

1 THE ALCOHOL ETC (SCOTLAND) ACT 2010 (AN148- 2011)

The Board is asked to note the imminent implementation of the majority of the sections of the above legislation on 1st October 2011. The main provisions to note are as follows:-

- Pricing of Alcohol

Licence-holders will be prohibited from selling alcoholic products packaged together at a lower price than they are available to purchase singly, e.g. a pack of 12 cans of beer for £10 where individual cans are for sale @ £1 each;

- Drinks Promotions

There will be a prohibition against supplying alcohol free or at a reduced price on the purchase of one or more alcoholic drinks, i.e. "buy 1, get 1 free", "3 for the price of 2", "3 bottles of wine for £10", etc.

Also, restrictions are being introduced with regard to the location of drinks promotions within, and in the vicinity of, licensed premises. These promotions will be limited to taking place within the areas for the sale of alcohol shown on the layout plan for each premises. In addition, no promotions will be allowed within 200 metres of the boundary of the premises as shown on the layout plan. This latter provision is intended to prevent window displays, etc., although this would not be the case if the agreed alcohol display area in the layout plan includes a window. (Premises will be able to distribute flyers and promotional leaflets within the 200m radius, provided the leaflets do not relate solely or primarily to alcohol.)

- Age Verification Policies

All licensed premises will be obliged to introduce a "Challenge 25-type policy" where they have not already done so.

- Health Boards

The local health board will now be a statutory consultee in the same way as the Chief Constable in regard to all new applications for premises licences and the variation of premises licences. The health board must also be consulted when the Board draws up its Statement of Licensing Policy and in assessing overprovision.

As the Board members will recall, Dundee City Licensing Board had responded to the original proposals in the Alcohol Bill on the subject of the minimum price of alcohol. These provisions were excluded from the Act, but it is anticipated that new legislation in this regard will be proposed shortly and issued for consultation. This will be brought back to the Board at that point to approve the response to any such consultation.