

# Consultation on Changing Scotland's Relationship with Alcohol

## A Response to Proposals from LT Scotland



### 1. Irresponsible promotions and below-cost selling

We invite views on whether regulations should be made, under the Licensing (Scotland) Act 2005, to :

- Put an end to off-sales premises supplying alcohol free of charge on the purchase of one or more of the product, or of any other product, whether alcohol or not.
- Put an end to off-sales premises supplying alcohol at a reduced price on the purchase of one or more of the product, or of any other product, whether alcohol or not.
- Prevent the sale of alcohol as a loss-leader.

Also, that these measures should, subject to Parliamentary agreement, take effect from 1 September 2009 as conditions of the premises licence. A breach of the conditions would result in action being taken by the Licensing Board and could result in a licence being suspended for any period, or revoked.

#### Response

In setting out to change the culture of current alcohol misuse in Scotland described in the discussion document, all factors contributing – personal, social, environmental, and commercial – need to be addressed within a strategic framework which is coherent. It is also important to guard against taking action to support desired change which may inadvertently have the opposite effect.

The marketing techniques reflected in the three bullet points above may contribute to inappropriate ideas about the nature of alcohol as a commodity, leading in some cases to irresponsible consumption. In principle therefore, carefully considered regulation within the context of 'conditions of the premises license', under the Licensing (Scotland) Act 2005, could have a contribution to make to reducing alcohol misuse.

### 2. Minimum Retail Pricing

We invite views on the proposed principles on which a minimum pricing scheme for alcohol products should be established.

#### Response

If linking product strength to retail price\* has the potential to impact most on products which are priced low relative to their strength, this would seem desirable.

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(\*through establishing a minimum price for a unit of alcohol, based on the five principles described in the consultation document).

### 3. Information for parents

We will review current advice to parents and would welcome views on what particular information parents and carers would find helpful.

#### Response

Consultation is essential to identify how best to engage with parents and carers in communicating information relevant to their potential role in the prevention of alcohol misuse. Also important would be identifying gaps in knowledge and understanding in relation to alcohol use, and to recognise that people at different ages and stages can become involved in alcohol misuse for a variety of reasons, consequently a lifelong learning dimension is essential to any strategy aimed at preventing alcohol misuse.

#### Key elements

- Clear information about how alcohol misuse impacts on mental and emotional health, social health and behaviour, and physical health.
- The human costs for all ages and what this means for society in terms of the cost of services (Police, Health, Social etc.) and the impact on the economy.
- What it means for children and young people – specific risks etc.
- Clarity about the law in relation to alcohol generally, and children and young people specifically.
- How behaviour and attitudes of different family members to alcohol, and availability of alcohol in the home (or not) might impact on children and young people in positive and negative ways.
- Strategies for discussing issues around alcohol with children and young people.
- Making the most of opportunities for home, school and community links e.g. through Curriculum for Excellence generally, and experiences and outcomes for Health and Wellbeing which includes substance misuse and has a focus on school and community partnerships.
- Importance of involvement in supervised out of school activities and local youth work activities as an alternative to alcohol.

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- Sign posting sources of advice, support and further information especially at local level e.g. youth work as a major source of substance misuse education.
- Link to Service development for parents and Road to Recovery.

#### 4. Minimum legal purchase age for alcohol

We invite views on whether we should raise the minimum age for off-sales purchases to 21 in Scotland.

##### Response

This raises many issues in relation to perceived anomalies around currently established 'legal ages' for young people in our society e.g. in relation to marriage, driving, voting etc. A well policed proof of age scheme at 18 would seem a better way ahead.

#### 5. Social Responsibility Fee

We invite views on the following aspects of a 'social responsibility fee' :

- What criteria should be used to determine the types of premises (or specific premises) that should be subject to the fee? (e.g. late opening premises, or premises in a particular area) or conversely what criteria should be used to consider exemptions from the fee.
- How should the fee be determined? ( e.g. based on rateable values, alcohol sales turnover)
- Should a fee be applied to Occasional Licences as well as Premises Licences?
- Should a similar fee be applied to other premises licensed under separate legislation? If so, what types of premises should be subject to a fee?
- Are there any other comments you would like to make on the operation of a social responsibility fee?

##### Response

In this context the focus of 'Social Responsibility' is on the business or premises. It is important not to lose sight of personal responsibility on the part of customers and the fact that there are already social responsibility requirements on pubs and clubs as a result of the Licensing (Scotland) Act 2005.

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### 6. Promotional material in licensed premises

We invite views on whether regulations should be made, under the Licensing (Scotland) Act 2005, to extend the existing regulations to :

- Prevent the display on licensed premises of promotional material relating to alcohol in a way visible to persons outside the premises.

#### Response

It is not clear as to whether promotional material refers to general brand identity or a specific marketing exercise involving discount on a product. Existing regulations could be extended to cover the latter.

- Prevent the use on licensed premises of any special display designed to promote sales of alcohol for consumption off the premises.

#### Response

Lack of clarity in relation to what is meant by 'special display' makes it difficult to comment

- Prevent on licensed premises any other promotional activity to induce the sale of alcohol for consumption off the premises.

#### Response

Lack of clarity in relation to what is meant by 'promotional activity' makes it difficult to comment

### 7. Separate alcohol checkouts

We invite views on the desirability of creating separate checkouts for alcohol sales to help emphasise that alcohol is not an ordinary commodity. Also, the particular criteria that should be applied in determining which types of premises should be subject to any such arrangements; and whether there should be a requirement for alcohol checkout staff to be at least 18 years old.

#### Response

In supermarkets, separate checkouts for alcohol could potentially give quicker and easier access to those only wanting to purchase alcohol. In smaller shops providing goods to rural and other communities, space and layout may be problematic.

In supermarkets where alcohol promotions are placed at various locations across the sales floor, as well as in a specific area for alcohol, this has the potential to reinforce the idea of alcohol as just another commodity.