

## Item 7

### Licensing objectives

Protecting and improving public health is one of the most difficult for any board to deal with and they would no doubt welcome any constructive suggestions.

Do you have any for Edinburgh?

As a thought provoker/suggestion there is matter I have raised with an LSO that you may or may not support. Hopefully you will have other suggestions to make.

I have a concern about the current practice of supermarkets treating non alcoholic products as if they were alcohol.

I have sought to buy a product called Bavaria which is a 0% alcohol beer in various supermarket chains outwith the off sales hours of 10am to 10pm.

For the purposes of the legislation 2005 Act S2 (1) (b) (i) a product with less than 0.5% alcohol is not "alcohol" so 0% certainly qualifies within the statutory definition.

The stores have each refused to sell it to me advising it was considered to be alcohol and only saleable to over 18's and after 10am. I disagreed with them and said that seeking to sell non alcoholic products as alcohol was not only wrong and misleading but seemed to me to be contrary to the licensing objective of protecting and improving public health. They should be encouraging folk to buy non alcoholic or low alcohol products and were specifically doing the opposite.

In one case the person I was referred to by the shop assistant was politely adamant they could only sell after 10am etc and that this was the law and I should take the matter up with the licensing board. I explained it wasn't the law and must be company policy and it was high time the policy was changed to reflect the correct position and to assist in meeting the licensing objective of protecting and improving public health.

I have pointed out to stores that it is generally quite difficult to find non or low alcoholic beer, lager, wine, cider. It is all intermixed with normal alcohol ranges. It also takes up space in an area that is designated for the sale of alcohol.

I have suggested that they might move it to an adjacent lane in their stores with an individual display of the non or low alcoholic beer, lager, wine, cider they offer. This would make it easier to find and free up restricted alcohol selling space.

Further I suggested they reprogrammed their till system to permit sales of non or low alcoholic product (under 0.5% Alcohol) during their normal opening hours.

The stores are missing a trick to maximise their alcohol selling area and promote, in a positive way, the ranges of non or low alcoholic beer, lager, wine, cider they offer which I am pretty sure would go down well with Boards and I believe would help them meet the above licensing objective.