

## Suggestions for Supplementary Document

The following table outlines suggested amendments for a Supplementary Policy within Scottish Borders Statement of Licensing Policy.

Section Ref	Current	Proposed
1.6	<p>The Board recognises and supports the contribution of licensed premises in the local economy of the area for employment, tourism, social inclusion and the strong local identity of the area. It recognises and supports the significant impact of sporting and local traditional festivals whilst acknowledging the impact these have on local residents. The area is promoted as Scotland's leading short break destination. The Board also recognises the potential impact of alcohol related harm and associated costs within the Scottish Borders as evidenced in the Scottish Borders Alcohol Profile more fully referred to in 1.11 below. The Board will be mindful of all these factors when determining applications for licensed premises.</p>	<p>Remove – not sure of relevance. May cause confusion. Not role of Licensing Board to consider economic benefits.</p>
1.7	<p>Although various licensed premises have ceased trading since the introduction of the Act there would appear to be no specific pattern, with a variety of different types of business ceasing to trade. Various new licences have been granted during the same period and the number of licensed premises as at September 2013 was 468. As at the date of review of this Policy, the breakdown of licensed premises within Scottish Borders is as follows:</p> <ul style="list-style-type: none"> <li>Members Clubs - 19%</li> <li>Off Sale - large supermarkets - 9%</li> <li>Other Off Sale - 13%</li> <li>Other - 59%</li> </ul> <p>The Board is conscious that included in that total there are several premises currently not trading which still effectively have a live</p>	<p>Overall the number of licensed premises in Scottish Borders has remained stable over previous two years. As at May 2015 there were 466 licensed premises. A breakdown of premises is as follows:</p> <ul style="list-style-type: none"> <li>Hotels: 91 (19.5%)</li> <li>Members Clubs: 91 (19.5%)</li> <li>Restaurant: 70 (15%)</li> <li>Off Licence (Small): 68 (15%)</li> <li>Pub with food: 59 (13%)</li> <li>Pub: 42 (9%)</li> <li>Off Licence (Medium): 17 (4%)</li> <li>Off Licence (Large): 6 (1%)</li> <li>Nightclub: 4 (1%)</li> </ul>

	<p>Premises Licence. This situation can have an effect on statistics when premises numbers are considered in relation to overprovision. In light of this, the Board may take the view that if premises are not trading and annual fees remain unpaid for a period in excess of twelve months a premises review application will require to be considered.</p>	<p>Other: 18 (4%)</p> <p>The Board is conscious that included in that total there are several premises currently not trading which still effectively have a live Premises Licence. This situation can have an effect on statistics when premises numbers are considered in relation to overprovision. In light of this, the Board may take the view that if premises are not trading and annual fees remain unpaid for a period in excess of twelve months a premises review application will require to be considered.</p>
<p>1.11</p>	<p>The Board has worked with the Scottish Borders Local Licensing Forum (“the Forum”) during the making of this Policy and will have regard to any advice or recommendation the Forum may make to it. The Board further acknowledges the work carried out by the Forum along with others in capturing data which helps to highlight the impact alcohol consumption has on the Scottish Borders. The work has been finalised in the report Scottish Borders Alcohol Profile - an evidence base which has been beneficial in the formation of this Policy Statement. The summaries as they relate to the Scottish Borders for each of the objectives are detailed in the table below.</p> <p><b>Preventing Crime and Disorder/ Preventing Public Nuisance</b>  Alcohol plays a significant part in all Police related business. Although alcohol incidents are occurring on a daily basis, 72% of all alcohol related incidents occur at the weekend with over a third between midnight and 6am. The night time economy benefits a few small businesses, but has a significant financial impact on public services in particular where late opening hours occurs. This has an impact on the limited Police resources that are available over a rural area, resulting in</p>	<p>Evidence of alcohol related harm is provided to the Licensing Board through the Alcohol Profile (Profile) (<i>include in Supplementary Police as appendix</i>). The most recent Profile demonstrates:</p> <p><b>Preventing Crime and Disorder/ Preventing Public Nuisance</b></p> <p>Alcohol continues to play a significant part in Police related business with 18% of antisocial behaviour incidents involving alcohol however there has been a reduction in the average number of alcohol related incidents per month.</p> <p>The Profile outlines areas which continue to have the largest number of alcohol related incidents.</p> <p>Although alcohol related type incidents are occurring on a daily basis, 72% of all alcohol related incidents occur at the weekend with the largest number of incidents occurring between midnight and 3am.</p> <p><b>Securing Public Safety</b>  Although numbers are low, alcohol is a contributor to fires with potentially serious consequences through both fire deaths and injuries.</p>

officers being deployed within town centres. Police report that many of those who do attend pubs and late night establishments will have 'preloaded' on alcohol purchased cheaply at off-sales.  
*Further information on the impact of night time economy on Police and Emergency Departments can be found in Appendix 6 of the full report.*

Police have also reported that they are seeing a change in the location of incidents, moving from public space into private space. This is evidenced in the three murders that occurred within the Scottish Borders in 2011 where the perpetrator was under the influence of alcohol. All of the murders occurred within private dwellings. In a separate piece of analysis carried out between April to November 2012, almost half of all recorded violence (excluding sexual crimes) is recorded with alcohol as an aggravator.

**Securing Public Safety**

Although numbers are low, alcohol is a contributor to fires with potentially serious consequences through both fire deaths and injuries.

**Protecting and Improving Public Health**

With over 1 in 4 males and 1 in 5 females drinking to hazardous or harmful levels and nearly half the Borders population drinking outwith the government's guidelines, it is safe to say that many individuals are drinking too much, too often. This clearly evidences the accepted alcohol culture that exists within the Scottish Borders however; this report also highlights the impact of alcohol related harm on front line services. Alcohol impacts on the Emergency Department at times where

**Protecting and Improving Public Health**

Scottish Borders has downward trends in relation to alcohol related hospital stays and emergency attendances where alcohol was a contributing factor. However, there are areas in Scottish Borders with more alcohol related hospital stays compared to Scotland. These areas are highlighted within the Profile and will be referred to when considering any applications. Recent data also shows increasing trend in alcohol related deaths.

**Protecting Children & Young Persons from Harm**

It is positive to note the reduction in the number of children and young people drinking regularly and low numbers attending the Emergency Department, BGH where alcohol is contributing factor. However Occasional Licences continue to have a large percentage allowing children and young people access. This will continue to be monitored closely by the Licensing Board.

	<p>there is reduced cover and similar to Police, peak during the early hours of Sunday morning between 3am and 4am. Nearly 40% of these patients are serious enough to require admission to the hospital. Similarly, alcohol related incidents impacts on the service that can be delivered by Scottish Ambulance Service during the early hours of a weekend to people in the Scottish Borders who require an emergency response to life threatening conditions. <i>A full breakdown and further details of the data captured can be found in Appendix 5 of the full report.</i></p> <p><b>Protecting Children from Harm</b></p> <p>Although the proportion of 15 year olds who have ever had an alcoholic drink is higher in the Scottish Borders than the Scottish average, there are fewer 15 year olds drinking on a regular basis. There has also been a decrease in the percentage of 15 year olds purchasing alcohol from a shop. However, of the individuals who had ever had an alcoholic drink, a quarter of 13 year olds and over half of 15 year olds reported binge drinking in the previous 30 days.</p>	
4.4	<p>The Board is conscious of the fact that in a predominantly rural area such as the Scottish Borders, alcohol consumption and associated harm may not occur in the same area as it was purchased. The Board is aware of the changing pattern of alcohol sale and consumption and that evidence provided in the Alcohol Profile suggests that about 70% of alcohol consumed is now purchased as an off sale. As such when considering overprovision in the specific locality, it will also take into account the overall supply in the Borders as a whole.</p>	<p>The Board is aware that almost three-quarters of alcohol is sold in supermarkets and off-licenses (72%). When considering overprovision in a specific locality, the Licensing Board will also take into account the overall supply in the Borders.</p> <p>The Alcohol Profile demonstrates areas with higher rates of off-sales per head of population and therefore the Licensing Board will closely scrutinise any applications for this area.</p>
4.5	<p>The Board's previous policy indicated a view that night club type</p>	<p>The current level of late night entertainment premises within</p>

	<p>premises (2 in Hawick and 2 in Galashiels) were probably at an appropriate level in specific areas. They acknowledge that this situation has changed with numbers for this type of operation having reduced during the life of the previous Policy. The Board is still of the opinion that any increase beyond the previous numbers of this type of operation in the specific areas could still constitute overprovision.</p>	<p>Scottish Borders is currently four. The Board is of a view that any increase beyond could be overprovision.</p>
4.7	<p>The proliferation of larger type supermarkets outwith town centres has continued, the Board recognises that this type of operation serves a larger area than the immediate area in which they are situated. It also acknowledges that small convenience type shops offering a full range of goods are a vital part of the many small rural communities in the area and that it is essential for the viability of such businesses that they are able to provide a full range of goods and services.</p>	<p>Remove – this is a statement only.</p>
4.8	<p>Where any application for an off sales Premises Licence, with no on sales provision, does not fall into the categories referred to at 4.7 or it replicates a similar off sales business in a particular area then the Board is likely to take the view that this would be overprovision, and applicants will be asked to clearly show how their individual proposal differs from what already exists and how it is likely to benefit the area as a whole.</p>	<p>The Board will closely scrutinise any application for an Off sales Premises License in areas where potential overprovision has been identified.</p>
7.8	<p><b>Late Hours.</b> Applicants should be aware of the additional mandatory conditions as attached at Appendix 4, applied to late opening premises and the Licensing Board reserves the right to consider further reasonable conditions to promote the licensing objectives. The Board will grant any applications for times after 2.00am only in exceptional circumstances. The Board will expect licensees operating in the late hours category to dispense drinks in plastic or toughened vessels during the late hours. They may also consider applying such a condition to other premises where they see fit. The Board is aware of the variety of events, functions and festivals which occur in Scottish Borders and the importance of</p>	<p><b>Late Hours.</b> Applicants should be aware of the additional mandatory conditions as attached at Appendix 4, applied to late opening premises (Premises operating after 1 a.m.), the Licensing Board reserves the right to consider further reasonable conditions to promote the licensing objectives.</p> <p>The Board will only consider applications for Core Hour times after 1.00am from specific late night venues, where substantial live entertainment is being provided and the alcohol sold is intended as being ancillary to that entertainment.</p>

	<p>these to the area. With this in mind the Board will consider applications for occasional licences and extensions outwith normal hours and in exceptional circumstances will grant such applications. The Board does not consider that all events connected with historic common ridings and summer festivals should automatically be seen as justification to extend licensed hours thereby subsequently increasing the consumption of alcohol. Applicants will be required to have regard to the Board's position that it will not normally grant applications for more than 14 hours in any 24 hour period as specified in 7.3 above. Applicants will require to specify the reason for any extended hours and the connection to the local common riding or festival. The Board will consider the attaching of any of the late hours conditions along with any other appropriate condition which would assist any such licence granted meeting the five licensing objectives.</p>	<p>The Board is however aware of the variety of events, functions and festivals which occur in Scottish Borders and the importance of these to the area. With this in mind they will consider applications for occasional licences and extensions outwith normal hours and will in appropriate circumstances grant such applications.</p> <p>The Board does not consider that all events connected with historic common ridings and summer festivals should automatically be seen as justification to extend licensed hours and increase the consumption of alcohol.</p> <p>If granting an Occasional Licence or Extended hours application with hours in the late hours period, the Board will consider attaching some or all of the late hours conditions (Appendix4) along with any other appropriate condition.</p> <p>Any licensees operating in the late hours period will be expected to dispense drinks in plastic or toughened vessels.</p>
8.1	<p>Home deliveries</p> <p>The Board expects that premises which intend to provide home deliveries of alcohol must specify this activity in their Operating Plan and provide details of how this will operate with particular regard to the licensing objectives. These details should include the hours of delivery, the steps taken to identify the age of the person ordering, payment arrangements, and arrangements to protect the safety of those delivering alcohol.</p>	<p>Keep this statement but add in 'steps taken to identify the age of the person ordering <b>and receiving alcohol,</b></p>

