

DRAFT

Cross-Party Group on Independent Convenience Stores

16 November 2021 at 6.15pm

Minute

Present

MSPs

Jackie Baillie MSP
Foyso! Choudhury MSP
Maurice Golden MSP
Rachael Hamilton MSP
Gordon MacDonald MSP (Convener)
John Mason MSP
Paul McLennan MSP

Invited guests

Tony Allen, Age Check Certification Scheme Ltd
Grahame Clarke, Community Alcohol Partnerships
Ian Lovie, Scotmid
Veronica McGinley, Trading Standards
Douglas Meikle, Scotch Whisky Association
Graeme Paton, Trading Standards,
Colin Smith, Scottish Wholesale Association
Jim Wilson, Scottish Government
Carole Wyllie, Scottish Business Resilience Centre
Dr Maria Rybaczewska, University of Stirling

Non-MSP Group Members

Jamie Buchanan, Scottish Grocers' Federation
Dan Brown, Lothian Stores Ltd
Dr Pete Cheema OBE, Scottish Grocers' Federation
Martin Devlin, PGMA
James Harper, One-O-One Convenience Stores
John Kelly, Motor Fuel Group
Andrew Kenney, UK Retail, BP Oil UK Ltd
Dr John Lee, Scottish Grocers' Federation
Luke McGarty, Scottish Grocers' Federation

Apologies

None.

Welcome and introductions

Gordon MacDonald MSP (Convener) welcomed attendees to the meeting including Jackie Baillie MSP, Foysol Choudhury MSP, Maurice Golden MSP, Rachael Hamilton MSP, John Mason MSP, and Paul McLennan MSP who were also in attendance.

Approval of minutes and action points

The Convener (Gordon MacDonald MSP) asked for the approval of the previous minutes from the 22 September 2021 meeting. These were approved.

A responsible industry: how retailers and key partners ensure that age-restricted products are sold responsibly, and that young people are protected from harm

John Lee explained that the aim of the meeting was to look at the actions taken by retailers and the wider industry to ensure responsible retailing, age verification of restricted products and to ensure that young people were protected from harm. Specific items for discussion would cover a) Preventing under-age sales: The Don't Ask for It campaign; b) Regulation and compliance in convenience stores and c) Systems and procedures to ensure age-verification.

John then introduced the speakers, and the following presentations were delivered:

Douglas Meikle – Head of Alcohol Policy – Scotch Whisky Association

Douglas Meikle explained that the Scottish Alcohol Industry Partnership (SAIP) was a vehicle for industry to work together, to support, devise and deliver initiatives to promote responsible drinking and tackle alcohol related harm and which both the Scotch Whisky Association and Scottish Grocers' Federation (SGF) were members. He informed the CPG that in terms of preventing underage sales, the success of Challenge 25 had helped reduce the number of direct sales of alcohol to under 18s.

He also highlighted that there had been an ongoing proxy purchase campaign which was primarily aimed at adults to raise awareness with them that the proxy purchase of alcohol was a criminal offence. Responsible retailers were also an integral part of the approach to tackling proxy purchasing. Initially the campaign had been developed in partnership with SAIP, Scottish Government, Police Scotland, and North Lanarkshire Council where the scheme had been piloted in 2015 and had been rolled out to different parts of Scotland since then and in 2021, the campaign had run across various Police Divisions. In terms of next steps for the proxy purchase campaign, the intention

was to have a national campaign which would run from mid-May to Mid- August 2022 and would involve having a key partnership with Police Scotland. Campaign messaging would be placed instore and through social media, community events and digital assets. As part of this work the plan would also be to reach out to other stakeholders to engage them in supporting the campaign.

Dr John Lee – Head of Policy and Public Affairs – Scottish Grocers’ Federation

John Lee informed the CPG that while convenience stores themselves were smaller in size, they had to operate in a highly regulated space and that this was only going to continue. There was a growing list of age restricted products such as alcohol, tobacco, and lottery sales which retailers were required to enforce and comply with. Future restrictions would include mandatory calorie labelling and around products high in fat sugar and salt. He explained that despite operating in such a highly regulated space, retailers were doing a great job in remaining profitable and continued to carry out their role as responsible community retailers.

He also highlighted that SGF continued to play a key role in promoting compliance among retailers through for example producing a Minimum Unit Price guide in conjunction with the Scottish Government and writing a retailer guide with support from Food Standards Scotland on new labelling requirements for food sold prepacked for direct sale. He asked those MSPs present to be aware of the challenges presented to the retailer space through being highly regulated and to take this into account into account when voting on any future legislation which may impact on the sector.

Ian Lovie – Head of Licensing - Scotmid

Ian Lovie explained that Scotmid sold a range of age restricted products across its 200 plus stores. They worked with the relevant bodies including trading standards on matters relating to age restricted products however there was sometimes variance in the levels of communication across different local authority areas for example around test purchasing campaigns.

He informed CPG that in dealing with age restricted verification Scotmid had systems and procedures in place for staff. For example, training for staff would involve modules, conflict management training and learning about Challenge 25. Technology in store such as till systems also supported staff in that if the staff member was under 18, it would not let them sell alcohol. Electronic shelf labels and instore tv screens were also used to help inform staff and customers with key messaging. Scotmid also arranged for test purchases in their stores to be conducted on their behalf and to receive feedback and benchmarking information from this. In addition, Scotmid did partnership working and explained that they had been involved in the Don’t Ask for It campaign. He added that both Scotmid and SGF were doing everything they could to promote and ensure continued compliance around the sale of age restricted products and that they cared about the health and wellbeing of communities which they served.

Questions and Answers

John Lee then invited comments and questions.

Preventing under-age sales: The Don't Ask for It campaign

John Kelly asked what the key success measures were for the Don't Ask for It proxy purchase campaign and also if there had been any cross-comparison as to how it may have impacted on shoplifting.

Douglas Meikle stated they had measured proxy purchases and anti-social behaviours and the respective targets had been met. While proxy purchase figures had went it up this was in part to it due to the campaign being able to collect this data and it was noted that anti-social behaviour had decreased. No data had been collected as to whether the campaign had negatively impacted shoplifting.

John Mason MSP asked about whether in relation to proxy purchasing there was a problem with shopkeepers and proxy purchasers being nervous about being threatened with violence. Also, was it a problem across the country or in poorer areas.

Douglas Meikle acknowledged that retailers and proxy purchasers being threatened had been an issue. He explained that regular police patrols had been used to help support the campaign and advised that proxy purchasing was not just specifically found in poorer areas.

Gordon Macdonald MSP stated that a recent report had highlighted that access to alcohol for many young people was provided via parents and asked if the campaign would look to address this and if the campaign would look to go into schools to highlight its message.

Douglas Meikle mentioned that outreach to schools had always been a key part of the proxy purchase and cited activity previously undertaken in North Lanarkshire. He confirmed that they wanted to continue to reach out to more schools and parents.

John Lee added that had Police Scotland had a group called 'The Police Young Volunteers' and indicated that during the Lanarkshire campaign they were involved quite heavily and were successful in going into schools and talking to their peers. This would be further developed once the proxy purchase campaign went national.

James Harper had asked whether there was any information available from campaign activity which had shown if certain areas experienced a high level of proxy purchasing.

Douglas Meikle stated that there was no specific data available on this however the problem could be seasonal in that it was more prevalent during the summertime. He would look to discuss such data collection issues with Police Scotland in advance of the roll out of the national campaign.

Grahame Clarke took the opportunity to briefly explain to CPG the work of Community Alcohol Partnerships (CAPs) and how the proxy purchase campaign fitted into its own activities. There were 4 CAPs in Scotland and they would be looking to open more here. Their work included trying to stop young people buying alcohol and those buying it for them and what related action required to be taken to address this problem.

Jim Wilson placed on record this thanks to John Lee, Douglas Meikle and Graeme Clarke for the ongoing engagement around the SAIP and the proxy purchase campaign. He explained that Scottish Government Justice Communications team were happy to engage and market the forthcoming national roll-out of the proxy purchase campaign.

Regulation and compliance in convenience stores

Gordon MacDonald MSP asked what support had been given to retailers for Challenge 25 and whether there was ongoing support for them other than initial training.

Veronica McGinley explained that local authority trading standards officers were there to explain, engage and encourage retailers around compliance issues and highlighted that very few retailers wanted to sell under-age alcohol or restricted products but that they did need help and encouragement. Trading Standards officers and Licensing Standards Officers were there to advise them.

Graeme Clarke added that CAP also provided one hour training sessions for retailers and staff in a neutral venue and offered on-line training.

Jackie Baillie MSP asked whether there was an opportunity to rationalise and streamline the legislative burden on retailers and asked whether the Scottish government did a regulatory impact assessment not just on individual legislation coming forward but one which focussed on the overall legislative burden.

John Lee stated that there was a problem across Scottish Government directorates in that there did not appear to be a 360-degree view of policy. He suggested that legislation should be sequenced, and longer lead-in times given for the retail sector to give them a chance to absorb it.

Maurice Golden MSP highlighted that legislation could have a disproportionate impact across a sector depending on the size of the business and that there was a lack of insight into this and highlighted the examples of calorie labelling and the Scottish deposit return scheme.

Jim Wilson noted the points being raised about the difficulties of ensuring that there was a cross portfolio approach on legislative proposals. He recognised that there was more the Scottish Government could do to facilitate roundtable style discussions from key policy areas. He was happy to explore this further.

Graeme Paton informed CPG that local authority trading standards services did a considerable amount of work behind the scenes in terms of providing advice and guidance to small retailers around sale of restricted products such as tobacco, nicotine vapour products and fireworks. He explained that the provision of advice would always come prior to consideration of enforcement action.

Systems and procedures to ensure age-verification

John Lee asked if the use of self-scan tills with facial recognition would work for age verification systems going forward or whether this was still some time away.

Ian Lovie informed CPG that Scotmid did use self-scan tills in some stores, but they were not at present the pre-dominant way of serving customers. They were used to help reduce queues in-store at peak times trading times however there was still some way to go in terms of using this technology for age verification products. He explained that current Scottish legislation did not permit the use of such technology for selling these products however Scotmid had considered trialling its use with a voluntary age restricted product such as an energy drink.

Tony Allen informed the CPG about the role and work of the Age Check Certification Scheme. He also highlighted that the Home Office was going to be running a trial of digital proof of age for the purposes for purchasing alcohol and that this would commence in early 2022 and run for four to five months, with a report thereafter being published by the Home Office around August 2022. This help inform any proposed actions in Scotland.

John Lee indicated that going forward maybe there would be an opportunity to pick up on matters around digital ID with Tony Allen.

Graeme Paton asked if customers were routinely asked to remove face coverings to carry out age-verification and if this caused any problems with them when asked to do so.

Ian Lovie stated that Scotmid had refreshed their staff training and e-learning and that fresh signage had been put in-store with regards age-verification for restricted products sales which included customers having to briefly lower their face covering as part of the process. On occasion however staff had faced verbal abuse from customers.

Jim Wilson indicated that he would be happy to join any conversations around retailers and the use digital ID.

Veronica McGinley stated that last year Trading Standards had produced leaflets on the requirements for using face coverings and on the related matter age verification as customers had been asking about this.

The Convener thanked all the speakers for their presentations.

Any other business

There was no other business.

Date of next meeting

John Lee stated that the Cross-Party Group meetings for 2022 would take place on 16 March, 31 May, 17 September, and 23 November.