
Byelaws Prohibiting the Consumption of Alcohol in Designated Public Places

Report by Chief Executive

Council

30 May 2013

1 PURPOSE AND SUMMARY

1.1 The purpose of this report is to seek approval to engage with the five Area Forums, the Scottish Borders Community Councils and the public for their views on the proposed Byelaws Prohibiting the Consumption of Alcohol in Designated Public Places, and report back to Council at a later date on the outcome of these meetings.

1.2 The report sets out the policy and legislative background for the introduction of Byelaws to prohibit the consumption of alcohol in designated public places. These Byelaws would assist the Scottish Borders Council in meeting:

- National Outcome 9, *"We live our lives safe from crime, disorders and danger"*; and
- National Outcome 6, *"We live longer, healthier lives"*;

1.3 The proposed Byelaws support the Council's vision,

- *"We seek the best quality of life for all the people in the Scottish Borders, prosperity for our businesses and good health and resilience for all our communities"*

They also specifically address SBC Corporate Priority 3,

- *"Providing high quality support, care and protection to children, young people, adults, families, and older people"*,

and SBC Corporate Priority 5,

- *"Maintaining and improving our high quality environment"*.

1.4 Officers from Scottish Borders Council, Alcohol and Drugs Partnership ("ADP") and Police Scotland have considered the proposed Byelaws which are set out in Appendix 1 to this report. The proposed Byelaws are based on the National Model Byelaws.

- 1.5 It is for Council to determine which settlements should be included in the Byelaws. Consultation with Area Forums and Community Councils will allow Council to take an informed decision as to the settlements to be covered by the Byelaws. The settlements would be defined by the boundaries which are set out in the Local Plan. A list of settlements which have a population of greater than 500 people, and associated populations, can be seen in Appendix 2.
- 1.6 The proposed Byelaws provide appropriate exemptions for the Border Common Ridings and local Summer Festivals and for the period of 31 December, from 6pm until the end of that day, and on 1 January until 6am. It is for Council to determine which exemptions to apply to the Byelaws, but this is subject to the approval and confirmation of the Scottish Ministers.
- 1.7 Based on information from the Scottish Government Circular JD/08/2009, 30 local authorities across Scotland have Byelaws which prohibit the consumption of alcohol in designated public places in more than 480 towns and villages, suggesting that only Orkney and Scottish Borders Council did not have such Byelaws. However, Orkney Islands Council have confirmed that they have such a Byelaw covering the settlement of Kirkwall. It appears, therefore, that Scottish Borders Council is the only Council which has not made such Byelaws.
- 1.8 The process for the Byelaws requires the Council to advertise the intention to apply for confirmation of the Byelaws. The public advertisement allows one month for objections. If there are no objections, Council formally makes the Byelaws and submits them to the Scottish Ministers for confirmation. The timetable will be delayed if there are objections, in which case there may be a Hearing.
- 1.9 It is proposed that, before considering formally making such Byelaws, this report is presented to the five Area Forums for their consideration. It is also proposed that this report will be sent to all Community Councils so that they can consider it locally and present their views to Area Forums in August and September 2013. A meeting will also be arranged with the Scottish Borders Community Councils Network to discuss the proposals.

2 RECOMMENDATIONS

2.1 I recommend that the Council:-

- (a) NOTES this report;**
- (b) AGREES to instruct the Chief Executive to:-**
 - (i) engage with the public in respect of the proposal to develop "*Byelaws Prohibiting the Consumption of Alcohol in Designated Public Places*";**
 - (ii) engage with the five Area Forums and all the Scottish Borders Community Councils for their views; and**
 - (iii) to report back to a future meeting of Council with an appropriate recommendation in respect of proposed Byelaws to prohibit the consumption of alcohol in designated public places.**

3 BACKGROUND

- 3.1 Scottish Borders Council resolved to introduce Byelaws to prohibit the consumption of alcohol in designated public places on 29 March 2007, but these were never made because of an objection which was not able to be resolved. At the same time the Licensing (Scotland) Act 2005 ("the 2005 Act") came into effect, introducing significant changes to the Scottish Licensing laws. Scottish Government Guidance was also issued which included new model Byelaws.
- 3.2 The Scottish Borders Alcohol Profile, presented to Council in February 2013, triggered a reinvestigation of Byelaws prohibiting the consumption of alcohol in a designated public place. The Profile is a major piece of work promoted by the Local Licensing Forum and was intended to assist the Scottish Borders Licensing Board with its Statement of Licensing Policy as required under the 2005 Act. However, it can also inform other decision makers about the impact that alcohol consumption has in the Community. The Byelaws will assist the Council and its Community Planning Partners to support the five licensing objectives which underpin the ethos of the 2005 Act. The five licensing objectives are:
- Preventing crime and disorder
 - Securing public safety
 - Preventing public nuisance
 - Protecting and improving public health
 - Protecting children from harm
- 3.3 The introduction of Byelaws prohibiting the consumption of alcohol in designated public places will assist the Scottish Borders in meeting:
- National Outcome 9, which states, "We live our lives safe from crime, disorder and danger";
 - National Outcome 6, "We live longer, healthier lives";
- 3.4 The proposed Byelaws support the Council's vision, "We seek the best quality of life for all the people in the Scottish Borders, prosperity for our businesses and good health and resilience for all our communities" and specifically address SBC Corporate Priority 3, "Providing high quality support, care and protection to children, young people, adults, families, and older people" and SBC Corporate Priority 5, "Maintaining and improving our high quality environment".
- 3.5 The Byelaws would allow the Council and its Partners to meet the top priority of the Borders public, as identified in the 2008, 2009 and 2010 Scottish Borders Household Survey, "Making the Borders a safer place in which to live, work and visit".
- 3.6 Byelaws prohibiting consumption of alcohol in a designated public place would provide an additional 'tool' for the police to reduce anti-social behaviour through early intervention. Such Byelaws would reinforce the strong measures which occur within licensed premises to protect children and young people with regard to consumption of alcohol for, without these, there is no offence committed by the activity on its own.

3.7 Appendix 3 to this report details the recorded offences related to consumption of alcohol in designated public places by Local Authority for 2009/10. The table, by necessity, covers only those Council areas with such Byelaws as the offence can only be committed if such Byelaws are in force.

4 NATIONAL DRIVERS

4.1 The Scottish Government recognises within its Alcohol Strategy "*the need to build environments that support a change in culture in the longer term*". Implementing Byelaws to prevent the consumption of alcohol in a designated public place helps to reduce the "normalisation" of alcohol being an ordinary commodity and builds communities that support a culture change. Scottish Borders Alcohol and Drugs Partnership (ADP) would be supportive of the measure to introduce a Byelaw prohibiting consumption of alcohol in designated public places, as it supports the two Core ADP Outcomes below:-

- *Community Safety*: communities and individuals are safe from alcohol and drug related offending and anti-social behaviour; and
- *Local Environment*: people live in positive, health-promoting local environments where alcohol and drugs are less readily available.

4.2 Scottish Ministers agree that public drinking can adversely affect the quality of life for residents in a particular place. To date, 30 local authorities across Scotland have Byelaws which prohibit drinking of alcohol in designated public places in more than 480 towns and villages. These have significantly reduced the nuisance and disorder normally associated with public drinking and the Scottish Government will continue to support Councils that come forward with Byelaw proposals.

4.3 A number of Scottish Local Authorities have enquired whether the Scottish Ministers would be prepared to confirm Byelaws covering the whole or a significant proportion (e.g. all of the built-up area) of local authority areas. While it is not Scottish Government policy to pursue a blanket ban on drinking in public, Ministers are prepared to support bans that cover population centres or other specified geographical areas, especially where there has been a history of alcohol-related disorder. The areas should be clearly definable both in the Byelaw and on the ground, to avoid doubt and confusion.

4.4 The Scottish Government has no plans to introduce a general provision in primary legislation making it an offence to consume alcohol in any public place. Drinking in public may be quite acceptable and cause neither problem nor nuisance depending on the circumstances. To introduce Byelaws covering whole local authority areas could, by increment, effectively introduce a general offence of drinking in public. The Scottish Government considers that this would be unacceptable.

4.5 The research carried out into the impact of the experimental Byelaws identified concerns over displacement (i.e. people moving outwith the boundary of the designated area to continue drinking) although the extent and nature of the problem varied. As well as considering carefully the justification for the boundaries of proposed areas (in terms of the evidence problems to date), the Scottish Ministers will consider equally carefully proposals which aim to anticipate displacement. A judicious approach should therefore be adopted by local authorities contemplating proposals to

extend the designated areas beyond known troublespots and full explanation should be given for any expectation of displacement. Displacement is not an inevitable consequence of designation.

- 4.6 Local authorities may consider providing for exceptions in the application of their Byelaws to cover local celebrations, festivals, etc. The proposed Byelaws, for example, provide that they shall not apply between 6pm on 31 December and 6am on 1 January. It is for Council to determine which exemptions to apply to the Byelaws but this is subject to the approval and confirmation of the Scottish Ministers.
- 4.7 Alcohol problems are not only prevalent in the Scottish Borders, but are preventable. With nearly half the adult population drinking outwith the sensible drinking guidelines, the Scottish Borders population, alongside Scotland, needs to rebalance its relationship with alcohol.
- 4.8 Alcohol problems can affect the spectrum of all drinkers, not just those who are dependant. This is why a "*Whole Population Approach*" is important to use in reducing alcohol related harm. One of the most effective ways to prevent alcohol problems is to reduce consumption.

5 LOCAL EVIDENCE

- 5.1 There is no definitive evidence that the consumption of alcohol in public in the Scottish Borders is a problem. However, there is evidence of alcohol related issues as presented in the Scottish Borders Alcohol Profile and the 2010 Scottish Borders Household Survey. '*People being drunk or rowdy in public places*' was identified by 22% of respondents as one of the top five neighbourhood problems.
- 5.2 The Scottish Borders Alcohol Profile was developed to provide an evidence base to better understand the impact of alcohol on frontline services and the Borders public. The profile examined alcohol related emergency department activity, alcohol related anti-social behaviour activity, the cost of alcohol related activity for the public services and alcohol consumption behaviour. Towns Highlighted within the Profile as having the highest rate of alcohol related antisocial behaviour police incidents were Galashiels, Hawick and Kelso. The executive summary of the profile is attached as Appendix 4.
- 5.3 In the 2010 Scottish Borders Household Survey more respondents living in Teviot stated that people being drunk or rowdy in public places was a very or fairly common (31%) than in Berwickshire or Eildon (both 18%).
- 5.4 Respondents were asked for their suggestions on what the police and other public sector agencies such as Scottish Borders Council could do to help residents feel safer in their local area. Within the top five suggestions was "*Controlling alcohol consumption / binge drinking / underage drinking/ sale of alcohol*".
- 5.5 When asked to identify occasions where they felt unsafe 126 (27.6%) of the 456 respondents highlighted alcohol as a reason for feeling unsafe. The 126 responses came from all over the Borders with particular mention of town centres and Hawick, Peebles, Galashiels and Kelso.
- 5.6 An extract from the 2010 Scottish Borders Household Survey is attached as Appendix 5.

- 5.7 It is also of note that addressing alcohol and antisocial behaviour related incidents are a priority both in the Scottish Borders Local Policing Plan and in every (11) Local Multi-member Ward Policing Plans. These priorities were identified through engaging with our local communities over an 18 month period.
- 5.8 This report has the support of the Joint Director of Public Health, NHS Borders and Scottish Borders Council, and Police Scotland.

6 SETTLEMENTS IN THE SCOTTISH BORDERS

- 6.1 Consultation with Area Forums and Community Councils will allow Council to take an informed decision as to the settlements to be covered by the Byelaws. It is for Council to determine which settlements should be included in the Byelaws.
- 6.2 A list of the settlements, with a population of 500 or greater, is provided in Appendix 2 to this report. The proposed settlements are defined by the boundaries as set out in the Local Plan.

7 POLICE POWERS

- 7.1 Contrary to powers to remove and confiscate alcohol from under 18s, the Police have no powers without such a Byelaw to remove or control street drinking unless there is a clear course of criminal conduct.
- 7.2 Sections 128 and 129 of the Antisocial Behaviour etc. (Scotland) Act 2004 ("the 2004 Act") give police power to issue a fixed penalty notice for drinking alcohol in contravention of Byelaws made under section 201-203 of the 1973 Act. Following evaluation of the pilot project on use of fixed penalty notices for certain antisocial behaviour in Tayside, this power is available to all police forces.
- 7.3 Random and isolated incidents of problem behaviour may be tackled in other ways by the police and courts under statute or common law (for example, under provisions of the Antisocial Behaviour etc. (Scotland) Act 2004 or breach of the peace, depending on the facts and circumstances of the individual case).
- 7.4 The above powers are only effective when a course of conduct constitutes criminal behaviour. The appliance of Byelaws affords Police the opportunity to intervene at an early stage in an effort to reduce levels of criminal and antisocial behaviour.

8 BYELAWS TIMETABLE

- 8.1 Local authorities are requested to submit Byelaws in draft form before they advertise their intention to apply to the Scottish Ministers for confirmation of Byelaws under section 202(4) of the 1973 Act; and before they deposit a copy of the Byelaws in their offices under section 202(5) of that Act. This will avoid the need to re-advertise Byelaws if there are changes which require to be made. The Scottish Government endeavours to respond to submissions of draft Byelaws within 28 days.
- 8.2 If Council wishes to introduce such Byelaws, they will require to be advertised to the public and the opportunity to object to the proposals. The objection period is one month.

- 8.3 The newspaper advertisement must explain that objections are to be addressed to the Scottish Ministers, Criminal Law and Licensing Division, St Andrews House, Edinburgh, EH1 3DG.
- 8.4 After a period of at least one month from the date of expiry of the advertisement period, the Council makes the Byelaws and submits the Byelaws for confirmation by the Scottish Ministers.
- 8.5 At the same time as applying for confirmation, the Council must submit "*letters of content*" from the Police and Prosecutor Fiscal and the advert informing the public of the proposed Byelaws.
- 8.6 Scottish Ministers will agree a commencement date with the Council, which is normally at least one month after the Byelaws have been confirmed.
- 8.7 The date of signing of the confirmation by Scottish Ministers is the confirmation date. Scottish Ministers advise affected MSPs.
- 8.8 Where there are objections, a hearing may be heard if the objections cannot be resolved.
- 8.9 Byelaws may be revoked by the Council, subject to giving notice in local newspapers. Council may not revoke the Byelaws without taking into account any objections made in response to the public notice.
- 8.10 Byelaws revoked shall cease to have effect on the date of their revocation. It is not competent to revoke any part of a Byelaw, if the effect would be to widen the scope of the remaining part of the Byelaws.

9 IMPLICATIONS

9.1 Financial

The costs associated with the introduction of the proposed Byelaws will be met from within the Departmental budget. Signage costs will be approximately £160 per settlement covered by the Byelaws. Up to two sets of newspaper advertisements may be required and the costs of advertising in each of the local newspapers is approximately £1,000, making a total of £2,000.

9.2 Risk and Mitigations

There is a risk that full advantage will not be taken of the legal powers available to the Police to prevent antisocial behaviour if these Byelaws are not made.

9.3 Equalities

(a) Overall the introduction of a Byelaw prohibiting the consumption of alcohol in a designated public place has a positive impact on equality groups. The implementation of the Byelaw should have a positive impact on reducing antisocial behaviour, violence and hate crimes that may be fuelled by alcohol consumption.

- (b) The equality impact assessment identified a concern that exemptions focus on festivals that are primarily celebrated by the Scottish community. Further exploration needs to be done to ensure that other cultural festivals are not discriminated against (e.g. Chinese New Year) where celebrations may occur in public. As the Byelaws would only be operative in relation to consumption in a designated public place, through the Licensing process areas of open space can be treated as private and outwith the scope to allow community events other than the general exemptions.

9.4 Acting Sustainably

It is anticipated that introducing these Byelaws will improve public safety and the perception of public safety and help to reduce anti-social behaviour, improving community quality of life and will make town centres a more inviting and sustainable place to visit and do business.

9.5 Carbon Management

There are no effects on carbon emissions arising from this report.

9.6 Rural Proofing

There are no rural proofing issues as a result of the introduction of these Byelaws.

9.7 Changes to Scheme of Administration or Scheme of Delegation

No changes require to be made to the Scheme of Administration or the Scheme of Delegation.

10 CONSULTATION

10.1 The Corporate Management Team, Chief Financial Officer, Head of Strategic Policy, Clerk to the Council, and Head of Audit and Risk have been consulted, and their comments have been incorporated into this report

10.2 Consultation has also taken place with the Director of Public Health, Police Scotland and the Procurator Fiscal and their comments have been incorporated into this report.

Approved by

Chief Executive

Signature

Author(s)

Name	Designation and Contact Number
Ian Wilkie	Head of Corporate Governance

Background Papers: Scottish Borders Alcohol Profile 2013, Council, 28 February 2013.

Previous Minute Reference: Scottish Borders Council, 29 March 2007.

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Ian Wilkie can also give information on other language translations as well as providing additional copies.

Contact us at:-

Ian Wilkie, Head of Corporate Governance, Scottish Borders Council Headquarters, Newtown St Boswells, by Melrose, TD6 0SA.

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**THE SCOTTISH BORDERS COUNCIL
PROHIBITION OF CONSUMPTION OF ALCOHOL IN DESIGNATED PUBLIC PLACES
BYELAWS 2013**

The Scottish Borders Council (“the Council”) in exercise of the powers conferred upon it by Sections 201, 202 and 203 of the Local Government (Scotland) Act 1973 and of all the other powers enabling it in that behalf, hereby makes the following byelaws:-

Interpretation and Citation

1 (1) In these byelaws, unless the context otherwise requires:

“alcohol” has the same meaning as in Section 2 of the Licensing (Scotland) Act 2005;

“licensed premises” has the same meaning as in Section 147(1) of the Licensing (Scotland) Act 2005 but does not include premises in respect of which there is a provisional premises licence (within the meaning of Section 45(5) of that Act);

“occasional licence” has the same meaning as in Section 56(1) of the Licensing (Scotland) Act 2005;

“designated place” means any place to which the public have access within the areas specified in Schedule 1 to these byelaws and shown outlined in red on the plans annexed and signed as relative hereto.

(2) These byelaws may be cited as “The Scottish Borders Council Prohibition of Consumption of Alcohol in Designated Places Byelaws 2013”.

Application

2 These byelaws shall not apply -

(a) on 31 December, from 6pm until the end of that day;

(b) on 1 January, until 6am;

(c) in respect of the area outlined in black and shown cross hatched in black on the plan number 1 annexed and signed as relative hereto during local Festivals*, as agreed by Council which is usually held on the summer each year, from 6am on the morning of that day until midnight that day;

***Exemptions for the principal day for the local festival for any settlement to be covered by the Byelaws to be determined and agreed by Council.**

Offence

- 3 (1) Any person who consumes alcohol in a designated place or is found to be in possession of an open container containing alcohol in a designated place in circumstances whereby it is reasonable to infer that that person intended to drink from it whilst in a designated place shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (2) It shall not be an offence against these byelaws to do anything in any designated place which comes within the meaning of licensed premises.
- (3) It shall not be an offence against these byelaws to do anything in any designated place in respect of which an occasional licence is in operation during any period when alcohol may be sold there by virtue of that licence and for 15 minutes after the expiry of such period.

Presumptions

- 4 (1) This byelaw applies for the purposes of any trial for an offence against these byelaws.
- (2) Any liquid found in a container shall, subject to the provisions of this byelaw, be presumed to conform to the description of the liquid on the container.
- (3) A container which is found to contain:
- (a) no liquid; or
 - (b) insufficient liquid to permit analysis
- shall, subject to the provisions of this byelaw, be presumed to have contained at the time of the alleged offence liquid which conformed to the description of the liquid on the container.
- (4) A person shall not be entitled to lead evidence for the purpose of rebutting a presumption mentioned in paragraphs (2) or (3) above unless, not less than 7 days before the date of the trial, he has given notice to the prosecutor of his intention to do so.

Public Notice of Effect

- 5 (1) The Council shall erect one or more signs at or reasonably adjacent to each designated place for the purpose of giving notice of the effect of these byelaws.
- (2) It shall be no defence in proceedings against a person for an offence under these byelaws that the Council failed to comply with paragraph (1) of this byelaw.

SCHEDULE 1

LIST OF DESIGNATED PLACES

The list of Designated Places will be determined and agreed by Council. The proposed settlements are defined by the boundaries as set out in the Local Plan.

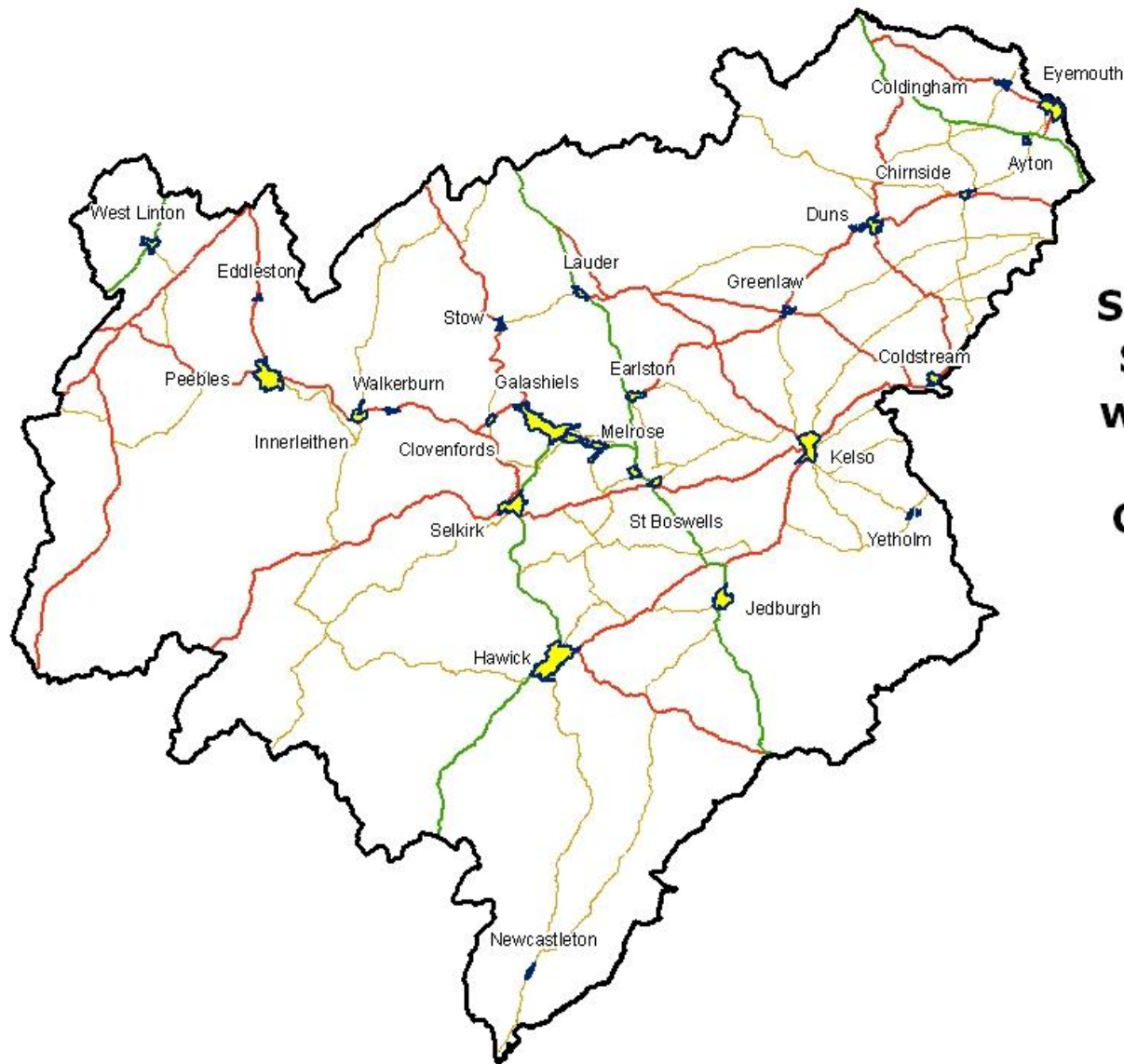
The 2011 population estimates for the Scottish Borders show the settlements with 500 people or more.

Area	2011 Pop	% Pop
Scottish Borders	113,150	100.0%
Rural	33,598	29.7%

Settlements	2011 Pop	% Pop
Ayton	519	0.5%
Chirnside	1,213	1.1%
Clovenfords*	1,253	1.1%
Coldingham	643	0.6%
Coldstream	1,958	1.7%
Denholm	641	0.6%
Duns	2,573	2.3%
Earlston	1,787	1.6%
Eddleston*	1,021	0.9%
Eyemouth	3,067	2.7%
Galashiels	12,278	10.9%
Greenlaw	584	0.5%
Hawick	13,419	11.9%
Innerleithen	3,081	2.7%
Jedburgh	4,020	3.6%
Kelso	6,160	5.4%
Lauder	1,272	1.1%
Melrose (includes Newstead)	1,959	1.7%
Newcastleton	710	0.6%
Newtown St Boswells	1,245	1.1%
Peebles	8,037	7.1%
Selkirk	5,517	4.9%
St Boswells	1,182	1.0%
Stow	594	0.5%
Tweedbank	2,067	1.8%
Walkerburn	617	0.5%
West Linton	1,488	1.3%
Yetholm	647	0.6%

Source: SNS Data zones/ NRS 2011 Mid Year Estimates

* Clovenfords and Eddleston population includes the surrounding rural areas. -



Settlements in the Scottish Borders with an Estimated Population of Greater than 500 in 2011

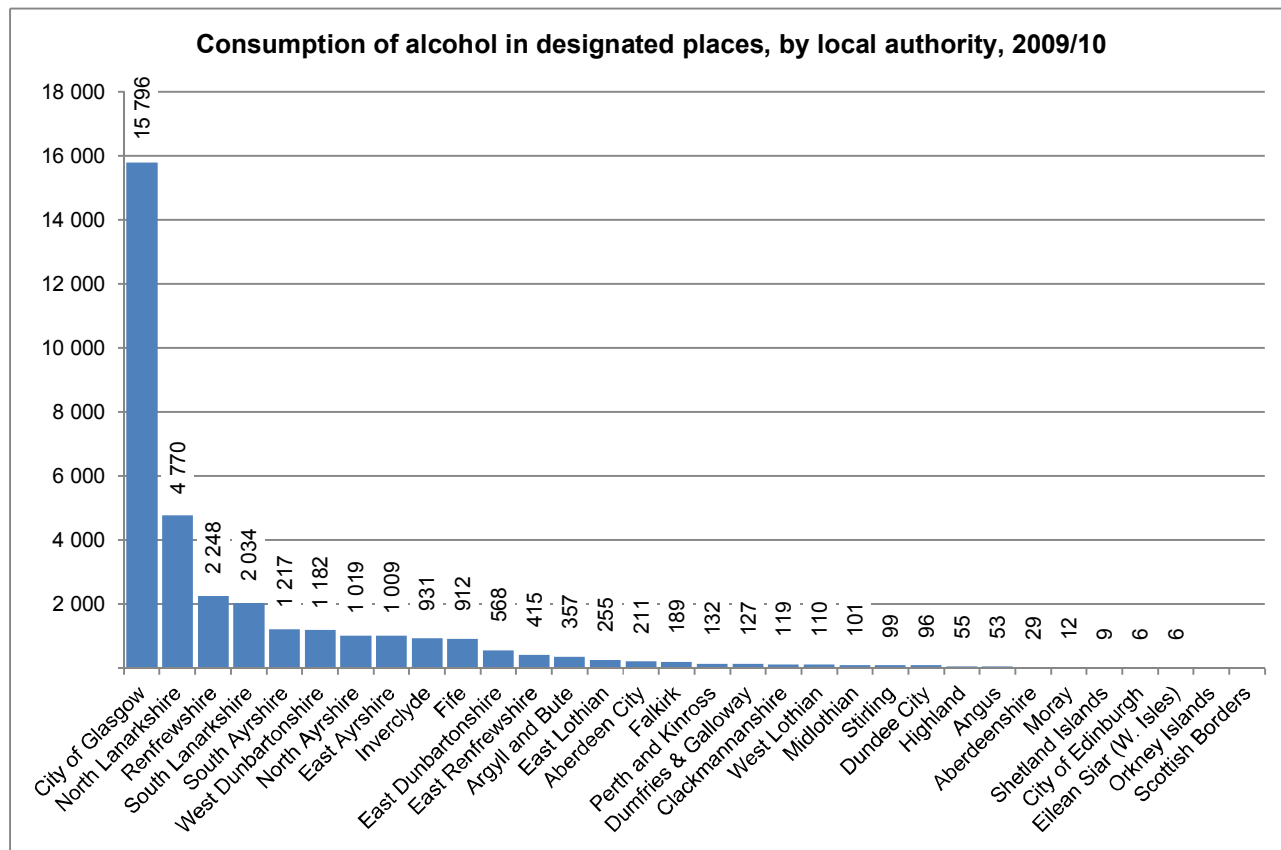
- Settlements >500
- Trunk Road
- A Class Road
- B Class Road

Source: SNS

4 Miles

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In 2009/10 there were 34,067 recorded offences related to consumption of alcohol in designated place by local authorities in Scotland. Scottish Borders Council is one of two Scottish Local Authorities that does not have Byelaws related to consumption of alcohol in a designated public place. The graph below shows the number of offences by local authority. The City of Glasgow and the City of Edinburgh demonstrate the extremes in terms of number of recorded offences. The median number of offences for 2009/10 was 161 and the mean (average) was 1065.



Source: Alcohol Statistics Scotland 2011 - Scottish Government Justice Department, ad hoc request September 2010.

Scottish Borders Alcohol Profile (February 2013)

Executive Summary

Under the Licensing Act, Police, Health and Local Authority have a duty to provide statistical information to support the development of licensing policy. Alcohol statistics are available both nationally and locally relating to the five licensing objectives.

This report seeks to provide Scottish Borders Licensing Board with data related to the five licensing objectives to inform and strengthen local licensing policy in line with the policy review and allow informed decision making.

Alcohol Consumption

Although we are beginning to see improvements, Scotland still has a high level of alcohol-related harm compared to the rest of the UK and Western and Central Europe. Therefore using Scotland as a bench mark for Scottish Borders is not a challenging comparator. The Scottish Health Survey 2011 shows that within Scottish Borders:

- 43% of adults drink out with the recommended government limits
- 23% of adults drink to hazardous or harmful levels.

Availability

Across Scotland alcohol is widely available with a wide range of outlets and longer trading hours having created an environment where alcohol is easily accessible and affordable. The availability of alcohol is controlled by Licensing Boards who can support a change in local environments. Key data shows:

- Across Scotland, 69% of alcohol is sold in off sales.
- In the Scottish Borders, Peebles North and Hawick Central had the largest number of licensed premises as at April 2012.
- 97% of households are within 10 miles (as the crow flies) of a large or medium sized supermarket.
- 74% of households in the Scottish Borders are within 0.5 miles of any off sale.

Alcohol Related Antisocial Behaviour (ASB) Police Incidents:

Alcohol is a significant factor in all police related incidents and is consistent throughout the year for the Police and part of core business. Key findings over April 2010 – August 2012 show:

- 21% (7129) of the total Police ASB incidents have alcohol as a contributing factor.
- 72% (5122) of alcohol related incidents occur over the weekend.
- 35% (2506) of alcohol related incidents occur between midnight and 6am.
- Galashiels West, Hawick Central and Kelso South had the highest rate per 1000 people of alcohol related incidents when comparing intermediate geographies. (All these localities have nightclub premises).

Alcohol Related Attendances, Emergency Department (ED), BGH

Similar to Police, alcohol impacts on the ED at times when there is reduced staff cover and attendances peak during the early hours over a weekend with the majority being brought by the Ambulance Service.

Key findings between June – October 2012 show:

- 513 attendances were alcohol related. Of those;
- June 2012 had the highest number of attendances.
- Attendances span across all age groups.
- 196 attendances result in an admission to hospital (38%).
- 318 of the attendances occur at the weekend (62%).
- Over the weekend, almost 25% of attendances occur between midnight and 6am.
- Sunday had the highest number attendances between 03:00 – 04:00.
- 16 attendances at ED were 15 years or under.

Children and Young People

- In 2011, 420 occasional licences granted to existing licensees allowed access for children and young people (57%).
- In 2011, 283 occasional licences granted to voluntary organisations allowed access for children and young people (68%).

The 2010 Scottish Borders Household Survey went to 6000 randomly selected addresses in the Scottish Borders and there was a response of 2600, equal to a 43% response rate.

Respondents were asked for their suggestions on what the police and other public sector agencies such as Scottish Borders Council could do to help residents feel safer in their local area. There were 330 responders to this question. The table below show the top five suggestions.

Suggestion	No.	%
More Police patrolling the area/ More visible/ On foot/ At night and weekends/ Tougher/ Stop time wasting	210	64%
Remove groups of youths hanging around/ drinking/ disrupting the area/ Antisocial behaviour	26	8%
Better/ More lighting	20	6%
Control alcohol consumption/ Binge drinking/ Under age drinking/ Sale of alcohol	17	5%
Wardens patrolling area/ Supervision	13	4%

Neighbourhood problems

The top five neighbourhood problems facing respondents overall appear to be:

- Dangerous driving or speeding (46% stating very or fairly common)
- Parking problems (36%)
- Rubbish and litter lying around (30%)
- People being drunk or rowdy in public places (22%)
- People using or dealing drugs (22%)

Do you think the following are common in your local area?						
	Base	Very common	Fairly common	Not very common	Not at all common	Don't know
Noisy neighbours or loud parties	2492	5%	9%	34%	50%	3%
Rubbish and litter lying around	2498	8%	22%	37%	32%	1%
People being drunk or rowdy in public places	2489	7%	15%	34%	38%	5%
Abandoned or burnt out cars	2485	0%	1%	13%	79%	7%
Vandalism or graffiti to property or vehicles	2482	2%	8%	27%	58%	6%
People using or dealing drugs	2498	7%	15%	18%	36%	26%
Off road motorbikes	2468	2%	7%	24%	53%	15%
Callers at the door	2491	3%	17%	43%	34%	3%
Groups or individuals intimidating or harassing others	2493	3%	6%	27%	52%	12%
Racially motivated attacks	2480	0%	1%	16%	65%	18%
Parking problems	2494	15%	21%	21%	37%	6%
People setting fires to cause damage	2481	1%	1%	15%	69%	14%
Derelict buildings	2472	3%	6%	20%	60%	11%
Dangerous driving or speeding	2523	17%	29%	28%	21%	5%

People being drunk or rowdy in public places

Significantly more respondents living in Teviot stated that people being drunk or rowdy in public places was a very or fairly common (31%) than in Berwickshire and Eildon (both 18%).

People being drunk or rowdy in public places						
	Overall	Berwickshire	Cheviot	Eildon	Teviot	Tweeddale
Base	2477	494	537	478	481	487
Very common	7%	6%	7%	6%	12%	5%
Fairly common	15%	12%	16%	12%	19%	17%
Not very common	34%	34%	32%	37%	33%	34%
Not at all common	38%	43%	38%	42%	30%	38%
Don't know	5%	5%	7%	4%	6%	6%
% very/ fairly common	22%	18%	23%	18%	31%	22%
% not very/ not at all common	72%	77%	70%	79%	63%	72%

The proportion of respondents stating people being drunk or rowdy in public places is a common problem, decreases with age:

People being drunk or rowdy in public places					
	Overall	16-44 years	45-59 years	60-74 years	75 years +
Base	2456	444	680	915	417
Very common	7%	10%	7%	8%	3%
Fairly common	15%	17%	19%	14%	10%
Not very common	34%	39%	36%	33%	28%
Not at all common	38%	33%	36%	40%	44%
Don't know	5%	1%	2%	5%	16%
% very/ fairly common	22%	27%	26%	22%	13%
% not very/ not at all common	72%	72%	72%	73%	72%

Respondents were asked to identify occasions where they felt unsafe. Of the 456 respondents identified areas where they felt unsafe 126 (27.6%) were alcohol related. The table below shows where the 126 alcohol related unsafe occasions were:

Area	Total	%
Coldstream	1	0.8%
Coldstream / Kelso	1	0.8%
Duns	2	1.6%
Eyemouth	9	7.1%
Galashiels	15	11.9%
Hawick	24	19.0%
Hawick / Galashiels	2	1.6%
Innerleithen	2	1.6%
Jedburgh	4	3.2%
Kelso	15	11.9%
Peebles	18	14.3%
Selkirk	3	2.4%
Town Centres	30	23.8%
Grand Total	126	100.0%

The table on the following page provides the details of the alcohol related unsafe occasions.

Place	Time of the day	Why
Coldstream	Night	Drunkenness in Main St
Coldstream, Kelso - back streets	Late at night	Drunk people
Blackbull Street town centre	2300-2400 hours	Pubs, bars are closing
Duns Square	Night	Unruly drunk people (weekend)
Bantry, Eyemouth.	Evenings	The area is being used by youths for drink and drugs.
Eyemouth	Late evening	Drunks / druggies
Eyemouth	Late evening	Gangs of kids moping about drinking/drugs
Eyemouth Bantry	After dark	Groups of youths drinking.
Eyemouth High Street	Night	Sometimes when there are young or drunk people hanging around and shouting
Eyemouth Town Centre	Evening - 9pm onwards	Crowds of cursing and rowdy youngsters who may have been drinking
Eyemouth Town Centre	9pm onwards especially weekends	Drunken behaviour
Main Street & Harbour area especially near pubs	After Dark	Drunken behaviour, especially young folk
The Bantry, Eyemouth	Various times	Gangs of youths drinking in public
Black Path in Galashiels at night	Night	Used by drunks and drug users
Black Path, Galashiels	Night after dark	Drugs, drinking and gangs
Galashiels Centre of Town.	After 9pm	Drunkenness. (teens)
Galashiels Town Centre	Evening/Night	Drunken Behaviour.
Galashiels	Night at weekend	Clubs and drinking late
Galashiels	Late Evenings	Drunkenness, Violence
Galashiels	Night	Youngsters who are usually drunk
Galashiels at night	Night	Too many young drunks.
Galashiels town centre	after 9.30pm	Drunks going between pubs and clubs
Galashiels village centre	Chucking out time 11pm-3am	Drunks going about (so I usually stay in to avoid)
Galashiels,	Weekend Evenings.	Gangs of drunken youths.
Langlee	Any	Lots of drugs users and drunks strolling the streets all time of the day
Langlee - Tweedbank	Black path - day or night	Very bad area for bad people, drugs and drink related
Langlee Park, Primrose Bank - Galashiels	Night	Youths drinking
Langlee, Galashiels	Night	Amount of drunks / druggies fighting in street or having house parties leading to fights

Burnfoot Hawick and High St Hawick	Evening	Drunk / Drugged young people
Burnfoot, Hawick and High Street.	After dark.	Drunk people in street.
Havelock and Burnfoot Hawick	Any	Past experiences, druggies/drink
Hawick	Night at weekends	Alcohol fuelled people hanging around
Hawick	Evening	Group of young people with alcohol.
Hawick	Late at night 10pm onwards.	Groups of youth and girls very drunk at weekends.
haiku	Evenings	Noisy drunks
Hawick central square - Horse area	Fri/Sat 22.30 on	Drunken and other hooligans
Hawick high school	2300 onwards	Drunk disorderly groups - lot worse and can seem intimidating
Hawick High Street	After dark	Too many drunks
Hawick High Street / Howgate.	Late at night.	Drunk and disorder, young men and women.
Hawick High Street.	Late on Friday and Saturday Nights.	Lots of young drunk kids out who are looking to cause trouble.
Hawick high Street.	After 11pm	Too many youths drinking.
Hawick town centre	2200-0300	Drunks and violent people
Hawick Town Centre.	At night.	Drunk youths and fights.
High St, Hawick	Late on weekends	Drunkenness
High Street Hawick	Evenings	Gangs of youths breaking bottles, shouting and drinking
High Street Hawick	9pm onwards	People congregating at street corners, weekend drunks
High Street Hawick, Howe gate	Night	Too many young drunks and drugs
High Street, Howgate, Burnfoot, Hawick	Later evening, early morning	Sometimes groups of alcohol fuelled youths
Howgate	11pm-12pm	Too many drunk people
Howgate, Hawick at weekends after 10pm	After 10pm	Youths are intimidating after drinking sessions
Howgate. Hawick	Weekend Nights	Larger numbers of drunk young people.
Waverly walk - Hawick	During the day and night	Drug users etc - drinkers
Burnfoot in Hawick and most areas of Galashiels	10pm onwards	Gangs of young people drinking and poor behaviour
Galashiels and Hawick	At night	Too many young drunks looking for trouble.
Victoria Park, Innerleithen	Evening/dark night	Youths drinking
Victoria Park, Innerleithen	Night	Gathering of teenagers drinking
Jedburgh- Co-op car park	Night 8-10pm	Youths drinking
Jedburgh Riverside	7 till 10pm	There are youths hanging around drinking.
Jedburgh subways / parks	After dark	Crowds of teenagers drinking, drug addicts

Queens Court / children's play area	Evening	Drunk, aggressive children
Central of Kelso	Night	Drugs and drink
Kelso	Sat/Fri nights	Drunken youths
Kelso	Late Friday or Saturday night	Excessive alcohol consumption leading to noisy drunk people
Kelso	Evening / night	Local youths (unruly behaviour drink/drugs) - lack of police presence
Kelso- square	weekends	Drunks
Kelso square and surrounding area	Saturday night particularly	Large number of youths and drink partaken
Kelso Square around Abbey, quieter back streets.	10pm +	Groups of youths, some who have been drinking, stories of attacks etc.
Kelso town Centre	Saturday Nights	Afraid of drunks and yobs.
Kelso Town Centre	Night	Drunk related incident
Kelso, in the square at Bridgend Park	Late evenings	Drink, drugs and youths
Kelso.	After 10.30.	Too many people drinking.
Near to Brisbane Place, Kelso	Night	Near a rowdy pub
Sheddon Park - Kelso, Knaves Park/Mayfield area Kelso	Night	Gangs of loud/drunk intimidating youths
The Square Kelso	Late evening	Lots of youngsters drinking
Town Centre, Inch Park.	After 10pm in the summer and after 8pm in the winter.	Kids that are drunk in the square.
Football pitch's - Main Stand area - Peebles	After dark	Underage drinking, teenagers there
Haylodge Park, Peebles and cemetery, new Kingsland school areas	8pm onwards	Number of teenagers who congregate in these areas to drink, take drugs etc
High St, Northgate	Evening and Late Evening	Drunk people
High Street Peebles	10pm	Young people taking too much drink
High Street, Peebles	Around 11pm and later	Drunks outside pubs fighting and behaving anti-socially causing trouble
High Street, Peebles	Friday / Saturday nights	Teenagers drinking / loitering on street.
High Street, Peebles.	After 11pm.	After pub closing time.
High Street, Peebles.	At night and after the pubs empty.	I'm just not sure what might happen at night when the pubs closing and the people are coming out.
Peebles	Night	Drunkenness'
Peebles	Late evening when pubs close	Drunks milling about the street
Peebles	Night	Too much hanging about outside pubs
Peebles High St	Pub closing time at	Inebriated youngsters / adults

	night	
Peebles High Street	Friday and Saturday night	Drunkness
Peebles High Street	After dark	Folk hanging around outside pubs etc
Peebles High Street	Late Friday / Sat nights	Too many young drunks
Peebles High Street and the Meldons	After 10pm	Groups of people who have been drinking outside the Keg and Post Office or camping on Meldons
Peebles High Street, Channel Street Gala	11.30 - 3.30	Drunks
Town Centre, Peebles.	10pm +	Alcohol fuelled crowds.
Bannerfield.	Night.	Too many people drinking and taking drugs
Car Park behind West Port and Old Kirkyard Selkirk	Weekends nights 7pm - 1am	Young people gather in groups and cars - Underage drinking in cemetery on occasions
Selkirk (various areas)	Night	Lots of people/drunks loitering - people/kids hanging around, intimidating.
All town centres	8pm onwards	Alcohol misuse
Any town	At night	Drunks
Bus station	Night	Pretty dark and no-one around for help if you need it, other kids hanging around/drinking is intimidating
Central area & alleyways in Kelso, Hawick, Duns & Galashiels	Night	Groups of men drinking, groups on street who are too young to be in the pubs
General areas	Night	Too many drunk young people or drugs
High Street	After 6pm	Drunken people outside the pubs smoking and the gangs of youths.
High Street	After 8pm	Drunks, rowdy teens, yobs
High Street	Night	Gangs of teenagers and drunks
High Street	After dark - 3.30-4pm	Groups of young people drunk - high school children take over the pavement. I was knocked over
High Street	11.30pm onwards, particularly Friday and Saturday nights.	High numbers of intoxicated etc. youths until 2 or 3 am.
High Street	10pm onwards	Unruly youngsters / drunks
High Street and areas near public houses	Late evening	People under the influence of alcohol or drugs
High Street around pubs	10pm	Young people some with drinks in their hands weaving and foul language

In town	After 9pm	Drunks
Local area near my home and in the town.	Night	Drunks, drug addicts, gangs of youths
Most Borders towns	After 10.30pm at weekends	Drunken abusive people
Most town centres	Night	Youths and drinking etc
Night time	After Dark	More than two or three teenagers after pubs and clubs evacuate.
Town	Night	Drunk youths
Town centre	Night	Crowds of intoxicated youths
Town centre	Weekends night	Drunk youngsters
Town centre when pubs close	After 10 pm	Drunken people - many young - confrontational
Town Centre, Main Streets. The off street passages at waterside.	All evenings, especially after dark. Also after 3:30pm in the winter.	Youngsters and drunks.
Town centre.	Evenings.	Drunkenness and hooliganism.
Town centre.	Night	Drunks and aggressive youngsters.
Towns generally	Night	Drink/drugs
Walking through home park	Night	Crowds of kids on benches drinking is an all too common affair
-	Night / pm	Drinkers / smokers
-		Too much binge drinking.