

Public Document Pack

STEWARTRY DIVISIONAL LICENSING BOARD

Meeting of Friday 3 February 2023
At 10.30am – Remote Meeting

Tony Beretti – Mid and Upper Nithsdale
Dougie Campbell – Dee and Glenkens;
Iain Howie – Castle Douglas and Crocketford;
Kim Lowe (Convener) – Abbey;
Andy McFarlane – Dee and Glenkens;

VLAD VALIENTE
Clerk to the Licensing Board

Stewartry Divisional Licensing Board

Meeting of Friday 3 February 2023
at 10.30am – Remote Meeting

1. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**
2. **DECLARATIONS OF INTEREST**
3. **MINUTE OF MEETING 7 OCTOBER 2022** 3 - 16
FOR APPROVAL
4. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARDS** 17 - 18
5. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR MINOR VARIATIONS (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARDS** 19 - 22
6. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR TRANSFER OF PREMISES LICENCE (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARDS** 23 - 24
7. **LICENSING (SCOTLAND) ACT 2005: SURRENDER OF PREMISES LICENCE - REPORT BY THE CLERK TO THE BOARD** 25 - 26
8. **LICENSING (SCOTLAND) ACT 2005: SECTION 12A CHIEF CONSTABLES ANNUAL REPORT 2021-2022 - REPORT BY THE CLERK TO THE BOARDS** 27 - 38

Next Meeting Date: Friday, 6 October 2023

STEWARTRY DIVISIONAL LICENSING BOARD

**Minute of Meeting of Friday 7 October 2022
at 10.30am via Teams**

MEMBERS PRESENT

Dougie Campbell - Dee and Glenkens;
Ian Howie - Castle Douglas and Crocketford;
Kim Lowe (Convener) - Abbey;
Andy McFarlane - Dee and Glenkens;

APOLOGIES

Ian Howie - Castle Douglas and Crocketford;
Tony Beretti - Mid and Upper Nithsdale

IN ATTENDANCE

Sergeant Carolyne Crozier - Police Scotland
Sharon Davidson - Licensing Manager
Mary Irving - Licensing Standards Officer
Cheryl Syme - Senior Licensing Officer
Caroline Treanor - Solicitor

VLAD VALIENTE
Clerk to the Licensing Board

1. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**

3 Members present via MS Teams, apologies from Councillor Howie and Councillor Beretti is not able to sit on this board until training has been completed. The Convener approved remote participation.

2. **DECLARATIONS OF INTEREST**

NONE

3. **MINUTE OF MEETING 30 AUGUST 2022**

APPROVED

4. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS (GRANTED UNDER DELEGATED AUTHORITY) – REPORT BY THE CLERK TO THE BOARD**

Decision

NOTED that the following Occasional Licences and Extended Hours had been granted under delegated authority during the period from 10 August 2022 until 21 September 2022:

Occasional Licences: Applied for by a Personal Licence Holder

Total number issued 47

Occasional Licences: Applied for by a Premises Licence Holder

Total number issued 0

Occasional Licences: Applied for by a Voluntary Organisation

Total number issued 4

Extended Hours

Total number issued 0

5. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR MINOR VARIATIONS (GRANTED UNDER DELEGATED AUTHORITY) – REPORT BY THE CLERK TO THE BOARDS**

Decision

NOTED that the applications detailed in **Appendix 1** had been granted under delegated authority.

6. **LICENSING (SCOTLAND) ACT 2005: SURRENDER OF PREMISES LICENCE – REPORT BY THE CLERK TO THE BOARDS**

Decision

NOTED that the licence detailed in **Appendix 2** had been Surrendered.

7. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR PREMISES LICENCE – AUCHENCAIRN COMMUNITY STORE, AUCHENCAIRN – REPORT BY THE CLERK TO THE BOARDS**

Decision

Having heard from the applicant, Police Scotland and the Licensing Standards Officer, the Board **AGREED** to **GRANT** the application as detailed in **Appendix 3** with on sale commencement hour being changed from 10.00am to 10.30am to bring it in line with the policy statement.

8. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR PREMISES LICENCE – GATHER, LAGGAN, GATEHOUSE OF FLEET - REPORT BY THE CLERK TO THE BOARDS**

Decision

Having heard from the applicant, Police Scotland and the Licensing Standards Officer, the Board **AGREED** to **GRANT** the application as detailed in **Appendix 4**.

9. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR PREMISES LICENCE – HARRIS & CO, 111 KING STREET, CASTLE DOUGLAS - REPORT BY THE CLERK TO THE BOARDS**

Decision

Having heard from the applicant, Police Scotland and the Licensing Standards Officer, the Board **AGREED** to **GRANT** the application as detailed in **Appendix 5**.

10. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR VARIATION OF PREMISES LICENCE – SPAR, HIGH STREET, DALBEATTIE – REPORT BY THE CLERK TO THE BOARD**

Having heard from the applicant, Police Scotland and the Licensing Standards Officer, the Board **AGREED** to **GRANT** the application as detailed in **Appendix 6**.

11. **LICENSING (SCOTLAND) ACT 2005 (THE ACT): DUMFRIES AND GALLOWAY LICENSING BOARDS' FINANCIAL REPORT – FINANCIAL YEAR 2021/22 – REPORT BY THE CLERK TO THE BOARD**

APPROVED

12. **LICENSING (SCOTLAND) ACT 2005 (THE ACT): SECTION 9A – DUMFRIES AND GALLOWAY LICENSING BOARDS' ANNUAL FUNCTION REPORT – 2021/22 – RPEORT BY THE CLERK TO THE BOARDS**

APPROVED

Appendix 1**DUMFRIES AND GALLOWAY LICENSING BOARDS
STEWARTRY DIVISIONAL LICENSING BOARD****THE LICENSING (SCOTLAND) ACT 2005: SECTION 29
APPLICATIONS FOR MINOR VARIATION OF PREMISES LICENCES
GRANTED UNDER DELEGATED AUTHORITY**

<u>Application No. 1 – Ref 0127S</u>	
Name & Address of Applicant or Agent	TLT Solicitors For Alistair Wallace Investments Limited Crown Filling Station Queen Street Castle Douglas DG7 1HX
Name & Address of Premises	Crown Filling Station Queen Street Castle Douglas DG7 1HX
Nature of variation	Change of Designated Premises Manager to Tracey Ann Jardine
Effective Date of Minor Variation	24 August 2022

<u>Application No. 2 – Ref 0052S</u>	
Name & Address of Applicant or Agent	CJ Lang & Son Limited 78 Longtown Road Dundee DD4 8JU
Name & Address of Premises	Shop at the Cross High Street Dalbeattie DG5 4HD
Nature of variation	Change of Designated Premises Manager to Marie McMinn and change of premises name to 'Spar'
Effective Date of Minor Variation	25 August 2022

**DUMFRIES AND GALLOWAY LICENSING BOARDS
STEWARTRY DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 : SECTION 28(6)
SURRENDER OF PREMISES LICENCE**

<u>No. 1 – Ref 0012S</u>	
Name & Address of Licence Holder	Drummond Legal LLP For High Street Apartment Hotel Group Limited 14 Rutland Square Edinburgh EH1 2BD
Name & Address of Premises	Royal Hotel 50 St Cuthbert Street Kirkcudbright DG27 8DH
Date Licence Surrendered	23 August 2022

Appendix 3

Applicant/Agent	Auchencairn Initiative Heughan House Main Street Auchencairn Castle Douglas DG7 1QU
Address of Premises	Auchencairn Community Store Heughan House Main Street Auchencairn Castle Douglas DG7 1QU
Description	Small village community store comprising grocery store, kitchen area, café and outside seating area.
Core Times	<p><u>On Sales</u></p> <p>Monday 10.30am – 10.00pm Tuesday 10.30am – 10.00pm Wednesday 10.30am – 10.00pm Thursday 10.30am – 10.00pm Friday 10.30am – 10.00pm Saturday 10.30am – 10.00pm Sunday 10.30am – 10.00pm</p> <p><u>Off Sales</u></p> <p>Monday 10.00am – 10.00pm Tuesday 10.00am – 10.00pm Wednesday 10.00am – 10.00pm Thursday 10.00am – 10.00pm Friday 10.00am – 10.00pm Saturday 10.00am – 10.00pm Sunday 10.00am – 10.00pm</p>
Activities	<p>Restaurant facilities, Receptions, Clubs and other group activities, Recorded Music, Live Performances and Outdoor Drinking Facilities both within and outwith core licensed hours</p> <p>Outwith Core Hour information - small café/tearoom which opens from 8am. Will be used occasionally for small day/evening gatherings.</p> <p>Any Other Activities – The sale of general groceries, crafts and other household commodities, Post Office facilities</p>

Agenda Item 3

PUBLIC

Children and Young Persons	TERMS – Under 16s accompanied by an adult (on sales). 16–17-year-olds unaccompanied (on sales) AGES – All ages TIMES – Normal shop/café hours are 8am- 6pm. During social events these times may be extended to 10pm PARTS – All public parts
Capacity	20 indoors 16 outdoors 4.5m ² - off sale capacity
Last Date for Objections/Representations	Friday 23 September 2022

Appendix 4

Applicant/Agent	Laggan Outdoor Ltd Gatehouse of Fleet Castle Douglas DG7 2ES
Address of Premises	Gather Laggan Gatehouse of Fleet Castle Douglas DG7 2ES
Description	Gather is a restaurant/bistro based at Laggan.
Core Times	<p><u>On Sales</u></p> <p>Monday 10.30am – 12am or 1am for app function Tuesday 10.30am – 12am or 1am for app function Wednesday 10.30am – 12am or 1am for app function Thursday 10.30am – 12am or 1am for app function Friday 10.30am – 12am or 1am for app function Saturday 10.30am – 12am or 1am for app function Sunday 10.30am – 12am or 1am for app function</p> <p><u>Off Sales</u></p> <p>Monday 12noon – 10.00pm Tuesday 12noon – 10.00pm Wednesday 12noon – 10.00pm Thursday 12noon – 10.00pm Friday 12noon – 10.00pm Saturday 12noon – 10.00pm Sunday 12noon – 10.00pm</p>
Activities	<p>Conference facilities, Restaurant facilities, Receptions and Club/Group Meetings both within and outwith core hours</p> <p>Recorded Music, Live Performances, Dance Facilities, Theatre, Films, Gaming, Televised Sport and Outdoor Drinking Facilities within core hours.</p> <p>Outwith Core Hour information – Provide breakfast, teas & coffees and soft drinks outwith core licensed hours.</p> <p>Any Other Activities – Workshops, charity events, afternoon tea, gin nights, film viewing, plays, viewing of major sporting events.</p>

Agenda Item 3

PUBLIC

Children and Young Persons	<p>TERMS – Children (0-15) must be accompanied by an adult. Young Persons (16&17) can be unaccompanied</p> <p>AGES – All ages</p> <p>TIMES – Children and Young Persons will be allowed access and entry at all times during opening times. These can be between 0900 and midnight daily.</p> <p>PARTS – Café/bistro, hallway, toilets, private dining room and outside seating area and terrace.</p>
Capacity	160 80 – indoors 80 - outdoors
Last Date for Objections/Representations	Friday 23 September 2022

Appendix 5

Applicant/Agent	Partnership of Lynsey Hogg & Christopher Bain 19 Queen Elizabeth Drive Castle Douglas DG7 1HH
Address of Premises	Harris & Co 111 King Street Castle Douglas DG7 1LZ
Description	Wine deli shop retail premises offering off sales of alcohol alongside luxury and local deli produce. The premises will also be used to hold wine tasting events approximately once a week where the customer buys a ticket for consumption of wine on the premises as on sales. The premises is located on King Street in Castle Douglas which is the main shopping street in the town.
Core Times	<p><u>On Sales</u></p> <p>Monday 12.00pm – 10.00pm Tuesday 12.00pm – 10.00pm Wednesday 12.00pm – 10.00pm Thursday 12.00pm – 10.00pm Friday 12.00pm – 10.00pm Saturday 12.00pm – 10.00pm Sunday 12.00pm – 10.00pm</p> <p><u>Off Sales</u></p> <p>Monday 10.00am – 10.00pm Tuesday 10.00am – 10.00pm Wednesday 10.00am – 10.00pm Thursday 10.00am – 10.00pm Friday 10.00am – 10.00pm Saturday 10.00am – 10.00pm Sunday 10.00am – 10.00pm</p>
Activities	Recorded Music within core hours <p>Any Other Activities – We will provide wine tasting ticketed events which will be held approximately once per week . Customers will then be able to purchase wine to take off the premises until 10pm. Deli snacks are provided with the wine tasting.</p>

Agenda Item 3

PUBLIC

Children and Young Persons	N/A
Capacity	On Sales – 20 persons Off Sales – 43.75m ²
Last Date for Objections/Representations	Saturday 1 October 2022

Appendix 6

Applicant/Agent	TLT Solicitors For CJ Lang & Son Limited 77 Longtown Road Dundee DD4 8JU
Address of Premises	Spar High Street Dalbeattie DG5 4HD
Nature of Variation	<p><u>Operating Plan</u></p> <p>At Q3) (i.e. off sales hours) amend the terminal hour on a Sunday from 6pm to 10pm.</p> <p>Replace the text in the box where further information re. column 4 is given with: "Recorded music may be played, such as Spar Radio prior to the commencement of core hours"</p> <p>Insert the following text at Q5(f): " The primary activity undertaken in the premises is the general retail sale of groceries. Charity collection point and charitable events take place. Food to Go. Click & Collect. Home Deliveries. Paypoint payment. National Lottery outlet. Sampling & promotional activities"</p> <p>At Q7 increase the capacity from 23m² to 25.66m²</p> <p><u>Layout Plan</u></p> <p>Amend layout plan to show increased alcohol capacity (25.66m²)</p>
Last Date for Objections/Representations	Friday 23 September 2022

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
STEWARTRY DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 SECTION 56 AND 68
APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS
GRANTED UNDER DELEGATED AUTHORITY**

For the information of the Licensing Board, during the period from 22 September 2022 until 16 January 2023 the following Occasional Licences and Extended Hours were granted:

Occasional Licences: Applied for by a Personal Licence Holder

Total number issued 70

Occasional Licences: Applied for by a Premises Licence Holder

Total number issued 0

Occasional Licences: Applied for by a Voluntary Organisation

Total number issued 19

Extended Hours

Total number issued 3

Cheryl Syme
Senior Licensing Officer (Board Services)
Licensing
Ext: 63353

Vlad Valiente
Clerk to the Licensing Boards
Council Offices
Municipal Chambers
Buccleuch Street, Dumfries

Date of Report: 26 January 2023

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
STEWARTRY DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005: SECTION 29
APPLICATIONS FOR MINOR VARIATION OF PREMISES LICENCES
GRANTED UNDER DELEGATED AUTHORITY**

<u>Application No. 1 – Ref 0033S</u>	
Name & Address of Applicant or Agent	Tesco Stores Limited Tesco House Shire Park Kestrel Way Welwyn Garden City Hertfordshire AL7 1GA
Name & Address of Premises	Tesco 52 St Cuthbert Street Kirkcudbright DG6 4DZ
Nature of variation	Change of Designated Premises Manager to Elaine Ferries
Effective Date of Minor Variation	29 September 2022

<u>Application No. 2 – Ref 0033S</u>	
Name & Address of Applicant or Agent	Tesco Stores Limited Tesco House Shire Park Kestrel Way Welwyn Garden City Hertfordshire AL7 1GA
Name & Address of Premises	Tesco 52 St Cuthbert Street Kirkcudbright DG6 4DZ
Nature of variation	Change of Designated Premises Manager to Stuart Macleod
Effective Date of Minor Variation	10 October 2022

<u>Application No. 3 – Ref 0036S</u>	
Name & Address of Applicant or Agent	Christopher Mark Wells Balmaclellan Stores Balmaclellan Castle Douglas DG7 3QE
Name & Address of Premises	Balmaclellan Stores Balmaclellan Castle Douglas DG7 3QE
Nature of variation	Change of Designated Premises Manager to Christopher Wells
Effective Date of Minor Variation	31 October 2022

<u>Application No. 4 – Ref 0051S</u>	
Name & Address of Applicant or Agent	Gilespe Leisure Ltd Brighthouse Bay Borgue Kirkcudbright DG6 4TS
Name & Address of Premises	Brighthouse Bay Golf & Leisure Club & Shop Borgue Kirkcudbright DG6 4TS
Nature of variation	Change of address of Designated Premises Manager
Effective Date of Minor Variation	9 November 2022

<u>Application No. 5 – Ref 0066S</u>	
Name & Address of Applicant or Agent	Rebecca Unthank Crocketford Shop Maidenrow Crocketford Dumfries DG2 8RA
Name & Address of Premises	Crocketford Shop Maidenrow Crocketford Dumfries DG2 8RA
Nature of variation	Change of Designated Premises Manager to Rebecca Unthnak
Effective Date of Minor Variation	18 November 2022

<u>Application No. 6 – Ref 0019S</u>	
Name & Address of Applicant or Agent	Patricia Watson, Paula Brand and Stuart Brand Galloway Arms Hotel Crocketford Dumfries DG2 8RA
Name & Address of Premises	Galloway Arms Hotel Crocketford Dumfries DG2 8RA
Nature of variation	Change of Designated Premises Manager to Sarah Hunter
Effective Date of Minor Variation	8 December 2022

<u>Application No. 7 – Ref 0037S</u>	
Name & Address of Applicant or Agent	Scottish Midland Co-operative Society Ltd Hillwood House 2 Harvest Drive Newbridge EH28 8QJ
Name & Address of Premises	Scotmid 129 King Street Castle Douglas DG7 1LX
Nature of variation	Change of Designated Premises Manager to Michaela McQuinn
Effective Date of Minor Variation	12 January 2023

Cheryl Syme
Senior Licensing Officer (Board Services)
Licensing

Ext: 63353

Vlad Valiente
Clerk to the Licensing Boards
Municipal Chambers
Buccleuch Street
Dumfries DG1 2AD

Date of Report: 26 January 2023

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
STEWARTRY DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005
APPLICATIONS FOR TRANSFER OF PREMISES LICENCES
GRANTED UNDER DELEGATED AUTHORITY**

<u>Application No. 1 – Ref 0036S – SECTION 33</u>	
Name & Address of Applicant or Agent	Debbie Murdoch Fauld O Wheat Balmaclellan Castle Douglas DG7 3PT
Name & Address of Transferee or Agent	Christopher Mark Wells Balmaclellan Stores Balmaclellan Castle Douglas DG7 3QE
Name & Address of Premises	Balmaclellan Post Office & General Store Balmaclellan Castle Douglas DG7 3QE
Effective Date of Transfer	27 October 2022

<u>Application No. 2 – Ref 0048S – SECTION 33</u>	
Name & Address of Applicant or Agent	James Stewart The Murray Arms Hotel High Street Gatehouse of Fleet DG7 2HY
Name & Address of Transferee or Agent	Laggan Outdoor Laggan Gatehouse of Fleet Castle Douglas DG7 2ES
Name & Address of Premises	The Murray Arms Hotel High Street Gatehouse of Fleet DG7 2HY
Effective Date of Transfer	22 December 2022

Cheryl Syme
Senior Licensing Officer (Boards)
Ext: 63373

Date of Report: 26 January 2023

Vlad Valiente
Clerk to the Licensing Boards
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Buccleuch Street
Dumfries DG1 2AD

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
STEWARTRY DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 : SECTION 28(6)
SURRENDER OF PREMISES LICENCE**

<u>No. 1 – Ref 0047S</u>	
Name & Address of Licence Holder	Joseph Brian Montgomery 6 Johnston Drive Dalbeattie DG5 4TB
Name & Address of Premises	Crown Hotel 34 High Street Dalbeattie DG5 4AA
Date Licence Surrendered	7 October 2022

<u>No. 2 – Ref 0082S</u>	
Name & Address of Licence Holder	Yumilicious Limited 19 Pearson Perceval Square College Road Harrow HA1 1GU
Name & Address of Premises	Crown Hotel 25 King Street Castle Douglas
Date Licence Surrendered	13 January 2023

Cheryl Syme
Senior Licensing Officer (Board Services)
Licensing
Ext: 63353

Vlad Valiente
Clerk to the Licensing Boards
Municipal Chambers
Buccleuch Street
Dumfries DG1 2AD

Date of Report: 26 January 2023

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STEWARTRY
Licensing Report
2021-2022



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Keeping people safe

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Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2021/22, in accordance with Section 12(A) Licensing (Scotland) Act 2005. Throughout this year Local Authorities and Police Scotland worked hard to support licensed premises in their road to recovery as Covid-19 restrictions were being lifted.

Collaboration is vital to ensure these businesses can flourish, providing much needed employment for our communities as well as a safe environments for people to socialise. Police Scotland will continue to work closely with Local Authorities, as well as other stakeholders, to ensure there is a fair and consistent approach across all 32 Local Authorities throughout Scotland to aid this recovery. Preventing alcohol fuelled violence, disorder and antisocial behaviour remains a priority for Police Scotland and I believe that working together we can reduce this through early intervention and enforcement.

I would like to take this opportunity to thank our local partnerships and the good work they carry out. With their support Police Scotland and partners can continue to drive improvements in licensing. I will continue to ensure that all officers and staff recognise the importance of working together with key partners, including the Licensing Trade, in an effort to improve licensing standards nationally.

Iain Livingstone QPM

Chief Constable

Police Service of Scotland

Police Scotland Licensing Overview –

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Safer Communities based at Dalmarnock Police Station, Glasgow.

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

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

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

During 2021/2022, from a licensing perspective, our particular focus was on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Working closely with Licensed Premises and Scottish Government to navigate the challenges of the COVID-19 pandemic through the 4Es approach by engaging, explaining, educating and enforcing.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management. Police Scotland are currently working on upgrade to the National ICT system to ensure compliance with GDPR legislation.

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

STEWARTRY LICENSING BOARD

The Stewartry Licensing Board area is policed by Dumfries and Galloway Division.

The Local Police Commander is Chief Superintendent Carol McGuire, who has the responsibility for all day-to-day policing functions across the region.

The Local Area Commander for the Stewartry board area is Chief Inspector Bryan Lee who is assisted by Community Policing Inspector Stewart McColm.

Local Police Officers for the Stewartry are located at Castle Douglas Police Station.

All licensing matters within the Stewartry area are processed by Police Scotland via the Divisional Licensing Unit which is overseen by Chief Inspector Stephen Bell and managed on a day to day basis by Sergeant Julia McKie.

Within the Stewartry board area there are 112 premise licenses and 209 personal licence holders.

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The Stewarty area is a mixed urban and rural area. The night time economy is focused around the towns of Kirkcudbright, Castle Douglas and Dalbeattie. Nearly all local towns and villages within the area support licensed premises in the form of public houses or licensed retail units and consequently there is easy access to alcohol within all communities.

The number of visitors to the area increases during the popular holiday season of March to October as a result of a number of holiday complexes in the Stewarty area. This can see an increase of instances at and around licensed premises at these locations.

LOCAL POLICING PRIORITIES

Following our public consultation process, the policing priorities for Dumfries and Galloway Division 2020 - 2023, within our Local Policing Plan are;

1. Violent Crime, Disorder and Anti-Social Behaviour
2. Acquisitive Crime
3. Substance Misuse
4. Road Safety and Road Crime
5. Protecting Vulnerable People at Risk of Harm

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Police Scotland within Dumfries and Galloway Division work towards upholding the 5 licensing objectives set out in the Licensing Scotland Act 2005 and the 2018-2023 statement of licensing provisions issued by Dumfries and Galloway Licensing Boards.

The 5 objectives are:

1. Preventing Crime and Disorder
2. Securing Public Safety
3. Preventing Public Nuisance
4. Protecting and Improving Public Health
5. Protecting Children and Young Persons from Harm

All licensing enquiries within the Stewarty area are submitted to Police Scotland via the Divisional Licensing Unit, Cornwall Mount, Dumfries. A standard methodical process ensures each application is run through numerous police systems and the findings assessed. Where further enquiry is deemed appropriate a local community officer is appointed to make contact with the applicant to establish further details. All information is returned to the divisional licensing unit for final assessment and formal response.

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To ensure thorough overview of all licensing matters, the divisional licensing unit work closely with operational response and community officers. This allows the early identification of any issues with licensed premises or license holders which in turn permits a co-ordinated response to any interventions requirements.

In circumstances where an application presents concern or a premise or license holder becomes problematic in a sense that their licensing status should be reviewed, the divisional licensing unit will make a representation or objection to the licensing board.

Dumfries and Galloway Division have three officers stationed at Dumfries and Galloway Royal Infirmary, the posts being part funded by the NHS. These officers regularly engage with persons attending accident and emergency during peak night time economy hours where many attendees have consumed alcohol. This link is vital to ensure that NHS staff can work in a safe environment and any trends or concerns linked to alcohol consumption can be identified early.

Dumfries and Galloway division also have a substance misuse co-ordinator, who is part funded by the Dumfries and Galloway Alcohol and Drugs Partnership (ADP). The officer works with partner agencies and health professionals to identify areas of concern. They also focus on a number of joint campaigns aimed at raising awareness of drug and alcohol misuse within our licensed premises. Alcohol awareness week was held between the 15th and 21st of November 2021 raising awareness with services such as Scottish Drug and Alcohol Services and we are with you setting up drop in centres at their premises.

Additional school talks were provided in July 2021 to school pupils within the Stewartry area covering drug and alcohol misuse. Do the right thing initiative consisting of 6 half hour inputs were given in a rotation of classes in Castle Douglas, Dalbeattie and Kirkcudbright in November and December 2021.

Throughout the year, officers have attended at licensed premises with a view of identifying drug misuse and offering licensees a visual identification of areas within their premises which may present an opportunity for patrons to consume drugs. The use of 'cocaine wipes' which readily identifies cocaine residue has led to a number of preventative measures being put in place by licensees in order to combat the misuse of controlled drugs within their premises.

ANTI-SPIKING INITIATIVE

As part of the V Division Festive Safety Plan this year there has been a particular focus on anti-spiking/drugging messages and promotion of anti-spiking kits. Community policing established a positive relationship with a national charity, Spike Aware UK, the founders of which live locally in Moffat which prompted them to set up the charity and work to raise awareness.

During the busy pre-Christmas period of high visibility patrols in relation to night time economy and joint working was undertaken with Spike Aware UK to educate and raise awareness of spiking amongst the public, licensed premises staff and door

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stewards. Local funding was used to purchase anti-spiking kits which were publicised within premises and on social media and distributed to members of the public.

This was a very successful initiative which gained significant positive feedback and support from public and partners alike.

COVID19

In March 2020 the World Health Organisation declared the COVID19 Coronavirus outbreak a pandemic. The subsequent Government restrictions placed upon the hospitality industry resulted in long periods of closure for on sales license premises and significant changes to the operating plans of many premises.

Throughout the pandemic Dumfries and Galloway Police division have worked closely with the Local Authority Licensing, Trading Standards and Environmental Health departments. These partnerships have provide the platform to provide support and advice to licensed premise to assist them with complying with the Scottish Government guidelines and legislation. Police Scotland Strategy followed the 4 E's – Engage, Explain, Encourage, Enforce approach towards compliance with the restrictions and regulations.

The Stewartry board area has historically had a number of local and national events throughout the year where licensing is prevalent. Unfortunately due to the Coronavirus pandemic large gatherings were not permitted and this led to the cancellation of yearly events such as Kirkcudbright Riding of the Marches and Douglas Day.

As the country moves out of the coronavirus restrictions Police Scotland will continue to support the licensed premise trade to re-establish operations and will look to re-invigorate engagement and prevention work in this area.

In order to work towards upholding the 5 licensing objectives Police Scotland also have involvement in a number of non-statutory partnerships and initiatives to support license holders and the wider community.

KNOCKENGORROCH BIG GIG 2021

With the continued road map out of Covid this saw the reintroduction of some events in the Stewartry including the Knockengorloch Big Gig. This event used the same site, infrastructure and organisers as the annual Knockengorloch World Ceilidh festival. Due to the continuing Covid guidelines this was a small one day, family event for under 500 people.

Police Scotland officers worked in conjunction with the event organisers to ensure the safety of persons attending both of these events and aimed to target those involved in the distribution and supply of controlled drugs and other harmful substances.

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There are a number of licensed bars at the event and will have dedicated SIA trained stewards at each of the bars. The bars will operate a “challenge 25 system”. Different coloured wristbands will be issued to persons aged 17 years and under.

PROBLEM SOLVING

Incidents involving licensed premises and people linked with the licensing trade are monitored through the Police Scotland Inn Keeper database. This system is used to identify problem areas, repeat callers and crime trends in terms of violence and anti-social behaviour that can be directly linked to licensed premises or a location nearby.

Inn Keeper is a national system that records and retains information relating to licensed premises and personal licence holders. It is a reporting tool for operational officers to record licensed premises visits and incidents and raise any concerns that arise from such visits and interactions with the premises. Information from this system can be used to highlight issues to licensed premises to allow them to introduce preventative measures.

Dumfries and Galloway Division works closely with the Local Authority Licensing Team, to share information on licensed premises in the Board area. This includes concerns about poor management, disorder and compliance and enables a joint approach from both partners to share and address any licensing concerns.

This allows for problems to be identified early and remedial work to be undertaken with licensees prior to a request to the board to review a license. The Police uses a staged process with options available to assist in a problem solving approach that are flexible, ranging from

Communication – The lowest end of the scale which involves engaging with and advising licensees.

Monitoring – Tasked inspections and increased scrutiny of premises for a specific period of time.

Intervention – Increased interaction with premises and staff, with formal dialogue and the use of agreed ‘Licensing Intervention Plans’.

Problematic – This is the final stage and involves requesting a license review in response to more serious matters.

The proactive use of the above measures ensures that we are supporting licensees and reducing the requirement to present reviews to the board.

SUMMARY RELEVANT TO THE STEWARTRY AREA

During the roadmap out of the Coronavirus pandemic and in to Covid recovery some operating restrictions under the Coronavirus regulations remained in place for licensed

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premises. Indoor services resumed in May 2021 with various measures still in place including table service and the rule of six.

Due to licensed premises having either been closed or subject of restrictions to close at 2230 hours in 2020/2021 comparing the numbers and types of incidents committed during night time economy hours (Friday and Saturday 2300 hours to 0400 hours) to previous years is not feasible. The below figures represent all incidents that can be linked to licensed premises.

The majority of offences that can be linked with alcohol consumption and licensed premises are assaults and abusive behaviour. At peak times, policing resources are directed to carry out high visibility patrols to deter people from committing offences and to monitor patrons as they leave the area to go home. Police staffing at such times is increased with shift alterations and a longer shift crossover to ensure operational officers are available and visible.

	2019/20	2020/21	2021/22
Crimes specifically linked to licensed premises	16	4	13

There have been additional incidents where the parties involved have been under the influence of alcohol, however, the location given for these incidents is not directly linked to licensed premises and as such have not been included in the above. It is known that alcohol purchased and consumed in private from off sales may contribute to intoxication levels prior to visiting licensed premises and this is an issue to consider but one that is very difficult to quantify.

Any drunkenness or disorder offences/incidents are dealt with robustly by operational officers at the time and thereafter reviewed by the licensing team. Local officers are routinely tasked with making visits to Licensed Premises, not only for visibility and reassurance purposes but also to ensure that Licensing Legislation is being complied with. Each visit, whether or not any offences or issues are identified, are recorded on the Inn Keeper system. All entries are reviewed by the Divisional Licensing Unit, and where necessary additional tasks or activities are allocated to deal with any inconsistent practices. Officers also attend licensed premises in the afternoon to ensure their visibility is present through the day.

All applications for Premises and Personal Licences received by the Licensing Board are examined by staff from the Divisional Licensing Unit and where relevant, objections and representations are made to the board. We endeavour to bring all relevant information to the board to allow for a full overview of the applications which can then be taken into cognisance during decision making.

In the last reporting year 2021/22 it was not necessary to bring any Licence holder or premises to the Stewartry Licensing board for review of to introduce any formal intervention work with any premises within the area.

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Given the unprecedented change in the operating of Licensed Premises due to the Coronavirus pandemic, accurate comparison of crime and offending with previous years is not achievable. The above details statistics however, do appear reflective across all boards within Dumfries and Galloway raising no cause for concern.

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

Alcohol misuse amongst children and young persons can also result in behavioural issues and offending; such as violence, and antisocial behaviour, as well as increasing vulnerability and susceptibility to exploitation.

Identifying young people that consume alcohol, or those on the periphery of offending through alcohol, or otherwise, will allow intervention and diversionary activities to be progressed. These complement ongoing enforcement activity within our communities.

Dumfries and Galloway Division have Youth Engagement Officers assigned to each Secondary School and Community Officers who liaise with primary schools across the region. These officers regularly provide talks to Children and Young Persons at school and in other environments. A benefit of this close link between children and these officer is that they are known and can be easily identified as being under age to consume alcohol.

Our Youth Engagement Officers also work closely with Dumfries and Galloway Youth Workers through the year. During school holidays these teams work together to tackle youth disorder which can often be linked to the misuse of alcohol. Diversionary activities are set up by the youth work teams and joint patrols of identified hot spot areas are conducted with a view to engaging with youths and encourage positive behaviours in a community setting.

The coronavirus pandemic has severely restricted our ability to carry out face to face group work with youths however the Youth Engagement Officers have continued to offer support and guidance to community groups and the education department. Maintaining and increased engagement with youths is vital to the supporting appropriate decision making and acknowledgement of risk taking behaviour by our younger communities.

Dumfries and Galloway Division works closely with partner agencies to protect children from harm. Should a child or young person be found in possession of alcohol or identified as being at risk from alcohol consumption then a concern form is submitted and shared with partner agencies. This allows for a multi-agency approach to be commenced at an early stage and ensures that a whole systems approach to address the needs of the young person is undertaken.

In support of the 'Protection of Children from Harm' licensing objective, applications for premises licences and variations to premises licences go under close scrutiny and

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may result in a submission to the board in respect of an objection or more commonly representation, especially in relation to the times and terms in which children and young people can be on such premises.

TACKLING SERIOUS AND ORGANISED CRIME

Dumfries and Galloway Division are satisfied that at this time there is not a serious issue with serious and organised crime groups operating within the licensed trade in the area. We are aware of the impact serious and organised crime groups have on our communities and we will continue to evaluate any intelligence which may show this to be the case and act accordingly.

Crime and intelligence systems are continually monitored to analyse any emerging trends. Any identified hot spots are brought to the attention of the divisional licensing unit who report directly to the service delivery Chief Inspector. The division have a robust daily review process which feeds in to tasking and co-ordinating procedures to ensure appropriate oversight and action on any developing issues. The local area commander maintains oversight of resource deployment in terms of response policing and enhanced community policing opportunities.

Should certain premises be identified as becoming problematic the divisional licensing Sergeant will liaise with the local Community Policing Inspector and ensure that the premises are monitored accordingly.

As a division our focus is to reduce to the availability of drugs within our communities and combat acquisitive crime that may be linked to serious and organised crime groups. The Detective Chief Inspector has responsibility for oversight of all divisional activity linked to serious and organised crime groups and provides a link to national divisions. This ensures we are sighted on developing trends or groups who may look to infiltrate our local area with a view to targeting local communities.

The Substance Misuse Officer and Community Policing team also offer training to staff members in relation to identifying signs of drugs misuse.

If required we provide specific premise based crime reduction and security surveys to assist license premise to assist them with meeting their own responsibilities as licensees.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

Dumfries and Galloway Division will continue a tasked and proactive approach to Alcohol Licensing.

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We will continue to identify emerging issues and problematic areas and work in conjunction with licensed premises and licence holders to ensure that we can implement early intervention tactics to address areas of concern. This is something that is beneficial for all parties and is an important method to meet the licensing objectives.

We will continue close engagement with Partner Agencies to address any Licensing concerns at an early stage, to ensure that the licensing standards are maintained and any breaches are notified to the relevant boards. We will work in partnership with Licensing Standards to monitor results in this area.

We will ensure the continued use of social media to deliver key messages regarding the dangers of alcohol.

We will provide assistance and guidance to large organised events such as Knockengoroch and local gala events to ensure licensing objectives are adhered to.

Additionally, work will continue around identifying and reducing drug misuse in and around licensed premises with increased tasking and proactive work and working with licensees to introduce ways to reduce use.

We would like to thank you for your continued support and stress the importance of this collaborative problem solving approach. This ensures that police, license holders and licensed premises staff have a better understanding of their responsibilities. We look forward to furthering this partnership over the coming year.

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

We look forward to a safe and healthy 2022/2023.

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