

Alcohol in Public Places – Consultation Report

July 2019

The Alcohol in Public Places consultation was open between 27 March 2019 and 30 June 2019. This consultation was the first stage to the work related to potential introduction of Alcohol Byelaws in the Scottish Borders. This report contains the results along with comment analysis and key contributions.

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Are you an individual or an organisation/group?

There were a total of 491 responses, the majority from individuals 464 (95%) and some organisations / groups 27 (5%). Below is the list of Organisations /Groups by group type.

Group type	Organisation / Group Name
Community Planning Partner / Public Sector	Borders Alcohol & Drugs Partnership
	Community Learning & Development Service
	NHS Borders
	Police Scotland
	Scottish Borders Children and Young People's Leadership Group
Community Council / Elected Member	Ancrum Community Council
	Coldstream & District Community Council
	Gala Community Council
	I am a Cllr Representing the Hawick and Hermitage ward
	Jamie Batten- Vice chair Burnfoot Community Council
	Kelso Community Council
Community Group	Coldingham Gala Committee
	Earlston Civic Week Organising Committee
	Langlee carnival
	Lauder Common Riding Committee
	St Boswells Village Week
	TD1 Youth Hub - streetwork team
	Whipman Play Society
Private Sector	13 Brew
	Inglestone House Guest House
	Red Lion Trading Partnership
	Rutherfords Micropub
	SDConsultancy a training organisation delivering licensed trade qualifications
	Selkirk distillers ltd
	Tibbie Shields Inn
Other Type of Organisation	Health In Mind/Wellbeing College
	Serendipity Scottish Borders Recovery Cafe

Where do you think drinking alcohol in a public place is causing a problem?

217 (44%) of the respondents did not think drinking alcohol in a public place is causing a problem.

Conversely, 36% thought it did and 20% weren't sure.

Of note is that the Borders Alcohol & Drug Partnership, NHS Borders, Scottish Borders Children and Young People's Leadership Group, and Police Scotland agreed that "drinking alcohol in a public place is causing a problem".

Alcohol in Public Places causes a problem.	Individual	Organisation / Group	Grand Total	Percent
1. Yes	163	12	175	36%
2. No	209	8	217	44%
3. Don't Know	92	7	99	20%
Grand Total	464	27	491	100%
Percent	95%	5%	100%	

Where do you think drinking alcohol in a public place is causing a problem?

Of the 175 respondents who said “Yes” to drinking alcohol in a public place is causing a problem, these are the areas identified.

The settlements most identified were: Galashiels, Hawick, Kelso, Peebles and Selkirk

Settlement	Count
Ayton	5
Cardrona	3
Chirnside	2
Clovenfords	1
Cockburnspath	2
Coldingham	4
Coldstream	9
Denholm	6
Duns	9
Earlston	14
Eddleston	2
Eyemouth	15
Galashiels	92
Greenlaw	4
Hawick	74
Innerleithen	9
Jedburgh	22
Kelso	33
Lauder	13
Melrose	30
Newcastleton	6
Newtown St Boswells	9
Peebles	31
Selkirk	30
St Boswells	8
Stow	3
Tweedbank	8
Walkerburn	3
West Linton	2
Yetholm	2
Other area(s) in Scottish Borders	38

38 respondents identified other areas or made a comment. The table below shows the grouping of the comments.

Other Area Theme	Count
Specific area	18
Common Riding /7s /Events	11
All areas /Towns	10
Safety / Anti-Social Behaviour	5
Litter	1
Underage Drinking	1
Other comment	1

Areas specifically identified by respondents include:

- BGH
- Children’s play parks
- Duns: Duns Square
- Eyemouth: Beach, Co-op carpark
- Galashiels: Bank Street Gardens, Market Square, town centre pavements, the Policies by pool (Gala hill), Interchange square, Melrose Gait shop area
- Hawick: Howegate, Wilton Lodge park, the Mare (underage), High Street
- Jedburgh – Lanton Road, outside the Court
- Kelso: Sheddon Park, graveyard near centre of town, the town square
- Peebles: Meldons, Venlaw hill, Sware woods, Haylodge park, back of Haylodge hospital, School Brae, Tweed Green
- Selkirk: Oxcleauch Hough Picnic site, Selkirk hill, Goslawdales
- St. Boswells: Community woods
- On the Train

Police Scotland provided detailed information about where drinking alcohol in public places causes a problem. Below is their full response.

Police Scotland have statistical information which shows that the areas indicating high for alcohol crimes where there is a clearly defined alcohol aggravator to indicate the presence of alcohol where deemed a factor in an act of violence are the Towns of Galashiels, Hawick, Kelso and Peebles.

Please refer to statistical document which evidences consumption of alcohol in public places from 1st April 2018 – 31st March 2019 and provides some insight into the scale of the issues in the Scottish Borders.

Town	% Alcohol Incidents
GALASHIELS	21.1%
PEEBLES	18.7%
HAWICK	16.2%
KELSO	15.6%

FINDINGS

- The percentage of alcohol related ASB incidents has increased in 2018/19 when compared to last year.

*N.B. The actual number of incidents is up, but is lower than previous years;

	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
% of Alcohol Related ASB Incidents	19.8%	20.1%	18.3%	16.5%	16.3%	15.6%	16.6%
% of Alcohol Related Youth ASB Incidents	11.4%	8.5%	8.6%	5.7%	6.7%	9.1%	6.5%

- When the incidents per town are considered it is not always the largest towns that have the highest percentage of alcohol related ASB incidents.
- Friday, Saturday and Sunday from 19:00 to 03:59 have the highest levels of alcohol related ASB incidents.
- Friday, Saturday and Sunday from 20:00 to 03:59 have the highest levels of potentially alcohol related offences in public places.

Please tell us about the alcohol related problem(s) in the place(s) you have identified.

Of the 175 respondents who said “Yes” to drinking alcohol in a public place is causing a problem, 160 further explained their response. Over 100 respondents identified safety / anti-social behaviour as alcohol related problems, 66 identify specific locations. The table below shows the themes that were presented in the comments.

What / Where is the Problem?	160
Safety / Anti-Social Behaviour	103
Specific area	66
Litter / Nuisance	65
Underage Drinking	59
Behaviour	56
Common Riding /7s /Events	44
Atmosphere / Reputation	44
Example for Children	29
Weekend /Day or weather	20
Other comment	51

Police Scotland’s response in full is below:

The crime data does not consistently identify offences where there is alcohol use therefore a manual selection process of identifying the crimes types that are likely to be aggravated by alcohol was used in extracting the above information and includes offences such as:

- BREACH OF THE PEACE
- COMMON ASSAULT
- THREATENING OR ABUSIVE BEHAVIOUR
- DRUNK AND INCAPABLE AND HABITUAL DRUNKENNESS
- URINATION

It is believed that all of these offences and the severity of the incidents could be reduced by the introduction of local bylaws.

NHS Borders, Borders Alcohol & Drug Partnership and Scottish Borders Children and Young People’s response in full was:

From the most recent Alcohol Profile we are aware that alcohol related harm is experienced in all areas of Borders. The areas identified as having the most alcohol related harm in the Alcohol Profile are:

- Galashiels North, Galashiels West and Kelso South have highest rates of alcohol related anti-social behaviour
- Langlee, Hawick Central has highest rates of alcohol related hospital stays in Borders
- Langlee has highest rates of alcohol deaths in Borders

A recent survey¹ has found that communities in the Borders feel that alcohol and drugs in the Borders is an issue. Some comments include:

‘Alcohol is a part of the Common Riding culture and probably impacts on more people than drug use’.

¹ ‘Developing Family Support and Recovery’ (Interim Report) by Scottish Families Affected by Drugs and Alcohol (2019)

'alcohol is everywhere'

'The Borders culture is rugby and drinking with the team...The Common Riding is a drinkfest'

Many respondents commented that there is a more 'muted' response and relaxed social attitude to alcohol issues and public drinking, for example, noting that drinking in public places is not covered by any byelaws in the Borders, in contrast to most other council areas.

Borders Household Survey² found that 36% of respondents said that they frequently or occasionally experience people being drunk or rowdy in public places in their local area.

Scotland is estimated to consume 17% more alcohol per head of population than the rest of the UK. 21% of Borders population are drinking more than national guidance. There are over 500 alcohol related hospital admissions per year in the Borders.

A circular³ came out in 2014 to local authorities providing guidance to areas on how to apply for byelaws and within this noted that Scottish ministers recognise the harm that public drinking can negatively affect the quality of life of residents and they have significantly reduced nuisance and disorder.

Additional staff are required within the Borders General Hospital over the Melrose 7s weekend to meet demand.

Below are examples of other comments received:

- Bit of sunshine ... people sit in bank street gardens and out comes the booze.
- Alcohol is a problem in these areas during festival times. There are many people walking around freely drinking during these times. This makes it difficult to identify those young people who are underage drinking when there are such crowds.
- Bottles left lying around and vandalism in public parks
- If you are elderly or disabled it's daunting trying to manoeuvre round groups of people drinking.
- Lots of older men sitting drinking early morning in the seating area at Channel Street. Not very nice whilst out shopping with younger children seeing these adults being loud and swearing.
- Drunkenness in general, and especially among the underage. However, this happens almost entirely only on festival occasions; and these would have to be excluded from any legislation because they are the backbone of rural Borders culture. I believe we should forget the complex machinery of byelaws, exceptions, and special provisions, which would be a nightmare. We need SBC's community policemen, and local resilience groups, to police it (do we no longer have Special Constables?)
- Drinking near or in children's play parks and smoking on the side-lines of sporting events are both Awful. Drinking while walking along the streets in borders towns and disruptive youths drinking in parks
- The drinking on trains results in rowdy behaviour, mess and smells.
- Younger people drinking in Tweed Green in front of the older peoples. Drinking in the streets. The culture when it is the Rugby 7's and Beltane that people just want to get drunk rather than enjoy the event. Fighting and litter after. Not enough Police to deal with the problems
- The 7s circuit cause numerous problems with youths drinking in the streets and leaving bottles etc. on people's property. There has also been cases of drunk members of the public urinating on people's property.
- People getting drunk & sometimes abusive when attending Court.
- Intoxication in these areas is unpleasant to witness. In all cases we are entitled not to be subject to the loudness and antisocial behaviour this leads to.

² Scottish Borders Household Survey 2018, available at https://www.scotborders.gov.uk/downloads/download/212/household_surveys

³ Scottish Government Circular LJ/02/2014 – Byelaws Prohibiting the Consumption of Alcohol in Designated Public Places

Do you think that not allowing people to drink alcohol in some public places will help to meet the 5 licensing objectives?

The Licensing (Scotland) Act 2005 is the main piece of legislation controlling the sale of alcohol in Scotland. It balances the rights of the majority of people who drink responsibly against the need to protect local communities from nuisance and crime associated with misuse of alcohol. The five licensing objectives provide clear guidance to underpin the alcohol licensing regime in Scotland. The table below shows the proportion of respondents who thought not allowing people to drink alcohol in some public places would help to meet each of the 5 licensing objectives. The objective most likely to be met was: Preventing public nuisance.

Do you think that not allowing people to drink alcohol in some public places will help to meet the 5 licensing objectives?				
Licensing Objective / Response	1. Yes	2. No	3. Don't Know	Grand Total
Preventing crime and disorder	52%	38%	9%	100%
Securing public safety	52%	38%	10%	100%
Protecting or improving public health	37%	47%	16%	100%
Preventing public nuisance	59%	30%	11%	100%
Protecting children and young persons from harm	50%	39%	11%	100%

Below are more detailed tables for each licensing objective cross-tabbed with the response to 'alcohol in public places causes a problem'. It is interesting to note that those respondents that said yes were more likely to agree that not allowing people to drink alcohol in some public places would help meet the licensing objectives.

Preventing crime and disorder	Alcohol in Public Places causes a problem			Grand Total
	1. Yes	2. No	3. Don't Know	
1. Yes	146	47	63	256
2. No	24	144	21	189
3. Don't Know	5	26	15	46
Grand Total	175	217	99	491

Preventing crime and disorder	Alcohol in Public Places causes a problem			Grand Total
	1. Yes	2. No	3. Don't Know	
1. Yes	83%	22%	64%	52%
2. No	14%	66%	21%	38%
3. Don't Know	3%	12%	15%	9%
Grand Total	100%	100%	100%	100%

Securing public safety	Alcohol in Public Places causes a problem			Grand Total
	1. Yes	2. No	3. Don't Know	
1. Yes	146	44	64	254
2. No	22	145	19	186
3. Don't Know	7	28	16	51
Grand Total	175	217	99	491

Securing public safety	Alcohol in Public Places causes a problem			Grand Total
	1. Yes	2. No	3. Don't Know	
1. Yes	83%	20%	65%	52%
2. No	13%	67%	19%	38%
3. Don't Know	4%	13%	16%	10%
Grand Total	100%	100%	100%	100%

Protecting or improving public health	Alcohol in Public Places causes a problem			Grand Total
	1. Yes	2. No	3. Don't Know	
1. Yes	113	28	42	183
2. No	33	166	32	231
3. Don't Know	29	23	25	77
Grand Total	175	217	99	491

Protecting or improving public health	Alcohol in Public Places causes a problem			Grand Total
	1. Yes	2. No	3. Don't Know	
1. Yes	65%	13%	42%	37%
2. No	19%	76%	32%	47%
3. Don't Know	17%	11%	25%	16%
Grand Total	100%	100%	100%	100%

Preventing public nuisance	Alcohol in Public Places causes a problem			Grand Total
	1. Yes	2. No	3. Don't Know	
1. Yes	149	70	69	288
2. No	20	114	15	149
3. Don't Know	6	33	15	54
Grand Total	175	217	99	491

Preventing public nuisance	Alcohol in Public Places causes a problem			Grand Total
	1. Yes	2. No	3. Don't Know	
1. Yes	85%	32%	70%	59%
2. No	11%	53%	15%	30%
3. Don't Know	3%	15%	15%	11%

Protecting children and young persons from harm	Alcohol in Public Places causes a problem			Grand Total
	1. Yes	2. No	3. Don't Know	
1. Yes	140	46	59	245
2. No	25	145	20	190
3. Don't Know	10	26	20	56
Grand Total	175	217	99	491

Protecting children and young persons from harm	Alcohol in Public Places causes a problem			Grand Total
	1. Yes	2. No	3. Don't Know	
1. Yes	80%	21%	60%	50%
2. No	14%	67%	20%	39%
3. Don't Know	6%	12%	20%	11%
Grand Total	100%	100%	100%	100%

Licensing Objectives Comments

Just over 50% of respondents made a comment about the Licensing Objectives.

Alcohol in Public Places causes a problem by Licesning Obectives Comment	Individual			Organisation / Group			Grand Total		
	Comment	No Comment	Total	Comment	No Comment	Total	Comment	No Comment	Total
1. Yes	81	82	163	11	1	12	92	83	175
2. No	105	104	209	5	3	8	110	107	217
3. Don't Know	44	48	92	4	3	7	48	51	99
Grand Total	230	234	464	20	7	27	250	241	491

Alcohol in Public Places causes a problem by Licesning Obectives Comment	Individual			Organisation / Group			Grand Total		
	Comment	No Comment	Total	Comment	No Comment	Total	Comment	No Comment	Total
1. Yes	50%	50%	100%	92%	8%	100%	53%	47%	100%
2. No	50%	50%	100%	63%	38%	100%	51%	49%	100%
3. Don't Know	48%	52%	100%	57%	43%	100%	48%	52%	100%
Grand Total	50%	50%	100%	74%	26%	100%	51%	49%	100%

The table below shows the Licensing Objective comment themes by the response to “drinking alcohol in a public place is causing a problem”.

Licensing Objective Comments Theme	Alcohol in Public Places causes a problem:			Grand Total
	1. Yes	2. No	3. Don't Know	
Not a issue or a solution		65	10	75
Safety / Anti-Social Behaviour	46	2	11	59
Responsible Adults / Minority Cause Problem	13	31	7	51
Protecting Children /Vulnerable adults	30	9	10	49
Behaviour	33	5	8	46
Police /effectiveness	21	16	5	42
Agree Restrict Public Drinking	22	7	13	42
Health / Social	26	5	9	40
Over Regulation / Minor Problem	4	27	3	34
Atmosphere / Reputation	20		12	32
Underage Drinking	20	4	7	31
Culture Change Needed	19	6	3	28
Common Riding /7s /Events	10	13	4	27
Litter / nuisance	20		6	26
Licensed Places / Private	15	6	1	22
Moving problem	11	6	1	18
Status Quo Culture		9	3	12
Undecided / Unsure of restriction		3	3	6
Raise with other Organisation	3	1	1	5
Other comment	49	37	15	101

Police Scotland’s response in full is below:

Alcohol consumption can take place within our communities whether that is attributed to a private dwelling, Licensed Premise or within a public space environment.

Alcohol Byelaws are used within the three other local council areas with Lothian Scot Borders, namely East Lothian, Midlothian and West Lothian. By having such byelaws in force it assists Police Scotland in reducing anti-social behaviour and violence both of which are known to have an association with drinking in public. Currently the Scottish Borders area is the only local authority area in Scotland that does not have byelaws restricting the consumption of alcohol in public places.

NHS Borders, Borders Alcohol & Drug Partnership and Scottish Borders Children and Young People's response in full was:

Alcohol consumption can take place in our communities' private space as well as within Licensed premises. Not allowing people to drink in a public place will help to reduce the "normalisation" of alcohol being an ordinary commodity and builds communities and environments that supports a culture change and reduces exposure for our children and young people.

Public drinking can adversely affect the quality of life for residents and our communities. Alcohol Focus Scotland⁴ report that 1 in 2 Scots experience harm from another's drinking and often this harm is experienced in public spaces (although not necessarily from public space drinking). In this study 37% had experienced harm to others in public places and this was mostly (51%) experienced by the younger age group (16-25).

Alcohol Byelaws can be used as an additional tool to reduce the nuisance and disorder normally associated with public drinking. Licensed premises are well regulated within the Scottish Borders and provide the opportunity to consume alcohol in a safe environment. The Scottish Borders is the only local authority area in Scotland that does not have byelaws restricting the consumption of alcohol in public places.

Below are examples of other comments received:

- A byelaw would promote community safety and reduce the constant exposure to alcohol that our children and young people. We have a lot of very good licensees who run bars at such events and whose staff can ensure people drink safely.
- I believe that if we ensure that reducing/stopping drinking alcohol in these public places will reduce crime, disorder, preventing public nuisance and will protect young people from risky behaviour or harm as it will make it more difficult for such actions to be carried out in the cold light of day. It will be easier to police and will not encourage young people to think that it is the 'norm' to get drunk on these occasions.
- Making alcohol free zones would stop vandalism and littering but this would have to be policed. If it is not properly policed changing the law would have no effect.
- The volume of broken glass in some areas of the down is a risk of injury to children and pets. Throwing or dropping glasses or bottles is also a nuisance.
- 1. I feel the police have adequate powers to monitor consumption already.
2. I have noticed a gradual improvement in attitude to alcohol intake- especially with younger people.
- As far as I'm aware, drinking in public places is not an issue. I believe if people are acting in an unsociable manner while drinking in public places, then it's up to the public or whoever is feeling its a problem to either say something to the people and try to sort it out or to call the police. I don't feel there's a need to introduce a law that is not needed and potentially hard to enforce.
- Banning it is not going to solve the problem of a minority, just makes the majority feel living in a nanny society. Treat us with respect and as adults. Make those individuals that create problems pay for it, literally!
- Border Festivals highlight the fact you can have 'hundreds' out on the streets without a major problem arising.
- Cannot stop crime or secure public safety by one measure alone.
- Denying those who do not cause harm from enjoying a light drink in public parks and areas because of a few who do cause harm has shown elsewhere to make little difference except making relationships with the police force even more strained.

⁴ Unrecognised and under-reported: the impact of alcohol on people other than the drinker in Scotland. Alcohol Focus Scotland available at <https://www.alcohol-focus-scotland.org.uk/media/59866/Unrecognised-and-under-reported-full-report.pdf>

- Drinking in public places should be in a controlled manner.
Drinking outside a pub within the close perimeter, I feel is acceptable as it is controlled.
- I believe restricting alcohol in "some" public places shall only serve to move the problem elsewhere. This could be other less obvious public places or private properties/gardens where the risk to health, crime and public safety may then be much higher.
This may help prevent some public nuisance instances but at a cost of potentially restricting the behaviour of groups/events that may not necessarily have caused a nuisance. Existing public order laws should suffice to intervene in cases where behaviour becomes a problem.
- I think there is problem drinking behaviour BUT it doesn't relate to the 'where' people drink. A lot of the nuisances are in bars and at home too. Don't penalize the majority of drinkers over a perceived problem that most of us don't think is even there.
- In my locality, I don't think there is a problem with drinking in public places! I also feel the police already have powers to act if there is.
Cafes should be able to serve drink on the pavements outside the premises.
- There is no harm drinking in public spaces during Rugby 7s and outdoor festivals.
- They are already laws available to prevent public disorder and protect the community. Additional Byelaws would potentially criminalise members of the community unnecessarily. If the current laws are not effective, they should be changed.
- We have the right to roam across Scotland and it seems incorrect to introduce bye laws preventing people from enjoying a drink in open places.
- 1. There should be designated public places for drinking alcohol like pubs, hotels etc. This can help prevent crime but not disorder. Disorder can be caused by other forms of actions like protests, strikes etc and not just drinking.
2. Avoiding alcohol at public places can secure people safety by providing a secure public place for relaxation.
3. Overall, not allowing people to drink alcohol in some public places cannot always protect or improve public health. Health improvement or protection can take place when there is either less or no consumption of alcohol. Public need to be educated about alcohol consumption.
4. Not permitting people to drink in public places can help in preventing public nuisance as this will create a disciplined and relaxed public space.
5. Lastly, not allowing people to drink in some public places can prevent children and young people from harm and protect them because they can be safe in these spaces.
- Banning alcohol in public places will stop children seeing unwanted and undesired behaviour in public places. People making a nuisance of themselves encouraging bad language and behaviours.
- I have no experience of it causing trouble but I do understand that there may be places that it does.
- I think 'public places' needs to be more defined... For example, sitting outside a licenced premises at tables is wholly acceptable in my opinion, and is very different from swigging from a bottle in a public park.
- I think that criminalising drinking in public actually makes the problem worse. By serving our fines to people who are drinking in the street - a lot of whom may already be struggling with issues like addiction and financial insecurity - it potentially endangers already vulnerable people.
- My concerns relate to the drinking of alcohol in the streets on our local towns. It gives such a bad impression to the local inhabitants of our famous towns and to the many visitors who come to enjoy our history, industry and friendship. Poor behaviour by public drinkers leads to public safety concerns and turns visitors away.
- We have a huge problem with underage drinking and need to do something to change this culture.
- Unfortunately minority spoil it for the majority.
- We live in a culture where alcohol is deeply entrenched in our social activities. Alcohol consumption to excess is common. Due to cost more and more people drink unmeasured amounts in their own homes before going to pubs/clubs. They are still inebriated between those places with a potential to cause a disturbance, be a danger to others or to themselves. Not allowing people to drink in a public place may reduce rubbish and possibly reduce crowds.

Any final comments about drinking alcohol in public places?

53% of respondents made a final comment.

Alcohol in Public Places causes a problem by Final Comment	Individual			Organisation / Group			Grand Total		
	Comment	No Comment	Total	Comment	No Comment	Total	Comment	No Comment	Total
1. Yes	92	71	163	11	1	12	103	72	175
2. No	95	114	209	5	3	8	100	117	217
3. Don't Know	51	41	92	6	1	7	57	42	99
Grand Total	238	226	464	22	5	27	260	231	491

Alcohol in Public Places causes a problem by Final Comment	Individual			Organisation / Group			Grand Total		
	Comment	No Comment	Total	Comment	No Comment	Total	Comment	No Comment	Total
1. Yes	56%	44%	100%	92%	8%	100%	59%	41%	100%
2. No	45%	55%	100%	63%	38%	100%	46%	54%	100%
3. Don't Know	55%	45%	100%	86%	14%	100%	58%	42%	100%
Grand Total	51%	49%	100%	81%	19%	100%	53%	47%	100%

The table below shows the Final Comment themes by the response to “drinking alcohol in a public place is causing a problem”.

Final Comments Theme	Alcohol in Public Places causes a problem:			Grand Total
	1. Yes	2. No	3. Don't Know	
Agree Restrict Public Drinking	52	9	20	81
Responsible Adults / Minority Cause Problem	29	28	19	76
Common Riding /7s /Events	25	17	15	57
Not a issue or a solution	10	39	7	56
Culture Change Needed	31	11	10	52
Police / Effectiveness	17	16	10	43
Safety / Anti-Social Behaviour	24	6	7	37
Atmosphere / Reputation	23	3	5	31
Behaviour	18	7	6	31
Over Regulation / Minor Problem	7	16	6	29
Protecting Children /Vulnerable adults	19	3	6	28
Licensed Places / Private	12	4	12	28
Litter / Nuisance	20	5	2	27
Underage Drinking	8	3	5	16
Health / Social	7	5	3	15
Undecided / Unsure of restriction	3	2	6	11
Status Quo Culture		3	1	4
Raise with other Organisation	2			2
Moving problem			1	1
Other comment	21	36	19	76

Police Scotland’s response in full is below:

If there are to be Bylaws it is recommended from a policing perspective that it is a blanket across the entire area to avoid confusion and objections.

NHS Borders, Borders Alcohol & Drug Partnership and Scottish Borders Children and Young People's response in full was:

Having an alcohol byelaw in place in areas that the community requests, allows environments that are supportive to our children and young people and reduces exposure and availability of alcohol. We know children's exposure to parental drinking can influence their own attitude and consumption meaning they can start drinking at an earlier age and be more likely to drink in adolescence.

Research⁵ has also shown that children and young people fear people drinking in public spaces and want adults to drink less. Our children have the view that alcohol is connected to arguing and violence in public spaces (and at home) and want their environment (park, beaches and spaces) to be clean and pollution free.

The global evidence for the five most effective strategies to reduce alcohol related harm which are backed by the United Nations are:

- **Strengthen restrictions on alcohol availability**
- Advance and enforce drink driving countermeasures
- Facilitate access to screening, brief interventions and treatment
- Enforce bans or comprehensive restrictions on alcohol advertising, sponsorship and promotion
- Raise prices on alcohol through excise taxes and pricing policies.

Reducing availability of drinking in public place is in keeping with strengthening restrictions on alcohol availability.

Below are examples of other comments received:

- A think it's a complex situation which deserves time and thought. I'm not entirely sure that reacting in a retrospective way is the best approach.
I feel there are many behaviours and traditions entrenched in Scottish- and Borders'- society around drinking habits.
I feel personally that there are alternatives for many people socially that do not centre around drinking or going to the pub- cinema, concerts, sport, dining out- but not everyone has the imagination or willingness to explore these as valid ways to enjoy yourself.
- Alcohol consumption should be allowed within pubs i.e. in beer gardens, etc. however drinking on the street etc. should not be allowed. If there is a function, for instance, Common Riding, I think then it should be allowed due to the nature of the festival.
- All consumption of alcohol should be banned in public places if we care about our communities health and future.
- I feel that consumption of alcohol has got out of hand due to longer opening hours and the need to drink till you can't walk. Perhaps you should be looking at reducing opening times as well.
- I note that Festivals, Sports Events and Common Ridings etc. may be exempt from any new regulations. However, these are just the sort of occasions when drinking alcohol in public places is most likely to be a nuisance.
- It causes a nuisance and should be banned.
- The advice of the Police should be the most important consideration of where and if to ban alcohol. If the Police recommend a ban in a certain area then there should be a ban.
- The Borders is a fine place to live spoilt by a handful people who have a problem controlling their volume of input.
Melrose 7's have ceased to be a festival of rugby-it is now a festival of drunkenness.

⁵ What kind of Scotland? Children influencing Scotland's future (Children's Parliament, 2017)

- Whole drinking culture needs to change. No alcohol at all on events including drunks, the message should be to enjoy events sober and alcohol free is OK.
- 1. It isn't fair that one or two individuals should have negative effect on those who drink responsibly in public.
2. Police presence at large gatherings e.g. Common ridings should be enough to monitor any bad behaviour.
- A ban on drinking in public places would come with exemptions such as local festivals or New Year's Eve but these are the very time when the worst examples of drinking in public places can be witnessed.
- As a young person myself, underage drinking, especially in public areas is a big problem. However banning drinking in public completely because of a very vocal, and very annoying minority, does not help the situation.
- Banning drinking alcohol in public places is a waste of time. The vast majority of drink-fuelled bad behaviour is undertaken by those who have got themselves "tanked up" in the confines of their or someone else's home.
- By introducing such a Byelaw there would be a massive detrimental effect on the already fragile economy of our town.
- Drinking in public places doesn't cause a problem in itself. Issues arise when certain individuals drink alcohol to excess in any setting. The problem, in my view, won't be solved by a blanket ban on alcohol in public spaces. There are already laws to prevent antisocial behaviour but they need enforced.
- I think it is only a minority of people that cause problems and there is other issues like drug abuse in the Borders which is a bigger problem than drinking in public places.
- In 2019 more emphasis should be on communities working together to solve these issues, the top down method is definitely not working anymore and is purely causing more division and strain on relationships between professionals, organisations and the general public. Forcing hard to manage laws on everyone in an attempt to solve a complex problem quickly is not the way forward and issues should be treated with the respect and exploration they need if these issues are to actually be solved. Bringing in a ban will only add more problems and damage those in most need to be of being included in society.
- Initiatives such as minimum unit pricing, controls at busy public events and greater police presence/engagement are more likely to have a positive outcome to improve the situation. How would the council pay for additional controls required to manage licencing and enforcement requirements when services are already being cut to ensure core services can be maintained. Community events are likely to be adversely affected by additional restrictions where no current problem exists.
- Police have existing powers to deal with public order issues. We don't need a sledgehammer approach which will penalise the vast majority who are perfectly capable of having a drink and causing no trouble whatsoever.
- Responsible drinking is fine. It would be a shame to bring in measures to stop this when it is the minority who cause problems.
- Stopping people drinking in a public place is going to spoil all the borders festivals and gatherings that most of the public look forward to and enjoy. Why should someone take that freedom away!!
- The only drinking in public places that I really see as a problem in the Scottish Borders involves underage drinking.
- As stated define the public spaces being considered. Street drinking and playparks are reasonable, public parks and open spaces not so.
- I think it is fine to drink in public places. Where it is abused is where it causes a problem. So measures to deal with the problems rather than ban altogether would be my preference. Unless there has been danger to life, anti- social behaviour before in which case a ban for certain events/places might be needed.
- If controlled properly I would assume that there are benefits to publicans in as much as people may be tempted to stop for a drink in the sunshine where as they will not go into a public house / bar. The "pavement café / bar" culture should be promoted.
- Would be nice if people could be sensible and civilised.
- Would prefer to see flexibility in use of drinking in public places. For instance allow for common ridings/ festivities / special events. Restrict in play parks and high streets. Have a system in place for decisions to be challenged.