportive of the proposals regarding Drinking Banning Orders (sections 15-29). The Board feel that these could be very useful and would assist with public safety in licensed premises.

The Board feels notification to a GP where a court has convicted an individual aged 16 or over of an offence would be useful because there would be early intervention and a GP could be alerted to any outlying health issue (Section 31).

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

Central Aberdeenshire Licensing Board has concerns regarding the provision on local consultation and the amendment of the notification distance (Section 5). The Board feels that increasing the radius from a 4 metre to 50 metre radius is too onerous. The Board has concerns regarding the increased workload and staff time that could be involved if notification had to be made to all neighbours within 50 metres. The Board is concerned that in populated town areas, the consultation notification could extend to hundreds of premises. The licensing staff may have to spend large amounts of their time identifying all of the ‘neighbouring premises’ and then would have to send out increased volumes of letters.

Although, as stated above in question 2 above, the Board supports the principle of a container marking scheme (Section 4), the Board feels that in reality this would be unworkable and it would be impractical to mark each individual container, which may be sold. The Board feels the marking scheme would have serious implications both financial and resource wise. The Board feels it would be extremely difficult for a large supermarket to have to mark every single bottle or can and queries how individual bottles within a multi pack could be marked.

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

Central Aberdeenshire Licensing Board deals with all new premises licensing applications, major variations, personal licences and occasional licenses for the Central Aberdeenshire area. All the proposed provisions may have some impact or effect on the work of the Board. The proposed provisions which would have the greatest effect on the work of the Board would be the local consultation notification (Section 5) and the Container marking scheme (Section 4) for the reasons stated within this response.

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

The Board feels that the Container marking scheme (Section 4) could have significant implications to the Board and noted that financial and other implications on Licensing Boards are likely to include:
• Purchasing and distributing the equipment required to implement the container marking requirement (such as stickers or UV pens);

• Liaising with the police on written requests by the police to vary licence conditions (before and after issue);

• Liaising with police on revoking container marking conditions.

The Board also feels that the proposed amendment to the local consultation neighbour notification distance (Section 5) would have a significant financial impact on the Board. The time that administrative staff spend on processing applications would be significantly increased and the Board notes the potential cost quoted of £180,000 per annum.

The Board notes drinking banning orders could have a cost of around £60,000 per annum to Local Authorities.

The Board notes that alcohol awareness training could have cost of £87,000 for a roll out and as much as £570,000 annually on health board, local authorities and police.

The Board also acknowledges that there will be some, as yet unknown costs to Local Authorities on Sections 1, 2, and 6-13 of the Act.

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

The Board feels that the advertising provisions should be extended and provision should be made to restrict targeted email advertising from large national retailers promoting cheap offers of alcohol, often in the lead up to sporting events.

The Board suggest that CCTV cameras on premises should be a mandatory condition for off sales premises. The Board feels that this would assist with the proposed provisions on container marking schemes and the Board feels that if the cameras were fixated at the point of sale, then this could provide corroboration and an evidential link to the container marking scheme.

The Board feels that making Pub Watch schemes a mandatory requirement to join, could be useful if the provisions regarding Drinking Banning orders were implemented and these schemes would work well together.

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