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The Scottish Parliament
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17 November 2015

Duncan McNeil MSP
Convener, Health and Sport Committee
c/o Clerk to the Committee
T3.60
The Scottish Parliament
Edinburgh
EH99 1SP

Dear

Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill

As indicated at the meeting of the Health and Sport Committee on 10 November, I enclose additional information from Newcastle in relation to the Alcoholwatch scheme.

I also enclose information from Glasgow City Council Licensing Board in relation to multi-pack discounting and changes to licence conditions.

Yours sincerely

Dr Richard Simpson MSP

**Email correspondence received from Environment and Public Protection Services,
Newcastle City Council**

Please see below the approximate costs for the Alcoholwatch Scheme in Newcastle. Please note that the supplies costs include a negotiated discount applicable to Newcastle so actual costs may be slightly higher.

Supplies

Stickers	0.9p each
Posters A4	0.90p each
Poster A5 Laminated	0.85p each

Per scheme

It is difficult to accurately state how much a single scheme will cost, this depends on the size of premise, turnover of specific alcohol etc. However, as an average I would say that a scheme may last 3 months with approximately 1000 stickers, 2 A4 posters and 2 A5 posters so the average cost would be as follows:

Stickers	0.9p each	£90
Posters A4	0.90p each	£1.80
Poster A5 Laminated	0.85p each	£1.70

In addition an estimate of time to run the scheme over a 3 month period would be:

Neighbourhood Beat Manager, initial visit to shop	30 mins
CSO, building relationship with premise (5-6 visits)	3 hours
Application of stickers by shop (approx. 1 hour a week)	12 hours

Obviously these costs are approximate, although the scheme aims to be part of a problem solving plan and should be a short time limited programme of around 3 months, some schemes run over a much longer period, we have had some that were over 12 months but the number of stickers can vary significantly depending on the level of the problem, number of sales and cooperation from shops so it is impossible to give a true figure of cost and time."

Email correspondence received from the Clerk to Glasgow City Licensing Board

All mandatory and local licence conditions are included on the premises licence for each set of licensed premises. While there is no requirement to do so, it is my view that in relation to any change to the mandatory licence conditions (whether an amendment to existing conditions or the addition of new conditions) a Licensing Board should send a copy of the amended or new conditions to all affected licence holders. If the conditions are not sent to the licence holder I think it would be very difficult for a Board to successfully defend any action taken at a review hearing in relation to a breach of licence conditions as there would be a strong natural justice argument that the licence holder was not made aware of the conditions against which he was expected to comply.

That being said, however, I do not believe that providing all licence holders with a copy of any amended or updated mandatory licence conditions is an unduly onerous task as it is in effect a "mail shot". I do not think it is necessary for the entire licence to be reprinted - in my view an addendum with the new or amended conditions would be sufficient. There are already other requirements within the Act to carry out "mail shots" to all licence holders - for example annual fee reminder letters and in relation to any general extension of licensed hours granted for events of national significance.

In my view, if West Lothian's argument was to succeed, licensing law would become entirely static and there would never be any changes to the mandatory licence conditions. As the 2005 Act removed the requirement for licences to be renewed, I think it was always intended that the mandatory conditions set out in legislation would continue to be reviewed and updated to deal with emerging licensing issues and concerns.