

Falkirk Council Licensing Board

Subject: **Licensing (Scotland) Act 2005**
 Review of Statement of Licensing Policy Update
Meeting: **Licensing Board**
Date: **14 November 2018**
Author: **Consumer Protection Manager**

1. Purpose of Report

- 1.1 The purpose of this report is to update members on the progress of the review of the Statement of Licensing Policy following the end of the consultation period.

2. Recommendation

- 2.1 **For noting.**

3. Background

- 3.1 At the meeting of the Licensing Board on 5 September 2018, members approved a draft Statement of Licensing Policy for the purposes of consultation. A list of those sent a copy of the draft statement is attached as appendix 1.
- 3.2 The draft statement was also made available on the Consultation and Surveys page of the Falkirk Council web site and comments invited. All current premises licenceholders were notified of the consultation by letter.
- 3.3 The consultation period ran for 6 weeks and concluded on 19 October 2018.

4. Responses Received

- 4.1 No comments were received from the Chief Fire Officer, the Chief Executive of Forth Valley Health Board, the Community Councils or any of the solicitors or agents that regularly submit applications to the Falkirk Board. No responses were received from the publication of the consultation on the Falkirk Council website.
- 4.2 Comments were received from the Local Licensing Forum, the Chief Constable, Alcohol Focus Scotland, Falkirk Alcohol & Drug Partnership and the holder of the premises licence for David's Kitchen. The responses are attached as appendices to the report.

5. Sub Group of the Board

- 5.1 Following the end of the consultation period, the sub group of the Board met on 1 November to discuss the comments received. The members of the sub group were Depute Chair of the Licensing Board Allyson Black, Councillor Lorna Binnie and Councillor Robert Bissett. The group was supported by the Consumer Protection Manager and both of the Licensing Standards Officers.
- 5.2 Consideration of all of the comments was not concluded at the meeting and therefore it was agreed that the group meet again.

6. Consideration

- 6.1 The amended Statement of Licensing Policy will be considered at the meeting of the Board on 19 December 2018.

7. Implications

Financial and Resources

- 7.1 There are no financial resources required for the review of the policy, however, there is a requirement for staff resources.

Legal

- 7.2 The Board's current Statement of Licensing Policy, adopted in February 2016, will continue until the new policy is approved. The statutory deadline for publishing the policy is within 18 months of an ordinary election of councillors for local government taking place.

Risk

- 7.3 Failure to publish the revised policy within the statutory timescale may result in reputational damage to the Licensing Authority.

Equalities

- 7.4 The Board's continued commitment to equalities issues is demonstrated in the strategy and reports that have been published since 2013.

Sustainability / Environmental Impact

- 7.5 None

8. Conclusion

- 8.1 It is concluded that from the information provided in the report the Licensing Board will need to delay the consideration of the Statement of Licensing Policy until the meeting of the Board on 19 December 2018.

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Clerk to the Licensing Board

Date: 1 November 2018

Contact Officer: Alison Barr, Consumer Protection Manager ext. 1265

Appendix 1 - List of Consultees

Appendix 2 - Consultation response from Falkirk Local Licensing Forum.

Appendix 3 - Consultation response from Police Scotland

Appendix 4 - Consultation response from Alcohol Focus Scotland

Appendix 5 - Consultation response from Falkirk Drug & Alcohol Partnership

Appendix 6 – Consultation response from David's Kitchen

LIST OF BACKGROUND PAPERS

Nil

Consultees
Chair of Licensing Forum
Licensing Forum members
Chief Constable
Chief Inspector Armstrong
Chief Fire Officer
FV NHS
Falkirk ADP
All premises licenceholders
Community Councils:
Airth Parish
Avon and Standburn
Banknock, Haggs and Longcroft
Blackness
Bo'ness
Bonnybridge
Brightons
Denny & District
<u>Grahamston, Middlefield and Westfield</u>
<u>Grangemouth (including Skinflats)</u>
<u>Larbert, Stenhousemuir and Torwood</u>
Maddiston
Polmont
Reddingmuirhead & Wallacestone
Shieldhill & California
Solicitors:
Hill Brown
Brunton Miller
Sandemans
TLT
John Gaunt
Harper MacLeod
Anderson Strathern
Brodies
Lindsays
Gosschalks
DWF
Shepherd and Wedderburn
Young and Partners
McGregor Thomson

15th October 2018

Sub: Draft Statement of Licensing Policy - consultation

Dear Colin,

The Licensing Forum have viewed the Draft Statement of Licensing Policy and would wish to make the following observations:

1. **(2.5) Chief Constables Report** - with the imminent publishing of the 2017-2018 report would it be possible for it to be considered as part of the consultation process so that it re enforces the views held previously that Falkirk is a relatively safe place for people to visit
2. **(3.) Promotion of the Licensing Objectives** - under 3.1 you state that the board expects that all new premises licence applications, provisional premises licence applications and premises licence transfers have a statement with regard to the management of the licensing objectives. Rather than using the word "expect", can this not be put in as a condition of the application and included in the guidance notes on each application form. This then ensures a consistent approach is being adopted by all new applicants moving forward.
3. **(3.3)** - we believe that moving forward each new applicant of an occasional licence should submit a similar statement on how they will manage the licensing objectives for their specific event. We should be raising the standards for all licence applications and demonstrating a desire for consistency.
4. **(3.4)** - rather than using the terminology of "strongly advises that premises carry out a risk assessment" why can we not put a risk assessment template in place to get licensed premises to complete. The Licensing Forum would welcome the opportunity to work with both Council Officers and Police Scotland in developing a satisfactory and workable risk assessment template for the trade to use.
5. **(3.5) - "additional control measures"** - it would be helpful to outline some examples of the areas that the Board would see as potential additional control measures as it is not specific.
6. **(3.6)** - rather than an incident log being good practice could it not be included as a condition depending on the type of premises applying for a licence e.g. all Premises participating in the **Bo'ness Children's Fair**.
7. **(3.9/ 3.10) CCTV**- you are asking premises to ensure their CCTV operation specification is approved by the Chief Constable . Are we confident that Police Scotland have systems themselves that are capable of reading the new CCTV technology in the market at present? Previously this has been an issue with the Procurators Fiscals office not having compatibility with viewing CCTV evidence.
8. **(3.17) Suggested control measures** - could an explanation be included to help premises understand what "Ask for Angela" means as not everyone reading the policy may be aware of it.
9. **(3.22) -Suggested Control Measures** - how practical is it to ask premises licence holders to liaise with public transport providers when there is a limited late night bus service and in many cases they are not interested in having dialogue with the Licensed Trade?

10. **(3.29)** - could we provide guidance on where premises could source drink driving awareness material. A link to a resource website would be helpful.
11. **(3.29)** - "having in place a policy/practice to deal with patrons who have consumed excessive alcohol " - what would that look like in practice?
12. **(3.34)** - we believe that some of the information referred to regarding the potential impact on children could be sourced via the NHS. Is it possible to have a link to the data included.
13. **(3.35)** - the first control measure should make reference to the mandatory 2 hour staff training. An additional control measure could be to have a children's menu to be available or children sized portions from the main menu.
14. **(4.9)** - For premises classed as nightclubs- who determines what the classification is for a night club as it is not listed anywhere in the policy? How would the Board determine an application for a potential nightclub?

(6.14) Sporting Events - we note the comments made and would support these, however we do not believe that they go far enough with regard to managing risk and would wish to include the following:

Events involving contact sports, such as boxing, karate or other martial arts tournaments, might be granted O.L.s, but, since all five of the Licensing Objectives are relevant here, the Board will only permit O.L.s for contact sports where:

- (a) the organiser is part of a recognised sporting association and
- (b) the event is conducted according to the rules of the association.

Accordingly the Board will not just be seeking information about who is to run the bar, but about who is running the event itself. The Board may require the Applicant for the Occasional Licence to give information and documents about the event, the association, and insurance. The Board may attach special Licence conditions requiring proper medical attention on-site (not simply First Aid), insurance and parental consent for participants under-16.

Any Application for an Occasional Licence where there are to be contact sports will be referred to the Convenor or another Member of the Board, who may direct that any Occasional Licence should be subject to additional conditions.

The Board may impose the following requirements that:

- (a) for all drinks (alcoholic or not) containers made of plastic or toughened glass should be used,
- (b) no conventional glass bottles, whether open or sealed, and whether they contain alcohol or not, should be given to patrons, whether at the bar or by staff service to any area away from the bar,
- (c) all drinks (alcoholic or not) should be decanted into containers made of these materials before supply to consumers,
- (d) all receptacles must still be in proper form to ensure accurate measurement of drink (e.g. draught beer and cider glasses must bear either a Crown stamp or CE mark).

Apart from Licensing issues, there may be a need for other consents or permissions, e.g. some staging or boxing rings may be regarded as "raised structures" requiring prior consent from Falkirk Building Standards. Some use of Premises may require Planning Permission.

- 15. (6.6) Occasional Licences** - we are of the opinion that the standard of operation requires to be raised with regard to Occasional Licences. A means of managing this more closely could be by adding conditions. e.g. someone must have completed 2 hour mandatory training, a risk assessment on the organisers skills to be assessed. etc .

Alternatively we would wish to request that the following be included where an Occasional Licence has been applied for by a person.

" Where an occasional licence is granted to a Personal Licence Holder, the Personal Licence Holder must be present at the event."

In the case of Occasional Licences, requires the Licence Holder to ensure that:

- all staff who sell or serve alcohol either hold a Personal Licence or have received the same training as is required of staff in Licensed Premises;
- the Personal Licence or training record is produced to a L.S.O. on request;
- either they or that a trained member of staff is present at the Premises throughout the duration of the Licence.
- "In terms of Section 110 of the Act a notice must be displayed at all times at each place on the premises where sales of alcohol are made, and in a position where it is readily visible to any person seeking to buy alcohol.
A Notice is enclosed herewith and you should arrange to display it at relevant locations within the premises. "

- 16. (6.6) Occasional Licences** - we believe that the policy should state what are clear events that would not be suitable :

- private parties where there is no significant entertainment are not regarded as suitable for the grant of an Occasional Licence

- 17. (6.8)** - we would propose for voluntary organisations or occasional licenses that are made of behalf of a organisation where no personal licence holder is listed on the application that this be a mandatory condition rather than using the words " desirable". This is about raising standards and responsibility.

- 18. (9.) Miscellaneous** - we note that no reference has been made with regard to excluded premises. We have taken the following from another Licensing Boards policy which may be appropriate.

Excluded Premises - Garages - Under Section 123 of the Act some categories of premises are excluded from authorising the sale of alcohol. This includes premises or parts of premises used as a garage.

For the purpose of the Act a garage is a premises where there is

- (a) the sale by retail of petrol or derv;
- (b) the sale of motor vehicles or
- (c) the maintenance of motor vehicles.

The Act permits the Board to make exceptions to this rule if they determine that in relation to such premises, persons resident in the locality are, or are likely to become, reliant to a significant extent on the premises as the principal source of

- (a) petrol or derv,
- or (b) groceries.

When considering an application for a premises licence the Board would have to be satisfied that the premises will provide a service to local residents, which would not be reasonably met otherwise. When considering an application for a premises licence for a garage the Board would remind applicants that they would expect the premises to satisfy this test.

- 19.(9.13)** - we would propose that the wording here be changed to make it a condition that licence holders keep a register of all refusals of sales of alcohol. Glasgow Licensing Board have this as a

condition on every one of their licences and have had this in place for over 5 years and it works well.

- 20.(9.14)** - you are requesting that any incidents of alleged drugs misuse be properly recorded and reported to the police. Could we not have an incident log as a condition of the licence?

Other observations

- There are at present no links to the Drug and Alcohol Partnership for Falkirk as a resource tool - Could this be included.
- With over provision being taken as a separate part of the policy, will the Board include in the policy, consideration taken to rural village locations regarding Off Sales as servicing the community and not just merely an Off Sales. There does seem to be a negative narrative on Off Sales premises with the inference on irresponsible dispensing of alcohol.
- There is no mention in the policy regarding Internet alcohol sales or home delivery of alcohol. We came across this inclusion in another Licensing Boards policy and thought it would add value.

Home Delivery - Where alcohol (whether with or without food or any other goods or services) is supplied by delivery away from Licensed Premises (e.g. if a customer orders it by telephone) then:

(a) alcohol can only be sold within Licensed Hours, which cannot be outside the period 10 a.m. to 10.00 p.m. (Section 65) and might be shorter if the Board specifically directs this in relation to the particular Premises;

(b) alcohol can be delivered outside those hours, but cannot be delivered between 12 midnight and 6.00 a.m. (Section 120);

(c) the Board is likely to regard a delivery operation as being inconsistent with both the 'crime and disorder' and 'protecting children from harm' Licensing Objectives if alcohol is supplied unless:

(i) the supplier on arrival at the delivery address first carries out the same checks about the recipient's age as would be appropriate to a sale (see Section 102);

(ii) the supplier refuses delivery unless and until such evidence of age is produced.

(d) under Section 119, two records must be made before the Alcohol leaves the Premises:

(i) in a Day Book kept on the Premises; and

(ii) in a Delivery Book or Invoice carried by the person delivering the Alcohol.

(e) The information to be recorded in both cases is:

(i) the quantity, description and price of the Alcohol, and

(ii) the name and address of the person to whom it is to be delivered.

(f) It is illegal to deliver Alcohol to an address which is not recorded in both records. The records must be shown to a Police Constable or L.S.O. on request.

- **Dial a Booze** - There is no mention in the policy regarding "dial a booze" type operations which are known to be active in the Falkirk Licensing Board area.
Is the Board going to take a view on this?

Gordon Emslie
Convenor
Falkirk Licensing Forum

15/10/2018

Clerk to the Licensing Board
Falkirk Council
Municipal Buildings
Falkirk
FK1 5RS



Iain Livingstone QPM
Chief Constable

Dear Sir,

STATEMENT OF LICENSING POLICY CONSULTATION

I refer to the above and report that the Draft Statement of Licensing Policy for Falkirk Licensing Board has been reviewed by Police Scotland.

Police Scotland are generally in agreement with the content but request the following be taken in to consideration prior to the final version being published;

Section 6.8 Refers to application for Occasional Licences by voluntary organisations and encourages the holders of such licences to ensure that one trained member of staff is present. I would ask consideration be given to making this section more robust and instead highly recommending or requiring the employment of a Personal Licence Holder for these events (by way of local condition) and at the very least require that a trained member of staff is employed.

Section 6.9 Also refers to Occasional Licences and states that the Licensing Board encourages the holders of occasional licences to have a personal licence holder on duty throughout the event where possible. I would again ask considering changing the wording to highly recommending or requiring that a Personal Licence Holder be present (again by way of local condition) or alternatively I would ask that consideration be given to adding wording to the effect that the Licensing Board may impose a local condition whereby a Personal Licence Holder must be present throughout when it considers this appropriate.

Although these suggestions are not requirements under the Licensing (Scotland) Act 2005 it is the opinion of Police Scotland that these changes would help to give reassurance that the management of events at which alcohol is sold by way of occasional licence is consistent with the licensing objectives.

Yours faithfully

Iain Livingstone QPM
Chief Constable



AFS COMMENT ON FALKIRK LICENSING BOARD'S STATEMENT OF LICENSING POLICY (OCTOBER 2018)

Alcohol Focus Scotland (AFS) welcomes the opportunity to comment on Falkirk Licensing Board's Statement of Licensing Policy (SLP). The licensing system plays a key role in minimising the risks of harm to individuals and society from the sale and consumption of alcohol. AFS is therefore keen to support the development of licensing policy and practice in Scotland that works most effectively to prevent and reduce alcohol-related problems.

As a national organisation, we offer our opinion on the general approach, policy direction, and emerging issues relevant to alcohol licensing, which we hope the Licensing Board will find useful. We have also provided suggestions regarding the sections of the draft policy which we believe may warrant particular scrutiny.

As a general point, AFS would recommend that the Board includes details of the evidence considered by it in developing the policy. Boards should be explicit and demonstrate within their policy how it has been informed, with the material considered being published and links to this material being included in the policy itself. Stating this in the policy helps demonstrate the reasoning for the Board's agreed position and its responsive approach to consultation. We would recommend information be provided on sources of information, data and evidence in order for the reader to understand the reasons or justification for aspects of the policy.

We would also suggest that information on consumption and harm could usefully be included in the context section, alongside the helpful information currently provided on Falkirk's population centres' number of licensed premises, and the Police Constable's report.

Links with other strategies

The statement's reference to the Board's duties under the Equality Act 2010 and their Equality Strategy, Equalities Mainstreaming Report and Equality Outcomes are welcomed.

However, licensing activities should be aligned to the work of a broad range of local partners to bring about improvements for individuals and communities. In particular, it will be important that the new policy recognises the value of linkages with other bodies interested in alcohol regulation, and specifically references the policies and strategies that are most relevant to the work of the Board.

As alcohol licensing is the responsibility of licensing boards, it is essential that boards can identify where they share similar objectives to community planning partners, and understand how they can best support each other towards these ends. In many respects, licensing boards and CPPs are already working towards shared goals and stand to benefit from more collaborative approaches. It will therefore be important that the new licensing policy aligns with community planning Local Outcome Improvement Plans (LOIPs).

Boards should also take into account the views of local partners, the forum, communities, and other strategies and plans that have relevance to alcohol when developing and implementing their new policy. The Licensing (Scotland) Act 2005 and accompanying guidance should inform the Board's approach to how this can best be achieved, for example by responding to the recommendations of the forum.

In addition, the work undertaken by the Alcohol and Drug Partnership will be of particular significance, and the new policy could signpost people to where they can access a copy of the ADP's Delivery Plan. AFS would also recommend that the new policy references relevant locality plans, and the strategic plan of the Health and Social Care Partnership (HSCP).

Scotland's alcohol strategy '*Changing Scotland's relationship with Alcohol a Framework for Action*' is also of key relevance to the policy and should be referenced. This established a whole population approach to reducing alcohol harm and identified action on availability as one of three key mechanisms - alongside price and marketing - to achieve this. The Scottish Government's consultation on the strategy, published in 2008, recognised that the main mechanism for controlling alcohol availability was licensing legislation.

Licensing boards are also bound by human rights legislation. Action on human rights in Scotland is currently being driven through Scotland's National Action Plan for Human Rights (SNAP) and there is a range of links between alcohol-related harm and the realisation of human rights in Scotland.

Transparency, accessibility and participation

A lack of effective public engagement in licensing can prevent proper transparency and accountability. During a series of regional licensing seminars, hosted by AFS in 2016, a lack of public participation in licensing was reported across the country. Barriers to participation can relate to poor accessibility of licensing processes, but inconsistencies in policy and practice can also prevent meaningful engagement.

AFS is pleased to see a number of commitments within the policy that aim to increase transparency, accessibility and participation. For example, the Board commits to conducting its business in an open and transparent manner, to make information and assistance available to those participating, and to publish board minutes and agendas of meetings on the website. The policy also includes a commitment that the Board will meet in public, and will make the process as informal as possible. This can be a particularly important commitment for many community members, who may feel intimidated by overly formal processes and environments. It would be helpful if the policy were to outline the procedure to be followed at hearings, such as in an appendix.

Although these commitments are welcomed, the new policy could provide more detail about the means by which the Board's processes and procedures will provide for increased accessibility, transparency and accountability for communities. For example, participants at the 2016 regional licensing seminars recommended that Boards require to have:

- a set of published standing orders;
- board papers and minutes being published on time; and
- board minutes recording the names of board members voting for/against a decision; and
- details to be made available of what people can expect when attending meetings and the supports available to them.

Policies should also have an increased focus on supporting public engagement and participation. Communities may not currently be aware of the various ways in which they can get involved or the types of information/supports available to enable them to participate. AFS welcomes that the draft policy clearly signposts the general public to where they can find guidance to support them to get involved, including by making objections and representations. As well as providing links to the Board's own guidance, it may also wish to consider signposting to Alcohol Focus Scotland's

toolkit, [Alcohol Licensing in Your Community: How you can get involved](#).¹ The current section of the policy outlining the role of the Licensing Standards Officer could also be expanded to include more detail about the assistance they are able to offer to the public.

In addition, policy statements should be easily understood by all licensing stakeholders, including by members of the public without technical expertise. Ensuring that the new policy is written in plain, accessible language could help facilitate the involvement of a wide range of stakeholders. AFS welcomes the use of hyperlinking throughout the document, as this makes the policy more easily accessible.

Further details about accessibility and participation in licensing can be found in AFS's 2017 report *Taking Stock*.² This report analyses experiences of progress within the alcohol licensing system in Scotland since the Licensing (Scotland) Act 2005 was implemented in 2009. Informed by the views of over 170 licensing stakeholders, it also identifies learning and challenges, and makes recommendations for improvement and reform, many of which may be of interest to the boards.

Promotion of the licensing objectives

As s.6 of the Licensing (Scotland) Act 2005 makes clear, policy statements must seek to promote the licensing objectives. For all objectives, AFS would suggest the following format:

1. State the licensing objective.
2. Give a statement as to what the licensing board is trying to achieve with this objective.
3. List concerns in the area relating to this objective – identify what evidence was used to identify these concerns.
4. List what the licensing board intends to do. Note that this could include declaring overprovision, controlling licensed hours, or applying certain conditions – referring to the relevant section/s in the policy.
5. List any suggested actions the licensing board would like to see the licensed trade in the area undertake to meet this objective.

For all the licensing objectives, the Board has helpfully provided context to the objective and listed example control measures that applicants and licence holders can put in place to ensure consistency with the objective. However, this could be greatly strengthened by providing more detail about the conditions the Board can/will apply in relation to each of the objectives. AFS has produced a Licensing Resource Pack that provides resources to support the collection of evidence on local alcohol-related harm, and provides examples of research that demonstrates the impact of particular licensing conditions on harms.³ This may be particularly useful to the Board when developing its new policy.

AFS welcomes the expectation within the policy statement that applicants for new and provisional premises licences and transfers of premises licences should accompany their applications with a written statement setting out how they intend to conform to the licensing objectives. Having a statement of licensing objectives attached to their licence could help to focus applicants' attention on the objectives and ensure that they are afforded proper consideration in any proceedings. We would suggest that this is also requested by the Board for occasional licence applications, and that the Board provide a pro-forma for the written statement, which could be available as an appendix to the policy. In addition, it is appropriate that the Board should go further and look to the evidence in respect of each of the five licensing objectives, with an expectation that applicants provide evidence that suitable measures will be implemented and maintained.

AFS is of the opinion that this section of the policy could also be strengthened by providing more specific information about local concerns relating to each licensing objective, e.g. relevant statistics or evidence of the current situation, identification of any issues that are a particular concern, measures that have had an impact, etc. We would suggest including both statistical and expert opinion, as well as any available local data, on what the issues are in each locality. There should then be a clear line of reasoning from the evidence to the conclusions in the policy. This would serve to explain to any reader of the policy the reasoning behind the actions and conditions that the Board may be likely to require or impose, leaving less room for challenge.

Preventing Crime and Disorder

Specific to the objective of preventing crime and disorder, the proportion of alcohol now bought to consume at home or in other private dwellings (73% of all alcohol sold being purchased in off-sales⁴) underlines the need for the new policy to reference the importance of licensing for preventing crime and disorder in private spheres as well as the public.

Protecting and Improving Public Health

Specific to the objective of protecting and improving public health, we note the statement in this section of the policy that ‘while the Board is fully supportive of efforts to tackle the problems associated with harmful and dependant drinking, it recognises that existing licensing laws are such that there has to be a causal connection between a particular licensing application and a concern for the public health objective. The Board is not in a position to apply the Act more widely than through the powers it has been given.’ However, there are a range of ways that boards can promote this objective. For example, they can apply conditions such as requiring premises open after a certain time to have food available, or requiring the use of plastic glasses. Overprovision assessments (see below) also provide a key tool to promote the health objective by controlling availability.

With specific reference to the Board’s position in relation to the causal link, it may be interested to note the approach taken by Glasgow Licensing Board in its draft policy.⁵ Glasgow Licensing Board has expressed concern about the provision of off-sales in areas suffering from higher than the national average levels of alcohol-related health harms. While recognising some of the control measures that have been put in place for off-sales premises, it notes its belief that “these safeguards alone cannot adequately mitigate the link between the availability of responsibly sold alcohol and its unregulated consumption by those living in local communities which already suffer from higher than average alcohol related health harms.” The Board therefore states its intention that “even where there is little or no existing alcohol provision within the area, it may be inconsistent with the Licensing Objective of Protecting and Improving Public Health to grant a licence which would facilitate and allow easier access to alcohol, thereby having the potential to exacerbate existing alcohol related health problems in the area.”

In relation to the suggested control measures outlined within this section of the policy, AFS welcomes that the Board considers that licence holders should consider making available information regarding moderate drinking, alcohol units and the CMOs’ low-risk drinking guidelines. The intention behind this is admirable and this approach should continue. We would suggest that the policy should make explicit that any information provided should be based on the Chief Medical Officer’s (CMO) low risk drinking guidelines. We also welcome the Board referring to materials which are independently produced, such as the Scottish Government’s ‘Don’t Risk It’ campaign website. The World Health Organisation has stated categorically that the alcohol industry should not be involved in health promotion, and the Government has a duty to ensure access to information and

advice on alcohol that is impartial and based on the best available scientific evidence. NHS Inform is the best website in Scotland for such health advice: <https://www.nhsinform.scot/healthy-living/alcohol> and the Board may also wish to include this link in this section of the policy.

We also support the inclusion of workplace alcohol policies as a suggested control measure under protecting and improving public health. Having a clear policy on alcohol and drugs in the workplace ensures a company complies with appropriate legislation, minimises the health and safety risks associated with being under the influence of alcohol or drugs at work, and supports employees experiencing problems with alcohol or drugs.

Protecting Children and Young Persons from Harm

In relation to the protecting children and young persons from harm objective, the policy states that the Board wishes to see family-friendly premises thriving in Falkirk, and AFS appreciates that some boards wish to encourage applications for licensed events and venues which are family friendly and safe for children. However, evidence shows that children and young people are influenced by the behaviour of adults they observe and this should be taken into account when considering the appropriateness of licensing applications. We welcome the acknowledgement within the policy of the potential short- and long-term impacts of alcohol on children and young people, both in terms of their own consumption, and from parental drinking and alcohol promotion.

The policy sets out an expectation that applicants will provide sufficient assurances that children and young persons will not be placed at risk, however it could set out much more detail about the general expectations of the Board with regards to factors like when children and young people will normally be allowed entry, including the ages of children and young people to be allowed entry, and the times when children and young people should have access. As a general comment, AFS would expect that premises that do not offer food of any description are highly unlikely to be a suitable environment for children.

During the series of regional events hosted by AFS in 2016, there was concern expressed across Scotland regarding occasional licenses being granted for events mainly or exclusively targeted at families where children would be present. We would recommend including in the policy a presumption against granting occasional licences for events that are aimed primarily at children or young persons, such as but not limited to, school sports days or children's parties.

It is wholly appropriate that any on-licensed premises to which families with children have access give careful consideration to their responsibilities to protect children from harm, and AFS would recommend that the Board references the expectation for applications to demonstrate how they will promote this objective by providing a written statement.

Licensed hours

AFS is not in a position to comment on local experiences, but can offer comment on the impact of licensed hours more generally and the evidence available to support this.

In relation to extended hours and festive trading, we welcome the provision of examples within the policy of events that would, or would not, be considered appropriate for extension of hours. Extended hours increase availability of alcohol, which in turn is linked to increased consumption and increased harm. A 2017 systematic review of literature (published between 2000-2016) studying the impact of policies regulating alcohol trading times on alcohol-related harm found that policies regulating times of alcohol trading can contribute to reductions in injuries, alcohol-related hospitalisations/ emergency department visits, homicides and crime.⁶

AFS believes that the maximum permitted off-sales hours should be the exception and not the norm, particularly in areas with high rates of alcohol harm. We therefore welcome the Board's statement that they may further restrict off-sales hours from those permitted by law. However, the Board may wish to consider explicitly stating what these restrictions would be when it is determined that such restrictions are relevant.

We welcome the recognition within the statement that the historic basis for granting early opening hours is no longer relevant, and that early morning hours can attract persons with alcohol dependence issues. AFS agrees that allowing consumption over longer periods of time compromises the licensing objective of protecting and improving public health. We note however that despite this assertion, the Board still allows applications for early hours opening; this is dependent on evidence being provided on the need and demonstrable demand for the hours sought, and a condition attached to the licence requiring the provision of cooked meals throughout the early opening period. It may be helpful for the policy to provide suggestions of what would, or would not, provide exceptional cases for the purposes of this section of the policy, particularly in light of the fact the policy already allows for on-sales opening hours to be for 14 hours mid-week, and 15 hours at the weekend, before taking into account any early opening hours granted. The guidance accompanying the 2005 Act specifies 14 hours as reasonable and that any application for licensed hours for longer than this should require further consideration.

Overprovision

AFS notes that, while acknowledging the issue of over consumption of alcohol, the Board has not previously been able to find evidence of a causal link between over consumption and the overprovision of licensed premises. However, there is now a significant amount of evidence to demonstrate the relationship between the availability of alcohol and levels of consumption and harm.

Since 2000, over 50 separate studies in countries with mature alcohol markets, including Scotland and England, have demonstrated a significant association between outlet density and a range of alcohol problems, including: violence, hospital admissions, risky and underage drinking, alcohol-related traffic accidents, sexually-transmitted disease, and child abuse or neglect.⁷ International evidence also clearly indicates that reducing availability is one of the most effective policy measures to reduce alcohol consumption and harm in a population.⁸

Research published by AFS and CRESH earlier this year also found associations, at a national and local level, between alcohol outlet density and alcohol-related deaths, alcohol-related hospitalisations and crime rates.⁹ Specific to Falkirk, a statistically significant relationship was found between the number of outlets in a neighbourhood and alcohol-related hospitalisations and crime rates. In fact, alcohol-related hospitalisations in neighbourhoods with the most outlets were double those in neighbourhoods with the least, while crime rates were 3.6 times higher. These associations were found even when other possible explanatory factors, such as age, sex, and urban/rural status, had been taken into account. For ease, we have sent a copy of the Falkirk profile to accompany this response.

With regards to 'causal link', the statutory guidance to the 2005 Act indicates that if the evidence on alcohol-related harm provided to the Board points to the presence of alcohol-related problems in an area (such as high levels of public disorder or alcohol-related deaths or hospitalisations), then the Board can consider whether this aggregated information and evidence 'points compellingly towards' the conclusion that there is overprovision of licensed premises in a particular area or areas.

AFS would therefore recommend that alcohol harm statistics for Falkirk should be considered in conjunction with density information, such as from the [CRESH alcohol outlet density map](#), to make an informed assessment of overprovision. As a national organisation, we do not have sufficient local knowledge of the Falkirk area to enable us to comment in detail on the specific localities and premises concerned, but we can provide information based on the analysis of the relationship between outlet availability and certain harm statistics which the board may find useful.

The CRESH profile highlights that although Falkirk has an overall level of alcohol availability lower than Scotland as a whole, there are pockets of high availability: 16% of neighbourhoods in Falkirk have a higher alcohol availability than the Scottish average, rising to 36% of neighbourhoods for off-sales outlets. The data also shows that there was an 8% increase in the number of off-sales outlets between 2012 and 2016. With almost three quarters of alcohol bought from off-sales outlets for consumption at home,¹⁰ the increase in this type of outlet should be a significant consideration for the Boards.

A number of neighbourhoods within Falkirk experience high levels of alcohol-related problems. At least 30% of neighbourhoods have higher than Scottish average alcohol-related death rates, and neighbourhoods have up to 3.8 times the Scottish rate for alcohol-related hospitalisations, and up to 11 times the Scottish crime rate. An initial analysis using the CRESH data shows that there are particular neighbourhoods in Falkirk that have higher outlet density than the Scottish average as well as very high levels of alcohol-related harm. This includes neighbourhoods within: Falkirk – Grahamston; Falkirk - Town Centre and Callendar Park; Camelon East; Camelon West; Grangemouth – Bowhouse; Stenhousemuir West; Falkirk - Bainsford and Langlees; and Falkirk - Merchiston and New Carron Village. The majority of these neighbourhoods are also income deprived.

It is also the most deprived neighbourhoods that have the highest outlet availability in Falkirk, with three times more alcohol outlets in the most deprived neighbourhoods compared with the least. It should be recognised by Boards that communities are affected differently by alcohol provision. For example, people living in our most deprived communities are eight times more likely to die or be admitted to hospital due to alcohol use than those in our most affluent communities.¹¹

As a general point, the Board's draft policy currently only specifically cites information provided by the Police Command Unit rather than any other additional sources of data, though it notes it had regard to information available from ScotPHO, the Falkirk ADP and the Board's own statistical information. AFS would suggest that the new policy summarises the full range of evidence considered by the Board when conducting its overprovision assessment. This helps support people to understand the rationale for the Boards' approach and aids transparency. We would also recommend that the Board publishes any evidence considered and provide links or signpost people to where this can be accessed.

Occasional Licences

AFS has identified that occasional licences are causing concern in some areas of the country, with licensing stakeholders reporting this as an area where 'loopholes' in the legislation are being regularly exploited. People have reported to us that occasional licences are significantly increasing alcohol access and availability (although they are not taken into account in overprovision assessments) and in some cases are being used to circumvent the requirement to have a premises licence to sell alcohol.

We therefore welcome the Board's statement within the policy that it will not condone the use of the occasional licence process to circumvent the full licensing process. To ensure boards are able to

address this issue effectively, AFS recommends that boards require a hearing where it identifies that an applicant has made repeated occasional licence applications. The Board could also adopt a policy whereby a certain number of back-to-back occasional applications (exceeding a set threshold) be automatically referred to the Board for a decision.

Licensing Boards may wish to choose their own thresholds for referring decisions to the Board, based on local circumstances. For example, the proposed approach in the Perth and Kinross Licensing Board draft policy is that *“the Board considers it reasonable for occasional licences covering up to 30 days (including into the following mornings) to be granted in any one calendar year for a single premise. Where more than 30 days are sought, the Board expects a premises licence application to be submitted. Failure to do so may result in all further occasional licence applications being submitted to the Board for consideration rather than being dealt with under delegated powers.”*

In order to ensure that the sale of alcohol under occasional licences is appropriately conditioned to uphold the licensing objectives, the Board could also include an Occasional Licence Application and Supplementary Information Form as an appendix. This would ask occasional licence holders to demonstrate how they will promote the five licensing objectives, and provide practical examples of how they plan to comply with each objective.

As outlined above, concerns were expressed across Scotland during our 2016 regional events regarding occasional licences being granted for events mainly or exclusively targeted at families where children would be present. As such, AFS recommends the policy contain a presumption against granting occasional licences where the event predominantly involves children. Such an approach would still provide the Board with flexibility to grant an occasional licence if the Board was content this would not be contrary to the licensing objectives.

Alcohol deliveries and internet sales

Alcohol deliveries and internet sales are an emerging area of concern and should be considered as part of the policy development process. Remote alcohol sales and distribution across wide geographical areas have the potential to undermine local efforts to control the availability of alcohol and reduce alcohol-related harm. Online sales are not a new issue but are a continuously evolving and expanding area of retail; applications from large online retailers represent what AFS considers to be a considerable advancement of the online market for alcohol.

There is a distinct lack of information available about the business operations of online retailers, or the extent to which they contribute to alcohol sales and availability. For example, there is no data available pertaining to their distribution areas, or the volumes and types of alcohol they sell. Without this information, it is more difficult to make informed decisions about alcohol licensing or create robust alcohol policies, relevant to the needs of local communities.

A further concern relates to the potential impact of online sales to children and young people. It is unclear how age verification can and will be effectively implemented when alcohol is being purchased online, or delivered to people's homes. Unlike supermarkets, which employ their own delivery staff, online alcohol retailers may rely on various contract carriers, who may not receive any instruction in this regard. This has the potential to make alcohol much more readily accessible to young people, and could undermine progress made in meeting the licensing objective to protect children and young people from harm.

AFS would urge all boards to set out their approach to online retailers and deliveries within their new policies. Policies should make clear that licence holders should ensure an age verification policy

is in place for delivery drivers if they believe the recipient is under 25, should recommend that delivery drivers receive training, and state that the Board may add a condition requiring the customer to sign on receipt of delivery of alcohol. We are aware that similar measures have been included within the draft policies of other Boards, with some also requiring that orders cannot be left in nominated safe places, and that staff delivering alcohol must be trained to the same level as staff who sell or supply alcohol in licensed premises. The Board could explore the possibility of placing conditions on online retailers to request details of sales and distribution areas, as well as figures on delivery refusal rates.

¹ Alcohol Focus Scotland (2015). *Alcohol Licensing in Your Community How You Can Get Involved*. Glasgow: Alcohol Focus Scotland: <https://www.alcohol-focus-scotland.org.uk/media/133477/Community-licensing-toolkit.pdf>

² Alcohol Focus Scotland (2017). *Taking Stock: Views and experiences of alcohol licensing in Scotland in 2016/17*. Glasgow: Alcohol Focus Scotland: <http://www.alcohol-focus-scotland.org.uk/media/287043/Taking-Stock-Report.pdf>

³ Alcohol Focus Scotland (2017). *Licensing Resource Pack*. Glasgow: Alcohol Focus Scotland <http://www.alcohol-focus-scotland.org.uk/media/291077/afs-licensing-resource-pack.pdf>

⁴ Giles, L., & Robinson, M. (2018). *Monitoring and Evaluating Scotland's Alcohol Strategy: Monitoring Report 2017*. Edinburgh: NHS Health Scotland.

⁵ <https://www.glasgowconsult.co.uk/UploadedFiles/Draft%20Policy%20Statement%20-%20Licensing%20Board%204th%20Edition.pdf>, p.57

⁶ Sanchez-Ramirez, D.C. & Voaklander, D. (2018). The impact of policies regulating alcohol trading hours and days on specific alcohol-related harms: a systematic review. *Injury Prevention*, 24: 94-100.

⁷ See Alcohol Focus Scotland (2017). *Licensing Resource Pack*. Glasgow: Alcohol Focus Scotland. Pages 35-27. <https://www.alcohol-focus-scotland.org.uk/media/291077/afs-licensing-resource-pack.pdf>

⁸ Babor, T. et al (2010). *Alcohol: no ordinary commodity*. Oxford: Oxford Medical Publications.

⁹ Alcohol Focus Scotland and the Centre for Research on Environment, Society and Health (2018). *Alcohol Outlet Availability and Harm in Scotland*. Glasgow: Alcohol Focus Scotland <https://www.alcohol-focus-scotland.org.uk/media/310762/alcohol-outlet-availability-and-harm-in-scotland.pdf>; Alcohol Focus Scotland and the Centre for Research on Environment, Society and Health (2018). *Alcohol Outlet Availability and Harm in Falkirk*. Glasgow: Alcohol Focus Scotland <https://www.alcohol-focus-scotland.org.uk/media/310742/alcohol-outlet-availability-and-harm-in-falkirk.pdf>

¹⁰ Giles, L., & Robinson, M. (2018). *Monitoring and Evaluating Scotland's Alcohol Strategy: Monitoring Report 2017*. Edinburgh: NHS Health Scotland.

¹¹ Giles, L., & Robinson, M. (2018). *Monitoring and Evaluating Scotland's Alcohol Strategy: Monitoring Report 2017*. Edinburgh: NHS Health Scotland

**Falkirk Alcohol & Drug Partnership – response to Draft Statement of Licensing Policy,
October 2018**

Falkirk Strategic Outcome and Local Delivery Plan 2016-2020

Falkirk Community Planning Partnership has a Strategic Outcome and Local Delivery Plan (SOLD) which sets out the Community Planning Partnership's commitment over forthcoming years to focus attention, resources and efforts on the things that will make Falkirk "The place to be". One of the Key Priorities which has been identified is **"Minimising the impact of substance misuse"**. This would seem to fit well with the licensing objectives (**protecting and improving public health, preventing crime and disorder, preventing public nuisance, and protecting children and young people from harm**). It would seem that the Licensing Board and the Community Planning Partnership have some shared, similar goals and it might be helpful to recognise this in the policy.

Specifically, within the SOLD, the following actions have been identified as being priorities in relation to minimising the impact of substance misuse:

- **Address the stigma of seeking support.**
- **Promote and provide opportunities for recovery.**
- **Seek to prevent Foetal Alcohol Spectrum Disorders and to understand and meet the needs of young people affected by Foetal Alcohol harm.**
- **Support people with Alcohol Related Brain Injury.**
- **Challenge harmful perceptions of norms within our communities.**
- **Reduce the number of drug related deaths and near fatal overdoses.**

Again it may be helpful to reference this in the policy.

Public Health

The harms caused by alcohol remain a significant problem in Scotland, with around 4% of the population estimated to be drinking at harmful or possibly dependent levels (SHeS data, Clark & Simpson, 2014). It would be helpful to include context /Falkirk figures in the policy (data has been shared with Licensing colleagues).

Falkirk Alcohol & Drug Partnership (FADP) welcomes the draft policy acknowledging the link between consumption and public health (3.23) however, it may be more helpful to explicitly acknowledge the link to public health **harm**.

FADP also welcomes the Board encouraging applicants and licence holders to have greater regard to promoting the public health objective (3.25).

Equalities

FADP welcomes the section on equalities.

Tourism

Whilst FADP recognise the importance of tourism to the economy, we would question where the evidence is to suggest that growing a vibrant tourist industry is dependent on the availability and supply of alcohol (2.3). Indeed, if we are seen to be a place where excessive alcohol use/misuse is prevalent; could this have a negative impact on the image which Falkirk wishes to portray?

Home delivery

We would suggest that a section on home delivery of alcohol/"Dial-a-Booze" type of operations is included. In particular, in relation to how this links to and promotes the Protecting Children & Young Persons from Harm objective. We know that not all parents and carers who drink alcohol present an increased risk of harm but where there is misuse of alcohol this can have adverse effects on children's safety and wellbeing and increase a child's risk of abuse and neglect. This can have an impact throughout the life course from antenatal development to adult life. (<https://www.gov.scot/Publications/2016/10/2647>)

There is also the potential that children/young people could have increased access to alcohol. We welcome the inclusion of the harms associated with alcohol on children and young people in the policy.

Availability and Harm

There are over 50 studies which evidence the link between the availability of alcohol and associated harms. We would strongly suggest that the policy takes account of the findings of the Alcohol Focus Scotland and Centre for Research on Environment, Society and Health (CRESH) report. <https://www.alcohol-focus-scotland.org.uk/campaigns-policy/availability-and-licensing/alcohol-outlet-availability/>

- **The relationship between alcohol availability and alcohol harm in Falkirk is detailed in the report. Availability refers to how easy it is to get alcohol - number, capacity and opening hours of alcohol outlets and how this is linked to alcohol related harm.**
- **Alcohol-related hospitalisation rates in neighbourhoods in Falkirk with the most outlets were double those hospitalisation rates with the least number of outlets.**
- **Alcohol-related hospitalisation rates in areas of Falkirk with the highest number of on-sales premises were 95% higher than those with the least.**
- **Crime rates in the neighbourhoods in Falkirk with the most alcohol outlets (all outlets) were 3.6 times higher than crime rates for those with the least.**
- **Crime rates in the neighbourhoods with the most on-sales outlets were 3.8 times higher than in those with the least.**

It is worth acknowledging that “Scotland continues to have the highest level of alcohol consumption and harm in the UK. One million Scots drink above the recommended guidelines, and 22 Scots die because of alcohol every single week – twice the rate of the 1980s” (Alcohol Focus Scotland <http://www.alcohol-focus-scotland.org.uk/news/scotland-must-do-more-to-turn-tide-of-alcohol-harm/>).

It is evident that our local communities are being impacted by alcohol harm. FADP would respectfully request that this evidence is taken into account when considering both the overprovision part of the policy, wider policy and when considering increasing the availability of alcohol in Falkirk.

Impact on economy

Loss of productive capacity continues to be an issue worthy of note when considering both the day and night time economy in Falkirk. The potential working years lost through alcohol-related premature deaths has been calculated and cited in other Board areas. Other factors contributing to the loss of productive capacity include presenteeism (being present at work, but with a person’s performance negatively affected by alcohol consumption). Absenteeism and unemployment can also be due to alcohol misuse. Presenteeism and absenteeism both reduce the productivity of the workforce and impact directly on employers. Alcohol-related unemployment and premature mortality in the working population affect employers, individuals, and communities overall. More working years are lost to alcohol than the ten most frequent cancer types combined (Burton R et al.2016. A rapid review of effectiveness of alcohol control policies, The Lancet (16) 32420-5).

We would also respectfully suggest that account is taken of and reference made to the Burden of Disease Report.

<https://www.nrscotland.gov.uk/files//statistics/rgar-invited-chapter/rgar17-invited-chapter.pdf>

Taking Stock, the Licensing Resource Pack and the CRESH profile are also useful documents which provide a wealth of information which could inform and be referenced in the policy.

It has been suggested that a link is also included to the Alcohol & Drug Partnership website. <http://forthvalleyadp.org.uk/>

Many thanks for taking the views of the Falkirk Alcohol & Drug Partnership into account.

Clerk to the Board
Liquor Licensing Team
Legal Services
Falkirk Council Licensing Board
Corporate & Housing Services
Municipal Buildings
Falkirk FK1 5RS

13th September 2018

Dear Sir,

We are writing in response to the Licensing Board Policy Consultation 2018. We understand that written responses must be submitted by Friday 19th October 2018. We are very concerned about the overprovision sections. We believe that adopting a rigorous overprovision clause will deter good operators from investing in many areas of Falkirk.

David's Kitchen Ltd was formed in 2013 and is a Scottish company with two stores in Glenrothes and Falkirk. The company was founded by David and Lindsay Sands who formerly built the David Sands convenience store chain, which was sold to the Cooperative Group in 2012. David Sands Ltd operated 30 convenience stores, many of which were located in the Kirkcaldy, Cowdenbeath and Levenmouth areas of Fife. David's Kitchen provides not only a modern convenience store but with its on-site kitchen, produces products that represent about a quarter of all sales in the store. Our company has won numerous national awards and is seeking to expand its operation with the opening of new stores. We employ around 50 people, most of whom live locally to each store and each store we operate, represents an investment of around £1m.

Modern local convenience stores are community assets, from providing busy families with a top up facility on the one hand, to allowing customers (particularly the elderly) with an alternative to larger out of town supermarkets. Many people rely on their local convenience store with the average shopper visiting their local store 3.47 times per week and with 56% of customers choosing to walk as a mode of travel to stores. We offer a wide range of products and services, from freshly made sandwiches, fresh coffee to National Lottery. Alcohol accounts for approximately 15% of total sales turnover. Being able to offer a diverse range is of paramount importance. A more restrictive range simply provides the potential customer with a reason to shop at a competitor. David's Kitchen would not invest in a store that did not have an off sales licence. The commercial risks would be too great.

The experience in Northern Ireland suggests that with similar overprovision restrictions, new, often innovative entrants, face difficulties in obtaining an off sales licence. This has resulted in significant increases in value attributed to those existing businesses holding that "monopoly". This ensures the barriers to entry are too great for smaller operators and favour the major chains.

It is also worth considering that the variety of outlets differ hugely. One large supermarket will sell ten times as much alcohol as a smaller convenience store and yet an overprovision clause would fail to reflect this.

The legislation around off sales licences has changed considerably over the past decade. Staff are much better trained and operators know the serious consequences of any breach of the legislation. David's Kitchen Ltd has had no alcohol related incidents or test purchase failures since opening. The

introduction of Minimum Unit Pricing has further accelerated the decline, if not, the elimination of products such as white cider and strong lagers. Our business no longer stocks such products. Evidence suggests that alcohol consumption overall in Scotland is declining. The full impact of these new legislative changes has yet to be determined.

We understand the Board's duty to assess over provision under Section 7 of the Licensing (Scotland) Act 2005 in respect of licensed premises. However, we respectfully suggest that overprovision is a blunt instrument and does little to reduce alcohol related harm. Falkirk has not previously had an over provision policy. The Board point out that all cases are looked at on their own merits. They point out that the presumption on overprovision in these areas is rebuttable. We believe that this position ignores the commercial perspective. To submit an application for a licence costs thousands of pounds, including feasibility studies, fees for architects and planning consultants, administration fees for planning and licensing fees and legal fees. Legal advice will present clients with a limited chance of success. This may pose no obstacle to a national business such as Lidl (who recently forced through an application in Dundee against the Council's overprovision policy after a costly appeal). It will, on the other hand, deter a smaller independent business of a type which might be beneficial to these areas. We believe businesses are unlikely to risk thousands of pounds where there is a less than 50:50 chance of success. In our case, we would seek to invest elsewhere.

Groups such as Alcohol Focus Scotland assert that there is a strong body of evidence to show that the availability of alcohol (i.e. the number of premises) is a significant factor in the prevalence of alcohol related problems, particularly alcohol related crime. However, we are not convinced that this evidence is either robust or conclusive enough. There is no simple cause-and-effect relationship between the number of premises and alcohol related problems and overall it is becoming increasingly difficult to make a link between individual premises and problems in a specific locality. Inequality continues to be the main determining factor; alcohol related harm in Scotland is still disproportionately experienced by those from more deprived areas.

We believe that the entire concept of overprovision should be reviewed to consider whether it remains fit for purpose. We live in an age where customers are able to order alcohol online from their smartphone and have it delivered to their home. Given this, what does declaring a geographical area as being overprovided for actually achieve? It would seem, arguable, that overprovision has not kept up with the development of modern technology and consumer shopping habits.

We would urge the Board to abandon its proposed overprovision strategy and simply to judge each application on its merits, allowing the wisdom and knowledge of local councillors to determine the application.

Yours sincerely,

David Sands
Chairman

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