

Dear Committee for Communities team,

The Royal College of Physicians of Edinburgh would like to endorse the attached response to this call for evidence which has been submitted by Scottish Health Action on Alcohol Problems (SHAAP). Please don't hesitate to get in touch if you have any queries.

Kind regards
Lindsay

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**Northern Ireland
Assembly**

COMMITTEE FOR COMMUNITIES

Please use this form to submit written submissions in relation to the Licensing and Registration of Clubs (Amendment) Bill. Return to committee.communities@niassembly.gov.uk by Wednesday 19 October 2016.

Name: Eric Carlin

Organisation: (if applicable) Scottish Health Action on Alcohol Problems (SHAAP)

Date: 19/10/2016

(where possible, please structure your response to the specific clauses of the Bill and, if appropriate, suggest alternative or additional wording to clauses, which may assist the Committee's consideration of the need for any amendments to the Bill)

Scottish Health Action on Alcohol Problems (SHAAP) welcomes the opportunity to comment on the proposed measures to tackle drink driving in Northern Ireland. SHAAP provides the authoritative medical and clinical voice on the need to reduce the impact of alcohol related harm on the health and wellbeing of people in Scotland and the evidence-based approaches to achieve this.

Clause 7

We are concerned that the proposal to repeal children's certificates in subsection (1) could increase the exposure of minors to alcohol. Specifically in reference to 'safeguards' mentioned in subsections (2) and (3), there should be greater clarity on what these safeguards are, how they will operate in practice, and if they are effective at minimising the exposure of minors to alcohol.

We welcome the inclusion on subsection (12) providing clarification on areas of supermarkets where minors are not permitted.

Clause 9

This clause is important in the context of rising consumption of alcohol in the home and the increasing number of alcohol delivery services. The clause should be

retained.

We question whether a fine as detailed in subsection (2) to a minor for knowingly accepting a delivery of intoxicating liquor is the most appropriate course of action in this case. There is a question around determining whether a child knowingly accepts the alcohol and this presents issues when administering a fine. If a fine is deemed the most appropriate course of action, the clause and subsection (2) must detail who the fine is charged to (i.e. the minor or their parent/guardian) and the terms by which it should be paid.

Clause 11

We welcome the inclusion of this clause as a further mechanism for reducing sales of and exposure to alcohol by minors.

The clause could also be extended to cover proxy purchasing. In Scotland, this has been identified by Police Scotland as one of the biggest issues arising from the increase in off-trade sales. Those who commit the offence of proxy purchase are liable to a £90 Penalty Notice for Disorder (PND). Retailers are encouraged to display notices warning against proxy purchase and are encouraged to inform police and/or Trading Standards of any instances of adults who may be buying alcohol on behalf of young people¹. Extension and expansion of ID verification practices in on and off-trade premises for example, such as verifying the age of all present when alcohol is purchased, could contribute to a reduction in proxy purchasing. Such practice would be both effective and cost-effective. The clause should be revised to include reference to proxy purchasing, in addition to self-service sales and vending machines.

Clause 12

We welcome the amendments detailed in Clause 12 as an effective way to limit damage caused by alcohol and exposure to alcohol advertising.

As part of its comprehensive alcohol strategy, Scotland introduced a suite of legislation including the introduction of a ban on promotions, most significantly multi-buy offers; regulation to restrict the display of alcohol within premises, limiting it to one part of the store; and restriction of off-trade selling hours to 10 am to 10pm. Evaluation of this legislation by NHS Health Scotland has found their impact to be broadly positive. The introduction of the multi-buy ban (part of the Alcohol Act 2011) was associated with a 2.6% decrease in alcohol sold per adult in Scotland, including a 4% fall in wine sales². This is equivalent to 4.5 million fewer bottles of wine sold in the year immediately following implementation. We believe that the Clause should be extended to include a total ban on price promotions in off-licensed premise and not just simply to restrict advertising of these promotions, as currently proposed.

¹ <http://www.communityalcoholpartnerships.co.uk/what-we-do/enforcement>

² NHS Health Scotland (2016) Monitoring and Evaluating Scotland's Alcohol Strategy Final Annual Report March 2016 http://www.healthscotland.com/uploads/documents/26884-MESAS_Final%20annual%20report.pdf

We support the proposal to limit the advertising alcohol to within designated area of the store and welcome the recommendation for this to be extended to advertising drinks promotions available in the vicinity of the premise. The power to make regulations to amend the definition of vicinity should be maintained. We suggest that the distance of 200 metres should be reviewed for a period of time after the Bill has been implemented and amended if deemed appropriate.

Clause 16

The proposal to extend opening hours at Easter is concerning and potentially problematic.

An extension of on-trade opening times could lead to an increase in hazardous drinking behaviour such as binge drinking and increased consumption over a longer period of time, with the occasion of 'Easter' being used as justification for this. Further, occasions such as Easter are also often associated with an increased number of price promotions/special offers in the off-trade. This causes a double whammy effect in terms of alcohol-related harms.

We call for this to be removed from the Bill.

Clause 20

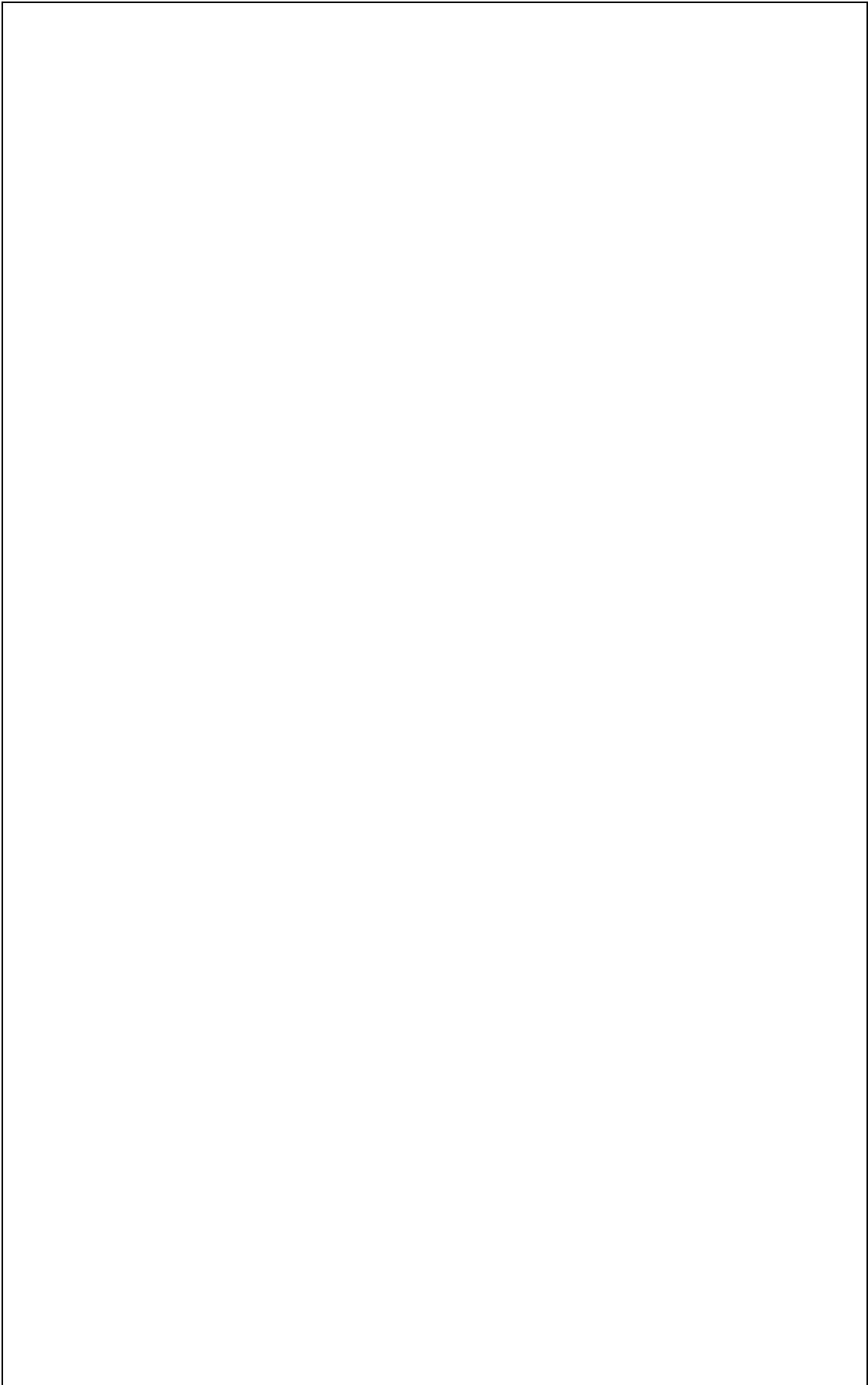
As with Clause 7, we are concerned that will increase the level of exposure to alcohol by minors. It could also lead to young people/minors developing an association between alcohol and sport, which is problematic (for future alcohol consumption).

General Comments

With regards to the financial effect of the Bill, it appears that in certain aspects of the Bill, the economic interests of individual venues/on-trade premises are being prioritised over the interests of public health and limiting exposure and access to alcohol by minors. The consultation paper states "... is intended to provide a further source of income for these premises", in relation to allowing minors extended access to premises. This is wrong and inappropriate. Economic imperative should not be prioritised over public health and the health and wellbeing of minors in relation to alcohol.

In Scotland, the Licensing (Scotland) Act 2005 contains a fifth objective of 'protecting and improving public health'³ and we call on the Northern Ireland Assembly to include this in the Bill.

³ Scottish Executive (2007) Licensing (SCOTLAND) Act 2005 – Section 142 - Guidance for Licensing Boards <http://www.gov.scot/Resource/Doc/175487/0049459.pdf>



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