



SGF and ACS Briefing: Air Weapons and Licensing Bill (Scotland)

The Scottish Grocers' Federation (SGF) and ACS (the Association of Convenience Stores) represent the interests of convenience retailers in Scotland. We want to highlight the impact of alcohol licensing proposals in the Air Weapons and Licensing Bill will have on the convenience sector across Scotland. There are currently 5,545 convenience stores in Scotland providing employment for 42,255 people¹. On average alcohol sales make up 12% of convenience stores sales².

We believe the proposals in the Bill to extend the existing overprovision measures and to introduce a sixth licensing objective on overconsumption will add further layers of complexity to the Scottish licensing regime and reduce investment within the convenience sector.

We believe it is important that the Scottish Parliament recognises the positive progress that has already been made to reduce alcohol harm in Scotland before contemplating the introduction of further measures. The Scottish Health Survey 2013 shows:

- Average weekly unit consumption has declined over the years for both men (from 19.8 in 2003 to 13.7 units in 2013) and women (from 9.0 in 2003 to 6.8 units in 2013).
- Hazardous or harmful drinking has declined among both men and women since 2003 (from 33% to 22% in men and from 23% to 16% in women)

Measures to increase overprovision policies to the full licensing board area and to introduce over consumption as a sixth licensing objective will have limited impact in reducing alcohol harm but will have a significant impact on investment and growth in the convenience sector.

OVERCONSUMPTION

There are already highly restrictive regulations on promotions and product positioning in-store that attempt to reduce the volume of alcohol that can be sold. We question how an overconsumption licensing objective would be applied by licensing boards in Scotland without directly intervening in individual consumers' purchasing decisions or capping alcohol sales by stores.

We are sympathetic to the Committee's desire to tackle consumption rates and this is an area where the industry has already undertaken extensive work to tackle by removing one billion alcohol units³ from the market and by introducing lower strength wine beer and cider products. However, we do not believe that the licencing system is the right mechanism to deliver change in overconsumption, this must be tackled at the demand side educating consumers about responsible drinking.

Implementing Overconsumption

The committee has not been clear on how an overconsumption licensing objective would work in practice. Assuming that this would mean restricting individual sales to consumers or

¹ [ACS Local Shop Report 2014](#)

² [ACS Local Shop Report 2014](#)

³ [Alcohol industry sheds a billion units to cut hospital admissions and 1,000 deaths](#)

capping the amount of alcohol sold in each store this would place significant costs on licensing boards to enforce, monitor and review.

It would also do significant damage to the convenience sector and wider retail sector in Scotland. Alcohol on average accounts for 12% of sales in convenience stores and this portion of stores would be significantly threatened.

Measuring Overconsumption

What evidence will be used to show that retailers have had an impact on overconsumption in their area? Local authorities have limited access to health data to show a link between individual retail premises and consumption rates. There would be similar difficulties in identifying the link between consumption rates and individual premises as there are for Overprovision licensing objectives.

Alcohol consumption in Scotland has fallen

The Committee suggestions that there recommendations for overprovision as a sixth licensing objective is based on 'significant evidence' of alcohol harm but existing evidence from the Scottish Government suggests that alcohol consumption is falling (as highlighted above). Also only three submissions to the Committee's call for evidence on alcohol licensing reference overconsumption and no response has specifically called for it to be included as a licensing objective.

Recommendation

We strongly urge the committee to retract its recommendation for a new licensing objective for overconsumption. The Scottish Parliament should consider the positive progress made so far to tackle alcohol harm and what can be achieved with the existing licensing regime. Overall, for an objective to be of real value, it has to be capable of being evidenced, and then it has to be measurable. The proposed 6th licensing objective is neither.

OVERPROVISION

We want to reassert our opposition to the principles of overprovision measure in the Scottish licensing system as set out in SGF's submission to the committee [here](#), and we wish to raise further concerns about the extension of the policy to full board areas. Overprovision measures currently serve to load more administrative burdens on local shops and stifle investment as retailers can not contemplate new store developments without an alcohol offer, which is expected by the modern consumer.

Full Board Areas

The extension of overprovision to cover a full board area will only serve to dilute any evidence that could have supported this measure. Hotspot areas that had previously been identified at a specific local level for alcohol harm will now block economic growth and local development in a much wider area. This could significantly impact many communities that do not suffer from alcohol related harms.

Impact on Small Stores and New Investment

Alcohol is only one product amongst hundreds that convenience retailers sell including; fresh fruit and vegetables, bill payment services and parcel collection. The restriction in licences for alcohol sales prevents communities accessing other essential services.

Retailers are less likely to open a store in area which restricts their alcohol licence, whether it be by trading hours, product selection or product placement, this in turn restricts their ability to compete with other retailers who were already established prior to overprovision. In Scotland, vacancy rates remain high at 13.7%⁴, and therefore we urge the Committee to reconsider the impact that overprovision and the extension to full board areas will have on high street investment.

Evidence⁵ submitted by the Scottish Licensed Trade Association (SLTA) suggests that a two tier licensing system has developed. SLTA suggest that large operators are less likely to be challenged, specifically with regards to changes to trading hours, because fear of legal action while small independent retailers are more likely to be challenged because they are less likely to appeal the conditions. This is a worrying development and a significant barrier to small business's growth.

Supporting Evidence

The evidence required to prove overprovision is extremely challenging; authorities would have to present evidence that consumers had purchased the majority of their alcohol from the licensed premises in their area and also show a clear causal link between the number of premises and the health harms. This is supported by the fact there are only 10⁶ local authorities of 32 that have implemented overprovision pledges in their jurisdiction, and only 5 of these over a wide geographic area.

The "Using licensing to protect public health from evidence to practice" report by Alcohol Focus Scotland from August 2014 highlights the concerns raised at local level to deliver on overprovision. Interviews with licensing board representatives state that: "Lack of locally-specific data linking outlet numbers, types and density to both acute and chronic health impacts"⁷ are a significant barrier.

Academic evidence to support the impact of overprovision is also limited. The Alcohol Concern Report "One On Every Corner" is sometimes cited in support of arguments in favour of overprovision measures. However, this reports' authors explicitly state that their research does not establish a causal link between the number of alcohol outlets and alcohol harm. Furthermore, there are significant weaknesses in the evidence base used in the report, notably that results from London are excluded. Other studies, notably the Sheffield University Studies⁸ used by the Home Office in their Alcohol Strategy 2012 also prove no causal links between outlet density and alcohol harm.⁹

Recommendation

There is limited evidence to link the availability of alcohol with alcohol harm at both national and local level. Extending overprovision measures to full boards areas will further hamper growth and development, therefore the Committee should not extend overprovision measures to full board areas.

⁴ [Local Data Company and University of Stirling December 2014](#)

⁵ [Scottish Licensed Trade Association submission to the Local Communities and Regeneration Committee](#)

⁶ http://alcoholresearchuk.org/downloads/finalReports/FinalReport_0114.pdf pg 29

⁷ http://alcoholresearchuk.org/downloads/finalReports/FinalReport_0114.pdf pg 14

⁸ 'Interventions on Control of Alcohol, Price, Promotion and Availability for Prevention of Alcohol Use Disorders in Adults and Young People Sheffield School of Health and Alcohol Related Research' for NICE (2009).

⁹ See ACS' Submission to Home Office Alcohol Strategy 2012 consultation