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STEWARTRY DIVISIONAL LICENSING BOARD

Meeting of Wednesday 24 November 2021
at 2.00 pm by Remote Hearing

Iain Howie (Convener) – Castle Douglas and Crocketford
Dougie Campbell – Dee and Glenkens
Rob Davidson – Abbey
Jane S Maitland – Dee and Glenkens
John Young – Castle Douglas and Crocketford

VLAD VALIENTE
Clerk to the Licensing Board

Stewartry Divisional Licensing Board

Meeting of Wednesday 24 November 2021
at 2.00 pm by Remote Hearing

1. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**
2. **DECLARATIONS OF INTEREST**
3. **MINUTE OF MEETING - 10 MARCH 2021** 5 - 10
FOR APPROVAL.
4. **MINUTE OF MEETING - 4 MAY 2021** 11 - 12
FOR APPROVAL.
5. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARDS** 13 - 14
6. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR MINOR VARIATIONS (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARDS** 15 - 16
7. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR TRANSFER OF PREMISES LICENCE (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARDS** 17 - 18
8. **LICENSING (SCOTLAND) ACT 2005: SURRENDER OF PREMISES LICENCE - REPORT BY THE CLERK TO THE BOARDS** 19 - 20
9. **LICENSING (SCOTLAND) ACT 2005: NOTICE OF CONVICTIONS - TESCO STORES LTD - REPORT BY THE CLERK TO THE BOARDS** 21 - 28
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11. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR NEW PREMISES LICENCE - ERNESPIE FARM CENTRE, CASTLE DOUGLAS - REPORT BY THE CLERK TO THE BOARDS** 35 - 40

12. **LICENSING (SCOTLAND) ACT 2005: SECTION 12A - CHIEF
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THE CLERK TO THE BOARDS** 41 - 54

Next Meeting Date: Wednesday 16 March 2022

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STEWARTRY DIVISIONAL LICENSING BOARD

**Minute of Meeting of Wednesday 10 March 2021
at 2.00pm via Teams**

MEMBERS PRESENT

Iain Howie (Convener)	-	Castle Douglas and Crocketford
Dougie Campbell	-	Dee and Glenkens
Rob Davidson	-	Abbey
Jane Maitland	-	Dee and Glenkens
John Young	-	Castle Douglas and Crocketford

IN ATTENDANCE

Sergeant Anna Boyd	-	Police Scotland
Sharon Davidson	-	Licensing Manager
Mary Irving	-	Licensing Standards Officer
Aideen Sloan	-	Acting Licensing Manager
Caroline Treanor	-	Solicitor and Depute Clerk to the Licensing Board

**VLADIMIR VALIENTE
Clerk to the Licensing Board**

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

5 Members present via MS Teams, no apologies were received.

2. **DECLARATIONS OF INTEREST**

NONE

3. **MINUTE OF MEETING 18 NOVEMBER 2020**

Decision

AGREED

4. **LICENSING (SCOTLAND) ACT 2005: DUMFRIES AND GALLOWAY LICENSING BOARDS ANNUAL FINANCIAL REPORT 2019/20 – REPORT BY THE CLERK TO THE BOARDS**

Decision

NOTED and RECEIVED

5. **LICENSING (SCOTLAND) ACT 2005: DUMFRIES AND GALLOWAY LICENSING BOARDS ANNUAL FUNCTIONS REPORT 2019/20 – REPORT BY THE CLERK TO THE BOARDS**

Decision

NOTED and RECEIVED

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

Decision

NOTED that the following Occasional Licences and Extended Hours had been granted under delegated powers during the period from 21 October 2020 until 26 February 2021:

Occasional Licences: Applied for by a Personal Licence Holder

Total number issued 25

Occasional Licences: Applied for by a Premises Licence Holder

Total number issued 2

Occasional Licences: Applied for by a Voluntary Organisation

Total number issued 0

Extended Hours

Total number issued 2

7. LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR MINOR VARIATIONS (GRANTED UNDER DELEGATED AUTHORITY) – REPORT BY THE CLERK TO THE BOARDS**Decision****NOTED** that the applications in **Appendix 1** were granted under delegated powers.**8. LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR TRANSFER OF PREMISES LICENCE (GRANTED UNDER DELEGATED AUTHORITY) – REPORT BY THE CLERK TO THE BOARDS****Decision****NOTED** that the applications in **Appendix 2** were granted under delegated powers.**9. GAMBLING ACT 2005: SURRENDER OF PREMISES LICENCE – REPORT BY THE CLERK TO THE BOARDS****Decision****NOTED** that the licence detailed in **Appendix 3** has been surrendered.**10. LICENSING (SCOTLAND) ACT 2005: NOTICE OF CONVICTIONS (1) – TESCO STORES LTD – REPORT BY THE CLERK TO THE BOARDS****Decision**The Board **AGREED** to take no further action.**11. LICENSING (SCOTLAND) ACT 2005: NOTICE OF CONVICTIONS (2) – TESCO STORES LTD – REPORT BY THE CLERK TO THE BOARDS****Decision**The Board **AGREED** to take no further action.

**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 0037S</u>	
Name & Address of Applicant or Agent	Scottish Midland Co-operative Society Ltd Per Messrs Anderson Strathearn Solicitors 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 Jonathen Clues
Effective Date of Minor Variation	25 November 2020

<u>Application No. 2 – Ref 0005S</u>	
Name & Address of Applicant or Agent	Yue Ming Shen-Alexander Per Janet Hood Training & Consulting Ltd Balcary Bay Hotel Auchencairn Castle Douglas DG7 1QZ
Name & Address of Premises	Balcary Bay Hotel Shore Road Auchencairn Castle Douglas DG7 1QZ
Nature of variation	Change of Designated Premises Manager to Yue Ming Shen-Alexander
Effective Date of Minor Variation	25 January 2021

APPENDIX 2

**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 0005S – SECTION 33</u>	
Name & Address of Applicant or Agent	Yue Ming Shen-Alexander Per Janet Hood Training & Consulting Ltd Balcary Bay Hotel Auchencairn Castle Douglas DG7 1QZ
Name & Address of Transferee or Agent	Yue Ming Shen-Alexander Balcary Bay Hotel Auchencairn Castle Douglas DG7 1QZ
Name & Address of Premises	Balcary Bay Hotel Shore Road Auchencairn Castle Douglas DG7 1QZ
Effective Date of Transfer	31 December 2020

<u>Application No 2. – Ref 0007S – SECTION 33</u>	
Name & Address of Applicant or Agent	Gary Cross St Ninians Sandyhills Colvend Dalbeattie DG5 4PU
Name & Address of Transferee or Agent	Gell Leisure Ltd 104 Moorlands Road Bradford BD11 2BP
Name & Address of Premises	Barend Restaurant and Bar Barend Holiday Village Sandyhills Dalbeattie DG5 4NU
Effective Date of Transfer	1 February 2021

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

**THE GAMBLING ACT 2005
SURRENDER OF PREMISES LICENCES**

<u>No. 1 – Ref 001S – Betting Premises Licence</u>	
Name & Address of Licence Holder	Ladbrokes Coral Group One Stratford Place Montifichet Road London
Name & Address of Premises	Coral 78 High Street Dalbeattie DG5 4HB
Date Licence Surrendered	11 December 2020

STEWARTRY DIVISIONAL LICENSING BOARD

**Minute of Meeting of Tuesday 4 May 2021 at 2.00pm
By Remote Hearing**

MEMBERS PRESENT

Dougie Campbell	-	Dee and Glenkens
Rob Davidson	-	Abbey
Iain Howie (Convener)	-	Castle Douglas and Crocketford
Jane Maitland	-	Dee and Glenkens
John Young	-	Castle Douglas and Crocketford

IN ATTENDANCE

Sergeant Anna Boyd	-	Police Scotland
Julia Farroll	-	Licensing Standards Officer
Mary Irving	-	Licensing Standards Officer
Cheryl Syme	-	Senior Licensing Officer (Boards)
Caroline Treanor	-	Solicitor

**VLADIMIR VALIENTE
Clerk to the Licensing Board**

5 Members present

1. **SEDERUNT AND APOLOGIES**

NONE

2. **DECLARATIONS OF INTEREST**

NONE

3. **LICENSING (SCOTLAND) ACT 2005: NOTIFICATION OF CONVICTION BY A PERSONAL LICENCE HOLDER – PAULA BRAND**

Decision

After hearing from Police Scotland and Paula Brand, Members **AGREED** to **ENDORSE** Paula Brand's Personal Licence as they were satisfied that it was necessary to do so for the purposes of preventing crime and disorder and securing public safety licensing objectives

**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 27 February 2021 until 7 November 2021 the following Occasional Licences and Extended Hours were granted:

Occasional Licences: Applied for by a Personal Licence Holder

Total number issued 197

Occasional Licences: Applied for by a Premises Licence Holder

Total number issued 1

Occasional Licences: Applied for by a Voluntary Organisation

Total number issued 4

Extended Hours

Total number issued 4

Colin Brown
Senior Licensing Officer (Board Services)
Licensing
Ext: 63373

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

Date of Report: 8 November 2021

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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 0028S</u>	
Name & Address of Applicant or Agent	Co-operative Group Food Limited 1 Angel Square Manchester M60 0AG
Name & Address of Premises	Co-operative Food Cotton Street Castle Douglas DG7 1AN
Nature of variation	Change of Designated Premises Manager to Stuart Galloway
Effective Date of Minor Variation	25 May 2021

<u>Application No. 2 – Ref 0060S</u>	
Name & Address of Applicant or Agent	Karen Louise Clachrie St Cuthbert Place Kirkcudbright DG6 4DH
Name & Address of Premises	Steam Packet Inn St Cuthbert Place Kirkcudbright DG6 4DH
Nature of variation	Internal alterations decreasing capacity from 130 to 124 and change of premises name to The Steamie.
Effective Date of Minor Variation	5 August 2021

<u>Application No. 3 – Ref 0007S</u>	
Name & Address of Applicant or Agent	Gell Leisure Limited 104 Moorlands Road Bradford BD11 2BP
Name & Address of Premises	Barend Bar & Restaurant Barend Holiday Village Sandyhills Dalbeattie DG5 4NN
Nature of variation	Change of Designated Premises Manager to Duncan Gell and change of premises name to The Beagle Country Pub.
Effective Date of Minor Variation	9 August 2021

<u>Application No. 4 – Ref 0081S</u>	
Name & Address of Applicant or Agent	Punch Partnerships (PTL) Limited Elsley Court 20-22 Great Titchfield Street London W1W 8BE
Name & Address of Premises	Anchor Hotel Kippford Dalbeattie DG5 4LN
Nature of variation	Change of Designated Premises Manager to Garry Gibson
Effective Date of Minor Variation	30 September 2021

Colin Brown
Senior Licensing Officer (Board Services)
Licensing

Ext: 63373

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

Date of Report: 16 November 2021

**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 0008S – SECTION 33</u>	
Name & Address of Applicant or Agent	Samantha McCormick East View 29 Main Street Twyholm DG6 4NX
Name & Address of Transferee or Agent	Susan Farnes 1 Kirkbrae Twyholm DG6 4NX
Name & Address of Premises	Burnbank Hotel Twyholm DG6 4NX
Effective Date of Transfer	8 October 2021

Colin Brown
Senior Licensing Officer (Boards)

Ext: 63373

Date of Report: 16 November 2021

Vladimir Valiente
Clerk to the Licensing Boards
Municipal Chambers
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 0006S</u>	
Name & Address of Licence Holder	Brandedleys Holiday Park Ltd Registered Office Armillan Caravan Park Girvan KA26 0MP
Name & Address of Premises	Quinns Bar Park of Brandedleys Crocketford DG2 8RG
Date Licence Surrendered	19 August 2021

<u>No. 2 – Ref 0003S</u>	
Name & Address of Licence Holder	CJ Lang & Son Limited 78 Longtown Road Dundee DD4 8JU
Name & Address of Premises	Spar 61 High Street Dalbeattie DG5 4HA
Date Licence Surrendered	5 November 2021

Colin Brown
Senior Licensing Officer (Board Services)
Licensing
Ext: 63373

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

Date of Report: 16 November 2021

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

LICENSING (SCOTLAND) ACT 2005 (THE ACT)

SECTION 44: NOTIFICATION OF CONVICTION

PREMISES LICENCE HOLDER: TESCO STORES LIMITED

**PREMISES: TESCO SUPERSTORE, ERNESPIE ROAD, CASTLE DOUGLAS;
TESCO METRO, 52 ST CUTHBERT STREET, KIRKCUDBRIGHT**

1. Reasons for the report

To advise the Board of notification of convictions and suggest next steps.

2. Background

2.1 On 7 May 2021 the Licensing Board received notification that Tesco Stores Limited have been convicted of English based offences . (**Appendices 1 and 2**).

2.2 In terms of section 44(2) the Act, the Licensing Board gave notice of these convictions to the Chief Constable and he responded within the 21 day statutory timeline with section 44(4)(b) notice confirming the existence of the relevant offences (**Appendix 3**).

3. Options for the Board

3.1 As the Board has received from the Chief Constable a notice under section 44(4)(b) of the Act (which does not include a recommendation that it is necessary for the purposes of any of the licensing objectives that the premises licence be varied, suspended or revoked) then the Licensing Board must:

- Make a premises licence review proposal in respect of the premises licence; or
- decide to take no further action in relation to the convictions.

3.2 In this case, it is suggested that the Board takes no further action in relation to the convictions for the following reasons:

- The offences are English based and do not relate to local premises;
- The offences do not relate to any other ground relevant to one or more of the licensing objectives;
- There is no breach of the conditions attached to the premises licence held by Tesco; and
- There is no suggestion that the licence holder is not a fit and proper person to be the holder of a premises licence.

4. Recommendation

That the Board take no further action.

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

Date of Report: 10 November 2021

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Date: 7 May 2021

DUMFRIES & GALLOWAY COUNCIL, Divisional Licensing Board
 District Court & Licensing
 Council Offices
 Stranraer
 DG9 7JJ

Tesco Stores Limited
 Licensing Team
 5 Falcon Way, Shire Park
 Welwyn Garden City
 Hertfordshire
 AL7 1TW

T: 01707 940740

F: 020 3890 0369

E: Licensing.Team@Tesco.com

Dear Sir/Madam,

In terms of the *Licensing (Scotland) Act 2005* and the *Civic Government (Scotland) Act 1982*, we hereby intimate the following English convictions:

Nature of offence:

Birmingham City Council v. Tesco Stores Limited	Court	Date
<ul style="list-style-type: none"> Offences 1-22: Failure to comply with EU provision concerning food safety and hygiene. 	Birmingham Magistrates Court	19 April 2021

Licensing (Scotland) Act 2005:

In relation to the undernoted licence:

Tesco Castle Douglas Superstore,
 Ernespie Rd, DG7 1LD

Licence Number: 0084S

Yours Sincerely,

James Skinner
Licensing Executive
Group Legal
01707 940740 | 07841193846

Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, United Kingdom, AL7 1GA.
www.tescopl.com | @tesconews



This is a confidential email. Tesco may monitor and record all emails. The views expressed in this email are those of the sender and not Tesco. Tesco Stores Limited Company Number: 519500
 Registered in England Registered Office: Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, AL7 1GA VAT Registration Number: GB 220 4302 31

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Date: 7 May 2021

DUMFRIES & GALLOWAY COUNCIL, Divisional Licensing Board
 District Court & Licensing
 Council Offices
 Stranraer
 DG9 7JJ

Tesco Stores Limited
 Licensing Team
 5 Falcon Way, Shire Park
 Welwyn Garden City
 Hertfordshire
 AL7 1TW

T: 01707 940740

F: 020 3890 0369

E: Licensing.Team@Tesco.com

Dear Sir/Madam,

In terms of the *Licensing (Scotland) Act 2005* and the *Civic Government (Scotland) Act 1982*, we hereby intimate the following English convictions:

Nature of offence:

Birmingham City Council v. Tesco Stores Limited	Court	Date
<ul style="list-style-type: none"> Offences 1-22: Failure to comply with EU provision concerning food safety and hygiene. 	Birmingham Magistrates Court	19 April 2021

Licensing (Scotland) Act 2005:

In relation to the undernoted licence:

Tesco Kirkcudbright Metro,
 52 St Cuthbert St, DG6 4DZ

Licence Number: 0033S

Yours Sincerely,

James Skinner
Licensing Executive
Group Legal
01707 940740 | 07841193846

Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, United Kingdom, AL7 1GA.
www.tescopl.com | @tesconews



This is a confidential email. Tesco may monitor and record all emails. The views expressed in this email are those of the sender and not Tesco. Tesco Stores Limited Company Number: 519500
 Registered in England Registered Office: Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, AL7 1GA VAT Registration Number: GB 220 4302 31

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APPENDIX 3**OFFICIAL: POLICE AND PARTNERS**

14 June 2021

Your Ref: 0084S
0033S

Our Ref:

Democratic Services Manager
Stewartry Divisional Licensing
Municipal Chambers
Buccleuch Street
Dumfries
DG1 2AD**POLICE
SCOTLAND**

Keeping people safe

Carol McGuire
Chief SuperintendentDumfries & Galloway Division
Police Headquarters
Cornwall Mount
Dumfries
DG1 1PZ

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE HOLDER DUTY TO NOTIFY LICENSING BOARD OF
CONVICTIONS
TESCO STORES LIMITED**

- **TESCO, ERNESPIE ROAD, CASTLE DOUGLAS**
- **TESCO, 52 ST CUTHBERT STREET, KIRKCUDBRIGHT**

I refer to the above and your correspondence. In terms of Section 44(4)(b) of the Licensing (Scotland) Act 2005, I have to advise you that the licence holder has been convicted of the following relevant offences.

Date	Court	Crime/Offence	Disposal
19/04/2021	Birmingham & Solihull Magistrates	21 x Contravene/fail to comply with EU provision concerning food safety/hygiene	Sentence postponed

Yours faithfully

Carol McGuire
Chief Superintendent**OFFICIAL: POLICE AND PARTNERS**

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

LICENSING (SCOTLAND) ACT 2005: SECTION 23

APPLICATION: NEW PREMISES LICENCE

PREMISES: BRAMBLES DELICATESSEN, 48A ST MARY STREET, KIRKCUDBRIGHT

APPLICANT: CAROLINE ANNE MERRICK

1. Reason for Report

1.1 As this is an application for a new premises licence, the Board is statutorily obliged to hold a Hearing.

1.2 Members are asked to consider the application for a new premises licence received on 31 August 2021 and detailed in **Appendix 1** to this report.

2. Background

2.1 A copy of the application was forwarded to the following:

- Police Scotland
- The Local Authority
- Scottish Fire and Rescue Service
- NHS Dumfries & Galloway
- Local Community Council
- Neighbours (those within 4 metres in any direction of any boundary of the premises)

2.2 In terms of the law, the Board is obliged to advertise notice of the application on its website for a continuous period of 21 days. The dates of display were **Monday 11 October 2021 until Tuesday 2 November 2021**.

2.3 The applicant is also obliged to display a site notice of A4 size at or near the premises in a place and at a height where the notice can conveniently be read by the public on the same dates as the Board's notice.

2.4 On expiry of the 21 day advertising period the applicant must submit to the Board signed Confirmation of Site Notice before the Board may determine the application.

2.5 Signed Confirmation of Site Notice confirming the above has been received.

2.6 Satisfactory Section 50 Certificates for Planning, Building Standards and Food Hygiene have been received and a Disabled Access and Facilities Statement has also been received.

3. Objections and Representations

3.1 The last date for objections/representations for the application was **Monday 1 November 2021**.

3.2 No objections or representations have been received.

4. Responses

- LSO report: no adverse comment (**Appendix 2**)
- Police Scotland: clear report
- Planning: no planning issues raised

- Scottish Fire and Rescue Service: no comments

5. Determination of the application

5.1 The Board must, in considering and determining an application, consider whether any of the grounds for refusal apply.

- (i) If no ground or refusal applies, then the Board must GRANT the application
- (ii) If any ground of refusal applies, the Board must REFUSE the application

5.2 In terms of section 23 (5) the grounds for refusal are:-

- The premises are excluded premises
- The application must be refused under
 - Section 25(2) (where the Board has refused a premises licence and this is a subsequent application received within 12 months of the refusal)
 - Section 64(2) (where the application is for 24 hour operation and exceptional circumstances have not been shown to justify that operation)
 - Section 65(3) (the application relates to off sales outwith 10am to 10pm)
- That the Licensing Board considers, having regard to the licensing objectives, that the applicant is *not a fit and proper person to be the holder of a premises licence*;
- The Licensing Board considers that the granting of the application would otherwise , be inconsistent with one or more of the licensing objectives, namely: (preventing crime and disorder/securing public safety/preventing public nuisance/protecting and improving public health/protecting children and young persons from harm);
- That having regard to:-
 - i) The nature of the activities proposed to be carried on in the premises
 - ii) the location, character and condition of the premises; and
 - iii) the persons likely to frequent the premisesthe Board considers that the premises are unsuitable for use for the sale of alcohol
- The Board considers that that, if the application were to be granted, there would, as a result, be overprovision of licensed premise in the locality.

6. Recommendation

Members are asked to either GRANT or REFUSE the application.

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

10 November 2021

APPENDIX 1

Applicant/Agent	Knight Training - Shaun Ward Per Caroline Anne Merrick Halifax 5 Mews Lane Kirkcudbright DG6 4DN
Address of Premises	Brambles Delicatessen 48A St Mary Street Kirkcudbright DG6 4DN
Description	Delicatessen retail shop selling artisan cheese / chocolates / world foods / ceramics and bespoke hampers. Off sales.
Core Times	<u>Off Sales</u> Monday 10:00am – 9:00pm Tuesday 10:00am – 9:00pm Wednesday 10:00am – 9:00pm Thursday 10:00am – 9:00pm Friday 10:00am – 9:00pm Saturday 10:00am – 9:00pm Sunday 10.00am – 9:00pm
Activities	None
Children and Young Persons	N/A
Capacity	1.584 sqm Whisky area 5.566 sqm Wine area Total = 7.150 sqm
Last Date for Objections/Representations	Monday 1 November 2021

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**DUMFRIES & GALLOWAY LICENSING BOARDS
LICENSING STANDARDS OFFICER REPORT**

LICENSING (SCOTLAND) ACT 2005:**APPLICATION FOR PREMISES LICENCE****PREMISES: BRAMBLES DELICATESSEN, 48A ST MARY STREET, KIRKCUDBRIGHT****APPLICANT: CAROLINE ANNE MERRICK**

1. This new application involves the provision of off sales in a delicatessen situated on the Main Street in Kirkcudbright. The shop offers a range of artisan and traditional cheeses, meats, chocolates, world foods, ceramics and bespoke hampers. Initially it is the intention to concentrate on offering organic wines and Scottish whiskies, branching out to ports and liquors at a later stage.

2. The hours applied for are Monday to Sunday 10am to 9pm which are within the licensing hours policy of the Stewartry Divisional Licensing Board.

2.1 The premises will generally open 9am to 5pm Tuesday to Saturday, however, the applicant has requested the Sunday/Monday and the 9pm terminal hour to allow for any increased trading in the future.

3. The proposed total capacity of the alcohol display area is 7.150 sqm made up as follows:-

- A single area of the premises which is inaccessible to the public - 1.584 sqm; and
- A single area of the premises to be agreed between the Licensing Board and the holder of the licence - 5.566 sqm.

3.1 For ease of reference, a copy of the floor plan is enclosed which highlights the alcohol display area.

4. There are 2 supermarkets and one general store nearby namely:-

- Tesco, 52 St Cuthbert Street, Kirkcudbright 40.36 sqm;
- Co-op, 6 St Cuthbert Street, Kirkcudbright 23.386 sqm; and
- Mitchell's Shop, 50 St Mary Street, Kirkcudbright 16.51 sqm.

5. The premises were taken over by the applicant in 2015 and currently offers online goods.

6. The application was advertised on the Board's website page from Monday 11 October 2021. At the same time a notice must be displayed at or near the premises. The last day for lodging an objection being Monday 1 November 2021.

6.1 A visit was made to the premises on 21 October 2021. The notice was correctly displayed at that time in the shop window.

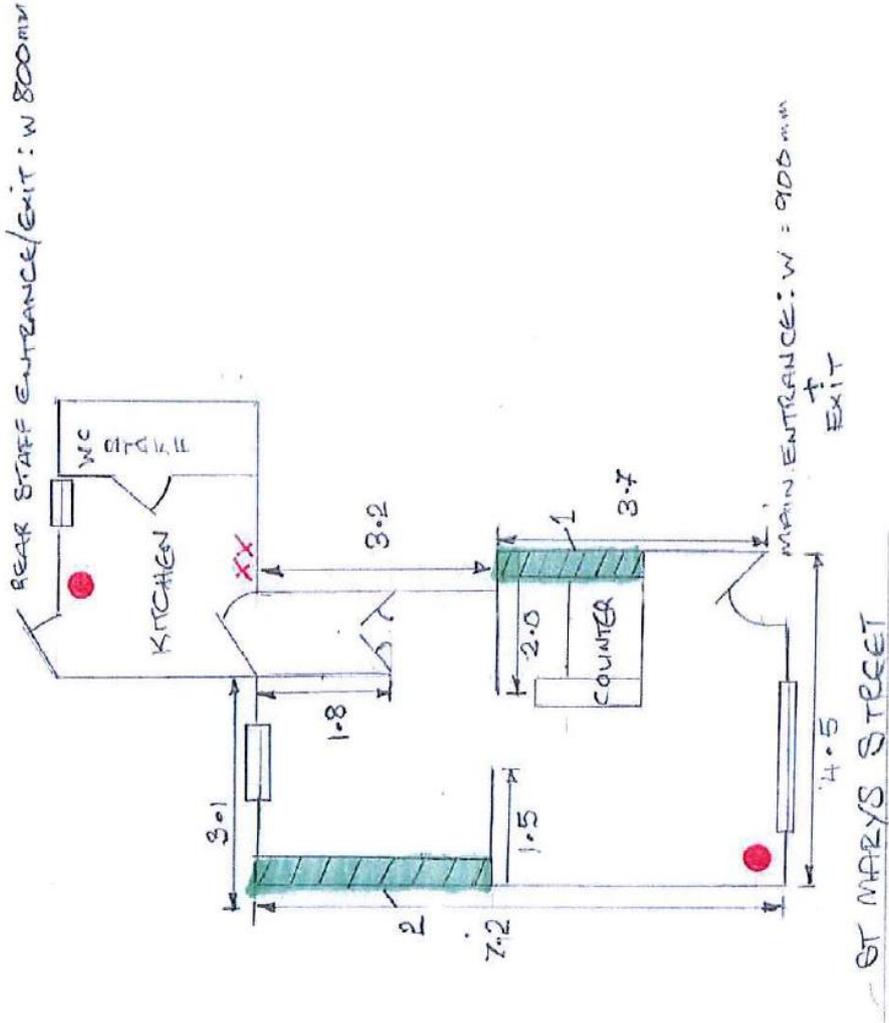
7. I have no adverse comments.

Mary Irving

Licensing Standards Officer

5 November 2021

Scale 1:100



- ALCOHOL STORAGE + DISPLAY
- 1: L-1.980 H 800.
 - 2: L-3.050, H 1.825.
- TOTAL = 7.150 Sqm
- SMOKE DETECTION
 - X FIRE EXTINGUISHER

BRAMBLES DELICATESSEN
 48A ST MARYS ST.
 KIRKPATRICK
 DG 10 4DN

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

LICENSING (SCOTLAND) ACT 2005: SECTION 23

APPLICATION: NEW PREMISES LICENCE

PREMISES: ERNESPIE FARM CENTRE, CASTLE DOUGLAS DG7 3JG

**APPLICANT: ERNESPIE FARM CENTRE LIMITED, DUMFRIES ENTERPRISE PARK,
DUMFRIES DG1 3ST**

1. Reason for Report

1.1 As this is an application for a new premises licence, the Board is statutorily obliged to hold a Hearing.

1.2 Members are asked to consider the application for a new premises licence received on 7 October 2021 and detailed in **Appendix 1** to this report.

2. Background

2.1 A copy of the application was forwarded to the following:

- Police Scotland
- The Local Authority
- Scottish Fire and Rescue Service
- NHS Dumfries & Galloway
- Local Community Council
- Neighbours - there were no neighbours within 4 metres in any direction of any boundary of the premises

2.2 In terms of the law, the Board is obliged to advertise notice of the application on its website for a continuous period of 21 days. The dates of display were **Tuesday 19 October 2021 until Wednesday 10 November 2021**.

2.3 The applicant is also obliged to display a site notice of A4 size at or near the premises in a place and at a height where the notice can conveniently be read by the public on the same dates as the Board's notice.

2.4 On expiry of the 21-day advertising period the applicant must submit to the Board signed Confirmation of Site Notice before the Board may determine the application.

2.5 At the time of writing this report satisfactory signed Confirmation of Site Notice confirming the above has not yet been received.

2.6 Satisfactory Section 50 Certificates for Planning, Building Standards and Food Hygiene have been received and a Disabled Access and Facilities Statement has also been received.

3. Objections and Representations

3.1 The last date for objections/representations for the application was **Tuesday 9 November 2021**.

3.2 No objections or representations have been received.

4. Responses

- LSO report: no adverse comments (**Appendix 2**)
- Police Scotland: clear report
- Planning: no issues
- Building Standards: no adverse comments
- Environmental Health: no objections
- Scottish Fire and Rescue Service: no comments

5. Determination of the application

5.1 The Board must, in considering and determining an application, consider whether any of the grounds for refusal apply.

- (i) If no ground or refusal applies, then the Board must GRANT the application
- (ii) If any ground of refusal applies, the Board must REFUSE the application

5.2 In terms of section 23 (5) the grounds for refusal are:-

- The premises are excluded premises
- The application must be refused under
 - Section 25(2) (where the Board has refused a premises licence and this is a subsequent application received within 12 months of the refusal)
 - Section 64(2) (where the application is for 24 hour operation and exceptional circumstances have not been shown to justify that operation)
 - Section 65(3) (the application relates to off sales outwith 10am to 10pm)
- That the Licensing Board considers, having regard to the licensing objectives, that the applicant is *not a fit and proper person to be the holder of a premises licence*;
- The Licensing Board considers that the granting of the application would otherwise , be inconsistent with one or more of the licensing objectives, namely: (preventing crime and disorder/securing public safety/preventing public nuisance/protecting and improving public health/protecting children and young persons from harm);
- That having regard to:-
 - i) The nature of the activities proposed to be carried on in the premises
 - ii) the location, character and condition of the premises; and
 - iii) the persons likely to frequent the premisesthe Board considers that the premises are unsuitable for use for the sale of alcohol
- The Board considers that that, if the application were to be granted, there would, as a result, be overprovision of licensed premise in the locality.

6. Recommendation

Members are asked to either GRANT or REFUSE the application.

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

10 November 2021

APPENDIX 1

Applicant/Agent	Ernespie Farm Centre Limited Dumfries Enterprise Park Heathhall Dumfries DG1 3ST
Address of Premises	Ernespie Farm Centre Castle Douglas DG7 3JG
Description	A rural visitors centre that employs 30 part time and full time staff. It comprises of soft play, outdoor play, restaurant, gift shop and garden centre. Licence will be used to offer alcoholic drinks as part of table service in the restaurant and also to sell a limited range of alcohol in the gift shop.
Core Times	<p><u>On Sales</u></p> <p>Monday 10:30am – 12:00 midnight Tuesday 10:30am – 12:00 midnight Wednesday 10:30am – 12:00 midnight Thursday 10:30am – 12:00 midnight Friday 10:30am – 12:00 midnight Saturday 10:30am – 12:00 midnight Sunday 10.30am – 12:00 midnight</p> <p><u>Off 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>
Activities	<p>Add Restaurant facilities, Receptions, Club and Group Meetings, Recorded Music and Live Performances within core licensed hours.</p> <p>Add Outdoor Drinking within core licensed hours.</p> <p><u>Any other activities</u></p> <p>Soft play area and Outdoor play area</p>

Children and Young Persons	<p>TERMS – Children and Young Persons will only be allowed entry when supervised by an adult.</p> <p>AGES – 0-17</p> <p>TIMES – Children and Young Persons will be allowed entry from 10:00am to 9:00pm</p> <p>PARTS – Children and Young Persons will be allowed entry to all public parts of the premises.</p>
Capacity	<p>On Sales: 100 inside, 30 outside Off Sales: 3.2m x 1.6m = 5.12 sqm</p>
Last Date for Objections/Representations	Tuesday 9 November 2021

**DUMFRIES & GALLOWAY LICENSING BOARDS
LICENSING STANDARDS OFFICER REPORT**

LICENSING (SCOTLAND) ACT 2005:**APPLICATION FOR PREMISES LICENCE****PREMISES: ERNESPIE FARM CENTRE, CASTLE DOUGLAS, DG7 3JG****APPLICANT: ERNESPIE FARM CENTRE LIMITED**

1. This new application involves the provision of on and off sales at Ernespie Farm Centre situated on the outskirts of Castle Douglas and located next to the dairy farm. The Centre has been open since July 2019 and comprises a café, indoor/outdoor play area, gift shop and garden centre.

1.1 The café can accommodate up to 130 people (100 indoor/30 outdoor) and is available for parties/functions as and when required.

1.2 The indoor play area offers soft play for children up to 10 years and comprises a small café exclusive to this area.

1.3 The outdoor play area provides various activities such as tractor rides, zip wire, woodland walks, bouncy cushions, climbing frames and animal feeding.

1.4 The giftshop offers a wide range of gifts from accessories to gardenware. The proposed capacity of the alcohol display area is 5.12sqm. The intention is to offer locally produced beers, wines and spirits including gift packs.

2. The hours applied for are:-

On sales

Monday to Sunday 10.30am to midnight; and

Off Sales

Monday to Sunday 10.30am to 10pm;

All within the Boards Licensing Hours Policy Statement.

2.1 Whist the premises will generally open 10am to 5pm Monday to Sunday, the applicant has requested the midnight terminal hour to allow flexibility for events such as pop-up restaurant nights and special events.

3. The application was advertised on the Board's website page from Tuesday 19 October 2021. At the same time a notice must be displayed at or near the premises. The last day for lodging an objection being Tuesday 9 November 2021.

3.1 A visit was made to the premises on 21 October 2021. The notice was correctly displayed at that time on the window at the entrance to the premises.

4. I have no adverse comments.

Mary Irving

Licensing Standards Officer

9 November 2021

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

**LICENSING (SCOTLAND) ACT 2005: SECTION 12A
CHIEF CONSTABLE'S ANNUAL REPORT 2020/2021**

1. Reasons for Report

1.1 In terms of section 12A of the Licensing (Scotland) Act 2005 ('2005 Act'), the Chief Constable must, as soon as reasonably practicable after the end of each financial year, send a report to the Board setting out the matters specified in paragraph 2 below.

1.2 The Chief Constable's report to the Board for the period 1 April 2020 to 31 March 2021 is to be found at the **Appendix**.

2. Content of Chief Constable's annual report

The report must set out:

- a) Chief Constable's views about matters relating to policing in connection with the operation of the 2005 Act in the Board's area during the period of 1 April 2020 to 31 March 2021 *and*
- b) any steps the Chief Constable
 - has taken during that year (2020/2021),
 - intends to take in the following yearto prevent the sale or supply of alcohol to children or young people in that area

3. Discussion of the report

3.1 If the Board so requests, the Chief Constable or his representative must also attend the Board's meeting to discuss the report.

3.2 A request has been made to the Police to attend the Hearing in the event that Members may wish the report to be discussed.

4. Recommendation

Members are asked to receive the Chief Constable's Report for 2020/2021 for the Stewartry Divisional Licensing Board and to note its terms.

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

Date of Report: 10 November 2021

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STEWARTRY

Licensing Report

2020-2021



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Foreword

In accordance with Section 12(A) Licensing (Scotland) Act 2005 I provide the Annual Licensing Report for 2020/21.

I would like to thank you for working with policing to keep the people of Scotland safe in what has been an extremely demanding year. During these challenging times Police Scotland has continued to work closely with Local Authorities and key stakeholders and, collectively, we have played a crucial role in supporting the national response to the COVID-19 pandemic, explaining the rules and encouraging our fellow citizens to do the right thing.

We have embraced new, flexible ways of working that have involved remote or home working where possible and the incorporation of new IT solutions. We have quickly adapted to these changes while continuing to provide a high standard of service to our communities.

We have also continued to deliver effective regulation of Liquor Licensing whilst taking full cognisance of the restrictions and requirements conferred by the Coronavirus Regulations. Our focus has been on preventing alcohol fuelled violence, disorder and antisocial behaviour along with supporting the national response to suppress the virus.

I would like to thank our many local partnerships and acknowledge the good work that they do; without their support we would not be able to maintain the high standard in licensing in the Stewartry area.

Police Scotland remains committed to working with others to achieve the licensing objectives. I am confident that through effective, collaborative working we will meet any challenges that may arise and will continue to improve licensing standards for the communities of Scotland.

Iain Livingstone QPM

Chief Constable

Police Service of Scotland

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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.

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 2020/2021, 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.

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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 Licensing Board area are located at police station in Kirkcudbright and Castle Douglas.

All licensing matters within the Stewartry area are processed by Police Scotland via the Divisional Licensing Unit which is overseen by Chief Inspector Stuart Davidson and managed on a day to day basis by Sergeant Anna Boyd.

Within the Stewartry board area there are 209 premise licenses and 245 personal licence holders.

The Stewartry 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 license premise in the form of public houses or license retail units and consequences 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 Stewartry 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

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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 Stewartry board area are submitted to the 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. If 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.

To ensure thorough overview of all licensing matter, the divisional licensing unit work closely with operational response and community officers. This allows the early identification of any issues with licensed premise or license holders which in turn permits a co-ordinated response to any inventions 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 representative 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 regular 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 on 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.

Throughout the year, Officers attend license premises with a view of identifying drug misuse and offering licensees a visual identification of areas within their premise 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.

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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 Knockengorrach Festival, Kirkcudbright Riding of the Marches and Douglas Day.

As the country moves towards progressive steps out the coronavirus restrictions Police Scotland will continue to support the license premise trade to re-establish it operating 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.

Pubwatch

Pubwatch is an initiative that is led by licensed premises themselves, with local community police officer support. The essence of the scheme allows licensed premises to work together to ensure consistent approach and messaging around standards of behaviour, violence and safety within our public houses. The development of the online system has been beneficial to premises and Stewartry currently has ***** active members.

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. Evidence from this system

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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 Board Area

Due to the operating restrictions under the Coronavirus regulations there has been a limited number of months during the reporting year that licensed premises were able to open for the full operating hours. Since November 2020 licensed premises have either been closed or subject of restrictions to close at 2230 hrs. As such comparing the numbers and types of incidents committed during night time economy hours (Friday and Saturday 2300 to 0400) to previous years is not feasible. The below figures represent that all incidents that can be linked to licensed premises.

The majority of offences 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.

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	2018/2019	2019/20	2020/21
All crimes specifically linked to licensed premises	12	16	4

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 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 it has not been necessary to bring any Licence holder or premises to the Stewartry Licensing board for review or to introduce any formal intervention work with any premises within the area.

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.

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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 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

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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.

Our Pro-active Criminal Investigation team look 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 Pubwatch schemes assist in keeping individuals at the greatest risk of committing crime out of licensed premises. 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.

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 Eden Festival 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.

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The current restriction to all licensed premises due to COVID19 legislation and guidelines present an uncertain future for many of our licensed premises. We will continue to proactively engage with licensees and look to re-establish active working relationships when licences premises re-open to the public.

We would like to thank you for your continued support and stress the importance of this collaborative problem solving approach. This ensures that police, licence 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 2021/2022.

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