

To: Renfrewshire Licensing Board

On: 4th October 2018

Report by Clerk to the Licensing Board

Review of Statement of Licensing Policy for 2018-2022: Responses to Formal Consultation and Further Procedure

INTRODUCTION

1. Introduction

1.1 The purpose of this report is to advise the Licensing Board of the responses received in response to formal consultation and results of an online survey relative to review of the Board's Statement of Licensing Policy ("the policy"). The Board's views are sought as to what changes should be made to the draft updated Statement of Licensing Policy prior to it being finalised for publication under the terms of the Licensing (Scotland) Act 2005 ("the Act").

2. Background

2.1 The Board considered a report by the Clerk to the Licensing Board on 18th December 2017 in relation to the arrangements for preparation of a new Statement of Licensing Policy and agreed to undertake an initial, informal consultation on the terms of the Board's existing policy. Responses were received to that initial consultation between December 2017 and 2nd February 2018. These responses are published online at http://www.renfrewshire.gov.uk/media/6369/Informal-Consultation-Responses/pdf/Informal_Consultation_Responses_Redacted_Security.pdf

2.2 A further report was considered by the Board on 11th May 2018. This report advised the Board of the responses received to the initial consultation along with comments by the Clerk on those initial responses. The report was accompanied by a draft updated version of the Statement of Licensing Policy, reflecting legislative changes since the last review of the policy and other changes of a technical nature, and a consultation document (or "Issues Paper"). These documents were approved by the Board on 11th May 2018 for the purposes of formal consultation on the policy as attached at Appendix 1 and Appendix 2 to this report.

2.3 The Board also agreed, for the purposes of the assessment of overprovision which is required as part of the review of the policy, to identify an area in Paisley Town Centre as a locality for that assessment. This area is currently considered overprovided in terms of the Board's existing Statement of

Licensing Policy and is shown on the Plan attached at Appendix 3. The Board agreed on 11th May 2018 to consult on that locality for the purposes of the assessment of overprovision.

2.4 Formal consultation took place between 11th May 2018 and 3rd August 2018, as required under the terms of the Act. A wide range of parties were consulted, as listed at Appendix 4. In response to the consultation, responses were received from:

- Police Scotland
- Renfrewshire Licensing Forum
- Renfrewshire Health and Social Care Partnership
- Dr Catherine Chiang, NHS Greater Glasgow and Clyde
- Additional responses from NHS Greater Glasgow and Clyde with attached reports (one of which was received after the close of the consultation period)
- Alcohol Focus Scotland
- A local premises licence holder
- Scottish Grocers' Federation

An online survey was also carried out in order to seek views from members of the public.

2.5 A copy of the responses and a report showing the findings of the online survey is attached at Appendix 5, together with comments from the Clerk in relation to the survey's findings and the individual consultation responses.

2.6 The Board is invited to consider the terms of these responses and the findings from the survey and the Clerk's comments. A Discussion Paper has been prepared by officers highlighting issues which now require to be considered and decided by the Board. This will allow officers to prepare a final version of the policy for the Board's consideration. The Discussion Paper is attached at Appendix 6. A further report will be brought to the Board, seeking final approval of the policy for publication, prior to expiry of the statutory deadline on 3rd November 2018.

3. Overprovision Assessment

3.1 The Boards' Statement of Licensing Policy must include a statement as to the extent to which the Board considers there to be overprovision of licensed premises, or licensed premises of a particular description, in any locality within the Board's area. As noted above at Paragraph 2.3, the Board identified a locality in Paisley Town Centre for the purpose of this assessment, as shown at Appendix 3. The Board now requires to consider whether this area is overprovided in respect of all licensed premises, or certain types of premises. The Board, under section 7 of the Act, must have regard to the numbers and capacities of licensed premises in that locality and may now have regard also to other matters as they think fit, in particular the licensed hours of premises. Information in relation to numbers, capacities and licensed hours of premises in this locality are also produced at Appendix 3.

- 3.2 As indicated in the previous report to the Board on 11th May 2018, the draft updated Statement of Licensing Policy at Appendix 1 has not been updated in relation to overprovision, except in respect of technical matters. This section will be updated in the final policy submitted to the Board for approval, according to the Board's assessment of overprovision.
- 3.3 The Board will note from the responses to consultation attached at Appendix 5 that some consultees have suggested other localities should also be assessed in relation to overprovision. In accordance with recent case law, the Board agreed upon localities for consultation in relation to overprovision at its meeting on 11th May 2018. This decision was made after consideration of a number of possible localities for consultation in light of the terms of responses to the initial consultation.
- 3.4 Given the Board's decision on 11th May 2018, the views of consultees were not requested in relation to the further localities suggested in the responses. Should the Board, in light of the formal consultation responses now received, wish to give further consideration to any additional localities, it would be necessary that the Board request officers to bring a further report to the Board following publication of the policy. This would allow the statutory procedure to be followed in relation to any supplementary statement of licensing policy the Board may consider is required in relation to overprovision.
- 3.5 The Board requires, in terms of the statutory guidance referred to further below, to consider whether there is a dependable causal link between the operation of licensed premises in the identified locality and evidence that a saturation point is being reached or is close to being reached.
- 3.6 Appendix 7 contains details of the numbers and capacities of licensed premises in the identified locality between 2013 and 2018 for the Board's information.

4. Additional Information

- 4.1 The Board is requested at this stage to agree publication of the responses to the formal consultation.
- 4.2 The Board, in exercising its functions, requires to have regard to the terms of statutory guidance published under section 142 of the Act. The current Statutory Guidance can be viewed at the following link-

www.gov.scot/Resource/Doc/175487/0049459.pdf

The Scottish Government are currently reviewing the terms of the statutory guidance and issued to Licensing Boards new Chapters in relation to licensing policy statements and overprovision assessments, on a non-statutory basis, in February 2018. This, non-statutory Guidance was reported to the Board at its meeting on 5th March 2018. It is however unlikely that any new Statutory Guidance will be available prior to the publication of the Board's new Statement of Licensing Policy.

- 4.3 The Board will note that its Statement of Licensing Policy should seek to promote the five licensing objectives set out in the Act. In setting its policy, a Licensing Board must have regard to the above statutory guidance and also give appropriate weight to the views of those consulted. A Statement of Licensing Policy may set out a general approach to the making of decisions but must not ignore, or be inconsistent with, the provisions in the Act.

5. Equality Impact Assessment

- 5.1 As part of its formal consultation in relation to the review of the policy, the Board consulted widely and included in the consultation numerous groups considered to be representative of people with protected characteristics. No responses have been received highlighting any adverse impacts upon people with protected characteristics and no adverse impacts have been identified.

6. Recommendation

- 6.1 It is recommended that the Board:-
- 6.1.1 Agree to publish the responses received to the formal consultation;
- 6.1.2 Consider, having regard to (i) the information at Appendix 3 and (ii) the responses to the formal consultation and the comments by the Clerk at Appendix 5, whether the locality identified prior to the formal consultation for the purpose of assessment of overprovision is overprovided, either in respect of all licensed premises or certain types of licensed premises;
- 6.1.3 Consider (i) the responses to the formal consultation and the findings of the online survey, together with the comments by the Clerk, at Appendix 5, (ii) the terms of the Discussion Paper at Appendix 6 and (iii) the draft Statement of Licensing Policy at Appendix 1 and identify which changes are required to the draft Statement of Licensing Policy following upon the formal consultation; and
- 6.1.4 Thereafter, instruct officers to bring a further report to the Board, prior to 3rd November 2018, with a final version of the policy for approval and publication.



Kenneth Graham
Clerk to the Licensing Board

APPENDIX 1

Draft Updated Statement of Licensing Policy 2018-2022

RENFREWSHIRE LICENSING BOARD

The Licensing (Scotland) Act 2005

Statement of Licensing Policy 2018-2022

Clerk to the Licensing Board
Renfrewshire Council
Renfrewshire House
Cotton Street,
Paisley PA1 1TT

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SECTION A - STATEMENT OF LICENSING POLICY

1. INTRODUCTION

- 1.1 This Statement of Licensing Policy has been prepared by Renfrewshire Licensing Board in terms of Section 6 of the Licensing (Scotland) Act 2005 (“the Act”) to assist in the implementation and administration of the licensing of premises for the sale of alcohol within Renfrewshire and to outline the way in which it intends exercising its functions under the 2005 Act. The Board is required to ensure that its policy promotes the licensing objectives.

These are set out in Section 4 of the Act and are:-

- Preventing crime and disorder
- Securing public safety
- Preventing public nuisance
- Protecting and improving public health; and
- Protecting children and young persons from harm.

Subject to the promotion of the licensing objectives the Board recognises and supports the contribution which licensed premises make to the economy of the area, to employment, tourism and the vitality of the area.

- 1.2 The Board will have regard to this policy when undertaking any of its functions. This includes officers of the Board when determining applications of a type delegated to them.
- 1.3 This Statement of Policy (hereinafter referred to as “the Statement”) came into effect on 30 November 2007 and was reviewed in 2010 and 2013. This

Statement will remain in effect from **[date of publication of policy to be inserted once known]**, subject to review, until 18 months after the next ordinary local government elections. It will be subject to regular review and monitoring and further consultation during this period. If necessary, the Board will prepare and publish supplementary Statements of Licensing Policy. If you wish to make comment on the statement or wish the contents to be reviewed, please contact the Licensing Section at the contact point stated on the front page.

1.4 The review of liquor licensing law in Scotland commenced with the appointment of the Nicholson Committee in June, 2001 and was fully implemented on 1st September, 2009 when all the provisions of the Act came into force.

1.5 The Act introduced a modernised statutory framework for liquor licensing to allow more flexibility for the licensed trade balanced by extensive and, in appropriate cases, immediate enforcement powers for the Board. A number of changes have been made to the Act since it came fully into force in 2009.

2. CONTEXT – RENFREWSHIRE

2.1 Renfrewshire is situated to the West of Glasgow on the south bank of the River Clyde and covers 261 square kilometres. Renfrewshire's population is estimated at approximately 176,000 making it the tenth largest Council area in Scotland in terms of population.

- 2.2 Paisley with an estimated population of 76,000 forms the commercial and transport hub for Renfrewshire.
- 2.3 Renfrewshire has a rich and diverse environment. Paisley, Scotland's largest town, has a rich architectural heritage and is complemented by the Royal Burgh of Renfrew, Erskine New Town, the 18th Century planned town of Johnstone and several villages amidst countryside. There are, as at, 24 April 2018, 436 licensed premises in Renfrewshire, which includes 63 registered clubs.
- 2.4 In the Renfrewshire Local Development Plan (LDP) adopted Spring 2014 reference is made to the key role of Renfrewshire as "the main international gateway to Scotland and makes a major contribution to the life of the rest of Scotland."

3. PREPARATION OF STATEMENT

- 3.1 The Statement of Licensing Policy has been prepared having regard to:-
- the Licensing Objectives;
 - the statutory Guidance for Licensing Boards and Local Authorities issued by the Scottish Executive;
 - the terms of the Act with particular reference to Section 6, and
 - the terms of the Alcohol Etc., (Scotland) Act 2010, the Criminal Justice and Licensing (Scotland) Act 2010 and the Air Weapons and Licensing (Scotland) Act 2015.

- 3.2 In preparing the Statement, the Board consulted widely and took account of the views submitted in its adoption.

4. GENERAL PRINCIPLES

- 4.1 This Statement of Licensing Policy seeks:-

- to promote the five licensing objectives; and
- to comply with the terms of the 2005 Act and ancillary licensing legislation.

- 4.2 The Statement sets out a general approach to the way the Board will make licensing decisions but nothing in this Statement will:-

- undermine the rights of any person to apply under the Act and to have that application considered on its individual merits; or
- override the right of any person to make representations on any applications or seek a review of a licence where permitted to do so under the Act.

- 4.3 It relates to how the Board will exercise its licensing functions under the Act, specifically as regards the regulation of the sale of alcohol and premises in which alcohol is sold all within the terms of the Act. Only material relevant to the Act and the Licensing Objectives will be taken into account by the Board when determining applications or considering reviews.

- 4.4 It should be recognised also that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals

once they are no longer in the licensed premises and beyond the direct control of the individual, club or business holding the premises' licence. If, however, the nuisance or anti-social behaviour is caused by misuse of alcohol, then supply of alcohol could be a relevant factor in that misuse and the Board, when provided with appropriate information about the misuse, may consider using its powers appropriately in the circumstances. For example, if the anti-social behaviour is linked with unlawful or inappropriate sales of alcohol, relating to particular premises whether to someone under 18 years of age, to a drunken person or as part of an irresponsible drink promotion the Board would be entitled to consider a premises licence review proposal under Section 37 of the Act.

5. TYPES OF APPLICATIONS AND SCHEME OF DELEGATION

5.1 The Board is responsible for the consideration of applications for:-

- premises licences;
- occasional licences;
- temporary licences;
- provisional licences;
- personal licences;
- variations of licences;
- review of licences;
- transfer of licences;
- extensions of licensing hours;
- the sale of alcohol by retail; and

- the supply of alcohol in members' clubs.

5.2 The Board will provide an efficient and cost effective service to all those who are involved in the licensing process. The Board recognises that any application should only be submitted to the Board when necessary and, where straightforward, should be decided by officers to create as little inconvenience to applicants as possible.

5.3 The Board has therefore agreed, as a general rule, that only those applications and matters which by statute are required to be considered by the Board will be submitted to it and the other applications will be determined by the Clerk and Depute Clerks to the Board, except as otherwise provided below.

5.4 Those applications and matters which require to and will be submitted to the Board are:-

- a premises licence application;
- a premises licence variation where the variation applied for is not a minor variation;
- an application for transfer of a premises licence where (i) the applicant has been convicted of a relevant offence or a foreign offence, (ii) the chief constable has provided a notice stating that he considers it necessary that the application for transfer be refused, or (iii) information in relation to the proposed licence holder (and other persons as set out in the Act);

- determining a personal licence application or a personal licence renewal application where a notice has been received from the chief constable recommending refusal;
- conducting any hearing including issuing a written warning, revoking or suspending the licence, making a variation of a licence or, in respect of a personal licence, making an order revoking, suspending or endorsing a personal licence;
- making a closure order; and
- refusing an application for confirmation of a provisional premises licence.

5.5 All other matters with the exception of the specific delegations to Board Members narrated at paragraph 5.6 hereof are delegated to the Clerk and Depute Clerks to deal with, including:-

- granting an application for confirmation of provisional premises licence;
- all applications for transfer of a premises licence where the transferee has not been convicted of a relevant offence or a foreign offence and no notice recommending refusal or other information has been provided by the chief constable;
- all applications for variation of a premises licence where the variation is a minor variation as defined in the Act;
- all applications for personal licences or for the renewal of personal licences where the applicant has not been convicted of a relevant

offence or a foreign offence, no notice recommending refusal has been given by the chief constable and no information has been received from the chief constable or a Licensing Standards Officer which they consider relevant to the application (provided no personal licence held by the applicant has expired or been surrendered within the last three years);

- all applications for occasional licences where there is no objection or representation received or no notice from the Chief Constable recommending refusal or where conditions proposed by the Chief Constable or other consultees have been accepted by the applicant;
- grant of occasional extensions of licensed hours for a special event of local or national significance (following consultation with the Convener);
- grant of extended hours applications within the Board's normal licensing hours policy and when there is no notice of objection or representation or where conditions have been proposed by the Chief Constable or other consultees and have been accepted by the applicant;
- to decide, where an application for an occasional licence or for extended hours is lodged late, whether the reason given for lateness is sufficient for the application to be processed;
- where satisfied that an application for an occasional licence or for extended hours requires to be dealt with quickly and if so to determine a shortened period for notification being not less than 24 hours.

- revocation of a personal licence where the personal licence holder has failed to complete, and provide evidence of, refresher training to the Board within the periods set out in the Act.

5.6 Determination of the following are delegated to the Convener and one other Board Member, or in the absence of the Convener, two other Board Members:-

- grant of extended hours or occasional licences for hours which are outwith the Board's Licensing Policy Hours or where objections/representations have been received or conditions proposed and not accepted and which in the opinion of the Convener and one other member may be determined without a hearing;
- authority to decide whether any application for a premises licence review is vexatious or frivolous and if so to reject it on behalf of the Board;
- grant of a personal licence where no recommendation has been received from the chief constable recommending refusal but either: a) notice has been received from the chief constable confirming the existence of a relevant or foreign offence, or from the chief constable or a Licensing Standards Officer providing information relevant to the application; or (b) the applicant has previously held a personal licence which expired or was surrendered within the last three years;
- authority to decide whether to extend the 28 day period following upon a decision to revoke a premises licence at a review hearing (on the ground that a person is not fit and proper), pending determination of an application for transfer or variation made within that period;

- authority to decide whether to hold a hearing or to take no action in relation to a premises licence or personal licence, where no recommendation has been received from the chief constable after notification of a relevant conviction.

5.7 The Board will receive regular reports regarding licences determined under delegated powers.

6. OPERATING PLANS

6.1 All applications for premises licences must be accompanied by an operating plan and a layout plan all complying with the Act and Regulations made under that Act, as well as a disabled access and facilities statement. The Board also asks applicants for premises licences to provide, with their applications, a note setting out how they propose to promote the licensing objectives. Operating Plans must make clear how the premises are to be run, what activities will be undertaken on the premises and at what time.

6.2 More specifically, an “operating plan” in relation to any premises is a document in the prescribed form containing:-

- (a) a description of the activities to be carried on in the premises;
- (b) a statement of the times during which it is proposed that alcohol be sold in the premises;
- (c) a statement as to whether the alcohol is to be sold for consumption in the premises, off the premises, or both;

- (d) a statement of the times at which other activities, in addition to the sale of alcohol, are to be carried on in the premises;
- (e) where alcohol is to be sold for consumption in the premises, a statement as to whether children or young persons are to be allowed entry to the premises and, if they are allowed entry, a statement of the terms on which they are allowed entry including, in particular:-
 - (i) the ages of children or young persons to be allowed entry;
 - (ii) the time at which they are to be allowed entry; and
 - (iii) the parts of the premises to which they are to be allowed entry;
- (f) information as to the proposed capacity of the premises;
- (g) prescribed information about the individual who is to be the premises manager; and
- (h) such other information in relation to the premises and the activities to be carried on as may be prescribed.

6.3 Where alcohol is to be sold both for consumption on and for consumption off any premises, the operating plan for the premises may state different times for:-

- (a) the sale of alcohol for consumption on the premises; and
- (b) the sale of alcohol for consumption off the premises.

6.4 In preparing and presenting the operating plan, applicants should be aware that the Board expects premises to be run in a way compliant with, and promoting, the five licensing objectives:-

- preventing crime and order;
- securing public safety;
- preventing public nuisance;
- protecting and improving public health; and
- protecting children and young persons from harm.

6.5 Although basic guidance may be sought from the Clerk and Licensing Standards Officers, it is for the applicant to make sure that the operating plan is in the correct form and covers all aspects of the operation of the premises. It is strongly recommended that any applicant, objector or representer seeks independent legal advice.

7. BOARD MEETINGS

7.1 The proceedings of the Board shall be conducted in accordance with the provisions of paragraph 12 of Schedule 1 to the Act. Unless there are justifiable reasons for or as provided in regulations made under the Act, the Board will meet in public.

8 HEARINGS

8.1 Where a hearing is to take place, the Board will attempt to make the experience as informal as possible consistent with the carrying out of the Board's quasi-judicial function.

8.2 The normal procedure will be to hear the submission of the objector or representer in relation to an application or person seeking review of the

premises licence. The applicant or agent will then have an opportunity to address the hearing and Board members may ask questions of any of the parties. There will then be an opportunity for final submissions by all parties before the Board makes a decision.

8.3 The Board is entitled to adjourn to consider the application in private. If they do so, the Board will thereafter reconvene in public to resume consideration of, or make a decision on, the application, as appropriate.

8.4 Normally formal evidence will not be called for. It is noted, however, that under Section 133 of the Act, Scottish Ministers may make Regulations providing procedures to be followed at any hearing.

9 NOTIFICATIONS OF APPLICATIONS, OBJECTIONS AND REPRESENTATIONS

The Board will give notice of each premises licence application it receives to those persons referred to in Section 21 of the Act, namely:-

- each person having a notifiable interest in neighbouring land;
- any community council within whose area the premises are situated;
- Renfrewshire Council;
- Chief Constable of Police Scotland;
- NHS Greater Glasgow and Clyde, and
- Scottish Fire and Rescue Service

Additionally, the Board will list all applications received on Renfrewshire Council's website, www.renfrewshire.gov.uk.

10. CONSIDERATION OF PREMISES LICENCE APPLICATIONS

10.1 The grounds for refusal of a premises licence are set out in full at Section 23 of the Act. If the Board consider that none of these grounds apply it must grant the application and if it considers that one or more apply it must refuse the application.

10.2 When considering whether or not any application should be granted, the Board will take into account relevant matters including:-

- the nature of the premises, the style and type of use, the potential number and profile of the customers likely to attend the premises;
- the proposed hours of operation;
- the means of access to the premises including the location and adequacy of customer entrances and exits;
- the location of the premises; which could include such matters:-
 - the level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public transport that will be used by them;
 - the likely level of car parking demand on principal roads and surrounding residential streets in comparison with the existing situation, its effect on local residents and on residential parking and emergency access;

- the provision of appropriate and suitable toilet facilities and ventilation of the premises.
- whether the applicant is a fit and proper person to hold the licence, having regard to the licensing objectives.

10.3 Where it is possible to take steps to mitigate or prevent any potential impact, the Board may still be able to grant a licence subject to conditions; each case will be considered on its own merits and appropriate advice will be sought by the Board.

10.4 When considering any application for premises which have been previously licensed or in any review of an existing licence, the Board will take into account any historical evidence, especially of the impact on local residents and will also look at the measures put into effect by the applicant to mitigate the adverse impact.

10.5 The Board may also, at any time before determining a premises licence application, request from the chief constable a report in relation to antisocial behaviour on, or in the vicinity of, the premises, complaints or other representations within the year prior to the date of the Board's request.

10.6 Where proposed licensed premises are yet to be, or are in the course of being, constructed or converted for such use, an application for a provisional premises licence may be made. A provisional premises licence will not take effect until it is confirmed by the Board. Where confirmation of a provisional

premises licence is sought, the Board may vary the conditions of the licence for the purposes of ensuring consistency with any licensing policy statement since the provisional premises licence was issued. This may be relevant if a supplementary licensing policy statement is issued after the issue of a provisional premises licence.

11 OCCASIONAL LICENCES

11.1 An occasional licence authorises the temporary sale or supply of alcohol which is not authorised by a premises licence.

11.2 It may be applied for by:-

- the holder of a premises licence;
- the holder of a personal licence; or
- a representative of any voluntary organisation;

to cover a period of a maximum of fourteen days.

11.3 The grant of an occasional licence is subject to the mandatory conditions laid out in Schedule 4 to the Act.

11.4 While premises and personal licence holders can make unlimited applications there are restrictions on the number of applications a voluntary organisation can make, in any period of twelve months. Voluntary organisations are required to submit a copy of their organisation's constitution with each application made. Guidance on applications and the number that can be

applied for in any twelve month period can be obtained from the Licensing Standards Officer.

11.4.1 While the Licensing Board is aware that the Act does not refer to the holding of an “event” in the provisions dealing with occasional licences, given their short-term nature and that they are not subject to any requirements for certification, neighbourhood notification or public site notices then where an application is to allow premises to trade on a regular basis prior to a premises licence application having been determined, the application will generally be referred to two Members of the Board for consideration.

11.5 Event organisers are encouraged to provide as much notice of their event as possible to the Board and to the Chief Constable. Information relating to the event will require to be detailed on the application form and the applicant may be asked to provide supporting documentation. The Board will consult with the Chief Constable and the Licensing Standards Officer on all applications. The Board will normally require at least 28 days notice and if applications are lodged later than this date then no assurances can be given that they will be processed in time. Accordingly applicants lodge them at their own risk. In exceptional cases having regard to the circumstances of the application, the Board, if satisfied that there is a reason to process the application more quickly, may reduce the period of notification to a period of not less than 24 hours.

- 11.6 The Board will consider on a case by case basis whether it is necessary to impose conditions to give effect to the licensing objectives.

12 EXTENDED HOURS APPLICATION

- 12.1 Extended hours applications allow for an occasional extension of licensed hours and operate only for a period of up to one month. If the Board receives a number of applications to extend licensed hours, it will expect the applicant to consider whether an application should be made to vary the premises licence by adjustment of the operating plan.
- 12.2 The Board may make a determination under Section 67 of the Act to extend licensed hours to enable premises to remain open longer for certain special occasions. In addition to consulting the Renfrewshire Licensing Forum, the Board will request observations from the Chief Constable and from other relevant parties on the issues of crime prevention, public safety and preventing public nuisance. It will notify its determination to the Chief Constable, to holders of licences and other relevant parties and will take appropriate steps to publicise the determination as widely as possible.
- 12.3 Each year the Licensing Board will issue a Statement of its Policy on trading hours for on sale premises for the festive period as stated at paragraph 15.4. Such extended hours will apply automatically to all those premises which make reference to the Board's Policy on the festive period within Part 4 of the Operating Plan, without the need for an extended hours application.

12.4 The timeous lodging of an application set out at paragraph 11.5 above in respect of occasional licences applies equally in terms of the processing of extended hours applications and all applications should be lodged at least 21 days before the proposed date. Late lodged applications are lodged at applicants' own risk. The Board, if satisfied that there is a reason to process the application more quickly, may reduce the periods of notification to a period of not less than 24 hours.

13 EXCLUDED PREMISES

13.1 In terms of Section 123 of the Act, excluded premises includes:

- premises used as a garage; and
- premises used as a garage which form part of larger premises.

No premises licence or occasional licence can be obtained for excluded premises.

13.2 Premises are used as a garage if used for one or more of the following:-

- the sale by retail of petrol or fuel for diesel engined road vehicles (DERV);
- the sale of motor vehicles; or
- the maintenance of motor vehicles.

13.3 There is an exception to this exclusion but only if persons resident in the locality of the garage are or are likely to become reliant to a significant extent on the garage as the principal source of:

- petrol or DERV; or
- groceries.

If that is the case the garage is not excluded premises and may therefore be the subject of a premises or occasional licence.

13.4 The Board will expect an applicant making an application to provide evidence of local residents' reliance on the service together with an impact assessment in relation to the anticipated impact taking into account the licensing objectives.

13A MEMBERS CLUBS

13.A.1 Members' clubs have been included in the premises licensing system. The Scottish Government acknowledges that it would be reasonable to reflect their special characteristics.

13.A.2 In order to benefit from the exemptions available members' clubs will require to meet the criteria prescribed in the Licensing (Clubs) (Scotland) Regulations 2007.

13.A.3 When members' clubs apply to the licensing board they will be asked to certify whether or not they comply with the criteria referred to at paragraph 13.A.2 in order to benefit from the exemptions. If they do the members' clubs will have to submit to the Board a copy of their written constitution and rules. They will

be subject to inspections by Licensing Standards Officers, who will check clubs for compliance.

13.A.4 Members' clubs will be subject to the same provisions regarding access by children and young persons as other licensed premises. They will require to specify in their operating plans whether or not it is proposed that children and young persons are to be allowed entry to the premises and, if so, to specify the terms, to include the times, the ages of such children and young persons and the parts of the premises to which they would be permitted access. Appropriate conditions relating to access by children and young persons may be attached by the Licensing Board.

13.A.5 Members Clubs are aware that they benefit from exemptions under the Act and as such functions held within the club premises should be for the benefit of the club and its members. Where a club wishes to use its facilities to allow non-members or non-club functions to take place they should consider applying for an occasional licence for that function. Clubs should note that the number of occasional licences that can be obtained for such functions over a calendar year are limited by regulations. Members clubs requiring further information should contact the Licensing Standards Officer.

14 OBJECTIONS

14.1 The following information should in no way be seen as overriding the right of any person to make an objection to an application or to seek a review of a premises licence.

- 14.2 Any person may submit an objection or representation to the Board in relation to a premises licence. The objection must relate to one or more of the licensing objectives or other relevant ground of refusal under the Act.
- 14.3 Although anyone is entitled to object to an application for a premises licence or seek a review of a premises licence, the Board may reject an objection or an application for review where it is considered to be “frivolous” or “vexatious”. “Frivolous” and “vexatious” are the words used in the Act. In determining this, the Board is entitled to recover any expenses incurred by the Board in considering the objection or application for review.
- 14.4 Objections will be considered on their merits and the ordinary meanings of “vexatious” and “frivolous” will be adopted.

15 LICENSING HOURS

- 15.1 While each application is assessed on its own merits, the following section sets out the Licensing Board’s policy on licensing hours and the reasons for adopting that approach. For applications for licensed premises at times outwith the Board’s policy, applicants will require to demonstrate to the Board that the additional requested hours are appropriate in the circumstances to those particular premises.

In forming this policy for licensing hours the Board has been mindful of the licensing objectives:-

- Preventing crime and disorder;
- Securing public safety
- Preventing public nuisance;
- Protecting and improving public health; and
- Protecting children and young persons from harm

15.2 Off-Sale Premises - Reasons for Approach and Policy

Where applications relate to premises licences and to occasional licences, the licensed hours for the sale of alcohol for consumption off the premises (off-sale hours) are in terms of the Act 10am until 10pm every day of the week. The Licensing Board must refuse an application which proposes licensed hours outwith these times for off sales premises. It is open to the Board to further restrict off sales where it considers that the hours proposed would be inconsistent with one or more of the licensing objectives. In particular, in determining applications and licensed hours, the Board will, in considering the merits, have particular regard to the effect (if any) which the proposed off-sale hours would have on the occurrence of anti-social behaviour. Unless so restricted, the Board will generally permit off sales hours from 10am until 10pm.

15.3 On-Sale Premises – Reasons for Approach

The Board recognises that licensing hours are important not only to individual premises but also can have a wider impact on the area in which the premises are situated. Accordingly in determining their policy the Board has had regard

to how the dispersal of customers late at night from licensed premises throughout Renfrewshire can be managed.

In particular, the Board considers that a policy setting staggered closing times for different types of premises taking into account the policing of the late night economy and the availability of late night transport within Renfrewshire promotes the licensing objectives of (i) preventing crime and disorder; (ii) securing public safety and (iii) preventing public nuisance.

In considering licensed hours the Board has also taken into account the presumption against 24 hour drinking set out at Section 64 of the Act and the Statutory Guidance for Licensing Boards which states “in considering applications for licensed hours Boards may wish to consider applications for up to 14 hours as being reasonable but local circumstances and views of Local Licensing Forums should always be considered. Any application for licensed hours for more than 14 hours should require further consideration to the effect of granting extra operating hours”.

The Board has also had regard to the views of Renfrewshire Health and Social Care Partnership and NHS Greater Glasgow and Clyde on licensing hours in relation to the link between availability of alcohol and alcohol related harm. The Board therefore considers that the licensing objective of Protecting and Improving Public Health is relevant to its policy on licensed hours, particularly in relation to the number of hours a day during which alcohol may be sold and thereafter consumed.

Although promotion of the licensing objectives is paramount the Board recognises that licensing hours contribute to the development of local

economies which may be important for investment, employment and tourism within the area.

After consulting widely on the formulation of their updated policy and taking account of all responses received, the Board is of the view that their previous policy on opening hours for on sales premises should remain. This will continue to allow on sales premises the flexibility to commence trading at 11am every day of the week. The Board previously introduced this Policy to reflect social changes within Renfrewshire and considers that it has not detracted from the promotion of the licensing objectives.

On Sale Premises - Policy

Whilst considering every application on its individual merits, the Board therefore considers the following policy to be appropriate:-

Commencement Hours: Monday - Saturday

9.30am: premises, for the purpose only of funeral
purveys/receptions (or in the case of registered clubs
where club activities are taking place).

and otherwise

11.00am: all premises

Sundays

11.00am: all premises

Terminal hours: Sunday – Thursday

12.00 midnight: all licensed premises (including registered clubs), except premises, the primary purpose of which is to offer entertainment in the form of dancing.

2.00am premises, the primary purpose of which is to offer entertainment in the form of dancing.

Friday & Saturday

1.00am all licensed premises (including registered clubs), except premises, the primary purpose of which is to offer entertainment in the form of dancing.

2.00am premises, the primary purpose of which is to offer entertainment in the form of dancing.

3.00am premises, the primary purpose of which is to offer entertainment in the form of dancing and where such premises are members of Paisley Town Centre Radio Link.

15.4 The Board has an existing practice of permitting longer licensed hours over the festive period and that will continue to be the case. The festive period for the purposes of this aspect of the policy will be determined by the Board on an annual basis.

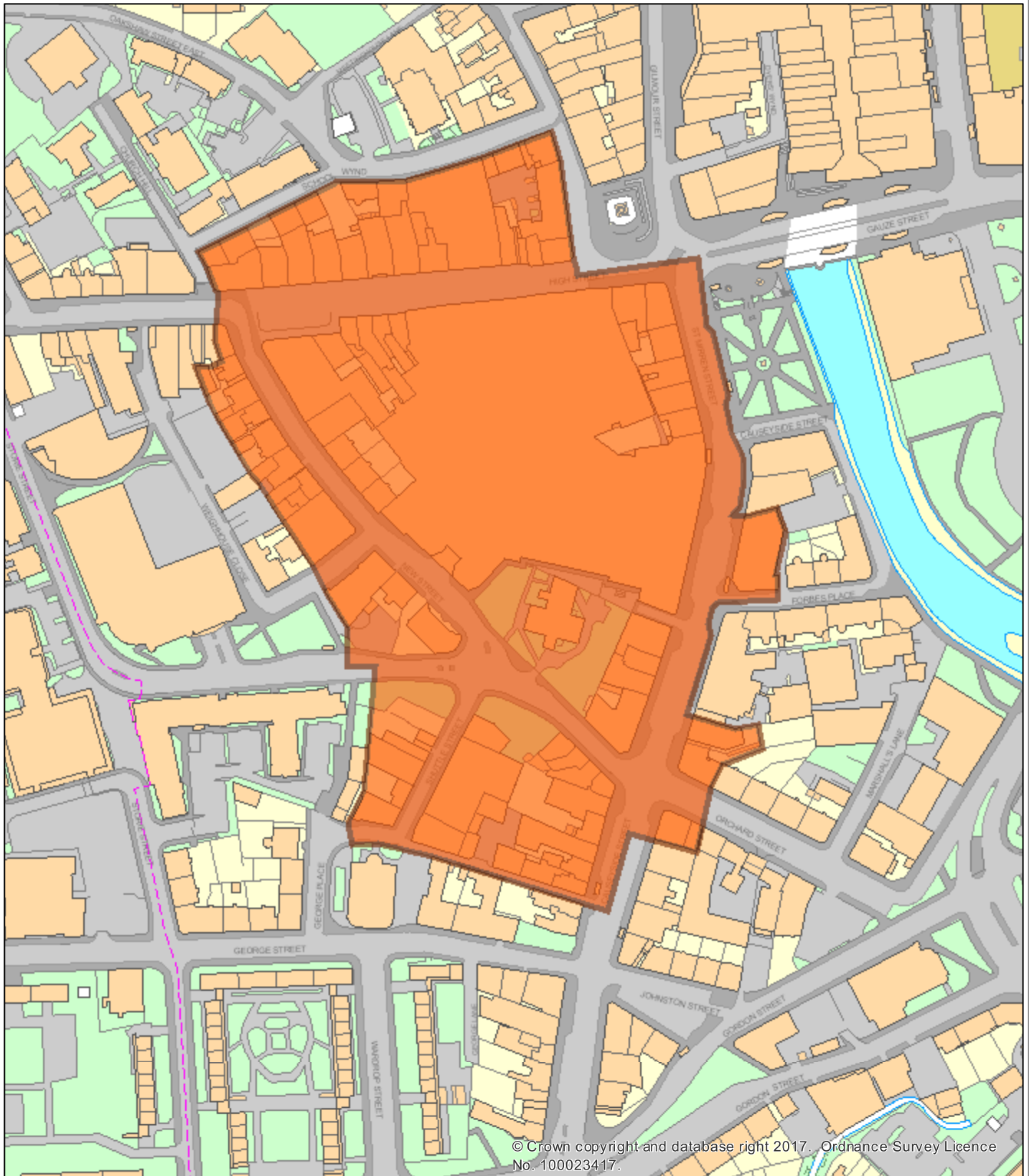
16 OVERPROVISION OF LICENSED PREMISES

16.1 Overprovision of licensed premises in a particular locality impacts on the promotion of the licensing objectives. The Board is under a duty in terms of Section 7 of the Act to produce a statement as to the extent that the Board considers there to be overprovision of licensed premises or licensed premises of a particular description in any locality within the Board's area.

16.2 In determining any "locality", the Statutory Guidance for Licensing Boards indicates that the process is largely a matter for the Board and will no doubt involve the use of its local knowledge. The Guidance also recommends that the information which the Chief Constable is capable of providing is a reasonable starting point. He would be able to:-

- Identify 'hot spot' areas within the Board's area where it can be demonstrated that crime, disorder and nuisance are caused by customers of a concentrated number of licensed premises;
- Suggest other areas in which the number of licensed premises or premises of a particular description is moving closely towards overprovision; and
- Provide the Board with the geographical boundaries of these areas.

16.3 On the basis of the information provided by the Police and having regard to the Board's own local knowledge the Board have continued to determine Paisley Town Centre, as shown on the plan below, as a locality for the purposes of Section 7 of the Act.



Notes:

- 16.4 In considering whether there is overprovision for the purposes of Section 7(1) of the Act the Board must have regard to the number and capacity of licensed premises in a particular locality as determined by the Board and in this connection the Board have had regard to the number, capacity and description of licensed premises for the above locality.

Following consideration of (i) the responses received to consultation (and, in particular, representations from Police Scotland which were relevant to “Preventing Crime and Disorder”, “Securing Public Safety” and “Preventing Public Nuisance”), (ii) the number and capacities of licensed premises in this locality and (iii) the Board’s local knowledge of the area, the Board determined that this locality remains overprovided in respect of “Liquor or Pub Type Premises”. The Board considers “Liquor or Pub Type Premises” includes Pub Type Premises used exclusively or predominantly for the sale of alcohol and, as such, does not include restaurant, hotel or nightclub premises.

The effect of this policy, in terms of the statutory guidance, is to create, in this locality, a “rebuttable presumption” against the grant of applications for any further licences (or to increase the capacity of existing licences) of the description stated. Those applications would normally be refused on the ground provided by Section 23(5)(e) of the Act, that the Board considers that, if the application were to be granted, there would as a result be overprovision of licensed premises, or licensed premises of that description in the locality.

Each application will still be considered on its own merits and there may be exceptional cases in which an applicant is able to demonstrate that the grant of the application would not undermine the licensing objectives or that those objectives would not be undermined if the applicant's operating plan were to be modified or the grant of the licence were made subject to appropriate conditions.

The Board reached its decision to adopt this policy following lengthy consultation, during which it received submissions from a number of interested parties. The material considered by the Board in adopting this policy is published at

<http://www.renfrewshire.gov.uk/webcontent/home/services/business/licensing/liquor+licences/cs-ae-statementoflicensingpolicy>

17 PERSONAL LICENCES

17.1 The Board will consider applications for personal licences from individuals living in the area of Renfrewshire.

17.2 Any individual may seek a personal licence. The Board will grant a personal licence if it is satisfied that the applicant:-

- is over 18 years of age
- possesses a relevant licensing qualification

- has not had revoked in the previous five years, ending with the day on which the application was received, a personal licence (except where that revocation arose from a failure to complete refresher training)
- has not been convicted of any relevant or foreign offence and the application has not resulted in a notice recommending refusal from the chief constable or other information being provided by the chief constable or a Licensing Standards Officer which they consider relevant.

17.3 Otherwise, the Board will consider whether the application should be refused under the Act. In making a decision the Board will have regard to the seriousness and age of any conviction along with any other circumstances, recommendation or information provided which it considers to be relevant.

17.4 The holder of a personal licence issued by the Board must undertake further training prior to the 5th anniversary of the issue of the licence and each subsequent period of 5 years during which the licence has effect. The licenceholder must produce evidence that the required training has been completed, to the Board no later than 3 months after the expiry of each 5 year period. Failure to undertake the training as required or to notify the Board will result in the licence being revoked.

17.5 To comply with paragraph 17.4 above all licenceholders are required to return their original personal licence to the Board along with a copy of any certificate issued as evidence of completion of the required training. The licence will be updated and returned.

- 17.6 All licenceholders are advised that they have a duty to notify the Board of any change in name or address within one month of that change taking place. Any changes should be notified in writing to the Board and be accompanied by the original licence.

18. LOCAL LICENSING FORUM

- 18.1 The formulation of this policy involved consultation with the Renfrewshire Licensing Forum which will keep under review the operation of the Act in Renfrewshire and will advise and make recommendations to the Board as appropriate. The Board will have regard to any advice given or recommendation made to it. If the Board does not follow the advice or guidance, this will be for good and substantial reasons, which reasons will be given in writing within fourteen days of the decision.
- 18.2 In order to ensure proper communication with the Renfrewshire Licensing Forum, the Board may from time to time provide reports to the Forum to enable it to have an appreciation of, and due regard to, the detail of such matters during their deliberations.

SECTION B - PROMOTION OF THE LICENSING OBJECTIVES

19 INTRODUCTION

- 19.1 The Board will continually promote the licensing objectives and calls on licence holders and other stakeholders to be mindful of these when providing their services. The Board recognises that there are some types of alcohol

misuse issues which are not connected to consumption of alcohol in licensed premises.

19.2 The licensing objectives are:-

- preventing crime and disorder;
- securing public safety;
- preventing public nuisance;
- protecting and improving public health; and
- protecting children and young persons from harm.

19.3 The following paragraphs set out the Board's general policy in respect of the objectives. The Board may when necessary impose a range of conditions which will be appropriate to a particular licence. The purpose of such conditions will be to promote the licensing objectives.

19.4 In each section relating to the objectives, the Board has defined its intended outcome. Each section lists the influencing factors on the achievement of that objective but, because of the wide variety of premises and activities to which this policy applies, the lists provided are not exhaustive. Applicants will know their own premises best and will be expected to address all aspects relevant to the individual style and characteristics of their premises and the licensable activities for which they are seeking authorisation.

19.5 In each sub-section, a list of possible control measures is provided. This is intended to be of assistance to applicants, but again is not intended to be an

exhaustive list. Many control measures achieve more than one objective but have not necessarily been listed under each objective.

20 THE PREVENTION OF CRIME AND DISORDER

20.1 The Board, in carrying out its functions, will have regard to the likely impact of licensed activities and related crime and disorder when considering the location, operation and management of all licence applications, reviews and variations.

20.2 The Board supports a strategy aimed at making Renfrewshire a safe place to live and visit. The Board is committed to improving the quality of life for the people of Renfrewshire by ensuring that licensed premises are managed in such a way as not to contribute to crime and disorder. Applicants are expected to consider how they will promote the prevention of crime and disorder. The applicants should also be able to demonstrate that all those factors which impact on crime and disorder have been considered. These include:-

- underage drinking;
- drunkenness on the premises;
- public drunkenness;
- illegal possession and/or use of drugs;
- violent behaviour;
- anti-social behaviour; and
- litter.

20.3 Applicants are encouraged to discuss crime prevention procedures in their premises with the Council and Police Scotland. Factors may include underage drinking, drunkenness on premises, public drunkenness, drugs, violent behaviour and antisocial behaviour.

20.4 The following examples of control measures are given to assist applicants who may need to take account of them in their operating plan having regard to their particular type of premises and/or licensable activities:-

- having a written crime prevention strategy;
- effective and responsible management of premises;
- training given to staff to include preventing crime and disorder and conflict management;
- training and effective supervision of staff;
- written policy on mandatory proof of age scheme;
- provision of effective CCTV in and around the premises which complies with current legislative requirements, is fully maintained and an employee trained in its operation always available on the premises;
- security policies and regular toilet checks;
- employment, when necessary, of Security Industry Authority licensed door staff;
- active membership of Pubwatch or Radiolink or similar schemes; participation in initiatives such as 'Best Bar None'.
- provision of litter bins and lighting outside premises;
- provision of plastic or toughened drinking vessels;

- justification for size of measures; and
- choice of size of wine glass.

20.5 Licenceholders are called upon to take positive action to discourage drinking and driving which is a serious offence and can have catastrophic effects on families of both victims and offenders. Licenceholders are, therefore, encouraged to play an active part in preventing drink driving by:-

- displaying anti-drink driving materials;
- supplying reasonably priced non-alcoholic drinks; and
- promoting awareness of campaigns such as designated drivers scheme.

21 SECURING PUBLIC SAFETY

21.1 The Board recognises that “licensed premises” will cover a wide range of premises and activities, each with its own safety risks or issues. The premises must be constructed or adapted and operated in such a manner as to safeguard occupants from those risks or issues. The Board is committed to ensuring that the safety of any person visiting or working in or in the vicinity of licensed premises is not compromised.

21.2 Issues may involve:-

- occupancy capacity of the premises;
- age, design and layout including means of escape;
- nature of activities such as music and dancing;
- hours of operation;

- customer profile (e.g. age, disability, sexual orientation, gender, race, ethnicity); and
- use of special effects such as lasers, pyrotechnics and, smoke machines.

21.3 The following examples of control measures are given to assist applicants who may need to take account of them in their operating plan having regard to their particular type of premises and/or licensable activities:-

- suitable and sufficient risk assessments;
- effective and responsible management of premises;
- sufficient number of staff;
- appropriate instruction, training and supervision of staff;
- training need not only relate to licensing, the sale or supply of alcohol and its misuse but wider issues especially those relating to equal opportunity and diversity;
- having an effective glass management policy either involving the removal of all glassware regularly or by providing toughened or plastic drinking vessels.
- having a written policy on how to deal with customers and any other person in the premises who may become incapacitated or vulnerable due to drink or drugs;
- having first aid facilities;
- informing Police Scotland of any special events taking place in the premises or issues relating to public safety;

- having a written accident recording system;
- displaying local transport information to facilitate safe journeys home for customers;
- adoption of best practice guidance;
- provision of effective CCTV which complies with current legislative requirements, is fully maintained and an employee trained in its operation always available on the premises;
- coverage;
- implementation of crowd management systems; and
- proof of regular testing and certification where appropriate of procedures, appliances and safety systems.

21.4 The Board may request sight of Electrical Safety Certificates, Ceiling or Structural Certificates, Fire Safety Certification, Risk Assessments and a Health and Safety Policy. As other Services may have enforcement powers in this connection with these forms of documentation, it is expected that such requests by the Board will be fairly rare and be taken in consultation with those other services.

22 THE PREVENTION OF PUBLIC NUISANCE

22.1 Licensed premises have a significant potential to impact adversely on communities, through public nuisances that arise from their operation. The Board wishes to maintain and protect the amenity of residents and local businesses from the potential consequences of the operation of licensed

premises whilst recognising the valuable cultural, social and business importance that such premises provide.

22.2 Although interpretation is ultimately a matter for the Courts, the Board intends to interpret “public nuisance” widely and understands it to include such issues as noise, light, odour, litter and anti-social behaviour where these impact on those living, working or otherwise engaged in normal activity in an area or locality. Public nuisance may also include waste generated by licensed premises (including where necessary arrangements for dealing with discarded needles) and smoking litter associated with licensed premises.

22.3 “Anti-social behaviour” is defined in the Antisocial Behaviour, etc. (Scotland) Act 2004 as behaviour where a person acts in a manner that causes or is likely to cause alarm or distress or pursues a course of conduct that causes or is likely to cause alarm or distress to at least one person who is not from the same household as the person engaging in the behaviour; conduct includes speech.

22.4 The Board acknowledges that smoking is not a licensing matter but one for other legislation. The Board expects that licenceholders will be aware of their own statutory responsibilities concerning smoking in public places.

22.5 The Board expects that licenceholders will have regard to good practice. It is their responsibility to ensure that patrons do not create a nuisance or disturbance for residents living nearby. This includes noise arising as a result

of patrons smoking outside the premises and any associated littering of the area. Licenceholders are reminded that they are responsible for sweeping up cigarette ends and other smoking related waste left by customers when taking a smoking break immediately outside the premises and then re-entering the premises.

22.6 Every business has a duty to ensure that waste is disposed of securely and to keep their premises clear of all litter generated by staff and customers. The Board expects licenceholders to be aware of their responsibilities and of the possibility of statutory street litter control notices in the case of non-compliance.

22.7 When applicants propose to provide outside seating, tables or other facilities in any outdoor area, whether covered or not, regard should be had to the need to ensure that the use of such areas will not cause disturbance or nuisance to the occupiers of other premises in the vicinity. Licenceholders are responsible for ensuring that all other consents and permissions are obtained including from Planning, Building Standards and any road consent or permit.

22.8 When addressing the issue of preventing public nuisance, the following factors are relevant and should be considered:-

- The location of premises and proximity to residential and other noise sensitive premises such as hospitals, hospices, care homes and places of worship.

- The hours of opening, particularly after 11pm.
- The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside the premises.
- The design and layout of premises and in particular the presence of noise limiting features and a CCTV system, which complies with current legislative requirements, is fully maintained and an employee trained in its operation always available on the premises.
- The occupant capacity of the premises.
- The availability of public transport and taxis.
- The wind down time between the end of the licensable activities and the closure of the premises.
- The last admission time.

22.9 The following examples of control measures are given to assist applicants who may need to take account of them in their operating plan, having regard to their particular type of premises and/or licensable activities:-

- Effective and responsible management of premises.
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance.
- Control of operating hours for all or parts of the premises – for instance, garden areas, bottle disposal and deliveries.
- Adoption of best practice guidance.

- Installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices which should also be used for external equipment brought onto the premises.
- Management of people, including staff and vehicular traffic and resulting queues, arriving and leaving the premises.
- Liaison with public transport providers.
- Siting of external lighting, including security lighting and installation of an effective CCTV system which complies with current legislative requirements is fully maintained and an employee trained in its operation always available on the premises.
- Effective ventilation systems to prevent nuisance from odour.

23 PROTECTING AND IMPROVING PUBLIC HEALTH

23.1 Licenceholders can help promote this objective in many ways. They can use materials such as posters, beer mats which promote moderate consumption of alcohol along with awareness of units of alcohol and the recommended current guidelines for consumption of alcohol by men and women. A wine list, for example, might state how many units of alcohol per glass or bottle together with a reminder of the guidelines. The Board is concerned about the link between the consumption of alcohol and public health. The Board wishes to see premises thriving in Renfrewshire but this cannot be at the expense of patrons' health and wellbeing. The Board will have regard to the views of, and take advice from the relevant bodies responsible for and interested in the protection and promotion of public health in Renfrewshire.

23.2 Licence applicants, door stewards where employed and premises managers as well as other staff employed in the premises must remain vigilant at all times to the risks of excessive consumption. There should be an established practice within the premises to ensure that a standard approach is taken where a patron's demeanour demonstrates an excessive consumption of alcohol. There should also be a clear understanding of the offences committed in connection with the service of alcohol to children or young persons or persons who appear drunk and allowing drunkenness on the premises.

23.3 Reference is also made to paragraph 22.4 of this statement relating to smoking.

23.4 The following examples of control measures are given to assist applicants who may need to take account of them in their operating plan having regard to their particular type of premises and/or licensable activities:-

- displaying anti-drunkenness materials along with information on units of alcohol in the context of current recommended guidelines;
- having a workplace alcohol policy in order to raise awareness, minimise harm and ensure that staff are able to access help (without fear of a job loss) when a problem arises; and
- ensuring customers are aware of choice in relation to alcohol measures particularly wine eg small, medium or large glasses should be available.

24 PROTECTING CHILDREN AND YOUNG PERSONS FROM HARM

24.1 The Act defines children as persons under the age of sixteen and young persons as those aged 16 or 17. The Board encourages applications that make venues family friendly and safe for children and young persons. The Board, however, will have particular regard to this objective when:-

- there have been convictions of staff or licenceholders for serving alcohol to underage persons or where premises are in an area where there is a history or other evidence of underage drinking;
- there is a serious element of gambling within the premises;
- entertainment of an adult nature is provided;
- the operating plan shows that the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the service provided (referred to as vertical drinking establishments);
- licenceholders or staff have criminal convictions for offences against children or have otherwise been found unsuitable to work with children.

24.2 The Board wishes to see family friendly premises thriving in Renfrewshire. Where applicants wish to operate such premises, the Board expects them to appreciate that this places additional responsibilities upon them at the same time recognising that parents and other adults accompanying children and/or young persons also have responsibilities.

24.3 The following examples of control measures are given to assist applicants who may need to take account of them in their operating plan having regard to their particular type of premises and/or licensable activities:-

- effective and responsible management of premises;
- appropriate instruction, training and supervision of staff;
- adoption of best practice, including a written policy on prevention of sales of alcohol to children and young persons;
- limitation on the hours when children and/ or young persons may be present, in all or parts of the premises;
- limitations or exclusions by age;
- written policy on mandatory proof of age scheme;
- measures to ensure children and/ or young persons do not unlawfully purchase, acquire or consume alcohol;
- measures to ensure children and/ or young persons are not exposed to incidences of strong and offensive language, violence or disorder; and
- use of fixed fire guards on open fires and prohibition of mobile heaters when young children are in the premises; and
- availability of high chairs and suitable drinking vessels for young children.
- ensuring staff involved with the delivery of alcohol along with takeaway food have appropriate training.

24.4 When preparing the operating plan or submitting an application or an occasional licence, applicants must set out the terms on which children and

young persons are to be allowed entry including the ages of children and young persons to be allowed entry, times and parts of the premises to which children and young persons will have access. The Board will have regard to these terms and if the Board consider it to be necessary will arrange a visit to the applicant premises to inform their determination of the application.

25 RELATIONSHIP WITH OTHER STRATEGIES

- 25.1 The Board will endeavour to secure proper integration with local crime prevention, community safety, health, planning, transport, tourism and equality and cultural strategies.
- 25.2 There are a number of wider issues which require to be given due consideration when dealing with applications. The Board will receive, when appropriate, reports on the needs of tourism in relation to Renfrewshire, from the Council's Director of Communities, Housing and Planning and the Town Centre Action Plan to make sure that these are reflected in the Board's consideration.
- 25.3 The Board recognises that licensing applications are not, and should not be seen as, a re-run of the planning application process and that there is a clear separation of the planning and licensing regimes. There will, however, continue to be proper liaison and communication between these two regimes.

- 25.4 In addition, the Board will not attach conditions to a premises licence unless these are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary where these would relate to matters already also covered by other legislation.

26 AVOIDING DUPLICATION

- 26.1 The Board will, so far as possible, avoid duplication with other regulatory regimes such as health and safety at work, fire safety, building standards and planning. However, the Board recognises that there will be areas where responsibilities overlap between the Board and other public authorities or bodies, e.g. the Board's responsibilities under Equalities legislation.

27 CONDITIONS

- 27.1 The Act, in Schedule 6, provides mandatory conditions for premises licences. The Board also has power to impose licence conditions. These conditions will not be inconsistent with or seek to strengthen or restrict mandatory conditions and will only be imposed when considered necessary for the promotion of the licensing objectives.
- 27.2 In line with the above, the Board have agreed various local conditions to be applied to particular premise type/activities. These are attached at Appendices I and II hereof.

28 THE HUMAN RIGHTS ACT 1998

28.1 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for bodies such as the Board to act in a way which is incompatible with a Convention Right. The Board will have particular regard to the following relevant provisions of the European Convention on Human Rights in respect of its licensing responsibilities:-

- Article 6: that in the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;
- Article 8: that everyone has the right to respect for their home and private life; and
- Article 1 of the First Protocol: that every person is entitled to the peaceful enjoyment of their possessions including, for example, the possession of a premises licence.

29 EQUALITY

29.1 The Board values and celebrates the diversity that exists within Renfrewshire and wants to ensure that everyone can fully participate in the social, cultural, political and economic life of Renfrewshire.

29.2 The Board opposes all forms of unlawful discrimination including discrimination on the grounds of race, sex, gender reassignment, sexual orientation, age, religion/ belief, pregnancy/ maternity and disability and recognises that discrimination creates barriers to achieving equality for all people.

- 29.3 The Equality Act 2010 provides Scottish Ministers with power to impose “specific duties” through regulations on Scottish Public Authorities. The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force on 27 May 2012 and can be accessed online at:
<http://www.legislation.gov.uk/sdsi/2012/9780111016718/contents>.
- 29.4 The “specific duties” set by the Scottish Ministers support and enable better performance of the “general duty” which requires public authorities to pay due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations as set out in Section 149(1) of the Equality Act 2010.
- 29.5 Renfrewshire Licensing Board as a public authority is required to publish progress made in mainstreaming the equality duty and a set of equality outcomes in order to meet the requirements of the equality duty. Equality outcomes are defined by the Equality & Human Rights Commission as results intended to achieve specific and identifiable improvements in people’s life chances.
- 29.6 Reference is made to the Progress Reports on Mainstreaming Equalities and Equality Outcomes of the Board and Renfrewshire Council which are set out in full at
<http://www.renfrewshire.gov.uk/webcontent/home/Services/Community+and+living/Equality+and+diversity/>.

30 ENFORCEMENT

- 30.1 The Board will follow best practice in enforcement including adoption of the best Regulation Principles and the Hampton Standards, namely, that its actions will be: proportional, accountable, consistent, transparent and targeted.
- 30.2 Renfrewshire Council have agreed to appoint two Licensing Standards Officers (LSOs) (i) to investigate allegations of unlicensed activities, (ii) to ensure that licence conditions are complied with and (iii) to provide information, guidance and a mediation service. It is a mandatory condition of the Act that the LSOs are fully trained thus enabling them to carry out their functions efficiently. The LSOs will be members of the Renfrewshire Licensing Forum.
- 30.3 Initially, it is anticipated that resources will be targeted towards high-risk premises and activities that require greater attention whilst a lighter touch will be provided in respect of low-risk premises which are well operated.
- 30.4 The Board will liaise closely with its partners to assist licenceholders to comply with the law and the five licensing objectives it seeks to promote. Proportionate but firm action will be taken against those who commit offences. In particular the Board anticipates co-operation with the Police and to share information where appropriate in order to enhance the promotion of the five licensing objectives.

30.5 When a matter is submitted to the Board by the Licensing Standards Officer, it is expected, except in the most serious cases, that attempts will already have been made through advice, mediation and negotiation to address the matter. It is, therefore, envisaged that very few such cases will need to be submitted to the Board.

It should be appreciated, however, that, in appropriate cases, the Board will not hesitate to use its powers to suspend or revoke a licence, notwithstanding that this may have a detrimental impact on the business.

31 TRANSPORT

31.1 In time there will be a statement of arrangements agreed between Police Scotland and Licensing Standards Officers for reporting concerns to Renfrewshire Council's Community Resources (Roads).

FUNERAL CONDITION

Funeral purveys taking place from 9.30am where alcohol has to be sold require a formal intimation to the Board 24 hours before the function.

APPENDIX II

Local Conditions for Nightclub Type Premises

1. The premises licence holder at all times when the premises are open to the public during the permitted hours shall operate a mechanical or electronic counting system which is capable of accurately recording the number of persons entering and leaving the premises.
2. In relation to the said counting system, the premises licence holder or person or persons appointed by the premises licence holder for that purpose shall at any time upon a request being made by a Police Constable, a Licensing Standards Officer or any member or person authorised in writing by the Licensing Board immediately provide accurate information on the number of persons within the premises.
3. During the licensed hours when the premises are open to the public, the premises licence holder shall have present on the premises stewarding personnel licensed by the Security Industry Authority to provide for the maintenance of public order and the proper management control, safety and the general well being of patrons on the premises.
4. During hours when the premises are open to the public, the premises licence holder shall ensure that empty glasses and bottles from the premises are reasonably cleared from areas to which the public have access. No glasses or bottles shall be permitted in cloakrooms, toilets or on dance floors located in the premises. Sufficient shelves, ledges, tables and counters shall be provided in the premises to accommodate glasses and bottles for collection. It is recommended that any receptacles used in the premises are made of plastic.
5. A person trained to the satisfaction of the Licensing Board in administering first aid must be present on the premises from the initial time of opening the premises to the public.
6. The premises licence holder shall prominently display at the entrance to the premises a noticeboard with a warning in the following terms:-

WARNING

DRUGS AND OFFENSIVE WEAPONS

Under no circumstances will the use of illegal drugs or the carrying of offensive weapons be permitted on these premises.

As part of our commitment to our customers and to achieve a safe and drug free environment, all persons entering these premises are liable to be asked as a condition of entry to submit to a search.

If you are found in possession of drugs or offensive weapons, these will be taken from you and the Police will be informed.

7. Unless there are good reasons for not implementing a search policy in relation to all patrons which reasons shall have been intimated to the Licensing Board in advance of any change in practice, the premises licence holder shall implement a system of searching of all patrons at the point of entry using appropriate search techniques.

APPENDIX 2

**Issues Paper considered at Licensing Board on 11
May 2018**

Renfrewshire Licensing Board
Formal Consultation on Statement of Licensing Policy

Issues Paper for Formal Consultation

May 2018

Renfrewshire Licensing Board requires to carry out a detailed consultation exercise in relation to review of its Statement of Licensing Policy. The Statement of Licensing Policy will set out the policy on which the Licensing Board will base their decisions on how they regulate the sale of alcohol in Renfrewshire. The policy will have to be published by early November 2018 and will apply until 2022, when a further, update policy is due to be published.

The formal consultation is now open and responses are required by 3rd August 2018.

Prior to the current consultation, the Licensing Board undertook an initial, informal consultation exercise between December 2017 and February 2018 to obtain a range of views as to what should be included in their new licensing policy. Following that initial, informal consultation, a draft Statement of Licensing Policy has been prepared for the purposes of consultation. A link to this draft is available at <http://www.renfrewshire.gov.uk/Review-Licensing-Policy-Statement-2018-2022>

In addition, the Board have approved this consultation document to assist consultees in responding. The Board would welcome comments from those who wish to respond in relation to the issues set out below. However, consultees may wish to comment on other matters contained in, or which they believe should be covered by, the policy statement, in addition to the matters below.

The Board would welcome views on the following matters-

Overprovision Assessment in relation to Licensed Premises

In response to the initial, informal consultation, responses were received from a number of parties as to whether overprovision of licensed premises exists in any locality in Renfrewshire. The Board in its existing policy declares an area in Paisley Town Centre overprovided, in respect of pub type premises used predominantly or exclusively for the sale of alcohol (this does not include restaurant, hotel or nightclub premises).

Following consideration of responses to the initial, informal consultation, the Board decided to select a locality in Paisley Town Centre (being the area declared overprovided in the current Statement of Licensing Policy) for the purpose of this formal consultation. The Board therefore is seeking views as to whether this area is overprovided in terms of licensed premises and, if so, whether it is overprovided in terms of all licensed premises or premises of a particular type, eg off-sales only premises (where alcohol is sold for consumption off the premises), supermarkets, pubs, nightclubs, etc. If you are responding as a local resident, or on behalf of particular local residents, the Board would welcome your views in relation to overprovision, of all licensed premises or type of licensed premises, within the area listed below in which you live.

Consultees should note that, when the Board decides whether overprovision exists in any locality, it must have regard to the number and capacity of licensed premises there and now may also consider other matters, such as the licensed hours of those premises.

A plan showing the locality agreed for this consultation with information on numbers of premises, capacities and licensed hours may be viewed at <http://www.renfrewshire.gov.uk/Review-Licensing-Policy-Statement-2018-2022>

The Board would also welcome views from any consultees on whether any exceptions should be provided within the terms of its policy, should it find overprovision, to allow potential applicants for a licence to consider what information would assist the Board in deciding whether to make an exception to any overprovision policy. Consultees should note that the effect of an overprovision policy is to create a rebuttable presumption against the grant of a licence in a locality. It would remain open to an applicant for a licence, in an area considered overprovided, to seek to persuade the Licensing Board that their application should still be granted, as an exception to the policy.

The full responses to the initial, informal consultation may be viewed at <http://www.renfrewshire.gov.uk/Review-Licensing-Policy-Statement-2018-2022>

Licensing Objectives

It has been proposed by Police Scotland that the Board consider attaching a condition of licence to new premises licences, whether for on-sales or off-sales premises, requiring installation of CCTV. They suggest that the condition would require a member of staff fully trained on the operation of the CCTV system to be present on the premises during their licensed hours. The Board will require to consider whether it should attach such a condition to all new licences. It should be noted that the condition would not normally apply to existing premises already

licensed. The Board would appreciate views from consultees on this proposal from Police Scotland and on whether the existing 'control measures' set out in the current Statement of Licensing Policy should be amended to promote the licensing objectives, ie- preventing crime and disorder, securing public safety, preventing public nuisance, protecting and improving public health and protecting children and young persons from harm.

Police Scotland also propose that the Board consider suggesting further control measures within licensed premises, including the wearing of high visibility clothing by door stewards and the effective dispersal by door stewards of patrons. The control measures suggested could read as follows-

- "Door supervisors to be easily identifiable by wearing high-visibility clothing"
- "Door supervisors to be instructed to encourage persons leaving the premises to do so in an orderly fashion without causing disturbance"

The Board would welcome responses from consultees in relation to the above comments from Police Scotland.

Children's Access

Police Scotland, Alcohol Focus Scotland and Renfrewshire Health and Social Care Partnership have suggested that a change be made to the terms of the Statement of Licensing Policy specifying the hours during which children should be allowed access to licensed premises. This could cover occasional licences, as well as those premises licences allowing the sale of alcohol for consumption on the premises.

Views from consultees are sought in relation to whether hours for children (0-15 years) or young persons (16-17 years) should be specified. Until now, applications have been made to the Board and considered on their own merits. Should the Board agree to introduce a policy detailing access by children and/or young persons, that policy would normally apply only to new premises seeking a licence, or events for which an occasional licence is sought.

Where consultees wish to respond in relation to this issue, the Board would welcome views as to whether any policy on access hours ought to differentiate between children and young persons, or the age of the children or young persons.

In this regard, Renfrewshire Health and Social Care Partnership have suggest that the Board may wish to consider whether access by children of all ages (0-15) should cease at 11pm and whether young persons should require to leave at 1pm, which may be before the end of functions which they are attending. The Board may wish also to consider whether children (and young persons) should be allowed "general

access” to all premises, which may include those considered “vertical drinking establishments”, used predominantly or exclusively for the sale of alcohol.

The Board would also welcome views on whether any such change to children and young person’s access in terms of the policy should cover their access to sporting events. It would be open to the Board to specify hours of access by children and young persons in relation to such events, and other occasions covered by occasional licences.

Licensed Hours

The following issues have been raised in response to the initial, informal consultation, upon which the views of consultees are sought:-

- Should the commencement of off sales hours on a Sunday be restricted to 11am in relation to future licensing applications? (currently, premises can enjoy the statutory commencement hour of 10am).
- Should a policy be introduced restricting the licensed hours for new off-sales licensing applications until an earlier hour than 10pm (if so, please specify what suitable policy hours would be). In the event of such a change of policy, should the policy provide that an applicant is able to seek hours until 10pm if he can persuade the Board this is not inconsistent with the licensing objectives, having regard to factors such as whether there is CCTV on the premises and other control measures?

Licence Conditions

Police Scotland have suggested a local licence condition be introduced in relation to CCTV for new premises licence applications. The Board would be interested, in view of the initial response from Alcohol Focus Scotland, as to what other licensing conditions should be considered. Any conditions require to be relevant to the licensing objectives (ie- preventing crime and disorder, securing public safety, preventing public nuisance, protecting and improving public health and protecting children and young persons from harm). The Board would welcome, as with any suggestions, the views of consultees as to why these conditions should be applied for these licensing objectives.

Enforcement

In response to the initial, informal consultation, it has been suggested that the policy statement be extended to explain the role of Licensing Standards Officers (LSOs). The existing policy statement contains a section on Enforcement, at Section C, Paragraph 30. Given the initial responses from consultees, the Board would

welcome views on how this section might be expanded. The Board is aware that members of the public, particularly those seeking to lodge an objection to an application for a licence or those who have concerns in relation to a particular licensed premises, as well as applicants for licences, are likely to contact the Licensing Standards Officers in the first instance. Given this, the Board considers that it would be of assistance to members of the public to provide more information on the role and remit of these officers within the terms of the Statement of Licensing Policy.

To assist consultees, a draft additional section is set out below, which, if agreed by the Board, could be inserted into the policy statement between existing Paragraphs 30.2 and 30.3, in the terms suggested below. The views of consultees would be welcomed on this proposal:-

“30.3 The Act provides that Licensing Standards Officers’ general functions include providing information and guidance; supervising compliance by licence holders with licensing legislation and their licence conditions and providing mediation. Premises covered by a premises licence are visited by Licensing Standards Officers for their compliance with licensing legislation and licence conditions. Where a premises licence has recently been issued, or where a variation (other than a minor variation) has been granted, Licensing Standards Officers will visit those premises as a priority to ensure compliance with the above requirements.

30.4 The Board recognises that, for members of the public who do not deal with the complexities of the licensing legislation on a daily basis, lodging objections or representations to a licence application (or an application for a review hearing) is likely to be a daunting experience. The Board also recognises that, for those people, the Licensing Standards Officers may be the first contact they have with the licensing authority. The role of Licensing Standards Officers is not to make applications, or objections, on behalf of members of the public, but they are available to offer appropriate support to all parties seeking to be involved in the Board’s licensing processes. They will also be able to provide information as to application procedures and may be able to signpost members of the public to helpful resources, such as the Toolkit Resource published by Alcohol Focus Scotland.

30.5 The Licensing Standards Officers may be contacted by email at enforcement.licensing.cs@renfrewshire.gov.uk and by telephone at 0141-618-7084. Where issues are raised with the Licensing Standards Officers which do not relate wholly to licensing matters, the Licensing Standards Officers will be able to provide contact details for other Council Services who may be suitably placed to assist.”

Alcohol Deliveries

The Board would welcome views from consultees as to any particular local licence conditions might be attached to new premises licences seeking to provide an alcohol delivery service. Previous applications have resulted in conditions being attached on the recommendation of Police Scotland. The Board would welcome the views of consultees on the suitability of the suggested conditions below and any other conditions which consultees may consider should be attached to such premises licences:-

- “1. A robust age verification policy requires to be in place for deliveries that include alcohol and is strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. Documentation presented as verification of age requires to be of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.*
- 2. Deliveries of alcohol must accompany a delivery of food.*
- 3. An order register to be kept on the premises containing details of the items ordered/ despatched, details of when the order was placed and when the alcohol was despatched.*
- 4. A delivery/refusal register requires to be maintained by the delivery driver containing details of person accepting delivery or, if delivery was refused, the reason for any refusals.”*

Extended Use of Occasional Licences

In their response to the initial, informal consultation, Alcohol Focus Scotland expressed concern that occasional licences may currently be used to circumvent the need to have a premises licence. The revised draft Statement of Licensing Policy agreed by the Board for the purposes of formal consultation proposes that applications for occasional licences, where it is appropriate for a premises licence to be obtained, are referred to two Members of the Licensing Board for consideration.

An alternative approach to this is followed in another Licensing Board area, where such applications may not be considered under delegated authority where premises have been repeatedly operating on the basis of occasional licences. This alternative approach is set out below:-

“Repeated applications for Occasional licence for the same unlicensed premises, and which are:-

- Not for detailed specific events; and/or*
- For activities that have been occurring (either in identical or largely similar terms) on the premises regularly over a period of at least 3 months;*

will not generally be considered to be suitable for the grant of an Occasional Licence and will not be granted by the Board under delegated authority but will require a hearing before the Board. The Board expects such premises to be operating under a Premises Licence.

Section 59(6) of the Act specifies the grounds for refusal of an application for an Occasional Licence. These grounds include “that the Licensing Board considers the granting of the application would be inconsistent with one or more of the licensing objectives”. These licensing objectives include:-

- *Securing public safety.*
- *Protecting and improving public health.*

The degree of scrutiny afforded by an application for a Premises Licence is not present where premises operate under a series of consecutive Occasional Licences. Accordingly, in the interests of better securing public safety and/or for better protecting and improving public health, the Board considers that it is not generally appropriate for a premises to operate on a series of consecutive Occasional Licences rather than apply for a Premises Licence and, in these circumstances, the Board will require an applicant to explain why an application for a Premises Licence is not being made.”

The views of consultees would be welcomed in relation to how the Board should approach these applications in future.

The Licensing Board would welcome any comments from consultees prior to 3rd August 2018.

Kenneth A. Graham
Clerk to the Licensing Board
May 2018

NB. All statistics are correct as at 06/09/2018

Current Overprovision Area

- (1) Plan
- (2) List of premises with numbers and capacities
- (3) List of premises with licensed hours of premises



Renfrewshire
Council

Current Overprovision Area



1:2,500

Author: Aileen Easdon

Date: 13/09/2018

Notes:

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CURRENT OVERPROVISION AREA									
PREMISES NO:	Name	PostalAddress	Granted	Capacity On	Capacity Off	IGName	Policy Hours	Less Than Policy Hours	More than Policy Hours
PREM/230	The Wallace	13/19 Causeyside Street, Paisley, PA1 1UW	February 27, 2009	435		Paisley Central		X	
PREM/257	Phat Sams	31 Causeyside Street, Paisley, PA1 1UL	March 9, 2009	196		Paisley Central		X	
PREM/173	Kennedy's Bar	33 Causeyside Street, PAISLEY, PA1 1UL	April 28, 2011	120		Paisley Central		X	
PREM/342	Marks & Spencer	15-21 High Street, Paisley, PA1 2AE	December 17, 2008		49.74	Paisley Central	X		
PREM/094	Cosmopolitan	7 New Street, Paisley, PA1 1XU	March 25, 2009	106		Paisley Central		X	
PREM/242	The Bull Inn	7 New Street, Paisley, PA1 1XU	January 29, 2009	156		Paisley Central	X		
PREM/041	Paper Rack	11 New Street , PAISLEY, PA1 1XU	March 25, 2009		13.92	Paisley Central		X	
PREM/471	Gantry	12 New Street, PAISLEY, PA1 1XY	September 20, 2012	60		Paisley Central	X		
PREM/252	Kilty Kilty	16-18 New Street, Paisley, PA1 1XY	December 17, 2008	380		Paisley Central			X
PREM/486	Fantoosh Nightclub	16A New Street, PAISLEY, PA1 1XY	December 24, 2013	226		Paisley Central	X		
PREM/169	Cafuffals	17-19 New Street, Paisley, PA1 1XU	June 19, 2009	480		Paisley Central		X	
PREM/124	Vienna's	20 New Street, Paisley, PA1 1YA	September 30, 2009	700		Paisley Central		X	
PREM/441	Paisley Arts Centre Cafe Bar	New Street, Paisley, PA1 1XU	December 14, 2009	366		Paisley Central		X	
PREM/072	The Cave	38 New Street, Paisley, PA1 1YG	September 2, 2008	158		Paisley Central		X	
PREM/332	42 New Street	40 New Street, PAISLEY , PA1 1YG	September 1, 2009	436		Paisley Central	X		
PREM/317	Pre	12 Shuttle Street, Paisley, PA1 1YD	December 17, 2008	405		Paisley Central		X	
PREM/123	Fury Murry's	13 Shuttle Street, Paisley, PA1 1YD	September 25, 2008	406		Paisley Central		X	
PREM/389	The Bungalow	15 Shuttle Street, Paisley, PA1 1YD	June 19, 2009	290		Paisley Central		X	
PREM/321	Jam Jar	16 Shuttle Street, PAISLEY, PA1 1YD	March 25, 2009	60		Paisley Central		X	
PREM/478	Sialvi's	6 St Mirren Street, PAISLEY, PA1 1UA	November 26, 2012		14.4	Paisley Central	X		
PREM/350	Club Tiger Lily	46A Causeyside Street, PAISLEY, PA1 1YH	September 1, 2009	225		Paisley Central		X	
PREM/487	Shop	38 Causeyside Street, PAISLEY , PA1 1YH	August 18, 2014		33.4	Paisley Central	X		
PREM/524	The Lane	The Lane, 7 Shuttle Street, Paisley, PA1 1YD	January 11, 2018	266		Paisley Central	X		
TOTAL	23 PREMISES & 0 MEMBERS CLUBS			5471	111.46				
				19 ON SALES	4 OFF SALES				

LICENCE NO:	NAME	MONDAY FROM	MONDAY TO	TUES FROM	TUES TO	WED FROM	WED TO	THURS FROM	THURS TO	FRI FROM	FRI TO	SAT FROM	SAT TO	SUN FROM	SUN TO	SALE OF ALCOHOL
PREM/041	Paper Rack	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	8.00pm	Off
PREM/072	The Cave	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	1.00am	11.00am	1.00am	12.30pm	12.00 midnight	On and Off Sales
PREM/094	Cosmopolitan	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	1.00am	11.00am	1.00am	12.30pm	12.00 midnight	On Sales
PREM/123	Fury Murry's	7.00pm	2.00am	7.00pm	2.00am	7.00pm	2.00am	7.00pm	2.00am	7.00pm	3.00am	7.00pm	3.00am	7.00pm	2.00am	On Sales
PREM/124	Vienna's	CLOSED	CLOSED	CLOSED	CLOSED	9.00pm	2.00am	9.00pm	2.00am	6.00pm	3.00am	6.00pm	3.00am	6.00pm	2.00am	On Sales
PREM/169	Cafuffals	11.00am	12 midnight	11.00am	12 midnight	11.00am	12 midnight	11.00am	12 midnight	11.00am	1.00am	11.00am	1.00am	12.30pm	12 midnight	On and Off Sales
PREM/173	Kennedy's Bar	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	1.00am	11.00am	1.00am	12.30pm	12.00 midnight	On and Off Sales
PREM/230	The Wallace	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	1.00am	11.00am	1.00am	12.30pm	12.00 midnight	On and Off Sales
PREM/242	The Bull Inn	11.00am	12 midnight	11.00am	12 midnight	11.00am	12 midnight	11.00am	12 midnight	11.00am	1.00am	11.00am	1.00am	11.00am	12 midnight	On Sales
PREM/252	Kilty Kilty	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	2.00am	11.00am	2.00am	11.00am	12.00 midnight	On Sales
PREM/257	Phat Sams	11.00am	12 midnight	11.00am	12 midnight	11.00am	12 midnight	11.00am	12 midnight	11.00am	1.00am	11.00am	1.00am	12.30pm	12 midnight	On and Off Sales
PREM/317	Pre	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	1.00am	11.00am	1.00am	12.30pm	12.00 midnight	On and Off Sales
PREM/321	Jam Jar	11.00am	12 midnight	11.00am	12 midnight	11.00am	12 midnight	11.00am	12 midnight	11.00am	1.00am	11.00am	1.00am	12.30pm	12 midnight	On Sales
PREM/332	42 New Street	11.00am	12.00midnight	11.00am	12.00midnight	11.00am	12.00midnight	11.00am	12.00midnight	11.00am	01.00am	11.00am	01.00am	11.00am	12.00midnight	On Sales
PREM/342	Marks & Spencer	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	Off
PREM/350	Club Tiger Lily	11.00am	11.00pm	11.00am	11.00pm	11.00am	2.00am	11.00am	2.00am	11.00am	3.00am	11.00am	3.00am	12.30pm	2.00am	On Sales
PREM/389	The Bungalow	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	1.00am	11.00am	1.00am	12.30pm	12.00 midnight	On and Off Sales
PREM/441	Paisley Arts Centre Cafe	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	12.00 midnight	11.00am	1.00am	11.00am	1.00am	12.30pm	12.00 midnight	On and Off Sales
PREM/471	Gantry	11.00am	12.00midnight	11.00am	12.00midnight	11.00am	12.00midnight	11.00am	12.00midnight	11.00am	1.00am	11.00am	1.00am	11.00am	12.00midnight	On and Off Sales
PREM/478	Sialvi's	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	10.00am	10.00pm	Off
PREM/486	Fantoosh Nightclub	7.00pm	2.00 am	7.00pm	2.00am	7.00pm	2.00am	7.00pm	2.00am	7.00pm	3.00am	7.00pm	3.00am	7.00pm	2.00am	On Sales
PREM/487	Shop	10.00am	10.00pm	10.00am	10.00am	10.00am	10.00am	10.00am	10.00am	10.00am	10.00am	10.00am	10.00am	10.00am	10.00am	Off
PREM/524	The Lane	11.00am	12.00midnight	11.00am	12.00midnight	11.00am	12.00midnight	11.00am	12.00midnight	11.00am	01.00am	11.00am	01.00am	11.00am	12.00midnight	On and Off Sales

APPENDIX 4

List of consultees for the formal consultation

List of Consultees for Formal Consultation

1. Alcohol Focus Scotland
2. All Community Councils
3. All Local Area Committees
4. All Renfrewshire Council Directors
5. All Renfrewshire Councillors
6. All Renfrewshire premises licence holders
7. Community Planning Partnership
8. DEAR Group (Diversity and Equality Alliance Renfrewshire)
9. Disability Resource Centre
10. Dr Mohammed Ishaq, University of the West of Scotland
11. Engage Renfrewshire
12. LGBT+ Renfrewshire
13. Licensing Practitioners
14. Margaret Dymond
15. Members of the Scottish Youth Parliament (per Fiona Taylor)
16. NHS Greater Glasgow and Clyde
17. PACHEDU
18. Paisley First
19. Police Scotland
20. Renfrewshire Access Panel
21. Renfrewshire Alcohol and Drug Partnership
22. Renfrewshire Community Safety Hub
23. Renfrewshire Council Chief Executive
24. Renfrewshire Council Head of Planning and Housing Services
25. Renfrewshire Council Head of Policy and Commissioning
26. Renfrewshire Council Youth Services (per Wendy Grubb)
27. Renfrewshire Effort to Empower Minorities (REEM)
28. Renfrewshire Health and Social Care Partnership
29. Renfrewshire Interfaith Group
30. Renfrewshire Licensing Forum
31. Renfrewshire Licensing Standards Officers
32. Renfrewshire Polish Association
33. Renfrewshire Rising
34. Renfrewshire Youth Voice (per Fiona Taylor)
35. Reaching Older Adults in Renfrewshire
36. Scottish Beer and Pub Association
37. Scottish Fire and Rescue Service
38. Scottish Licensed Trade Association
39. Soroptomist Paisley
40. TransForm Renfrewshire
41. West of Scotland Regional Equality Council (WSREC)
42. Women's Aid
43. YouFirst Advocacy
44. Al Anon
45. Representatives of Taxi Operators in Renfrewshire

APPENDIX 5

Responses from the formal consultation and Clerk's comments attached to each response

1. Findings of Online Survey
2. Response from Police Scotland dated
3. Response from Renfrewshire Licensing Forum
4. Response from Renfrewshire Health & Social Care Partnership
5. Response from Dr Catherine Chiang, NHS Greater Glasgow & Clyde
6. Summary of Findings of Alcohol Audit for Licensing Boards in Greater Glasgow & Clyde from Dr Catherine Chiang
7. Response from Dr Cather Chiang enclosing report Normalisation of Use of Alcohol: Why it Matters
8. Response from Alcohol Focus Scotland
9. Response from Local Premises Licenceholder
10. Response from Scottish Grocers' Federation

Question 1

Where in Renfrewshire do you live?(Please indicate the town or village, and where possible, the specific area e.g. Paisley, West End)

Answered 104

Skipped 2

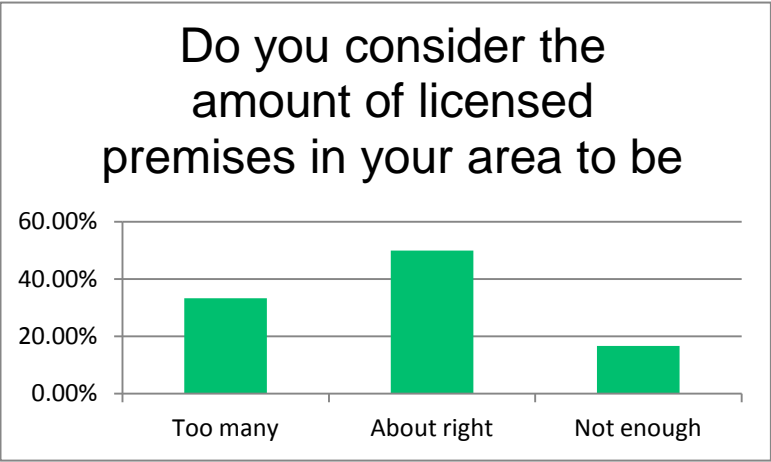
Central	6
Glenburn	4
Foxbar	5
Gallowhill	4
West End, Paisley	2
West End	2
West	1
Renfrew	14
Johnstone	9
Erskine	5
Bishopton	6
Inchinnan	3
Elderslie	3
Lochwinnoch	3
East	3
Paisley	27
Paisley North End	1
Linwood	2
Renfrew, Crofton Avenue	1
Paisley, Potterhill	1
Corsebar	1
Argyle Street, Paisley	1

Question 2

Do you consider the amount of licensed premises in your area to be

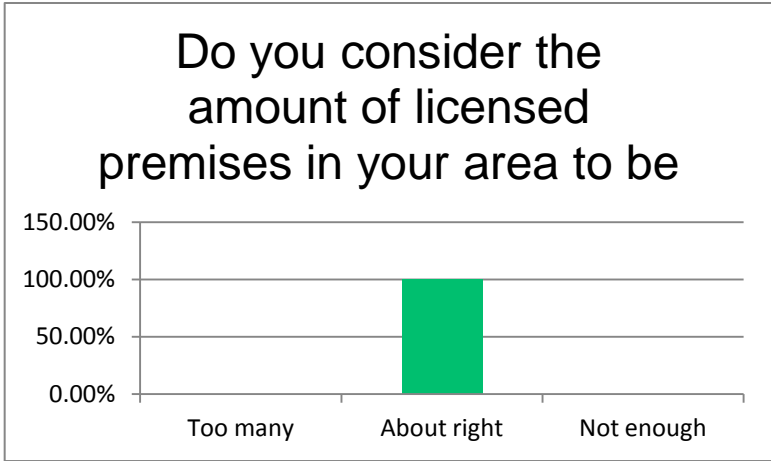
Central Paisley

Answer Choices	Responses	
Too many	33.33%	2
About right	50.00%	3
Not enough	16.67%	1
Answered		6
Skipped		0



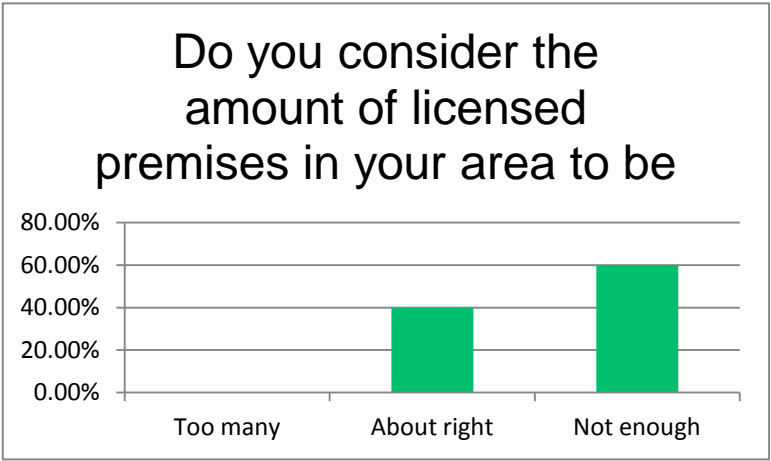
Glenburn

Answer Choices	Responses	
Too many	0.00%	0
About right	100.00%	4
Not enough	0.00%	0
Answered		4
Skipped		0



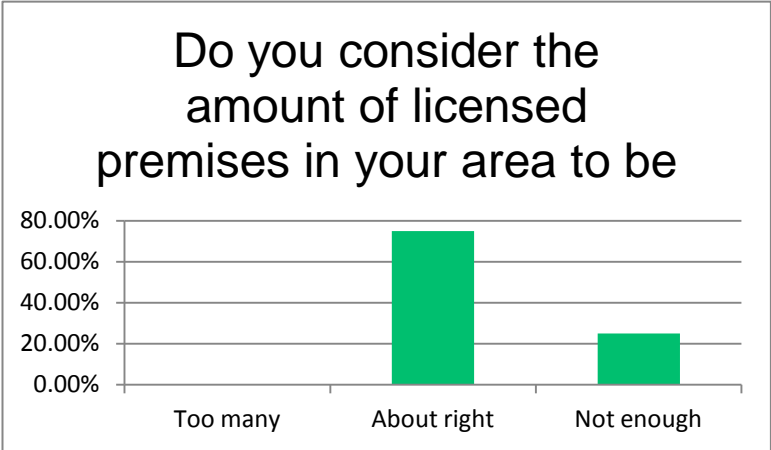
Foxbar

Answer Choices	Responses	
Too many	0.00%	0
About right	40.00%	2
Not enough	60.00%	3
Answered		5
Skipped		0



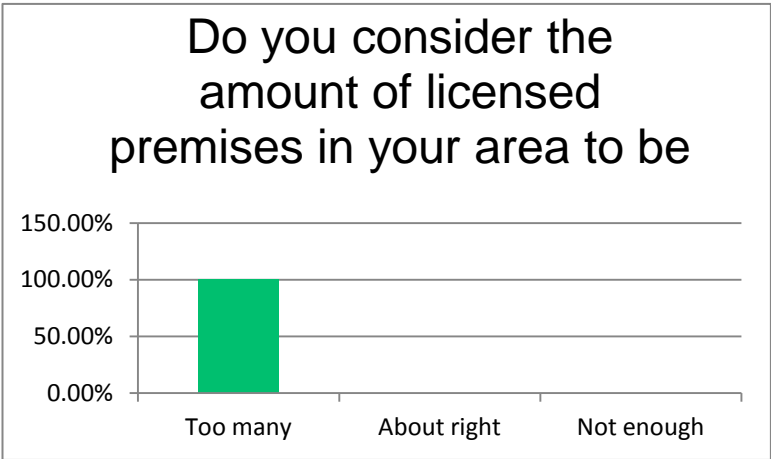
Gallowhill

Answer Choices	Responses	
Too many	0.00%	0
About right	75.00%	3
Not enough	25.00%	1
Answered		4
Skipped		0



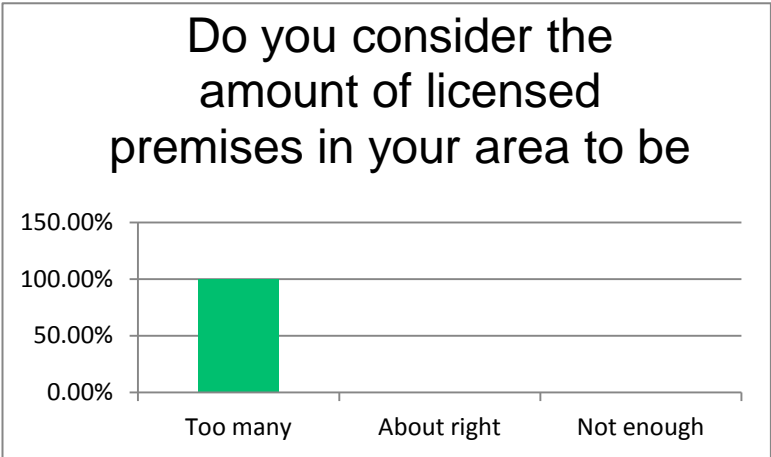
West End, Paisley

Answer Choices	Responses	
Too many	100.00%	2
About right	0.00%	0
Not enough	0.00%	0
Answered		2
Skipped		0



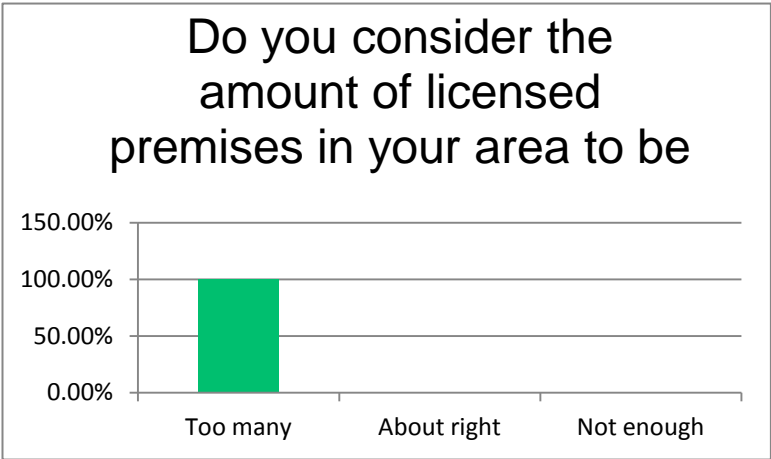
West End

Answer Choices	Responses	
Too many	100.00%	2
About right	0.00%	0
Not enough	0.00%	0
Answered		2
Skipped		0



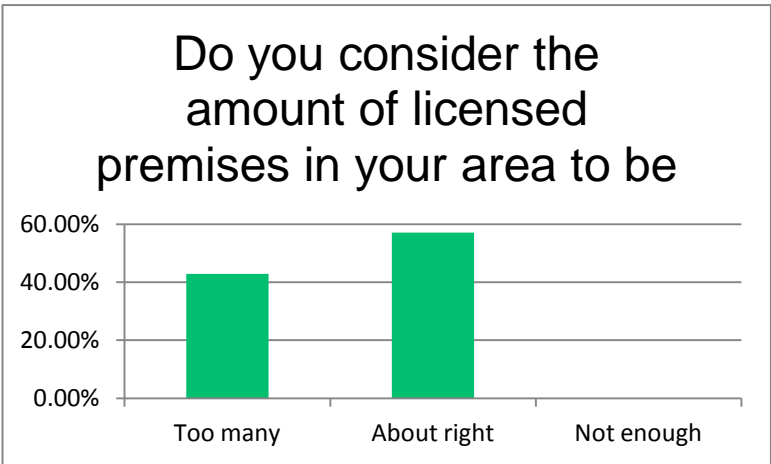
West

Answer Choices	Responses	
Too many	100.00%	1
About right	0.00%	0
Not enough	0.00%	0
Answered		1
Skipped		0



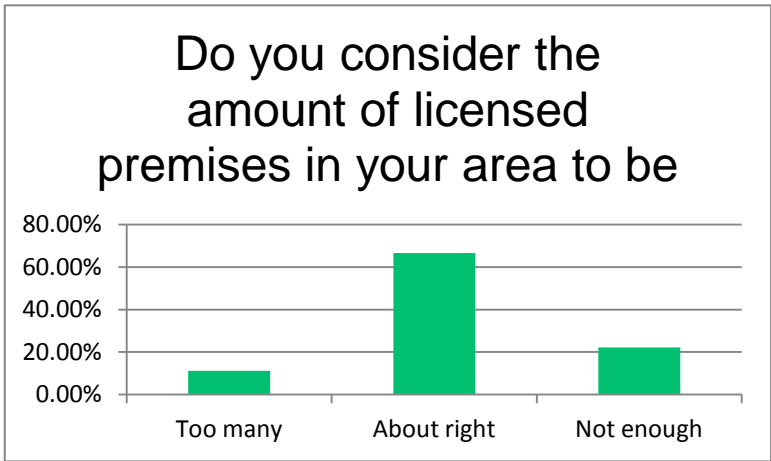
Renfrew

Answer Choices	Responses	
Too many	42.86%	6
About right	57.14%	8
Not enough	0.00%	0
Answered		14
Skipped		0



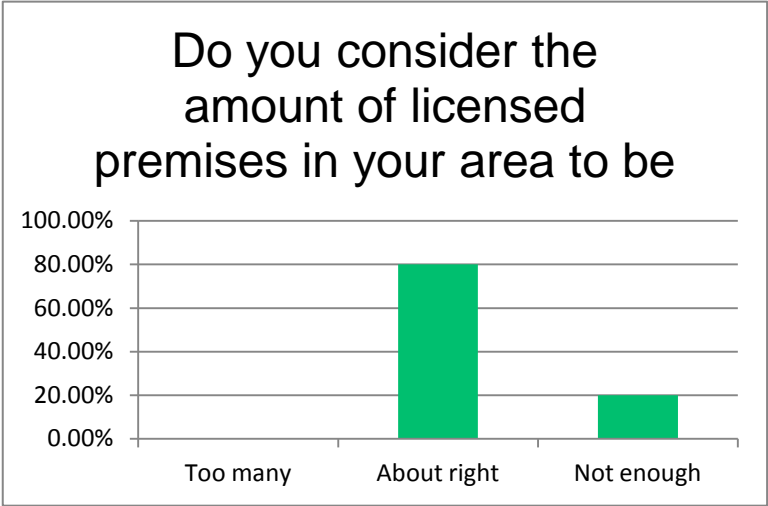
Johnstone

Answer Choices	Responses	
Too many	11.11%	1
About right	66.67%	6
Not enough	22.22%	2
Answered		9
Skipped		0



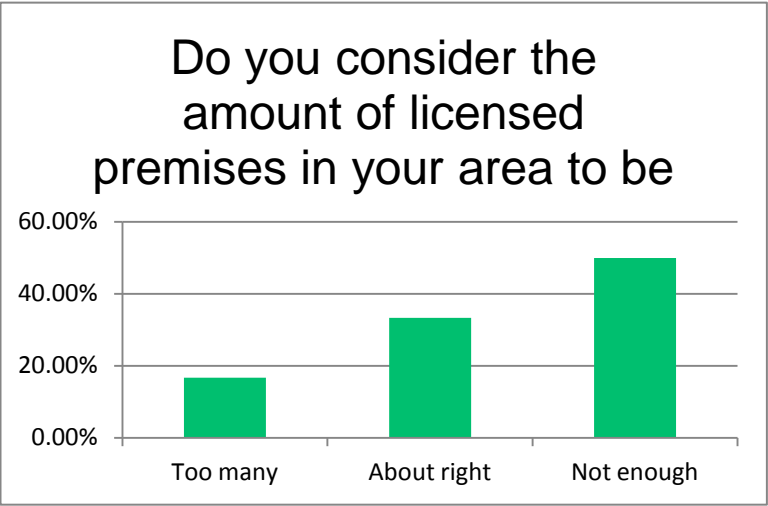
Erskine

Answer Choices	Responses	
Too many	0.00%	0
About right	80.00%	4
Not enough	20.00%	1
Answered		5
Skipped		0



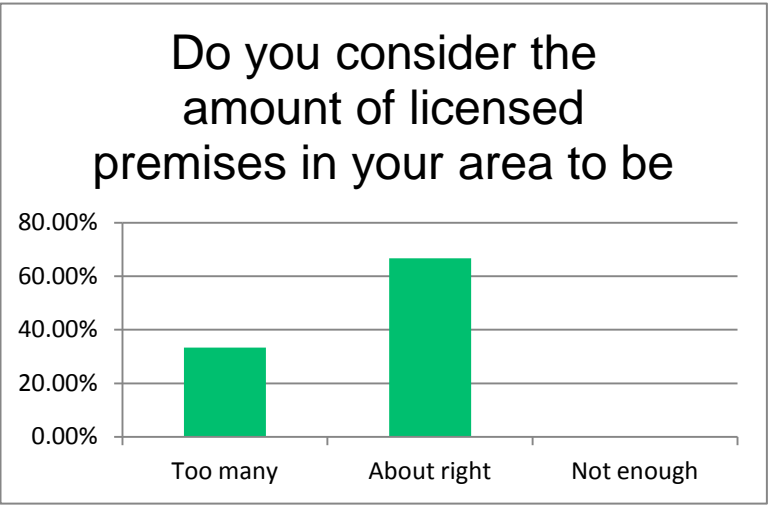
Bishopton

Answer Choices	Responses	
Too many	16.67%	1
About right	33.33%	2
Not enough	50.00%	3
Answered		6
Skipped		0



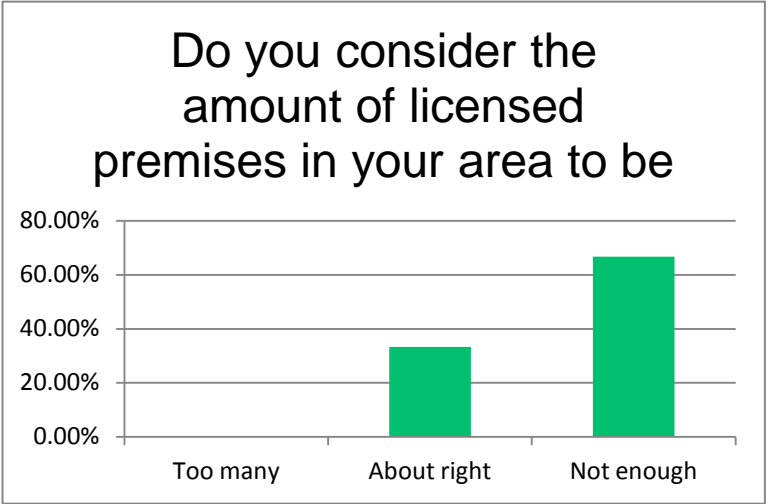
Inchinnan

Answer Choices	Responses	
Too many	33.33%	1
About right	66.67%	2
Not enough	0.00%	0
Answered		3
Skipped		0



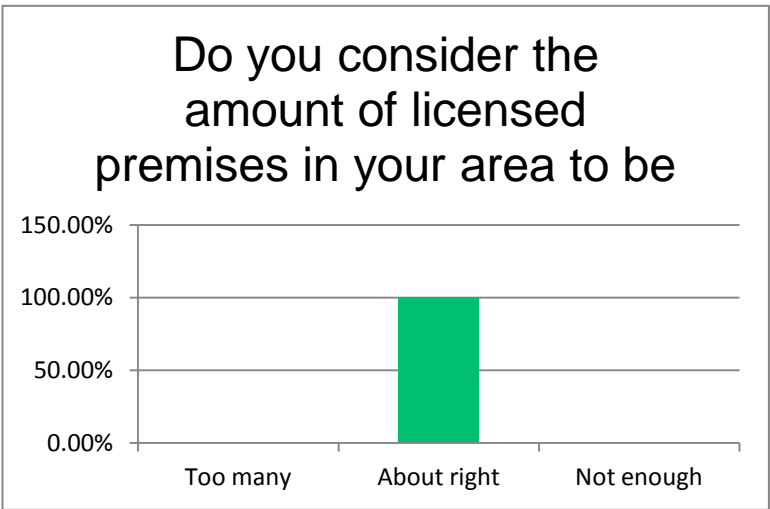
Elderslie

Answer Choices	Responses	
Too many	0.00%	0
About right	33.33%	1
Not enough	66.67%	2
Answered		3
Skipped		0



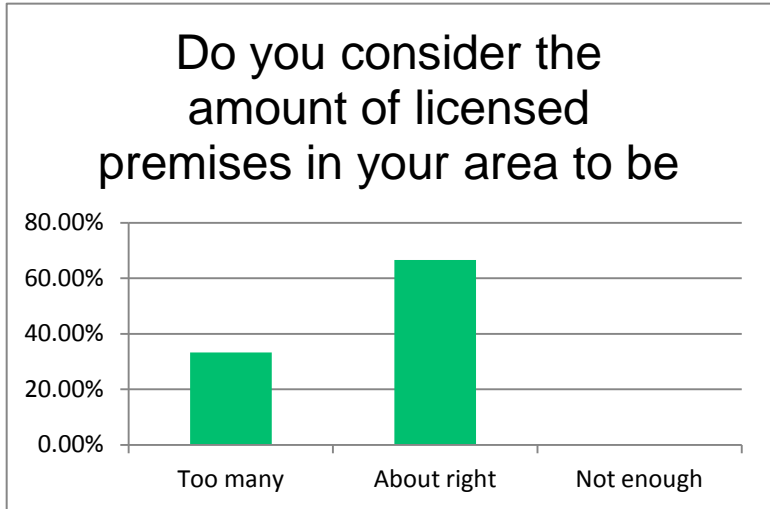
Lochwinnoch

Answer Choices	Responses	
Too many	0.00%	0
About right	100.00%	3
Not enough	0.00%	0
Answered		3
Skipped		0



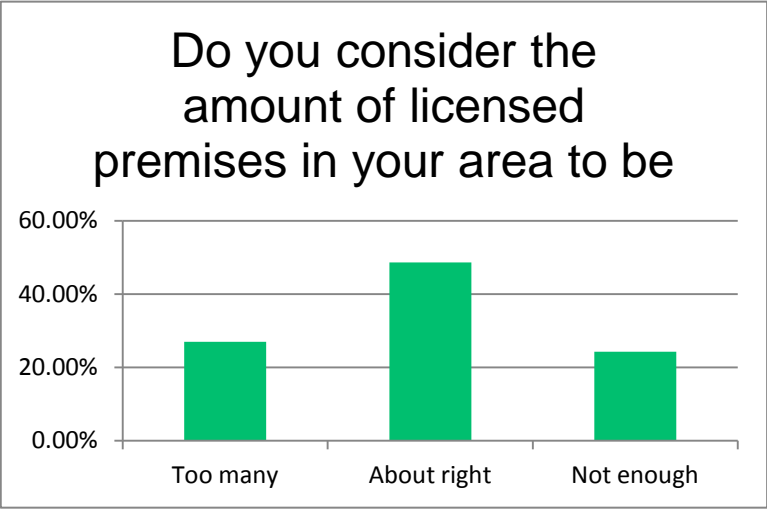
East Paisley

Answer Choices	Responses	
Too many	33.33%	1
About right	66.67%	2
Not enough	0.00%	0
Answered		3
Skipped		0



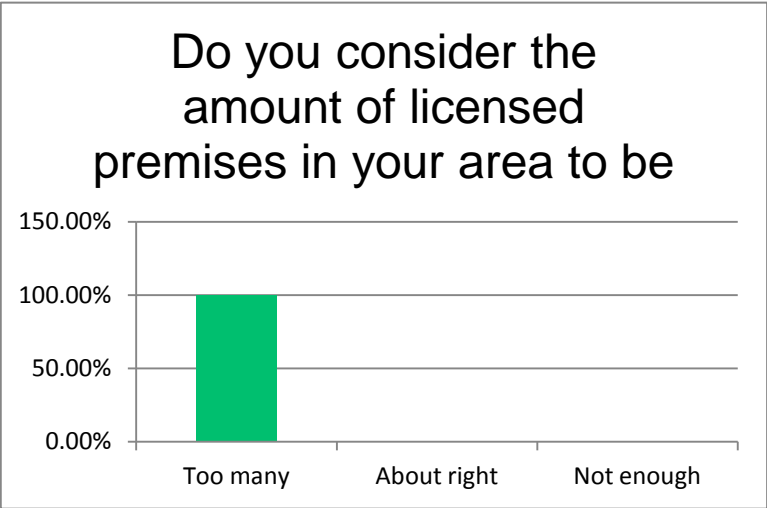
Paisley

Answer Choices	Responses	
Too many	27.03%	10
About right	48.65%	18
Not enough	24.32%	9
Answered		37
Skipped		0



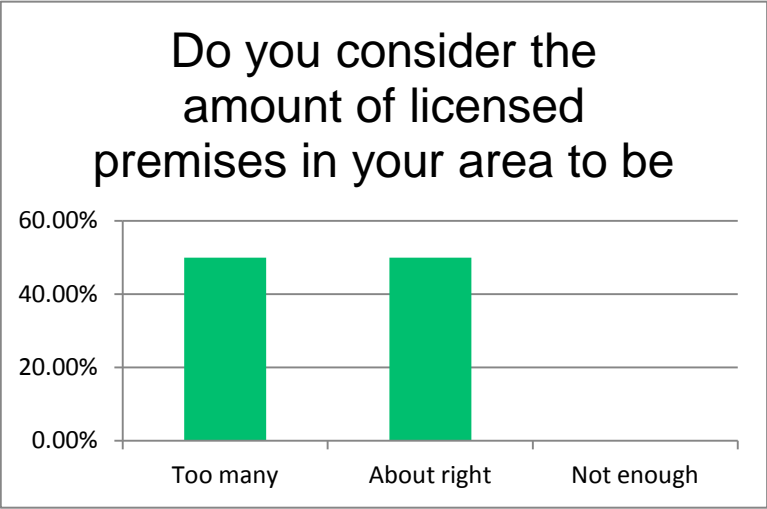
Paisley North End

Answer Choices	Responses	
Too many	100.00%	1
About right	0.00%	0
Not enough	0.00%	0
Answered		1
Skipped		0



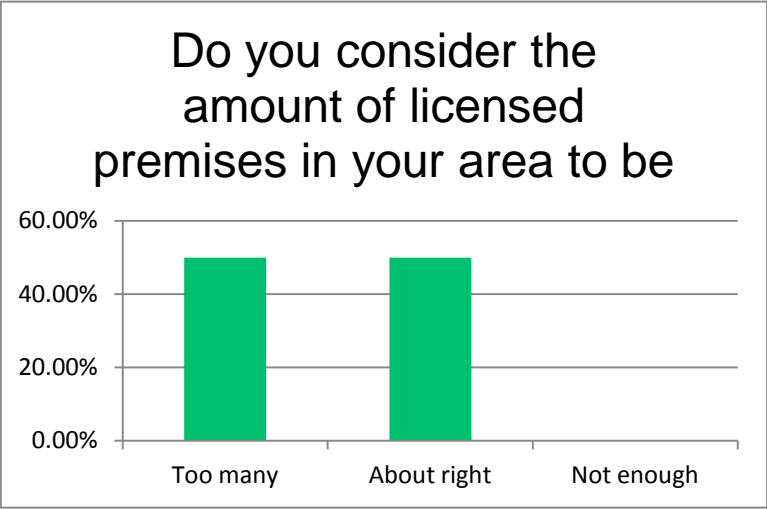
Linwood

Answer Choices	Responses	
Too many	50.00%	1
About right	50.00%	1
Not enough	0.00%	0
Answered		2
Skipped		0



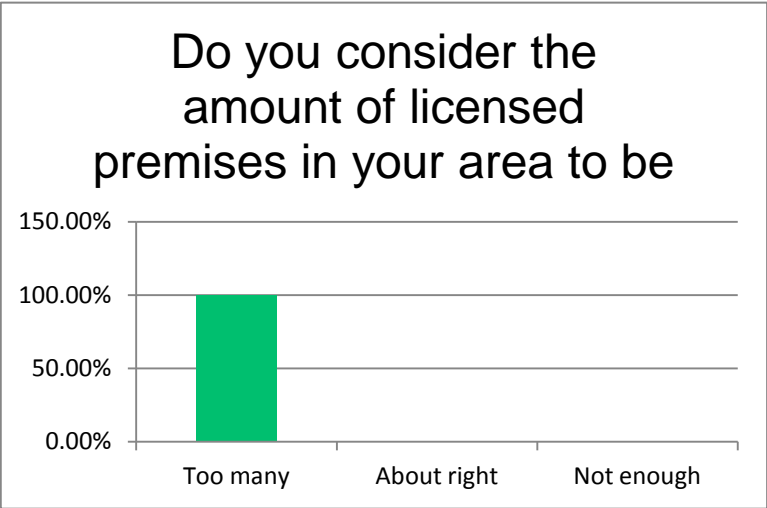
Paisley East End

Answer Choices	Responses	
Too many	50.00%	1
About right	50.00%	1
Not enough	0.00%	0
Answered		2
Skipped		0



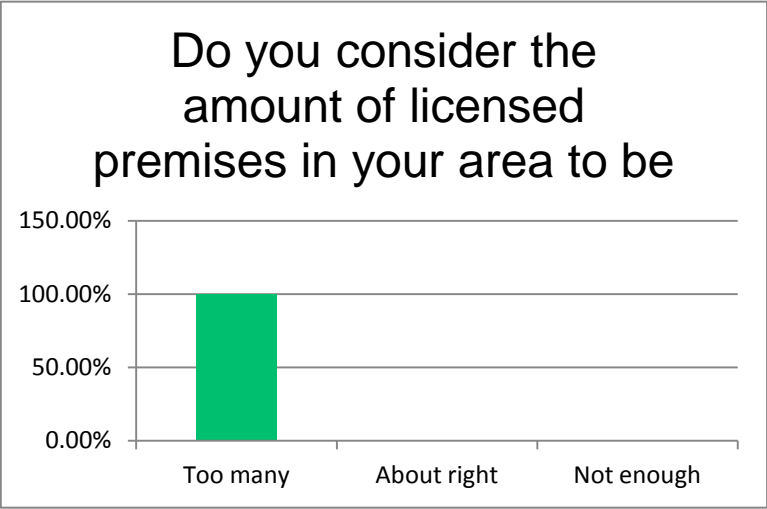
Renfrew, Crofton Avenue

Answer Choices	Responses	
Too many	100.00%	1
About right	0.00%	0
Not enough	0.00%	0
Answered		1
Skipped		0



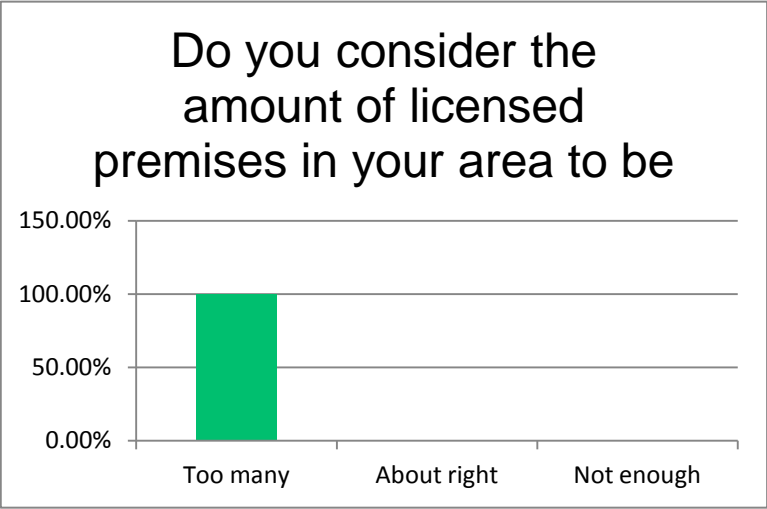
Paisley, Potterhill

Answer Choices	Responses	
Too many	100.00%	1
About right	0.00%	0
Not enough	0.00%	0
Answered		1
Skipped		0



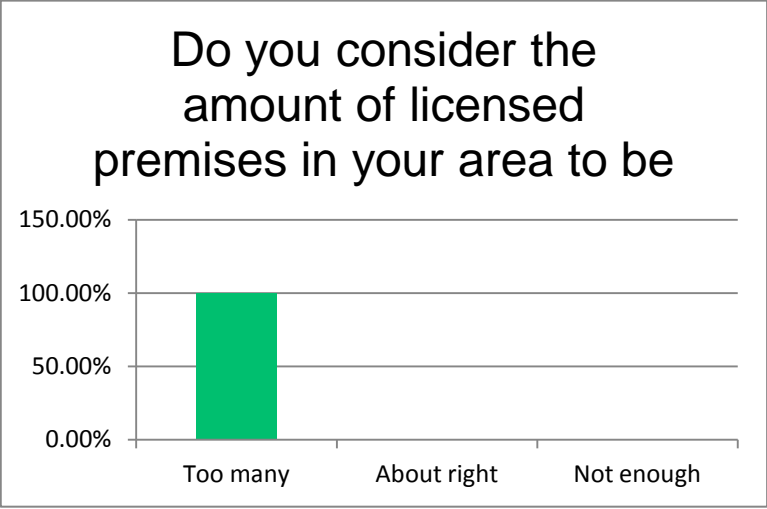
Corsebar

Answer Choices	Responses	
Too many	100.00%	1
About right	0.00%	0
Not enough	0.00%	0
Answered		1
Skipped		0



Argyle Street, Paisley

Answer Choices	Responses	
Too many	100.00%	1
About right	0.00%	0
Not enough	0.00%	0
Answered		1
Skipped		0



Question 3

Do you consider the amount of licensed premises in your area to be

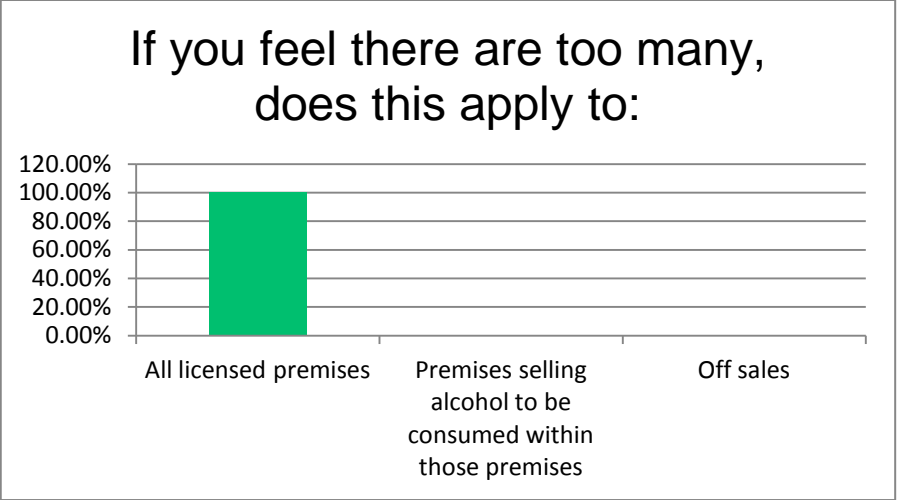
Central Paisley

Answer Choices	Responses	
All licensed premises	100.00%	3
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	0.00%	0
Please add any additional comments here		2
Answered		3
Skipped		3

Comments

About right

N/A

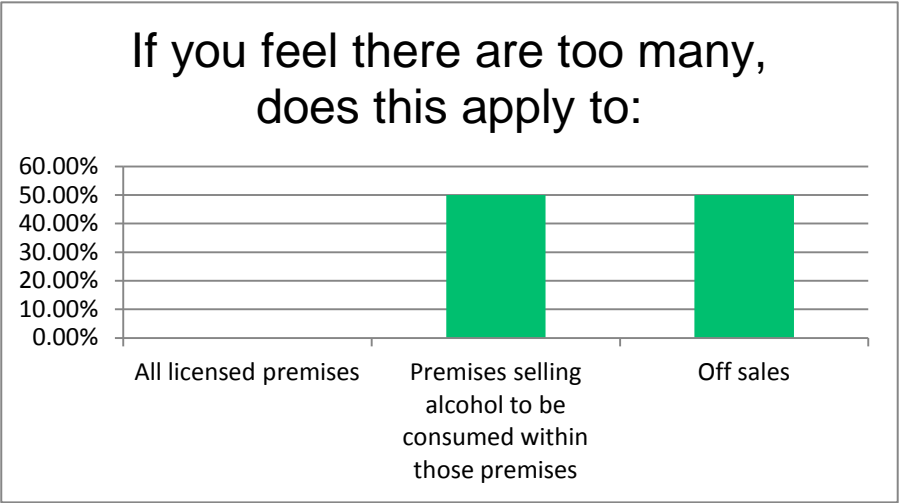


Glenburn

Answer Choices	Responses	
All licensed premises	0.00%	0
Premises selling alcohol to be consumed within those premises	50.00%	1
Off sales	50.00%	1
Please add any additional comments here		1
Answered		2
Skipped		2

Comments

N/A

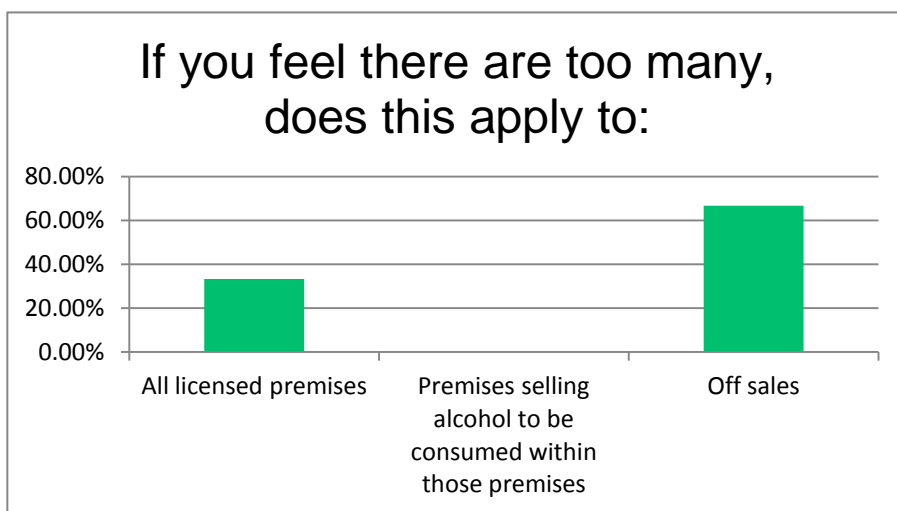


Foxbar

Answer Choices	Responses	
All licensed premises	33.33%	1
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	66.67%	2
Please add any additional comments here		1
Answered		3
Skipped		2

Comments

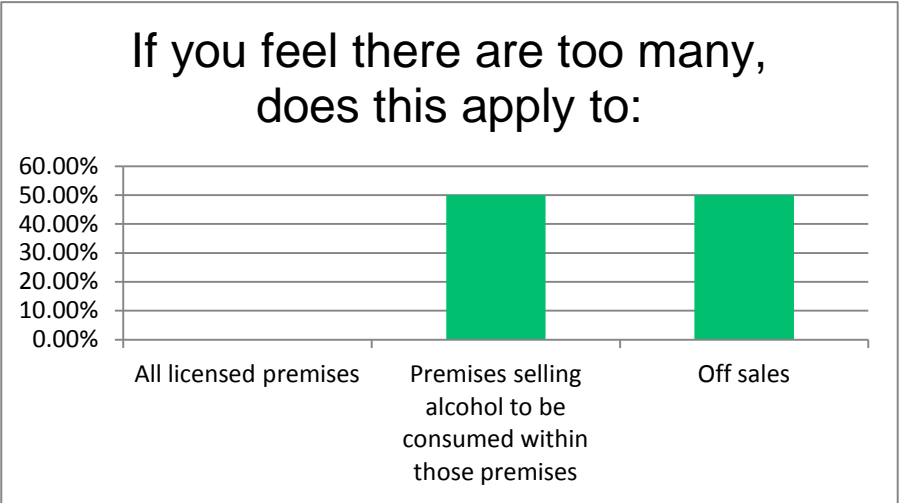
Did not select this option



Gallowhill

Answer Choices	Responses	
All licensed premises	0.00%	0
Premises selling alcohol to be consumed within those premises	50.00%	1
Off sales	50.00%	1
Please add any additional comments here		0
Answered		2
Skipped		2

Comments

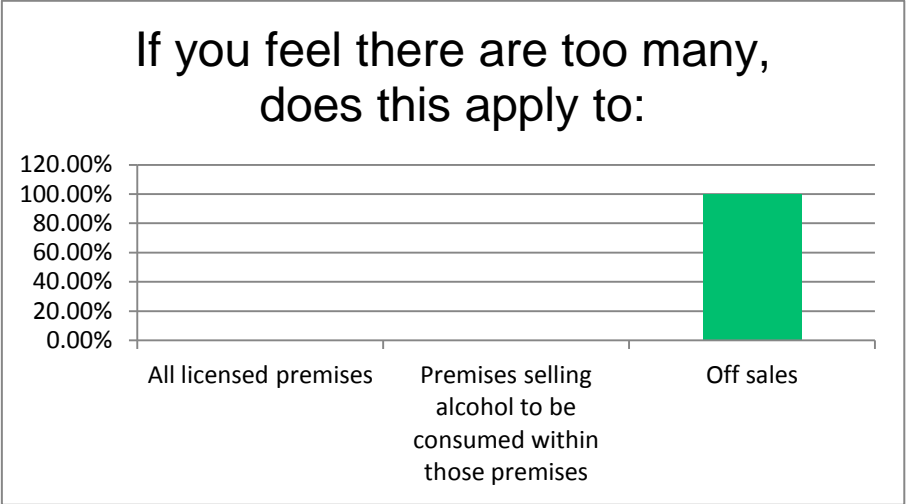


West End, Paisley

Answer Choices	Responses	
All licensed premises	0.00%	0
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	100.00%	2
Please add any additional comments here		1
Answered		2
Skipped		0

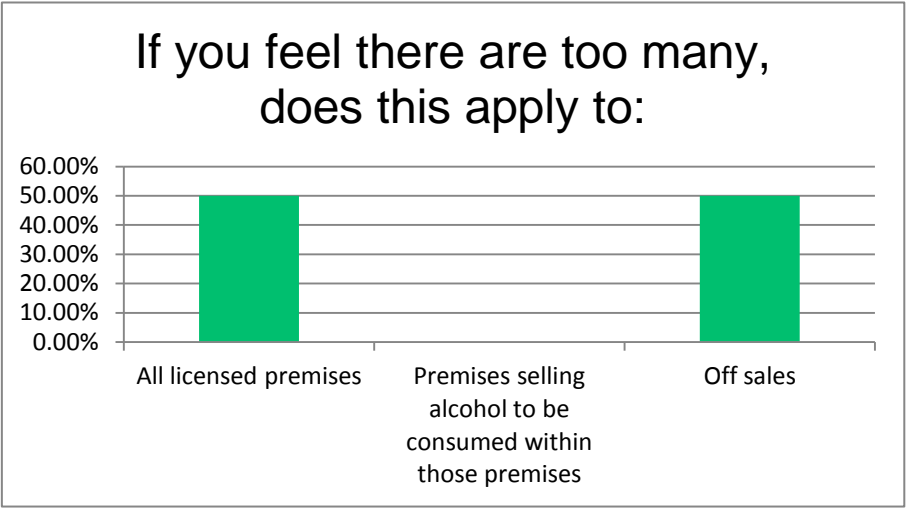
Comments

Far too many off sales



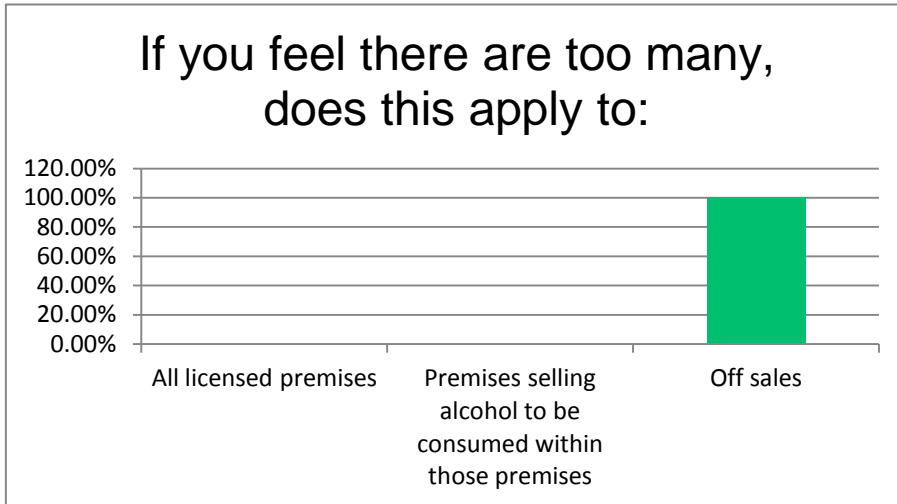
West End

Answer Choices	Responses	
All licensed premises	50.00%	1
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	50.00%	1
Please add any additional comments here		
Answered		2
Skipped		0



West

Answer Choices	Responses	
All licensed premises	0.00%	0
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	100.00%	1
Please add any additional comments here		0
Answered		1
Skipped		0



Renfrew

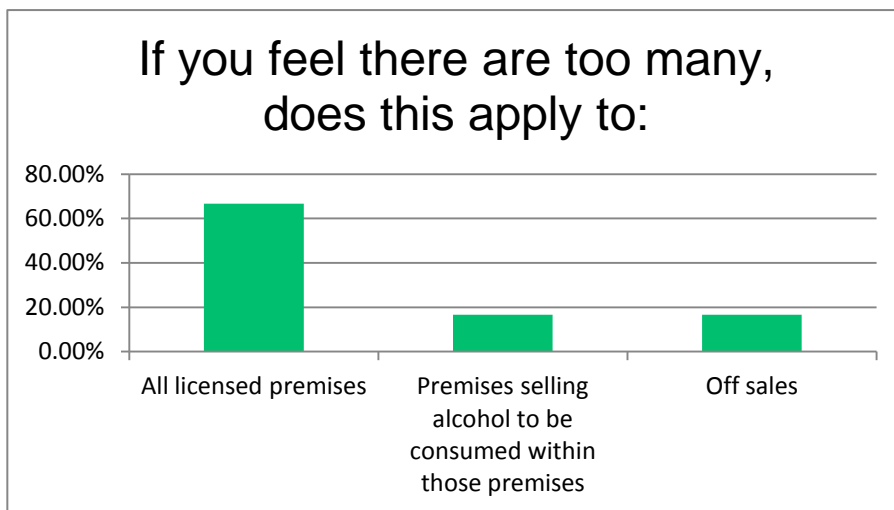
Answer Choices	Responses	
All licensed premises	66.67%	4
Premises selling alcohol to be consumed within those premises	16.67%	1
Off sales	16.67%	1
Please add any additional comments here		3
Answered		6
Skipped		8

Comments

I feel it's fine

if feel its about right

within a 50 foot radius there is 4 off sales

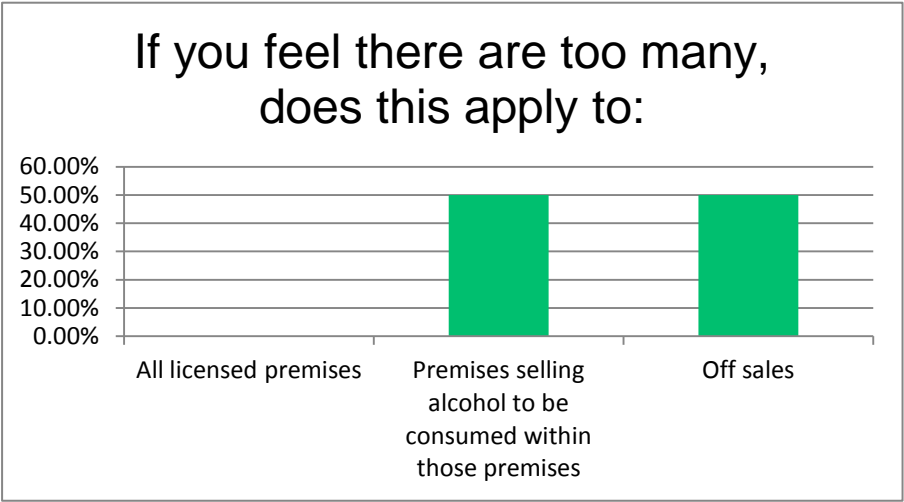


Johnstone

Answer Choices	Responses	
All licensed premises	0.00%	0
Premises selling alcohol to be consumed within those premises	50.00%	1
Off sales	50.00%	1
Please add any additional comments here		1
Answered		2
Skipped		7

Comments

N/A

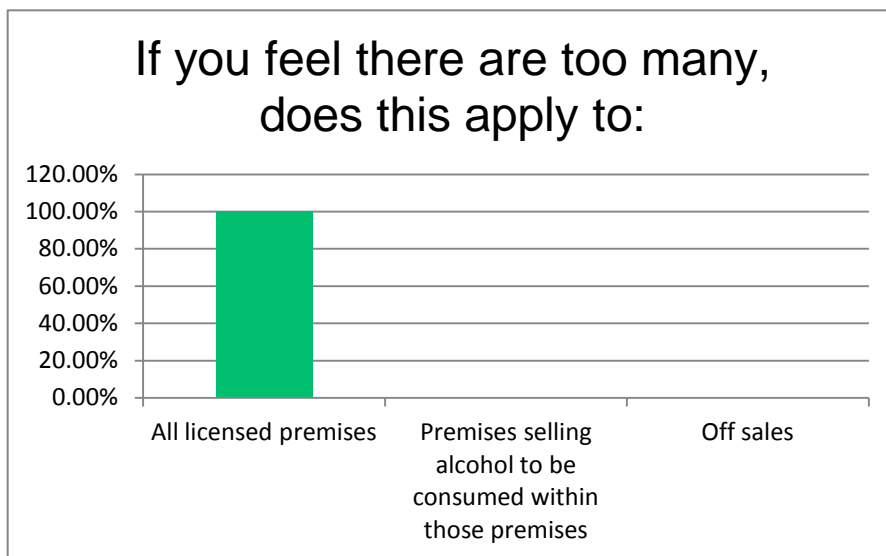


Erskine

Answer Choices	Responses	
All licensed premises	100.00%	1
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	0.00%	0
Please add any additional comments here		1
Answered		1
Skipped		4

Comments

The sale of alcohol should be in dedicated parts of the store, with theirs own separate entrance. The place where alcohol is sold should only admit over 18s, and sicalco purchased should be paid for and wrapped within the area. The use of alcohol in promotions, and as multiple promotions should be discouraged.

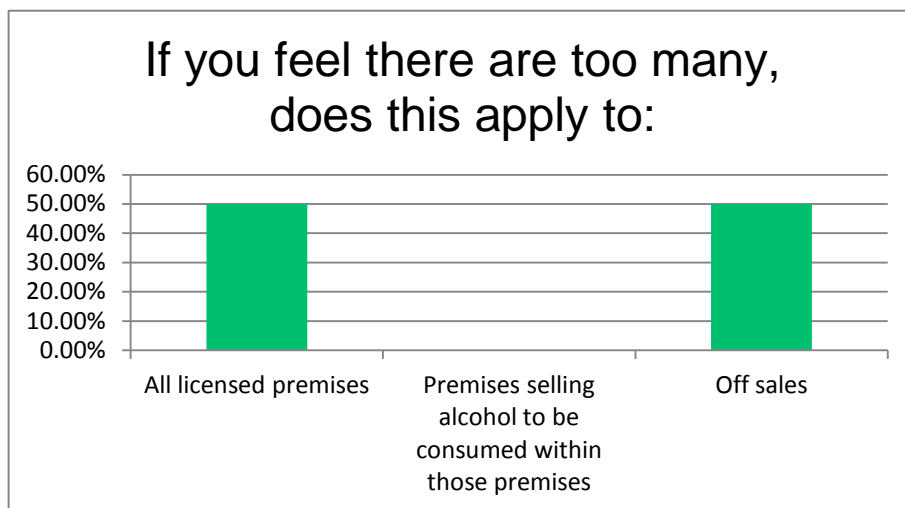


Bishopton

Answer Choices	Responses	
All licensed premises	50.00%	1
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	50.00%	1
Please add any additional comments here		1
Answered		2
Skipped		4

Comments

There are two shops, right opposite one another (co-op and convenience store) that sell alcohol. That is not required. There are a further two with a license within the village.

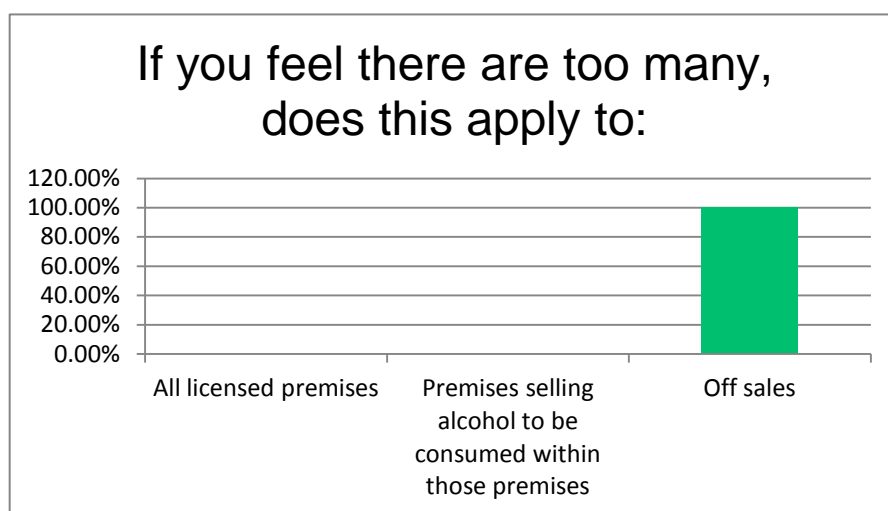


Inchinnan

Answer Choices	Responses	
All licensed premises	0.00%	0
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	100.00%	2
Please add any additional comments here		1
Answered		2
Skipped		1

Comments

no

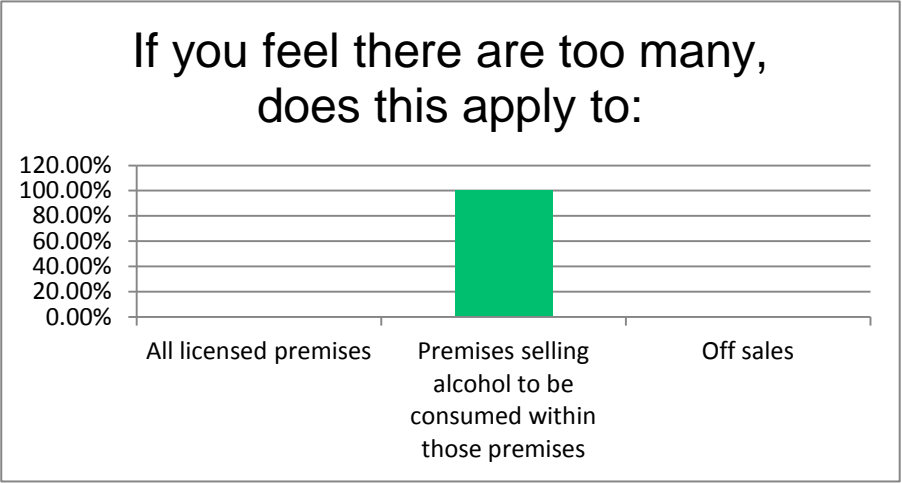


Elderslie

Answer Choices	Responses	
All licensed premises	0.00%	0
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	0.00%	0
Please add any additional comments here		0
Answered		0
Skipped		3

Lochwinnoch

Answer Choices	Responses	
All licensed premises	0.00%	0
Premises selling alcohol to be consumed within those premises	100.00%	1
Off sales	0.00%	0
Please add any additional comments here		0
Answered		1
Skipped		2

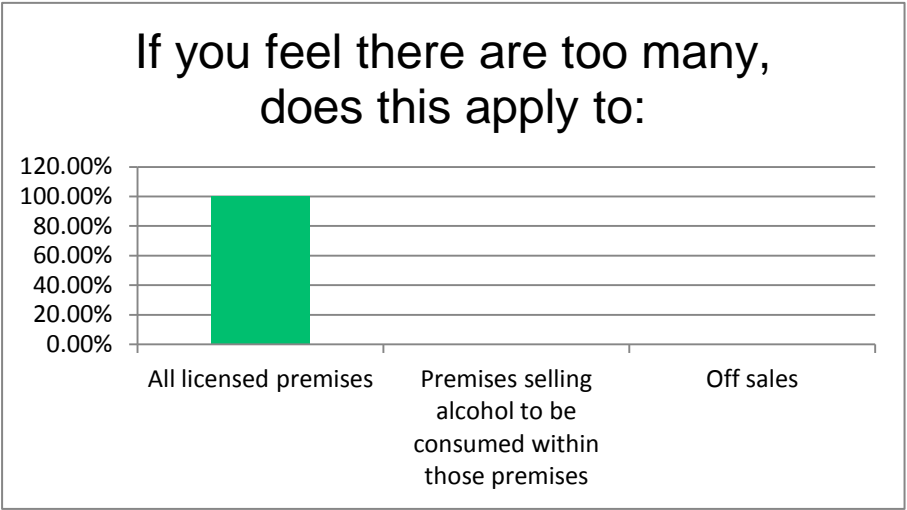


East Paisley

Answer Choices	Responses	
All licensed premises	100.00%	1
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	0.00%	0
Please add any additional comments here		1
Answered		1
Skipped		2

Comments

No



Paisley

Answer Choices	Responses	
All licensed premises	41.18%	7
Premises selling alcohol to be consumed within those premises	17.65%	3
Off sales	41.18%	7
Please add any additional comments here		12
Answered		17
Skipped		20

Comments

N/A

Just about every shop is allowed to sell alcohol. This figure needs reducing

Don't think there are too many

,

Far too many off sales

About right

N/A

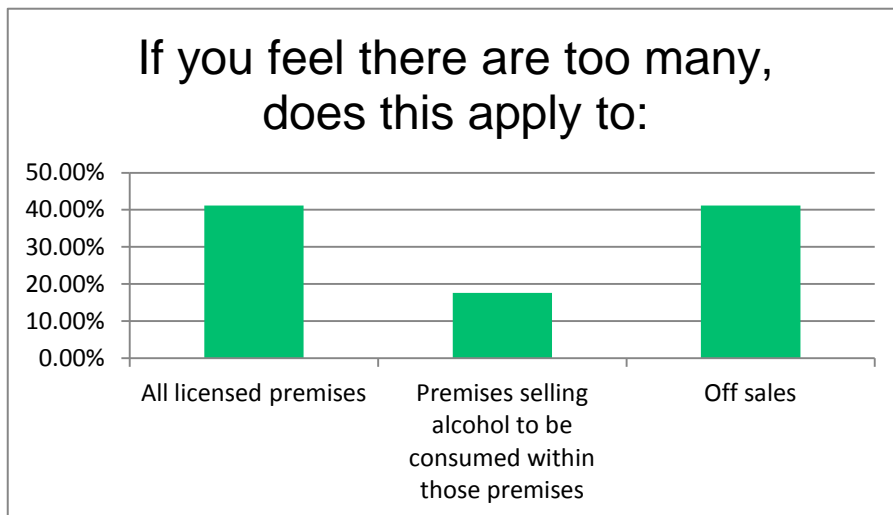
No, your rent and rates along with the governments tax on alcohol restricts new promising operations from even considering opening in this area.

No

Supermarkets have too many lanes selling alcohol

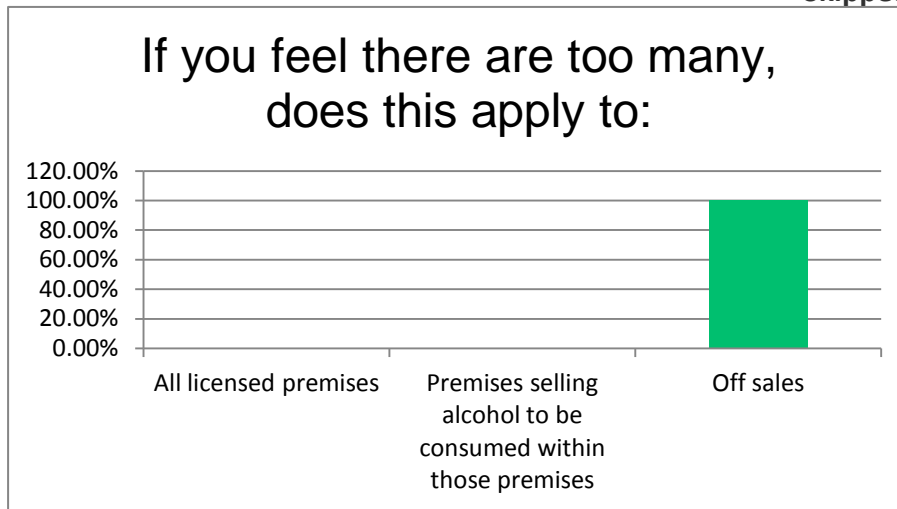
N/A

N/A



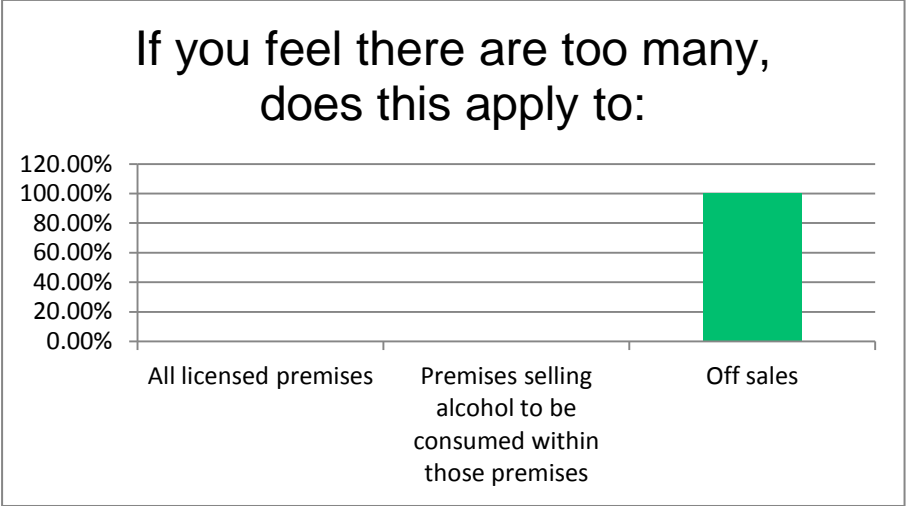
Paisley North End

Answer Choices	Responses	
All licensed premises	0.00%	0
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	100.00%	1
Please add any additional comments here		0
Answered		1
Skipped		0



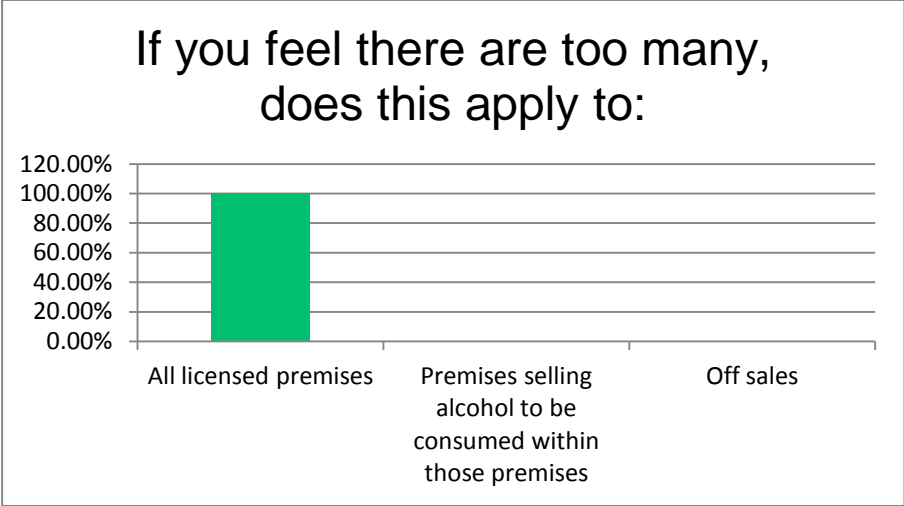
Linwood

Answer Choices	Responses	
All licensed premises	0.00%	0
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	100.00%	1
Please add any additional comments here		0
Answered		1
Skipped		1



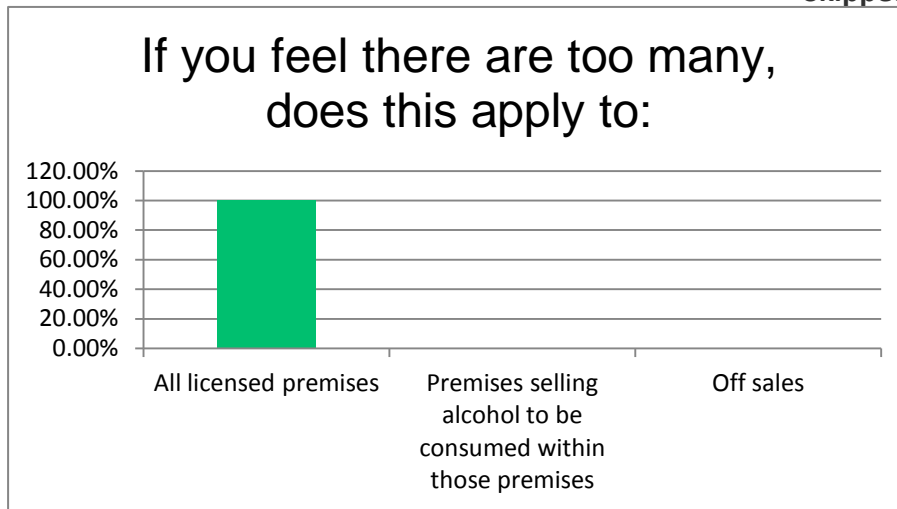
Paisley East End

Answer Choices	Responses	
All licensed premises	100.00%	1
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	0.00%	0
Please add any additional comments here		0
Answered		1
Skipped		1



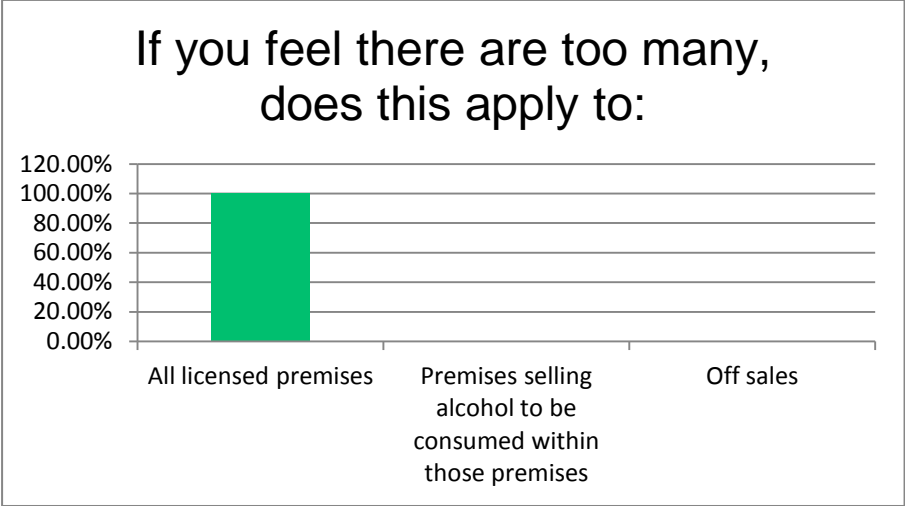
Renfrew - Crofton Avenue

Answer Choices	Responses	
All licensed premises	100.00%	1
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	0.00%	0
Please add any additional comments here		0
Answered		1
Skipped		0



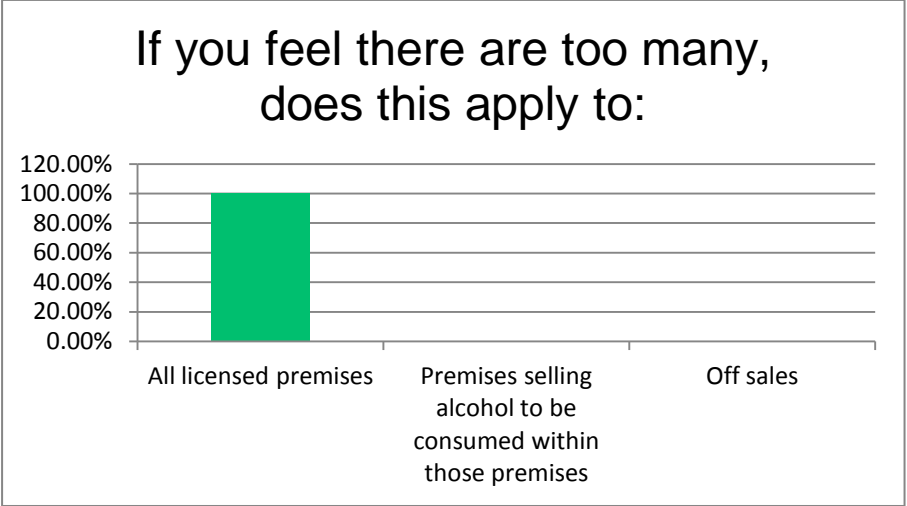
Paisley, Potterhill

Answer Choices	Responses	
All licensed premises	100.00%	1
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	0.00%	0
Please add any additional comments here		0
Answered		1
Skipped		0



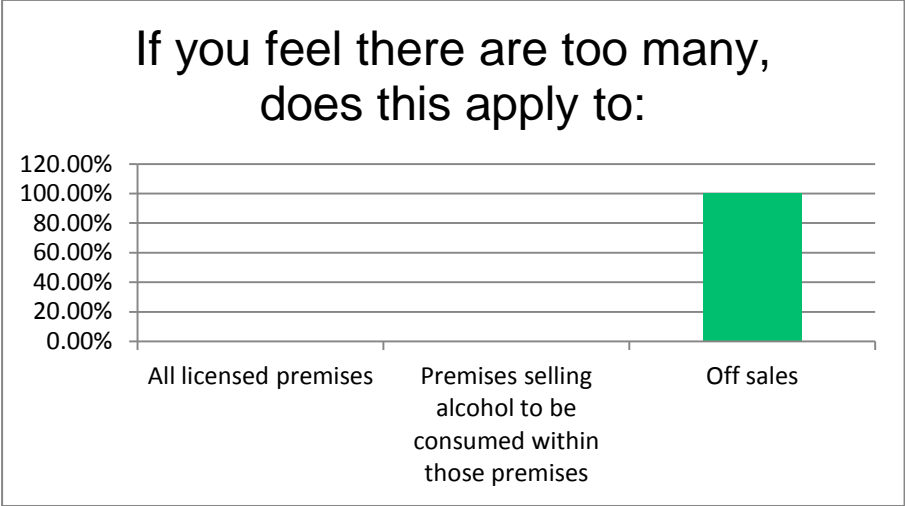
Corsebar

Answer Choices	Responses	
All licensed premises	100.00%	1
Premises selling alcohol to be consumed within those premises	0.00%	0
Off sales	0.00%	0
Please add any additional comments here		0
Answered		1
Skipped		0



Argyle Street, Paisley

Answer Choices		Responses	
All licensed premises		0.00%	0
Premises selling alcohol to be consumed within those premises		0.00%	0
Off sales		100.00%	1
Please add any additional comments here			0
		Answered	1
		Skipped	0



Question 4

Are there any particular licensed premises which you feel are over provided?(e.g. pubs, restaurants, nightclubs, off sales, etc)

Answered 62

Skipped 44

Central Paisley

Respondents	Responses
1	Fast. Food restaurants
2	None
3	Off Sales

Glenburn

Respondents	Responses
1	No
2	Off sales
3	No

Foxbar

Respondents	Responses
1	The nightlife of paisley is crowded into very small sections all around the same area. The only "main" establishment not in this zone is the last post. More needs to be done in the West end as well!!!!
2	Offsales
3	none

Gallowhill

Respondents	Responses
1	Not really
2	Off licenses

West End, Paisley

Respondents	Responses
1	Off sales
2	Pubs

West End

Respondents	Responses
1	Them all

West

Respondents	Responses
1	Bookies, offsales

Renfrew

Respondents	Responses
1	Small corner shops selling alcohol .
2	off sales
3	Restaurants
4	Off sales in particular. I think there are enough pubs. I do not think all restaurants near to me should have licenses.
5	No
6	Pubs, offsales
7	no
8	No
9	too many off sales
10	pubs

Johnstone

Respondents	Responses
1	No
2	No.
3	No

Erskine

Respondents	Responses
1	No

Bishopton

Respondents	Responses
1	N.A
2	No
3	Off Sales

Inchinnan

Respondents	Responses
1	General stores selling alcohol
2	no
3	no

Elderslie

Respondents	Responses
1	No

Lochwinnoch

Respondents	Responses
1	No
2	No

East Paisley

Respondents	Responses
1	Pubs
2	No

Paisley

Respondents	Responses
1	No
2	shops selling alcohol
3	No
4	Not really
5	no
6	Off licenses
7	Off sales
8	.
9	Fast. Food restaurants
10	None
11	N/A
12	No
13	Pubs
14	No
15	Council offices are over provided for, we really don't need the full accomplishment of staff to do the work with modern technology (blockchain etc)
16	All
17	No
18	No
19	Off sales including supermarkets
20	Pubs
21	No
22	Supermarkets
23	No
24	Small food shops with off sales.
25	No
26	Off Sales

Linwood

Respondents	Responses
1	Offsales within grocers shops

Paisley East End

Respondents	Responses
1	Pubs

Paisley, Potterhill

Respondents	Responses
1	Off sales including supermarkets

Corsebar

Respondents	Responses
1	Supermarkets

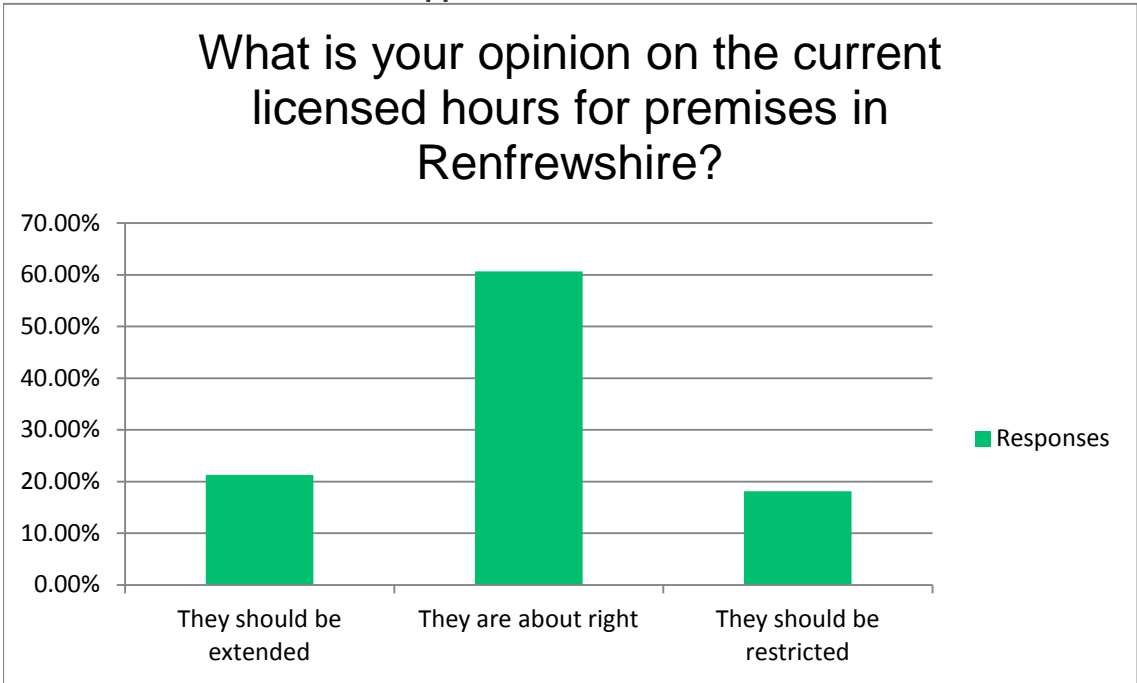
Argyle Street, Paisley

Respondents	Responses
1	Small food shops with off sales

Question 5

What is your opinion on the current licensed hours for premises in Renfrewshire?

Answer Choices	Responses	
They should be extended	21.28%	20
They are about right	60.64%	57
They should be restricted	18.09%	17
Answered		94
Skipped		12

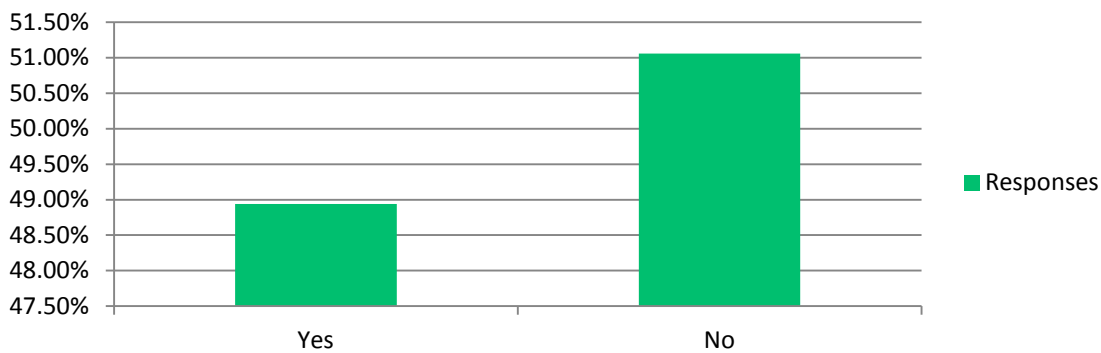


Question 6

Currently, off sales licensed premises in Renfrewshire can sell alcohol from 10am every day. Do you think future licenses should include an 11am start, rather than 10am, on a Sunday?

Answer Choices	Responses	
Yes	48.94%	46
No	51.06%	48
Answered		94
Skipped		12

Currently, off sales licensed premises in Renfrewshire can sell alcohol from 10am every day. Do you think future licenses should include an 11am start, rather than 10am, on a Sunday?

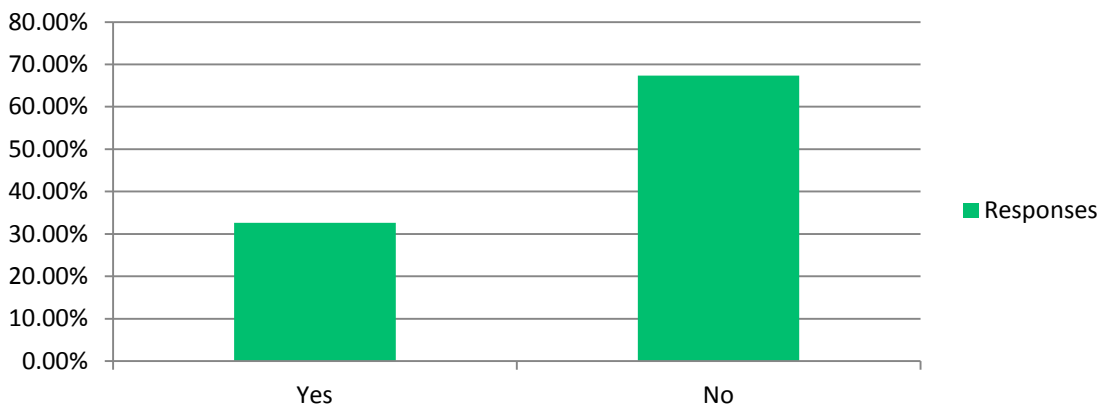


Question 7

Currently, off sales licensed premises can trade until 10pm every day. Should the licensed hours for new off sales premises be restricted to earlier than 10pm?

Answer Choices	Responses	
Yes	32.63%	31
No	67.37%	64
If yes, what time would be suitable?		29
Answered		95
Skipped		11

Currently, off sales licensed premises can trade until 10pm every day. Should the licensed hours for new off sales premises be restricted to earlier than 10pm?



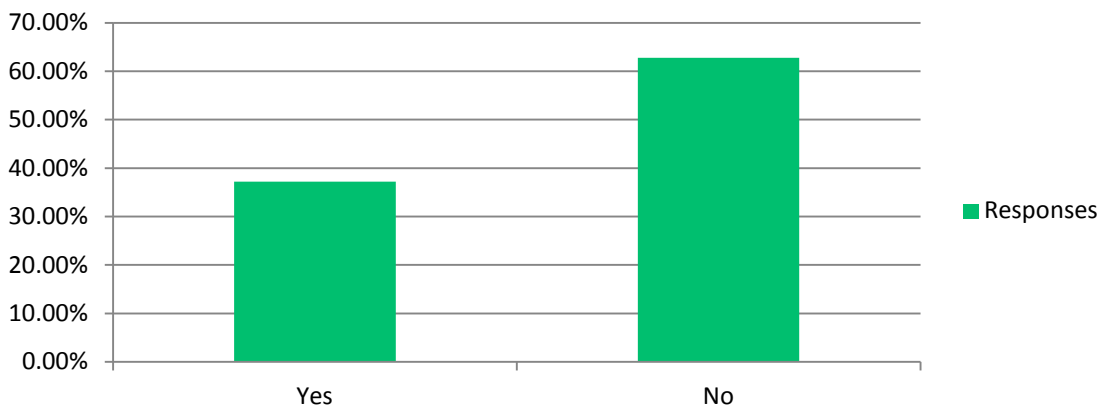
Respondents	Responses
1	9 pm is preferable as it is well before pubs close and will curtail impulse purchasing following alcohol intake on licensed premises . It would help to moderate the thinking that a carry out is needed to finish off an evening out . We should revert the selling of alcohol in shops and go back to Off Sales .
2	Part of the problem is that if You finish work at 10pm your not allowed to go buy 2 fans of beer from an off sales but you can queue up outside off sales at 945am to buy enough drink sink a battkeship
3	5
4	8pm
5	9pm
6	5pm would be a better time for all off sales to be restricted
7	8
8	6pm
9	8
10	8pm
11	9pm
12	9pm
13	8:00 PM
14	9pm
15	Offsales should be available 24/7 otherwise you are restricting night workers from equal rights /access to alcohol.
16	8pm to discourage anti social behaviour
17	8pm
18	8pm
19	Ideally 6pm. If pushed 8pm.
20	6pm
21	9
22	8pm
23	6 pm for supermarkets.
24	8pm
25	8pm
26	8.00pm
27	There should be no time restrictions.
28	20:00
29	8pm

Question 8

In the event of off sales licensed hours being reduced, should the Board set out which circumstances would be allowed by the Board as an exception?

Answer Choices	Responses	
Yes	37.21%	32
No	62.79%	54
If yes, when should exceptions be allowed?		21
Answered		86
Skipped		20

In the event of off sales licensed hours being reduced, should the Board set out which circumstances would be allowed by the Board as an exception?



Respondents	Responses
1	Possibly more remote shops in renfrewshire being able to open later.
2	Zz
3	Shop has good track records and operates 25 age , Shop keeps should also follow if customer too drunk to refuse sale
4	Special events
5	Special occasions like gala days
6	The hours shouldn't be restricted further. If anything we should remove the restriction.
7	Extended hours the day before and on public holidays
8	Special events
9	No restrictions should be in place, people don't all work on the same renfrewshire Council hours. My wife finishes midnight most days, for her to get a drink requires her to go out because she can't buy a bottle on the way home. This is discrimination against night workers.
10	Special celebration
11	Local area
12	Hours shouldn't be reduced
13	Holiday weekends/ special occasions
14	Special occasions, certain holidays and times of year.
15	Off sales from public houses and dedicated off sales premises.
16	Supermarkets
17	What could possibly be an exception to the reduced period for trading?
18	Yes agree there can be circumstances for events
19	Royal weddings , Christmas and New year.
20	A bank holiday perhaps, or a specific event like a royal wedding. I also find it very frustrating not to be able to buy alcohol with my weekly shop, I often go to supermarket straight after dropping children at school, and I am finished by 9.30am, clearly I am not going to stand around wasting half an hour waiting for 10am. I don't think there should be no restriction, but could it be 9am instead of 10am?
21	Individual unique events (Paisley Beer Festival for example)

Question 9

Do you have any further comments on licensed hours?

Answered 46

Skipped 60

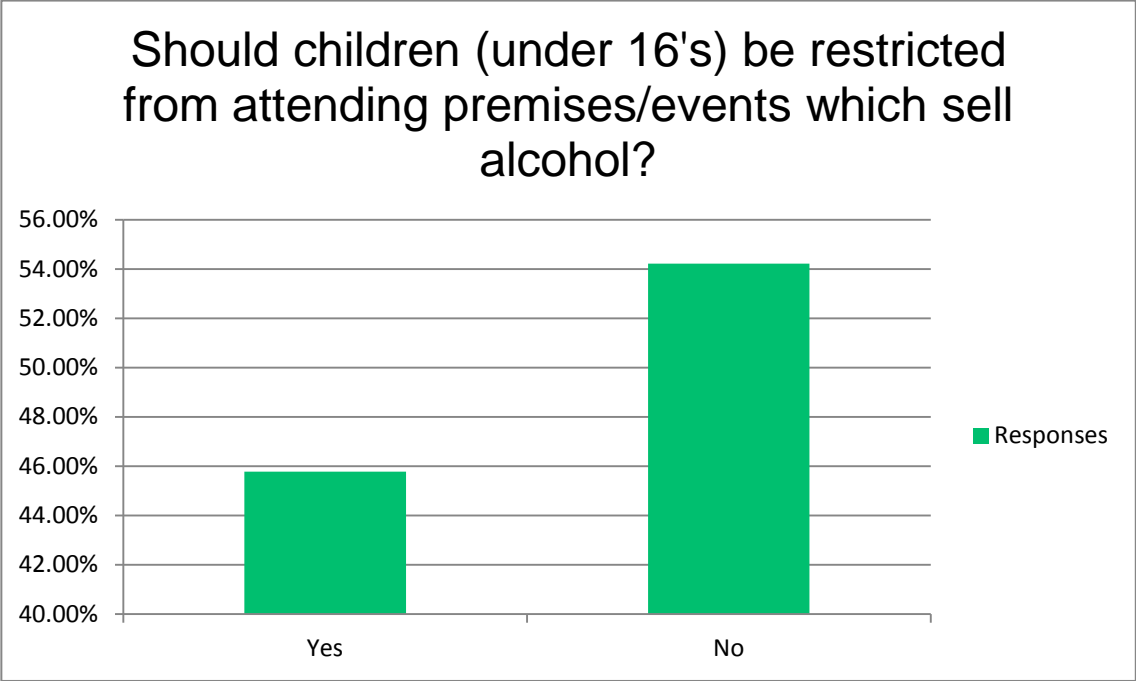
Respondents	Responses
1	Off sales could open from 12-2pm & 5-9pm .
2	The hours are fine as it is. Don't over complicate it by giving Renfrewshire different rules from the rest of the country, it will only lead to confusion.
3	No
4	People need to take responsibility for themselves. Changing or reducing hours alcohol is sold won't change anything. An alcoholic is still going to buy drink, and actually reducing the hours they can legally purchase drinks is only going to increase theft and black market trade.
5	no
6	Earlier pub hours nine or ten am
7	No
8	Perhaps restrictions when in residential areas
9	Think there should be better guidelines for supermarkets. Since the new hours were introduced I feel they have relaxed their ways regarding opening aisles early although it cannot be purchased before 10am. I've seen cashiers sits till 10am waiting to put it through.
10	I feel the current restrictions are detrimental to people who wish to buy alcohol with their shopping on the way to work for example
11	No
12	no
13	I guess this survey is another council joke
14	No
15	Remove the 10am restriction. The 10pm restriction is fine.
16	Feel eldwrsle is on need if anotgwr pub
17	The only people restrictive licencing hours have an effect on are people who don't drink a lot, problem drinkers quickly become aware of the changes and alter their purchasing accordngl, therefore it has no effect what so ever on the amount of alcohol consumed
18	No
19	Encourages too many kids to be hanging around asking people to buy alcohol. Also problem alcoholics and drug abusers in our area making it feel unsafe.
20	No

- 21 Reduce hours to reduce the trouble caused by drinking in Renfrewshire ,
to free up the Police to allow them to deal with crime rather than the
usual drunken idiots that always blame drink rather than taking the blame
as it is self inflicted
- 22 No
- 23 No
- 24 No
- 25 No
- 26 No
- 27 Having pubs open late during week has a knock on effect to those that
work and are disturb by drunks coming out or the places playing loud
music
- 28 No
- 29 10am start time is too restrictive for off-sales. it should be 9am
- 30 no
- 31
- I don't think there is a major issue with licensed hours in the Paisley area.
- 32 Extending on-sales licensed hours encourages drinkers to choose their
own "finishing time", thereby:
- (1) staggering the departure time for customers
 - (2) reducing the "drink up quick before closing time" culture in existing
pubs.
- 33 Bring it forward to 8am foe supermarkets for people that may be finishing
night shift and want to do shopping before sleeping
- 34
- 10am is far too early, i have drunk people outside my close (occasionally
inside, as the close buzzer allows anyone access before 10am)
- 35 No
- 36 no
- 37 No
- 38 10am to 10pm
- 39 No
- 40 No
- 41 Do not extend them
- 42 What ever you do people who want to drink will get round about it.
- 43 No
- 44 See above
- 45 no
- 46 No

Question 10

Should children (under 16's) be restricted from attending premises/events which sell alcohol?

Answer Choices	Responses	
Yes	45.78%	38
No	54.22%	45
Answered		83
Skipped		23



Question 11

Please specify the types of premises or events for which access for children should be restricted?

Answered 58

Skipped 48

Respondents	Responses
1	Bowling clubs
2	N/A
3	Pubs not severing food
4	Restaurants, functions, family pubs with child friendly facilities
5	Pubs
6	Non serving food pubs should have restriction
7	Pubs.
8	N.A
9	Pubs where there are no resturants
10	Family events such as christening and weddings
11	Pubs and beer gardens
12	N/a
13	Fast restaurants food
14	Adults only theme occasions
15	Pubs
16	Bars, off licence
17	Gigs,
18	None. As long as they aren't being provided alcohol then it is ok for children to attend licenced premises such as pubs that provide food.
19	Private functions, those serving food up until 7pm
20	All
21	another bias question !!!
22	Pub resturants
23	Pubs
24	Pubs
25	Any under aged individual should not be allowed any bars and if in a restaurant where a bar is present should not be allowed near such areas
26	Family restaurant which is licensed
27	None
28	Sporting events and any other large event , children should have a little exposure to drunken adults as possible.
29	Charity
30	Pubs after a certain time
31	Clubs
32	Any bars that do not sell food . No reason for children to be there
33	Pubs, bowling clubs, social clubs
34	No
35	Pubs

- 36 Alcohol should not habitually be served where children are present.
- 37 Pubs
- 38 Pubs
- 39 Pubs. Some premises act as a restaurant, but have separate bar areas.
Under-16s shouldn't be allowed in after 7pm.
- 40 Pubs
- 41 Pubs with function suites.
- 42 Premises where the sale of alcohol is the primary or only "raison d'être". ☐
☐
Function halls, restaurants, hotels, etc should allow children without restriction.
- 43 Betting shop when someone wants to place bet and is not allowed in with a child to place only and leave
- 44 Private parties. Meals.
- 45 After 8pm. Only allowed in food outlets
- 46 Public houses, after 8 pm.
- 47 All. Children should not be in licensed premises
- 48 nightclubs
- 49 None
- 50 Under 18s should not be allowed into the dedicated area of shops wherein alcohol is displayed, sold, and advertised.
- 51 Where only alcohol is served.
- 52 Premises selling food
- 53 Pubs which have a history of trouble
- 54 Pubs that do food , pubs that have a hall that is hired to hold birthday parties or special occasion
- 55 N/A
- 56 Off licenses
- 57 nothing other than private functions
- 58 Anytime that isn't a 'family friendly' event. Therefore unless they are actually consuming food in a pub there is no reason for young children to be in any area serving alcohol (beer gardens would be OK for example)

Question 12

What time should children have to leave licensed premises?

Answered 73

Skipped 33

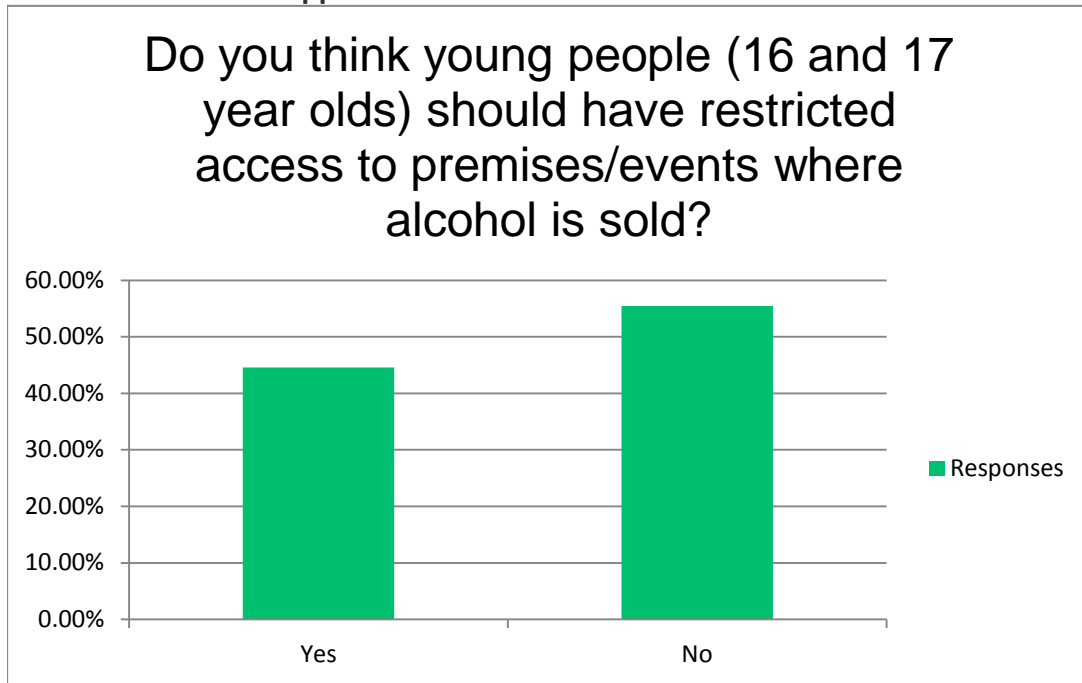
Respondents	Responses
1	9pm
2	Children should not be in licence premises after 8 pm .
3	9pm gives plenty time for family dinners etc
4	8pm
5	730-8pm
6	No limit if it is within the type of premises listed in my previous answer
7	9pm
8	20:00 weekdays 21:00 weekends
9	Eight pm
10	8pm latest or after food order
11	Pubs - 4.00. It's a bit different for function and restaurants .
12	10pm
13	8pm
14	10pm
15	7pm
16	8pm
17	8pm
18	9pm
19	8pm
20	8
21	Closing time
22	9pm
23	10pm
24	7-8pm
25	8pm
26	When their parents leave
27	5pm
28	8pm
29	8 or 9pm
30	10pm
31	9pm
32	8pm
33	6pm
34	When their parents decide
35	9pm
36	11pm
37	8.30pm

38 8pm
39 6pm
40 8pm
41 Na
42 Shouldn't be allowed in pubs. Not an environment to be encouraged in youngsters
43 8pm
44 10pm unless its a private function then at the end of the function
45 8pm
46 8pm
47 9.00pm
48 7pm
49 3pm
50 9.00pm
51 Under 16s should be required to leave by 8pm
52 10pm or 11pm
53 Don't know
54 8pm
55 8 pm.
56 Why should they leave if they're with parents?
57 See answer to previous question
58 10.00pm
59 Depends on premise e.g. wedding then no restrictions
60 House rules
61 Whenever the sale of food finishes
62 9pm
63 8.00pm
64 9pm
65 9pm
66 9 pm
67 Depends on the type of event
68 20:00
69 The problem is a child is 0 to 15, I think it is ok for a 15 year old to be in a pub at 10pm with parents etc , but its not ok for a 4 year old, they should be in bed.
70 8pm
71 6pm at the latest
72 9pm
73 7pm

Question 13

Do you think young people (16 and 17 year olds) should have restricted access to premises/events where alcohol is sold?

Answer Choices	Responses	
Yes	44.58%	37
No	55.42%	46
Answered		83
Skipped		23



Question 14

Please specify the types of premises or events at which a young person's access should be restricted

Answered 54

Skipped 52

Respondents	Responses
1	Bowling clubs/pubs
2	N/A
3	Pubs not serving food
4	See my previous answer
5	Nightclubs
6	pubs
7	Traditional venues where in contact with bar
8	Wetherspoon type pubs as find 16 17 year olds are accessing drink , Must be accompanied by adult, see this alot in braehead 15 16 17 eating inside pub without adult
9	Pubs again and off sales
10	N.a
11	Pubs
12	N/a
13	Outdoor such as bag pipe championships.
14	None, as they are allowed to vote, so they are considered adults
15	Pubs
16	All
17	Bars, off licence
18	None. It is not fair to restrict young people from events due to the presence of alcohol. It is effectively curbing liberty.
19	None
20	All
21	no restriction
22	Pubs that sell food
23	Pubs, bars, licenced venues
24	Pubs private parties
25	Pubs and off licences
26	Pubs
27	None, this is age discrimination
28	All events
29	Charity
30	Under 16 should not be allowed in pub after 8.30pm
31	Clubs
32	None
33	Same as for under 16s

- 34 Na
- 35 Functions for family members
- 36 pubs, gigs
- 37 As above
- 38 Pubs
- 39 Pubs with function suites
- 40 Pubs and nightclubs
- 41 .
- 42 See previous
- 43 None. Allowed with an adult at entertainment event
- 44 Public houses & music events.
- 45 Family functions
- 46 nightclubs
- 47 None☐
- 48 Under 18s should not be allowed into any licensed premises which are not serving food
- 49 Where only alcohol is served
- 50 Pubs that do food and pubs with halls that can be hired out for family and special events.
- 51 It would depend on the type of event
- 52 Off licenses
- 53 anywhere except private functions
- 54 N/A

Question 15

What time should a young person have to leave a licensed premise?

Answered 67

Skipped 39

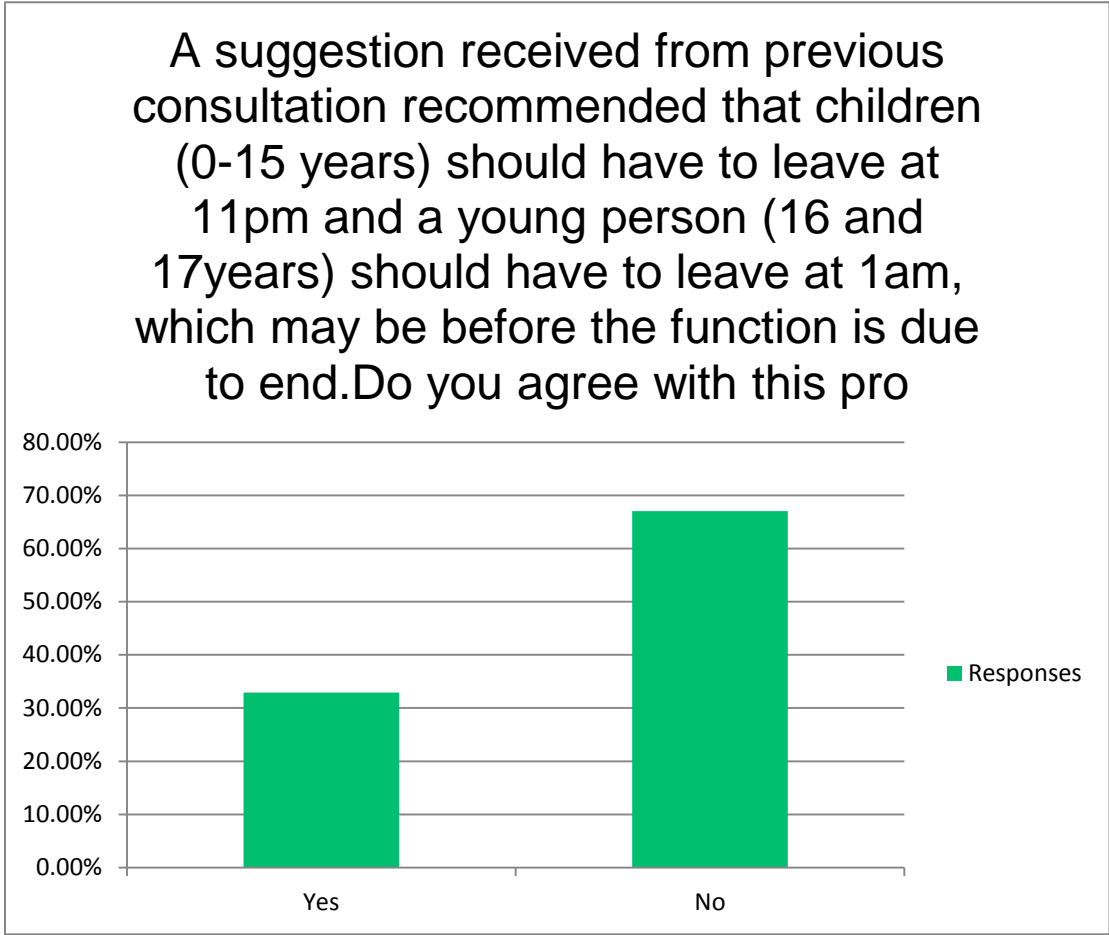
Respondents	Responses
1	9pm
2	Young people should be able to remain until the same time as over 18s .
3	8pm
4	8-9pm
5	No limit
6	9pm
7	20:00 weekdays 21:00 weekends
8	8pm
9	It with adult 8pm Without shouldnt be allowed to enter
10	6.00
11	10pm
12	8pm
13	10pm
14	7pm
15	8pm
16	8pm
17	Closing time
18	10pm
19	9
20	7pm
21	10pm
22	10pm
23	10pm
24	9pm
25	when there parents leave
26	5pm
27	10pm
28	10pm
29	10 pm
30	10 pm
31	8pm
32	6pm
33	When their parents decide
34	9pm
35	11pm
36	8.30pm
37	8pm

38 10pm
39 8pm
40 Na
41 10pm
42 9pm
43 midnight unless its a private function then at the end of the function
44 10pm
45 8pm
46 10.30
47 7pm
48 3pm
49 10.00pm
50 10pm
51 11pm
52 Don't know
53 If attending live event with adult after performance
54 8 pm
55 Why should they have to leave if they're with parents?
56 At closing time
57 11.00pm
58 House rule
59 Whenever food is no longer being sold
60 9pm
61 10pm
62 10.30
63 At the end of the function
64 20:00
65 9pm
66 8pm
67 9pm

Question 16

A suggestion received from previous consultation recommended that children (0-15 years) should have to leave at 11pm and a young person (16 and 17years) should have to leave at 1am, which may be before the function is due to end.Do you agree with this proposal?

Answer Choices	Responses	
Yes	32.93%	27
No	67.07%	55
Do you have any further comments		34
Answered		82
Skipped		24



Respondents	Responses
1	Younger children under 10 years should be home well before 11pm .
2	Completely pointless for 16 - 17 year olds. May as well have no limit if going as late 1am
3	Only if it is an organised function such as wedding etc.
4	16-17 should be 12 if function
5	Should be earlier
6	If it is a family function such as a wedding
7	Needs to be earlier. Makes adults be more responsible
8	Way to late
9	I would make it a strict condition that the licensee, and the premises take responsibility for over indulging
10	No
11	I think there should be guidelines in place for all premises, however I think children should be allowed in the case of private function, up until closing, as long as accompanied by a responsible adult even if that premises has an earlier time normally for children
12	children should stay till the event ends
13	I agree with these times if it is a private function, e.g. a hired premise, however if it is a general pub and not for a specified occasion e.g. wedding, then I think the earlier times would be more suitable.
14	0-17 should leave before 8pm before any rowdiness can start
15	If it's a function for a family party but private access not a pub
16	This is stupid
17	Young children should have minimal exposure to drunken adults.
18	All leave at 11pm
19	No
20	I still think that is too late. If family members want a long time together they could start earlier...
21	they should be allowed to stay until the end if it's a private function
22	Too late
23	For family functions, in a privately booked function hall, children and young people should be allowed to remain under parental supervision without restriction
24	Or later 0-15 as you could have child that is over 16 and one below 15 as well
25	11pm is too late for 0-15 yrs 1am okay with irresponsible adult
26	both proposed hours are far too late.
27	Risk of young people going home alone at 1am is a ludicrous suggestion. Family function so leave as a family.
28	The responsibility at functions lies with the parents, unaccompanied minors should not attend functions where alcohol is served

- 29 Unfortunately we don't have a very healthy relationship with alcohol which concerns me if children and young people are spending time around adults who have been drinking so I think 11pm and 2am is far too late.
- 30 Is far too late
- 31
- 32 Lots of family events are ruined due to children having to leave early
- 33 Depends on the function, if it is a opu, then the above times are fine, if it is a private party with a licence, then it's not ok, it means parents have to leave early even if they are happy to allow the child a late treat.
- 34 no
- 34 This would only apply to functions (weddings, birthday parties, etc) - these hours should not apply to normal day to day pubs, etc

Question 17

Do you have any further comments on children's and young person's access?

Answered 29

Skipped 77

Respondents	Responses
1	Access to licensed clubs and pubs should be restricted for children/young persons and should have to leave premises by 9pm
2	All licenced alcohol sellers should have large well placed signs informing adults of the responsibility they have to young people and give easily understood instructions to all regarding laws .
3	The questions you have asked seem designed to get the answers you want rather than seeking opinions. If the premises are old fashioned "working men's boozers" then kids shouldn't be there, if they are well run, family friendly facilities then why restrict children. I believe it is for parents to decide where their children can, if they don't think they should be in licenced premises then don't take them. Please don't extend the Nanny State any further
4	must be accompanied by an adult at all times
5	No
6	No
7	Shouldn't be encouraged
8	none
9	No
10	No.
11	All over Europe children have access to licensed premises, we restrict yet we have the problems. Its time for some radically different thinking on this. Alcohol is legal, let people make their own decisions and they will probably do better than the council / government initiatives.
12	No
13	No
14	No
15	No
16	Na
17	If the Scottish government believe that increasing the cost of alcohol will help reduce alcohol related deaths then I believe there is a correlation with youngsters access/view/environment around alcohol (and adults consumption) at functions.
18	no
19	.
20	No
21	There's nothing in Renfrewshire for 16 to 17 year olds to do!
22	no

- Under 18s should not be allowed into retail premises where alcohol off sales
- 23 take place
- 24 No
- 25 No
- 26 No
- 27 No
- 28 no
- 29 Personally I think 16 / 17 year olds should be allowed to consume alcohol as long as they are accompanied by an adult. This atmosphere would help children learn to respect alcohol and hopefully reduce the numbers who abuse it in public areas.

Question 18

Do you have any other comments which you would like the Licensing Board to consider when agreeing its new alcohol licensing policy?

Answered 38

Skipped 68

Respondents	Responses
1	No
2	I would like it to be enforced that small shops do not give credit to those with alcohol abuse issues . I have personally witnessed this in Renfrew .
3	Introduce greater penalties for shops, pubs selling alcohol to under age people. Including chain stores. The larger super markets are on the ball when policing this but smaller chain stores and independent arent. If more stores lost the license with the threat and action that they licence was never renewed for that building again it would help
4	Focus on improving the facilities and creating more family friendly facilities. There are sufficient traditional pubs and bars aimed at the young weekend clubbers but very little for families.
5	no alcohol to be sold in off sales before 11am of after 10pm(7 days a week) all pubs/bars unable to serve alcohol until 11am and close by 2am (7 days a week)
6	No
7	I object to late drinking in the railway inn as it is extremely noisy and surround by family homes. Windows cannot be left open at night. Late licensing should only be in the middle of the town's.
8	More information around dangers of alcohol consumption. Possibly direct pictures similar to cigarette packaging. More information on measurements as everyone's is different which would make their idea of units to be wrong
9	The amount of off sales premises in a locality can encourage drunkenness, as it's too readily available and can encourage alcoholism in our society.
10	Enforce or increase the age when young people are able to buy alcohol
11	All premises should have personal licence not a premises licence. Hard to control
12	Any premises that apply for a licence should ensure if near a residential area that when closing that the groups inside then do no cause issues for residents or their cars.
13	No.

- 14 This is the most bias one sided questionnaire I have ever encountered in my whole life, absolutely disgraceful
- 15 Stop licensing! It's very easy. You want less nhs patients, stop the current binge culture by unrestricted access instead of making it a target.
- 16 Enforce regulations properly and give suitable punishments to those that break them.
- 17 No
- 18 There should be an agreement not to increase sale area in current licensed premises.
- 19 No
- 20 No
- 21 No
- 22 Pubs that play music loud during week. Drunks coming out waiting on taxis etc shouting, swearing should be taken into account as this can have an adverse health affect on those who don't drink to extremes.
- 23 no
- 24 No
- 25 Pet owners should be considered.
- 26 Restrict the number of supermarkets allowed to sell cheap alcohol. Off sales should be restricted to dedicated off licensed premises.
- 27 Concentrate on off sales and supermarkets and leave the pubs alone. They provide social premises as well as jobs.
- 28 no
- 29 Let's create business and have a very free approach.
- 30 That dedicated staff only undertake alcohol sales.
No staff under the age of 21, are allowed to sell alcohol.
The system where younger staff get a wave from a supervisor to authorize the sale of alcohol should be illegal
- 31 Consider specific regulations of premises that have 18-20 year old parties such as the power league clubhouse at the Wickets in Paisley. There tends to be people under 18 at these functions who are given drink by older friends or family. Issues of ASB and littering/vandalism go hand and hand with these events.
- 32 The business pays its rates, licensed premises do not have to show they pay their business rates, any business operating in the local area should show that they are paying their rates
- 33 Far too many young kids getting access to alcohol
- 34 More strict stance taken on those standibg outside pubs smoking and making a noise for residents nearby
- 35 If a small business is found to be selling alcohol to children take the licence off them for good. Shop owners don't care as long as they are getting there money. Drunk children are a pain for locals and police.
- 36 no

- 37 The biggest issue is supermarkets and off sales selling alcohol where there is then no control over who drinks it or where it is drunk. A safe, controlled environment like a pub or restaurant should be encouraged over supermarkets rather than being punished with additional taxes and licensing restrictions.
- 38 No

1. Clerk's Comments in relation to Findings of Online Survey

The online survey asked a number of questions including questions about overprovision of licensed premises, licensed hours (terminal hours for off-sales and Sunday commencement hours) and children and young persons' access. 106 people responded to the online survey, although not all those who responded answered all questions in the survey.

In relation to overprovision, respondents were asked to indicate where they reside. In relation to those who identified themselves as staying in the centre of Paisley, six people responded. Of those, three people felt that the number of premises was about right, with two considering that there were too many licensed premises in their area. One person considered that there were not enough licensed premises.

Notwithstanding the above responses, three of those people stated that there were too many premises with regard to all licensed premises types. None of the people responding identified an issue of overprovision with specific reference to any particular type of premises.

While the Board on 11th May 2018 identified only the existing Paisley Town Centre declared overprovision area as a locality for the purpose of assessing overprovision, the Board will note that the survey did give members of the public an opportunity to express their views in relation to their own areas. An analysis of the individual responses shows that, in respect of the geographical areas for which responses were received (with a few exceptions as set out below) a majority of respondents in each area specified were of the view that the provision of licensed premises in their area was either about right, or that there were not enough premises in their area.

In respect of the exceptions, there were a number of areas where only one response was received suggesting that there were too many licensed premises in those areas namely:- Paisley North End; Renfrew (Crofton Avenue); Potterhill; Corsebar, and Argyle Street, Paisley.

In respect of two other areas, one person considered that there were too many licensed premises, with one other person stating the number of premises was about right, namely:- Linwood and Paisley East End.

In respect of Paisley West End, two people responded, stating that there were too many premises.

It should be noted that some people who responded did not provide sufficiently clear information in relation to where they reside to allow their responses to be analysed.

Should the Board wish to consider any of the additional areas highlighted in the responses with regard to possible overprovision of all, or certain types of, licensed premises, it would be necessary that officers bring a report to a future meeting of the Board. Any possible further localities would require to be identified by the Board and consulted upon, with a view to the Board possibly agreeing to publish a supplementary statement of licensing policy under the terms of the Act.

In relation to the other questions in the online survey, the Board will note that:

- 61% of people think that the current licensed hours in Renfrewshire are “about right”, with 18% of the view that these should be restricted;
- 51% of respondents do not support a later Sunday commencement hour;
- 67% do not support a restriction on off sales premises’ terminal hour;
- 54% were not in favour of restricting children’s access (a range of comments were received in relation to what any restrictions should be, as relates to times and types of premises)
- 55% were not in favour of restricting young persons’ access (a range of comments were again received in relation to what any restrictions should be)

Date: 02/08/2018

Our Ref: JH

Douglas Campbell
Assistant Managing Solicitor
(Licensing) Corporate
Governance Finance and
Resources 1st Floor,
Renfrewshire Council
South Wing Renfrewshire
House
Cotton Street
Paisley
PA1 1TT



Iain Livingstone QPM
Deputy Chief Constable Designate

Renfrewshire and Inverclyde Division
Headquarters
Mill Street
Paisley
PA1 1JU

Dear Sir,

Formal Consultation on Statement of Licensing Policy

In response to your correspondence of 14th May 2018 seeking formal responses to the revised Statement of Licensing Policy and Issues Paper for the purpose of formal consultation, the following submission is made on behalf of the Chief Constable of Police Scotland.

OVERPROVISION

A detailed report on violence and anti-social behaviour linked to the night time economy (see attached) highlights areas within and immediately surrounding the locality of overprovision selected by the board.

The highest level of antisocial behaviour incidents occur within the existing area identified by the Board as being overprovided, where the majority of licensed premises are 'liquor or pub type premises'. Incidents out with the locality can be associated with the dispersal of persons linked to the night time economy.

The provision of licensed premises within the Paisley town centre draws significant numbers of patrons from across Renfrewshire each weekend, usually during evening hours. This increase in the numbers of patrons within the Paisley town centre area leads to increased alcohol consumption, which in turn can lead to acts of antisocial behaviour and violence.

The current policy on overprovision has allowed the Board to closely monitor applications for premises licences within the overprovision area, which has

prevented incidents of antisocial behaviour increasing through the increased provision of alcohol.

Given this information, it is our opinion that the existing policy on overprovision of licensed premises within the Paisley town centre area is still relevant to the licensing objectives of 'Preventing Crime and Disorder' and 'Securing Public Safety'.

With reference to your request regarding views on exclusions to any overprovision policy, this would be required on a case by case basis and take account the distinct style of operation of the premises and impact on the local community.

LICENSING OBJECTIVES

Police Scotland would reiterate our previous recommendations raised within the Initial Consultation regarding the inclusion of CCTV and conditions placed on Door Supervisors. One minor amendment is our recommendation for CCTV footage to be retained for a minimum of 28 days.

Section 20 Preventing Crime and Disorder

In order to ensure the greatest possible degree of protection for the public, it is recommended that installation of CCTV should be mandatory for all new Premises Grants, including off sales.

The system should be capable of providing identification images of persons entering and exiting the premises to act as a deterrent.

A member of staff, who is fully trained in the operation of the CCTV (i.e. able to view and download), should be on duty at all times when the premises are open and trading.

Recommended that CCTV footage be retained for a minimum of 28 days (This is well within the Industry Standard Retention Policy of 30 days). Useful where something occurs on a premises, which staff/police are not immediately aware of, ensuring footage could be available. This is of benefit for the staff, customers, premises and police.

Clear signage of CCTV System in operation is displayed to meet with data protection requirements.

Section 21 Securing Public Safety

Where door supervisors are provided, it is expected that licensees have consideration of the following:

- High Visibility Identification – It is recommended that door supervisors shall be easily identifiable by wearing high-visibility clothing
- Appropriate number of staff – Door supervisors should be employed at specific times with regard to the individual circumstances of the premises.

The need for door staff should also be regularly reviewed and risk-assessed and appropriate security employed.

- The role of door supervisors in ensuring effective dispersal of patrons from the premises at the end of the night – Door supervisors should be instructed to encourage persons leaving the premises to do so without causing disturbance in an orderly fashion.

Where Door supervisors are in use, it is the responsibility of the licence holder to ensure that they are licensed by the Security Industry Authority (SIA). This can be checked at: [Register of Licence Holders](#). If they are being classed as 'in house' then it is the responsibility of the licence holder or Designated Premises Manager to ensure that someone on duty holds a non-frontline badge in order that they can employ the door stewards.

CHILDREN AND YOUNG PERSONS ON LICENSED PREMISES

Police Scotland would support any recommendations made by the board that access hours ought to differentiate between children and young persons, or the age of the children or young persons within the Licensing Policy.

In addition we support the proposal of Renfrewshire Health and Social Care that access by children of all ages (0-15) should cease at 11pm and that young persons should require to leave at 1am. However, it is in our opinion this would be beneficial solely for new premises seeking a license.

Police Scotland would recommend the continuation of current arrangements regarding the granting of occasional licenses permitting access for children and young persons based on their own merits relevant to the particular event or occasion.

Police Scotland will continue to thoroughly scrutinise all applications that seek to have children and young persons present particularly around access hours. In making any objection or representation our priority will be firmly focussed from the perspective of a child or young persons, identifying whether it is appropriate for such persons to be present within a premises or at any event where alcohol is available and ensuring the terms of the Licensing objective of 'Protecting Children and Young Persons from Harm' are met.

Police Scotland does not recommend that children (and young persons) should be allowed 'general access' to all premises as described within the Issues Paper for Formal Consultation.

The above recommendations would be relevant to all sporting events.

LICENSED HOURS

Police Scotland has no further comment to make regarding Licensed Hours raised within the Issues Paper for Formal Consultation.

LICENSE CONDITIONS

Police Scotland continue to recommend the following measures as outlined in our response to the Initial Consultation.

Section 27 Licensing Conditions

Consideration should be given for all new grants for public houses, hotels etc to have CCTV installed and operative as a condition of their licence with a view to assisting with the prevention of crime and disorder, securing public safety, preventing public nuisance, protecting and improving public health and protecting children and young persons from harm.

Throughout the licensed hours a member of staff fully trained on the operation of CCTV must be present on the premises.

Regular refresher training courses should be held for staff, in particular those who do not hold a personal licence.

ENFORCEMENT

Police Scotland supports the extension of the Policy Statement to explain the role of Licensing Standards Officers as outlined within the Issues Paper for Formal Consultation.

ALCOHOL DELIVERIES

Police Scotland recommend the following conditions be attached to any new premises license seeking to provide an alcohol delivery service.

1. A robust age verification policy requires to be in place for deliveries that include alcohol and is strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. Documentation presented as verification of age requires to be of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.
2. Deliveries of alcohol must accompany a delivery of food.
3. An order register to be kept on the premises containing details of the items ordered/despached, details of when the order was placed and when the alcohol was despatched.

4. A delivery/refusal register requires to be maintained by the delivery driver containing details of the persons accepting delivery and their signature confirming delivery or if delivery was refused, the reason for any refusals.
5. All delivery drivers who are concerned in the delivery of alcohol must have completed a minimum of two hours training in alcohol licensing.

Police Scotland would welcome any additional measures suggested by the Board which may prevent the abuse of such a system by vulnerable members of the public such as those addicted to alcohol who may be difficult to identify in these circumstances and would ensure such a policy is in line with the licensing objectives.

EXTENDED USE OF OCCASIONAL LICENSES

Renfrewshire Licensing Department agree with the concern raised by Alcohol Focus Scotland that occasional licenses may currently be used to circumvent the need to have a premises license.

Police Scotland would support the alternative approach followed in another Licensing Board Area as detailed within the Issues Paper for Formal Consultation to deal with repeated applications for Occasional Licence.

Should you have any questions regarding this response, I would be obliged if you could, in the first instance, contact Sgt Jonathan Hay at the Licensing Department.

Yours faithfully

Elliot Brown
Chief Inspector
Service Delivery



**POLICE
SCOTLAND**

Keeping people safe

Alcohol Licensing Overprovision - Renfrewshire

Problem Profile

Analysis & Performance Unit

Author	Analytical Unit – 'K' Division
Date of production & version no.	22/01/2018 – Version 1

AIM

Sergeant Jeff Curran requested analysis of crimes of violence and incidents of antisocial behaviour linked to the night time economy and the number of licensed premises to highlight any areas of overprovision throughout Renfrewshire.

SCOPE

A three year analysis of violent crimes and incidents for the period 1st January to 31st December for each year was conducted in order to identify any areas that could be seen to be an area of overprovision.

METHODOLOGY

Crime and Incident data was retrieved from Business Objects (ScOMIS), and plotted using ArcGIS mapping system. The term serious / violent crimes includes the crimes of murder, attempt murder, assault with intent to rob, robbery, serious assault, common assault and assault on emergency worker. ASB incidents incorporated public nuisance, disturbance, noise incidents, drinking in public, neighbour dispute, communications, and damage.

Licensed premises locations throughout Renfrewshire were also obtained via Licensing Department. This data was then plotted onto the mapping system and hot spot areas created, highlighting the main areas of overprovision.

Domestic crimes were also extracted from the interim Vulnerable Persons Database (iVPD) and overlaid with all crimes with an 'alcohol' marker to establish the proportion of domestics which were recorded as involving alcohol.

LIMITATIONS

It should be noted that the definition of 'night time economy' refers to the period when most bars, cafes and nightclubs are known to be frequented which has been defined to be between 7pm and 3am from Friday into Saturday morning and Saturday into Sunday morning. However, it is acknowledged that not all licensed premises hours of operation will align with this period, and the results should be taken as an indication only of the contribution of alcohol provision to crime and disorder within Renfrewshire.

All figures included in this report should strictly be considered as Management Information, and should not be regarded or further disseminated as official statistics.

KEY FINDINGS

- It was found that there was no change to the area of over provision which was identified previously, with analysis highlighting Paisley town centre as the main area for violent crimes, ASB incidents and high numbers of licensed premises throughout Renfrewshire.
- Renfrewshire currently has a total of 470 licensed premises contained within the 242 datazones of Renfrewshire.
- During the three year period examined there were a total of 1437 crimes of violence / serious crimes committed throughout Renfrewshire.
- 16% of all violent / serious crimes committed during the period analysed were within Paisley Central – 02 datazone, with 23% of all serious crime committed within Intermediate datazone – Paisley Central.
- Analysis shows that there is a strong correlation in relation to the number of violent / serious crimes occurring when compared to the number of licensed premises per datazone throughout Renfrewshire.
- There were a total of 6,993 ASB incidents throughout the three year period examined.
- 8.5% of all ASB incidents during the period examined were within datazone Paisley Central – 02, with 16% of all ASB incidents committed within Intermediate datazone – Paisley Central.
- Analysis shows that there is a strong correlation to the number of ASB incidents occurring when compared to the number of licensed premises per datazone throughout Renfrewshire.
- Analysis identified that across the period 2015 - 2017, 42% of domestic offences recorded by police in Renfrewshire involved alcohol. However, this proportion fell from 45% in 2015 to 39% in 2017.

DATA ZONES

Looking at the Scottish Index of Multiple Deprivation (SIMD) (2016) there are a total of 224 data zones which cover the whole of Renfrewshire.

The table below highlights all data zones throughout Renfrewshire, highlighting the number of crimes, ASB incidents and licensed premises per data zone. The table clearly shows that datazone Paisley Central – 02, which includes the streets of New Street, High Street, and Gilmour Street etc to be the area where there are the most crimes, incidents and number of licensed premises.

Datazone Name	Crimes	ASB Incidents	No. of Licensed Premises
Not Stated	11	15	0
Bishopton - 01	3	30	5
Bishopton - 02	0	1	0
Bishopton - 03	0	1	0
Bishopton - 04	4	7	0
Bishopton - 05	1	2	0
Bishopton - 06	4	7	2
Bridge of Weir - 01	1	4	1
Bridge of Weir - 02	1	10	2
Bridge of Weir - 03	4	46	4
Bridge of Weir - 04	0	12	1
Bridge of Weir - 05	1	8	1
Bridge of Weir - 06	0	5	0
Bridge of Weir - 07	0	6	1
Elderslie and Phoenix - 01	0	14	0
Elderslie and Phoenix - 02	4	17	1
Elderslie and Phoenix - 03	2	20	0
Elderslie and Phoenix - 04	9	18	0
Elderslie and Phoenix - 05	19	33	6
Elderslie and Phoenix - 06	11	57	8
Erskine Central - 01	1	34	0
Erskine Central - 02	7	37	5
Erskine Central - 03	9	30	1
Erskine Central - 04	2	17	0
Erskine Central - 05	1	35	1
Erskine Central - 06	0	0	0
Erskine Central - 07	0	6	0
Erskine East and Inchinnan - 01	0	10	2
Erskine East and Inchinnan - 02	1	23	2
Erskine East and Inchinnan - 03	0	15	0
Erskine East and Inchinnan - 04	2	13	1
Erskine East and Inchinnan - 05	1	2	0
Erskine East and Inchinnan - 06	0	4	0
Erskine East and Inchinnan - 07	1	3	0
Erskine East and Inchinnan - 08	0	21	0
Erskine East and Inchinnan - 09	1	25	0
Erskine West - 01	2	4	0
Erskine West - 02	0	2	0
Erskine West - 03	0	7	0
Erskine West - 04	9	36	0
Erskine West - 05	1	36	0

Erskine West - 06	3	14	0
Erskine West - 07	5	57	3
Houston North - 01	4	35	2
Houston North - 02	0	14	2
Houston North - 03	2	7	0
Houston North - 04	2	28	7
Houston South - 01	0	4	0
Houston South - 02	0	7	0
Houston South - 03	0	9	0
Houston South - 04	1	6	0
Johnstone North East - 01	36	63	5
Johnstone North East - 02	10	68	13
Johnstone North East - 03	10	21	0
Johnstone North East - 04	4	21	0
Johnstone North East - 05	1	14	3
Johnstone North West - 01	6	30	0
Johnstone North West - 02	9	22	3
Johnstone North West - 03	12	98	8
Johnstone North West - 04	3	31	5
Johnstone South East - 01	13	45	2
Johnstone South East - 02	5	21	2
Johnstone South East - 03	10	52	0
Johnstone South East - 04	9	38	4
Johnstone South East - 05	1	11	3
Johnstone South West - 01	5	69	1
Johnstone South West - 02	12	37	0
Johnstone South West - 03	4	10	1
Johnstone South West - 04	1	20	0
Johnstone South West - 05	12	17	0
Johnstone South West - 06	3	23	4
Kilbarchan - 01	1	6	0
Kilbarchan - 02	4	51	4
Kilbarchan - 03	2	29	2
Kilbarchan - 04	0	7	2
Linwood North - 01	3	16	0
Linwood North - 02	6	54	2
Linwood North - 03	4	54	1
Linwood North - 04	2	13	0
Linwood North - 05	1	5	0
Linwood North - 06	2	4	0
Linwood South - 01	14	39	0
Linwood South - 02	15	60	0
Linwood South - 03	10	43	1
Linwood South - 04	5	43	0

NOT PROTECTIVELY MARKED

Linwood South - 05	7	21	7
Linwood South - 06	6	23	0
Lochwinnoch - 01	1	16	4
Lochwinnoch - 02	2	12	2
Lochwinnoch - 03	1	12	0
Lochwinnoch - 04	1	2	0
Paisley Central - 01	9	40	4
Paisley Central - 02	224	599	51
Paisley Central - 03	11	43	3
Paisley Central - 04	18	103	3
Paisley Central - 05	1	46	1
Paisley Central - 06	37	124	10
Paisley Central - 07	16	73	3
Paisley Central - 08	19	77	4
Paisley Dykebar - 01	1	7	0
Paisley Dykebar - 02	7	12	1
Paisley Dykebar - 03	2	23	0
Paisley Dykebar - 04	0	12	0
Paisley Dykebar - 05	0	4	0
Paisley East - 01	2	18	0
Paisley East - 02	7	23	1
Paisley East - 03	7	12	1
Paisley East - 04	4	15	0
Paisley East - 05	1	7	1
Paisley East - 06	14	51	2
Paisley Ferguslie - 01	1	9	0
Paisley Ferguslie - 02	6	26	0
Paisley Ferguslie - 03	4	42	0
Paisley Ferguslie - 04	10	43	0
Paisley Ferguslie - 05	3	26	1
Paisley Ferguslie - 06	9	20	1
Paisley Ferguslie - 07	12	36	4
Paisley Foxbar - 01	8	40	2
Paisley Foxbar - 02	11	36	0
Paisley Foxbar - 03	3	18	0
Paisley Foxbar - 04	0	5	0
Paisley Foxbar - 05	0	7	0
Paisley Foxbar - 06	1	47	0
Paisley Foxbar - 07	2	31	1
Paisley Gallowhill and Hillington - 01	16	63	3
Paisley Gallowhill and Hillington - 02	5	33	1
Paisley Gallowhill and Hillington - 03	5	47	0
Paisley Gallowhill and Hillington - 04	10	21	3
Paisley Gallowhill and Hillington - 05	8	45	0

Paisley Gallowhill and Hillington - 06	7	12	0
Paisley Gallowhill and Hillington - 07	3	37	0
Paisley Glenburn East - 01	4	18	1
Paisley Glenburn East - 02	5	12	1
Paisley Glenburn East - 03	5	42	0
Paisley Glenburn East - 04	4	12	0
Paisley Glenburn West - 01	4	41	0
Paisley Glenburn West - 02	0	18	2
Paisley Glenburn West - 03	5	20	0
Paisley Glenburn West - 04	2	28	2
Paisley Glenburn West - 05	8	17	1
Paisley North - 01	53	143	18
Paisley North - 02	9	78	6
Paisley North - 03	9	47	3
Paisley North - 04	13	58	0
Paisley North - 05	2	24	0
Paisley North - 06	32	109	14
Paisley North East - 01	4	21	3
Paisley North East - 02	10	115	1
Paisley North East - 03	15	53	5
Paisley North East - 04	16	48	5
Paisley North East - 05	2	23	5
Paisley North East - 06	1	11	0
Paisley North East - 07	0	22	1
Paisley North West - 01	13	70	1
Paisley North West - 02	14	112	11
Paisley North West - 03	10	85	4
Paisley North West - 04	3	6	1
Paisley Ralston - 01	1	9	0
Paisley Ralston - 02	1	7	3
Paisley Ralston - 03	4	3	1
Paisley Ralston - 04	1	9	1
Paisley Ralston - 05	1	6	0
Paisley South - 01	4	16	0
Paisley South - 02	1	25	2
Paisley South - 03	0	11	0
Paisley South - 04	30	51	0
Paisley South East - 01	2	34	2
Paisley South East - 02	15	74	2
Paisley South East - 03	12	72	6
Paisley South East - 04	9	35	1
Paisley South East - 05	2	14	0
Paisley South East - 06	1	15	0
Paisley South East - 07	1	6	0

Paisley South West - 01	4	7	0
Paisley South West - 02	0	13	0
Paisley South West - 03	0	4	0
Paisley South West - 04	1	2	0
Paisley South West - 05	1	5	0
Paisley South West - 06	1	2	2
Paisley South West - 07	0	3	2
Paisley West - 01	1	9	0
Paisley West - 02	0	5	0
Paisley West - 03	2	12	1
Paisley West - 04	9	58	1
Paisley West - 05	3	19	1
Paisley West - 06	11	43	0
Paisley West - 07	7	39	0
Renfrew East - 01	8	17	1
Renfrew East - 02	1	3	0
Renfrew East - 03	0	19	0
Renfrew East - 04	0	9	0
Renfrew East - 05	0	4	0
Renfrew East - 06	0	11	0
Renfrew East - 07	3	11	1
Renfrew East - 08	9	67	8
Renfrew North - 01	38	96	39
Renfrew North - 02	15	39	4
Renfrew North - 03	1	15	4
Renfrew North - 04	9	81	8
Renfrew North - 05	2	22	0
Renfrew North - 06	10	67	5
Renfrew South - 01	2	27	0
Renfrew South - 02	3	34	4
Renfrew South - 03	3	24	0
Renfrew South - 04	1	16	0
Renfrew South - 05	0	9	0
Renfrew South - 06	6	11	5
Renfrew West - 01	0	2	0
Renfrew West - 02	0	13	0
Renfrew West - 03	2	24	1
Renfrew West - 04	8	83	5
Renfrew West - 05	4	45	6
Renfrew West - 06	3	19	0
Renfrew West - 07	9	37	1
Renfrew West - 08	0	16	1
Renfrew West - 09	7	47	0
Renfrewshire Rural North and Langbank - 01	0	8	1

Renfrewshire Rural North and Langbank - 02	13	56	7
Renfrewshire Rural North and Langbank - 03	5	44	5
Renfrewshire Rural North and Langbank - 04	1	10	2
Renfrewshire Rural North and Langbank - 05	0	15	0
Renfrewshire Rural South and Howwood - 01	3	9	6
Renfrewshire Rural South and Howwood - 02	1	11	3
Renfrewshire Rural South and Howwood - 03	2	11	2
Renfrewshire Rural South and Howwood - 04	3	5	0
Renfrewshire Rural South and Howwood - 05	10	107	3
Grand Total	1437	6993	470

Figure 1: All datazones throughout Renfrewshire.

The following map highlights the main hotspot areas for all serious violence / ASB incidents and licensed premises throughout the Renfrewshire area. The map clearly shows Paisley town centre to be the main hotspot area for all factors considered.

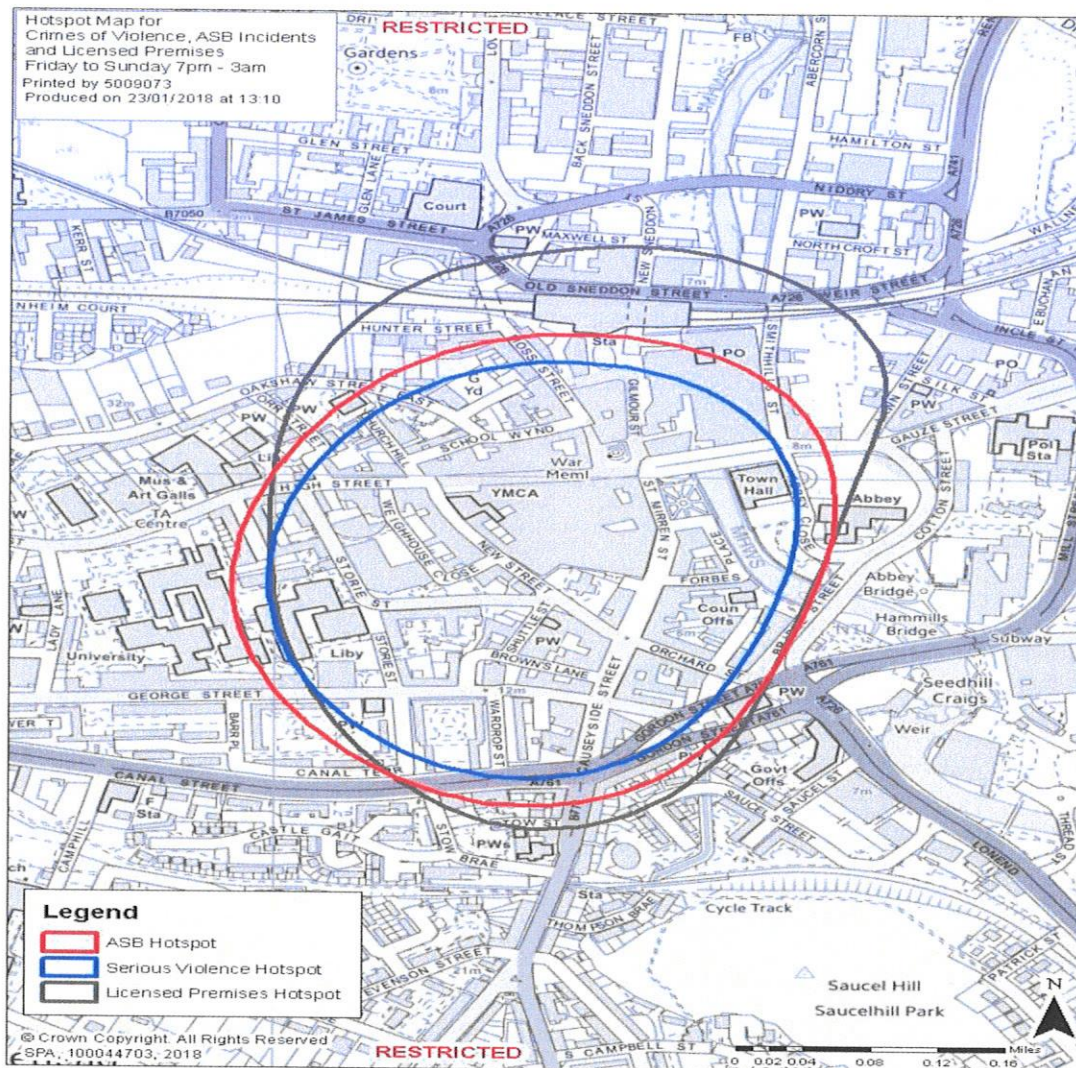


Figure 2: Hotspot Map for crimes of violence / ASB incidents and licensed premises.

2.Clerk's Comments on Response from Police Scotland

Police Scotland comment on the following aspects of the policy:-

Overprovision-

Police Scotland continue to support retention by the Board of an overprovision policy in the existing declared locality (as shown on the plan at Appendix 3). They note that the majority of the licensed premises in that locality are "liquor or pub type premises" as defined in the current policy. Police Scotland support the policy as relevant to the licensing objectives of preventing crime and disorder and securing public safety. The Board's statement of licensing policy requires to seek to promote the licensing objectives.

In this regards, Police Scotland highlight the increased numbers of patrons within Paisley Town Centre as increasing alcohol consumption, which they state can in turn lead to acts of antisocial behaviour and violence. Police Scotland also produce a detailed report with their response in relation to overprovision.

The Board will require to consider the information provided by officers at Appendix 3 in deciding whether overprovision, either of all licensed premises or of certain types of licensed premises, exists in the locality. The Board must, in assessing overprovision, consider the number and capacity of licensed premises and may have regard to other relevant factors, such as the licensed hours of licensed premises.

Police Scotland suggest that any exceptions to an agreed policy be considered on a case by case basis.

Licensing Objectives-

Section 20- Preventing Crime and Disorder

Police Scotland have requested that there be a requirement for CCTV in all new licensed premises, including off-sales.

The Board's current policy already identifies the provision of effective CCTV as an example of a control measure relative to preventing crime and disorder, securing public safety and preventing public nuisance. The Board may wish to consider whether to amend the current control measures in the policy to the terms set out by Police Scotland.

Police Scotland also propose that CCTV should be a condition of licence for new premises licences. The Board will note that there is no mechanism in the Licensing

(Scotland) Act 2005 to vary the terms of existing licences, except at a review hearing (or where it is a provisional licence, being confirmed).

The Board should note that the Information Commissioner's Office (ICO) advise against a blanket requirement to install CCTV in licensed premises. A copy of the ICO's guidance note is available at the link below-

https://ico.org.uk/media/for-organisations/documents/1565/ico_view_on_cctv_in_pubs.pdf

Section 21- Securing Public Safety

It is open to the Board to revise the control measures in the existing Statement of Licensing Policy. This could include the wearing of high visibility identification by door stewards, as requested by Police Scotland.

In relation to the employment of door stewards at particular times, it should be noted that there is already a legislative requirement upon premises which remain open until after 1am providing: live or recorded music at a level exceeding 85 dB; facilities for dancing, or adult entertainment. The existing requirement is that a person licensed by the Security Industry Authority (SIA) must be positioned at every entrance to the premises from 1am until the earlier of (a) the time at which the premises next close and (b) 5am or such other time as the Board may specify.

Children and Young Persons on Licensed Premises-

It is open to the Board to consider introducing a policy specifying children's access hours, or restricting general access to certain types of premises, having regard to protecting children and young persons from harm. A policy could differentiate between the access of children and young persons. The Board will note that any change of policy to access, or hours of access, for children (and/or young persons) will not alter the terms of existing licences, which could only be varied at present by way of the review hearing procedure.

Police Scotland recommend the continuation of current arrangements whereby the Board consider children and young persons' access under occasional licence applications on the merits of an individual application. Police Scotland are entitled to receive and comment upon these applications and state that they will continue to scrutinise these applications. It would be open to the Board to consider adopting a policy on children and young persons' access for certain types of events (eg, sporting events), relative to the licensing objective of protecting children and young persons from harm. However, an application for an occasional licence currently requires to be granted where no representations or objections are received.

Licensed Hours-

Police Scotland do not propose any change to the current policy in relation to the commencement or terminal hour of licensed premises.

Licence Conditions-

As noted above, any condition requiring installation of CCTV as a matter of policy would apply only to new premises licences and not to existing premises. The Board will note that this is contrary to the advice of the Information Commissioner's Office, as set out above.

In relation to training, the Licensing (Scotland) Act and regulations under that Act set out training requirements for personal licence holders. Regulations also set out requirements for staff involved in the sale of alcohol who are not personal licence holders.

Enforcement-

Police Scotland support the proposed addition set out in the Issues Paper to provide more information in relation to the role of the Licensing Standards Officers.

Alcohol Deliveries-

Police Scotland support the introduction of suggested conditions for premises seeking to offer alcohol deliveries as set out in the Issues Paper approved by the Board on 11th May 2018. They add that they would support additional measures which may safeguard vulnerable people, such as those with alcohol addiction.

Extended Use of Occasional Licences-

Police Scotland support an approach of referring subsequent occasional licence applications to the Licensing Board following a period of repeated occasional licence to allow the premises to sell alcohol. Their preferred approach could be achieved by an alteration to the Scheme of Delegation in the Statement of Licensing Policy.

Formal Consultation on Statement of Licensing Policy Issues Paper for Formal Consultation – May 2018

The Renfrewshire Licensing Forum met on 25 June 2018 to consider its response to the Renfrewshire Licensing Board Formal Consultation on the Statement of Licensing Policy 2018-2022.

The Forum's response to the various policy areas is as set out below.

1. Overprovision Assessment in relation to Licenced Premises.

The Forum considered the current overprovision area and proposed that the Board should consider extending the current highlighted Town Centre area to include Storrie Street, New Street, Gauze Street, County Square and Moss Street. When determining overprovision, all types of licensed premises should be taken into account and not solely off-sales premises.

2. Licensing Objectives

The Forum agreed with the proposal from Police Scotland that the Board should consider attaching a condition of licence to new premises licences, whether on-sales or off-sales premises, requiring installation of CCTV. The Forum agreed with Police Scotland that the condition would require a member of staff fully trained on the operation of the CCTV system to be present on the premises during their licensed hours.

The Forum also supported Police Scotland's proposal that the Board consider suggesting further control measures within licensed premises, including the wearing of high visibility clothing by door stewards and the effective dispersal by door stewards of patrons. The Forum agreed that the following control measures be proposed: -

Door supervisors to be easily identifiable by wearing high-visibility clothing; and
Door supervisors to be instructed to encourage persons leaving the premises to do so in an orderly fashion without causing disturbance.

The Forum agreed to propose to the Board that where a review application is made and ground established for the review that a condition be attached, if there is no effective CCTV system, that the licence holder install such a system.

3. Children's Access

The Forum agreed with the comments of Renfrewshire HSCP and would propose that the Board consider strengthening this area within the policy specifying access arrangements for children (aged up to 15) and young people (aged 16 and 17). This would give a standardised time for all premises and would reduce the current need for all new licences and major variations to be considered individually. Currently, the policy does not specify times so every application seeks times which vary widely. A neighbouring licensing board has adopted a policy that works well and the Forum

would recommend following their example. The times used in a neighbouring Council area are in the table below.

	Children	Young People
General Access	To 8pm (accompanied)	To 11pm (accompanied)
Access and a Meal	To 11pm (accompanied)	To 1am (accompanied)
Access at a Function	To 11pm (accompanied)	To 1am (accompanied)

4. Licensing Hours

The Forum considered a number of suggestions with regard to licensing hours, but largely agreed that no change in policy in this area be proposed.

5. Enforcement

The Forum proposed that the Board consider in Paragraph 30.4 of the Issues Paper, the role of the LSO be emphasised, and that more information on the role of the LSO be made available on the Board website and circulated to all Community Councils.

The Forum also proposed that Paragraph 30.5 of the Issues Paper be added to the Policy Enforcement email box.

6. Alcohol Deliveries

The Forum proposed that the Board consider adopting the licensing conditions suggested under alcohol deliveries as under: -

- (i). A robust age verification policy requires to be in place for deliveries that include alcohol and is strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. Documentation presented as verification requires to be of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.
- (ii). Deliveries of alcohol must be accompanied by a delivery of food.
- (iii). An order register to be kept on the premises containing details of the items ordered/despatched, details of when the order was placed and when the alcohol was despatched.
- (iv). A delivery/refusal register requires to be maintained by the delivery driver containing details of persons accepting delivery, or if delivery was refused, the reason for any refusal.

7. Extended Use of Occasional Licences

The Forum proposed that the Board consider restricting the use of Occasional Licenses to the extent that any Licensee granted an Occasional Licence which is used in the same premises should have such licence applications reviewed at the Board meeting following the grant of the Occasional Licence

3. Clerk's Comments on Response from Renfrewshire Licensing Forum

Renfrewshire Licensing Forum have responded with reference to the Issues Paper agreed by the Board for the purposes of the formal consultation at its meeting on 11th May 2018.

Overprovision-

Prior to the Board deciding upon its localities for the purposes of the formal consultation, an informal consultation was carried out. In response to the initial consultation, the Convener of the Forum responded in an individual capacity. As the Convener of the Forum requested that the Board consider an extended Paisley Town Centre area as a locality for the purposes of formal consultation, officers prepared a plan of the suggested area for the Board's meeting on 11th May 2018, with accompanying statistics showing the number, capacity (both on and off sales) and licensed hours of licensed premises in that suggested area. The Board decided, after consideration of that request by the Convener of the Forum, that it would consult in relation to the existing Paisley Town Centre area for the purposes of its assessment of overprovision.

The Forum's response suggests a new possible extended locality for the purposes of assessment of overprovision. Recent case law suggests that the Board should identify localities prior to the formal consultation, which approach the Board followed at its meeting of 11th May 2018. Consultees therefore have not had the opportunity to comment on the geographical area now suggested by the Licensing Forum. Should the Board wish to give further consideration to the Forum's suggestion that overprovision be considered in respect of a wider geographical area, then it would be necessary that officers bring a future report to the Board in relation to any suggested extended area, to allow the Board to consult on a possible supplementary statement of licensing policy relative to overprovision.

The Board require at this stage to consider whether there is any overprovision in their selected locality in Paisley Town Centre and whether any overprovision is of all licensed premises in that locality or of certain types of licensed premises.

Licensing Objectives-

It is open to the Board to revise the control measures in the existing Statement of Licensing Policy as proposed by the Forum.

However, in relation to a condition that CCTV be required in new premises, the Board should note that the Information Commissioner's Office (ICO) advise against a

blanket requirement to install CCTV in licensed premises. A copy of the ICO's guidance note is available at the link below:

https://ico.org.uk/media/for-organisations/documents/1565/ico_view_on_cctv_in_pubs.pdf

It would be open to the Board to impose a requirement for CCTV at a review hearing, where the Board has a power to vary the premises licence. However, the Board would require to consider the circumstances of the individual review application and take proportionate action necessary or appropriate for the licensing objectives.

Children's Access-

It is open to the Board to consider introducing a policy specifying children's access hours. The Board will note that any change of policy to stipulate hours of access for children (and/or young persons) will not alter the terms of existing licences.

Licensing Hours-

The Forum do not propose any change to the current policy in relation to the commencement or terminal hour of licences.

Enforcement-

The Forum support the proposed addition set out in the Issues Paper to provide more information in relation to the role of the Licensing Standards Officers. Should the Board agree the additional content, officers could also add further information in this regard to the Licensing Board's web pages.

Alcohol Deliveries-

The Forum supports the additional conditions, set out in the Issues Paper approved by the Board on 11th May 2018, for premises seeking to offer alcohol deliveries.

Extended Use of Occasional Licences-

The Board set out in its Issues Paper two possible options in relation to extended use of occasional licences, in effect to operate premises on an ongoing basis. These included (i) the possibility of occasional licence applications being considered in the first instance by two Board Members rather than by officers or alternatively, (ii) a mechanism by which such applications would require to be considered by the full Licensing Board after a specified period running on occasional licences.

The Forum's suggested approach appears to be that applications are considered by officers, as at present, but with those applications being reviewed at the Board's next meeting following grant of the licence. It is not entirely clear how the Forum envisage this might operate, particularly as these applications are often made for two week rolling periods. It may be that the Forum anticipate officers would bring an update to the Licensing Board on how successfully or otherwise the licences operated, once a licence has expired. However, this would require information to be provided by Police Scotland. Further, it is not clear what opportunity a licence holder may have to comment at any review.

Officers currently provide details of decisions to grant licences under delegated powers to the next meeting of the Licensing Board.



Renfrewshire
Health & Social Care
Partnership

Date: 3rd August 2018
Our Ref: FM/ES
Your Ref:
Enquiries: Elaina Smith
Tel: 0141 618 4856

Depute Clerk to the Licensing Board
Licensing Section
Finance & Corporate Services
1st Floor, North Wing
Renfrewshire House
Cotton Street
Paisley
PA1 1TT

Dear Sir/Madam

SUBJECT: Consultation on Statement of Licensing Policy 2018

Thank you for the opportunity to contribute to the review of the Statement of Licensing Policy.

The response has been prepared by Renfrewshire Health and Social Care Partnership (HSCP), in conjunction with Renfrewshire Alcohol and Drug Partnership (ADP) and NHS Greater Glasgow and Clyde Public Health Department. The response will focus on the following topic areas in line with those described within the consultation issues paper provided by Renfrewshire Council:-

- Over-provision
- Licensing Objectives
- Children and Young Person's access to licensed premises
- Licensed hours
- License conditions
- Enforcement
- Alcohol deliveries
- Extended use of occasional licenses

1.0 Overprovision

Alcohol is responsible for significant levels of morbidity and mortality (Scottish Health Survey, 2015). Research shows that higher availability of alcohol is associated with alcohol-related hospital admissions and mortality for all alcohol-related conditions in general, and for liver cirrhosis (Richardson EA, 2015) and is associated with:-

- increased overall alcohol consumption

- greater average levels of drinking among students
- alcohol-related violence
- self-reported injuries
- alcohol-related road traffic crashes
- sexually transmitted infections (STI)
- child abuse and neglect
- suicide
- domestic violence

Availability of alcohol refers to how easy it is to purchase alcohol either from on sales such as pubs, restaurants or clubs or off sales like supermarkets and shops. Calculating the number and capacity of licensed premises and the hours opened shows how available alcohol is within local areas. Research carried out over the last few years has clearly shown an association between alcohol availability and alcohol related harm. Information gathered by Alcohol Focus Scotland (AFS) and the Centre for Research on Environment, Society and Health (CRESH) in 2018 investigated whether alcohol-related health harm (alcohol related stays and deaths) and crime rates across Renfrewshire were related to the availability of alcohol outlets. The information showed that alcohol related hospital stays in areas with the most alcohol related outlets were 2.4 times higher than in areas with the least. Similarly, alcohol related death rates were 70% higher compared to areas with the least number of alcohol outlets. In addition to this, alcohol outlet availability can also be calculated by measuring the number of outlets within 800 metres (approximately a ten minute walk) from the centre of each neighbourhood. This showed that in Renfrewshire, 21% of neighbourhoods had total outlet availability higher than the Scottish average. In relation to off sales this figure rises to 29% higher than the Scottish average. The CRESH Report also concluded that the rates of alcohol related deaths, alcohol related hospital stays and crime in Renfrewshire are all higher than the average for Scotland as a whole.

The impact of alcohol harm has been found to disproportionately affect those living in deprived areas. Findings from the CRESH Report (2018) showed that Renfrewshire's most deprived neighbourhoods had 3.8 times the number of alcohol outlets than the least deprived.

The economic implications of alcohol have also significantly impacted on Renfrewshire. Findings from a Scottish Government report estimated the total cost of alcohol related harm to be £72.23 million. This cost relates to the Health Service, Social Care, Crime and Productive Capacity as a direct consequence of alcohol misuse.

Recommendation

In light of the data presented in Appendix One Renfrewshire HSCP recommends:-

1. The current overprovision area of Paisley Town Centre should cover on sales, off sales and clubs – not just liquor or pub type premises.
2. In addition to this, a new overprovision area should be designated, focusing only on off sales premises, recognising the link between overprovision of off sales and the significant impact on health and the wider community. The new overprovision areas should focus on the ten worst areas identified as having the highest levels of

alcohol related harm and have access to nearly half of the total number of off sales in Renfrewshire. These areas are: –

- Paisley North West
- Paisley Ferguslie
- Paisley North
- Paisley, Gallowhill and Hillington
- Paisley Central
- Paisley South East
- Johnstone North West
- Paisley North East
- Renfrew West
- Linwood South

2.0 Licensing Objectives

Renfrewshire HSCP supports Police Scotland's proposal in fulfilling the licensing objective of preventing public nuisance, securing public safety and preventing crime and disorder by requesting that premises ensure that door supervisors wear high visibility clothing and encourage persons to leave premises in an orderly fashion without causing disturbance.

CCTV has shown to be effective in reducing levels of crime and disorder, ensuring public safety, preventing public nuisance and protecting children and young people from harm. Renfrewshire HSCP would also support this measure for all new licensed premises.

3.0 Children and Young Person's Access to Licensed Premises

There is overwhelming evidence that children who see adults consuming alcohol to excess regard this behaviour as relatively normal. It has resulted in children and young people commencing alcohol consumption at an earlier age and consuming more alcohol than non exposed peers. Children and young people who have adopted heavy drinking at a young age are more likely to continue to drink heavily as adults and to develop significant alcohol related health problems and dependence in later life (Palmer et al 2010).

Audits carried out in both Greater Glasgow and Glasgow City showed that individuals who developed problematic drinking under the age of 25 consumed on average 392 and 280 units per week in the 2010 and 2013 audits respectively. In comparison all individuals who died of alcohol related causes consumed on average 200 and 220 units respectively. The average age at deaths for individuals who misused alcohol under the age of 25 was 49 years compared to 54 years for the wider sample who died of alcohol misuse.

Recommendation

1. Renfrewshire HSCP would like to see this area strengthened within the policy specifying access arrangements for children (aged up to 15) and young people (aged 16 and 17). This would give a standardised time for all premises and would reduce the current need for all new licences and major variations to be considered individually. Currently, the policy does not specify times so every application seeks times which vary widely. A neighbouring licensing board has adopted a policy that works well and we would recommend following their example. The times used in a

neighbouring Council area are in the table below. We would propose adopting the same times.

	Children	Young People
General Access	To 8pm (accompanied)	To 11pm (accompanied)
Access and a Meal	To 11pm (accompanied)	To 1am (accompanied)
Access at a Function	To 11pm (accompanied)	To 1am (accompanied)

Anything beyond these times would need to be by application in exceptional circumstances.

Control measures within this section should also include where children and young people are allowed when they access premises and specify areas which are off limits i.e. standing or sitting at the bar.

Allowing access to children and young people to vertical drinking establishments has no benefit and does not promote the ethos of families socialising and having a meal. Vertical drinking establishment's sole purpose is to sell alcohol which children and young people are not permitted to purchase. Access to licensed premises to observe tournaments and other events is not suitable for children and young people due to the normalisation of high and frequent consumption levels.

4.0 Licensed Hours

Evidence clearly shows that reducing the availability of alcohol can reduce alcohol related harm. Renfrewshire is currently in an unenviable position of having higher levels of alcohol related harm compared to the rest of Scotland. There are also significant levels of deprivation in Renfrewshire and evidence shows that areas of high deprivation also experience high levels of harm. A recent report compiled by NHS Health Scotland (2016) showed that the majority of alcohol is purchased in off sales premises (72%). Reducing off sales opening hours by at least one hour or more would contribute to an overall reduction in alcohol availability, ultimately reducing alcohol related harm. Renfrewshire HSCP would agree that the commencement of off sales on a Sunday be restricted to 11am for future licensing applications.

Restricting the licensed hours for new off sales licensing applications earlier than the current terminal hour of 10pm would have the same impact as previously highlighted when restricting opening times. The suggestion of installing CCTV as a control measure would not necessarily result in a reduction in alcohol sales but will be used as a method of deterring crime.

5.0 Licence Conditions

There are no other licence conditions that Renfrewshire HSCP would like to recommend.

6.0 Enforcement

Renfrewshire HSCP would welcome an additional section which sets out the role of the Licensing Standards Officer. This would strengthen the role of members of the local community being involved in the licensing process.

7.0 Alcohol Deliveries

Renfrewshire HSCP is supportive of the proposed conditions. The HSCP would also advocate for a clear process to be put in place to communicate any identified issues that have arisen as part of this delivery service.

8.0 Extended Use of Occasional Licenses

Occasional licenses increase availability of alcohol and can impact on the licensing objectives. Renfrewshire HSCP would agree with the approach that if any applicant repeatedly applies for an occasional licence should submit an application for a premises licence after a 13 week period. In addition to this, the applicant should be asked to justify their reason for applying for a liquor licence (occasional), in particular, for occasions where children and young people are in attendance. This area should be reviewed to incorporate the Board's position on granting access to these events for children and young people and how this will be monitored. Governance around events should also be strengthened to encourage "no alcohol events" where the event involves children and young people such as football award ceremonies, school fetes and sporting events.

I hope our response and appendix are helpful in shaping the revised Statement of Licensing Policy, and I am happy to provide further information if required.

Yours faithfully



Fiona MacKay
Head of Strategic Planning and Health Improvement

Renfrewshire Overprovision Assessment

1. Overprovision

Overprovision is assessed and measured in relation to the five licensing objectives which are:

- Preventing crime and disorder
- Securing public safety
- Preventing public nuisance
- Protecting and improving public health
- Protecting children from harm.

A statement on overprovision is included in the Statement of Licensing Policy and must seek to promote the licensing objectives. Therefore, if any new premise application is inconsistent with the licensing objectives and with overprovision then there are two separate grounds for refusal.

The evidence base on the relationship between alcohol availability and harm has been enhanced by recent research. The joint publication from Alcohol Focus Scotland and Centre for Research on Environment Society and Health (CRESH Report 2018) found across Scotland, areas with the most places selling alcohol had four times the crime rate, double the alcohol-related death rate and almost double the alcohol-related hospitalisation rate of those areas with the fewest outlets.¹

Analysis for Renfrewshire found:

- Renfrewshire ranked 7th highest from 30 of 32 local authorities for alcohol outlet availability.
- Is 43% above the Scottish ratio when looking at outlet availability and alcohol related hospital stays.
- Crime rates in the Renfrewshire neighbourhoods with the most alcohol outlets were 6.4 times higher than those with the least.

Consideration should also be given to preference of where alcohol is purchased and the ease of access, whether people choose to drink alcohol on premises such as pubs, clubs and restaurants or choose to purchase alcohol off premises, from supermarkets and shops. The CRESH Report looked at the walking distance to outlets. It assessed outlet availability within 800m of data zone population centre representing a 10 minute walk at average pace. The ADP Community Consultation found 53% of respondents lived within a 5-10 minute journey of where they chose to buy alcohol with 77% using a vehicle. This adds up to an additional 3 miles to the radius when considering outlet access for anyone using a car or bus to purchase their alcohol. This is of particular importance for two of the areas where there are high rates of alcohol related harm. Both Paisley Ferguslie and Paisley Gallowhill and Hillington border areas with easy access to outlets as detailed in the maps on pages 12 and 13.

2. Alcohol Links with Deprivation

The Scottish Index of Multiple Deprivation (SIMD 2016) provides data on areas of relative deprivation². There have been substantial changes in the boundaries of the datazones from the previous release in 2012. SIMD 2016 release shows:

- Renfrewshire is the 8th most deprived of the 32 local authority areas.
- 5.8% of Renfrewshire's datazones are within the 5% most deprived and 27.1% in the 20% most deprived areas.
- One area of Paisley Ferguslie (06) is the single most deprived datazone in Scotland.

The impact of alcohol harm has been found to disproportionately affect those living in more deprived areas. A recent academic study observed higher outlet density was associated with increased probabilities of high risk drinking³. This is of concern in view of the data from the CRESH Report 2018. The report showed Renfrewshire's most deprived neighbourhoods had 3.8 times the number of alcohol outlets than the least deprived.

There is also a marked difference in self-reported consumption. For those in the lowest income group, the self-reported average weekly consumption across Scotland was 45.2 units per week, 17.3 units higher than the highest income group⁴.

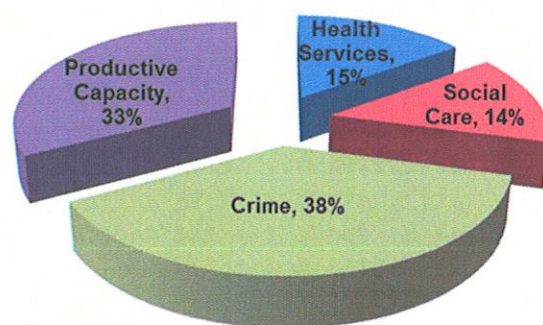
3. Cost of Alcohol Misuse

In 2010 the Scottish Government produced 'The Societal Cost of Alcohol Misuse in Scotland for 2007' which estimated a central cost of £3.6bn. No update is available on this initial research.

However, the figures from this report are still relevant when considering the impact of alcohol harm. The profile in figure 1 is based on national methodology applied to local data to provide estimates of the cost of alcohol related harm in Renfrewshire⁵.

FIGURE1: RENFREWSHIRE – COST OF HARM BREAKDOWN

HEALTH SERVICE:	£10.97m
SOCIAL CARE:	£9.93m
CRIME:	£27.23m
PRODUCTIVE CAPACITY:	£24.11m
(e.g absenteeism at work, unemployment etc)	
TOTAL COST:	£72.23m



The above total cost does not include wider social costs that estimate the value of non-paid work and intangible social costs associated with people who experience premature mortality from alcohol-related diseases. As these costs are hard to estimate accurately they have been excluded from the overall total, but are believed to be somewhere in the range of £41.62m-£76.43m for Renfrewshire.

Source Alcohol Focus Scotland 2011⁶

4. Alcohol Availability, Sales and Consumption

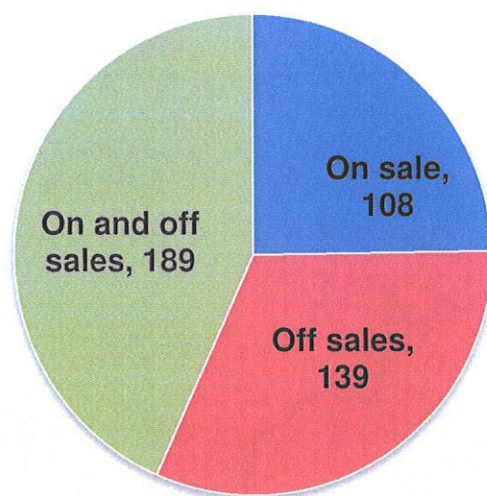
4.1 Availability

Research shows that higher availability of alcohol is associated with alcohol-related hospital admissions and mortality for all alcohol-related conditions in general, and for liver cirrhosis⁷ and is associated with:-

- increased overall alcohol consumption
- greater average levels of drinking among students
- alcohol-related violence
- self-reported injuries
- alcohol-related road traffic crashes
- sexually transmitted infections (STI)
- child abuse and neglect
- suicide
- domestic violence

There are currently 436 licensed premises in Renfrewshire:

Figure 2.



The CRESH Report 2018 shows Scotland has an average of 16.8 alcohol outlets of all types per neighbourhood. Across Renfrewshire's 225 datazone neighbourhoods, there is an average of 13.3 alcohol outlets of all types. 21% of Renfrewshire's neighbourhoods are above the Scottish average.

For off sales availability, the Scottish average is 5.4 outlets. Renfrewshire average is 4.8 outlets with 29% of neighbourhoods in Renfrewshire higher than the Scottish average (CRESH 2018). Alcohol related hospital stays are 2.4 times higher in neighbourhoods where there is a high outlet density compared to those with the least. This can be seen in Figure 3 which shows the areas with the highest rate of alcohol related hospital stays together with rate per 1,000 population of off sales.

4.2 Sales

A programme established to monitor the effectiveness of Scotland's Alcohol Strategy (MESAS) by the Scottish Government found that in Scotland 9.6 units of alcohol were sold per adult per week in 2016. 73% of this is from off sales premises⁴. The findings of the community consultation carried out by Renfrewshire ADP showed that 83% of those surveyed bought their alcohol from supermarkets.

4.3 Consumption

The government's unit guidelines have changed now stating that there are no safe levels of alcohol consumption. Notably, the Chief Medical Officer now recommends that both men and women should not regularly drink more than 14 units per week (previously 21 for men) and should have at least two alcohol free days. Despite the new national guidelines a large number of people in Scotland are still continuing to drink above the recommended weekly guidelines (Monitoring the Effectiveness of Scotland's Alcohol Strategy, NHS Scotland, 2018).

In Renfrewshire, the Adult Health and Wellbeing Survey (2014) (based on the previous weekly guidelines of 14 units for women and 21 units for men) showed 27% of respondents exceeded the recommended daily limits on at least one day in the week and 16% reported binge drinking (binge drinking usually refers to drinking lots of alcohol in a short space of time or drinking to get drunk. UK researchers commonly define binge drinking as consuming more than 6 units of alcohol in a single session for men and women). There is acknowledgement that health surveys using self-reported data underestimate alcohol consumption suggesting the figure is likely to be higher^{8 9}.

5. Licensing Objectives

5.1 Preventing Crime and Disorder

Analysis undertaken by Police Scotland on crime, violence and incidents of antisocial behaviour in Renfrewshire recorded a total of 8,430 incidents during 2015 to 2017¹⁰. They reported a strong correlation to the number of anti-social behaviour incidents and number of licensed premises per datazone throughout Renfrewshire.

- 23% of all serious crime was recorded within Paisley Central along with 16% of all antisocial behaviour incidents.
- Alcohol was involved in 42% of domestic offences.

Table 1 provides a summary of alcohol related health data, crime and outlet data. The intermediate geography areas which feature in the table are those with the worst alcohol related health problems in Renfrewshire.

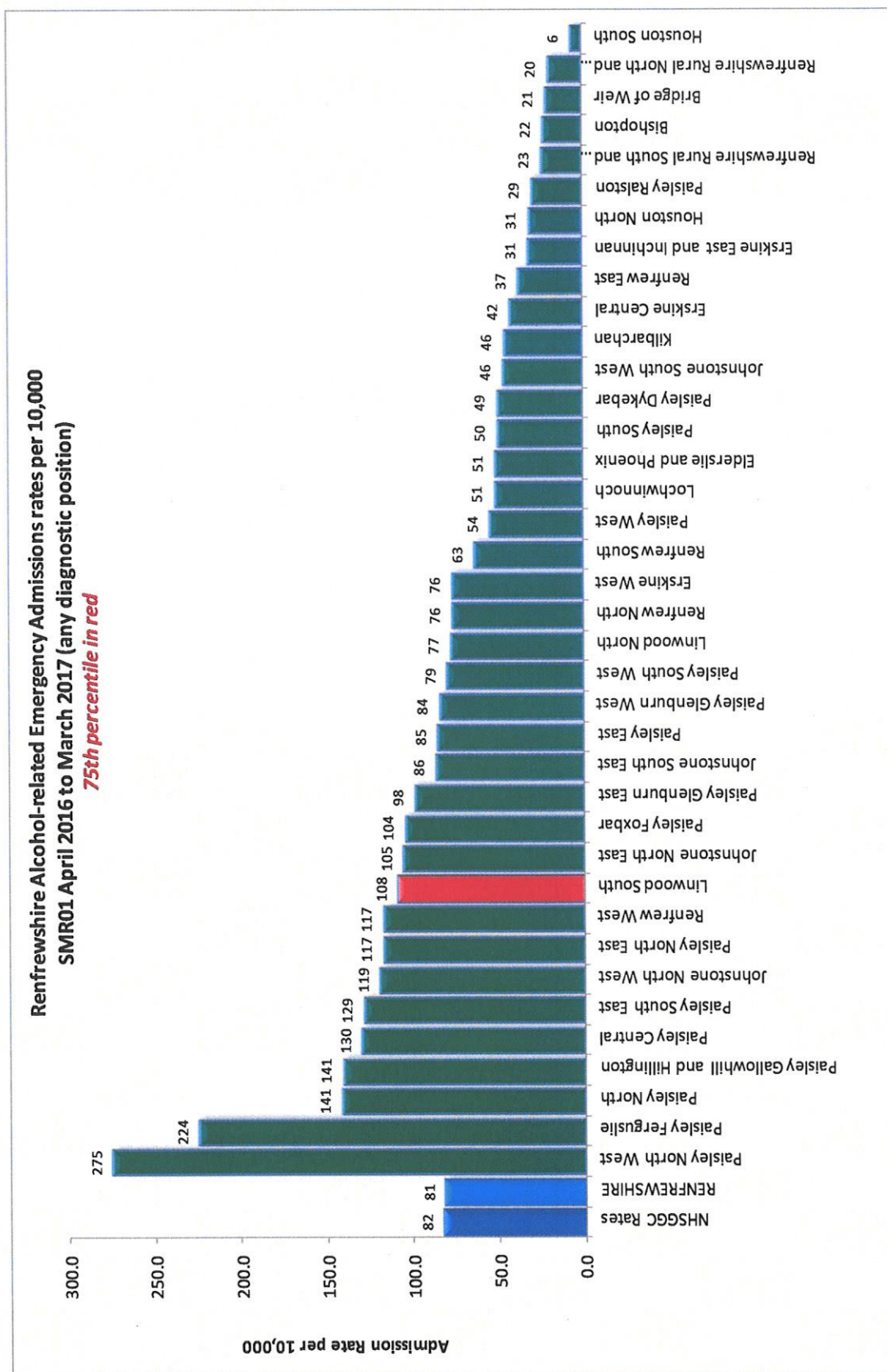
5.2 Protecting and Improving Public Health

Alcohol consumption accounted for 8% of the overall burden of disease in Scotland in 2015¹¹.

Alcohol continues to be a major factor impacting on the health and wellbeing of the population of Renfrewshire. Recent data shows the rate in Renfrewshire of alcohol related deaths is 2.7 (per 10,000 population), 17% above the Scottish average.¹²

Similarly, the rate of alcohol related hospital stays in Renfrewshire for 2016-17 is 81.2 (per 10,000 population), 30% above the Scottish average. Figure 4 highlights those areas which have the highest rate of alcohol related hospital stays in Renfrewshire.

Figure 4.



**Table 1 – Alcohol Related Health, Crime and Outlet Data by Intermediate Zone
(Areas with the worst alcohol related health problems in Renfrewshire)**

Intermediate Geography Area	Population	Alcohol Related Hospital Stays Rate per 10,000 pop	Alcohol Related Deaths Rate per 10,000 pop	ARBD Rate per 10,000 pop	Mental Health Discharges Rate per 10,000 pop	Alcohol Related Ambulance Calls Rate per 10,000 pop	Number of Crimes	Number of Antisocial Behaviour Incidents	Total number of incidents	On Sales & Off Sales		Off Sales		On Sales Rate per 1,000 pop	Off Sales Rate per 1,000 pop
										Number	Capacity	Number	Capacity		
Paisley North West	3570	274.5	5.6	19.1	8.4	153.8	40	273	313	9	843	6	175.77	236.1	49.2
Paisley Ferguslie	4190	224.3	6.4	35	7.2	90.1	45	202	247	1	760	3	74.56	181.4	17.8
Paisley North	5162	141.4	2.6	15.5	6.8	153.6	115	459	574	25	7063	10	138.95	1368.3	27
Paisley, Gallowhill and Hillington	5541	140.9	2.4	21.7	5.4	83.9	54	258	312	2	314	4	71.65	56.7	13
Paisley Central*	6869	129.6	1.5	13.1	7.3	264.3	335	1105	1440	53	12857	15	580.468	1871.8	84.5
Paisley South East	5908	128.6	4.5	18.1	3.4	90.3	42	50	92	5	676	4	127.9	114.4	21.7
Johnstone North West	3529	119	7.6	26.4	4.3	79.5	30	181	211	6	755	9	153.26	214	43.4
Paisley North East	6063	117.1	2.7	24.2	8.2	82.2	48	293	341	5	776	9	504.466	128	83.2
Renfrew West	6838	117	1.9	12.7	6.6	69.5	43	286	329	2	198	8	175.228	29	25.7
Linwood South	4060	108.4	3.3	32.8	7.4	78.5	57	229	286	3	1018	4	298.1	250.7	73.4
										111	25,260	72	2,300.352		
Renfrewshire Total / Average	174,560	81.2	2.7	18	3.2	58	1437	6993	8430	297 (on & off sales)	98,488	139	4,824.864		

5.3 Protecting Children and Young People from Harm

There is overwhelming evidence that children who see adults consuming alcohol to excess regard this behaviour as relatively normal. It has resulted in children and young people commencing alcohol consumption at an earlier age and consuming more alcohol than non-exposed peers. Children and young people who have adopted heavy drinking at a young age are more likely to continue to drink heavily as adults and to develop significant alcohol related health problems and dependence in later life¹³. Those who commence drinking at a young age consume more alcohol and die at a younger age¹⁴.

5.3.1 Pathway into Problem Drinking

A review of the audits carried out into alcohol related deaths in Glasgow City and the Greater Glasgow Health Board area had a number of key findings.

The average age of death for those who died of alcohol causes was comparatively young, particularly for women as shown in Table 2.

Table 2. Average Age at Death

Year	Male	Female	Whole Sample
2003	56	57	56
2010	59	48	58
2013	54	51	54

However, the onset of problem drinking frequently occurred many years before as shown in Table 3. Data from the audits identified that 18% of the 2010 audit and 32% of the 2013 audit had developed problematic drinking before the age of 25 years. Often this drinking started in teenage years when under the age of 18 years.

Table 3. Age of Onset of Problem Drinking 2010 and 2013

Age Range	Male 2010	Male 2013	Female 2010	Female 2013	All 2010	All 2013
<25	20%	40%	13%	8%	18%	32%
26-35	24%	21%	40%	23%	28%	21%
36-45	18%	16%	33%	54%	22%	25%
46-55	12%	14%	13%	8%	12%	13%
56-65	10%	5%	0%	0%	8%	4%
66-76	8%	2%	0%	0%	6%	2%
>76	2%	2%	0%	8%	2%	4%
Unknown	6%	0%		0%	5%	0%

There is a growing body of evidence that exposure of children and young people to drinking environments, including family parties and celebrations, and access to alcohol from family and friends is the trigger in initiating drinking behaviour^{14 15 16}.

There is also evidence that those who commence drinking at a young age consume more alcohol and die at a younger age⁶. The evidence from the local audits show that the average weekly amount of alcohol consumed by those who commenced drinking under 25 years was 392 and 280 units in the 2010 and 2013 audits compared to 200 and 220 for the whole samples audited in 2010 and 2013 respectively. The 2013 audit revealed that the average age of death in the young drinkers compared to the whole sample was 49 years compared to 54 years.

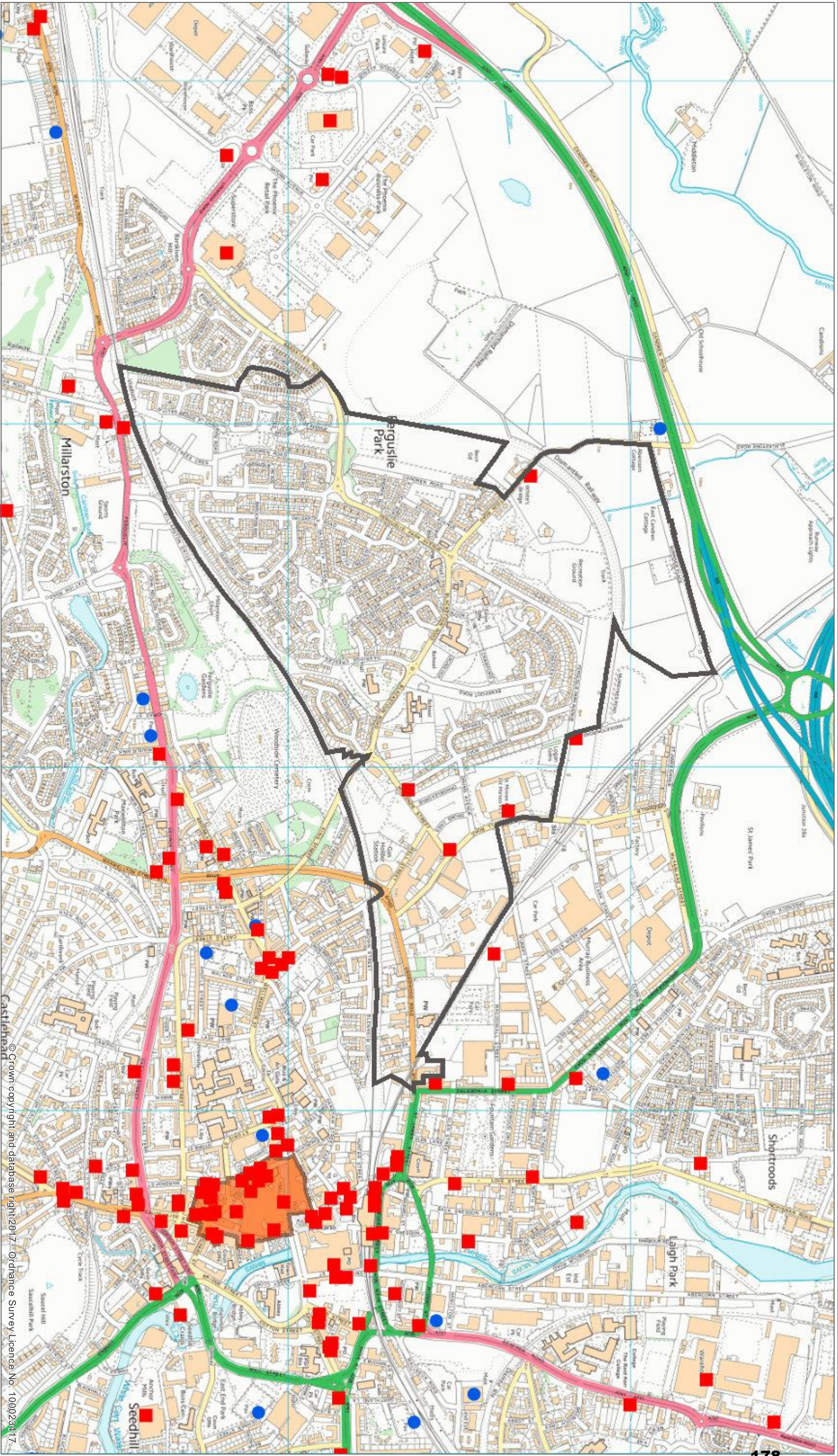
6. Community Views on the Availability of Alcohol

In addition to health data Renfrewshire ADP gathers information on community values and knowledge around alcohol. Members of the community are regularly asked about their views on the availability of alcohol within their local neighbourhoods to assist the ADP in their responses to licensing requests, as well as, informing local decisions. To date the ADP has received approximately 200 responses. Key headlines include:

- Most people (83% of those surveyed) bought alcohol in supermarkets;
- 67% of people were 'very concerned' about violence caused by alcohol, 59% were 'very concerned' about the cost to the NHS of treating alcohol related conditions, 60% were 'very concerned' about family breakdown and child neglect, 71% were very concerned about drink driving;
- 64% of respondents had been negatively affected by someone else's drinking – of which 71% stated it had been a family member or spouse;
- 48% of people surveyed drink most often at home
- 53% of people lived within a 5 or 10 minute journey to where they chose to buy alcohol (77% drove by car/van or motorbike);
- 77.6% of respondents felt that events targeted at children and families should not sell alcohol.

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- ¹⁰ Police Scotland Alcohol Licensing Overprovision – Renfrewshire 2015 - 2017
- ¹¹ NHS Health Scotland 2018 Hospital admissions, deaths and overall burden of disease attributable to alcohol consumption in Scotland
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- ¹³ Palmer RS, Corbin WR, Counce JM. Protective strategies: a mediator of risk associated with age of drinking onset. Addictive Behaviours. 2010; 35:486–491
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- ¹⁶ Jones SC. Parental provision of alcohol: a TPB-framed review of the literature. Health Promotion International, 2016;31:562–571



PAISLEY FERGUSLIE IG



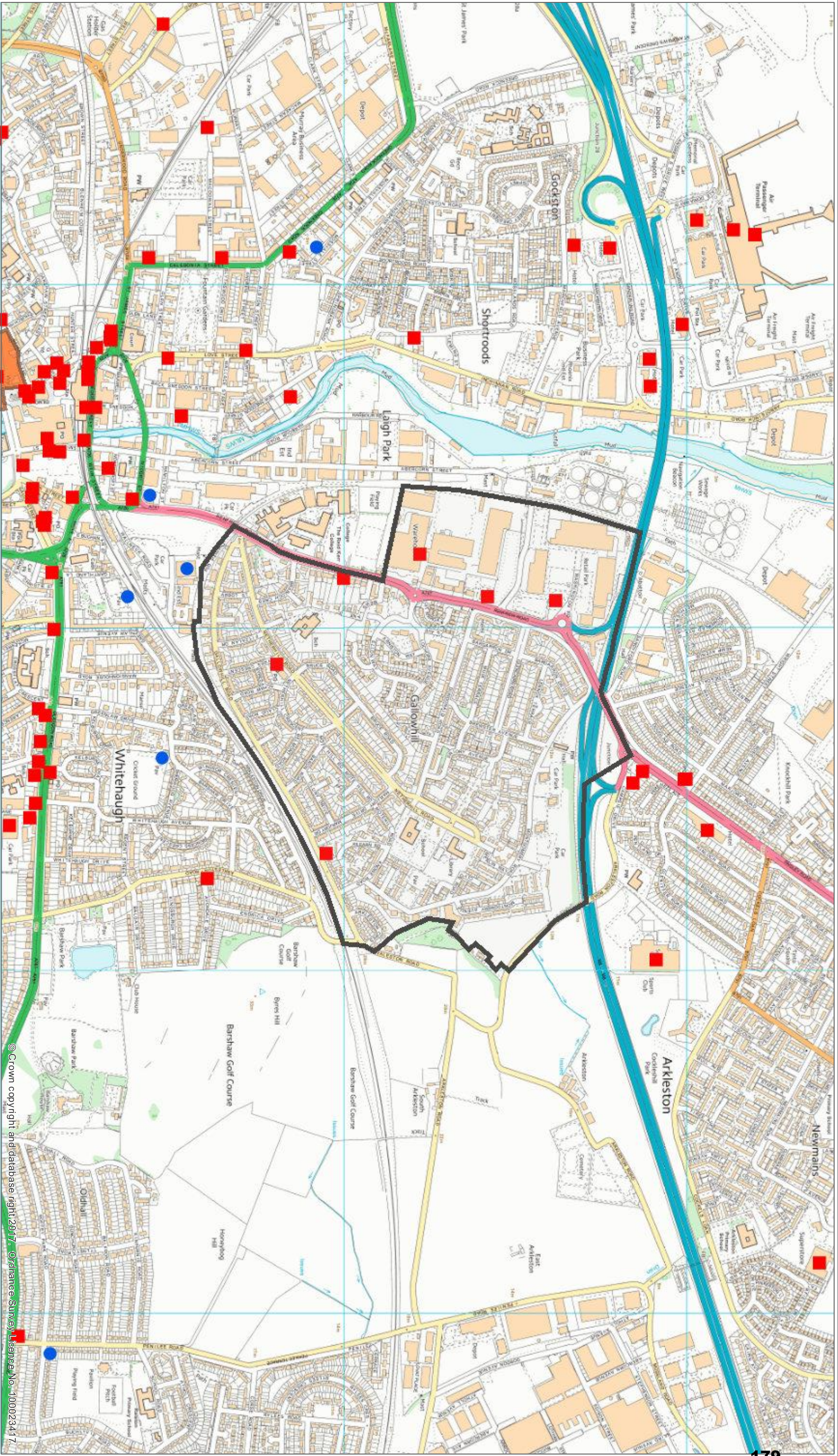
1:10,637

Author: AILEEN EASDON

Date: 25/04/2018

Notes:
RED SQUARE (LICENSED PREMISES) BLUE CIRCLE (MEMBERS CLUBS)

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Renfrewshire
Council

PAISLEY GALLOWHILL & HILLINGTON IG



1:10,637

Author: AILEEN EASDON

Date: 25/04/2018

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4. Clerk's Comments on Response from Renfrewshire Health and Social Care Partnership

Renfrewshire Health and Social Care Partnership ("the Partnership") respond with reference to the Issues Paper agreed by the Board on 11th May 2018. Their response states that it was prepared in conjunction with the Renfrewshire Alcohol and Drug Partnership (ADP) and NHS Greater Glasgow and Clyde Public Health Department.

Overprovision-

The Partnership's response is accompanied by a more detailed Appendix in relation to whether there is overprovision of licensed premises in Renfrewshire and the response letter contains a number of observations on the relationship between alcohol and alcohol-related harms, mainly health harms.

The Partnership propose that the Board look to declare the locality agreed for the purposes of the formal consultation (being the locality identified in the Board's current and previous statements of licensing policy) overprovided in relation to all licensed premises. They state that this should include "clubs". This may refer to nightclub premises, which are currently specifically exempted from the policy relating to overprovision. Members' clubs cannot be taken into account in the assessment of overprovision.

The Board requires to look at the numbers and capacities of licensed premises in this locality (and is entitled to consider other factors, specifically the licensed hours of those premises) and decide whether the locality is overprovided, either in respect of all licensed premises, or in respect of certain types of premises. As with the statement of licensing policy generally, the policy must seek to promote the licensing objectives.

In relation to the Partnership's request that the Board designate a new overprovision locality focusing only on off-sales premises and relative to the ten areas of Renfrewshire with the highest levels of alcohol related harm, the Partnership highlighted the health harms in these areas during the initial consultation. A separate response to the initial consultation was received from NHS Greater Glasgow and Clyde which also highlighted alcohol related harms in these areas. As a result of these initial responses, the report considered by the Licensing Board on 11th May 2018 was accompanied by plans of these areas and information on the number and capacity of licensed premises within them, and their licensed hours. The Board considered this information and the terms of the consultation responses and were not minded to select these areas as localities for the purposes of formal consultation.

Recent case law suggests that the Board should identify localities prior to the formal consultation, which approach the Board followed at its meeting of 11th May 2018 as stated above. The various consultees therefore have not been asked to comment on the geographical areas now suggested by the Partnership. Should the Board wish, in light of the further information from the Partnership, to give further consideration to their proposed further localities for the purpose of assessing overprovision, then it would be necessary that officers bring a future report to the Board to allow consultation on a possible supplementary statement of licensing policy relative to overprovision, following agreement and publication of the Board's policy.

Licensing Objectives

The Partnership support the control measures suggested by Police Scotland in relation to door supervisors wearing high visibility clothing and encouraging patrons to leave premises in an orderly fashion.

The Partnership also support proposals for CCTV in all new licensed premises. It is not clear whether they suggest this be a licence condition. As noted in relation to Police Scotland's response, the Information Commissioner's Office advises against a mandatory requirement for CCTV on licensed premises being applied on a blanket basis.

Children and Young Persons' Access to Licensed Premises

The Partnership suggest a strengthening of the policy in relation to access to licensed premises by both children and young persons.

They note that the policy does not currently set out a terminal hour for children and young persons' access. They refer to and provide details of a policy of a neighbouring Licensing Board which they recommend.

The Partnership also suggest control measures in relation to which parts of premises children and young persons should be able to access. Operating plans accompanying premises licences currently require to specify which parts of premises are accessible to children and young persons.

The Partnership also make observations on the suitability of vertical drinking establishments and premises used for tournaments and other events for children and young persons.

The Board may wish to consider the Partnership's proposals in relation to access, and hours of access, for children and young persons. The Board will note that children includes children up to the age of 15 years and may wish to consider, if minded to agree the proposal to restrict access, whether access by children of all

ages should cease at 11pm and whether they should require to leave before the end of functions. The Board may wish also to consider whether children (and young persons) should be allowed “general access” to all premises, which may include those considered vertical drinking establishments.

The Board will note that any change of policy on children and young persons’ access will not amend the licences of existing premises, but would normally only affect new premises licence applications and applications for occasional licences.

Licensed Hours

The Partnership indicate that they would favour a reduction in off sales opening hours, in relation to commencement/ terminal hours. At present, off sales are permitted during the statutory hours of 10am to 10pm set out in the Licensing (Scotland) Act 2005.

The Board will note that any change of policy in relation to off sales hours will not amend the licences of existing premises, but would affect new licence applications.

Licence Conditions

The Partnership have no proposals to make in this regard.

Enforcement

The Partnership support the proposed extension of this section to provide more information on the role of the Licensing Standards Officers.

Alcohol Deliveries

The Partnership support the conditions in relation to alcohol deliveries as suggested in the Issues Paper agreed by the Board for the purposes of formal consultation.

They suggest a process should be put in place to communicate any identified issues arising from deliveries. It is not clear by whom they anticipate any issues might be communicated. Should any complaints arise in relation to licensed premises, these could be raised with the Licensing Standards Officers.

Extended Use of Occasional Licences

The Partnership support an approach of referring subsequent occasional licence applications to the Licensing Board following a period of repeated occasional licence applications allowing premises to sell alcohol. Their preferred approach could be

achieved by an alteration to the Scheme of Delegation as set out in the existing Statement of Licensing Policy.

The Partnership suggest that applicants for occasional licences should be asked to justify their reason for applying for a licence for occasions where children and young people are in attendance. A premises or personal licence holder, or voluntary organisation, is however entitled to make an application for an occasional licence under the terms of the Licensing (Scotland) Act 2005. It is open to any person, including the Partnership, to object to an application where concerns relative to the licensing objectives (including the licensing objective of protecting children and young persons from harm) exist.

The Board is now under a duty to publish an annual functions report setting out how it has exercised its functions relative to the licensing objectives.

In relation to “no alcohol events”, these will not involve consideration of a licence application by the Board or its officers.

Aileen Easdon

From: McFadyen, Nadine <[REDACTED]>
Sent: 02 August 2018 15:01
To: licensing.cs (CSAlias10)
Cc: Chiang, Catherine
Subject: Response to Renfrewshire Liscencing Policy
Attachments: formatted_Health Board response_Comments on Renfrewshire Licensing Policy.docx
Categories: Red category

Dear sir,

Please find attached the NHSGGC response, on behalf of Dr Catherine Chiang, Consultant in Public Health Medicine.

Many thanks,
Nadine

Nadine McFadyen | Team Secretary | NHS Greater Glasgow & Clyde | Health Improvement Team | Public Health Directorate | West House | Gartnavel Royal Hospital | 1055 Great Western Road | Glasgow | G12 0XH

[REDACTED]

This email is in 12 point to improve accessibility under the requirements of the Disability Discrimination Act (DDA).



Health Improvement Team
West House, 1st Floor
Gartnavel Royal Hospital
1055 Great Western Road
Glasgow
G12 0XH

2nd August 2018

Dear Sir,

RE: Comments on Renfrewshire Licensing Policy

Thank you for the opportunity to contribute to the development of the licensing board's policy for 2018-22. We value the opportunity to work with the board to produce a policy that upholds the licensing objectives and protects the responsible use of alcohol. We also appreciate the value placed on the collation of robust evidence to support the development of the policy and the decisions of the licensing board. The Issues Paper is helpful in identifying those aspects of the policy that the licensing board is continuing to refine and comments have been submitted on these particular elements in this response.

Introduction

We appreciate the focus of the licensing board's policy on the upholding of the licensing objectives and agree that this should be at the forefront of developing the policy. The role of licensing is to regulate the sale of alcohol that should be the principle focus of the policy. The licensing policy should not be seen as a means to promote the economy, tourism or vitality in the area when there is clear evidence of alcohol related harm in terms of health or crime statistics.

Operating Plan

6.5 The last sentence of this paragraph, namely "It is strongly recommended that any applicant, objector or representer seeks independent legal advice" seems inappropriate. A member of the public should be able to make a representation to the licensing board without incurring legal expenses and registered clubs and applicants for occasional licences should also be permitted to apply to the licensing board, and the process should be sufficiently transparent such that formal legal advice should not be necessary. It may be more appropriate for the policy document to make reference to the resources developed by Alcohol Focus Scotland, Alcohol Licensing in Your Community, How You Can Get Involved¹

The licensing board is not a court and its semi-judicial function should not result in the licensing process being inaccessible to members of the public without incurring considerable legal expenses.

Extended Hours Application

12.2 Extended hours applications may also impact on public health and children and young people. These objectives should also be considered when offering extended hours as the increased availability of alcohol consumption can result in health consequences and normalise alcohol consumption to children and young people. This is particularly relevant for situations such as the “festive period” where prolonged extended drinking takes place and the potential for health harm is considerable. Further advice on the impact on children and young people is provided under the children’s section.

Members Clubs

13. A.5 Is it not appropriate to state what the regulations say about the number of occasional licences that may be applied for in any one calendar year?

On-Sales Premises

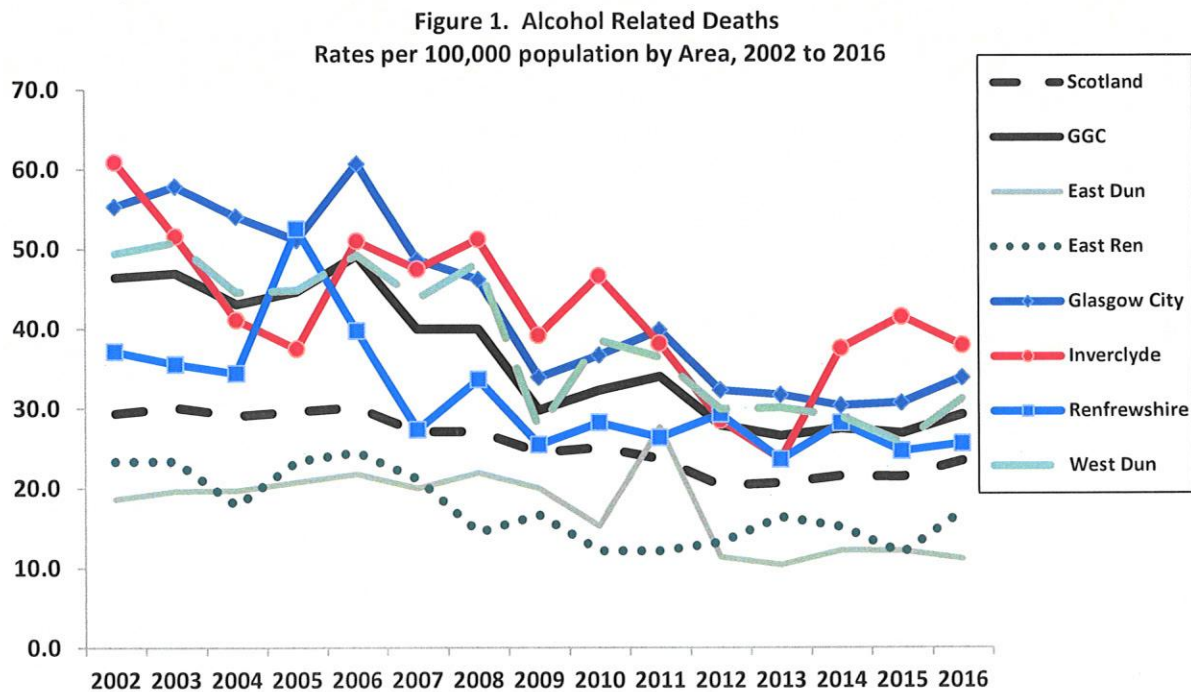
15.3. Commencement Hours: Monday-Saturday

The health board questions the practice of commencing the sale of alcohol from 9.30am for the purpose of funeral purveys/receptions and registered clubs. As a funeral service generally lasts at least 30 minutes, the crematorium does not open until 9.00am and mourners generally take time to greet the family and travel to the reception, it is questionable whether there is a genuine need for the sale of alcohol from 9.30am. Also in respect of registered clubs where club activities are taking place, given the level of alcohol related harm in Renfrewshire in public health terms, it does not seem appropriate to commence alcohol sales before the standard opening hours of 11.00am. Club activities should not be dependent on the sale of alcohol before 11.00am to operate. Furthermore extending alcohol sales to 9.30 am is highly likely to result in alcohol being sold continuously for over 14 hours during that day.

Overprovision of Licensed Premises

16.2 We agree that the Chief Constable is able to provide information to the licensing board with respect to crime statistics, however prevention of crime and disorder is only one of the five licensing objectives that should be considered in regard to an overprovision assessment and each of the five objectives carry equal weight. A recent Scotland wide study reviewed alcohol outlet density, alcohol related deaths and hospital and crime rates in relation to alcohol outlet density²... Significant findings from this report were that while Renfrewshire has a lower level of alcohol outlets on average compared to the rest of Scotland the rates of alcohol related deaths; hospital discharges and crime are all higher than the average for Scotland as a whole. A comparison of alcohol related deaths in Renfrewshire with the other local authority areas, GGC and Scotland is shown in Figure 1. Alcohol related hospitalisation rates are 43% higher than Scotland, (using acute hospital discharges); death rates are 20% higher than the Scottish average and crime rates are 11% higher. It is thus insufficient to consider only the number of alcohol outlets in the locality. The impact of these outlets must also be taken into account. The level of alcohol related harm is not evenly distributed across the county. They found higher death rates, hospitalisation rates and crime rates in areas with a higher outlet density. The finding was most striking for crime rates which were 6.4 times higher in areas with a high outlet density compared to neighbourhoods that had the least number of outlets.

Alcohol related hospitalisation rates were 2.4 times higher in neighbourhoods that had a high outlet density compare to those that had the least, while alcohol death rates were 70% higher. These findings were robust and remained even after taking into account the age, sex and deprivation status of the neighbourhoods examined. Furthermore, the most deprived neighbourhoods had 3.8 times more alcohol outlets than the areas that were least deprived ².



This study examined the same relationships with regard to whether the outlet was principally on-sales, off-sales or for total outlets in the area. It found that alcohol related deaths were 80% higher in neighbourhoods with the most on-sales outlets compared with those with the least taking into account the age, sex and level of deprivation in these neighbourhoods. A similar pattern was found for alcohol related hospital admissions where areas with the most on-sales outlets had a hospitalisation rate 2.3 times higher than areas with the least, and areas with the most off-sales outlets were 2.1 times higher than neighbourhoods with the least taking into account the impact of age, sex and the level of deprivation of the area ².

The impact of alcohol outlet density on crime rates was greater than alcohol related health effects. Compared to areas that had the lowest level of alcohol outlet, areas that had the highest level of outlets had 6.4 times the level of crime when considering total outlet, 4.9 times the level of crime when considering on-sales outlets, and 6.5 times the level of crime when comparing the areas with the highest level of off-sales outlets with the those that had the least number of outlets. These statistics all take into account the impact of the age, sex and level of deprivation in the neighbourhoods ².

When using the Scottish Index of Multiple Deprivation 2016, Renfrewshire contains more deprived neighbourhoods than Scotland (13.6% compared to 12.5%)³. A specific examination of the deprived neighbourhoods compared with the least deprived neighbourhoods showed that the most deprived neighbourhoods had 3.8 times the total number of alcohol outlets compared to the least deprived, 3.7 times the number of on-sales outlets compared to the least deprived and four times the number of off-sales outlets compared to the least deprived².

These findings are broadly in line with the data submitted by the health board in the pre-consultation exercise which shows the high level of alcohol related harm in some of our neighbourhoods. It also illustrates that the impact is not purely related to the number of outlets, but that deprived neighbourhoods experience a higher level of harm. It also illustrates that there is an adverse impact from the off-sales trade as well as the on-sales trade and deprived neighbourhoods are experiencing more health and crime due to alcohol.

An overprovision assessment needs to take into consideration the impact of the off-sales trade in order to uphold the licensing objectives preventing crime and disorder and protecting public health. Failure to consider the impact of off sales, and failure to take into account the level of alcohol related deaths and hospitalisations will result in an incomplete examination of the data and result in a failure by the licensing board to uphold the licensing objectives of the 2005 Licensing (Scotland) Act⁴.

Based on the health board data and the recent CRESH analysis described above restricting the overprovision area to the town centre will fail to effectively protect our population from exposure to further alcohol related harm and the protections afforded by a comprehensive overprovision policy. The data presented in tables 1-6 compare intermediate datazones in Renfrewshire with average rates for GGC and Scotland. The poorest ten intermediate datazones are identified for acute hospital discharges, alcohol related deaths, alcohol related brain damage, mental health discharges as a result of alcohol misuse, and Scottish Ambulance call outs related to alcohol. The final table (6) groups the intermediate datazones similarly affected by alcohol misuse.

Table 1. Intermediate Data Zones with Higher Level of Acute General Hospital Alcohol Related Admissions than the Scottish Average, Worst Ten Areas.

Alcohol Related Acute Hospital Discharges: Intermediate Data Zones Rates per 10 000 population. April 2016-March 2017. Poorest Ten Intermediate Datazones.	
Intermediate data zone	Hospital Admission Rate per 10 000 population April 2016-March 2017
Paisley North West	274.5
Paisley Ferguslie	224.4
Paisley North	141.4
Paisley Gallowhill and Hillington	140.8
Paisley Central	129.6
Paisley South East	128.6
Johnstone North West	119.0
Paisley North East	117.1
Renfrew West	117.0
Linwood South	108.4
Renfrewshire	81.2

GGC	82.5
Scotland	62.3

Table 2. Intermediate Data Zone with Higher Level of Alcohol Related Deaths than the Scottish Average. Worst Ten Areas.

Alcohol Related Deaths by Intermediate Data Zone, Deaths April 2014-March 2016, National Records for Scotland.	
Intermediate Data Zone Area	Alcohol Related Deaths per 10 000 population
Johnstone North West	7.6
Linwood North	6.6
Paisley Fergus lie	6.4
Paisley North West	5.6
Paisley Fox bar	4.9
Paisley Glenburn West	4.9
Paisley South East	4.5
Johnstone South East	4.3
Paisley East	4.2
Linwood South	3.3
Renfrew South	3.3
GGC	2.7
Scotland	2.3

Table 3 Alcohol Related Brain Damage, Poorest Ten Intermediate Datazones.

Alcohol Related Brain Damage Admissions March 2014- April 2017 Admissions per 10 000 population	
Intermediate data zone	Comparator Populations
Paisley Glenburn	70.2
Paisley Ferguslie	35
Linwood South	32.8
Johnstone North West	29.4
Paisley Foxbar	29.2
Erskine West	24.3
Paisley North East	24.2
Paisley South West	23.6
Paisley East	21.7
Paisley Gallowhill and Hillington	21.7
GGC Average	18.3
Scotland Average	5.4

All intermediate data zones in Renfrewshire had an alcohol related brain damage diagnosis rates which were greater than the Scottish average with the exception of Houston North.

Table 4. Alcohol Related Admissions to Psychiatric Hospitals (SMR 04) April 2015- March 2017, Rates per 10 000 population. Poorest Ten Intermediate Datazones

Alcohol Related Admissions to Psychiatric Hospital, March 2014- April 2017 Admissions per 10 000 population	
Intermediate data zone	Alcohol Related Psychiatric Admissions
Paisley Glenburn West	8.6
Paisley North West	8.4
Paisley North East	8.2
Linwood South	7.4
Paisley Central	7.3
Paisley Ferguslie	7.2
Paisley North	6.8
Renfrew West	6.6
Elderslie and Phoenix	5.9
Paisley Gallowhill and Hillington	5.4
GGC Average	5.9
Scotland Average	5.2

Table 5. Alcohol Related Ambulance Calls, Scottish Ambulance Service Data 2014 to 2015. Rates per 10 000. SIMD 2016. Numbers and Rates per 10 000 persons.

Alcohol Related Admissions to Psychiatric Hospital, March 2014- April 2017 Admissions per 10 000 population	
Intermediate data zone	Rate per 10 000
Paisley Central	264.3
Paisley North West	153.8
Paisley North	153.6
Paisley South East	90.3
Paisley Ferguslie	90.1
Paisley Gallowhill and Hillington	83.9
Johnstone South East	82.3
Paisley North East	82.2
Renfrew North	79.9
Johnstone North West	79.5
GGC Average	64.8

No Scottish comparator data is available for ambulance service data.

Table 6. Intermediate Datazones Most Frequently in Poorest Ten for Health Outcomes

Frequency of Intermediate Datazone in Poorest Ten Overall for Health Data, Maximum 5, Minimum 1	
Intermediate data zone	Frequency of Occurrence in Poorest Ten
Paisley Ferguslie	5
Paisley North West Paisley Gallowhill and Hillington Johnstone North West Linwood South	4
Paisley North Paisley Central Paisley South East Paisley Glenburn West	3
Renfrew West Paisley Foxbar Johnstone South East Paisley East	2
Linwood North Renfrew South Erskine West Paisley South West Elderslie and Phoenix Renfrew North	1

The local health data indicates that the area most adversely affected by alcohol use is Paisley Ferguslie. Four other intermediate datazones experience poorer health outcomes compared to Paisley Central, which contains the only area that has been designated as overprovided. A further

three intermediate datazones share a similar level of poor alcohol related health outcomes. This data agrees with the recent CRESH analysis which supports the development of an overprovision policy that is not restricted to on sales premises or Paisley town centre. It should incorporate off sales premises, the impact of alcohol premises in areas of deprivation and the need to prevent Renfrewshire's unenviable alcohol statistics compared with Scotland as a whole. No town in Scotland can be vibrant and economically prosperous when it experiences the level of harm that has been noted in the health related data as above.

Licensing Objectives

Section 20 Police Scotland has made two proposals in relation to the licensing objectives. The latter of the two, the requirement that door supervisors wear high visibility clothing and encourage persons to leave premises in an orderly fashion without causing disturbance seems a simple, low cost measure that is easy to implement. For premises that have door supervisors on duty it does not seem an onerous task and could support them in fulfilling the licensing objective of preventing public nuisance, securing public safety and preventing crime and disorder. The health board therefore supports this request by the police.

The first proposal, that all new licensed premises install CCTV and have a staff member fully trained in its operation at all times on the premises during licensed hours may incur substantial additional cost for licensees. It may be justified if:-

- A large proportion of new licenses are doing this as a matter of routine and this would ensure that all new premises were designed according to a similar standard
- It can be shown that CCTV used by stores has been effective in reducing crime and disorder, ensuring public safety, preventing public nuisance and protecting children and young people from harm
- This is a measure that is routinely being incorporated into Scottish licensing policies
- The benefit of CCTV or the issues that it is designed to prevent are equally present in all licensed premises
- For those stores that already have CCTV in operation, what is the frequency of crimes committed during standard licensed hours and outwith licensed hours? Alcohol may still be sold or stolen at any time of the day or night, therefore, if CCTV is in place is there any justification for not employing the same standards throughout the entire period that the business is operating and potentially also when it is closed?

As the health board does not have evidence to assess the proposal we can only suggest that the licensing board request supporting evidence from Police Scotland and assess the findings using suggested criteria.

Children's Access

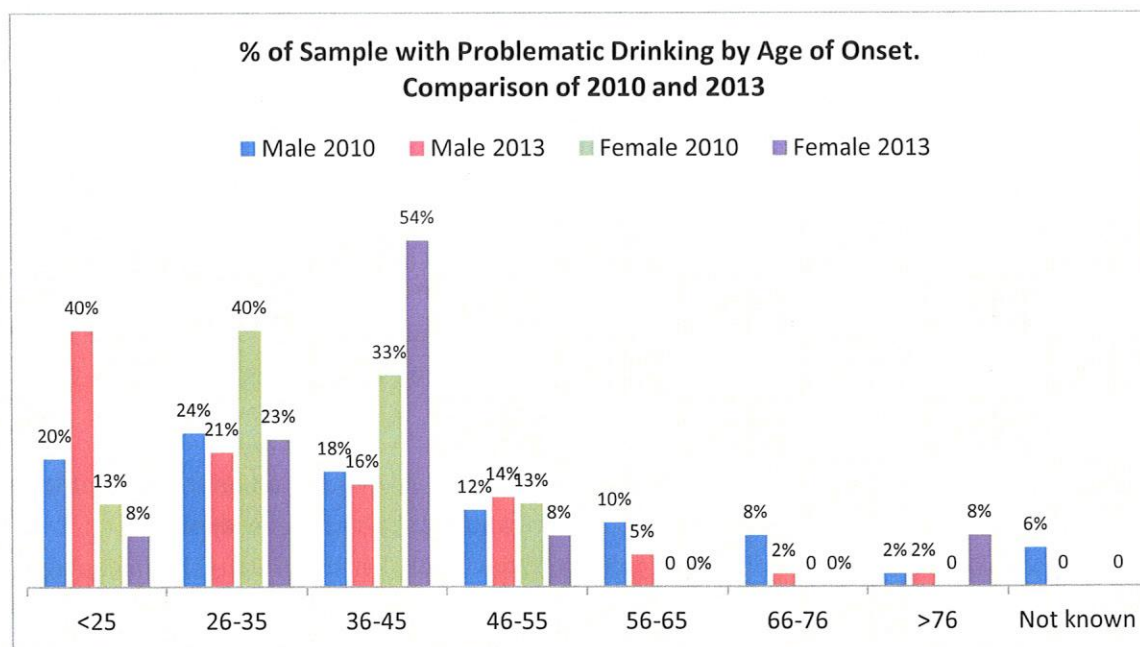
The protection of children and young people from harm is a licensing objective that every licensee who permits children and young people on their premises has to ensure. Alcohol is a toxic, psychoactive and potentially addictive substance and has been shown to have adverse

consequences affecting the growth and development of children and young people. As the brain continues to mature into the early 20s it is particularly vulnerable to damage associated with alcohol consumption⁵. Brain damage is not reversible when alcohol consumption ceases and alcohol consumption can result in personality changes and impulsive behaviour. Teens are more likely to take risks which can make themselves and others vulnerable to harm. Risk taking increases as alcohol consumption affects judgement and the ability to assess the risk of harm⁵. Alcohol consumption in children and young people is thus harmful.

The source of alcohol for children and young people is often family and friends, and frequently occurs at special occasions and family parties (as in the case of occasional licenses)^{6,7}. Sips given to children and young people may be seen as harmless, but sips have been shown to increase the progression of children and young people to consuming full drinks^{7,8,9}.

Young people who are exposed to adults and other young people consuming alcohol whether or not this is an excessive amount are more likely to commence drinking at a younger age and more likely to develop alcohol misuse disorders and when they do and to drink larger quantities of alcohol^{7,10}. Figure 2 shows the age of onset of problematic drinking identified in local audits.

Figure 2. Age of Onset of Problem Drinking by Sex, 2010, 2013



NHS GGC audits of alcohol related deaths have shown that individuals who developed problematic drinking under the age of 25 years consumed on average 392 and 280 units per week in the 2010 and 2013 audits respectively compared to 200 and 220 units in the whole of the group of patients who died of alcohol related causes¹¹. The average age at deaths for those diagnosed with alcohol misuse disorders under the age of 25 was 49 years compared with 54 years for the wider sample who died of alcohol misuse¹¹.

The role of the licensing board in protecting children and young people is thus fundamental to the health of our population. This is not an issue that should be left for the individual licensee to assess. The conflict of interest between making a profit selling alcohol and protecting children and young people from harm is such that there will always be pressures to have the premises full and people drinking, regardless of whether children and young people are present. It is thus imperative that the licensing board take the lead here and lay out its approach to how it will ensure that licensees fulfil this objective. Additionally, adoption of standard hours and practice for children and young people in the licensing policy would streamline applications and reduce time the licensing board, partners and applicants require to spend on considering each application on a case by case basis as is the current practice.

There would be no benefit and only harm from permitting children and young people to enter vertical drinking establishments. Sporting event in pubs are frequently associated with high and frequent consumption of alcohol and should not be considered suitable for children and young people, including watching football tournaments or other such events.

It would seem reasonable that the licensing board differentiate between children and young people as the physiological needs of children and young people are different and any benefit that a child may have from being in a licensed premises would be outweighed by its other needs and ability to derive pleasure from being on the premises after a shorter period of time. Furthermore excess exposure to persons drinking until late into the night normalises alcohol consumption and potentially commences that downward spiral already described ¹².

Licensed Hours

Renfrewshire has higher levels of alcohol related harm than Scotland in terms of alcohol related deaths ². It is also relatively more deprived than Scotland as whole and it has been shown that areas that experience relative deprivation also experience higher levels of alcohol related harm ². We also know that most alcohol is purchased in off-sales premises (72% in the MESAS 2016 report) ¹³. There is also evidence that hours of operation and days of sale of alcohol influences alcohol availability and alcohol harm. It therefore would benefit the population of Renfrewshire as a whole if the off-sales hours were restricted, even for one hour per week on a Sunday.

Restricting new off-sales hours to a time earlier than 10.00pm could be justified on the basis of the high levels of alcohol related harm that has been demonstrated as part of the evidence for overprovision. All areas of Renfrewshire experience a higher level of alcohol related brain damage than the whole of Scotland with the exception of one intermediate data zone, Houston North. There are multiple areas which experience higher levels of alcohol related deaths and higher levels of admission to acute and psychiatric hospitals as a consequence of alcohol misuse. The CRESH research has shown a higher outlet density in areas of relative deprivation where the population also experience higher levels of harm ².

The policy could thus be justified across the whole of Renfrewshire, but would be of particular value in the areas where there is relative deprivation and evidence of alcohol related health harm. It has been suggested that alcohol purchased after 8.00pm is more likely to be used for immediate consumption and supports the practice of pre-loading, resulting in patrons entering licensed

premises already drunk. While the decision is for the licensing board to make, it would seem 8.00pm is a reasonable time for closure of off-sales premises.

There would be little benefit in removing the restriction of earlier closing if the premises invested in CCTV. CCTV does not reduce alcohol sales; its purpose is to deter crime. Additionally, if CCTV became a condition of all new premises it would merely result in all premises installing CCTV and remaining open to 10.00pm.

Licence Conditions

There are no other licence conditions that the health board would like to recommend.

Enforcement

The health board has reviewed the suggested insert regarding licensing standard officers and agrees that it is a suitable addition to the policy. We have no amendment or alteration to make to it.

Alcohol Deliveries

We are supportive of the suggestions made to the policy for alcohol deliveries. It may also be worth stating that on no account should alcohol be left in a safe place e.g. a garden shed in any delivery. If no person with suitable proof of age is available to accept the delivery, it must be returned to the place from where the order was despatched.

Extended Use of Occasional Licenses

The health board has reviewed the suggestion on occasional licenses and is in agreement with the approach laid out. The health board suggests that the licensing board should request that the applicant submit an application for a premises licence after a 13 week period if occasional licences continue to be requested. If there are exceptional circumstances why this cannot be done there may be justification for the occasional license application to be submitted to the full licensing board.

Yours sincerely,



Dr Catherine Chiang, CPHM

NHS Greater Glasgow & Clyde

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13. Monitoring and Evaluating Scotland's Alcohol Strategy. Final Annual Report. NHS Health Scotland. 2016.

5. Clerk's Comments on Response from Dr. Catherine Chiang, NHS Greater Glasgow and Clyde

Operating Plan

Dr. Chiang highlights the terms of Paragraph 6.5 of the Statement of Licensing Policy. Section 6 relates to Operating Plans and, as such, to applications for full premises licences, rather than occasional licences. Registered clubs under the terms of the Licensing (Scotland) Act 2005 require to apply for a full premises licence. As such, the recommendation in this Paragraph that legal advice is sought is generally appropriate.

However, to reflect the position of those making representations or objections, it may be helpful to amend the reference to "any applicant, objector or representer" to "any person".

The proposed extended Enforcement section in the Issues Paper highlights that the LSOs may be able to direct members of the public to available resources such as Alcohol Focus Scotland's toolkit. It is suggested that the Board may wish to refer specifically to the resource referred to by Dr. Chiang at the end of Section 9 of the Statement of Licensing Policy, as that section relates to notifications, representations and objections.

Extended Hours Application

The Board will note that Section 12 of the Statement of Licensing Policy refers to extended hours applications. These applications require to be intimated to Police Scotland and Licensing Standards Officers prior to being decided.

The Board also has a power to grant general extensions of licensed hours under section 67 of the Licensing (Scotland) Act 2005. The Board has received requests to grant these in relation to national celebrations over recent years, but has not granted extended hours on a general basis under that section.

The Board's policies in relation to additional festive hours have been agreed in terms of Paragraph 15.4 of the Statement of Licensing Policy, which currently states that this aspect of the policy will be determined by the Board on an annual basis.

Members Clubs

Members Clubs holding a premises licence are entitled, despite the fact they have that licence, to apply for occasional licences to allow general access to their premises. There are limits on the numbers and duration of occasional licences which

may be sought by these bodies. While it would be possible for the Statement of Licensing Policy to set out these limits fully, this is a matter of law. This legal position would apply irrespective of the terms of the Board's Statement of Licensing Policy. The Board may consider that setting out the terms of Regulations in detail would unnecessarily lengthen the Statement of Licensing Policy, making it less accessible to members of the public. As stated in the current policy statement, Members' Clubs are able to seek information on these matters from the Licensing Standards Officers.

On Sales Premises

Dr. Chiang takes issue with the current availability of earlier licensed hours (from 9.30am) for funeral parades and club events. This is provided for at Paragraph 15.3 of the Statement of Licensing Policy.

Paragraph 15.3 currently also states that any application for licensed hours for more than 14 hours should require further consideration. Currently, all premises licence applications require to be considered by the full Licensing Board. If premises were to seek such hours on their licence, this would be highlighted to the Board and it would also be open to the statutory consultees, including the health authority, to comment. The Scheme of Delegation in the current Statement of Licensing Policy also requires any applications for extended hours which are outwith the terms of the Board's policy to be considered by two Members of the Licensing Board.

Overprovision of Licensed Premises

The Board, must have regard, in its assessment of overprovision, to the numbers and capacities of licensed premises in an identified locality and may now also have regard to other matters, such as the licensed hours of those premises (which is now explicitly provided for in the legislation). As Dr. Chiang states, the statement of licensing policy must seek to promote the licensing objectives.

While Dr. Chiang states that restricting the overprovision area to the town centre will fail to effectively protect the population from exposure to further alcohol related harm, the Board will recall that information in relation to the ten suggested localities outlined in Table 1 of Dr. Chiang's response was provided by NHS Greater Glasgow and Clyde and the Renfrewshire Health and Social Care Partnership in response to the initial consultation on the review of the policy. As a result of these initial responses, the report considered by the Licensing Board on 11th May 2018 was accompanied by plans of these areas, with information on the number and capacity of licensed premises in these areas and their licensed hours. The Board considered this information and the terms of the consultation responses but were not minded to select these areas as localities for the purposes of formal consultation.

Recent case law suggests that the Board should identify localities prior to the formal consultation, which approach the Board followed at its meeting of 11th May 2018 as stated above. Consultees therefore have not been asked to comment on the geographical areas now suggested by Dr. Chiang. Should the Board wish, in light of the response to this consultation, to give further consideration to any of the proposed additional ten suggested localities for the purpose of assessing overprovision, it would be necessary that officers bring a future report to the Board to allow consultation on a possible supplementary statement of licensing policy relative to overprovision.

The Board will require to consider whether the existing designated area in Paisley Town Centre is overprovided and, if so, whether it is overprovided in respect of all licensed premises, or certain types of licensed premises.

Licensing Objectives

Dr. Chiang is supportive of the proposals by Police Scotland that the Board sets out new control measures specifying the wearing of high visibility clothing by door stewards and that they encourage persons to leave premises in an orderly fashion without causing disturbance. She sets out the licensing objectives that these control measures would seek to promote.

Dr. Chiang is more equivocal in relation to Police Scotland's suggestions relating to CCTV. The Board will note that Police Scotland have asked for CCTV requirements, as a condition of new licences, in addition to this being reflected in control measures. The Board's current policy already identifies the provision of effective CCTV as an example of a control measure relative to specified licensing objectives.

Dr. Chiang states, amongst other things, that the CCTV requirements requested by Police Scotland might be appropriate if the issues CCTV is designed to prevent are equally present in all licensed premises.

In this regard, the Board will note that the Information Commissioner's Office (ICO) advise against a blanket requirement to install CCTV in licensed premises. A copy of the ICO's guidance is available at the link below-

https://ico.org.uk/media/for-organisations/documents/1565/ico_view_on_cctv_in_pubs.pdf

Children's Access

Dr. Chiang provides general information in relation to the effects upon people who start to drink alcohol at a young age. She expresses a similar view to the Renfrewshire Health and Social Care Partnership in that she suggests the Board set

out a specific policy/ hours during which children and young persons may access licensed premises.

Dr. Chiang also make observations on the suitability of vertical drinking establishments. She also comments, adversely, on the suitability of pubs covering sporting events. She does not comment on sporting events covered by occasional licences which may involve children, young persons and/or older people.

The Board will note that any change of policy on children and young persons' access to licensed premises will not amend the licences of existing premises, but would affect new premises licence applications and applications for occasional licences (which could include sporting events on premises).

Licensed Hours

Dr. Chiang indicates that she would favour a reduction in off sales opening hours, for example in relation to the commencement hour on a Sunday, and/ or an earlier terminal hour, relating to new applications for premises licences. At present, off sales are permitted during the statutory hours of 10am to 10pm set out in the Licensing (Scotland) Act 2005.

The Board will note that any change of policy in relation to off sales hours will not amend the licences of existing premises, but would affect new licence applications.

Licence Conditions

Dr. Chiang has no further recommendations to make in this regard.

Enforcement

Dr. Chiang is supportive of the proposed extension of this section to provide more information on the role of the Licensing Standards Officers.

Alcohol Deliveries

Dr. Chiang supports the conditions in relation to alcohol deliveries as suggested in the Issues Paper agreed by the Board for the purposes of formal consultation on 11th May 2018.

She suggests a further condition should be added, to prevent alcohol being delivered in the absence of a person with suitable proof of age to accept the delivery. The Board may wish to consider this suggestion as an additional condition in relation to premises seeking a licence allowing them to deliver alcohol.

Extended Use of Occasional Licences

Dr. Chiang supports an approach of referring subsequent occasional licence applications to the Licensing Board following a period of repeated occasional licence applications allowing premises to sell alcohol. Her preferred approach could be achieved by an alteration to the Scheme of Delegation in the Statement of Licensing Policy.

Dr. Chiang comments that, in the absence of a premises licence application being made after the end of the period of 13 weeks from occasional licences being allowed, there may in exceptional circumstances be justification for occasional licence applications being submitted to the full Licensing Board. However, the Board should note that, if such a policy were to be adopted, then any applications made for occasional licences would still require to be considered and would be referred to the Licensing Board to make a decision.

From: McFadyen, Nadine [REDACTED]
Sent: 20 July 2018 09:52
To: [REDACTED]
Cc: Chiang, Catherine
Subject: Summary of Findings for Alcohol Audits for Licensing Boards in GGC
Attachments: Summary of Findings of Alcohol Audits for Licensing Boards in Greater Glasgow and Clyde.docx

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Dear all,

Please see message below on behalf of Dr Catherine Chiang.

In preparation for production of the Licensing Board Policy, it was thought the attached short paper may be useful in identifying vulnerable populations that the Boards may wish to consider as part of their review. While the geographical area in the audit does not include all Licensing Board areas, the general findings should be applicable to all.

I hope you find this information useful.

Best wishes,
Nadine

Nadine McFadyen | Team Secretary | NHS Greater Glasgow & Clyde | Health Improvement Team | Public Health Directorate | West House | Gartnavel Royal Hospital | 1055 Great Western Road | Glasgow | G12 0XH

[REDACTED]

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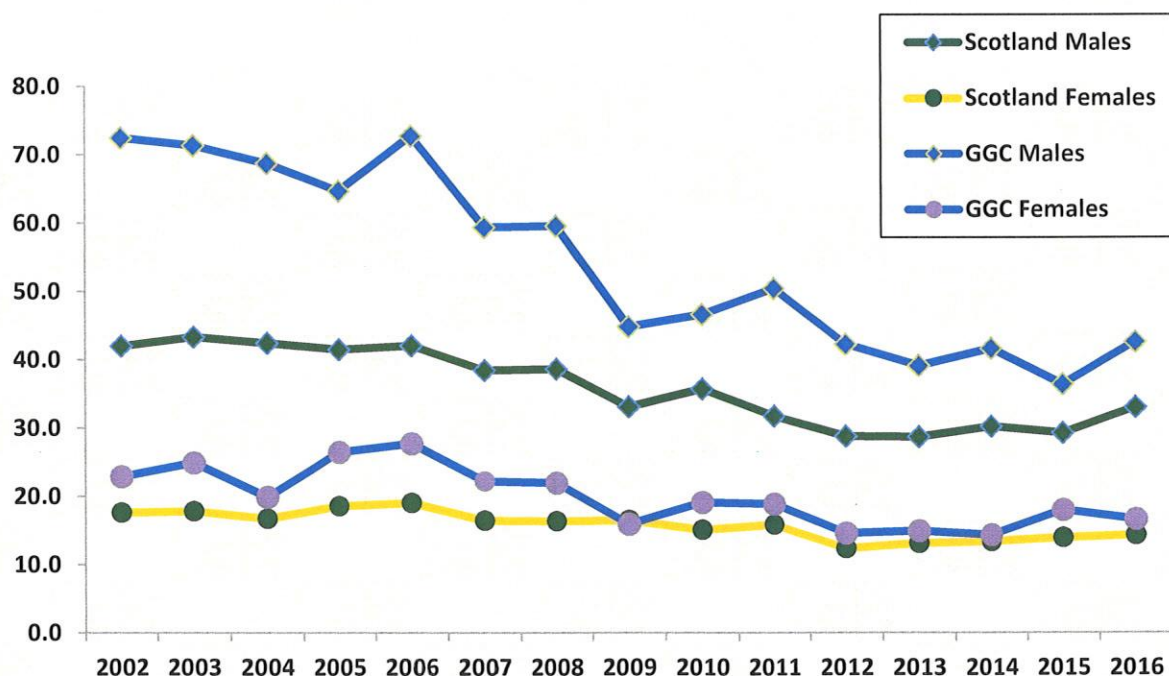
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Summary of Findings of Alcohol Audits for Licensing Boards in Greater Glasgow and Clyde

Introduction:

Alcohol related deaths are an important measure of the harm caused by alcohol misuse. Areas with a high level of alcohol related deaths deserve consideration to reduce the adverse impact of alcohol in the community. Alcohol related deaths are recorded and tracked by the National Records of Scotland. Glasgow city and Greater Glasgow and Clyde Health board have experienced consistently higher death rates than the rest of Scotland as shown in Figure 1.

Figure 1. Alcohol Related Deaths by Sex, Scotland and NHS Greater Glasgow and Clyde. Rates per 100,000



Three audits of patients who have died of alcohol related causes in the Glasgow area have been undertaken to assess the circumstances of these patients and look at what more can be done to prevent this from happening. Two of the audits were undertaken in the former Greater Glasgow Health Board area and the most recent audit only included patients who were resident within Glasgow City Council area. The audits are based on patients who died in the years 2003, 2010 and 2013. The findings of the audits have been shared with the services involved, however, as health and social work services have no control over the availability and sale of alcohol in our area, it was decided that a short summary of the outcome of these audits and opportunities for wider partners to contribute to this process may be helpful.

Description of the Patients Audited

In all audits the majority of patients who died in each year were male (range 72-75% male). Most patients died of alcoholic liver disease and were in their 50s at time of death. Most patients die in their 50s. In the two most recent audits the average age of death for women has been several years younger than men. This was most marked in the 2010 audit when the average age of death for women was 48 years compared with 58 for men. The majority of subjects were relatively deprived, two thirds or more in each year came from the most deprived fifth of the population. This is important because the most recent CRESH research has shown a higher concentration of licensed premises in the most deprived neighbourhoods and also because people who are more socially deprived experience more harm associated with alcohol misuse.^{1, 2}

In our population most of the people who died worked in a range of occupations outside the home and potentially in situations where alcohol misuse would raise safety concerns. A proportion was employed in the hospitality and leisure sector, where exposure to alcohol availability and use may contribute to the development of problematic drinking. Employment history of individuals who died of alcohol causes is shown in Table 1. The development of robust employment policies in those sectors where employees are exposed to alcohol use in their work may assist in earlier identification and referral to services to reduce progression of alcohol misuse and potentially save lives.

Table 1. Occupation of Sample Audited 2010 and 2013

Occupation	2010	2013
Manual labour/builder/engineer	32%	29%
Not Stated	17%	11%
Hospitality/retail/leisure	14%	18%

Driver	14%	9%
Professional	12%	13%
Never worked	6%	5%
Homemaker	5%	13%

Many of the patients audited in all samples were socially isolated (range 31%-66%), and many also had close family members or friends who had alcohol problems (range 12% 43%). This suggests that community activities that are not focused on alcohol consumption, particularly in deprived areas, may help to reduce social isolation and assist these people in reducing their reliance on alcohol and drinking activities.

Pathway into Problem Drinking

The average age of death for those who died of alcohol causes was comparatively young, particularly for women as shown in table 2.

Table 2 Average Age at Death

Year	Male	Female	Whole Sample
2003	56	57	56
2010	59	48	58
2013	54	51	54

However, the onset of problem drinking was frequently occurred many years before. Data from the 2010 and 2013 audits identified that 18% of the 2010 audit and 32% of the 2013 of the audit had developed problematic drinking by 25 years of age. Often this drinking started in teenage years when under the age of 18 years. There is a growing body of evidence that exposure of children and young people to drinking environments, including family parties and celebrations, and access to alcohol from family and friends is the trigger in initiating drinking behaviour.^{4, 5, 6}

There is also evidence that those who commence drinking at a young age consume more alcohol and die at a younger age⁶. The evidence from the local audits show that the average weekly amount of alcohol consumed by those who commenced drinking under 25 years was 392 and 280 units in the 2010 and 2013 audits compared to 200 and 220 for the whole samples audited in 2010 and 2013 respectively. The 2013 audit revealed that the

average age of death in the young drinkers compared to the whole sample was 49 years compared to 54.

The licensing boards have an important role to play in protecting children and young people from exposure to alcohol and earlier onset of alcohol consumption. Licensing boards should consider the wider aspects of alcohol related harm including the impact that normalisation of alcohol consumption has on children and young people and its role in the initiation of alcohol consumption. Parents who may normally be careful about what they drink have been shown to engage in risky binge drinking at family parties and this normalises excess alcohol consumption and increases the risk that children and young people will consume alcohol ⁶. Such practices, often in the context of an occasional licence application, emphasises the need for the licensing board to continue to exercise control over the hours during which children and young people are permitted to remain on licensed premises for their protection.

Support for Recovery

Patients who develop problematic drinking benefit from an alcohol free environment and activities that are not focused on alcohol to help them recover. The licensing board should consider what they can do to create alcohol free spaces in areas frequented by people recovering from alcohol addiction, such as a limit on alcohol sales around addiction centres, and a limit on alcohol provision in social housing used by people undergoing treatment.

The licensing board should consider the impact of outlet density as part of its overprovision assessment of licensing policy, paying particular attention to areas where statistics indicate high levels of alcohol related morbidity and mortality. Frequently this overlaps with areas identified in the Scottish Index of Multiple Deprivation as more deprived ⁷.

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7. Scottish Index of Multiple Deprivation 2016. Council Area Profiles. <http://www.gov.scot/Topics/Statistics/SIMD/analysis/councils>

6. Clerk's Comments on Summary of Findings of Alcohol Audits for Licensing Boards in Greater Glasgow and Clyde

This Summary of Findings was submitted on behalf of Dr. Chiang, separately to her direct response to the formal consultation. The paper was also circulated to other Licensing Boards in the Greater Glasgow and Clyde area, and intended to assist Boards in identifying vulnerable populations that Boards may wish to consider as part of their review.

The Summary requests, on the final page, that Licensing Boards continue to exercise control over the hours during which children and young people are permitted to remain on licensed premises for their protection, with particular reference to occasional licence applications.

From: McFadyen, Nadine [REDACTED]
Sent: 08 August 2018 15:57
To: [REDACTED]
Cc: Chiang, Catherine
Subject: Normalisation of Alcohol Use paper
Attachments: 7_8_18_revised-Normalisation of Alcohol Use formatted.docx

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Please see message below on behalf of Dr Catherine Chiang

Dear all,

Please find attached a short summary of evidence in relation to normalisation of alcohol use and its impact on populations, with particular focus on children and young people.

This should help to support the development of appropriate measures in alcohol licensing policies, addressing the objective of protecting children and young people from harm.

Please do not hesitate to get in touch if you require additional help accessing the references used to develop this guidance.

Regards,
Catherine

#hello my name is...

Nadine McFadyen | Team Secretary | NHS Greater Glasgow & Clyde | Health Improvement Team | Public Health Directorate | West House | Gartnavel Royal Hospital | 1055 Great Western Road | Glasgow | G12 0XH



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Health Improvement Team
West House, 1st Floor
Gartnavel Royal Hospital
1055 Great Western Road
Glasgow
G12 0XH

7th August 2018

Normalisation of Alcohol Use: Why it Matters

Introduction

Normalisation of alcohol use in adolescents is when under age alcohol use is recognised as a normal part of leisure or recreation and its use is increasingly de-stigmatised¹. Adolescents' substance use is influenced by their interpersonal relationships and the family and wider social cultural constraints and expectations. In the UK, data shows that alcohol use by adolescents is a widespread and socially accepted activity, rather than a deviant one¹. Adolescents who live in areas with high prevalence of alcohol use are less likely than their counterparts in low prevalence areas, to present some of the typical risk factors for substance use.

Key Risk Factors for Initiating Alcohol Use

Risk factors for adolescent drinking can be considered under two broad groups: cultural acceptability of alcohol consumption and family attitudes and practices.

1. The pro-alcohol culture

1.1 The pro-alcohol culture in the UK has led to normalisation of drinking in a range of settings and has resulted in a cultural blindness to the impact of alcohol related harm². This is a key driver to public attitudes to alcohol related harm. For instance, contrast the societal attitude to parents in the UK misusing drugs and the more usual response to a parent being "tipsy" from over indulging in alcohol consumption.

1.2 Alcohol advertising and sponsorship in the media and in bars and pubs have long lasting influences on young people's drinking. There is an association between exposure to alcohol advertising or promotional activity and subsequent alcohol consumption in young people. Exposure to advertising has led to both earlier initiation into drinking and heavier drinking by children and young people so exposed³. Risks are increased where licensed premises have no restrictions on where families can sit (e.g. at the bar,) the time that families can be present, where the focus is on drinking and where alcohol is advertised³. Without appropriate restrictions the risks of initiation into alcohol consumption and heavier drinking

by young people are considerably increased³. There is a clear relationship between the amount of exposure and frequency of alcohol advertising and the frequency of young people drinking. Evidence from 7 studies of more than 13 000 young people aged 10-26 years has shown that each additional alcohol advertisement seen by youngsters increases the alcohol consumption by 1%⁴. Children are more likely to drink beverages that have been heavily advertised unlike adults who consume a more diverse range of products³. Furthermore, non-drinking 12 year olds who possess or would like to possess a promotional item from an alcohol producer have a 77% higher chance of drinking one year later compared to children who do not possess a promotional item or do not have a favourite alcohol brand⁴.

2. Family Attitudes and Practices

2.1 Substance use by adolescents may be related to biological or genetic factors and emotional or mood disorders¹. However, parental and sibling substance use, as well as their attitudes and risk perceptions are important risk factors for adolescent substance use². Parents have the biggest initial influence on a child's decision to initiate and continue to consume alcohol, based on the family sub-culture generated by parents. Most children aged 5-12 has been offered or tried alcohol at home or at a family event or meal, and parents who drink more than the guidelines are more likely to think it is okay to offer alcohol to children².

2.2 This is illustrated by prospective studies which followed up large groups of children in America, Europe, and Australia and New Zealand that examined the impact that parental drinking and parental attitudes to adolescents drinking on the likelihood that an would adolescent drink. They found that when one or both parents drink more, their children are more likely to more likely to report more drinking and experience more alcohol related problems later on than others in the cohort⁵. Also, adolescents from permissive households where parents would not be upset about adolescent drinking, fail to set curfews, and know where their children were, were nine times more likely to drink than non permissive households⁶. Though the impact was reduced if the adolescent perceived peer disapproval of drinking and was less exposed to drinking by important adults⁶.

2.3 Supply of alcohol may be in the form early sipping of alcoholic drinks, a practice that many regard as harmless, but has been found to predict a risk of alcohol related problems in later adolescence. Delaying alcohol use under age reduces the deaths or injury of children from alcohol consumption². An increasing body of evidence substantiates the finding that parental supply of alcohol increases the risk of earlier drinking, earlier alcohol related problems, more frequent drinking, consumption of higher volumes of alcohol and more alcohol related problems in later life².

2.4 Often, the exposure of children to alcohol occurs at family parties and the subsequent occurrence of binge drinking and alcohol problems over time develop, despite parents believing that this is a controlled environment. Holidays and special events/family celebrations are occasions when parents are more likely to drink to excess and children (aged 7-12 years) are more likely to receive sips of alcohol. Allowing children to drinking at family parties is frequently the first step in the path to later alcohol problems. Parents are effectively normalising alcohol use to their children ².

3. Children's Views

3.1 The impact of drinking on the parent child relationship would benefit from more in depth study. Frequently this aspect is ignored by researchers at the expense of collecting data on units of alcohol consumed. Children do have views. The evidence that has been identified so far revealed that:-

- Children were worried and embarrassed at seeing parents drunk or tipsy in any socioeconomic group. It was more commonly reported in the children of heavy drinkers ².
- Children are aware of how much their parents are drinking and the emotional and social impact on their ability to parent. The effects were seen in parents who were non dependent drinkers ².
- Children are embarrassed at seeing parents drunk at family events ².
- Children are annoyed at having to get their parents back home again when they go out and get drunk ².

4 Children's Rights and Our Response

4.1 The UK government adopted the UN Convention of the Rights of the Child in 1989 ⁷. This includes protection from use of psychotropic substances defined in international treaties. There is a strong relationship between adult alcohol related harm and child and adolescent exposure and consumption. Salient examples include the occurrence of foetal alcohol spectrum disorder and the impact that alcohol related violence has on children and families. There is also substantial overlap between marketing of alcohol to adults and children, and exposure in an alcohol fuelled environment will inevitably result in children being overexposed to alcohol advertising. This infringes their rights to protection under the UN Convention of the Rights of the Child.

4.2 The 2014 WHO Global Status report of Alcohol and Health states that early initiation of alcohol use (before 14 years of age) is a predictor of impaired health status associated with increased risk of alcohol dependence and abuse in later life ⁸. Early drinking is associated with increased motor vehicle crashes and other unintentional injuries. Young people tend to drink to high risk levels when they do drink and tend to be less risk averse and engage in reckless behaviour while drunk ⁴.

4.3 A number of studies show that harmful drinking generally begins during adolescents and persists into adulthood and this has been noted in local audits of alcohol related deaths in GGC. It is calculated that the odds of future alcohol abuse or dependence are 7% greater for each year below the age of 21 years that alcohol consumption begins⁴. The risk of adult alcohol dependence is two to three fold greater for individuals who begin drinking by age 12 compared with those who begin at age 19⁴.

5 Implications for the Licensing Board

5.1 Exposure to alcohol advertising and exposure to alcohol consumption whether or not that consumption is considered excessive normalises alcohol consumption to children. Both of these practices increase the likelihood that children and young people will commence drinking.

Additionally, initiation of alcohol consumption frequently occurs in so called “controlled events” at family events and celebrations where sips of alcohol and encouragement of young people to drink occur.

Neither of these practices is in the best interests of the Rights of the Child. Both result in actual or potential harm.

5.2 The licensing board has a duty to protect children and young people from harm. This duty encompasses protecting children from excessive exposure to alcohol environments, areas where alcohol is advertised, alcohol consumption is the main focus of activity and where excessive consumption may occur. Restrictions on where children and young people may be seated in licensed premises, times when they may be present and supervision of children and young people in licensed premises are measures that reduce harm and promote wellbeing. The licensing board should ensure that all premises that permit children and young people to attend are suitable in terms of environment, supervision, and exposure to adults drinking. This includes all premises and all occasional licences granted by the Board. All new policies should ensure that the protection of children and young people is addressed as part of their policy and that the above measures are reviewed to ensure that they comply with the licensing objective of protecting children and young people from harm.

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7. United Nations Convention on the Rights of the Child. *UNICEF*. 1989
8. WHO Global Status Report on Alcohol and Health 2014. *WHO*

7. Clerk's Comments on Correspondence from Dr. Chiang enclosing report, Normalisation of use of Alcohol: Why it Matters

Dr. Chiang submitted this correspondence and attached report, on 8th August 2018, shortly after the formal consultation in relation to the Statement of Licensing Policy had closed. The paper was also circulated to other Licensing Boards in the Greater Glasgow and Clyde area, with the intention of assisting Boards in addressing the licensing objective of protecting children and young people from harm.

The Board will wish to consider whether to have regard to this correspondence and report, given its late submission.

The report asks Licensing Boards to ensure that all licensed premises allowing children or young persons' access are suitable in terms of environment, supervision and exposure to adults drinking.

Aileen Easdon

From: Aidan Collins [REDACTED]
Sent: 03 August 2018 15:19
To: licensing.cs (CSAlias10)
Subject: AFS Issues Paper Response
Attachments: AFS Response to Renfrewshire Formal Consultation Aug 2018.pdf
Categories: Red category

Hello,

Please find attached AFS's response to Renfrewshire Licensing Board's Issues Paper for formal consultation. I'd be grateful if you could confirm safe receipt.

Kind regards,

Aidan

Aidan Collins
Senior Coordinator (Policy and Research)
Alcohol Focus Scotland, 166 Buchanan St, Glasgow, G1 2LW

0141 572 6282 | aidan.collins@alcohol-focus-scotland.org.uk | www.alcohol-focus-scotland.org.uk



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AFS RESPONSE TO RENFREWSHIRE LICENSING BOARD ISSUES PAPER FOR FORMAL CONSULTATION **– AUGUST 2018**

Alcohol Focus Scotland (AFS) welcomes the opportunity to respond to Renfrewshire Licensing Board's Issues Paper. This response builds upon our pre-consultation response, which was submitted to the Board in January 2018, and provides an update on relevant developments.

Overprovision Assessment in relation to Licensed Premises

The Board is seeking views as to whether this area is overprovided in terms of licensed premises and, if so, whether it is overprovided in terms of all licensed premises or premises of a particular type. The Board would also welcome views on whether any exceptions should be provided within the terms of its policy, should it find overprovision, to allow potential applicants to consider what information would assist the Board in deciding whether to make an exception.

Subsequently to responding to the Board's pre-consultation in December, AFS worked with the Centre for Research on Environment, Society and Health (CRESH) at the Universities of Edinburgh and Glasgow to publish further evidence of the links between alcohol availability and harm in Scotland.

Detailed local information on alcohol availability and harm at neighbourhood level can be found using the [CRESH WebMap](#). In addition, profiles containing information about the levels of alcohol availability and related harm (at both a national level and for each local authority) can now be accessed via our website: www.alcohol-focus-scotland.org.uk/campaigns-policy/availability-and-licensing/alcohol-outlet-availability. We have also sent a copy of the Renfrewshire profile to accompany this response.

The CRESH data shows that Renfrewshire is ranked 7th out of 30 local authority areas for alcohol outlet availability in Scotland (9th for on-sales and 8th for off-sales outlets). Renfrewshire has an alcohol outlet availability lower than Scotland as a whole; neighbourhoods have an average of 13.3 alcohol outlets within 800m of the population centre, compared to the Scottish average of 16.8 outlets. However, 21% of neighbourhoods have a total outlet availability higher than the Scottish average, and of particular note is the finding that the most deprived neighbourhoods in Renfrewshire have 3.8 times the number of alcohol outlets than the least deprived.

When considering links to harm, a statistically significant relationship was found in Renfrewshire between alcohol outlet availability and alcohol-related death rates, alcohol-related hospitalisation rates and crime rates. Specifically, alcohol-related death rates in the neighbourhoods with the most alcohol outlets were 1.7 times higher than in neighbourhoods with the least, hospitalisation rates 2.4 times higher, and crime rates 6.4 times higher. The links between alcohol outlet availability and harm was found even when other possible explanatory factors, such as age, sex, urban/rural status and levels of income deprivation, had been taken into account.

AFS would recommend that the Board use the CRESH webmap to indicate areas where levels of availability and/or harm are sufficiently high to cause concern, and which may indicate that

overprovision would be an appropriate response. The webmap can be used to compare areas against the Scottish average for outlet availability, compare alcohol outlet availability between neighbourhoods *within* the local authority, and also identify corresponding rates of harm (e.g. alcohol-related hospitalisations, crime rates, and alcohol mortality).

An initial analysis using the CRESH webmap indicates that there are a number of neighbourhoods in Renfrewshire that have higher availability than the Scottish average and high levels of alcohol-related harm. This includes neighbourhoods within Paisley, Johnstone and Renfrew, some of which are within the highest 10% in Scotland in relation to both levels of alcohol outlet availability and alcohol-related harm.

With regards to exceptions, AFS believes that overprovision statements should be flexible as there may sometimes be legitimate reasons why an application would be granted in overprovision areas. Carefully setting out - within the policy itself - what will and will not be considered in as an exception in such circumstances may help to avoid potential appeals. However, the Guidance to the 2005 Act provides little to no detail about how this can best be achieved.

AFS would recommend that the focus of deliberations on exceptions should be firmly on the Board's functions under the Act - which are broadly the promotion of the licensing objectives and the licensing of premises/persons for the sale of alcohol. There may be exceptional cases in which an applicant is able to demonstrate that the grant of an application would not undermine the licensing objectives, but the Board should take care not to imply in the policy that (should an applicant be able to demonstrate that the licensing objectives would not be undermined) this would somehow reverse the rebuttable presumption. Overprovision is a grounds for refusal in its own right (as borne out in case law) i.e. in an overprovision case where there is no inconsistency with the objectives does not mean there is no overprovision as it is a separate issue.

AFS would also stress that commercial considerations would be an irrelevant factor in considerations of whether or not a licence should be refused. For example, there is nothing in the relevant legislation to suggest that a board may overrule overprovision on the grounds that there are commercial benefits or employment opportunities arising from new licensed premises.

Licensing Objectives

Police Scotland suggest a condition requiring a member of staff fully trained on the operation of the CCTV system to be present on the premises during their licensed hours. The Board would appreciate views from consultees on this proposal from Police Scotland and on whether the existing 'control measures' set out in the current Statement of Licensing Policy should be amended to promote the licensing objectives. Police Scotland also propose that the Board consider suggesting further control measures within licensed premises, including the wearing of high visibility clothing by door stewards and the effective dispersal by door stewards of patrons.

The Board would welcome responses from consultees in relation to the above comments from Police Scotland.

AFS would fully support the inclusion of the control measures suggested by Police Scotland within the policy.

Children's Access

Views from consultees are sought in relation to whether hours for children (0-15 years) or young persons (16-17 years) should be specified. Where consultees wish to respond in relation to this

issue, the Board would welcome views as to whether any policy on access hours ought to differentiate between children and young persons, or the age of the children or young persons.

In this regard, Renfrewshire Health and Social Care Partnership have suggest that the Board may wish to consider whether access by children of all ages (0-15) should cease at 11pm and whether young persons should require to leave at 1pm, which may be before the end of functions which they are attending.

The Board would also welcome views on whether any such change to children and young person's access in terms of the policy should cover their access to sporting events.

AFS appreciates that some Boards wish to encourage applications for licensed events and venues that are family friendly and safe for children. However, as highlighted in our pre-consultation response, evidence shows that children and young people are influenced by the behaviour of adults they observe and this should be taken into account when considering the appropriateness of licensing applications. It will also be important that the new policy addresses the broader impact of alcohol on children and young people, including the impact of parental drinking.

In general, AFS would expect that premises that do not offer food of any description are highly unlikely to be a suitable environment for children. During a series of Regional events hosted by AFS in 2016, concerns were also expressed across Scotland regarding occasional licences being granted for events mainly or exclusively targeted at families where children would be present. We would therefore recommend that the new policy make clear that if there are no other activities available other than the sale of alcohol, or an event is aimed primarily at children and young persons or families where large numbers of children will be present, it is unlikely that a licence should be granted.

As noted in our pre-consultation response, AFS would be interested to hear the views of children and young persons and their representative organisations on these issues, particularly with regards to whether the Board should apply the same policy to children and to young persons or whether different approaches should be taken for these different age groups.

Licensed Hours

Should the commencement of off sales hours on a Sunday be restricted to 11am in relation to future licensing applications?

Should a policy be introduced restricting the licensed hours for new off-sales licensing applications until an earlier hour than 10pm (if so, please specify what suitable policy hours would be)?

Should the policy provide that an applicant is able to seek hours until 10pm if he can persuade the Board this is not inconsistent with the licensing objectives?

AFS is pleased that the Board is consulting on licensed hours and we look forward to hearing the views of local stakeholders on this issue. As a national organisation, we are not in a position to comment on local experiences, but can offer further comment on the impact of licensed hours more generally and the evidence available to support this.

AFS has identified over 50 research studies published since 2000 that find an association between the total number of licensed premises and opening hours in a locality, and levels of alcohol harm. Localities examined include cities, states, provinces and countries and several studies have specifically investigated the links between temporal availability and alcohol harm. This includes a 2017 systematic review of literature (published between 2000-2016) studying the impact of policies

regulating alcohol trading times on alcohol-related harm, which found that policies regulating times of alcohol trading can contribute to reductions in injuries, alcohol-related hospitalisations/emergency department visits, homicides and crime.¹

Extended hours increase availability of alcohol, which in turn is linked to increased consumption and increased harm. As such, AFS welcomes that the Board is considering reducing off-sales hours and is specifically seeking views on reductions to morning and evening trading hours.

AFS would support reduced hours in order to reduce levels of consumption and harm, particularly in areas experiencing high levels of alcohol-related harm, and to better meet the needs of vulnerable groups. We have previously recommended that evening off-sales hours should be reduced to 8pm;² this was in response to research that demonstrated that reductions in off-sales hours in the evening can work to reduce alcohol-related harm, particularly for vulnerable groups such as young adolescents and dependent drinkers who may rely on off-sales as their main or only source of alcohol. In addition, AFS would support the commencement of off sales hours on a Sunday being restricted to 11am.

Any exceptions should be based on the needs of the local community, as opposed to any commercial considerations, and only if - as suggested - the applicant is able to demonstrate that the grant of additional hours would not undermine the licensing objectives.

Licence Conditions

The Board would be interested as to what other licensing conditions should be considered.

AFS has produced a Licensing Resource Pack that provides examples of conditions that could be applied, and research which demonstrates the impact of different measures on alcohol related harm. This may particularly useful for the Board when developing the new Licensing Policy Statement, and can be downloaded from our website here: <http://www.alcohol-focus-scotland.org.uk/media/291077/afs-licensing-resource-pack.pdf>

Enforcement

In response to the initial, informal consultation, it has been suggested that the policy statement be extended to explain the role of Licensing Standards Officers (LSOs). The Board would welcome views on how this section might be expanded. To assist consultees, a draft additional section is set out.

AFS commends the Board for drafting and consulting on this additional section, and we hope that other Boards adopt a similar approach. We are particularly pleased that the drafted section specifically acknowledges that involvement in licensing can be a daunting experience for community members, and signposts to sources of support and information. This can be extremely important for many community members, who may feel intimidated by overly formal processes and environments. It will be important that this section is appropriately titled e.g. *'Sources of information and support'*, clearly listed in the contents, and can be easily found by community

¹ Sanchez-Ramirez DC, Voaklander D. [The impact of policies regulating alcohol trading hours and days on specific alcohol-related harms: a systematic review](#). Injury Prevention 2018;24:94-100.

² MacNaughton, P. & Gillan, E. (2011). Rethinking Alcohol Licensing. Glasgow: Alcohol Focus Scotland and Edinburgh: Scottish Health Action on Alcohol Problems. <http://www.alcohol-focus-scotland.org.uk/media/59902/Rethinking-alcohol-licensing.pdf>

members. It would, for example, be unlikely that people would know/think to look for this information in a section entitled 'enforcement'.

Alcohol Deliveries

The Board would welcome views from consultees as to any particular local licence conditions might be attached to new premises licences seeking to provide an alcohol delivery service. The Board would welcome the views of consultees on the suitability of the suggested conditions and any other conditions which consultees may consider should be attached to such premises licences

AFS fully supports the suggested conditions. We are urging all boards to set out their approach to online retailers within their new policies, including by requiring that when making an alcohol delivery certain checks should be carried out such as Challenge 25. In addition, the policy could require that orders cannot be left in nominated safe places, and that staff delivering alcohol must be trained to the same level as staff who sell or supply alcohol in licensed premises. The Board could also explore the possibility of placing conditions on online retailers to request details of sales and distribution areas, as well figures on delivery refusal rates.

Extended Use of Occasional Licences

The revised draft Statement of Licensing Policy proposes that applications for occasional licences, where it is appropriate for a premises licence to be obtained, are referred to two Members of the Licensing Board for consideration. An alternative approach to this is followed in another Licensing Board area, where such applications may not be considered under delegated authority where premises have been repeatedly operating on the basis of occasional licences. The views of consultees would be welcomed in relation to how the Board should approach these applications in future.

AFS would recommend that Board requires a hearing where it identifies that an applicant has made repeated occasional licence applications. The Board could also adopt a policy whereby a certain number of back-to-back occasional applications (exceeding a set threshold) be automatically referred to the Board for a decision.

In order to ensure that the sale of alcohol under occasional licenses is appropriately conditioned to uphold the licensing objectives, the Board could also include an Occasional Licence Application and Supplementary Information Form as an appendix. This approach is already adopted in some other board areas, where occasional licence holders are asked to demonstrate how they will promote the five licensing objectives, and provide practical examples of how they plan to comply with each objective.

From: Aidan Collins [REDACTED]
Sent: 03 August 2018 16:25
To: licensing.cs (CSAlias10)
Subject: FW: AFS Issues Paper Response
Attachments: Alcohol Outlet Availability and Harm in Renfrewshire.pdf

Categories: Red category

Hello,

Further to the AFS response, please also find attached a profile containing information about alcohol outlet availability and harm in Renfrewshire. Apologies I had forgotten to attach it originally.

Many thanks,

Aidan

From: Aidan Collins
Sent: 03 August 2018 15:19
To: 'licensing.cs@renfrewshire.gov.uk' <licensing.cs@renfrewshire.gov.uk>
Subject: AFS Issues Paper Response

Hello,

Please find attached AFS's response to Renfrewshire Licensing Board's Issues Paper for formal consultation. I'd be grateful if you could confirm safe receipt.

Kind regards,

Aidan

Aidan Collins
Senior Coordinator (Policy and Research)
Alcohol Focus Scotland, 166 Buchanan St, Glasgow, G1 2LW

0141 572 6282 | aidan.collins@alcohol-focus-scotland.org.uk | www.alcohol-focus-scotland.org.uk



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Alcohol Outlet Availability and Harm in Renfrewshire

April 2018

This document sets out the findings from research by Alcohol Focus Scotland (AFS) and the Centre for Research on Environment, Society and Health (CRESH), which investigated whether alcohol-related health harm (hospitalisations and deaths) and crime rates across Scotland were related to the local availability of alcohol outlets. The relationship between income deprivation and alcohol outlet availability was also examined.

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Key findings

- Renfrewshire is **ranked 7th out of 30 local authority areas for alcohol outlet availability** in Scotland (9th for on-sales and 8th for off-sales outlets).
- **Alcohol-related death rates in the neighbourhoods with the most alcohol outlets were 70% higher** than in neighbourhoods with the least.
- **Alcohol-related hospitalisation rates in the neighbourhoods with the most alcohol outlets were 2.4 times higher** than in neighbourhoods with the least.
- **Crime rates in the neighbourhoods with the most alcohol outlets were 6.4 times higher** than in neighbourhoods with the least.
- The link between alcohol outlet availability and harm was **found even when other possible explanatory factors**, such as age, sex, urban/rural status and levels of income deprivation, **had been taken into account**.
- **The most deprived neighbourhoods had 3.8 times the number of alcohol outlets** than the least deprived neighbourhoods.
- **The total number of alcohol outlets in Renfrewshire increased by 14 (3.3%)** from 422 in 2012 to 436 in 2016.

Introduction

Alcohol availability refers to the ease of access to alcohol, whether to drink on the premises (e.g. pubs, clubs or restaurants) or to drink off the premises (e.g. shops and supermarkets). Alcohol availability includes the number, capacity and opening hours of alcohol outlets. Studies from other countries have consistently found an association between alcohol availability and alcohol-related problems, particularly outlet availability (the number of alcohol outlets in a given area). [Previous research](#) carried out in 2014 by this research team (the Centre for Research on Environment, Society and Health at the Universities of Edinburgh and Glasgow) suggests that this relationship is also true for Scotland. This profile provides a summary of the updated analysis for Renfrewshire. A Scotland profile is also [available](#).

Information was gathered on the number of places selling alcohol, health harms and crime rates within neighbourhoods across the whole of Scotland and for each local authority area. Researchers compared data zones (small areas representing neighbourhoods that have between 500 and 1000 residents) to see if there was a relationship between the number of alcohol outlets in a neighbourhood and the rates of alcohol-related deaths and hospitalisations. The profiles also consider, for the first time, the relationships between alcohol outlet availability and crime and deprivation rates.

Alcohol Outlet Availability in Renfrewshire

Alcohol outlet availability within neighbourhoods

Alcohol outlet availability was calculated by measuring the number of outlets within 800m (approximately a ten minute walk) of each data zone (neighbourhood)'s population centre. There are 225 neighbourhoods in Renfrewshire. The average number of outlets for each neighbourhood was calculated to obtain ranks for outlet availability for all local authority areas within Scotland (with the area ranked 1st having the highest availability and 30th the lowest availability).

Renfrewshire is **ranked 7th out of 30 local authority areas for alcohol outlet availability** in Scotland (9th for on-sales and 8th for off-sales outlets). In Renfrewshire, in 2016:

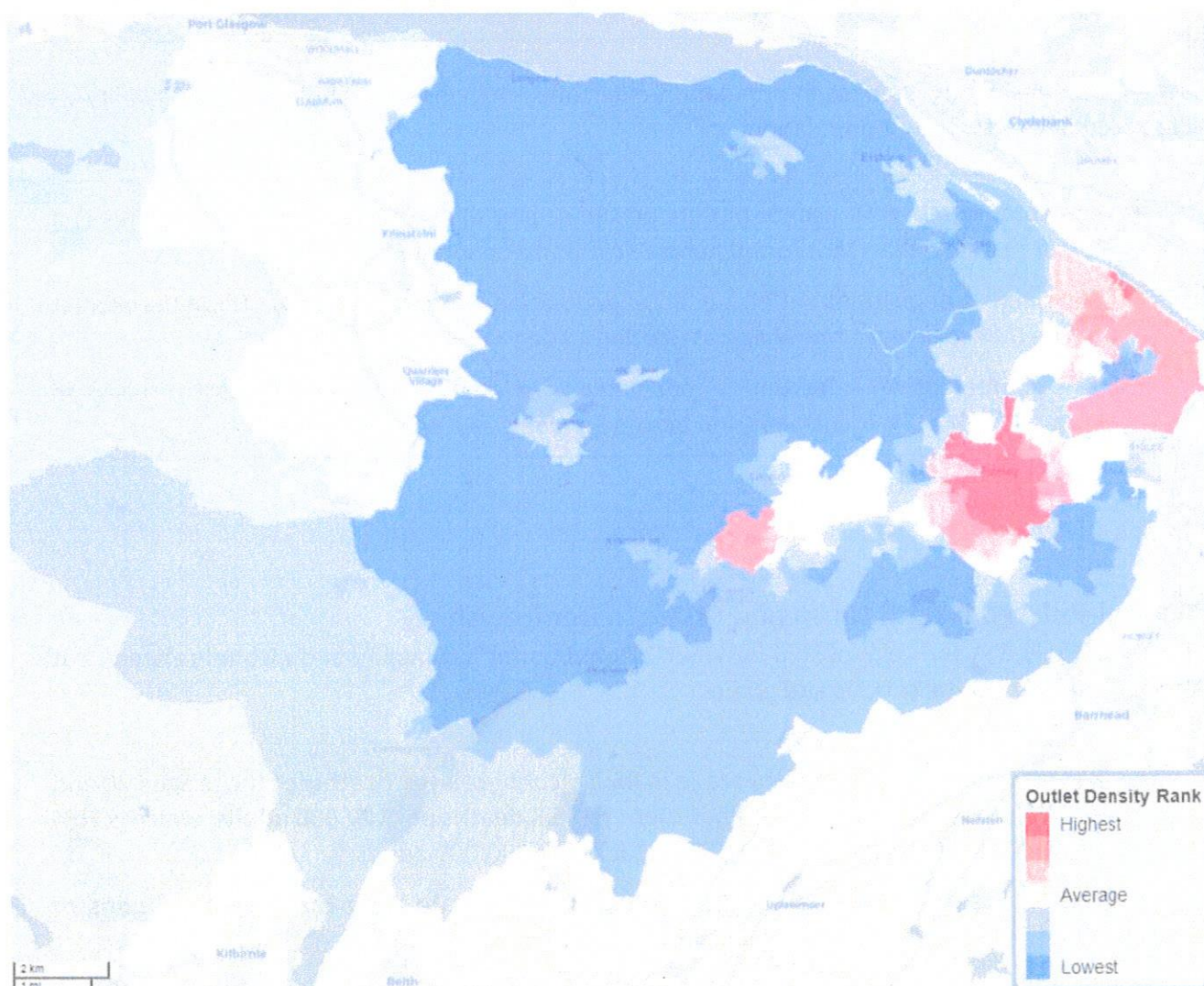
- There were **436 alcohol outlets: 297 on-sales and 139 off-sales outlets**.
- Neighbourhoods had **between 0 and 93** alcohol outlets within 800m of the population centre.
- Neighbourhoods had an average of **13.3 alcohol outlets** within 800m of the population centre, compared to the Scottish average of 16.8 outlets. **21% of neighbourhoods had total outlet availability higher than the Scottish average.**
- Neighbourhoods had an average of **8.5 on-sales outlets** within 800m of the population centre, compared to the Scottish average of 11.4 outlets. **19% of neighbourhoods had on-sales outlet availability higher than the Scottish average.**
- Neighbourhoods had an average of **4.8 off-sales outlets** within 800m of the population centre, compared to the Scottish average of 5.4 outlets. **29% of neighbourhoods had off-sales outlet availability higher than the Scottish average.**

Renfrewshire has an **alcohol outlet availability lower than Scotland as a whole**. For a more complete picture, it is also useful to compare alcohol outlet availability between neighbourhoods *within* the local authority. This can be done by using the [CRESH WebMap](#), as demonstrated in the next section.

Renfrewshire Outlet Availability Map

Using the WebMap available at <https://creshmap.com/shiny/alcoholtobacco/>, alcohol and outlet availability (or 'density') can be mapped for data zones across Scotland. This can be done for on-sales, off-sales, and total outlets. Options are to compare against the Scottish average, the rural/urban average, local authority average or deprivation average for each data zone.

The map below shows the total alcohol outlet availability within 800m of the data zone population centre for each neighbourhood within Renfrewshire. The areas are colour-coded depending on how they compared with the average outlet availability for neighbourhoods within Renfrewshire.



Data on each neighbourhood's alcohol availability can also be downloaded from the WebMap, alongside information on alcohol-related mortality, alcohol-related hospitalisations, crime rate and income deprivation.

Alcohol outlet availability in Renfrewshire from 2012 to 2016

The change in the number of alcohol outlets within the local authority area was examined.

- The **total number** of alcohol outlets **increased by 14 (3.3%)** from 422 in 2012 to 436 in 2016. This is **similar to the 2.9% increase found across Scotland as a whole**.
- The **number of on-sales outlets** **increased by 15 (5.3%)** from 282 in 2012 to 297 in 2016. This is **a much larger increase than that found across Scotland as a whole (1.5%)**.
- The **number of off-sales outlets** **decreased by 1 (0.7%)** from 140 in 2012 to 139 in 2016. This is **in contrast to the 6.4% increase found across Scotland as a whole**.

To take account of any changes in population over time, changes in alcohol outlet availability were calculated per 10,000 adult population:

- The **total number** of alcohol outlets per adult population **increased by 1.7%**. This is a **larger increase than that found across Scotland as a whole (0.6%)**.
- The **number of on-sales outlets** per adult population **increased by 3.7%**. This is **in contrast to the 0.8% decrease found across Scotland as a whole**.
- The **number of off-sales outlets** per adult population **decreased by 2.3%**. This is **in contrast to the 4% increase found across Scotland as a whole**.

Alcohol-Related Health Harm and Crime in Renfrewshire

The study looked at the relationship between alcohol outlet availability and alcohol-related deaths, alcohol-related hospitalisations and crime.

- Renfrewshire has an **annual average of 45.8 alcohol-related deaths** for those aged 20 and over (from 2011-2016). This is equivalent to **26.3 deaths per 100,000 adults**, which is **20% higher than the Scottish rate** of 21.8 deaths per 100,000 adults.
- The local authority has an **average hospitalisation rate ratio for neighbourhoods of 143.4**, which is **43% higher than the ratio for Scotland** of 100.
- Renfrewshire's **average neighbourhood crime rate is 367.1 crimes per 10,000 population**, which is **11% higher than the Scottish average** of 331.2 per 10,000 population.

Alcohol-Related Death Rates and Alcohol Outlet Availability

In Renfrewshire, a statistically significant relationship was found between alcohol outlet availability and alcohol-related deaths: neighbourhoods with more places to buy alcohol had higher alcohol-related death rates.

Alcohol-related death rates were associated with the number of total and on-sales outlets:

- Alcohol-related death rates in the **neighbourhoods with the most alcohol outlets** were **70% higher** than in neighbourhoods with the least.
- Alcohol-related death rates in the **neighbourhoods with the most on-sales outlets** were **80% higher** than in neighbourhoods with the least.

The above relationships were found even when other explanatory factors were accounted for, namely income deprivation, urban/rural status and the age and sex demographics of the population. This means that **the association between outlet availability and alcohol-related deaths is not explained by the level of income deprivation, how urban or rural an area is, or the demographics of those living in an area.**

Alcohol-Related Hospitalisation Rates and Alcohol Outlet Availability

In Renfrewshire, a statistically significant relationship was found between alcohol outlet availability and alcohol-related hospitalisations: neighbourhoods with more places to buy alcohol had higher alcohol-related hospitalisation rates.

Alcohol-related hospitalisation rates were associated with the number of all types of alcohol outlets (total, on-sales and off-sales):

- Alcohol-related hospitalisation rates in the **neighbourhoods with the most alcohol outlets** were **2.4 times higher** than in neighbourhoods with the least.
- Alcohol-related hospitalisation rates in the **neighbourhoods with the most on-sales outlets** were **2.3 times higher** than in neighbourhoods with the least.
- Alcohol-related hospitalisation rates in the **neighbourhoods with the most off-sales outlets** were **2.1 times higher** than in neighbourhoods with the least.

The above relationships were found even when other explanatory factors were accounted for, namely income deprivation, urban/rural status and the age and sex demographics of the population. This means that **the association between outlet availability and alcohol-related hospitalisations is not explained by the level of income deprivation, how populated an area is, or the demographics of those living in an area.**

Crime Rates and Alcohol Outlet Availability

In Renfrewshire, a statistically significant relationship was found between alcohol outlet availability and crime rates: neighbourhoods with more places to buy alcohol had higher crime rates than neighbourhoods with the least.

The data used was from the Crime Domain of the Scottish Index of Multiple Deprivation, which includes crimes of violence, sexual offences, domestic house breaking, vandalism, drug offences and common assault. The data however does not record whether the perpetrators of crime had consumed alcohol and excludes some offences which are commonly associated with alcohol consumption, such as breach of the peace, or anti-social behaviour.

Crime rates were associated with the number of all types of alcohol outlets (total, on-sales and off-sales):

- Crime rates in the **neighbourhoods with the most alcohol outlets** were 6.4 times higher than in neighbourhoods with the least.
- Crime rates in the **neighbourhoods with the most on-sales outlets** were 4.9 times higher than in neighbourhoods with the least.
- Crime rates in the **neighbourhoods with the most off-sales outlets** were 6.5 times higher than in neighbourhoods with the least.

The above relationships were found even when other explanatory factors were accounted for, namely urban/rural status of the neighbourhoods and level of income deprivation. This means that **the association between outlet availability and crime rate is not explained by more crime being committed in more urban or deprived areas.**

Income Deprivation and Alcohol Outlet Availability

Renfrewshire has an **average income deprivation rate for neighbourhoods of 13.6%**. This is **9% higher than the Scottish average of 12.5%**. Data for income deprivation were obtained from the Scottish Index of Multiple Deprivation 2016 Income Domain, which is represented as a percentage of the total population in receipt of benefits. More information on this measure is available in the [Methodology](#) section.

In Renfrewshire, **a statistically significant relationship was found between alcohol outlet availability and degree of income deprivation:** the most deprived neighbourhoods had more places to buy alcohol than the least deprived neighbourhoods.

A difference in the number of all types of alcohol outlets (total, on-sales and off-sales) was found between the most deprived and least deprived neighbourhoods:

- **The most deprived neighbourhoods had 3.8 times the number of alcohol outlets** than the least deprived neighbourhoods.
- **The most deprived neighbourhoods had 3.7 times the number of on-sales outlets** than the least deprived neighbourhoods.
- **The most deprived neighbourhoods had 4 times the number of off-sales outlets** than the least deprived neighbourhoods.

The above relationships were found even when other explanatory factors were accounted for, namely population levels. This means that **the association between outlet availability and income deprivation is not explained by the size of populations in a neighbourhood.**

Interpreting the Findings

The relationship between alcohol outlet availability and health and social harms

The strong relationship found in Scotland between the number of alcohol outlets, crime rates and alcohol-related health outcomes suggests that the local availability of alcohol may influence drinking behaviours and associated alcohol-related problems. This relationship meets the criteria of statistical tests and is termed **statistically significant**. Judgements as to statistical significance of each result were made throughout by applying a 95% significance level ($p < 0.05$).

These results agree with findings from other studies in Scotland and beyond showing that there is an association between alcohol outlet availability and many types of health and social harms, such as violence, hospital attendance, underage drinking, and drink driving. See Section 5 of the [Alcohol Focus Scotland Licensing Resource Pack](#) for more detailed evidence.

A relationship was found between outlet availability and harm in both urban and rural areas

There is a significant relationship between outlet availability and harm in both the urban and the rural areas of Scotland. However, in some very rural local authorities (e.g. Orkney Islands, Shetland Islands and Eilean Siar) no statistically significant relationship between alcohol outlet availability and alcohol-related health harm was found. These areas have relatively low population and fewer data zones, which can make it difficult to find a statistical relationship between any two factors.

Other explanatory factors were taken into account

When assessing whether there is a relationship between alcohol outlet availability and harm, a number of other factors that may explain the results were taken into account in the analysis. When looking at whether alcohol outlet availability was related to alcohol-related deaths, alcohol-related hospitalisations and crime, the degree of income deprivation and the rural/urban status of the area were taken into account. For alcohol-related deaths and hospitalisations, the analysis also took into account the age and sex demographics of the population. This means that the relationships found are not explained by levels of deprivation, how populated an area is, or the demographics of the population. When looking at the relationship between income deprivation and outlet availability, population levels were taken into account. This means that the relationships found are not explained by the size of populations in a neighbourhood.

Factors affecting whether a statistically significant relationship can be found

When looking at areas smaller than the whole of Scotland a number of factors can influence if a statistically significant relationship is found. Being able to assess whether there is a relationship depends on the ability to compare areas of high alcohol outlet availability with areas of low availability. At a national level, there is sufficient variation in the number of alcohol outlets across the country to be able to make this comparison. However, within some local authorities, where the alcohol outlet availability is more evenly spread across the area, there may not be enough variation in exposure to outlet availability to enable a comparison. In addition, if the whole area is over-supplied then it will not be possible to detect a difference between one locality and another.

For the smaller local authority areas it can be difficult to find a statistical relationship between outlet availability and harm if there are too few neighbourhoods. For example, both Clackmannanshire and the Islands authority areas have less than 100 neighbourhood areas. In addition, outlet availability tells us something about the amount of alcohol available in an area but there are also other factors such as the size of the premises, level of alcohol sales, the opening hours and how far people travel to buy alcohol.

Deaths in particular are rare events that are especially difficult to analyse in areas with relatively small populations. In addition to this, mortality data was only available for a 6 year period, compared to the 10 year period available for the previous analysis; the boundaries of data zones changed between 2012 and 2016, limiting the number of years of death data that could be included. For this reason, coupled with falling mortality in general, the number of deaths analysed are small in some local authorities.

Whilst taking all of these factors into account, not finding a statistically significant relationship between alcohol outlet availability and harm may simply be because there is no relationship within that area.

Developing the most accurate picture of alcohol availability

The number of alcohol outlets in an area tells us something about the amount of alcohol available in an area but there are other factors that affect how readily accessible alcohol is. For example, the size of the premises (a supermarket will provide a greater volume and variety of alcohol than a small corner shop), the opening hours of the premises and how far people travel to buy alcohol. Currently, the number of alcohol outlets is the only information available for the whole of Scotland.

If more detailed information on the alcohol capacity of premises, their opening hours, alcohol sales and the catchment of the customers were collected this would enable further improvements in our understanding of the relationship between alcohol outlet availability and alcohol-related harm. Even without this more detailed information, a clear and statistically significant relationship between the availability of alcohol outlets and alcohol-related harm was found for Scotland as a whole.

Methodology

Summary

We investigated whether alcohol outlet availability was associated with alcohol-related health outcomes (hospitalisations and deaths) and overall crime rates for Scottish data zones. This analysis builds on [previous research](#), updating analysis of the relationship between alcohol outlet availability and harm in Scotland using more recent outlet availability, mortality and hospitalisation data. It also expands the analysis of alcohol-related harms to include crime data, and assesses whether the availability of alcohol outlets found in Scottish neighbourhoods is related to the degree of income deprivation in these areas. This builds upon [analysis published in 2015](#), using a similar methodology.

Geographical units

The data zone is the key small-area (neighbourhood) geographical unit used by the Scottish Government in the dissemination of official statistics, with populations of between 500 and 1000. There are 6,976 data zones in Scotland; the data zones used were devised for the 2011 census. Differences for data zones were compared across Scotland as a whole, and within 30 local authority areas. Twenty-nine of the local authority areas in place since 1996 were used. The three island local authorities (Shetland Islands, Orkney Islands and Eilean Siar) were grouped together as separately they have too few data zones to be able to carry out these analyses.

Alcohol outlet availability

The locations of outlets licensed to sell alcohol for consumption on the premises (on-sales) and off the premises (off-sales) were obtained in 2016 from each local licensing board. The datasets were checked for errors (e.g. duplications), resulting in verified locations for 11,522 on-sales alcohol outlets and 5,107 off-sales outlets. Outlets selling alcohol for consumption both on and off the premises were counted as on-sales outlets. The resulting dataset corresponds closely with official figures (counts by local authority) from the Scottish Liquor Licensing Statistics 2015-16.

Alcohol outlet availability was measured for each data zone as the number of on-sales, off-sales, or total outlets within 800m of the population centre of the data zone (800m represents a 10-minute walk at average pace). This 800m zone (area 2.0 km²) was assumed to represent the typical neighbourhood experienced by the population of a data zone.

The example in Figure 5 shows that a circle with a radius of 800m around this data zone's population centre (red star) contains 73 on-sales outlets: including a number within neighbouring data zones. Data zones were grouped into five availability groups, from lowest (group 1) to highest (group 5). The highest availability group contains the 5% of data zones with the greatest outlet availability. Groups 2-4 were defined by dividing the remaining data zones into four groups containing equal numbers of neighbourhoods based on rank of outlet availability.

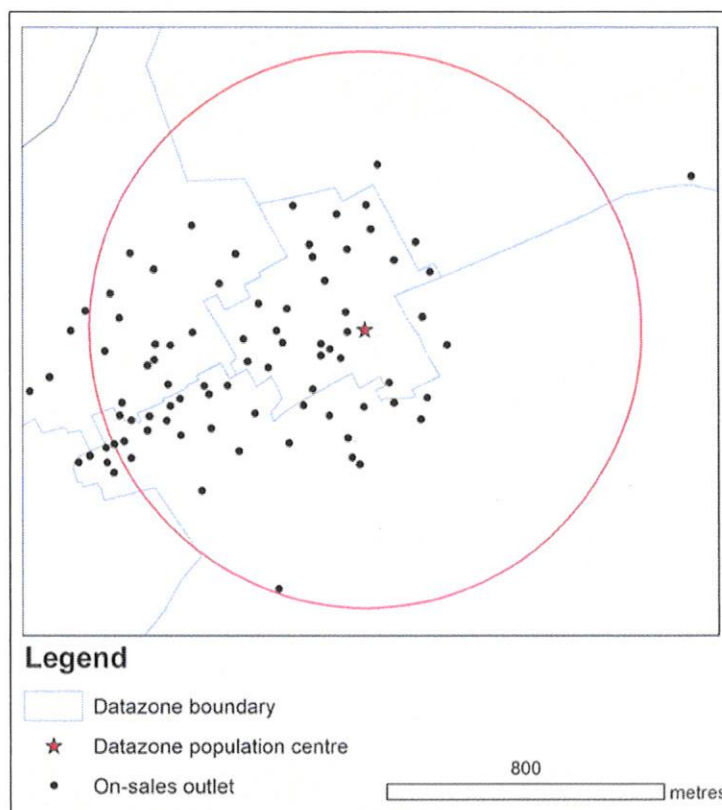


Figure 7. Calculating alcohol outlet availability for a data zone

For very rural areas, where the population is widely dispersed across the data zone, this measure might be a less accurate representation of numbers of outlets that are easily accessible.

Analysis

Multivariate regression models were used to assess whether alcohol outlet availability was related to alcohol-related deaths, alcohol-related hospitalisations and crime within data zones, independent of the degree of income deprivation in the areas and their rural/urban status. For both alcohol-related deaths and hospitalisations, the analysis also took into account the age and sex structure of the population. The models estimated the risk of alcohol-related harms in each of the outlet availability groups relative to a reference group, the group containing the neighbourhoods with the lowest outlet availability.

In testing the relationship between outlet availability and income deprivation, a bivariate analysis was used to compare the mean alcohol outlet availability rates per 10,000 population over 18 years old in groups of data zones with different levels of income deprivation. The 'high' and 'low' income deprivation groups of areas compared in the analysis contained the fifth of data zone areas with the greatest and least income deprivation.

Population

Data zone population data was used in the analysis of the relationship between outlet availability and income deprivation, and between outlet availability and alcohol-related deaths. Population data from the National Records of Scotland was used to describe data zone populations from 2011-2016.

Mortality

The mortality data were supplied by the National Records of Scotland. These data were given for data zones for the period 2011-2016 combined. The time period was set due to the availability of population estimates at 2011 data zone level. The definition of an alcohol-related death is based on [International Classification of Diseases codes](#), and the [2006 National Statistics definition](#) of alcohol-related deaths.

Hospitalisations

The hospitalisations data were extracted from the [Scottish Index of Multiple Deprivation 2016](#) Health Domain. SIMD alcohol-related hospitalisation was based upon the number of continuous inpatient stays, 2011-2014, with a diagnosis of an alcohol-related condition. Hospitalisations are represented for each data zone as a ratio of the number of hospitalisations recorded in the data zone relative to the number that would have been 'expected' based upon the average rates for Scotland, standardised by age and sex.

Crime

The crime data were extracted from the [Scottish Index of Multiple Deprivation 2016](#) Crime Domain. Crimes included in the domain are crimes of violence, sexual offences, domestic house breaking, vandalism, drug offences and common assault recorded during 2014-15, per 10,000 population.

Income Deprivation

Data for income deprivation were obtained from the [Scottish Index of Multiple Deprivation 2016](#) Income Domain. The Income Domain is a count of the number of people claiming selected means-tested benefits in 2013-14 and 2015 divided by the total population in 2014. It is therefore a percentage of the total population in receipt of benefits. The benefit data originates from the Department of Work and Pensions and HMRC.

Urban/Rural

The urban/rural status of data zones were defined using the [Scottish Government 6 Fold Urban Rural Classification](#). In this analysis the six classifications were combined into three categories 'urban' (combining 'large urban areas' and 'other urban areas'), 'small towns' (combining 'accessible small towns' and 'remote small town') and 'rural' (combining 'accessible rural' and 'remote rural').

Alcohol Focus Scotland • 166 Buchanan Street • Glasgow G1 2LW

 0141 572 6700  enquiries@alcohol-focus-scotland.org.uk  www.alcohol-focus-scotland.org.uk  [@alcoholfocus](https://twitter.com/alcoholfocus)

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Resource 3: Policy action to promote the licensing objectives

The information in this resource outlines interventions that licensing boards can implement through their policy and overprovision statements to promote the licensing objectives and control the overall availability of alcohol in the local area.

The Licensing (Scotland) Act 2005 gives licensing boards the flexibility to supplement mandatory license conditions with local conditions to deal with local issues or circumstances. These conditions can be imposed when granting a new premises licence or variation, or reviewing a premises licence. The same is true for overprovision. Though boards must follow the process set out in the guidance when assessing overprovision in their local area, they have flexibility when deciding what the appropriate local response is to addressing availability.

“ *Flexibility to deal with local circumstances is a vital component of the new licensing regime.* ”
Licensing (Scotland) Act 2005 Guidance

Conditions imposed by a licensing board can either be included as standard within the board's licensing policy statement, or can be ad-hoc based on the particular circumstances of an individual application. If standard conditions are developed as part of a licensing policy statement, it will be for the applicant to demonstrate why the condition should not be imposed, whereas in the case of ad-hoc conditions, the onus is on the Board to show why a condition would be necessary or expedient. Either way, an evidence base is required for conditions.

It should be noted that boards may not impose a condition which relates to a matter which is regulated under another enactment, such as planning, building control or food hygiene (see *Brightcrew Limited v The City of Glasgow Licensing Board*, 2011).

Managing the overall availability of alcohol
Rationale
Drinking patterns and problems are influenced by how easy or convenient alcohol is to obtain. Evidence demonstrates that restricting physical access to alcohol works to prevent and reduce many acute and long-term problems linked to alcohol consumption. For evidence on alcohol availability and harm see Resource 2 in Section 5.
Policy options
<ul style="list-style-type: none">❑ Restricting licensed hours❑ Restricting the number, type and capacity of licensed premises

Managing the operating conditions of licensed premises

Rationale

Targeted measures to modify the retail environment where alcohol is sold or consumed can work to reduce specific types of alcohol harm, particularly those linked to intoxication.

Policy options - on-sales

Risky operating conditions in on-sales premises include crowding; high percentage of customers standing; untidiness; dull lighting; dirty drinking glasses; high noise levels; type and speed of music; underage customers; and hostile or unfriendly staff and door stewards.

Conditions relating to securing public safety could include a curfew on entry to nightclubs; the promotion of food; calling last orders in plenty of time; managing the exit of patrons; requiring minimum lighting levels; requiring the use of plastic glasses after certain hours; and requiring that outdoor tables are regularly cleared of crockery and glasses.

Conditions relating to prevent crime and disorder could include requiring door searches; regular drugs checks; and notice board warnings related to drugs and offensive weapons.

Conditions relating to the protection of children and young people could include requiring children in licensed premises to remain under the supervision of an adult; not allowing children in rooms where there is a bar counter; and not allowing children to sit at the bar counter.

Conditions relating to preventing public nuisance could include noise conditions on outside areas; requiring the consumption of alcohol in outside areas to cease after certain hours; and requiring live music to cease at a certain time.

Conditions relating to protecting and improving public health could include requiring premises to only sell alcohol to those taking table meals and requiring premises open after a certain time to have food available.

Policy options – off-sales

Conditions could include requiring a Personal Licence Holder to be personally present on the premises between specific times.

Conditions relating to crime and disorder and securing public safety could include the maintenance of a refusal register to be provided on request to relevant licensing authorities and CCTV coverage.

8. Clerk's Comments on Response from Alcohol Focus Scotland

Alcohol Focus Scotland provide statistical information in relation to alcohol-related harms in Renfrewshire and also provide a copy of research into alcohol outlet availability and harm In Renfrewshire by the Centre for Research on Environment, Society and Health (CRESH), which has also been referred to in other responses to the consultation.

Alcohol Focus Scotland recommend that the Board use the CRESH webmap to indicate areas of high availability and/ or harm. In relation to identification of localities for the purpose of assessment of overprovision, the Board previously considered responses to the initial consultation and identified the existing declared overprovision area in Paisley Town Centre as a locality for the purposes of its formal consultation.

Recent case law suggests that the Board should identify localities prior to the formal consultation, which approach the Board followed at its meeting of 11th May 2018. Consultees therefore have not been asked to comment on other identified localities. Should the Board wish to consider further areas as possibly overprovided, then it would be necessary that officers bring a future report to the Board to allow consultation on a supplementary statement of licensing policy relative to overprovision following publication of the policy.

Alcohol Focus Scotland suggest that, while they are of the view that policies should be flexible, an approach which sets out circumstances in which an exception to any overprovision policy may be made would be appropriate. However, the Board must in any event be prepared to consider, and allow in appropriate cases, an exception to any agreed policy.

Licensing Objectives

Alcohol Focus Scotland state that they are supportive of the additional control measures which Police Scotland have suggested.

Children's Access

Alcohol Focus Scotland express general concerns around suitability of premises/ events for children where alcohol is sold. These concerns relate particularly to (a) premises which do not offer food and (b) events covered by occasional licences which (i) involve no other activities than the sale of alcohol or (ii) which are primarily aimed at children or young persons or families where large numbers of children will be present.

Alcohol Focus Scotland do not specifically address the restrictions to children and young persons' access as suggested by Renfrewshire Health and Social Care Partnership.

The Board may wish to consider whether to alter the terms of their current policy on children and young persons' access in light of Alcohol Focus Scotland's comments.

The Board will note that any change of policy on children and young persons' access will not amend the licences of existing premises, but would affect new premises licence applications and applications for occasional licences.

Licensed Hours

Alcohol Focus Scotland offer general comment on the impact of licensed hours and state that they would welcome an earlier terminal hour for off-sales premises and a later commencement hour for those premises on a Sunday. They also state that, should such a policy be introduced, any exceptions to it should only be allowed based on the needs of the local community and where the additional hours would not undermine the licensing objectives.

The Board will note that any change of policy in relation to off sales hours will not amend the licences of existing premises, but would only affect new licence applications.

Licence Conditions

Alcohol Focus Scotland have not suggested any specific conditions in their response, but have provided a link to a Resource Pack which provides examples of conditions which could be applied. A copy of the section of this document relating to conditions has been attached to Alcohol Focus Scotland's consultation response.

Enforcement

Alcohol Focus Scotland support in its entirety the proposed addition to the Enforcement section as set out in the Issues Paper agreed by the Board for the purposes of formal consultation on 11th May 2018. They suggest that the section of the policy is given a new title, to make it more accessible to members of the public. The Board could consider as a new title, "Enforcement, Licensing Standards Officers and Other Sources of Information". The information could also be included, separately, on the Board's web pages.

Alcohol Deliveries

Alcohol Focus Scotland support the conditions in relation to alcohol deliveries as suggested in the Issues Paper agreed by the Board for the purposes of formal consultation.

They suggest further requirements should be added, to prevent alcohol being left unattended in nominated safe places, and in relation to training of staff delivering alcohol. The Board may wish to consider these suggestions from Alcohol Focus Scotland.

In relation to internet sales, the Licensing Board is only able to regulate licensed premises from which alcohol is dispatched from within their own area: they cannot license premises in another part of the United Kingdom (or beyond) which are not regulated under the 2005 Act.

In relation to the possibility of specific conditions requiring details from retailers of sales and distribution areas, current legislation makes no reference to commercial information such as distribution areas or volume sales and this information is not requested on the prescribed application forms for premises licences. Further, notwithstanding the recent extension of the factors which can be considered in relation to assessment of overprovision under section 7 of the Licensing (Scotland) Act 2005, the test does not specifically reference these factors. It is not clear how this information could be obtained by, or used by, the licensing Board.

Extended Use of Occasional Licences

Alcohol Focus Scotland support an approach of referring subsequent occasional licence applications to the Licensing Board following a period of repeated occasional licence applications allowing premises to sell alcohol. Their preferred approach could be achieved by an alteration to the Scheme of Delegation as set out in the existing Statement of Licensing Policy.

Alcohol Focus Scotland also make a further suggestion that an occasional licence application is accompanied by a supplementary information form in which the applicant is asked to demonstrate how they will promote the five licensing objectives. The current practice in Renfrewshire is to seek a statement to this effect in relation to applications for new premises licences.

Aileen Easdon

From: [REDACTED]
Sent: 19 June 2018 15:55
To: licensing.cs (CSAlias10)
Subject: liquor licensing review consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red category, Orange category

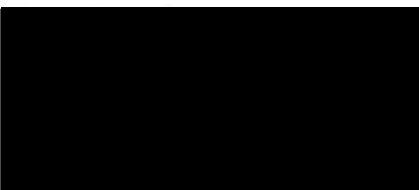
Deputy clerk to the licensing board

Dear sir/madam

I refer to the letter I received re the licensing review my review is as follows.

There is never over provision if there was or is over provision shops would be closing left right and centre. Paisley is a very harshly controlled area by the council and its adverse policies and there are far far too many empty premises lying shut. Taking a project via the planning and building control and then through licensing is very cruel and heart breaking and very very costly in Renfrewshire. This is possibly why the town centre is deserted . and many premises lying empty.

The licensing officers are unhelpful. I have had more visits to the Glasgow road unit than Dumbarton and Glasgow city council and east Renfrewshire put together for the licenses I hold in those councils. Rather than over provision I feel the licensing is over manned.



9. Clerk's Comments on Response from Local Premises Licence Holder

This response is from a Renfrewshire premises licence holder.

He expresses the view that there is no overprovision of licensed premises at present. He describes Paisley Town Centre in particular as being deserted, with many premises lying empty.

He makes specific comments in relation to the Licensing Standards Officers. Officers have responded to the licence holder in this regard directly.

Aileen Easdon

From: Luke McGarty [REDACTED]
Sent: 31 July 2018 08:07
To: licensing.cs (CSAlias10)
Cc: John Lee
Subject: Renfrewshire - Formal Consultation on Statement of Licensing Policy
Attachments: Renfrewshire Licensing consultation - SGF response - July 2018.pdf

Categories: Red category

Dear sir/ madam

Please find enclosed the response from the Scottish Grocers' Federation in relation to the above consultation.

Kind regards

Luke



SGF
Scottish Grocers' Federation

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Disclaimer:

**Response from the Scottish Grocers' Federation
on
Renfrewshire Licensing Board - consultation on
Statement of Licensing Policy**

**Luke McGarty
Scottish Grocers' Federation**

July 2018

RENFREWSHIRE LICENSING BOARD – CONSULTATION ON STATEMENT OF LICENSING POLICY

The Scottish Grocer's Federation

- The Scottish Grocers' Federation (SGF) is the trade association for the Scottish Convenience Store Sector. There are 5,286 convenience stores in Scotland, which includes all the major symbol groups, co-op and convenience multiples in Scotland. SGF promotes responsible community retailing and works with key stakeholders to encourage a greater understanding of the contribution convenience retailers make to Scotland's communities. In total, convenience stores provide over 41,000 jobs in Scotland.
- Modern local convenience stores are community assets, from providing busy families with a top up shop facility on the one hand, to allowing patrons (particularly the elderly) with an alternative to larger or out of town supermarkets. Many people rely on their local convenience store with the average shopper visiting their local store 3.47 times per week¹ and with 56%² of customers choosing to walk as a mode of travel to stores. The age range of shoppers is as follows³:
 - 14% are 16 to 24
 - 18% are 25 to 34
 - 33% are 35 to 54
 - 28% are 55 to 74
 - 7% are 75+
- Local shopping has, over the years, often been replaced by large destination retail parks, gone from many areas are the local butcher, baker and grocery. The personal interaction with your local retailer is now almost uniquely reserved for your local convenience store.
- Modern convenience stores now offer a wide range of products and services, from deli counters and coffee to Amazon collection lockers. Being able to offer a diverse range is of paramount importance. A more restrictive range simply provides the potential customer with a reason to shop at a competitor. Whilst it is ancillary to wider ranges of grocery and retail, alcohol is an important sales category for our member's stores. A typical convenience store offers a range of at least 17 kinds of different product categories. Alcohol accounts for approx. 15%⁴ of total sales turnover. 76%⁵ of convenience stores have an alcohol licence.

¹ The Scottish Local Shop Report 2017

² The Scottish Local Shop Report 2017

³ The Scottish Local Shop Report 2017

⁴ The Scottish Local Shop Report 2017

⁵ The Scottish Local Shop Report 2017

Introduction

- SGF welcomes the opportunity to contribute to the consultation exercise. We trust that you will find our comments helpful. Our comments relate primarily to points raised in the 'Issues Paper for Formal Consultation' those being Overprovision Assessment in relation to Licensed Premises, Licensing Objectives / Licensed Conditions, and Licensed Hours and Alcohol Deliveries.

Overprovision Assessment in relation to Licensed Premises

- The 'Issues Paper for Formal Consultation' indicates that the Board is seeking views in relation to whether Paisley Town Centre is overprovided in terms of all licensed premises or type of licensed premises.
- We recognise the Board's duty to assess overprovision under Section 7 of the Licensing (Scotland) Act 2005 in respect of licensed premises or licensed premises of a particular description in any locality within the Board's area. We also recognise that, in determining if there is overprovision, the Board must have regard to the number and capacity of licensed premises in the locality together with any other matter the Board sees fit.
- We also recognise that groups such as Alcohol Focus Scotland assert that there is a strong body of evidence to show that the availability of alcohol (i.e. the number of premises) is a significant factor in the prevalence of alcohol-related problems, particularly alcohol-related crime. However, we are not convinced that this evidence is either robust or conclusive enough. There is no simple cause-and-effect relationship between the number of premises and alcohol-related problems and overall it is becoming increasingly difficult to make a link between individual premises and problems in a specific locality. Inequality continues to be the main determining factor: alcohol-related harm in Scotland is still disproportionately experienced by those from more deprived areas.
- We strongly contend that the Board should continue to take a 'locality' approach to overprovision. We would argue strongly that the Board should not adopt an approach where the assessment of overprovision is based on its entire geographical area – a blanket overprovision approach would not be appropriate.
- In those localities where the Board may consider that there is an overprovision of licensed premises the overprovision assessment should continue to create only a rebuttable presumption against the grant of an application for a premise licence or, potentially, an application for variation of a premises licence.

- Our members are responsible retailers and they put considerable effort into ensuring that alcohol is sold in a responsible way. This happens through the following key areas:
 - Full compliance with the Challenge 25 regulations;
 - Staff training;
 - Appropriate signage;
 - In-house test purchasing;
 - Refusal books;
 - Use of CCTV;
 - Full compliance with the stores operating plan
- SGF recognise the associated benefits that come from a convenience store opening in a local area. A store opening will create jobs and also offer access to fruit and vegetables to the local community. The SGF Healthy Living Programme (HLP) has been successful in enabling customers to make healthy eating purchases in-store and now has over 2,000 stores participating. With 5,286 convenience stores in Scotland⁶ and with 80% of independent retailers⁷ engaged in some form of community activity in the last year convenience stores have an increasingly important role in their local communities.
- Convenience stores provide a range of key services for their customers and this includes that ability to be able to offer their customers a full range of products, i.e. giving the customer the chance purchase an alcoholic beverage as an accompaniment with home dining. Therefore, a consequence of overprovision is that new entrants to the market are unable to obtain premises licences to authorise the sale of alcohol and are therefore, disadvantaged. The availability of alcohol in a pre-existing competitor store gives the prospective customer a reason to choose to shop there. The convenience element of being able to get their "full basket" from the competitor provides an unfair commercial advantage.
- SGF believe that the entire concept of overprovision should be reviewed to consider whether it remains fit for purpose. We live in an age where customers are able to order alcohol online as part of their shop from a supermarket and have it delivered to their home. This order can be based from anywhere given the prevalence of smartphones. Given this, what does declaring a geographical area as being overprovided for actually achieve? It would seem, arguable, that overprovision has not kept up the development of modern technology and consumer shopping habits. For example, a resident of Renfrewshire may order an online grocery shop and this could be quite legitimately be dispatched from a premises in South Lanarkshire or Glasgow.

Licensing Objectives / Licensing Conditions

- An extract from the 'Issues Paper for Formal Consultation' covering licensing objectives states that:

⁶ The Scottish Local Shop Report 2017

⁷ The Scottish Local Shop Report 2017

"It has been proposed by Police Scotland that the Board consider attaching a condition of licence to new premises licences, whether for on-sales or off-sales premises, requiring installation of CCTV. They suggest that the condition would require a member of staff fully trained on the operation of the CCTV system to be present on the premises during their licensed hours."

- SGF would see such a condition as an additional burden on convenience sector retailers who often have to operate with the minimum amount of staff due to cumulated cost pressures. Figures from our Scottish Local Shop Reports show that retailers are now employing less staff and hours are being cut. For example, in 2016 convenience stores in Scotland provided almost 42,000⁸ jobs and those working between 17 to 30 hours was 33%. In 2017⁹ these figures had dropped to 41,000 and 28% respectively. On top of this retailers are having to do more hours themselves with 21%¹⁰ of shop owners in Scotland working more than 70 hours a week and are now looking towards utilizing staff-less shopping lanes to cut costs.

Licensed Hours

Off-Sale Premises

- The Licensing (Scotland) Act 2005 sets out the maximum permitted hours for off sales type premises are 10am to 10pm, each day of the week. We note that the draft policy statement (section 15.2) indicates that the Licensing Board will generally permit off sales during these hours. On that basis, SGF would support this policy on licensed hours as set out in the current draft.
- SGF note however that the 'Issues Paper for Formal Consultation' is seeking the views of consultees on the following question:

"Should the commencement of off sales hours on a Sunday be restricted to 11am in relation to future licensing applications?"

- SGF would not support any reduction to the available licensed hours as we believe there would be no evidential basis for such a decision and would also leave applicants for new stores at a disadvantage. There is not, in the SGF's view, any evidence to suggest that alcohol purchased earlier in the day is more harmful than purchased later or vice versa.

Deliveries of Alcohol

- Home (or online) deliveries are not routinely offered and so represent an area for development for convenience stores. This point of difference however allows convenience stores to offer another important and valued service to customers.

⁸ The Scottish Local Shop Report 2016

⁹ The Scottish Local Shop Report 2017

¹⁰ The Scottish Local Shop Report 2017

- The 'Issues Paper for Formal Consultation' puts forward suggested conditions for alcohol deliveries, it states:

"1. A robust age verification policy requires to be in place for deliveries that include alcohol and is strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. Documentation presented as verification of age requires to be of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.

2. Deliveries of alcohol must accompany a delivery of food.

3. An order register to be kept on the premises containing details of the items ordered/despatched, details of when the order was placed and when the alcohol was despatched.

4. A delivery/refusal register requires to be maintained by the delivery driver containing details of person accepting delivery or, if delivery was refused, the reason for any refusals."

- SGF would accept these suggested conditions but with one exception, that the condition stating that deliveries of alcohol must accompany the delivery of food, is removed. Our members are responsible community retailers and in offering this service do so within the context of selling alcohol responsibly as has been highlighted throughout our consultation response. A more restrictive approach would provide a potential customer with a reason to shop at a competitor.

While we welcome this consultation exercise the SGF believe the licensing system should not be onerous on retailers. We hope that you find these comments helpful.

Yours sincerely

Luke McGarty
Public Affairs Assistant
Scottish Grocers' Federation
222/224 Queensferry Road
Edinburgh
EH4 2BN
T: 0131 343 3300
[Redacted Signature]

31 July 2018

10. Clerk's Comments on Response from the Scottish Grocers' Federation

The Federation provide comment on various aspects of the draft revised Statement of Licensing Policy and Issues Paper agreed by the Board on 11th May 2018 for the purposes of formal consultation.

The Federation's response contains background information on the challenges faced by the Scottish Convenience Store sector.

Overprovision

In relation to assessment of overprovision, the Federation highlight the importance of the role of convenience stores in their local communities and highlight a consequence of overprovision is that new businesses may be unable to obtain a premises licence and are thereby disadvantaged. It should be noted that, irrespective of any overprovision policy which the Board may adopt, the Board require to consider overprovision as a potential ground of refusal in respect of any premises licence application.

The Federation also question the benefit of an overprovision policy, given that alcohol could be purchased online and delivered to a household within any locality declared overprovided.

Licensing Objectives/ Licensing Conditions

The Federation express concerns in relation to a possible local licensing condition requiring installation of CCTV in new licensed premises, as proposed by Police Scotland. They highlight the existing financial pressures on convenience sector retailers.

The Board will note the Clerk's earlier comments in relation to the response from Police Scotland in relation to the proposed CCTV condition and the views of the Information Commissioner's Office, who do not support a licensing requirement for CCTV on a blanket basis.

Licensed Hours

The Federation do not support a restriction in the hours of 10am to 10pm for off-sales premises. They question the evidential basis for this and highlight that this would place new premises at a disadvantage to existing premises. In this regard, the Board will note that such a change in the policy would not change the licensed hours of existing licensed premises.

Deliveries of Alcohol

The Federation support most of the conditions of licence for licensed premises offering deliveries of alcohol, but with the exception of the proposed condition that deliveries of alcohol are accompanied by food. They highlight again that a change in the policy to this effect would not place a similar requirement on existing premises whose licence allows deliveries. The Federation consider this requirement would provide a potential customer of a new business with a reason to shop with any competitor whose licence may already permit them to carry out deliveries without this condition.

Discussion Paper

Renfrewshire Licensing Board
Review of Statement of Licensing Policy
Discussion Paper following Formal Consultation

October 2018

This discussion paper has been prepared to assist Members of the Licensing Board in considering what parts of the Statement of Licensing Policy (“the policy”) they may wish to update before finalising their new policy. References are to the draft updated Statement of Licensing Policy prepared in advance of the formal consultation, as attached at Appendix 1.

The Board is asked to consider the following issues:-

Assessment of Overprovision

Following initial consultation, the Board agreed on 11th May 2018 to consult formally in relation to the existing declared overprovision area in Paisley Town Centre for the purposes of its assessment of overprovision. This area is shown on the plan at Appendix 3.

The Board now requires to consider the information provided at Appendix 3, along with the responses received in relation to overprovision and the comments from the Clerk. The Board requires to have regard, in assessing overprovision, to the numbers and capacities of licensed premises in the identified locality and may have regard to other matters, specifically the licensed hours of premises.

The Board will have to decide:

Is the identified locality overprovided, either in relation to all, or certain types of, licensed premises? (The Board’s existing policy, for example, declares there to be overprovision in this locality of “liquor or pub type premises” but specifically excluding restaurants, hotels and nightclubs).

It is open to the Board, should it find that overprovision exists, to consider including information in this section of the policy about the circumstances in which an exception may be allowed to the policy. The effect of an overprovision policy is to create a rebuttable presumption against the grant of a licence in a locality. It would remain open to an applicant for a licence, in an area considered overprovided, to

seek to persuade the Licensing Board that their application should still be granted, as an exception to the policy, whether the policy provides for specific exceptions which may be made or not.

The Board's view is requested on the licensing objectives which may relate to any policy that there exists overprovision.

Within the survey responses and individual responses at Appendix 5, some people have suggested that the Board considers other areas of Renfrewshire as potentially overprovided. Should the Board wish to look further at any of the areas highlighted by respondents, it would be necessary that the Board ask officers to bring a further report to the Board following agreement and publication of the policy, with a view to a supplementary statement of licensing policy being prepared.

Licensing Objectives

Would the Licensing Board wish to agree the inclusion of additional control measures within the terms of the policy relative to the Licensing Objectives, as suggested by Police Scotland?

In particular:

- "Door supervisors to be easily identifiable by wearing high-visibility clothing"
- "Door supervisors to be instructed to encourage persons leaving the premises to do so in an orderly fashion without causing disturbance"

Under which Licensing Objective(s) would the Board wish to list any of the above additional control measures?

The Board will note that the current control measures include measures in relation to CCTV and its operation, relative to the licensing objectives of preventing crime and disorder, securing public safety and preventing public nuisance.

Would the Board wish to amend the existing control measures in relation to CCTV given the terms of the response by Police Scotland?

Children and Young Persons' Access

Would the Board wish to specify certain types of licensed premises, who seek or hold a premises licence, where they would not normally consider children's (or young persons') access appropriate?

If so, which types of premises- and for (i) children, (ii) young persons, or (iii) both?

Would the Board wish to specify particular terminal hours for new applications for children and young persons' access, for example as suggested by the Renfrewshire Health and Social Care Partnership? (They suggest that children of all ages (0-15) should cease at 11pm and young persons should require to leave at 1pm).

If so, what times would the Board consider appropriate for (i) children, (ii) young persons?

(The Board could in relation to the above questions distinguish between children of different ages in terms of the hours of access and may wish to consider if the approach should be the same for children and young persons attending functions)

Would the Board wish to specify certain types of events covered by occasional licences, where they would not normally consider children's (or young persons') access appropriate?

If so, what types of events should this cover?

(The Board could in relation to such events distinguish between children of different ages, or between children and young persons).

Would the Board wish to specify hours after which children and young persons should not be entitled to remain at events covered by occasional licences?

Licensed Hours

Having regard to the responses to the forma consultation, the Board is asked to consider the following issues:-

- Should the commencement of off sales hours on a Sunday be restricted to 11am in relation to future licensing applications? (currently, premises can enjoy the statutory commencement hour of 10am).
- Should a policy be introduced restricting the licensed hours for new off-sales licensing applications until an earlier hour than 10pm (if so, what would suitable policy hours be?). In the event of such a change of policy, should the policy provide that an applicant is able to seek hours until 10pm if he can persuade the Board this is not inconsistent with the licensing objectives, having regard to factors such as the control measures in place in relation to the premises?

-

Enforcement

The Issues Paper which was agreed by the Board for the purposes of the formal consultation highlighted members of the public are likely to contact the Licensing Standards Officers in the first instance. The Board sought views on whether it would be of assistance to members of the public to provide more information on the role and remit of these officers within the terms of the Statement of Licensing Policy. The additional section set out below was proposed:

“30.3 The Act provides that Licensing Standards Officers’ general functions include providing information and guidance; supervising compliance by licence holders with licensing legislation and their licence conditions and providing mediation. Premises covered by a premises licence are visited by Licensing Standards Officers for their compliance with licensing legislation and licence conditions. Where a premises licence has recently been issued, or where a variation (other than a minor variation) has been granted, Licensing Standards Officers will visit those premises as a priority to ensure compliance with the above requirements.

30.4 The Board recognises that, for members of the public who do not deal with the complexities of the licensing legislation on a daily basis, lodging objections or representations to a licence application (or an application for a review hearing) is likely to be a daunting experience. The Board also recognises that, for those people, the Licensing Standards Officers may be the first contact they have with the licensing authority. The role of Licensing Standards Officers is not to make applications, or objections, on behalf of members of the public, but they are available to offer appropriate support to all parties seeking to be involved in the Board’s licensing processes. They will also be able to provide information as to application procedures and may be able to signpost members of the public to helpful resources, such as the Toolkit Resource published by Alcohol Focus Scotland.

30.5 The Licensing Standards Officers may be contacted by email at enforcement.licensing.cs@renfrewshire.gov.uk and by telephone at 0141-618-7084. Where issues are raised with the Licensing Standards Officers which do not relate wholly to licensing matters, the Licensing Standards Officers will be able to provide contact details for other Council Services who may be suitably placed to assist.”

A number of responses to the consultation favour the inclusion of the above section.

The Board is asked whether the above text should be added.

The Board is asked whether it wishes the title of this section changed to
“Enforcement, Licensing Standards Officers and Other Sources of Information”

Alcohol Deliveries

The Board also sought views during the formal consultation on whether the conditions below should be introduced for premises seeking to offer alcohol deliveries-

- “1. A robust age verification policy requires to be in place for deliveries that include alcohol and is strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. Documentation presented as verification of age requires to be of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.*
- 2. Deliveries of alcohol must accompany a delivery of food.*
- 3. An order register to be kept on the premises containing details of the items ordered/ despatched, details of when the order was placed and when the alcohol was despatched.*
- 4. A delivery/refusal register requires to be maintained by the delivery driver containing details of person accepting delivery or, if delivery was refused, the reason for any refusals.”*

Responses to these conditions has been broadly favoured by those responding to the consultation, with the exception of The Scottish Grocers Federation which supports the conditions apart from Condition 2.

In response to the consultation, some consultees have also suggested additional conditions, namely (i) that alcohol is not left unattended when there is no suitable adult available to accept delivery and (ii) that those delivering alcohol should receive suitable training.

The Board is asked to consider which of the above conditions should be attached to premises licences hereafter seeking to provide deliveries of alcohol under their licence.

Extended Use of Occasional Licences

In light of concerns that occasional licences may currently be used to circumvent the need to have a premises licence, the revised draft Statement of Licensing Policy agreed by the Board for the purposes of formal consultation proposed that applications for occasional licences, where it is appropriate for a premises licence to be obtained, are referred to two Members of the Licensing Board for consideration.

An alternative approach to this is followed in another Licensing Board area, where such applications may not be considered under delegated authority where premises

have been repeatedly operating on the basis of occasional licences. This alternative approach is set out below:-

“Repeated applications for Occasional licence for the same unlicensed premises, and which are:-

- *Not for detailed specific events; and/or*
- *For activities that have been occurring (either in identical or largely similar terms) on the premises regularly over a period of at least 3 months;*

will not generally be considered to be suitable for the grant of an Occasional Licence and will not be granted by the Board under delegated authority but will require a hearing before the Board. The Board expects such premises to be operating under a Premises Licence.

Section 59(6) of the Act specifies the grounds for refusal of an application for an Occasional Licence. These grounds include “that the Licensing Board considers the granting of the application would be inconsistent with one or more of the licensing objectives”. These licensing objectives include:-

- *Securing public safety.*
- *Protecting and improving public health.*

The degree of scrutiny afforded by an application for a Premises Licence is not present where premises operate under a series of consecutive Occasional Licences. Accordingly, in the interests of better securing public safety and/or for better protecting and improving public health, the Board considers that it is not generally appropriate for a premises to operate on a series of consecutive Occasional Licences rather than apply for a Premises Licence and, in these circumstances, the Board will require an applicant to explain why an application for a Premises Licence is not being made.”

The latter approach has been favoured by some of the consultees.

The Board is asked to consider what approach it wishes to follow in respect of repeated applications for occasional licences.

General

Do the Board consider any other changes to the Statement of Licensing Policy should be made?

Kenneth A. Graham
Clerk to the Licensing Board
October 2018

APPENDIX 7

**Number of Licensed Premises in the Current Overprovision
Area with capacity figures from 2013-2018**

NUMBER OF LICENSED PREMISES IN THE CURRENT OVERPROVISION AREA WITH CAPACITY FIGURES					
*FIGURES TAKEN AS AT 31/03 OF EACH YEAR					
YEAR	TOTAL NUMBER OF PREMISES	TOTAL ON SALE CAPACITY	TOTAL OFF SALE CAPACITY		
2013	23	5293	82.46		
2014	24	5519	82.46		
2015	24	5519	111.46		
2016	23	5519	111.46		
2017	22	5205	111.46		
2018	23	5471	111.46		
As at 06/09/2018	23	5471	111.46		