

Springwood Estate
Kelso TD5 8LS
(Provisional)

Proposed business activity - The premises is a refurbished building on the Springwood Riverside Village/Caravan Park, which has been created as a new community facility for the site and the adjacent resident's village. The facility consists of a café/bar, reception area, office, laundry, lounge areas, TV room, toilet facilities, as well as a large external seating area. The proposal being to sell alcohol on an On and Off-Sale basis.

Licensed hours applied for:

ON SALE

Mon to Sun 11.00am – 11.00pm

Representations received:

Police Scotland - none.

Licensing Standards Enforcement Officer - none.

Health - none.

Other - none.

OFF-SALE

Mon to Sun 10.00am – 10.00pm

(b) **Section 29: Application for Variation of Premises Licence**

(Pages 19 - 36)

Consider application for Variation of Premises Licence (applicants cited to attend.)

(Copy attached.)

Jordan MacFarlane
Glenisla
Elsrickle
Biggar, ML12 6QZ

Old Bakehouse
Main Street
WEST LINTON
EH46 7EA

Amendments to the Operating and Layout Plan to include the following:-

- a change to the core On and Off-Sale Hours –

<u>Current On Sale Hours</u>	<u>Proposed On Sale Hours</u>
12.00pm – 12.00 Midnight Mon to Sun	11.00am – 12 midnight Sun to Thurs 11.00am – 1.00am Fri & Sat
- Current Off-Sale Hours
NONE 10.00am – 10.00pm Mon to Sun
- Proposed Off-Sale Hours
- amend the seasonal variation at question 4 to read 'Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and New Year's Day open until 1.00am or within any other Licensing Board Policy;
- the addition to the permitted activities referred to in question 5 (columns 2, 3 & 4) of the Operating Plan, to include conference facilities; Club or Group meetings; films; indoor/outdoor sports and televised sport both within and outwith core hours;
- the addition to the permitted activities referred to in question 5 (column 4) of the Operating Plan, to include receptions (including weddings, funerals, birthdays, retirements etc); and recorded music, outwith core hours;
- the addition to the permitted activities referred to in question 5 (columns 2 & 3) of the Operating Plan, to include Gaming within core hours;
- the addition of the terms/explanation at question 5(e) of the Operating Plan relating to the list of permitted activities (as to "YES" in column 4)
- the addition of the terms/explanation at question 5 (f) of the Operating Plan relating to activities other than those stated in question 5(a) to (e);
- Change Statement of Children and Young Persons access to read:-

	<p>“Children and Young Persons will be allowed access unsupervised to the front area of the premises being used as a takeaway delicatessen. Children will be allowed access to the restaurant areas when accompanied by an adult for the purpose of a meal or partaking of refreshments. Young Persons for the same reason but unaccompanied”</p> <ul style="list-style-type: none"> The bar counter to be moved from the front area of premises to the rear extended dining area (Garden Room). An off-sale display of mainly craft spirits/beers will be situated in front area (delicatessen) of premises. Front area of premises will have a delicatessen counter for retail of takeaway foods. <p><u>Representations received:</u> Police Scotland - none Licensing Standards Officer - none Health - none Other – none</p>
7.	<p>Chief Constable's Annual Report 2022/23 (Pages 37 - 54) Consider report by Chief Constable, Police Scotland for the period 1 April 2022 - 31 March 2023. (Copy attached.)</p>
8.	<p>Scottish Borders Alcohol Profile 2021-23 (Pages 55 - 80)</p> <p>Consider report by Susan Elliot, Alcohol & Drugs Partnership Co-ordinator for Scottish Borders Area, on behalf of the Scottish Borders Licensing Forum. (Copy attached.)</p>
9.	<p>Items likely to be Taken in Private Before proceeding with the private business, the following motion should be approved:</p> <p>“That under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 14 of Part 1 of Schedule 7A to the aforementioned Act”</p>
10.	<p>Minute (Pages 81 - 82)</p> <p>Private Section of Minute of meeting of 26 May 2023 to be approved and signed by the Convener (Copy attached.)</p>
11.	<p>Any other items previously circulated</p>
12.	<p>Any other items which the Convener decides are Urgent</p>

NOTE

Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.

Membership of Committee:- Councillors M. Douglas (Convener), J. Cox, P. Brown, D. Parker, J. PatonDay, N. Richards, F. Sinclair, E. Small and T. Weatherston

Please direct any enquiries to Fiona Henderson Tele: 01835 826502
E-mail: fhenderson@scotborders.gov.uk

**SCOTTISH BORDERS COUNCIL
LICENSING BOARD**

MINUTE of Meeting of the SCOTTISH
BORDERS LICENSING BOARD held via
Microsoft Teams on 26 May 2023 at 10.00 am

- Present:- Councillors M. Douglas (Convener), P. Brown, J. Cox, J. PatonDay, N. Richards, E. Small, F. Sinclair, T. Weatherston.
- Apologies:- Councillor D. Parker, Licensing Standards and Enforcement Officer (M. Wynne)
- In Attendance:- Managing Solicitor (Property and Licensing), Licensing Standards and Enforcement Officer (J. Scott), Licensing Officers – (S. Lackenby and T. Thomson), Sergeant R. Stark and Inspector R. Noble (Police Scotland), Democratic Services Officer (F. Henderson).

1.0 MINUTE

There had been circulated copies of the Minute of the Meeting held on 28 April 2023.

DECISION

APPROVED the minute for signature by the Convener.

2.0 LICENCES DEALT WITH UNDER DELEGATED POWERS

For Members' information there had been circulated copies of lists of licences dealt with under delegated powers for the period 15 April – 12 May 2023.

**DECISION
NOTED.**

PRIVATE BUSINESS

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 14 of Part I of Schedule 7A to the Act.

Summary of Private Business

3.0 Section 84A - Review of Personal Licence

The Licensing Board reviewed a Personal Licence Holders Licence and agreed to revoke the Personal Licence with immediate effect.

4.0 MINUTE

The Board considered the Private Minute of the Meeting held on 28 April 2023.

The meeting concluded at 10.35 a.m.

This page is intentionally left blank



SCOTTISH BORDERS LICENSING BOARD

APPLICATION FOR PREMISES LICENCE/PROVISIONAL PREMISES LICENCE*

**Delete as appropriate*

Licensing (Scotland) Act 2005, section 20

APPLICANT INFORMATION *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

The Roxburgh
Springwood Riverside Park
Springwood Estate
Kelso
TD5 8LS

Question 2

Particulars of applicant

(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.

[Empty box for individual applicant details]

(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

[Empty box for partnership details]

(c) Where applicant is a company, please provide name, registered office and company registration number.

Cove Communities Venture 2 Springwood Opco Limited
1 Bartholomew Lane
London
EC2N 2AZ

Company Reg No. 14121462

(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.*

SEE ATTACHED SHEET

* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

Question 3

Previous applications

Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? NO

If YES – provide full details

Question 4

Previous convictions

Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	NO
---	-----------

*If YES – provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

DESCRIPTION OF PREMISES *Licensing (Scotland) Act 2005, section 20(2)(a)*

Question 5

Description of premises (where application is submitted by a members' club, please also complete question 6)

A Caravan Park located near the historic market town of Kelso, Springwood. It is set in an old estate parkland and surrounded by mature woodland on the banks of the River Teviot, providing owners with facilities such as restaurant / cafe.

The park is roughly 300m to the closest residents.

It is proposed to commence a multi-million pound development to revamp a mothballed building and add further luxury lodges with communal playgrounds for children, hot tubs, outdoor seating areas with further developments to be available in the future.

Question 6

To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

N/A

**delete as appropriate*

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature .. [redacted] * (see note below)

Date 16th January 2023

Capacity AGENT for the applicant

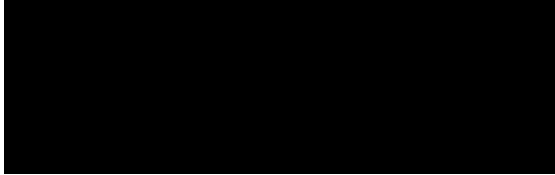
Telephone number and email address of signatory [redacted]
Jonathan Smith, Poppleston Allen Solicitors, 37 Stoney Street, The Lace Market, Nottingham, NG1 1

LS

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	✓
<i>Layout plan</i>	✓
<i>Planning certificate</i>	✓
<i>Building standards certificate</i>	✓
<i>Food hygiene certificate</i>	✓

LIST OF DIRECTORS FOR COVE COMMUNITIES VENTURE 2 SPRINGWOOD OPCO LIMITED

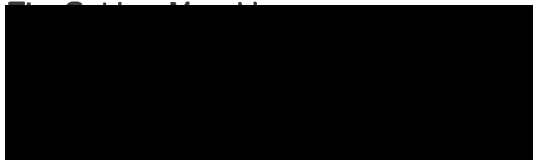
David Anthony Napp
Chief Executive Officer / Director



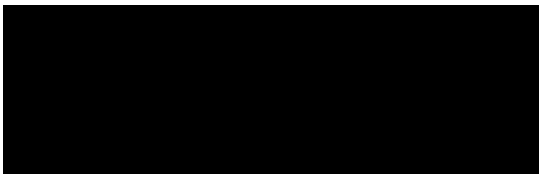
Geoffrey Michael Smith
Director

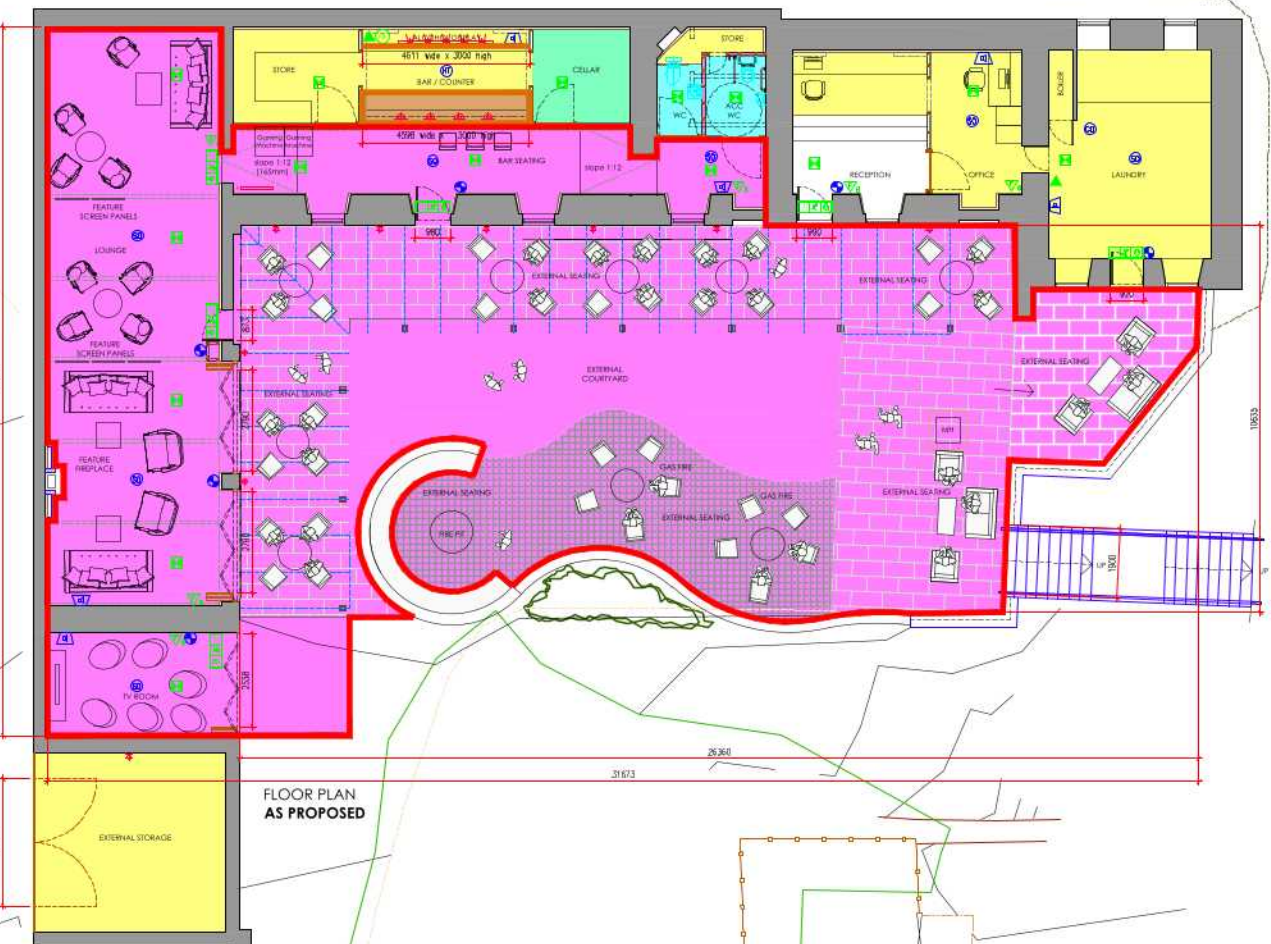


Mark Seaton
Director



Francisco Barbosa Varandas Fernandes
Director





LEGEND

- Staff only areas
- Public toilets
- Liquor storage areas
- Liquor bar countertops
- Area to be used for the sale of alcohol and provision of activities described in the operating plan. Children's certified accessible.
- Area for the selling of Late Night Refreshments
- Site Boundary

- | PORTABLE FIRE FIGHTING EQUIPMENT | | INITIATING EQUIPMENT | |
|--|--------------------------|----------------------|-------------------|
| FIRE EXTINGUISHER, FOAM TYPE | HEAT DETECTOR | SMOKE DETECTOR | MANUAL CALL POINT |
| FIRE EXTINGUISHER, CARBON DIOXIDE TYPE | CARBON MONOXIDE DETECTOR | | |
| FIRE BLANKET | | | |

- | OTHER | WARNING EQUIPMENT |
|--|-----------------------------|
| EMERGENCY LUMINAIRE | WARNING DEVICE, LOUDSPEAKER |
| ILLUMINATED FIRE EXIT SIGN | WARNING DEVICE, VISUAL |
| ILLUMINATED FIRE EXIT SIGN (DIRECTIONAL) | |

EXTERNAL CAPACITY - 60 PEOPLE
 INTERNAL CAPACITY - 40 PEOPLE
TOTAL CAPACITY - 100 PEOPLE

Rev : C _ Date: 13.01.23 Drawn By: RH
 LICENSING ISSUE
 Updated following request for additional information to be added by client and solicitor.

Rev : B _ Date: 30.11.22 Drawn By: RH
 LICENSING ISSUE
 Children accessible area indication as requested by solicitor.

Rev : A _ Date: 29.11.22 Drawn By: RH
 LICENSING ISSUE
 Drawing altered to comments received from client & solicitor.

REVISIONS

LICENSING

Alterations to Amenities Building
 at SPRINGWOOD KELSO
 for COVE COMMUNITIES
 PROPOSED PLAN
 LICENSING LAYOUT

6094 : LIC 01 Rev C

DRAWN BY	RH	CHECKED BY	AB
SCALE	1:200	DATE	Nov 2022

UNICK CONSULTING LIMITED
 McCAFFERTY HOUSE, 3/2 99 FIRHILL RD
 GLASGOW G20 7BE
 TEL: 0141-332 4224
 FAX: 0141-332 4226
 E-mail: info@unick.com



This page is intentionally left blank

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	NO
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	NO
<i>1(c) Will alcohol be sold for consumption ON and OFF the premises?</i>	YES
<i>*Delete as appropriate</i>	

Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening times</i>	<i>Terminal hour</i>
<i>Monday</i>	■ 11.00	2300
<i>Tuesday</i>	■ 11.00	2300
<i>Wednesday</i>	■ 11.00	2300
<i>Thursday</i>	■ 11.00	2300
<i>Friday</i>	■ 11.00	2300
<i>Saturday</i>	■ 11.00	2300
<i>Sunday</i>	■ 11.00	2300

Question 3

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening times</i>	<i>Terminal hour</i>
<i>Monday</i>	1000	2200
<i>Tuesday</i>	1000	2200
<i>Wednesday</i>	1000	2200
<i>Thursday</i>	1000	2200
<i>Friday</i>	1000	2200
<i>Saturday</i>	1000	2200
<i>Sunday</i>	1000	2200

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	YES
--	-----

**If YES —provide details*

IN ACCORDANCE WITH BOARD POLICY AN EXTENSION TO 0100 ON CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY, NEW YEARS EVE AND NEW YEARS DAY, OR ANY OTHER SUCH EXTENSIONS AS GRANTED FROM TIME TO TIME WITHIN THE SCOTTISH BORDERS LICENSING POLICY.
--

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1	COL. 2	COL. 3	COL. 4
5(a) <i>Activity</i>	<i>Please confirm</i> YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	N/A	N/A	N/A
<i>Conference facilities</i>	YES	YES	YES
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	YES	YES	YES
5(b) Activity <i>Social functions including:</i>	<i>Please confirm</i> YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including</i> <i>Weddings, funerals, birthdays, retirements etc.</i>	YES	YES	YES
<i>Club or other group meetings etc.</i>	YES	YES	YES
5(c)	<i>Please confirm</i>	To be provided during core licensed	Where activities are also to be provided

Activity	YES/NO	hours – please confirm	outwith core licensed hours please confirm
Entertainment including:		YES/NO	YES/NO
<i>Recorded music – see 5(g)</i>	YES	YES	YES
<i>Live performances – see 5(g)</i>	YES	YES	YES
<i>Dance facilities</i>	YES	YES	YES
<i>Theatre</i>	YES	YES	YES
<i>Films</i>	YES	YES	YES
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	YES	YES	YES
<i>Televised sport</i>	YES	YES	YES
5(d)	Please confirm	To be provided during core licensed hours – please confirm	Where activities are also to be provided outwith core licensed hours please confirm
Activity	YES/NO	YES/NO	YES/NO
<i>Outdoor drinking facilities</i>	YES	YES	YES
5(e)	Please confirm	To be provided during core licensed hours – please confirm	Where activities are also to be provided outwith core licensed hours please confirm
Activity	YES/NO	YES/NO	YES/NO
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

THIS IS A FAMILY HOLIDAY PARK, WE OFFER VARIOUS ACTMTIES AND DIFFERENT FORMS OF ENTERTAINMENT OUTWITH CORE HOURS SUCH AS CHILDRENS CHARACTER BREAKFAST EVENTS. CONFERENCES, BIRTHDAYS, CLUB EVENTS AND OTHER SUCH SOCIAL GATHERINGS CAN ALSO TAKE PLACE OUTSIDE CORE HOURS. FOOD IS PROVIDED THROUGHOUT THE HOLIDAY PARK DURING AND OUTWITH CORE HOURS FOR GUESTS STAYING ON THE PARK.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

N/A

5(g) *Late night premises opening after 1.00am*

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	N/A
---	-----

When fully occupied are there likely to be more customers standing than seated?	N/A
---	-----

*Delete as appropriate	
------------------------	--

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES
------	--	-----

	*Delete as appropriate	
--	------------------------	--

6(b) Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry

AS A FAMILY ORIENTATED RESORT, CHILDREN AND YOUNG PERSONS WILL BE ALLOWED ACCESS WHENEVER THE FACILITIES ARE OPEN. PARENTS, GUARDIANS OR A RESPONSIBLE ADULT ARE ACCOUNTABLE FOR THE BEHAVIOUR AND ACTIONS OF CHILDREN IN THEIR CARE. SOME ACTIVITIES WILL STATE THAT PARENT OR GUARDIAN SUPERVISION IS REQUIRED.

6(c) Provide statement regarding the AGES of children or young persons to be allowed entry

0 TO 17 YEARS OLD

6(d) Provide statement regarding the TIMES during which children and young persons will be allowed entry

AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

6(e) Provide statement regarding the PARTS of the premises to which children and young persons will be allowed entry

TO ALL PUBLIC AREAS

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

ON SALES 40 INTERNALLY ON SALES 60 EXTERNALLY OFF SALES 40 INTERNALLY OFF SALES FROM THE AREA OF THE BAR SERVERY SHOWN ON THE LAYOUT PLAN WHICH IS AN AREA OF 4.61M WIDE AND 3.1M HIGH WITH TOTAL AREA OF 14.29M SQUARE
--

Question 8

PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)

Personal details

8(a) Name

[Redacted]

8(b) Date of birth

[Redacted]

8(c) Contact address

[Redacted]

8(d) Email address

[Redacted]

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
[Redacted]	[Redacted]	[Redacted]

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature *Poppleston Allen Licensing Solicitors*

Date 15th March 2023

Capacity AGENT for the applicant

Telephone number and email address of signatory Angela Gardner, [Redacted]
[Redacted]
[Redacted]

*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

This page is intentionally left blank

23/02/11 | SEC 29



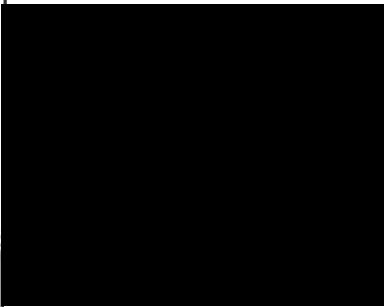
SCOTTISH BORDERS LICENSING BOARD

<p>Licensing (Scotland) Act 2005, Section 29</p> <p>APPLICATION FOR VARIATION OF PREMISES LICENCE</p>
<p><i>If you are completing this form by hand, please write legibly in block capitals using ink</i></p>

Question 1

Please provide the name, address, postcode, date and place of birth, and contact telephone number of the current Licensee.

Jordan MacFarlane



Question 2

*Please provide full name, address, postcode and *licence number of the premises (*if known)*

**Old Bakehouse
Main Street
West Linton**

EH46 7EA

SB/PREM/131

Question 3

Do you propose to vary any of the information contained in the operating plan contained in the licence application?

YES

Where the proposed variation affects the current operating plan, please submit an operating plan including the proposed variations.

(if YES, please give details of the proposed variation below) (continue on a separate sheet if necessary)

Change Question 1 to state that alcohol will be sold for consumption both ON and OFF the premises.

Question 2- Change ON sales core hours to commence at 1100 hrs Monday –Sunday and to terminate at 0100 hrs on a Friday and Saturday.

Question 3 – Change of Sales core hours to commence at 1000 hrs and terminate at 2200 hrs Monday to Sunday

Question 4 – change seasonal variation to yes

Question 5 –

Change Conference facilities to YES in columns 2,3,4.

Change Receptions to YES in column 4,

Change Club or group meetings to YES in columns 2,3,4.

Change recorded music to YES in column 4.

Change Films to YES in columns 2,3,4.

Change Gaming to YES in columns 2,3.

Change Indoor/outdoor sports to YES in columns 2,3,4.

Change Televised sport to YES in columns 2,3,4.

Add details of activities listed in column 4.

Add details of other activities to include front area of premises (delicatessen) will have an off sale display and retail takeaway foods.

Question 6 – Change terms of children and young persons access and times to incorporate delicatessen takeaway service at front area of premises.

Question 4

Do you propose a variation to the layout plan contained in the licence? YES

Where the proposed variation affects the current layout plan, please submit 5 sets of plans showing the proposed new layout of the premises.

(if YES, please give details of the proposed variation below - continue on a separate sheet if necessary)

The bar counter to be moved from front area of premises to rear extended dining area (Garden room). An off sale display of mainly craft spirits/beers will be situated in front area (delicatessen) of premises. Front area of premises will have a delicatessen counter for retail of takeaway foods.

Question 5

Do you propose to vary any other information contained or referred to in the licence, including an addition, deletion or other modification? **YES** (if YES, please give details of the proposed variation below - continue on a separate sheet if necessary)

The front area of the premises previously a lounge will be a delicatessen for sale of takeaway foods.

VARIATION TO SUBSTITUTE NEW PREMISES MANAGER

Question 6

Please provide details below of the name, address and personal licence number of the EXISTING Premises Manager.

Proposed Premises Manager

Name and telephone number

Date and place of birth

Contact address, including postcode

Email address

Personal licence

Date of issue	Name of Licensing Board issuing	Reference number of personal licence

Is the variation in respect of Question 6 to take effect during the application period? **YES/NO**

If the answer to the above question is NO, please provide below the date from which the variation is to take effect.

--

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT
If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature: [REDACTED]

*(see note below)

Date: Capacity:

APPLICANT/~~AGENT~~ (delete as appropriate)

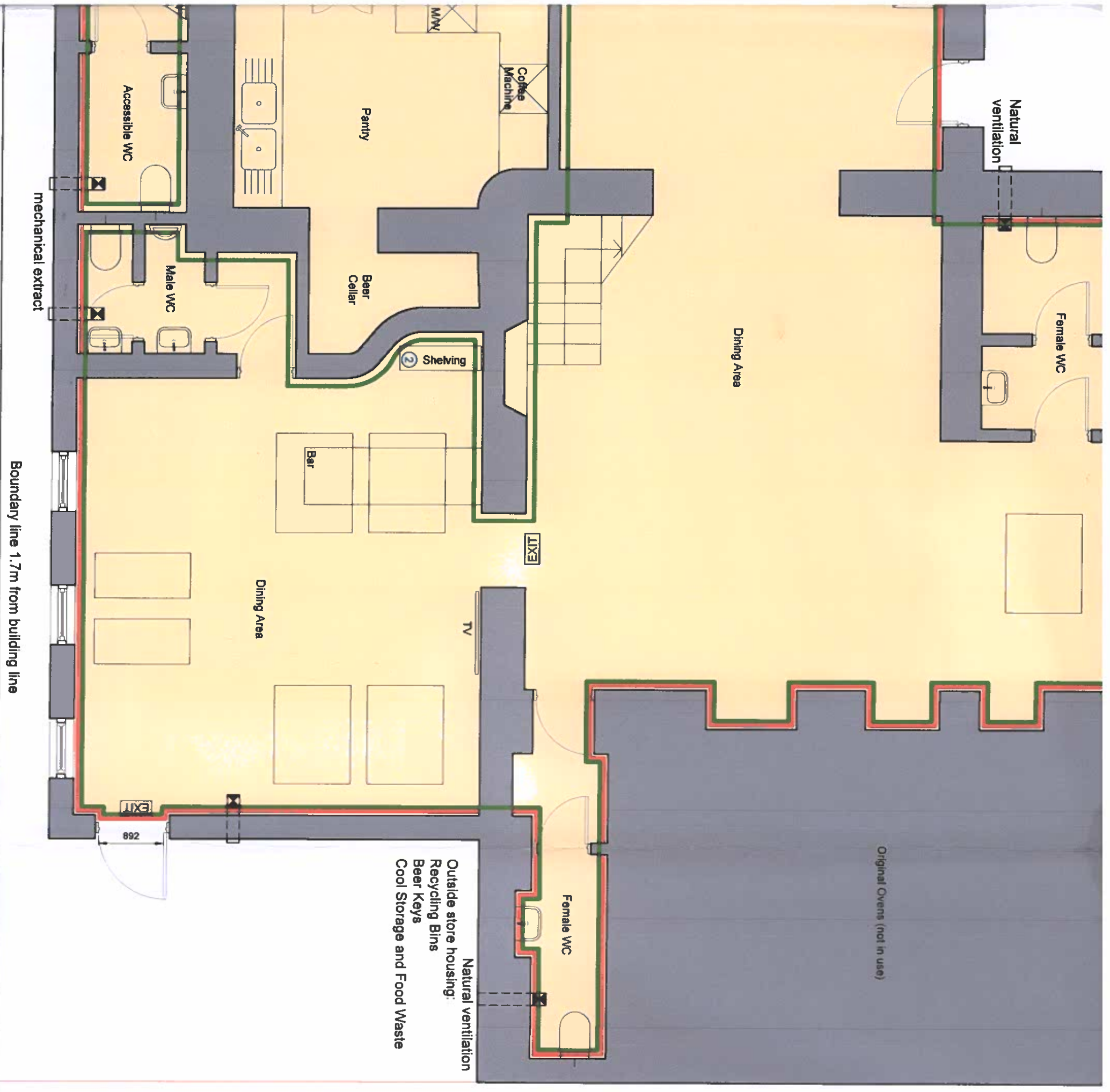
Telephone number and email address of signatory: [REDACTED]

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
Premises Licence	✓
Operating Plan**	✓
Layout plans**	✓
Planning certificate	
Building standards certificate	
Food hygiene certificate	

** Where the proposed variation affects the current layout plan, please submit 7 sets of plans showing the proposed new layout of the premises. Where the proposed variation affects the current operating plan, please submit an operating plan including the proposed variations.

Variations involving structural alterations should submit the relevant Section 50 certificates with their application.


For use by the Licensing Board only Application checklist	
Date received <i>17/8/2023</i>	Documents
Fee amount <i>£210</i>	Premises Licence
Receipt number <i>Paid by BACS</i>	Operating Plan
Received by (INITIALS)	Layout Plans
Consideration date	Planning Certificate
Last date for consideration	Building Standard Certificate
Date of initial hearing	Food Hygiene Certificate
Date of any modification hearing	
Date granted/refused (delete as appropriate)	



Outside store housing:
 Recycling Bins
 Beer Keys
 Cool Storage and Food Waste

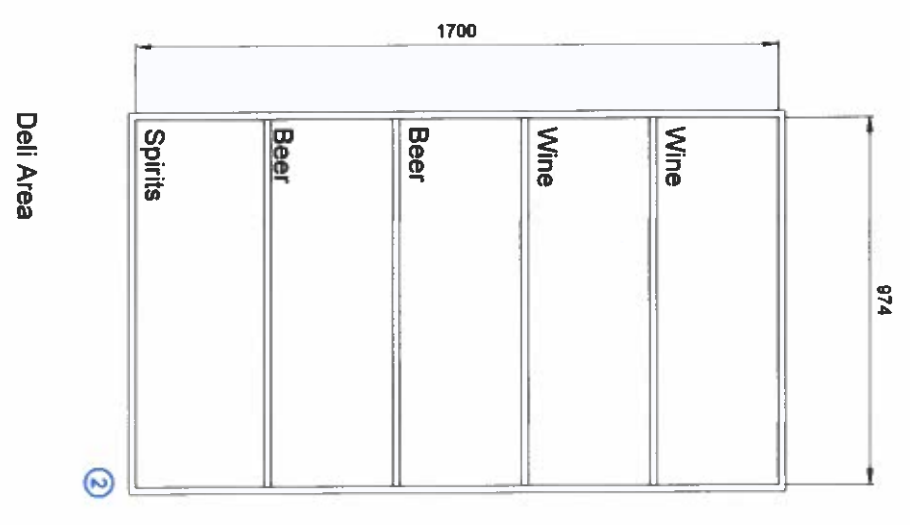
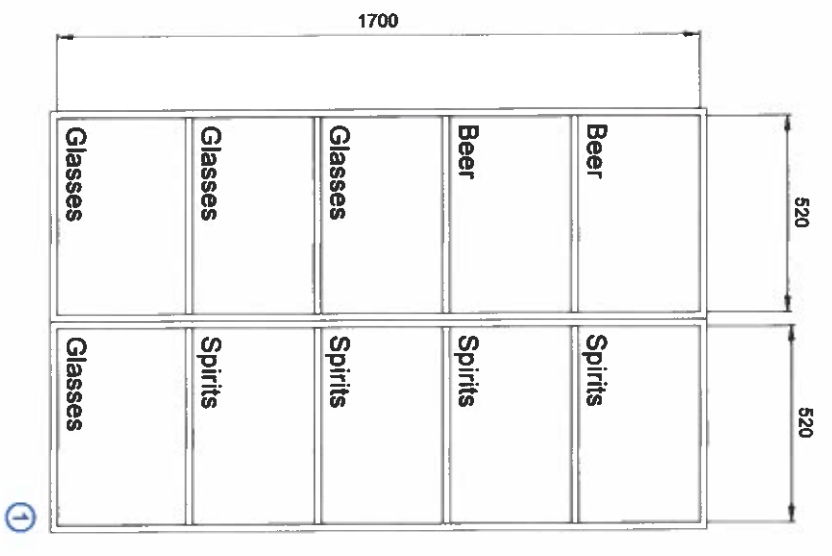
Original Ovens (not in use)

Client: Jordan MacFarlane			
Job Title: Pyet Main Street WEST LINTON EH46 7EA			
Drawing No. 0744(L)001	Revision -		
Status Licence Plan			
Drawing Title: Ground and First Floor Plans		Scale: 1:50	
		Date: Aug 2022	
		Drawn: TH	

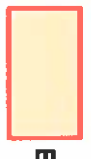

Jelfcoate Anderson Architects
 Residential · Commercial · Domestic
 Glasgow: Main Street, West Linton, EH46 7EA
 Edinburgh: 59 Waverley Park Road, EH4 1HH
 Tel: 0131 229 0001
 office@jelfcoate-anderson.co.uk
 www.jelfcoate-anderson.co.uk

THE APPLICANT MUST ENSURE THAT THE UPHOLSTERED FURNITURE SATISFIES THE CIGARETTE AND MATCH IGNITABILITY TEST SPECIFIED IN BRITISH STANDARD 6852: 1990 (1998). (NOTE - FOR EXISTING FURNISHINGS ONLY)

A CERTIFICATE OF COMPLIANCE TO THE AFOREMENTIONED BRITISH STANDARDS SHOULD BE ISSUED BY A COMPETENT PERSON AND FORWARDED TO THE FIRE AUTHORITY PRIOR TO, OR ON THE DATE OF FINAL INSPECTION OF THE PREMISES.



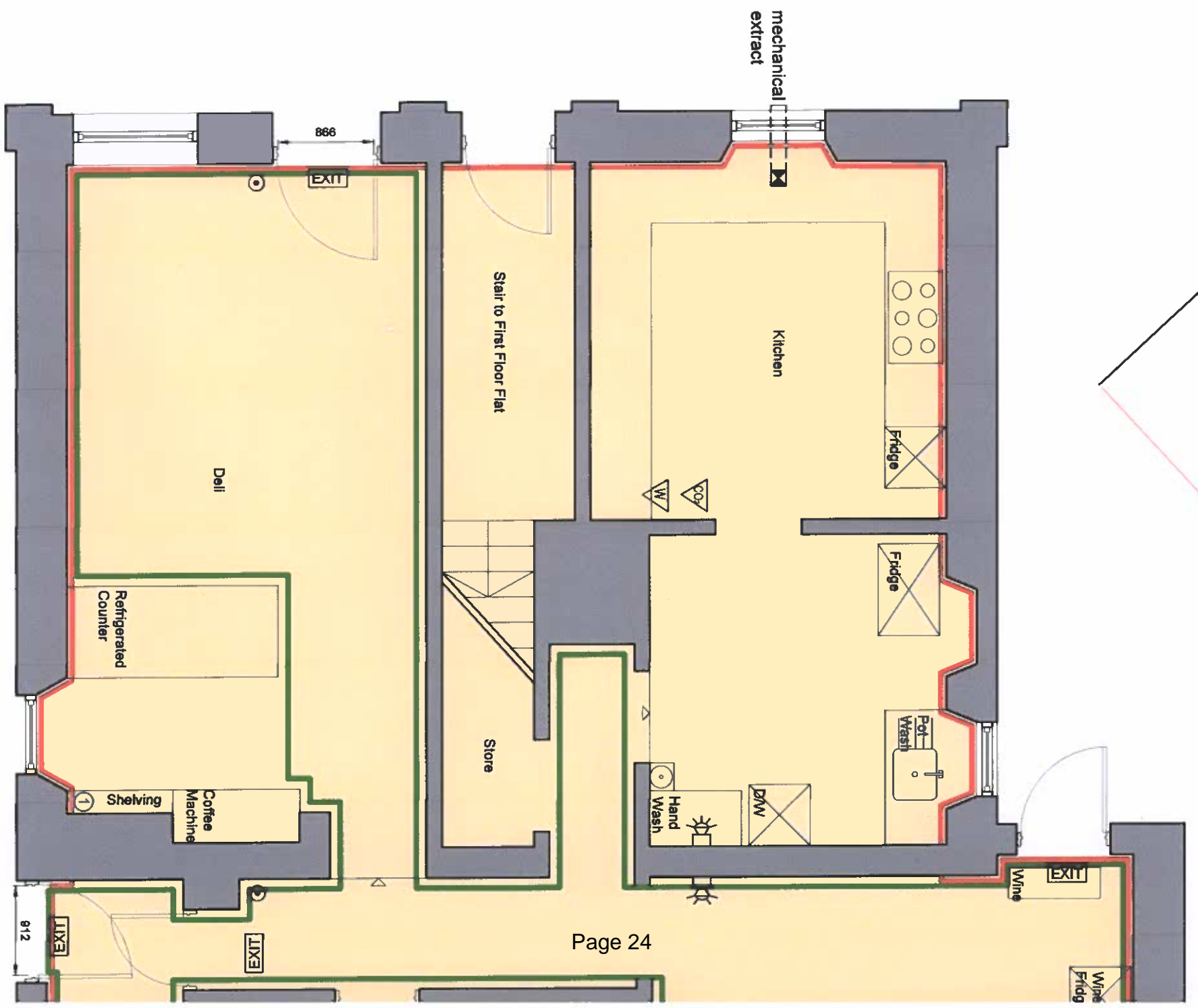
PLAN.
 NOTE - ANY INFORMATION PROVIDED ON THIS LAYOUT PLAN THAT IS NOT REQUIRED BY THE LICENSING (SCOTLAND) ACT 2005 OR REGULATIONS MADE THEREUNDER IS PROVIDED PURELY FOR THE PURPOSE OF ASSISTANCE. SUCH INFORMATION SPECIFICALLY DOES NOT FORM PART OF ANY PREMISES LICENCE.

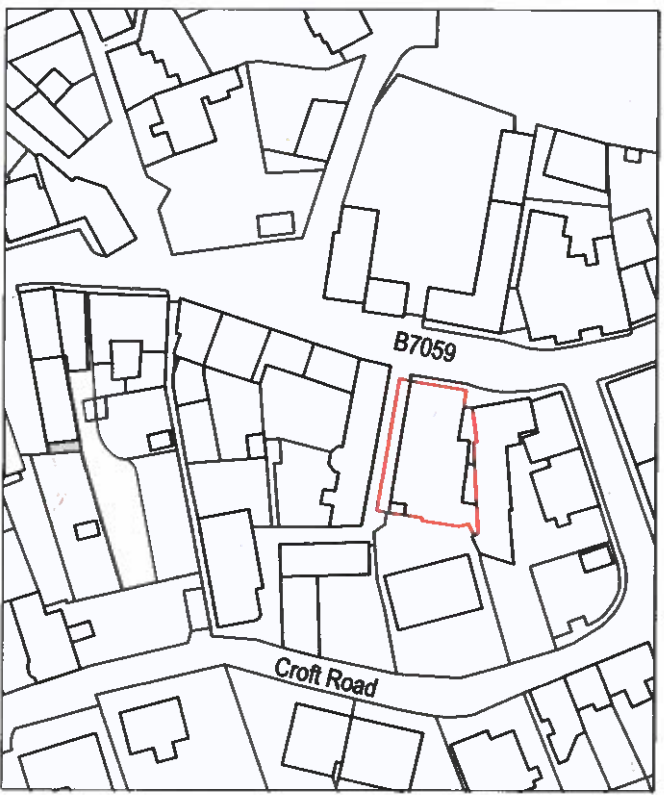


EXTENT OF LICENSED PREMISES

TOTAL PUBLIC AREA 246(M2)
 RESTAURANT WAITING -M2
 RESTAURANT -M2

PUBLIC OCCUPANCY OF PREMISES - 100 PERSONS





SITE LOCATION PLAN SCALE 1:1250



ALCOHOL DISPLAY KEY

1. ALCOHOL DISPLAY SHELVING 1
TOTAL LINEAR DISPLAY - 3.2m
DIMENSION OF DISPLAY FRONTAGE (LXH) 1.04x1.7m
 2. ALCOHOL DISPLAY SHELVING 2
TOTAL LINEAR DISPLAY - 4.8m
DIMENSION OF DISPLAY FRONTAGE (LXH) 0.974M X 1.7M
- TOTAL**
TOTAL LINEAR DISPLAY - 8m
TOTAL DISPLAY FRONTAGE - 3.42m²

GENERAL NOTES

FIRE WARNING SYSTEM TO COMPLY WITH
BRITISH STANDARD 5829: PART 1:2017.

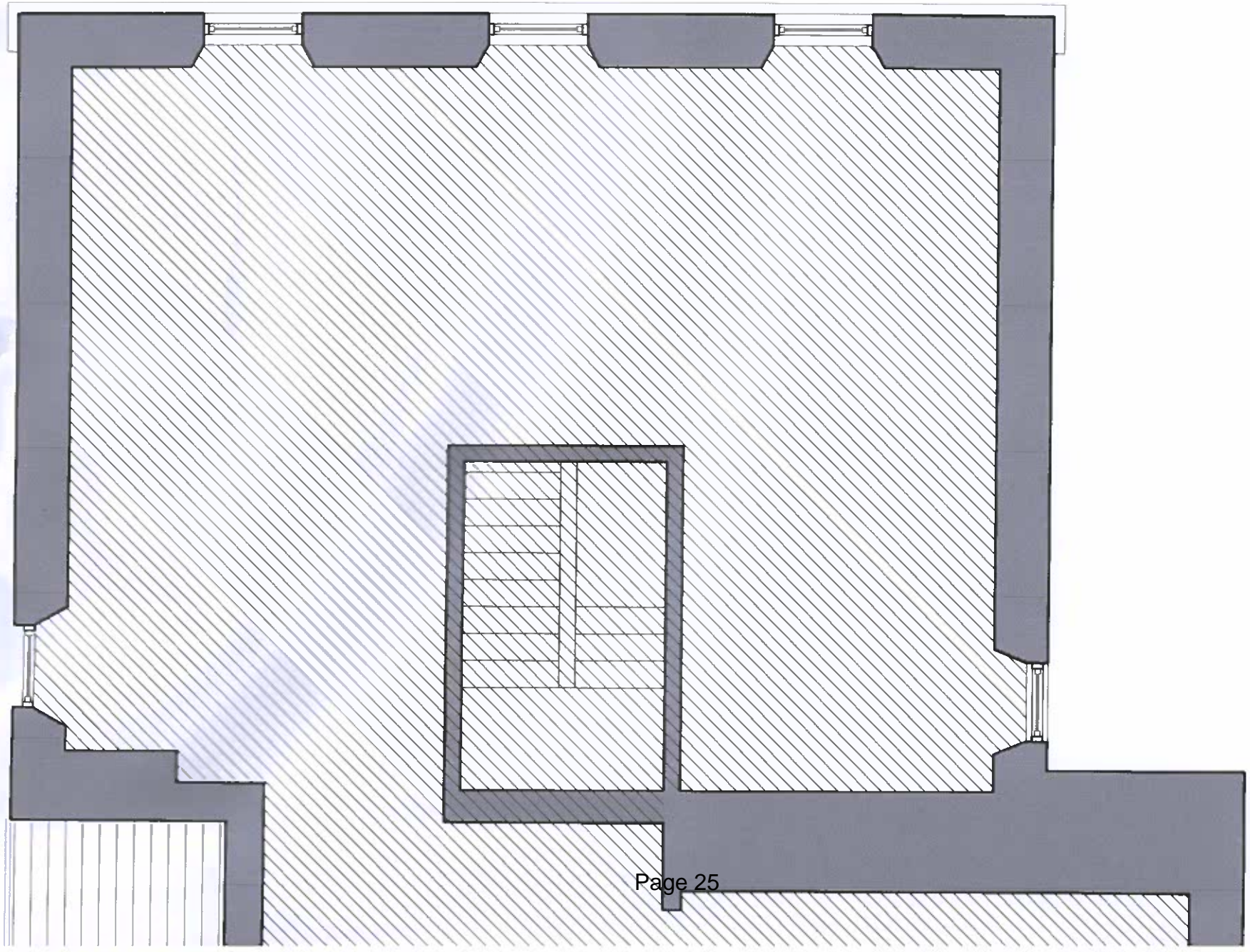
EMERGENCY LIGHTING SYSTEM TO COMPLY
WITH BRITISH STANDARD 5266: PART 1: 2011.
(MAINTAINED- 2 HOUR DURATION)

FIREFIGHTING EQUIPMENT TO COMPLY WITH
BRITISH STANDARD 5839: PART 1 : 2017

ACTIVITIES KEY

- | | |
|-------|-----------------------|
| RF- | RESTAURANT FACILITIES |
| BM- | BAR MEALS |
| REC- | RECEPTIONS |
| C/GM- | CLUB/GROUP MEETINGS |
| RM- | RECORDED MUSIC |
| TV- | TELEVISED SPORT |

AREA OUTLINED IN HEAVY GREEN LINE INDICATES
AREAS ACCESSIBLE TO CHILDREN AND YOUNG PERSONS





Notes

- Do not scale from drawings.
- Contractor to check all dimensions on site prior to commencement of work and ordering of materials.
- Do not deviate from the drawings without informing architect.
- Any discrepancies on site must be reported to the architect immediately.
- All work to be in accordance with the Building (Scotland) Regulations 2004 and all current amendments.
- All work to be in accordance with current British Standards.
- All work to be carried out in accordance with manufacturers instructions.
- This drawing is not to be reproduced without permission.
Copyright Jalecoate Anderson Architects Ltd 2022.
- The drawing is to be read in conjunction with all related architects and engineer's drawings and any other relevant information.

Rev	Details	Date	By
X	Details	XX.XX.XX	XX

SCOTTISH BORDERS LICENSING BOARD

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>(a) Will alcohol be sold for consumption solely ON the premises?</i>	NO
<i>(b) Will alcohol be sold for consumption solely OFF the premises?</i>	NO
<i>(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES

**delete as appropriate*

Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

Day	ON Consumption	
	Opening time	Terminal hour
Monday	11.00 am	12.00 midnight
Tuesday	11.00 am	12.00 midnight
Wednesday	11.00 am	12.00 midnight
Thursday	11.00 am	12.00 midnight
Friday	11.00 am	01.00 am
Saturday	11.00 am	01.00 am
Sunday	11.00 am	12.00 midnight

Question 3

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10.00 am	10.00 pm
Tuesday	10.00 am	10.00 pm
Wednesday	10.00 am	10.00 pm
Thursday	10.00 am	10.00 pm
Friday	10.00 am	10.00 pm
Saturday	10.00 am	10.00 pm
Sunday	10.00 am	10.00 pm

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES
---	-----

*If YES – provide details

Christmas Eve, Christmas Day, Boxing Day, New Years Eve and New Years Day open until 1.00 am or within Licensing Board Policy

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COLUMN 1 (a) Activity	COLUMN 2 Please confirm YES/NO	COLUMN 3 To be provided during core licensed hours – please confirm YES/NO	COLUMN 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	NO	NO
Conference facilities	YES	YES	YES
Restaurant facilities	YES	YES	YES
Bar meals	NO	NO	NO
(b) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Social functions including: Receptions including weddings, funerals,	YES	YES	YES

<i>birthdays, retirements etc.</i>			
<i>Club or other group meetings etc</i>	YES	UYES	YES
(c) Activity Entertainment Including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see 5(g)</i>	YES	YES	YES
<i>Live performance – see 5(g)</i>	YES	YES	YES
<i>Dance facilities</i>	YES	YES	YES
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	YES	YES	YES
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	YES	YES	YES
<i>Televised sport</i>	YES	YES	YES
(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	NO	NO	NO
(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

These activities may commence prior to core hours, but will not extend beyond without the benefit of an Extended Hours Licence.

(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

A takeaway food service will be provided via a delicatessen counter at the front area of the premises.

(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	YES/NO*
<i>When fully occupied, are there likely to be more customers standing than seated?</i>	YES/NO*

**delete as appropriate*

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	YES
-----	---	------------

**delete as appropriate*

(b) Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry

Children and Young persons will be allowed access unsupervised to the front area of the premises being used as a takeaway delicatessen.

Children will be allowed access to the restaurant areas when accompanied by an adult for the purpose of a meal or partaking of refreshments.

Young persons for the same reason but unaccompanied.

(c) Provide statement regarding the AGES of children or young persons to be allowed entry

Children 0-15 years

Young persons 16-17 years

(d) Provide statement regarding the TIMES during which children and young persons will be allowed entry

Delicatessen area – From opening time 0700 hrs to 1800 hrs.

Restaurant areas- From opening time to 2300 hrs unless they are attending a private function where they will be permitted to stay to end of core hours.

(e) Provide statement regarding the PARTS of the premises to which children and young persons will be allowed entry

All public areas including toilets.

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

70

Question 8

PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)

Personal details

(a) *Name*

Jordan MacFarlane

(b) *Date of birth*

[REDACTED]

(c) *Contact address*

[REDACTED]

(d) *Telephone number and e-mail address*

[REDACTED]

(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference number of personal licence</i>
05/12/2019	South Lanarkshire Licensing Board	SL/LAN/856

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity

The contents of this operating plan are true to the best of my knowledge and belief.

Signature:

[REDACTED]

ate:

This page is intentionally left blank



**SCOTTISH BORDERS LICENSING BOARD
OPERATING PLAN**

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

(a) Will alcohol be sold for consumption solely ON the premises?	YES
(b) Will alcohol be sold for consumption solely OFF the premises?	NO
(c) Will alcohol be sold for consumption both ON and OFF the premises?	NO

Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	12.00noon	12.00midnight
<i>Tuesday</i>	12.00noon	12.00midnight
<i>Wednesday</i>	12.00noon	12.00midnight
<i>Thursday</i>	12.00noon	12.00midnight
<i>Friday</i>	12.00noon	12.00midnight
<i>Saturday</i>	12.00noon	12.00midnight
<i>Sunday</i>	12.00noon	12.00midnight

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	None	None
Tuesday	None	None
Wednesday	None	None
Thursday	None	None
Friday	None	None
Saturday	None	None
Sunday	None	None

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	No
---	----

*If YES – provide details

--

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 (a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	No	No	No
Conference facilities	No	No	No
Restaurant facilities	Yes	Yes	Yes
Bar meals	No	No	No
(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including weddings, funerals, birthdays, retirements etc.	Yes	Yes	No
Club or other group meetings etc.	No	No	No

(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music –see 5(g)</i>	Yes	Yes	No
<i>Live performance – see 5(g)</i>	Yes	Yes	No
<i>Dance facilities</i>	Yes	Yes	Yes
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	No	No	No
(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	No	No	No
(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	No	No	No

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	N/A
<i>When fully occupied, are there likely to be more customers standing than seated?</i>	N/A

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES
-----	--	-----

(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

Children will be allowed access when accompanied by an adult for the purpose of a meal or partaking of refreshments.
Young persons for the same reason but unaccompanied.

(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

Children 0-15 years
Young persons 16-17 years

(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

From opening time to 11.00pm unless they are attending a private function where they will be permitted to stay to end of core hours.

(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

All public areas including toilets.

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

70

Scottish Borders Licensing Report 2022-2023



**POLICE
SCOTLAND**
Keeping people safe

OFFICIAL
NOT PROTECTIVELY MARKED

Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2022/23, in accordance with Section 12(A) Licensing (Scotland) Act 2005.

Police Scotland has continued to achieve success by focussing on prevention, early intervention and enforcement. This has been made far more effective with the continued support of the many active partnerships that exist within the 32 Local Authorities across Scotland.

This collaborative working is vital to ensuring a fair and consistent approach to licensing while focussing on preventing alcohol fuelled violence, disorder and antisocial behaviour.

In the year ahead our approach will remain focused on prevention and collaboration to ensure efficient and effective service delivery. I will continue to encourage officers and staff to utilise the range of options available to improve licensing standards, reduce violence and to positively influence behaviour and attitudes across Scotland.

I would like to take this opportunity to thank our local partnerships and acknowledge their contribution in continuing to drive improvements with the Licensed Trade, and for the communities we all serve.

Sir Iain Livingstone QPM

Chief Constable

Police Service of Scotland

OFFICIAL
NOT PROTECTIVELY MARKED

Police Scotland Licensing Overview –

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Partnerships Prevention & Community Wellbeing based at Dalmarnock Police Station, Glasgow.

The VPLCU upholds the two tier structure for licensing which supports both national and local priorities through service delivery. They have overall responsibility for determining and delivering national licensing strategy and policy, by providing advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

The Violence Prevention and Licensing Co-ordination Unit is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2022/2023, from a licensing perspective, our particular focus was on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management. Police Scotland are currently working on upgrade to the National ICT system to ensure compliance with GDPR legislation.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

OFFICIAL
NOT PROTECTIVELY MARKED

LICENSING BOARD AREA

The Licensing Board area is policed by Lothians & Scottish Borders (J) Division. Chief Superintendent Catriona Paton is the Local Police Commander who has the responsibility for all day-to-day policing functions. The Local Area Commander Chief Inspector Vincent Fisher is based at Galashiels. He is responsible for performance management, community engagement, partnership working and the daily management of local personnel.

Chief Inspector Fisher is supported by Inspector Robbie Noble who is also based at Galashiels. The Scottish Borders Licensing Boards are predominantly attended by PC Scott Dishington.

The Licensing Department is part of the Divisional Co-ordination Unit based at Dalkeith Police Station. The senior officers who have responsibility for Licensing are Inspector John McEwan and Sergeant Rachel Stark.

The local liquor Licensing Department is based at Duns Police Station. This consists of one police officer, PC Scott Dishington, supported by administration staff based at Dalkeith Police Station and West Lothian Civic Centre.

Local Policing Priorities

Following our public consultation process, the policing priorities for J Division, as set out in our Local Policing Plan are as follows;

- Protecting the most Vulnerable People
- Reducing Violence & Antisocial Behavior
- Reducing Acquisitive Crime
- Improving Road Safety
- Tackling Serious and Organised Crime

OFFICIAL
NOT PROTECTIVELY MARKED

In response to the local policing priorities, J divisions will continue to work in partnership with partner agencies to reduce alcohol related criminality and continue to develop night time economy plans with licensed premises. It is recognised that education, prevention, partnership working and robust policing are all key factors in reducing crime and disorder in this area.

Description of Board Area

The command area of Scottish Borders serves, as of 30 June 2021 (most recent figures), a population of 116,020 people which is 2.1 % of Scotland's population (National Records of Scotland), covering 55296 households, in an area covering over 1827 square miles, reaching from the Midlothian/East Lothian borders in the north to the border with England in the south and to Lanarkshire in the West. The Scottish Borders had the 18th highest population (2021) out of all 32 council areas in Scotland. The age group 25-44 saw a 22.9% decline in numbers between 2001 and 2021 while the 65 - 74 age group saw a 51.2% increase in volume of population over the same period (National records of Scotland). Approximately 18723 persons residing in the Scottish Borders are in the under 16 age group, 67642 in the age group 16-64 and 29655 in the age group 65 and above. Between 2018 and 2028, the population of the Scottish Borders is projected to increase from 115,270 to 116,435. This is an increase of 1%, which compares to a projected increase of 1.8% for Scotland as a whole.

There are currently:

- 39 'on sales' only premises,
- 105 'off sales' only premises, and
- 292 combined on/off sales premises

Giving a total of 436 premises in the Scottish Borders licensed to sell alcohol. This is a reduction of 15 premises since the last reporting year

There is an additional demand on Police resourcing in the Scottish Borders area, especially during the summer months due to the Common Ridings and Rugby 7's tournaments. There are currently 2 active premises trading until 3am and 1 premise trading until 2am at the weekends, with annual occasional extensions for some Common Riding Town Balls extending their usual business hours.

OFFICIAL
NOT PROTECTIVELY MARKED

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

The Licensing Officer is responsible for processing all correspondence received from the Licensing Board. The officer reviews applications on behalf of the Chief Constable as part of the consultation process in conjunction with the Area Commander. This consultation process forms part of the Police support of the Licensing Objectives.

This section concentrates on how the Act has been applied by the licensing team and other local policing officers to support the Licensing Objectives in tandem with the local/national policing priorities.

In the Scottish Borders, there were 206 recorded incidents in licensed premises between 1st April 2022 and 31st March 2023, this figure shows a decrease from the previous year of 13%.

On Friday and Saturday evenings police officers are deployed on foot where other incidents permit, to aid with dispersal of licensed premises and reduce antisocial behaviour and violence related incidents between the hours of 2200-0400.

The proactive use of exclusion orders and antisocial behaviour legislation continues to contribute hugely to reducing repeat offending in licensed premises.

The misuse of alcohol is regularly cited as a contributory factor in relation to crimes of violence, domestic abuse, disorder and antisocial behaviour occurring on our street and within our homes. In addition, alcohol is also known to lower inhibitions which can have an impact on people's lives, both resulting in them becoming victims of crime, as well as the perpetrator, which can have serious consequences for individuals and their families.

We continue to ensure there is a concerted focus on the issues surrounding the sale and supply of alcohol within our communities and work together in partnership with Licensed Premises and other agencies to promote responsible trading practices, ultimately keeping people safe.

OFFICIAL
NOT PROTECTIVELY MARKED

The intervention Process

As detailed in previous reports to the Licensing Board, issues in licensed premises are assessed using a well-established intervention process. Incidents connected to premises are identified by licensing officers who evaluate the Licensing Objectives to determine if any have been compromised.

Police intervention usually results in a meeting with the appropriate representatives of the premises concerned e.g. premises licence holder, designated premises manager and if appropriate, any stewarding company to discuss concerns and agree a way forward to resolve these.

Premises being monitored by way of the above system are subject to weekly visits by either local officer's or licensing officers to monitor progress, measure improvement and ensure that agreed remedial measures are implemented.

The intervention system is ultimately designed to support the licence holder before any premises review is sought, although a serious or significant incident may obviously merit an immediate review application.

Depending on the severity of the incident and history of the premises, licensing officers will categorise the premises/incident as follows:

OFFICIAL
NOT PROTECTIVELY MARKED

Police Intervention Categories		Number this reporting Year
RED	Problematic Premises – those operating in a manner inconsistent with the Licensing Objectives or out with the conditions of a premises licence and where local police intervention and support has failed or is unlikely to succeed in resolving the issues. A premises review request to the local Licensing Board is considered the most appropriate way to address the issue.	0
AMBER	Premises that require Formal Intervention. Issues have arisen and a formal intervention agreement is entered into between premises licence holders and Divisional Licensing teams to resolve them. This action may be taken with more serious or repeat issues.	0
GREEN	Monitored – the premises have come to note for a minor adverse issue and are being monitored. This may result in an informal intervention in terms of advice/support to the premises along with police visits.	0
NO ACTION	Action – An incident review has highlighted no issues regarding the management of the premises or licensing legislation. No further police action.	0

Section 1 – Unlicensed Sale of Alcohol

Alcohol is not to be sold on any licensed premises except and in accordance with a Premises Licence or Occasional Licence. During the reporting year no premises or events were found to be operating unlicensed.

Section 22 - Applications

There are currently a number of Provisional Premises Licences which are divided up as follows:

- On Sales – 3
- Off Sales – 22
- On/Off Sales – 9

OFFICIAL
NOT PROTECTIVELY MARKED

Section 36 – Application for Review of Licence

Police Scotland only seek review of a premises licence when an intervention has failed, is likely to fail or there is a serious risk to public safety if the premises continues to operate in the same manner e.g. the resulting problems as well as community impact must be considered.

Section 63 – Sale or Supply out with licensed hours

Officers in The Scottish Borders monitor the sale or supply of alcohol out with licensed hours closely. Local officers continue to make pro-active visits to licensed premises, particularly at weekends, to ensure premises are being managed appropriately. The police Innkeeper IT solution can be accessed by police control staff and officers alike, twenty four seven, providing any information on licensed hours etc. that are required, out with normal office hours of the Licensing Department. Close monitoring of premises through the use of Innkeeper, tasking's, and night time economy dispersal details continue to assist in reducing offending of this nature. In this reporting year, there has been no licence holders reported for this type of offence.

Section 72 – Personal Licence Applications

There were 46 applications made for the grant or renewal of personal licences during this reporting year in the Scottish Borders. This is a significant decrease on the previous year from 131 applications. This equates to a 64% decrease since the previous reported year.

The amendment to legislation in terms of the Criminal Justice and Licensing (Scotland) Act 2010 and the Police and Fire Reform (Scotland) Act 2012 permitting the Chief Constable to request refusal for the purposes of 'any' Licensing Objective has widened the scope for making appropriate representations to the Board. During this reporting year there has been one representation of this type made to the Licensing Board, resulting in the applicant being refused his personal license.

Section 84 (84A) – Personal Licence Reviews

Police Licensing Officers are responsible for monitoring the conduct of personal licence holders. Again, the amendment to legislation has widened the ability for the Chief Constable to report conduct inconsistent with the Licensing Objectives.

There was one Personal Licence Review requested by Police Scotland in this reporting year.

Section 94 – Exclusion Orders

When a person has been charged with a violent offence within or in the immediate vicinity of any licensed premises, a request for an Exclusion Order is included in the 'remarks' section of the police report. Exclusion Orders are granted by the Courts, 'on conviction', and can exclude a person from specific licensed premises for between three months and up to two years. The Police Licensing Officer proactively drives the request for exclusion orders whenever there is an incident in or in the immediate vicinity of licensed premises. Persistent offenders can also be dealt with under the Anti-Social Behaviour legislation. The use of Exclusion Orders are fully supported by the licensed operators in the Scottish Borders. There were no exclusion orders during the dates reported.

Section 97 – Closure Orders

There were no closure orders used within the Scottish Borders during the reporting year. It is fully expected that should a premises require to cease trading, due to a serious risk to public safety, that we would receive full cooperation from the licence holder or person in charge.

Violence and Anti-Social Behaviour

A total of 1194 acts of violence* were recorded within the Scottish Borders area for the period from 1st April 2022 to 31st March 2023. This equates to three attempted murders, one culpable homicide, 51 serious assaults, 23 robberies and 1116 common assaults which includes 101 assaults on Police Officers and 18

OFFICIAL
NOT PROTECTIVELY MARKED

assaults on Retail Workers. This represents a reduction of six crimes (0.5%) from the 2021/22 levels of violence. It should also be noted that there were four crimes of drugging recorded in the Scottish Borders during 2022/23 which aren't included in the figures above, however are relevant due to occurring in licensed premises and involving alcohol. The split between locations of crimes shows that approximately 55.3% occurred within public space versus 44.7% occurring in private space locations. A total of 47 crimes of violence were recorded for licensed premises within the Scottish Borders during 2022-23 compared to 35 reports in 2020-21. It was also noted that 17 crimes were committed within supermarkets licensed to sell alcohol with one such crime having an alcohol marker. The table below depicts the overall crimes of violence by section for the past three years for comparison.

Section	2020-21	2021-22	2022-23	Change from previous year
Duns	155	132	143	+8.3%
Galashiels	251	338	396	+ 17.2%
Hawick	241	357	275	- 23.0%
Kelso	237	257	244	-5.1%
Peebles	95	118	133	+ 12.7%

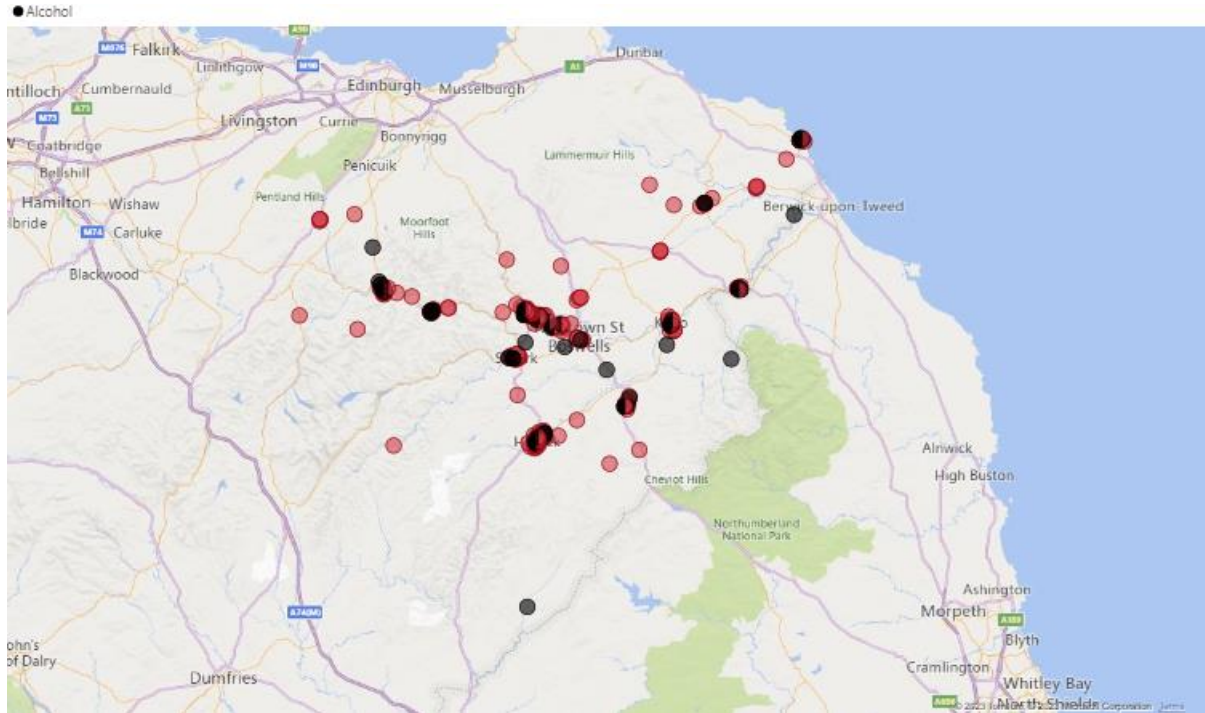
Violence data where Alcohol is a factor

Violence recording indicates an "Alcohol" marker as a clearly defined aggravator to indicate where the presence of alcohol is deemed a factor in the act of violence. Of the 1194 recorded crimes of violence for the 2022-23 period, a total of 241 (20.2%) had the alcohol marker attached to the crime report. Of that total, 95 were in private locations leaving 146 acts of violence in a public space where alcohol featured. This is a reduction in the number of crimes of violence with an alcohol marker from the previous year by 31.9%.

The following map indicates the locations of public space violence where alcohol is a factor. The black dots indicate crimes with an alcohol marker while the red dots are the other public location violent crimes where no such aggravator has been added.

The areas showing as highest for violent crimes with an alcohol marker are the main populated towns of Galashiels and Hawick, followed by Peebles and Kelso. All other areas had less than 10 alcohol related violent crimes recorded throughout the year period. Whilst the volume of alcohol related crimes in public space increased initially upon easing of enforced restrictions due to the Coronavirus Pandemic, this trend has not continued into 2022/23. However, caution should be taken when comparing statistics during the pandemic years.

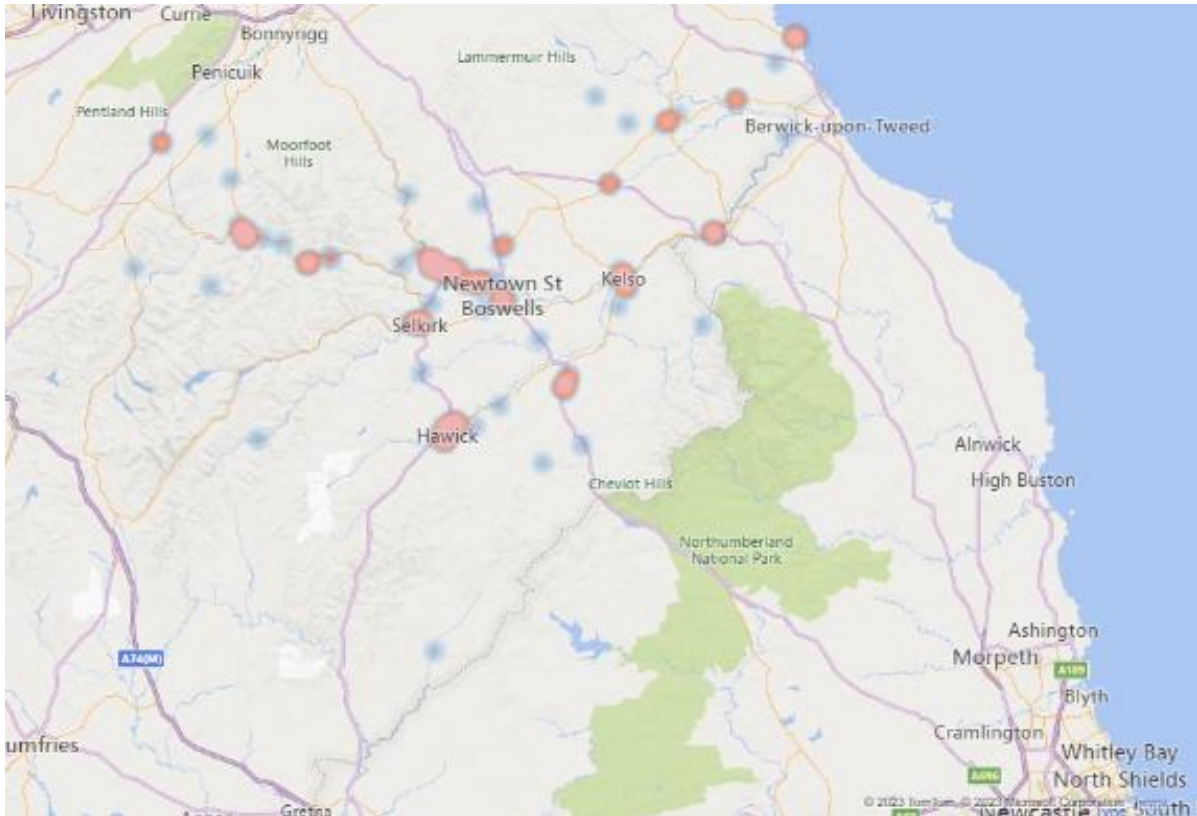
**OFFICIAL
NOT PROTECTIVELY MARKED**



Public Space Violence

The following maps indicate the main locations for crimes of public space violence within the Scottish Borders in relation to the details specified on each crime report for an act of violence recorded during 2022-23. The proportion of public space violence crimes was 55.3% from the 1194 crimes recorded during 2022-23 which is an increase from the 49.7% recorded the previous year and is likely to be a result of comparing the data to a covid year where restrictions on public gatherings were still in existence.

**OFFICIAL
NOT PROTECTIVELY MARKED**



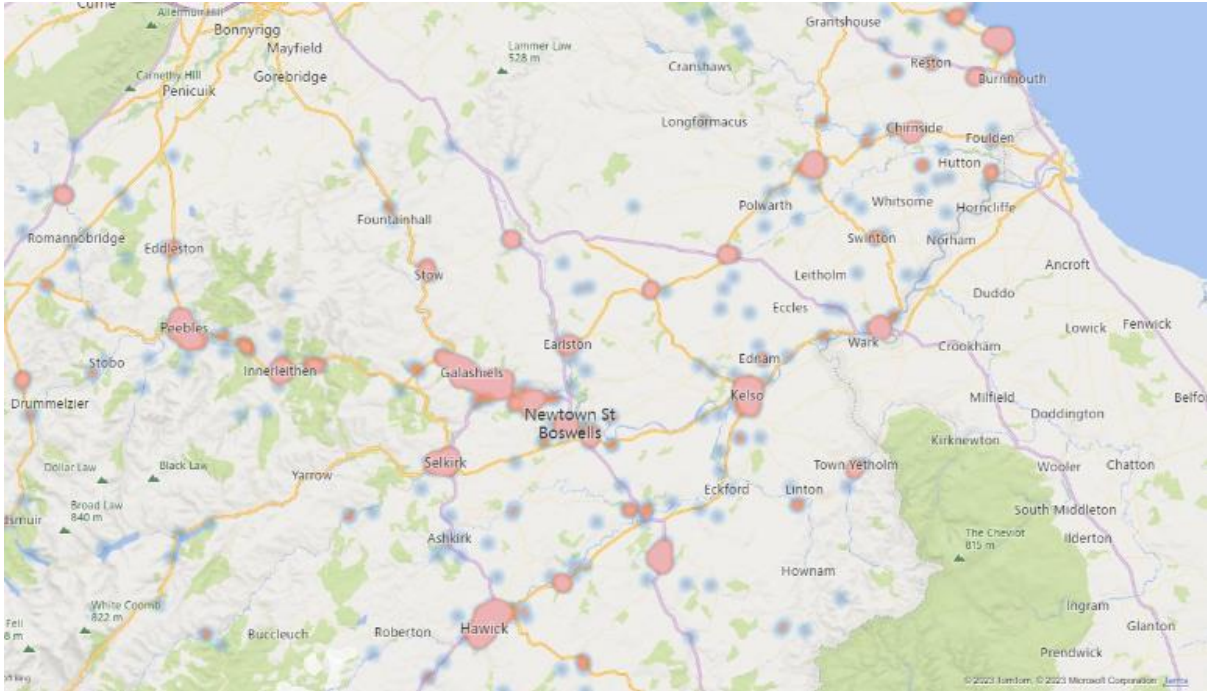
This map shows a similar distribution to the alcohol-related violence map with Galashiels, Hawick, Peebles, Kelso, and Selkirk showing as having the highest volumes of public space violence. There is little change from the situation in the locations for the previous three years, despite the Covid situation, other than an increased volume due to the removal of lockdowns reflecting in the 2020/21 and 2021/22 data.

Anti-Social Behaviour

A total of 5253 calls relating to ASB have been recorded during 2022-23 within the Scottish Borders area. This represents a slight increase of 81 calls (1.6%) from 2021-22.

The following map indicates the main locations for incidents recorded as Antisocial Behaviour.

**OFFICIAL
NOT PROTECTIVELY MARKED**



PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE

Police Scotland can make a positive impact on the future outcomes for children and families, by addressing the sale and supply of alcohol to young persons and working with our partners, taking the appropriate action to address both the potential and actual misuse of alcohol within the early years.

Officers continue to routinely proactively visit premises licensed for 'off-sales' to ensure that they are aware of their responsibilities under the 2005 Act, and in particular in the run up to and during school holidays or local events.

Likewise, officers will continue to routinely proactively visit premises licensed for 'on-sales' to ensure that management have taken all appropriate measures to prevent the sale or supply of alcohol to young people under age.

There are four dedicated Youth Community Officers and two Youth Engagement Officers based in the Scottish Borders and they are seen as one of the main links between Police and children and young persons in the area. The local licensing officer continues to work alongside these officers to provide education and support to

OFFICIAL
NOT PROTECTIVELY MARKED

students around the dangers of alcohol not only to their own health but also the impact on the community.

TACKLING SERIOUS AND ORGANISED CRIME

The Serious Organised Crime Task Force was set up by the Scottish Government to provide direction and co-ordination for all organisations involved in tackling Serious Organised Crime in Scotland.

The task force has a remit to disrupt, dismantle and pursue Serious Organised Crime Groups (SOCGs). Key partners include Police Scotland, NCA, HMRC, COPFS, SOLACE and the Scottish business Resilience Centre, amongst others.

If SOCGs gain a foothold in licensed premises then this would afford the criminal group a seemingly legitimate income stream, which could be no more than a veneer for other criminal activities such as money laundering, tax evasion, drug and people trafficking and other dishonest activities.

SOCG's pose a serious threat to communities, individuals and businesses. We use intelligence and enforcement to break the cycle of crime and reduce opportunities for criminals to profit from illegal activity.

Examples of Serious and Organised Crime (SAOC) Activity in the Board area –

Over the past year, the Police Licensing Officer has scrutinised and interrogated licence applications to identify where Serious and Organised Crime Groups (SOCGs) may be trying to enter legitimate businesses. This is particularly detailed when processing new premises and transfer applications, where the applicant may be asked to evidence the source of any financing. Unfortunately a number of SOCGs already have a foothold in licensed premises, making it challenging to object to these applications as more often than not they have no relevant convictions to comment on. In some cases they do not actually transfer the licence, they are 'tenants', who

OFFICIAL
NOT PROTECTIVELY MARKED

neither hold the premises licence or the Designated Premises Manager position and therefore are not 'relevant' persons.

The Police Licensing Officer continues to monitor the persons connected to licensed premises in Midlothian, who are known to have links to SOCGs.

All opportunity is taken to disrupt the running of these licensed premises with the assistance of the National Intervention Unit. Multi-Agency Proactive visits are conducted with key partners in an effort to put the pressure on these operators, in an effort to disrupt their activity and cease from trading.

In November 2022 Police Scotland instigated Operation Juniper to carry out a multi-agency response in an effort to target Serious and Organised Crime within Licensed Premises in J division. Joint visits were undertaken on a number of premises, whereby comprehensive checks of the premises and associated paperwork were carried out, to ensure compliance and also to provide an opportunity to identify and disrupt any criminal activity. These visits were supported by key partners including Scottish Fire and Rescue, Environmental Health, Trading Standards and the local Food Standards Agency. Although no criminality was identified at this time, this serves to pass a strong message that partnership agencies are working together to disrupt and deter SAOC.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

Proxy Campaign – It'll Cost You

A 'National Proxy Purchase Campaign' was launched in May 2022 and ran until August 2022. Police and partners engaged with premises to raise awareness of the issue of adults buying alcohol for children and young people. This was aimed at providing education, support and advice to premises, as well as using local and social media to highlight the impacts of it to communities, in an effort to reduce proxy purchases in the division as a whole.

Local Licensing Officers & Community Officers visited on and off sale premises, to hand out campaign materials, mark pavements with campaign slogan, raise the public's knowledge and awareness, as well as taking the opportunity to speak with staff providing guidance and advice, in an effort to reduce the number of proxy sales in Scottish Borders. This campaign is scheduled to take place again in June - September 2023.

OFFICIAL
NOT PROTECTIVELY MARKED

Scottish Borders Community Action Team (MCAT)

Scottish Borders Council fund 12 Police Constables and 2 Sergeants who work in two teams. They work towards six point Key Performance Indicators which they focus on and feedback directly to the Local Area Commander & Scottish Borders Council. Two of these indicators are linked with Licensing. They are -

1. Youth Engagement: actively engage with youths and foster a positive image of the police and their local communities. Act as primary first responders to youth calls, disrupt antisocial behaviour and enforce appropriate legislation firmly but fairly. Maximise alcohol seizures. Engage with partners and CBO colleagues to identify appropriate support and diversionary activities.

4. Licensed Premises: monitor licensed premises activity and act as first responders to antisocial behaviour related incidents whenever possible.

Best Bar None (BBN)

Best Bar none is a unique National Award Scheme aimed at raising standards and rewarding licensed premises who undertake positive management practices in support of a safe night out.

The purpose of the Best Bar None Scheme is to

- Reduce alcohol related crime
- Promote social responsibility and duty of care.
- Improves knowledge and skills to assist in responsible management.
- Promotes partnership working to identify good practices and areas for improvement.
- Supports due diligence
- Awards both locally and nationally to reward success.
- Operating more responsibly can improve the commercial viability and attractiveness of a venue and locality.

OFFICIAL
NOT PROTECTIVELY MARKED

Bystander Training

Bystander training is an opportunity to engage with licensees, to deliver a national training package to licence premise staff, with a view to education, to protect vulnerable persons within licensed premises and help tackle sexual violence connected to alcohol consumption.

To conclude we would like to thank you for your continued support during what has been a challenging year for all. We have all had to adapt to a new way of working and ever changing circumstances which has been embraced by all.

We look forward to a safe and healthy 2023/2024.



Alcohol Profile

August 2023

Report prepared by Susan Elliot and Rupali Sachar on behalf of the Local Licensing Forum

Table of Contents

1. Executive Summary	3
1.1 Key Data:	3
2 Introduction	5
3 Local Data	6
4. Number of Licensed Premises	7
3.1 Alcohol related health harm	9
3.1.1 Alcohol-related Hospital Stays – Scottish Borders	9
3.1.2 Alcohol related hospital admissions by Intermediate Zone	10
3.1.3 Alcohol related hospital admissions by Locality	11
3.1.4 Inequalities and alcohol-related hospital admissions	11
3.1.5 Potential for Improvement	12
3.1.6 Alcohol-specific deaths	13
3.1.7 Individuals exceeding weekly limits	13
4 Protecting Children and Young People From Harm	15
5 Community Alcohol Survey	16
6 Policy and Legislative Developments	18
6.1 Alcohol Framework	18
6.2 Minimum unit pricing	19
6.3 New Licensing Guidance	20
7 Post-Covid Recovery and the Current Context	21
Appendix 1 – Data Sources	24
Appendix Two: National Overview	25

1. Executive Summary

The aim of the Alcohol Profile (Profile) is to support the Scottish Borders Licensing Board (Licensing Board) by providing evidence to inform development of Licensing Policy Statement and support decision making.

Many different sources of evidence can be used to inform licensing policy and practice including experience and knowledge of Licensing Board members, views and experiences of people resident with the Board area as well as published alcohol data.

This report includes published alcohol data as well as views from the local community following the Community Insights Into Alcohol Impact and Licensing in Scottish Borders Survey: July 23 (Community Survey).

1.1 Key Data:

- 85% of alcohol sold in Scotland in 2021 was through the off-trade.
- The number of off-sales only licenses in Scottish Borders have increased 10% in previous five years.
- The number of occasional licensed in Scottish Borders has increased overtime and is at its highest level.
- 52% of alcohol related hospitalisations are in the most deprived areas of the Scottish Borders

The Community Survey highlighted areas for improvement in relation to:

- Increase training for staff who sell alcohol.
- Increased enforcement around licensed premises (selling to those drunk, selling to those underage).
- Request to reduce licensing hours in residential areas.
- Improve communication and education around alcohol use.
- Ensure licensed premises have information on support services.
- Stronger consideration of licensing family friendly events.
- Readdressing the balance between perceived excessive alcohol consumption and community celebration of summer festivals/rugby 7s.

The Licensing Forum's key recommendations on the Community Survey report are:

- Enhance policy around home deliveries/remote sales to minimise harm to children and young people.
- The views of the public and health professionals should strongly influence licensing decisions.
- Amend Policy to strengthen expectations around measures for underage drinking, drunkenness on premises, training and supervision for staff.
- Consider the total impact of multiple alcohol outlets (including occasional licenses) on a community.

2 Introduction

Each local licensing board in Scotland must develop a Statement of Licensing Policy. This policy sets out how the licensing board will carry out its work, including how it will promote the [five licensing objectives](#), how it will make decisions and also if the board thinks there are enough, or too many, licensed premises in an area.

The Alcohol Profile (Profile) is produced by the Alcohol & Drugs Partnership Support Team on behalf of the Local Licensing Forum and aims to collectively present the most up to date on alcohol and licensing available to support Licensing Board members in the following areas:

- Development of Statement of Licensing Policy 2023 - 2028
- Development of Statement of Overprovision
- Support decisions in upholding the five Licensing Objectives


This profile is separated into three areas:

- Local data including a summary of community views on the impact of alcohol and licensing.
- Impact of COVID-19 and the national context.

The previous [profile](#) included good practice recommendations from other Licensing Boards Policies noted within the Alcohol Focus Scotland Review of Statements of Licensing Policy 2018 – 2023.


Data sources are outlined in Appendix One.


Scottish Borders Alcohol Profile



May 2023


There are 456 places to buy alcohol in Scottish Borders:

343 on-sales premises (pubs and restaurants) 


113 off-sales premises (supermarkets and shops) 

Scottish Liquor Licensing Statistics 2021-22.

In Scottish Borders, 24% of people drink above the Chief Medical Officers' low-risk guidelines.


This includes 18% of women and 32% of men. 

This compares to 24% of people in Scotland who drink above the guidelines. Scottish Health Survey.


Parental drinking was a concern identified for 12% of children on the child protection register in Scottish Borders. 

Children's Social Work Statistics 2020-21.

53% of S2 and S4 students in Scottish Borders drink alcohol.


28% of S2 and S4 students in Scottish Borders drink alcohol at least once a month. 

Health and Wellbeing Census Scotland 2021- 2022.

There were 405 alcohol-related hospital admissions in Scottish Borders in 2021-22. 

Alcohol related hospital statistics 2021-22.

The admission rate was lower than for Scotland as a whole. ScotPho Profiles.

In Scottish Borders, 21 people died because of alcohol in 2021, from conditions solely caused by alcohol. 

Alcohol-specific deaths 2021.


The death rate was lower than for Scotland as a whole. ScotPho Profiles.

The true number of alcohol deaths is over 3 times as high when including conditions such as cancer and cardiovascular diseases. NHS Health Scotland.

Every year, alcohol costs Scottish Borders £30.50m or £270 per person.

This includes:

Health service	£4.31m
Social care	£5.27m
Crime	£10.62m
Productive capacity	£10.29m



The Societal Cost of Alcohol Misuse in Scotland for 2007.

For full references and methods, visit www.alcohol-focus-scotland.org.uk/alcohol-information/local-alcohol-profiles

About Alcohol Focus Scotland

Alcohol Focus Scotland (AFS) is the national charity working to prevent and reduce alcohol harm. Alcohol Focus Scotland is a Registered Scottish Charity (SC009538) and a Company Limited by Guarantee (Scottish Company No. SC094096)

4. Number of Licensed Premises

In 2021/22 there were 456 licensed premises compared with 450 in the previous year¹.

Whilst on-sales have remained stable over the previous five years (352 in 2017/18 to 343 2021/22) the number of off-sales only licenses have increased by 10% over this time (102 in 2017/18 to 113 2021/22).

After an increasing trend of occasional licenses being granted between 2017 – 2020, the number reduced over 2020 – 22 as a result of the COVID-19 pandemic. The most recent local data provided shows the number of occasional licenses in 2022/23 has returned to an even higher level with an increase to 1455 (Aug 22 – Aug 23) (17% increase).

No license applications have been refused in the last 5 years.

Year	2017/18	2018/19	2019/20	2020/21	2021/22
On-Sales Licenses	352	351	341	342	343
Off-Sales only Licenses	102	106	107	108	113
On-Sales applications	5	3	3	12	4
Off-Sales applications	9	7	4	3	5
Occasional Licenses Granted	1243	1356	1416	77	652
License applications refused	0	0	0	0	0
Licensing statistics for Borders includes dual on/off sales licenses					

Data from Police Scotland Chief Constable Annual Licensing Report (2020-21)

The Police Scotland Chief Constable Annual Licensing Report (2020-21) provides information on incidents in licensed premises, licensing issues and interventions in the Scottish Borders.

Key information noted in the Report include:

- There are significant demands on police resources placed in the Scottish Borders area by the Common Ridings and Rugby 7's tournaments. There are currently 3 premises trading until 3am at the weekends with annual occasional extensions for some Common Riding Town Balls extending to 5am.
- There were 200 recorded incidents in licensed premises between 1st April 2020 and 31st March 2021, this figure shows a decrease of 41% when compared with the previous year.

¹ [Scottish Liquor Licensing Statistics - gov.scot \(www.gov.scot\)](http://www.gov.scot/Scottish-Liquor-Licensing-Statistics)

There continues to be a notable trend in thefts of alcohol from ‘off sales’ premises over the reporting year, this may be due to the impact that Covid-19 has had on society.

- On Friday and Saturday evenings police officers are deployed on foot, where other incidents permit, to aid with dispersal of licensed premises and reduce antisocial behaviour and violence related incidents between the hours of 2200-0400.
- Violence recording indicates an “Alcohol” marker as a clearly defined aggravator to indicate where the presence of alcohol is deemed a factor in the act of violence.
 - Of the 979 recorded crimes of violence for 2020-21, 239 had the alcohol marker attached to the crime report. Of those, 134 were in residential locations and 105 in a public space.
 - Galashiels, Hawick, Kelso, Selkirk and Peebles are the area’s most frequently affected by public space violence where alcohol is a factor with most incidents taken place in the late evening/early morning across the weekend.
- The following offences relating to Children and Young People were reported during 2020-21

Number of offences reported – Scottish Borders	2019-20	2020-21
Section 102 (sale of alcohol to a child or young person)	0	0
Section 103 (allowing the sale of alcohol to a child or young person)	0	0
Section 104A (supply of alcohol to a child)	2	1
Section 104B (supply of alcohol to a young person)	5	5
Section 105 (purchase of alcohol by or for a child or young person)	2	0

The following licensing offences related to drunkenness and disorder have been reported to the Crown Office Procurator Fiscal Service (COPFS) during the reporting year.

Number of offences reported – Scottish Borders	2019-20	2020-21
Section 111 (drunk persons within licensed premises)	1	1
Section 112 (obtaining alcohol by or for a drunk person)	0	1
Section 113 (sale of alcohol to a drunk person)	0	1
Section 114 (DPM drunk whilst on duty)	2	0
Section 115 (disorderly conduct within licensed premises)	0	0
Section 116 (refusal to leave licensed premises)	8	3

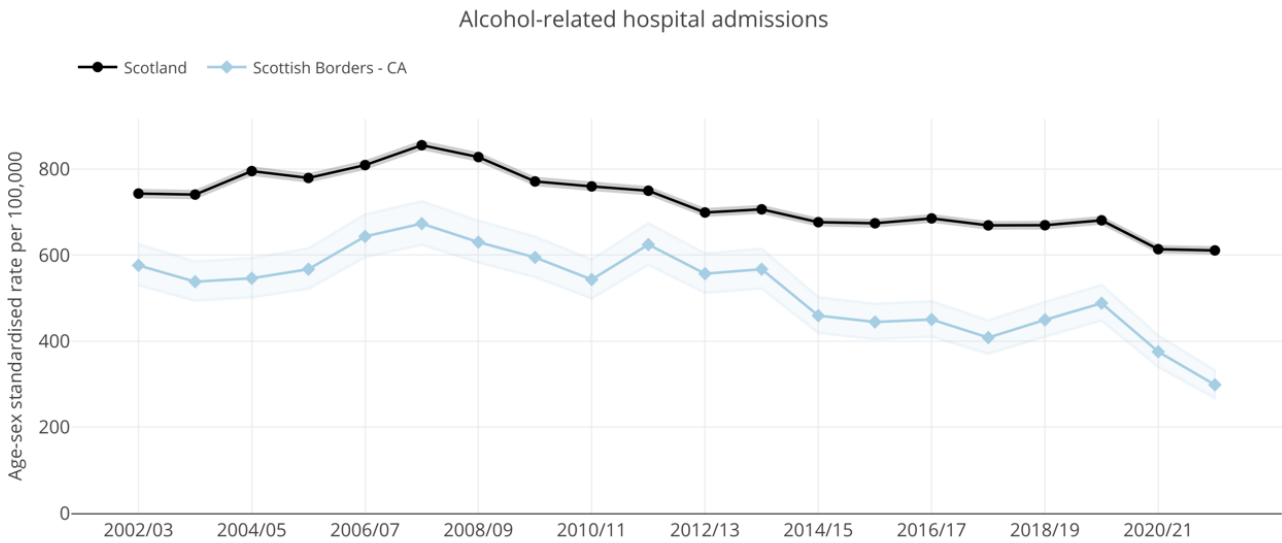
3.1 Alcohol related health harm

Excessive alcohol consumption causes harm to:



3.1.1 Alcohol-related Hospital Stays – Scottish Borders

The chart below shows the rate of alcohol related general acute hospital stays in Scottish Borders has reduced overtime to 298 per 100,000 population in 2021/22 compared with 375 in the previous year. Borders rate has consistently been better than the Scottish average.

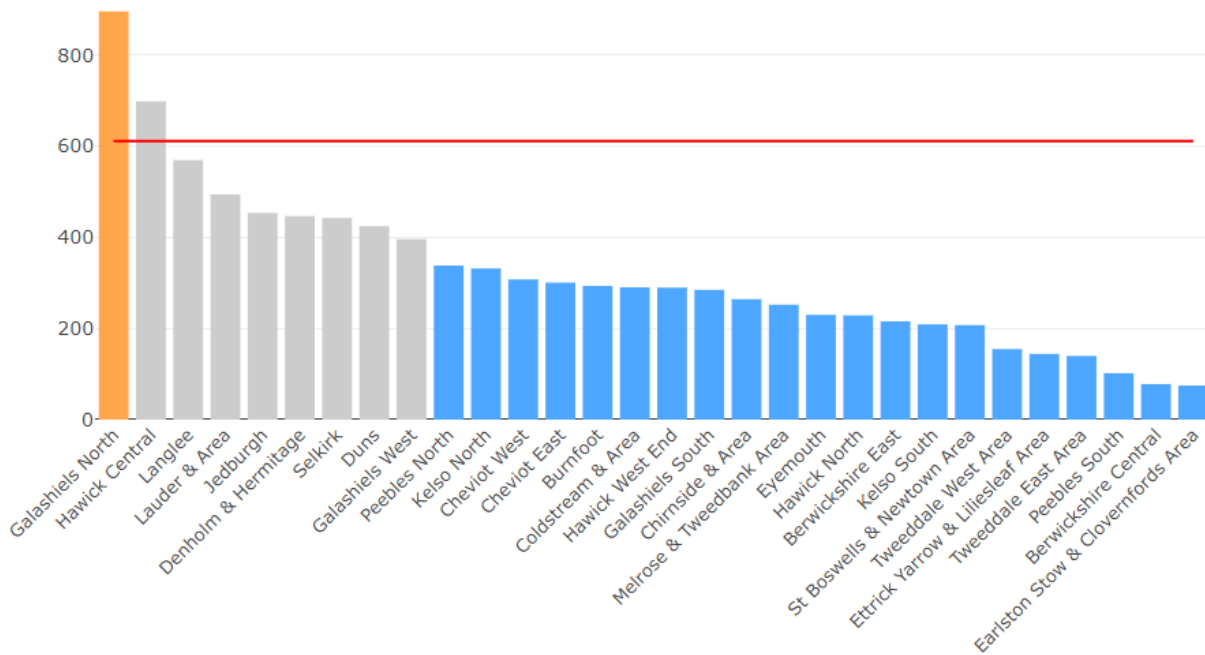


3.1.2 Alcohol related hospital admissions by Intermediate Zone

Galashiels North rate of alcohol-related hospital admissions was 895.32 in comparison to the Scottish average of 610.92.

Alcohol-related hospital admissions

Intermediate zones compared against Scotland - 2021/22



Legend

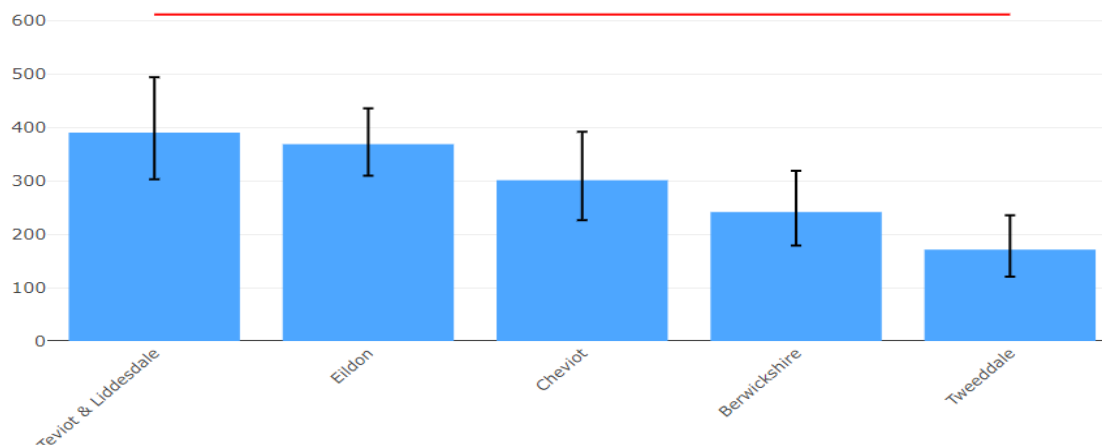
- Better than comparator
- Not different to comparator
- Worse than comparator
- No differences can be calculated

3.1.3 Alcohol related hospital admissions by Locality

Teviot and Liddesdale (389.9) and Eildon (368.3) have the highest rates of alcohol related hospital stays (admissions) by locality over the past 5 years.

Alcohol-related hospital admissions

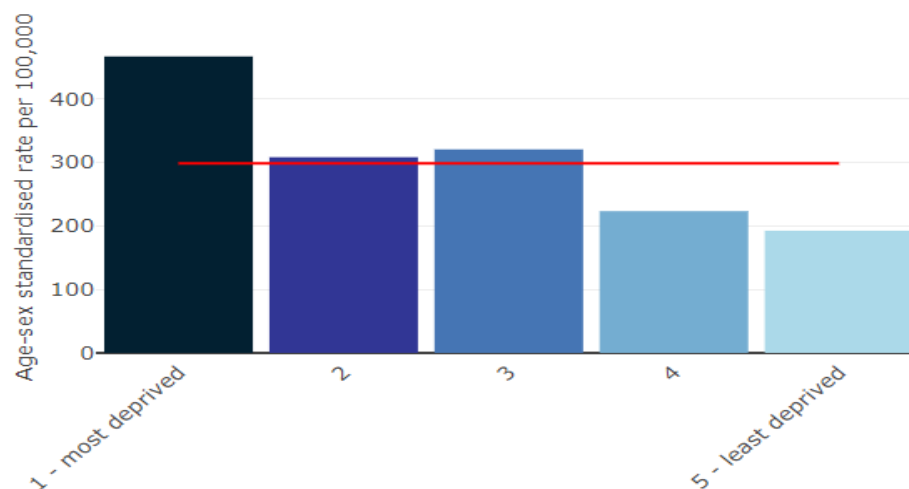
HSC localities compared against Scotland - 2021/22



3.1.4 Inequalities and alcohol-related hospital admissions

The most deprived areas have the highest hospital admissions. In Scottish Borders the most deprived areas have 52% more hospital admissions than the overall average.² The chart below shows the differences in alcohol-related hospital admissions between deprivation groups in Scottish Borders.

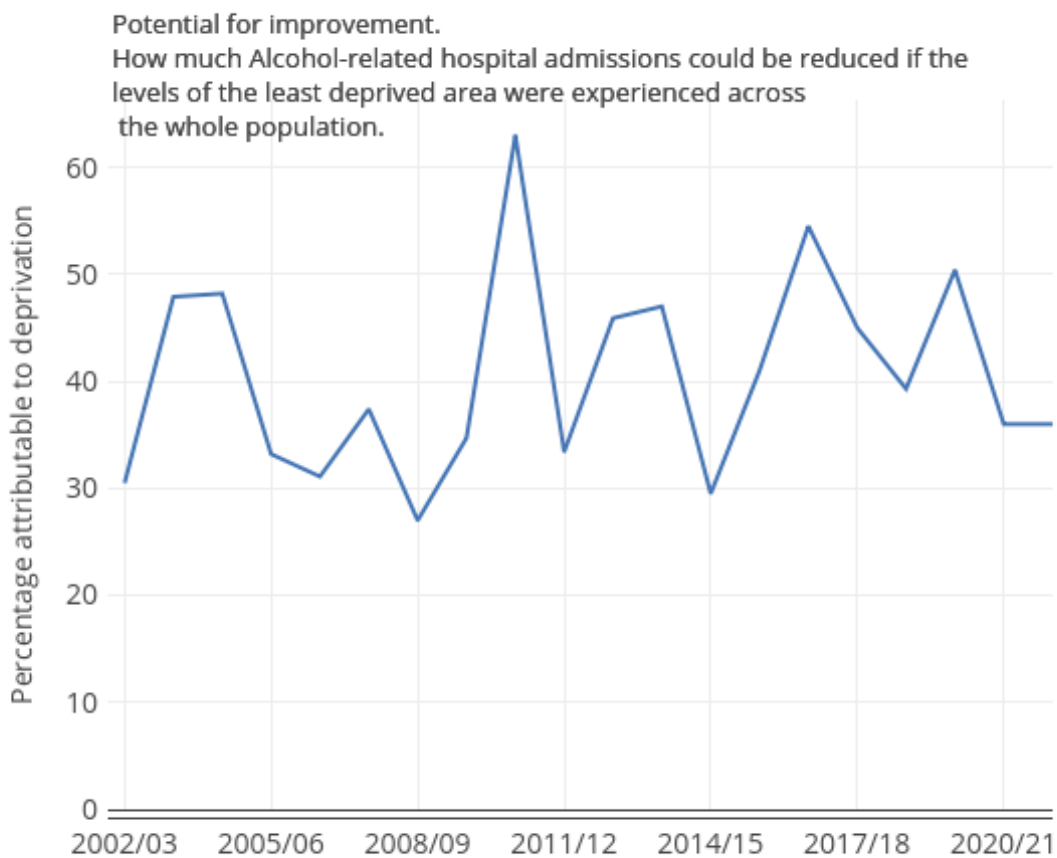
Differences in alcohol-related hospital admissions between deprivation groups for 2021/22



² [Public Health Scotland, Scotpho Alcohol Profile 21/22](#)

3.1.5 Potential for Improvement

The chart below demonstrates that alcohol related hospital admissions in Scottish Borders would be 36% lower if the levels of the least deprived area were experienced across the whole population.

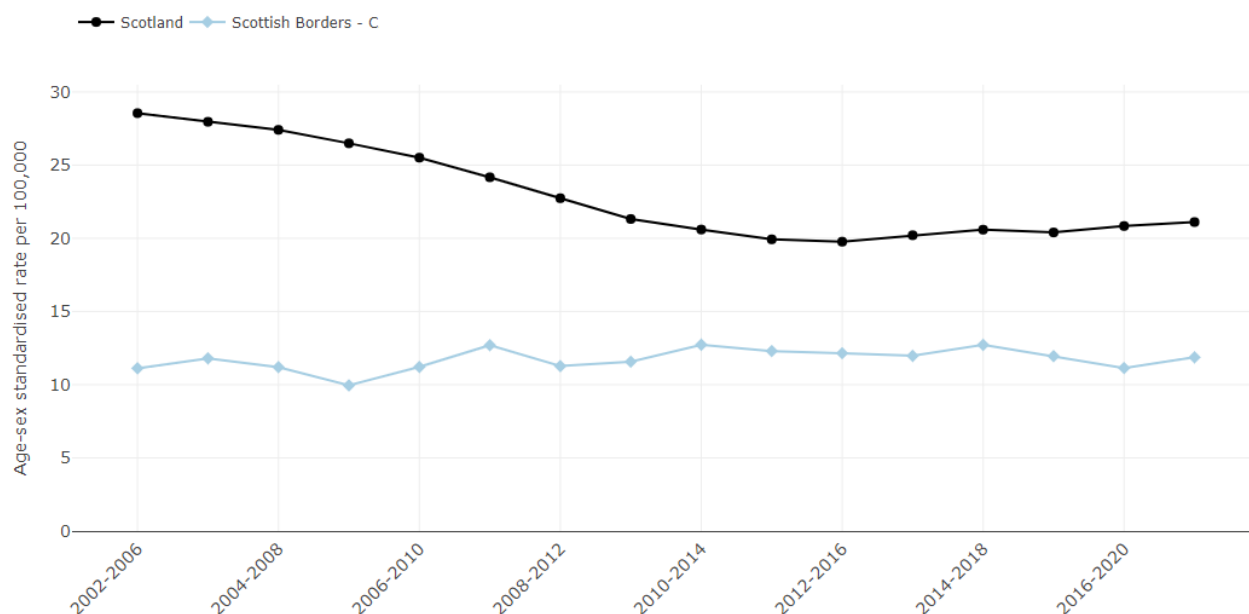


3.1.6 Alcohol-specific deaths

In 2022 there were 21 alcohol-specific deaths in Borders (same number in previous year). The rate of alcohol-specific deaths in Borders remains relatively stable since 2002/06. The latest 5-year average rate was 11.87 (2017-21) which is significantly better than Scottish average (21.1).

Alcohol-specific deaths

Age-sex standardised rate per 100,000

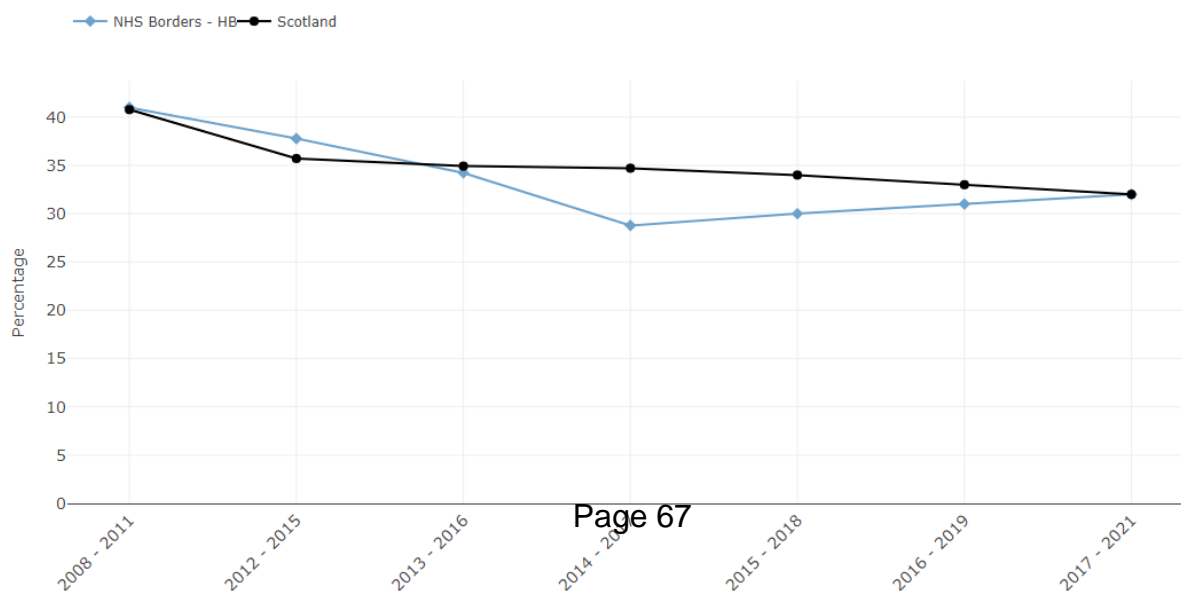


3.1.7 Individuals exceeding weekly limits

According to Scottish Health Survey (2017 - 2021 combined), 24% of all adults (aged 16 and over) in Borders are drinking above low risk guidelines (14 units per week) equal to the Scottish average. 32% of males are exceeding weekly limits in Borders equal to Scottish average and 18% of females compared with 16% Scottish average.

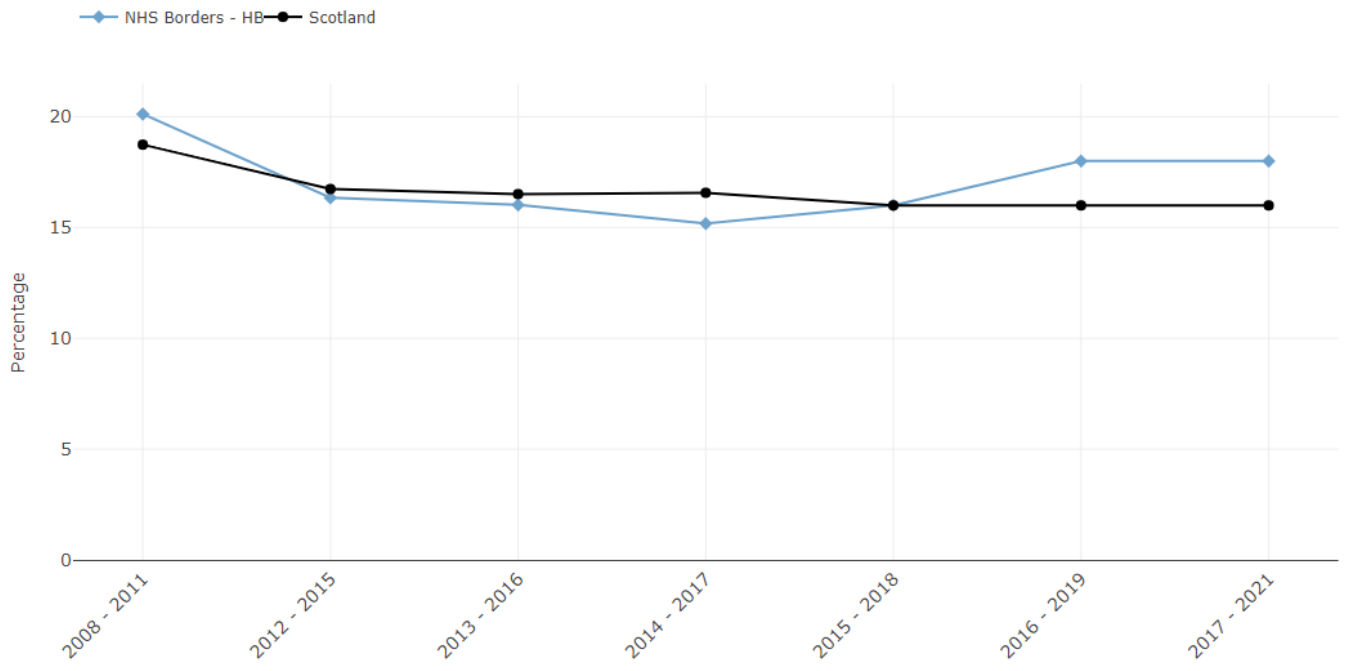
Alcohol consumption exceeding weekly limits, males

Percentage



Alcohol consumption exceeding weekly limits, females

Percentage



4 Protecting Children and Young People From Harm

The most recent scientific evidence states that an alcohol-free childhood is the healthiest option. Exposure to alcohol and witnessing adult drinking can influence our children's future drinking habits. Young people's bodies are more vulnerable to the effects of alcohol because they are still growing and developing. Research also shows that the earlier a young person starts drinking, the more likely they are to drink in ways that can be harmful later in life. Our children and young people have the right to grow up in an environment where communities are safe, thriving and are able to grow up safe from alcohol-related harm³.

Comparison of findings from the Scottish Borders Health and Wellbeing Census: S4 Substance Use Questionnaire (2022) with the Scottish Schools Adolescent Lifestyle and Substance Use Survey (SALSUS) 2018.

- A reduction in the number of S4 pupils ever had an alcoholic drink (63% in 2022 in comparison to 75% in 2018)
- A reduction in the number of S4 pupils who report never being drunk (18% in 2022 in comparison to 27% in 2018)

The HWB Census for S4 pupils also shows:

- 15% of S4 pupils drink alcohol once a month or more
- 20% of S4 pupils report being drunk once a month or more
- 21% of S4 pupils source their alcohol from home.
- 53% of S4 pupils report being allowed to drink alcohol at home.
- 26% of S4 pupils report their parent or carer buying them alcohol.

Whilst education has a role in reducing underage drinking, the research tells us that it only works in combination with other measures, such as increasing the price of alcohol, reducing the availability, and [restricting the marketing of alcohol](#).

³ [Alcohol & Young People, Alcohol Focus Scotland \(2015\)](#)

5 Community Alcohol Survey

A survey seeking views of the community around alcohol and licensing was completed in July 2023. Below is a summary of the findings and recommendations.

There were 102 responses to the survey with 77% of respondents feeling that alcohol currently impacts our community.

Respondents were asked to identify what impact of alcohol they have personally experienced. The most prevalent response was antisocial behaviour (43%) which included vandalism, intimidating behaviour, community litter and noise.

Other responses included family breakdown/impacted by another family members alcohol use; physical and mental health; underage drinking; domestic abuse; negative impact at local summer festivals/rugby 7s and homelessness.

Respondents were asked to reflect on data provided around the number and type of licenses supplied in Scottish Borders over the previous 5 years and showed:

- Most respondents (68%) agreed that there should be better regulation around online purchases of alcohol and delivery of alcohol to minimise harm to children and young people.
- Most respondents (78%) agreed that the views of the public and health professionals should strongly influence licensing decisions.
- Just over half of respondents (52%) agreed that licenses should not be issued in communities suffering greatest harms from alcohol whereas 37% disagreed.
- Most respondents (75%) agreed that the Licensing Board should consider the total impact of multiple alcohol outlets (including occasional licenses) on a community.
- A majority of respondents (62%) agreed that there are enough off-sales licenses whereas 29% disagreed.
- There was no clear view in relation to the number of existing on-sales licenses.

The survey included data on alcohol related hospital admissions by intermediate zones and 54% of respondents believe the Licensing Board should significantly strengthen their next alcohol licensing policy to take this data into account whereas 26% wanted the policy to stay as is.

The survey provided an opportunity for suggestions to the licensing Board. It is important to note that not all of the interventions suggested are within the scope of local Licensing Board. Themes that were identified included:

- Increase training for staff who sell alcohol.

- Increased enforcement around licensed premises (selling to those drunk, selling to those underage).
- Request to reduce licensing hours in residential areas.
- Improve communication and education around alcohol use.
- Ensure licensed premises have information on support services.
- Stronger consideration of licensing family friendly events.
- Readdressing the balance between perceived excessive alcohol consumption and community celebration of summer festivals/rugby 7s.

The recommendations from the report are summarised as follows:

- Enhance policy around home deliveries/remote sales to minimise harm to children and young people.
- The views of the public and health professionals should strongly influence licensing decisions.
- Amend Policy to strengthen expectations around measures for underage drinking, drunkenness on premises, training and supervision for staff.
- Consider the total impact of multiple alcohol outlets (including occasional licenses) on a community.

6 Policy and Legislative Developments

International evidence shows that the most effective policies aimed at the whole population to reduce the harmful use of alcohol are:⁴

- Reduce affordability
- Reduce availability
- Reduce attractiveness

The interventions with the weakest evidence base for reducing alcohol harm include self-regulation of alcohol marketing, voluntary codes of retail practice, and information/education approaches.⁵

Alcohol Focus Scotland prepared a response for Licensing Boards Consultation on Statements⁶ which highlights the following:

6.1 Alcohol Framework

Scotland's current alcohol harm prevention framework was published in 2018 and takes a whole population approach to reducing alcohol harm. Whole population measures work to reduce and prevent alcohol harm across the entire population, reducing the likelihood of 'normal' drinkers becoming high risk. This is because targeting only harmful drinkers would not reach the majority of people who consume alcohol and who are therefore at risk of developing problems related to their alcohol consumption. Licensing is a whole population intervention. It works to safeguard individuals and communities from experiencing alcohol problems by controlling the overall availability of alcohol (through the number, type and opening hours of licensed premises), and by regulating the way individual on- and off-licences do business. The Framework therefore identifies the licensing system - alongside action on price and marketing – as being one of the key mechanisms through which the ambitions of the Alcohol Framework can be realised.

Alcohol sold in the UK in 2021 was 78% more affordable than it was in 1987. In recent years the general upward trend in the affordability of alcohol has been driven by increases in disposable income and a slight fall in the real price of alcohol in the UK. In 2021, the volume of pure alcohol sold per adult in Scotland was maintained at a similar level to 2020, whereas in 2020 Scotland was

⁴ World Health Organisation, Global status report on alcohol and health, (2018)

⁵ <http://www.alcohol-focus-scotland.org.uk/media/86446/whole-population-approach-briefing.pdf>

⁶ Response to Consultation on Statement of Licensing Policy, Alcohol Focus Scotland May 2023

6% higher than in England & Wales, the smallest difference seen in the available time series. Alcohol consumption at a population level in Scotland remained at its lowest level since 1994; on average, 21.7 units per adult per week were sold in 2021.⁷

6.2 Minimum unit pricing

As outlined earlier increasing the price of alcohol is one of the most effective ways to reduce how much people drink and prevent problems caused by alcohol.

Minimum unit pricing for alcohol (MUP) was implemented in May 2018 at a rate of 50p per unit. MUP targets the cheapest, strongest drinks like white cider and super-strength lager and had two aims:

- to reduce, in a targeted way, the consumption of alcohol by people whose consumption is hazardous or harmful, and
- to reduce the overall population level of consumption of alcohol.

The final [evaluation report](#) from Public Health Scotland was published in June 2023 and shows that MUP has had a positive impact on health outcomes, including addressing alcohol-related health inequalities. At a population level there is no clear evidence of substantial negative impacts on social harms such as alcohol-related crime or illicit drug use, and no clear evidence of negative impacts on the alcoholic drinks industry in Scotland. The policy is subject to a sunset clause, which means it will lapse unless renewed by the Scottish Parliament by end of April 2024.



⁷ PHS, Monitoring and Evaluating Scotland's Alcohol Strategy (MESAS) (2022) Monitoring and Evaluating Scotland's Alcohol Strategy (MESAS), 2022 (publichealthscotland.scot)

The evidence shows:

- It is estimated that MUP has saved 268 lives and averted 899 hospital admissions per year on average
- MUP has delivered on its intended aim of reducing overall population consumption in Scotland by 3%, driven by a 3.6% reduction in off-trade alcohol sales.
- MUP has reduced hazardous and harmful drinking by reducing the consumption of cheap, strong products, which were disproportionately consumed by hazardous and harmful drinkers.
- MUP has reduced inequalities in alcohol harm as the lives saved by MUP have been among the 40% of people living in the most deprived areas.
- There have been high levels of compliance by retailers and no significant negative impacts on alcohol producers or sellers.

MUP remains an essential component of Scotland's alcohol strategy to reduce the high levels of alcohol consumption and harm. However, the effect of 50p per unit has been significantly eroded by inflation since the legislation was passed in 2012.

Recommendations are being made by Scottish Health Action on Alcohol Problems (SHAAP), Alcohol Focus Scotland (AFS) and other key stakeholders to Scottish Government that the MUP is uprated to at least 65p per unit, and a mechanism is introduced to automatically uprate the price in the future, to ensure alcohol does not become more affordable. This will optimise the effectiveness of MUP in saving and improving lives.

6.3 New Licensing Guidance

The Licensing system is in place to control availability of alcohol and regulate the way individual premises and off-licences operate. In January 2023 [new guidance](#) was issued to Scottish licensing boards on carrying out their functions by Scottish ministers. The revised 'section 142' guidance replaces the original version which was first issued in 2009 and had become outdated due to subsequent changes. The purpose of the guidance is to assist boards in carrying out their functions under the 2005 Act, including the preparation of statements of licensing policy.

7 Post-Covid Recovery and the Current Context

While we do not yet know the full impact of the pandemic, [Alcohol Focus Scotland](#) has pulled together evidence of its effects in a number of areas:

- **Changing Drinking Patterns:** Public Health Scotland has published a [summary on the impact of COVID-19 on alcohol consumption and harm in Scotland and England](#). Overall, consumption decreased in both Scotland and England following the start of the pandemic. However, changes in drinking behaviour were polarised, with some increasing their alcohol consumption and others decreasing. This was associated with drinking behaviour before the pandemic: those who increased their alcohol consumption tended to drink more before the pandemic, and those who decreased consumption tended to drink less. Modelling studies for England predict that alcohol-related harm will continue to increase in the medium term, following pandemic-related changes in consumption. A similar study will be carried out for Scotland.
- **Home drinking:** Linked to the above, the pandemic has further shifted alcohol sales and drinking from the on-trade to the off-trade, exacerbating existing trends. In Scotland, 73% of alcohol was sold in off sales prior to the pandemic, with this proportion increasing to 90% in 2020 before decreasing slightly to 85% in 2021. The home is an unregulated environment and the continued shift to home drinking may lead to long-term public health consequences and an upwards trend in alcohol-related injuries and accidents occurring at home. In addition, while alcohol itself does not directly cause domestic violence, there are strong associations between alcohol use and domestic violence and abuse. Home drinking also poses potential risks for children and young people, such as neglect or modelling of parental drinking. As such, it will be vital that boards consider the factors that can impact on the licensing objectives outwith a licensed setting, and that local licensing policies take account of alcohol-related harms occurring in private spheres as well as public.
- **Use of outdoor areas:** A growing trend for outside seating areas had been identified in many areas prior to the pandemic, with a number of Licensing Boards setting out their expectations and requirements in this regard. However, COVID-19 related restrictions on sales of alcohol indoors led to an increase in applications from bars/pubs to serve alcohol in spaces outdoors e.g. pavements. If outdoor spaces are licensed on a permanent basis it could result in a significant increase in the overall capacity of venues and the visibility of alcohol, including to children and people in recovery who may be passing by. It is unclear how and whether Licensing Boards will now seek to reverse outdoor licences granted during the pandemic, or whether the trend for outdoor seating areas will continue to grow.

- **Online sales/deliveries:** The COVID-19 related restrictions increased the general trend to online shopping and led to an increase in premises offering home deliveries of alcohol. The types of businesses that sell alcohol online now range from small independent traders, specialist drinks retailers/clubs, local convenience stores, and supermarkets through to multinational e-commerce companies (e.g. Amazon). There is also a growing variety of app-based retailers who have arrangements with restaurants, takeaways and off-licences to deliver alcohol directly to people's homes. Despite the reopening of physical stores, it is predicted that online sales will remain high as people have become more accustomed to online shopping. It is unclear how age verification and other requirements can be effectively implemented when alcohol is being purchased on-line or delivered to people's homes. The majority of boards have responded to this issue at a local level by setting out their approach to alcohol deliveries within their policies, for example by making clear that delivery staff must be trained to the same level as those on licensed premises, that challenge 25 checks must be conducted, and that licensees using courier services must ensure that they are compliant with the Board's requirements.
- **The hospitality sector:** Although the licensing regime does not have responsibility for promoting business growth, a recurrent theme within existing licensing policies is the need for Licensing Boards to strike an appropriate balance between supporting the local licensed economy, while also upholding the five licensing objectives. During the pandemic, the hospitality sector across Scotland was severely affected, with sales of alcohol in bars and restaurants plummeting by 49% overall from 2019 to 2021, while off premises sales, such as e-commerce and supermarkets, grew significantly (by 11% between 2019 and 2021). In 2020, the Scottish Government issued guidance to advise that it "considers flexibility and pragmatism in decision-making and sensitivity to the wider economic situation should be at the forefront of how a board decides to operate". Licensing Boards will likely be very reluctant to be seen to hurt already suffering hospitality sectors but will also want to ensure that the licensing objectives continue to be promoted. As such, decision makers, advocates, and local stakeholders alike will need to identify policies that can do both. It has been suggested that policies which may protect on-trade businesses, while reshaping the night-time economy away from alcohol-related harms, could offer a 'win-win' for policymakers and health advocates. However, this raises questions regarding how boards should seek to manage competing priorities within their policies and decision-making.

In considering the economic impact of refusing a new premises licence, it is important to test any assumptions about the economic value of an expansion in the licensed trade. It is often not a simple equation between a new premises licence and more local jobs, and nor

is there evidence that a vibrant tourism industry depends on an ever-expanding alcohol supply.⁸

The financial costs to a local economy from rates of alcohol-related harm can be considerable and should not be overlooked. It is estimated that alcohol-related problems cost Scotland £3.6 billion each year, including direct costs for dealing with alcohol-related crime and health damage as well as indirect costs such as employee absenteeism and reduced productivity. These are largely costs to the public purse, whereas profit from the sale of alcohol is received by private companies.⁹ Estimated costs of alcohol related harm for Scottish Borders is £30.30m or £270 per person.

⁸ Alcohol Focus Scotland, Licensing Resource Pack <http://www.alcohol-focus-scotland.org.uk/resources/> (2017)

⁹ Alcohol Focus Scotland, Licensing Resource Pack <http://www.alcohol-focus-scotland.org.uk/resources/> (2017)

Appendix 1 – Data Sources

Various sources have been used to compile this Profile including Alcohol Focus Scotland, National Records of Scotland, NHS Borders, NHS Health Scotland, Police Scotland, Public Health Scotland, Scottish Borders Council. Scottish Government, World Health Organisation.

Appendix Two: National Overview

- 6% more alcohol sold in Scotland than in England & Wales in 2021.¹⁰
- 85% of alcohol sold in Scotland in 2021 was through the off-trade (supermarkets and other off-licences): while this was lower than in 2020 (90%) it remains higher than prior to the pandemic (72% in 2019)¹¹
- In 2021, alcohol sold in the UK was 78% more affordable than it was in 1987¹²

Preventing Crime & Disorder/Preventing Public Nuisance

- Alcohol is implicated in 46% of homicide accusations in 2021-22.¹³
- Offenders were believed to be under the influence of alcohol in 43% of violent incidents where victims were able to say something about the offender in 2020-21.¹⁴
- 50% of young offenders reported being under the influence of alcohol at the time of their offence in 2020.¹⁵

Securing Public Safety

- Alcohol or drugs use was suspected to have been a contributory factor in 16% of accidental dwelling fires in 2019-20.¹⁶

Protecting & Improving Public Health

- 1276 alcohol-specific deaths in Scotland in 2022, increase of 2% (31 deaths) on previous year and highest number registered in a year since 2008.¹⁷
- The rate of mortality from alcohol specific causes was 22.9 deaths per 100,000.
- In Scotland, 23% drink at harmful or hazardous level in 2021.¹⁸

¹⁰ [National Records of Scotland \(2021\) Alcohol-specific deaths, 2021, Report \(nrscotland.gov.uk\)](#)

¹¹ [MESAS monitoring report 2022 - Publications - Public Health Scotland](#)

¹² As per 11

¹³ [Scottish Government, Homicide in Scotland 2020/21](#)

¹⁴ [Scottish Government, Scottish Crime and Justice Survey 2020/21,](#)

¹⁵ [Vision for YP Publication Final7394_3530.pdf](#)

¹⁶ [Scottish Fire & Rescue Service 2019/20](#)

¹⁷ As per 10

¹⁸ [The Scottish Health Survey 2021 - volume 1: main report - gov.scot \(www.gov.scot\)](#)

- Two thirds of alcohol specific deaths were males. The increase in deaths in 2022 was driven by an increase of 31 female deaths. The number of male deaths is unchanged in 2021.¹⁹
- Average age tends to be slightly younger for females than males in 2022.²⁰
- Alcohol-specific deaths were 4.3 times as likely in the most deprived areas of Scotland compared to the least deprived areas.²¹
- Across Scotland, alcohol-related hospital stays and deaths as well as crime rates are higher in areas with higher alcohol outlet availability. Scottish neighborhoods with the most alcohol outlets, compared to those with the fewest outlets have:
 - double the alcohol-related death rate.
 - almost double alcohol-related hospitalization.
 - four times higher crime rates²².

Protecting children and young people from harm

- Up to 51,000 children are estimated to live with a problematic drinker.²³
- Between 2015 and 2018:
 - there has been an increase in the proportion of boys who had drunk in the last week from 4% to 7% among 13 year olds and from 16% to 20% among 15 year olds.
 - an increase among 13 year old girls, from 4% in 2015 to 6% in 2018.
 - Overall, in 2018, 52% of 13 year olds and 57% of 15 year olds who had a drink in the last week, had been drunk in the same time period.²⁴

¹⁹ As per 18

²⁰ As per 10

²¹ As per 10

²² CRESH, Alcohol Outlet Availability and Harm in Scotland, (2018), <https://www.alcohol-focus-scotland.org.uk/media/310762/alcohol-outlet-availability-and-harm-in-scotland.pdf>

²³ Scottish Government, Final Business and Regulatory Impact Assessment for Minimum Price Per Unit of Alcohol (2012), <http://www.gov.scot/Topics/Health/Services/Alcohol/minimum-pricing/Impact-Assessment>

²⁴ Scottish Government, SALSUS 2018, (2019), <https://www.gov.scot/publications/scottish-schools-adolescent-lifestyle-substance-use-survey-salsus-alcohol-report-2018/>

Document is Restricted

This page is intentionally left blank