

ABERDEEN LOCAL LICENSING FORUM

29 July 2010

Alcohol Etc. (Scotland) Bill

The Forum noted a briefing paper on the Alcohol Etc. (Scotland) Bill at its meeting on 25/2/10. This paper provides an update for information in light of developments. The closing date for comments on the consultation process launched on behalf of the Health and Sport Committee was 20th January, 2010. The response from the Aberdeen Licensing Board is attached to this note. The Licensing Board took no position on the proposal to establish a minimum alcohol sales price based on a unit of alcohol. The Board set out its views on the advantages and disadvantages as requested in the consultation document.

On 4/3/10, the City Council's Policy and Performance Committee agreed to "recognise and regret the continuing social and personal damage caused by the culture of alcohol misuse and that an action plan is drawn up which develops the work of the Council and its partners, mainly the Alcohol and Drugs Partnership, NHS Grampian and Grampian Police, in tackling alcohol related disorder in the city centre, expanding this to cover city wide issues in terms of the four key themes of prevention, intervention, enforcement and rehabilitation, and that this is done with reference to the recently launched Alcohol Strategy".

On 10/6/10 there was a debate in the Scottish Parliament on Stage 1 of the Bill based on the report from the Health and Sport Committee which had scrutinised responses to its consultation paper and had examined witnesses and undertaken fact finding studies. At the conclusion of the debate, the Scottish Parliament agreed the general principles of the Bill but called on the Government to move an amendment at Stage 2 to delete the section on introduction of a minimum price per unit of alcohol. During the lengthy debate Jackie Baillie MSP, Shadow Health Secretary, referred to the interim report from the Alcohol Commission chaired by Professor Sally Brown. The final report may be published during the summer. The interim report proposes a legal limit for the amount of caffeine in alcoholic drinks which would affect alco-pops and tonic wines. The final report will be available before the Stage 2 debate in the Scottish Parliament and it is anticipated new practical measures will be proposed including Alcohol Treatment and Testing Orders modelled on the equivalent Orders in respect of drugs.

The debate in the Scottish Parliament shows there is a lack of consensus on the need for a minimum price of alcohol but also shows consensus on a range of other proposals in the Bill. For example, the extension to off-sales premises of the restrictions placed on the on-trade on the supply of alcoholic drinks free of charge or at reduced prices and the restriction on irresponsible promotions. The introduction of an age verification policy is widely supported. There continue to be calls for more details on the proposed social responsibility levy and for the proposed minimum price to be specified in order to judge the merits of these proposals including their legality. Nicola Sturgeon, Health Secretary, following the vote in the Scottish Parliament, indicated the Scottish Government would continue to pursue minimum pricing at Stage 2 of the Bill.

During the debate in the Scottish Parliament it was suggested to the Health Secretary that she await developments in Westminster but she declined to do so. The relevant development being the publication of the UK Government's Policy Statement "The Coalition – Our Programme for Government" the document addresses plans for alcohol policy as follows:-

"We will ban the sale of alcohol below cost price

We will review alcohol taxation and pricing to ensure it tackles binge drinking without unfairly penalising responsible drinkers, pubs and important local industries"

Jeremy Beadles, Chief Executive of the Wine and Spirit Trade Association commented on the UK Government's policy statement by indicating his Association supports "A ban on selling alcohol below the level of duty plus VAT on the basis that these are both consumer taxes and therefore the cost should be passed on to the consumer. Whilst the Association remains opposed to minimum pricing, we are keen to work with Government on the issue of below cost selling to ensure any future legislation does not discriminate against any particular section of the drinks industry.

However we do not believe that alcohol pricing and taxation provide the solution to alcohol misuse, what is needed is education and rigorous enforcement of laws to address misuse and related antisocial behaviour."

CONCLUSION

The Local Licensing Forum is asked to note the current position regarding consideration of the Alcohol Etc. (Scotland) Bill and that a further update will be submitted as the Bill progresses through the Scottish Parliament.