Public Document Pack



SCOTTISH BORDERS LICENSING BOARD FRIDAY, 28TH APRIL, 2023

Please find attached additional information in respect of Item 6(a)(i) on the agenda for the above meeting

6 (a) Section 20: Application for Premises Licence

(Pages 3 - 26)

Consider the following applications for Grant/Provisional Grant of Premises Licence (applicants cited to attend.)(Copies attached.)

(i) Motor Fuel Ltd

Tweedbank Service Station
Tweedbank Industrial Estate

Tweedbank Drive Tweedbank TD1 3RS (**Provisional**)

<u>Proposed business activity</u> - The premises are proposed to be located within the extended Tweedbank Industrial Estate, off Tweedbank Drive and the A6091. The premises will trade on a 24 hour basis as a general convenience store adjacent to petrol/derv filling station forecourt. The site will have car parking separate from the fuel pumps. The petrol/derv filling station forecourt area is not part of the area to be licensed. The premises offer substantial general convenience separate from and supplementary to, the offer of petrol/derv. The premises will offer a service to the local and wider area. The proposal is to sell alcohol on an Off Sale basis only. Licensed hours applied for:

ON SALE OFF SALE

N/A Sun to Sat 10.00am – 10.00pm

Representations received:

Police Scotland - none. Licensing Standards Enforcement Officer - none.

Health - none. Other - none.



Tweedbank Service Station, Tweedbank Industrial Estate, Tweedbank Drive, Tweedbank TD1 3RS Future Customer Profiling Research Report April 2023

Research & Reporting by

Taylor McKenzie Research & Marketing Ltd (TMcK)







Executive Summary Page Tweedbank Service Station

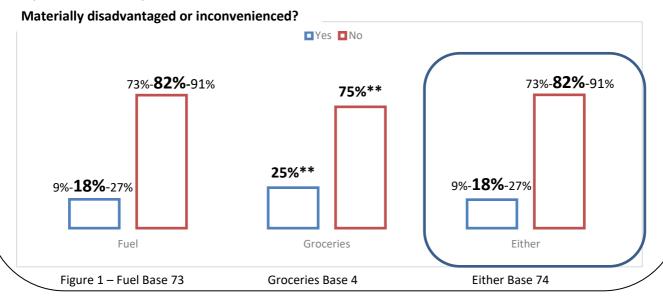
<u>Introduction</u>

The following report outlines the findings from a resident research interviewing program carried out between Tuesday 28th March and Wednesday 5th April 2023 at Tweedbank Service Station, Tweedbank Drive, Tweedbank TD1 3RS. The research explored the buying behaviours of persons' resident in the locality of the proposed site. Residents were asked to provide information on; their place of residence in relation to the proposed site, their means of travel to the proposed site, future usage and their purchasing behaviour in relation to fuel and groceries currently.

This summary page contains the results from the key objective of the research as outlined below.

Key Research Objective

[Section 123(5) seeks to determine, as interpreted in the Opinion of the Inner House of the Court of Session in BP Oil UK Limited v City of Glasgow Licensing Board and City of Edinburgh Licensing Board (5th April 2011) whether a recognisable number of persons in the locality see and would treat the said premises as the principal source from which they, in ordinary course, purchase groceries or fuel and who would properly consider themselves materially disadvantaged or inconvenienced were these retail facilities to not be able to provide from said premises.



Conclusion

The results show that a statistically significant* proportion of persons (18% (+/-9%) in the locality) that would see and treat this service station at Tweedbank as the principal source from which they, in ordinary course, purchase fuel and would properly consider themselves materially disadvantaged or inconvenienced were these retail facilities to not be opened and therefore unable to provide them with fuel. **Grocery base too low to apply confidence intervals.

^{*} Statistically significant - In statistics, a result is called **statistically significant** if it is unlikely to have occurred by chance. The likelihood that a result or relationship is caused by something other than mere random chance.



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Research Methodology Tweedbank Service Station

A quantitative research study was carried out from Tuesday 28th March and Wednesday 5th April 2023 at Tweedbank Service Station, Tweedbank Drive, Tweedbank TD1 3RS with 228 residents who live in the locality (or 'participants'). All of whom were selected for door-to-door survey completion.

The structured questionnaire (please see Appendix 2 for full questionnaire) was executed via Computer Assisted Personal Interviewing (CAPI) with the use of an iPad. The screen was shared with participants so that they could view all images and questions. All participants were asked to give their full postcode in order to help map travel time and distance to location.

Sample Size

All intercepts (interviews) were conducted locally (within 1 mile) via door to door. Participants were selected at random to ensure sampling confidence. By completing 228 interviews with local residents, we can be sure that the data and attitudes collected will be statistically representative of the future customer base. Importantly this large number of 'base' participants allowed for statistical comparison of sub-groups. An important sub-group within this research that will form the 'population of interest' are participants who live within the locality of the premises AND would use the garage as their principal source for purchasing Fuel or Groceries [Base - 74]. This figure represents 32.4% of the entire potential customer population.

Population of Interest

This sub-group of 74 participants will be used to answer the key objective of the research. Whether a recognisable number of persons in the locality would see and treat the said premises as the principal source from which they, in ordinary course, purchase groceries or fuel and who would properly consider themselves materially disadvantaged or inconvenienced were these retail facilities to not be opened and therefore unable to provide them.

<u>Defining the Population of interest</u>

Q2 – How far from this Station do you live? (Map 1) Within 1 miles = continue 1 miles+ = record postal code & close

Q7 - In the ordinary course of your purchasing habits, do you treat these premises as the principal source of: a) Petrol or DERV (Fuel)? b) Groceries?

Yes to a) or b) = Continue No to a) and b) = Close



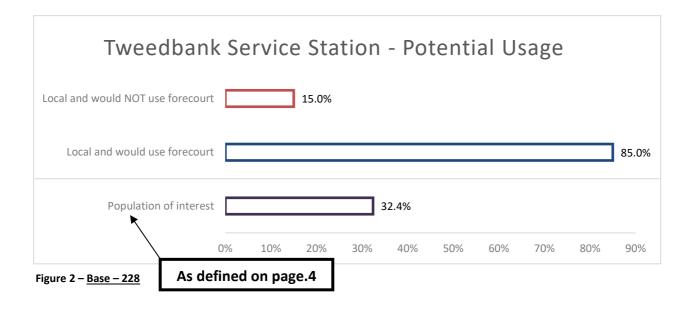
Map 1



$Research \ Findings - Locality \ {\it Tweedbank \ Service \ Station}$

Potential usage of Premises

Q4 – Once this filling station has opened, do you think you would be likely to used this station as a source of...If codes 1-3 were selected they were classed as being open to using the forecourt, if code 4 'Unlikely to use the forecourt' was selected then they were excluded from the remainder of the survey.

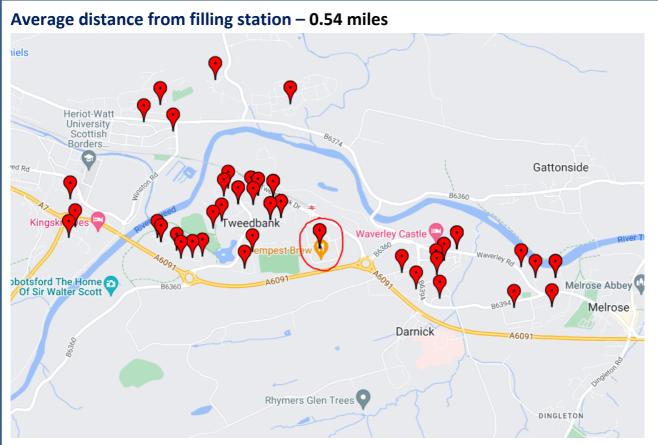




Research Findings-Geo-mapping Tweedbank Service

Station

All participants were asked to provide their postcode in order to allow for them to be geo-tagged on a map. Out of the 74 participants who fell into the population of interest 74 provided a full and complete postcode. They are represented below as red icons, in some cases the same postcode has been given and will be represented by only 1 icon.



Map 2

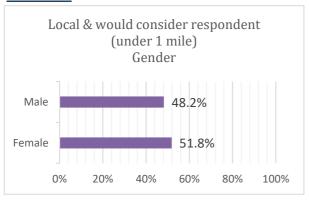
Analysis of the postcode data has shown that the participants from the 'population of interest' live within a locality of 0.54 miles from the service station (circled icon) on average.



Research Findings - Demographics Tweedbank Service

Station

Gender



Average potential visits per week (local users & would consider)

Grocery Shopping Base - 103	1.31 visit per week
Fuel Purchase	0.84 visits per week
Base - 179	0.84 visits per week

Table 1 - Base varied

Figure 3 - Base 193

Age

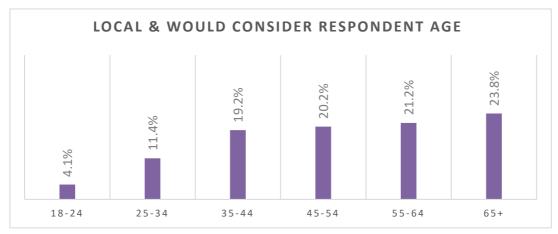


Figure 4 - Base 193

Respondent travel habits

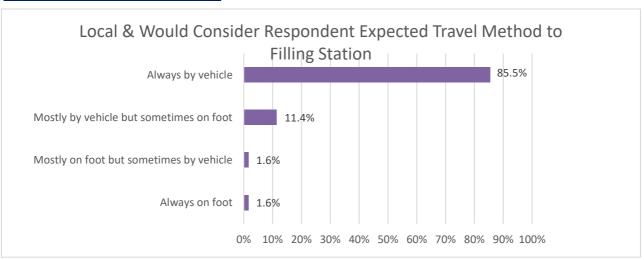


Figure 5 – Base 193



Research Findings - Premises Usage Tweedbank

Service Station

How Tweedbank Service Station would be used

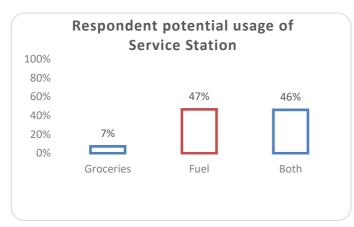


Figure 6 - Base 193

14 participants (7.3%)

Would use service station as a source of Groceries.

90 participants (46.6%)

Would use service station as a source of **Petrol/DERV** (Fuel)

89 participants (46.1%)

Would use service station as a source of both – Petrol or DFRV & Groceries

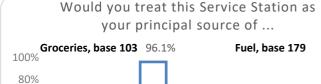




Figure 7 - Base Varied

Defining the population of interest

Participants, who live within the locality (within 1 miles) of the service station [Base 193], were asked how they would potentially use the Service Station – **Figure 6**.

They were then asked if, in the ordinary course of their purchasing habits, they would treat this Service Station as their principal source of Petrol/DERV or Groceries – **Figure 7**.

74 (38.3%) local customers (participants) answered 'yes' to potentially treating the service station as their principal source of either groceries or fuel. This forms the population of interest as outlined in the introduction – **Figure 8.**

Population of interest 74 participants

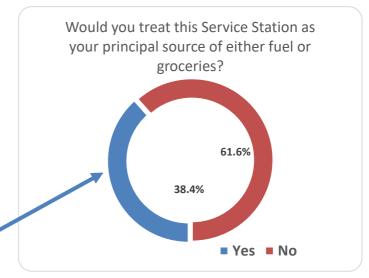


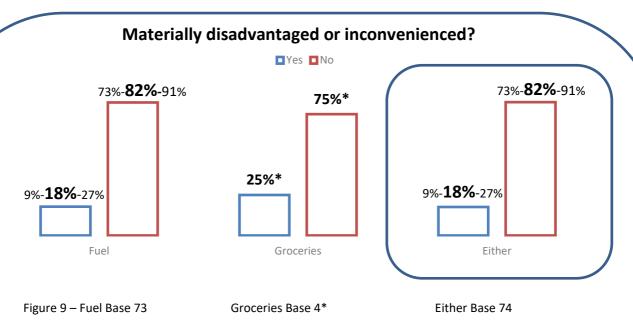
Figure 8 – Base 193



Research Findings – Key Findings Usage

Tweedbank Service Station

Once the population of interest had been defined (Base 74), these participants were asked: Would you consider yourself materially disadvantaged or inconvenienced were this premises not top opened and therefore unable to provide you with: a) Petrol or DERV (Fuel)? b) Groceries?



The results show that a statistically significant proportion of persons in the locality (18%) would see and treat the proposed premises as the principal source from which they, in ordinary course, purchase groceries or fuel and that they would properly consider themselves materially disadvantaged or inconvenienced were any of these retail facilities to not open and therefore be unable to provide them from said premises.

Bases explained:

Fuel: Overall 73 participants from the locality stated that they would use the station as their principal source of fuel, of these participants 17.8% (13) stated that they would be materially disadvantaged if the premises could not provide them with fuel.

Groceries: Overall 4 participants from the locality stated that they would use the station as their principal source of fuel, of these participants 25% (1) stated that they would be materially disadvantaged if the premises could not provide them with groceries.

*Grocery base too low to apply confidence intervals.

Either: The combined base and response for fuel and groceries.



Research Findings - Key Findings Tweedbank Service

Participants were asked to comment on the opening of the forecourt.

Those who stated they would be materially disadvantaged were asked to explain this in more detail... All suggested that this would offer a much closer alternative compared to current offer.

Nearest is faraway Nothing nearby Quite far to go for fuel The rest are further away Too far to go for others I must go further just now Much nearer in Tweedbank No other petrol station in Melrose or Tweedbank It's on my way home from my work Just because it's nearer ease of access for petrol Sometimes I am low on petrol and it's inconvenient to go into town Because no petrol station in my area also for groceries this would be nearer than Gala Got to go further into Gala Would be on my way to different places Driving all the way to Gala for petrol

Participants in the population of interest (base: 74) were then asked if they had any final comments in relation to the proposed forecourt. 37 gave a response.

Positive sentiment: A significant number of respondents (28 out of 37) expressed positive feelings towards the petrol station, mentioning aspects such as increased convenience, more choice, and potential competitive pricing. They also mentioned looking forward to the opening and potential job opportunities.

Neutral sentiment: Some respondents (7 out of 37) mentioned that their support depends on factors like cost, the range of food offerings, and the management of the petrol station. These respondents did not express explicit positive or negative feelings but were more focused on specific factors that could influence their opinion.

Negative sentiment: There were no explicitly negative responses provided in the list (0 out of 37).

Overall, the sentiment towards the proposed petrol station appears to be predominantly positive, with the majority of respondents anticipating benefits for the community.



Research Findings - Key Findings Tweedbank Service

Station

Those in the population of interest (base: 74) were asked about their future usage of the facility in relation to alcohol purchase...



Figure 10 - Base 74

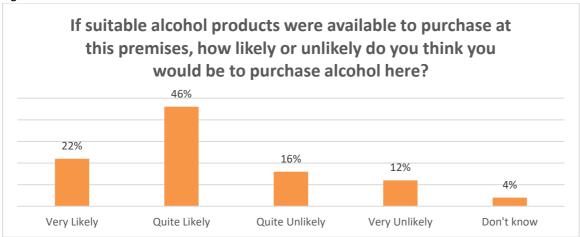


Figure 11 - Base 50

68% of participants stated that they would be likely to purchase alcohol form the premises if it was available.



$Research\ Findings\ -\ Key\ Findings\ {}_{\scriptscriptstyle Tweedbank\ Service}$

Station

The graphs below highlight the demographic of those who stated they would be disadvantaged or inconvenienced were this premises to not open and therefore unable to provide them with: a) Petrol or DERV (Fuel)? b) Groceries. Base: 13

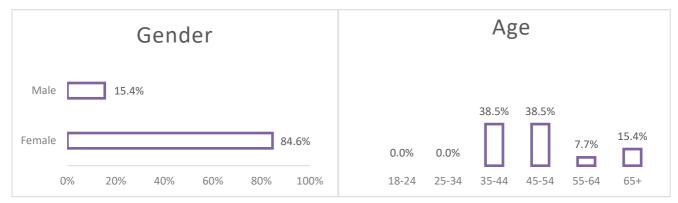
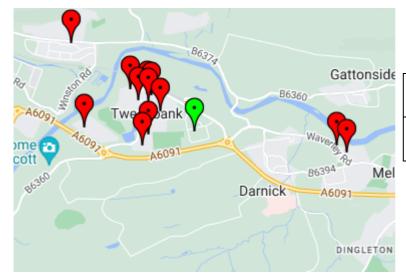


Figure 12 - Base 13

Figure 12 - Base 13



Map 2 - Base 13

Average visits per week

Grocery Shopping Base 1	2 visits per week
Fuel Purchase	1.44 visits per week
Base 13	1.44 visits per week

Table 2 - Base Varied



About TMcK

Taylor McKenzie Research & Marketing (TMcK) are a full service agency and provide all stages in the market research process from fieldwork and recruitment, through to interviewing and analysis of data. We are also proud to host one of the UK's best viewing facilities, known as 'The Glasgow View'.

Based in Glasgow since formation in 2001 our steady growth over the years has been down to the dedication of our skilled, reliable and creative staff.

TMcK's research team is headed up by Director Nicky Taylor who has extensive knowledge of consumer research in Scotland. Nicky acts as the main contact for client and will attend briefings and debriefs and will be aided in the completion of the project by Laura Taylor (Director) and TMcK field. TMcK are Company Partners of the Market Research Society and abide by their code of conduct.

This demonstrates that we are one of a small number of Scottish companies who work with the Market Research Society in ensuring that quality standards are consistently upheld within the research industry.

About Market Research Society (MRS)

In the competitive world of market research, one name assures you of instant recognition and respect - that of MRS.

MRS is the 'voice of your profession'. Their role is to represent and communicate good practice in research to the business community, government and the public; to award accreditation and to provide support for our members.

Professional standards

All members of the Society must comply with the <u>MRS Code of Conduct</u> which is enforced through a disciplinary process. This is the primary means by which market research remains a self-regulated profession. A range of guidelines and advisory services provide support to members in practical implementation of the *Code*.

The *Code of Conduct* embodies the principles of confidentiality and transparency. It provides protection to research users, participants and to researchers themselves. The *Code* has the confidence of the business community, government and regulators. It embraces the principles of data protection legislation. Membership of MRS is your way of showing that you subscribe to these ethical and legislative principles.



Appendix 1 - Research Background

The Licensing (Scotland) Act 2005 defines premises that operate in whole or in part as a garage for the sale of petrol or derv as "excluded premises". Subject to the provisions of section 123(5) of the Act, garage premises are "excluded premises". Where premises are "excluded premises", sale of alcohol is not permitted. The Client wishes to explore the motivations and buying behaviours of potential consumers who may visit the proposed forecourt premises with the purpose of ascertaining whether or not their proposed forecourt premises fall to be determined as "excluded premises" or within the exception contain under section 123(5). Section 123(5) seeks to determine, as interpreted in the Opinion of the Inner House of the Court of Session in BP Oil UK Limited v City of Glasgow Licensing Board and City of Edinburgh Licensing Board (5th April 2011) whether a recognisable number of persons in the locality would see and treat the proposed premises as the principal source² from which they would, in ordinary course³, purchase groceries4 or fuel and who would properly consider themselves materially disadvantaged or inconvenienced⁵ were these retail facilities to not open and therefore be unable to provide from said premises.

Should the research prove that a substantial % of a representative sample local residents who use the outlet as their principal source of groceries and would be materially disadvantaged or inconvenienced if the outlet stopped selling groceries then it would help to form a case to include the outlet as being 'not excluded' from the changing legislation.

¹ Locality will be defined on a premises by premises basis. This will be determined via respondent answering what will be Q1 (How far away from this station do you live?) and will be confirmed with geo-mapping postcode software. Those living within the chosen distance will be deemed suitable to represent persons living in the locality and they will be further questioned on purchasing habits. Those living out with the chosen distance will be asked for their postcode and interview will be terminated.

^{2"3} Principal source / Ordinary course; these points must be answered by asking each respondent a question that will be interpreted consistently and fully understood.

Generally speaking, do you treat this premises as your principal source for a) Petrol or DERV (a full description of DERV will be provided in Showcard to help understanding) b) Groceries. A simple yes or no answer will be collected.

This will provide the research with its population of interest.

⁴ **Groceries**; will be defined as being food or other things used within the home.



Appendix 1 – Research Background

(continued)

- ⁵ Materially disadvantaged or inconvenienced; the term materially disadvantaged is perhaps not in the general diction of the average respondent, and we would not expect it to be used by a respondent if asked to describe how they felt about a retail outlet closing. However, when it is combined with the word inconvenienced in the Q. "Would you consider yourself materially disadvantaged or inconvenienced were this premises not to open and therefore be unable to provide you with a) petrol (DERV) b) Groceries?") we would expect a good understanding. An open question asking why participants would feel materially disadvantaged or inconvenienced will be asked if 'yes' is coded at either a) petrol (DERV) or b) groceries.
- ⁶ Representative sample; in quantitative market research studies which are to be conclusive it is very important that the data collected and the findings and recommendations made from the data are representative of the given population. In real terms this means that should the study be repeated at any given time then the results will be similar 95 times out of 100 and within an acceptable margin of error (+/-) %.

In order to achieve this, data collection should be stratified in terms of opening hours and weekend / weekday footfall and respondent selection should be entirely random.

Statistical Representation

In order for the findings to be conclusive it is very important that the data collected, the findings and recommendations made from the data are representative of the given population. In real terms this means that should the study be repeated at any given time then the results will be similar 95 times out of 100 and within an acceptable margin of error (+/-) %.

In order to achieve this, data collection was stratified in terms of opening hours and weekend / weekday footfall and respondent selection was entirely random.

The table below indicates achieved error thresholds for the overall base of participants and for the population of interest base. Error bars are present throughout each table to represent statistical relevance of each figure.

<u>Population</u>	%(GIVING PARTICULAR ANS	WER
	10%/90%	30%/70%	50%
Total Base 228	<u>+</u> 3.89	<u>+</u> 5.95	<u>+</u> 6.49
Local Base 193	<u>+</u> 4.23	<u>+</u> 6.47	<u>+</u> 7.05
Pop of interest Base 74	<u>+</u> 6.84	<u>+</u> 10.44	<u>+</u> 11.39
Inconvenienced Base 13	<u>+</u> 16.31	<u>+</u> 24.91	<u>+</u> 27.18



Appendix 2 – Research Questionnaire

Q1	Interviewer select filling station		
	Tweedbank Service Station	•••••	□
Q2	How far away from this site do you live?		
	Showcard s2		
	Within 1/4 of a mile		Go to Q3
	Within 1/2 a mile		
	Within 1 mile Within 1.5 miles CLOSE		
	Within 1.5 to 2 miles CLOSE		
	Within 2 to 10 miles CLOSE		
	More than 10 miles away (approx.) CLOSE		
Q3	If you were to use this filling station once it has open likely to travel to this filling station? Showcard s3	ied, v	which of these best describes how you would be mo
	Always by vehicle		Go to Q4
	Always on foot		Go to Q4
	Mostly by vehicle but sometimes on foot		Go to Q4
	Mostly on foot but sometimes by vehicle		Go to Q4
	Other (write in)		Go to Q3
Q4	Once this filling station has opened, do you think you Showcard s4	ı wou	ld be likely to use this station as a source of
	Interviewer - Read out		
	Petrol or DERV (fuel)		Go to Q5
	Groceries		Go to Q6
	Both for Petrol or DERV (fuel) and Groceries		Go to Q5
	Unlikely to use this service station		CLOSE

Groceries - 'food or other things used within the home'



Appendix 2 – Research Questionnaire

(Continued)

Q5	How often do you think you would visit this s	station for the purchase of p	petrol or DERV (fuel)?
	Every day		
	4 - 5 times a week		_
	2 - 3 times a week		_
	Once a week		—
	2 - 3 times a month		_
	Once a month		_
	Once every 2 months		_
	3 - 4 times a year		_
	Once a year		_
	Less often		_
	First visit		-
06			_
Q6	How often do you think you would visit this showcard s5		
	Every day		_
	4 - 5 times a week		
	2 - 3 times a week		_
	Once a week		_
	2 - 3 times a month		_
	Once a month		_
	Once every 2 months		_
	3 - 4 times a year		_
	Once a year		-
	Less often		·····
	First visit		
Q7	Again thinking about when this petrol station principal source for: Showcard s6a & s6b	n has opened, do you think	you would treat this premises as you
	Interviewer - Read out full statement above fo	or both petrol <u>and</u> groceries	
		Yes	No
	Purchasing Petrol or DERV (fuel)		
	Purchasing Groceries		
Q8	Would you consider yourself materially disadv and therefore to be unable to provide you wi Showcard s7	_	were this premises not to open up,
		Yes	No
	Petrol or DERV (fuel)		
	Would you have an alternative fuel source you could use?		
	Is this alternative fuel source available to		
	you without causing you to be disadvantaged or inconvenienced in any way?		
	If no: Why is this? (probe fully)		



Appendix 2 – Research Questionnaire

(Continued)

unable to provide you with		
Showcard s7b		
	Yes	No
Groceries		
Would you have an alternative grocery source you could use?		
Is this alternative grocery source available to you without causing you to be disadvantaged or inconvenienced in any		
way? If no: Why is this? (probe fully)		
Finally: How often do you personally purchase a	lcohol in a supermarket, shop	o or off licence nowaday
Weekly or more often		
Fortnightly		
Monthly		
Less Often		
Never		
you would be to purchase alcohol here?	·	
you would be to purchase alcohol here? Very likely		
you would be to purchase alcohol here?		
you would be to purchase alcohol here? Very likely		
you would be to purchase alcohol here? Very likely		
you would be to purchase alcohol here? Very likely		
Quite likely		
you would be to purchase alcohol here? Very likely		
Very likely	ke to make about the new pe	etrol station opening in
you would be to purchase alcohol here? Very likely	ke to make about the new pe	etrol station opening in
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Very likely	ke to make about the new pe	etrol station opening in
Very likely	ke to make about the new pe	etrol station opening in

TAYLOR MCKENZIE RESEARCH & MARKETING LTD



Interviewer Say: Could you please tell me your home postcode, this is so we can get a better understanding of store catchment. This data will never be used for contacting you and will never be passed on with any personal information.
Interviewer please enter with a space, as follows e.g. G2 4EZ

Postcode



Appendix 3 – Open Ended Responses

"Q8b - Would you consider yourself materially disadvantaged or inconvenienced were this premises to be unable to provide you with Fuel? If yes: Why is this?

"Nearest is faraway"

"Nothing nearby"

"Quite far to go for fuel"

"Rest are further away"

"Too far to go for others"

"Have to go further"

"Much nearer in Tweedbank"

"No other petrol station in Melrose or tweedbank"

"Just because it's nearer ease of access for petrol"

"Sometimes I am low on petrol and it's inconvenient to go into town"

"Because no petrol station in my area also for groceries this would be nearer than Gala"

"Got to go further into Gala"

"Driving all the way to Gala for petrol"

Q8e: If NO: Why would this fuel source cause you to be disadvantaged or inconvenienced? Include as much detail as possible:

"It would be"



Appendix 4 – Postcodes of Population of Interest

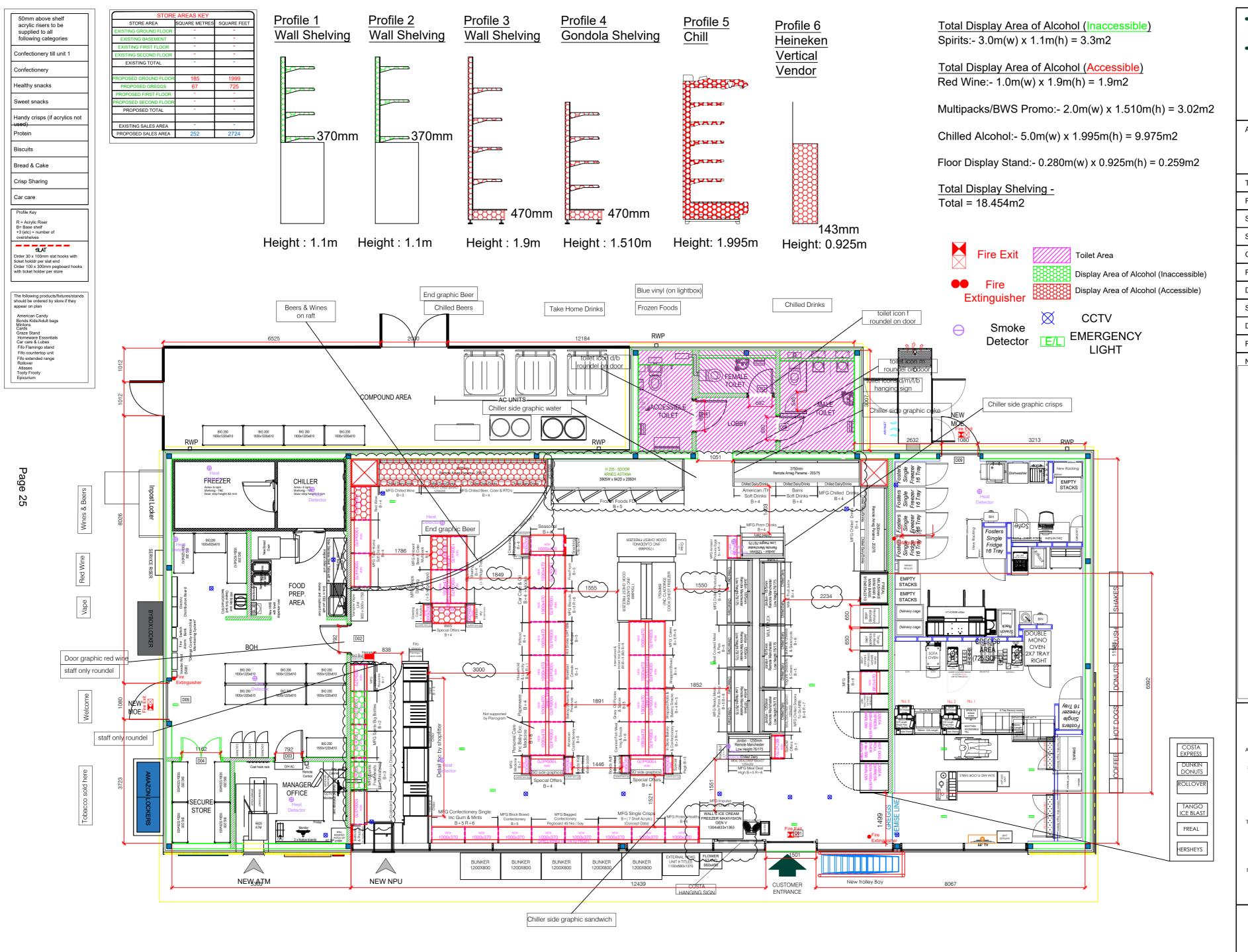
"Td1 3je" "TD1 3st" "TD1 3rz" "TD1 2qh" "TD1 3SQ" "Td6 9aa" "Td6 9ad" "TD1 3SU" "Td1 3rl" "TD6 9AD" "Td1 3su" "TD1 3RY" "TD1 2EH" "TD1 3SH" "TD1 3RY" "Td1 3rf" "Td1 3jz" "TD1 3st" "TD6 9SG" "Td6 9AL" "TD1 3RB" "TD1 3SG" "TD6 9ST" "TD6 9AW" "TD6 9ST" "TD1 2LN" "TD1 2DS" "TD1 3SA" "Td1 3er" "TD1 3SA" "TD1 3RD" "TD6 9AY" "TD1 3SX" "TD1 3SB" "Td1 3ss" "TD6 9SN" "TD6 9AY"

"TD6 9BT" "Td1 3su" "TD6 9SL" "TD13RB" "TD13RE" "TD13ST" "TD13SS" "TD69AA" "TD13SY" "TD13SY" "TD13RB" "TD12DN" "TD13SY" "TD13SY" "Td13ST" "TD13ST" "TD13SY" "TD13ST" "TD13SY" "TD69AE" "TD13SY" "TD13ST" "TD13ST" "TD13SQ" "TD13ST" "TD13RB" "TD13ST" "TD13ST" "TD13RB" "TD69SX" "TD69SG" "TD1 3TB" "TD1 3RS" "TD1 3RS" "TD1 3RN" "TD1 3RY"

W taylormckenzie.co.uk

"TD1 3RF"





Budgens **TWEEDBANK**

PROPOSED

ADDRESS	TWEEDBANK S/ STATION GALASHIELDS
TELEPHONE NUMBER	TBC
FORMAT	MFG FORECOURT (NTI)
STORE NUMBER	TBC
SALES AREA	1999 SQ/FT
GROUND FLOOR AREA	SQ/FT
FIRST FLOOR AREA	SQ/FT
DRAWN BY	D OUTRAM
SCALE	1:75 @ A2
DATE	20.01.23
REVISION	F

NOTES

Space Analysis	
MFG Matrix (2000 SQFT)	Actual
16	17 (8 X 937)
55	54 (Exc S/F)
3	3
4	5
	MFG Matrix (2000 SQFT) 16

- Chilled Produce short by 625mm
- Fresh Meat & Poultry & Cooked meats combined
- Meat Pies Sausage & Salad short by 313mm
- Butter Cheese & Salad pots short by 313mm Yogurts Dessert & cream Short by 313mm
- Milk & Fruit Juice over by 625mm 1 x American & Take Home soft drinks bay added
- Greeting Cards in side Frame
- No Homeware side Frame Magazine in side frame (Not bay)
- Single confectionery short by 200mm
- American Confectionery Bay added No Kids Sweet (requested)
- Block Box & Multi Pack Bay Combined
- 1 x Single Crisps Bay over
 1 x Bay of Chilled Beer & Ciders over
- Chilled wines short by 313mm Red Wine Bay short (requested)
- 1 x Ambient Beers bay short
- 1 x Extra bay of spirits
- Vape in unit (TBC) On sales floor Clearance in side frame (Not Bay)

ALL DIMENSIONS ARE SHOWN IN MILLIMETRES UNLESS STATED OTHERWISE, & MUST BE CHECKED BY THE SHOPFITTER PRIOR TO COMMENCEMENT OF WORK ON SITE.

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