Alcohol etc. (Scotland) Bill

East Ayrshire Licensing Board

Point 1

The advantages and disadvantages of establishing a minimum alcohol sales price based on a unit of alcohol.

East Ayrshire Licensing Board View

Notwithstanding the absence of substantive sources of evidence on the effectiveness of minimum pricing schemes (as opposed to any other form of price control measures) in other countries East Ayrshire Licensing Board, principally given the Scottish Government's current limitations vis-à-vis alcohol duty and taxation matters, support the general concept of minimum pricing. Any statutory provisions introduced on this issue should however be designed to complement irresponsible promotion provisions in both on and off sales licensed premises and should embrace the principle of not resulting in any undue additional burden being placed on the trade in general which in many areas of Scotland, including East Ayrshire, continues to face significant economic challenges. The East Ayrshire Board would also agree that any minimum price should be determined by Scottish Ministers to ensure the integrity of any price setting process. Although it is suggested that the practical effect of the imposition of minimum retail pricing on all premises would depend on existing price structures it is also suggested that perhaps further investigation may be appropriate prior to any definitive conclusion being reached on this issue as the overall impact could only be fully assessed after definitive conclusions are reached on the level of a minimum unit price. The principle of determining price with reference to alcoholic strength (ABV) would also seem to be appropriate.

Whilst not being directly relevant to the view invited on this point, the Board does note the stated position of the various opposition parties in that the imposition of minimum pricing per unit is inappropriate and will be unlikely to achieve its stated aims.

Point 2

The level at which such a proposed minimum price should be set and the justification for that level

East Ayrshire Licensing Board View

Although data has been produced for a price unit from 25p to 70p it is suggested that any unit price advanced should ensure that outcomes in terms of are proportionate and reasonable. On that basis an initial unit price of 40 pence would seem reasonable.
Point 3

The rationale behind the use of minimum pricing as an effective tool to address all types of problem drinking

East Ayrshire Licensing Board View

No view expressed

Point 4

Possible alternatives to the introduction of a minimum alcohol sales price as an effective means of addressing public health issues surrounding levels of alcohol consumption in Scotland

East Ayrshire Licensing Board View

The alternative approaches considered by the Scottish Government namely taxation, self regulation, imposition of a “floor price” regime and a pricing model based on the current Canadian system have all been noted as have the reasons for their rejection. Overall, in support of the general concept of minimum pricing per unit based on ABV, the current proposals are regarded as the most appropriate at this time principally due to the Scottish Government’s taxation position.

Point 5

The advantages and disadvantages of introducing a social responsibility levy on on-sales and off-sales licence holders in Scotland (e.g. pubs, clubs, off licence shops etc)

East Ayrshire Licensing Board View

East Ayrshire Licensing Board would endorse the introduction of legislation authorising Boards to seek payment of such fees but would be firmly of the view that any such fees should only be imposed in circumstances where additional expenditure can be directly attributed to the operation of specific premises or groups of premises. Such an approach would necessitate stakeholders such as police asking Boards to consider the imposition of such fees based on robust financial information. Accordingly, any fee structure created should be capable of being assessed on an individual and group basis and should not imposed on the same basis as premises and annual fees which are simply maximum amounts based on rateable values. Figures based on alcohol sales turnover would also be unnecessarily complex to determine. The ability to impose such a levy is regarded as an advantage but the unpopularity of any such measure should also be considered. As indicated above the concept is endorsed but the detail of any implementation regulations would be critical.
In offering this response East Ayrshire Licensing Board recognises that the issues facing, for example city Boards, are somewhat different to those elsewhere in Scotland, but nevertheless would consider that the suggested methodology of assessment could be utilised throughout Scotland.

**Point 6**

The justification for empowering licensing boards to raise the legal alcohol purchase age in their area to 21

**East Ayrshire Licensing Board View**

Whilst being appreciative of the legislative intention behind this proposal the East Ayrshire Licensing Board does not support the introduction of an increased minimum age for off-sales purchases on either a local or national basis. The existing package of measures, in conjunction with the reinforcement of legal obligations incumbent upon licence holders, are regarded as sufficient at present.

**Point 7**

The role of promotional offers and promotional material in encouraging people to purchase more alcohol than they intended.

**East Ayrshire Licensing Board View**

East Ayrshire Licensing Board broadly supports the proposal to introduce regulations to end irresponsible promotions and below-cost selling of alcohol in off-sales premises. It is perhaps worth noting that whilst these measures, in conjunction with the potential impact of minimum price proposals, are likely to have an impact on quantities of alcohol sold and impulse purchasing they may also be regarded as penalising the vast majority who enjoy alcohol responsibly and accordingly unpopular. Further consideration also needs to be given to the issue of remote sales of alcohol which are becoming more prevalent. Major supermarkets and alcohol retailers have taken full advantage of e-commerce opportunities in recent years and unless appropriate enforceable regulation can also be made under the existing provisions of s139 of the Act (which is already recognised by the Scottish Government as a “difficult area” irresponsible promotions in some format are likely to continue irrespective of other regulations made.

In respect of promotional material East Ayrshire Licensing Board has expressed the view that it would be supportive of measures restricting the prevalence of promotional material and offers to alcohol display areas in off sales premises.

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