

City Chambers
DUNDEE
DD1 3BY

9th January, 2014

Dear Sir or Madam

DUNDEE CITY LICENSING BOARD

Will you please attend a MEETING of **DUNDEE CITY LICENSING BOARD** to be held in Committee Room 1, 14 City Square, Dundee on Thursday, 16th January, 2014 at 10.00 am to consider the undernoted business.

Yours faithfully

ROGER MENNIE

Clerk to the Licensing Board

AGENDA OF BUSINESS

1 LICENSING (SCOTLAND) ACT 2005

(Document A enclosed).

2 REVIEW HEARINGS

(a) PARK BAR, 1/5 ALBERT STREET

3 REQUEST FOR REVIEW HEARING

4 OVERPROVISION SUBMISSION BY DUNDEE CITY ALCOHOL AND DRUG PARTNERSHIP

(Copy enclosed).

Depute Lord Provost Christina ROBERTS

COUNCILLORS

Ken GUILD
David BOWES
Gregor MURRAY

Stewart HUNTER
Kevin CORDELL
Lesley BRENNAN

Brian GORDON
Kevin KEENAN
Georgia CRUICKSHANK

Appendices 1 to 3 are not in a suitable format for publication on this site. If you would like to inspect a hard copy of the papers, please contact Committee Services, Floor 4, 21 City Square, Dundee on telephone (01382) 434075 or by e-mail committee.services@dundeecity.gov.uk.

DUNDEE CITY LICENSING BOARD

Document A

MEETING, 16 JANUARY 2014 at 10:00am in Committee Room 1, 14 City Square, Dundee

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Comments
1 CLUB BAR 47 UNION STREET DUNDEE DD1 4BS	TRUST INNS LIMITED C/O MILLAR CAMPBELL SOLICITORS 116 BLYTHSWOOD STREET GLASGOW G2 4EG	Variation to core hours to open until 2am on Fridays and Saturdays and to allow dance facilities. Also to open from 11am on Sundays for on and off sales. A letter of representation has been received from Police Scotland. (Appendix 1) Confirmation of display of Site Notice not returned.
2 GALA DUNDEE STACK LEISURE PARK HAREFIELD ROAD LOCHEE DUNDEE DD2 3XN	GALA LEISURE LIMITED C/O BOND DICKINSON 3 TEMPLE QUAY TEMPLE BACK EAST BRISTOL BS1 6DZ	Variation to core hours to open until 12 midnight on Fridays. Confirmation of display of Site Notice not returned.

DUNDEE CITY LICENSING BOARD**MEETING, 16 JANUARY 2014 at 10:00am in Committee Room 1, 14 City Square, Dundee****Licensing (Scotland) Act 2005****Variation (Major)(s)**

Premises	Applicant	Comments
3 NETHER INN 134 NETHERGATE DUNDEE DD1 4ED	STONEGATE PUB COMPANY LIMITED C/O HILL BROWN LICENSING R & J M HILL BROWN & CO 3 NEWTON PLACE GLASGOW G3 7PU	Variation to core hours to open until 1am on Fridays and Saturdays. Confirmation of display of Site Notice not returned.
4 POLEPARK BAR 22-28 POLEPARK ROAD DUNDEE DD1 5QS	ALASTAIR G BISSELL	Variation to core hours to open from 11am on Sundays and until 1am Fridays and Saturdays. There are no objections.
5 ROSS'S BAR 1 BAFFIN STREET DUNDEE DD4 6EB	BRIAN MACKIE	Variation to core hours to open until 1am on Fridays and Saturdays. An objection has been lodged. (Appendix 2)

DUNDEE CITY LICENSING BOARD**MEETING, 16 JANUARY 2014 at 10:00am in Committee Room 1, 14 City Square, Dundee****Licensing (Scotland) Act 2005****Variation (Major)(s)**

Premises	Applicant	Comments
6 TAY CAFE BAR TAYBRIDGE RAILWAY STATION DUNDEE DD1 4BY	SELECT SERVICE PARTNER LIMITED C/O LINDSAYS CALEDONIAN EXCHANGE 19A CANNING STREET EDINBURGH EH3 8HE	Variation to the Operating Plan to allow children under 5 access. There are no objections.
7 WEAVERS MILL 2 DAYTON DRIVE DUNDEE DD2 3SQ	ORCHID PUBS & DINING LTD	Extract application attached. (Appendix 3)



AN ASSESSMENT OF OVERPROVISION IN DUNDEE

(Including a statement on overprovision)

REPORT

Second Edition January 2014

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DUNDEE CITY PROPOSED STATEMENT ON OVERPROVISION

1. The Duty to Assess Overprovision

Section 7 of the Licensing (Scotland) Act 2005 requires every Licensing Board to include in its policy a statement as to the extent to which the Board considers there to be an overprovision of:

- A. Licensed premises, or
- B. Licensed premises of a particular description

Overprovision of alcohol has been identified in Dundee based on the information and analysis presented within the revised overprovision report (please see the report below). This report presents a range of relevant crime statistics, information on alcohol related health and social harm, the impact of deprivation and the views of community members.

2. Responding to Overprovision in Dundee - two options:

Option one:

The whole of Dundee is considered to be overprovided for:

Based on the evidence presented within this overprovision report, the Dundee Licensing Board will take a position of **'rebuttable presumption'** (see note 1 below) against awarding premises licences (including the grant of an application for a new premises licence or the increase in capacity of an existing premises licence within the Board's area as a whole). This means that the responsibility will lie with every applicant to prove that their specific application would not contribute to overprovision.

Or:

Option two:

Overprovision is identified within certain areas in the City (i.e. the Community Regeneration Areas or in specific LCPPs):

Based on the evidence presented within this overprovision report, the Dundee Licensing Board will take a position of **'rebuttable presumption'** against awarding premises licences within the areas where overprovision has been identified. These areas include: Matyfield, Coldside, Lochee, East End and North East (see table on page 37 below).

3. The Licensing Board General Approach to Overprovision

While the Licensing Board has made an assessment of localities where it may consider that there is an overprovision of licensed premises, or licensed premises of a particular description, the effect of the Board's Overprovision Assessment is to create only a **'rebuttable presumption'** against the grant of an application for a premises licence, provisional premises licence or, potentially, an application for variation of a premises licence in terms of the ground for refusal set out in section 23(5) (e) of the Act (see note 2 below); **each such application will still require to be considered on its own individual merits.**

In addition, both occasional licences and extensions to licensing hours contribute to access to and availability of alcohol and therefore to overprovision. The Licensing Board would therefore take the position of **'rebuttable presumption'** against awarding applications for such licenses.

Taking these factors into account, the Board considers that there should be a rebuttable presumption against the grant of an application for a new premises licence or the increase in capacity of an existing premises licence within the Board's area as a whole. Each application still requires to be determined on its own merits and there may be exceptional cases where an applicant can demonstrate that the grant of an application or the variation of an existing licence to increase capacity within one of these localities would not undermine the Licensing Objectives (see a list of Scotland's Licensing Objectives in page 5

below). The Board will expect applicants to provide robust and reliable evidence to support their application sufficient to demonstrate that the grant of their application would outweigh the presumption against grant in terms of this Overprovision Statement.

The Board would expect to be addressed on each of the Licensing Objectives AND The Board will expect applicants who are seeking the grant of a new premises licence or to increase the capacity of an existing premises license within the foregoing categories of premise and locality to provide robust and reliable evidence to the Board why the benefit to the licensing objectives through the grant of their application outweighs the detriment to the licensing objectives and the Overprovision Policy

Equally the Licensing Board reserves its position to refuse an application in terms of section 23(5)(e) or section 30(5)(d). Where the premises is situated outwith the named areas the Board will take into account a range of issues, including its own local knowledge

Licensed Premises of the Same or Similar Description: In considering whether the ground for refusal set out in section 23(5)(e) of the Act applies, the Licensing Board will take into account whether the application is for on-sales only, off-sales only, or both on and off-sales, as well as the specific activities and licensed hours proposed in the draft operating plan and the submissions made regarding the intended nature of operation of the premises.

4. General concerns regarding the number of off-sale premises

Based on the information and evidence presented within the overprovision report, the Licensing Board is concerned at the high number of off-sales licensed premises, particularly, dedicated off-sales, in the City and the amount of area given over to the display of alcohol in terms of the total capacity figures for such premises.

Given the well-documented negative effects that the increased availability of alcohol can have on anti-social behaviour, together with Dundee's unhealthy relationship with alcohol and the health problems associated with alcohol misuse, **the Licensing Board considers in general terms that there is a link between the numbers of such premises in the City and inconsistency with the Licensing Objectives.**

Notes:

1. A **rebuttable presumption** is a term used in law to reflect a situation where a fact is assumed to be true but may be rebutted with evidence. In criminal law, it is an example of when the onus of proof shifts from the prosecution to the defendant.

2. **23(5)(e) of the Licensing (Scotland) Act 2005:**

Section 23: Determination of premises license application:

5. the grounds for refusal are:

e. that, having regard to the number and capacity of:

(i) licensed premises, or

(ii) licensed premises of the same or similar description as the subject premises, in the locality in which the subject premises are situated, the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of that description, in the locality.

EXECUTIVE SUMMARY

BACKGROUND

Scotland's licensing system has five objectives:

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

In 2011, to support the Dundee Licensing Board with its ongoing work and to develop of a statement on overprovision, the Dundee Alcohol and Drug Partnership (ADP) co-ordinated a short-life experts group to gather, analyse and present information on overprovision in the City. The resulting report brought together information on the availability of alcohol (both off- and on-sales) and the health/social harm caused by the consumption of alcohol. The original overprovision report has been updated with new information and additional analysis to produce the present report: An Assessment of Overprovision in Dundee 2013.

METHOD

The following approach to data collection was agreed by partners to support the development of a community alcohol profile. It was agreed that:-

- Appropriate areas of analysis would be identified within which data are available and which would be meaningful to local people, local community planning groups, and elected members;
- Data in relation to occasional licences and extensions, as well as premises licences, would be examined;
- Partnership information would be made available to the Dundee Local Licensing Forum to inform the Forum's statutory role in overseeing the Licensing Board's application of the Licensing Act (2005);
- Local information would be presented in a context that provides evidence of the relationship between alcohol availability and alcohol related health and social harm;
- Community views were critical and community consultation approaches would be developed and incorporated as part of the process in the development of the profile.

KEY FINDINGS

Alcohol availability in Dundee

- Overall, the number of premises licences has increased by 9.9% in the four year period 2009/10-2012/13 with off-sales licences increasing by 24.5% and on-sales by 13.6%.
- As at July 2013, the rate of off-sales licences in Dundee City was 85 per 100,000 population compared to the lowest rate of 48 in the ward area of Strathmartine and 147 in Maryfield.
- By comparison, the Dundee City on-sales licences rate was 212 per 100,000 with a variation between wards from 46 to 583 per 100,000 for North East and Maryfield respectively.
- Of all the youngsters who had ever had an alcoholic drink, 46% of those aged 13 years and 63% of those aged 15 years had purchased alcohol themselves.
- The most significant source of alcohol for under-age young people was older friends, relatives, and sometimes strangers, who were commonly reported to buy alcohol for the teenagers.

Alcohol consumption and related harm

- Of those who had ever had an alcoholic drink, 64% of 13 year olds and 77% of 15 year olds had been drunk at least once.

- Scottish purchasing data found that on average, 22.8 units were drunk in 2010 per adult per week. This is higher than the recommended low risk drinking limits for both men (21 units per week) and women (14 units per week).
- In comparison with other areas of the UK, Scotland has very high levels of alcohol related harm. In turn, the UK has higher levels of alcohol related harm than other comparable countries including many European neighbours, the USA and Australia.
- Hazardous drinking was reported by 22% of adults in Tayside and 23% across Scotland.
- The mean number of units drunk weekly by men and women in Tayside was 14.9 and 7.7 respectively. In addition, 15% of men and 11% of women were drinking on more than 5 days of the week in Tayside.

Alcohol related health harm

Accident and Emergency attendances

- In 2012, there were 1,625 alcohol related attendances to A&E by Dundee City residents, a rate of 1,116 per 100,000 of the general population.
- Almost a third (32.7%) of the presentations were children or young people aged under 25 years old and 61.3% of the presentations were male.
- The presentation rate across Dundee City varied from 1,488 per 100,000 in Lochee to 359 in the LCPP area of The Ferry.
- There are some periods of the day, notably between 11pm and 4am, where the proportion of alcohol patients is estimated at 80% of the attendances to Ninewells A&E.
- Individuals from the most deprived areas account for more than five times the number of presentations to A&E compared with those from the most affluent areas.

Acute hospital discharges

- In 2011/12, there were 862 alcohol related hospital discharges by Dundee City residents, a rate of 592 per 100,000 of the general population.
- Two thirds of the discharges were males with the largest proportion being in the 50-54 years age group. The older age groups made up the majority of the discharges.
- In 2011/12, the discharge rate varied from 900.0 per 100,000 population in Coldside to 255.9 in The Ferry.
- Individuals from the most deprived areas have a higher discharge rate from hospital than those in the least deprived.
- Comparing acute hospital discharges with alcohol consumption patterns by deprivation shows that although people from the least deprived areas consume just as much or more alcohol than those living in the most deprived areas, individuals from deprived areas are more likely to develop health problems due to their alcohol consumption.

Mortality

- Despite some fluctuations over time, there has been an increase in alcohol related deaths in Dundee over the last 33 years with 47 recorded in 2011.
- The overall Dundee mortality rate for the period was 267 deaths per 100,000 population compared to the highest rate of 445 per 100,000 in Coldside and the lowest of 128 in The Ferry.
- The rate of deaths from those in the most deprived areas is 6.1 times higher than those from the most affluent areas, confirming that although people in the least deprived areas have greatest consumption, individuals from the more deprived areas are suffering the greatest health harm.

Alcohol related crime and disorder

- Alcohol is an aggravator in a large percentage of crimes. In Dundee in 2012/13, there were 1,377 alcohol related incidents, a rate of 95 per 10,000 population.
- The highest number and rate of alcohol related offences were for petty assault, vandalism and breach of the peace. Although a far smaller number of offences for serious assault were recorded, alcohol was thought to be an aggravator in 69.4% of the incidents.

- The highest absolute number of alcohol related incidents occurred in the Maryfield ward. This is not unexpected as this area covers the city centre where alcohol related offences are much more likely to occur given the number of persons frequenting the area (particularly over weekends) and given the number of licensed premises.
- In contrast, the North East ward appears to have a high level of police incidents relative to the number of licensed premises in the area while The Ferry has a low level of offences in the context of a relatively high number of licensed premises.
- When alcohol related crimes were considered by the ward area of residence of the offender, the highest incident rate was for those who resided in Lochee (140 per 10,000) compared to lowest by The Ferry residents (15 per 10,000).
- In 2012/13, a total of 1,391 alcohol related offences were committed by 870 offenders. There were a slightly higher number of offences committed per offender (an average of 1.7) by those from Lochee and Strathmartine compared to the lowest number by residents of The Ferry (1.2).

Alcohol related social & economic harm

- In 2010, the estimated total cost of alcohol related harm in Dundee City was £71.05m however this excludes wider social costs which are more difficult to measure.
- The estimated overall cost per head of alcohol related harm in Dundee City in 2010/11 was £492.

Dundee community consultation 2013

- Key messages from the survey were that people do not have to travel too far or too long to access a wide range of off-sales premises.
- The current level of off-sales provision locally is deemed by the majority of respondents to be sufficient.
- Local views were that more drinking is now taking place in the home with issues around anti-social behaviour, noise nuisance and the risk of escalating violence (including domestic violence) within local neighbourhoods.
- Community groups were especially clear in the need for a more transparent liquor licensing process and more structured community involvement with the Licensing Board and Licensing process.

Specific recommendations for Dundee Licensing Board

- i) In terms of assessing the level of alcohol availability and alcohol related health and social harm within Dundee, the evidence in this report demonstrates that the City is overprovided in respect of both off-sales and on-sales licensed premises.

Based on this assessment, it is recommended that the Dundee Licensing Board Policy for 2013 – 2016 contains an overprovision statement to that effect. See section 11.4 for overprovision options.

- ii) Once an overprovision statement has been established in the City, all future alcohol licences should be refused unless an applicant can demonstrate that a new licence or licensing extension will not contribute to overprovision.

It is recommended that any applicant for either a new licence or licensing extension should be expected to provide robust and factual evidence against each licensing objective to demonstrate why the benefits in granting the application outweigh the Board's Overprovision Policy

- iii) For the first time, this report includes the views of local communities and residents along side the wide-range of other data. Local Community Planning Partnerships (LCPPs) and other community involvement groups in the City have identified alcohol availability as a problem issue for their respective areas. Given the strong views expressed, this level of community involvement needs to be built upon and incorporated into the alcohol licensing process.

It is recommended that the Licensing Board, as a matter of course, should formally consult with LCPP's and Community Regeneration Fora in respect of new alcohol licences, licensing extensions or as part of any other licensing consultation.

- iv) Every effort should be made to continually improve the quality and reliability of partnership information supporting Licensing Board decisions.

It is recommended that the ADP should continue to work with Alcohol Focus Scotland, Council Licensing, Trading Standards, Planning Departments and others to determine an approach to 'trade draw' and establish, if possible, an appropriate measure of alcohol sales volume from retail premises within Dundee.

Overprovision options for Dundee Licensing Board

Off-sales licences:

- i) The report emphasises that the availability of low cost alcohol fuels consumption and contributes to increased levels of alcohol related health harm. Within this context, it is recommended that Dundee Licensing Board pursue **one of the following options in respect of off-sales licences:-**

Option 1: The report highlights that Dundee is among the worst local authority areas in Scotland in respect of alcohol related deaths. It is also recognised that people are prepared to travel a few miles to secure low cost alcohol from off-sales premises. Based on this, the whole of Dundee City should be considered overprovided in respect of off-sales licensed premises.

All future off-sales licences should be refused, unless the applicant can demonstrate that the new licence will not contribute to overprovision.

Option 2: Based on the report's three measures of alcohol related health harm in Dundee re A/E presentations, hospital discharges and death, the LCPP areas which have all or most of these measures of health harm should be considered overprovided. The LCPP areas are Maryfield, Coldside, Lochee, East End and North East.

All future off-sales licences should be refused for the above areas unless the applicant can demonstrate that the new licence will not contribute to overprovision. Any application outwith these LCPP areas should also be subject to overprovision assessment to determine the extent to which trade would be drawn from the LCPP areas deemed to be overprovided.

Option 3: The report illustrates a clear association between disadvantage and greater levels of alcohol related health harm, consumption, hospital admissions, A&E attendances and alcohol related deaths. In view of the strong connection between health inequalities and Community Regeneration Areas (CRA's), the CRA's should be considered overprovided in terms of off-sales provision. Community Regeneration Areas lie within Ardler/ StMary's/ Kirkton; Beechwood/ Dryburgh/Lochee/ Menzieshill/ Charleston; Fintry/ Whitfield/Mill O'Mains; Coldside/Maryfield; Stobswell; Mid Craigie/ Linlathen/Douglas.

All future off-sales licences should be refused for the above areas unless the applicant can demonstrate that the new licence will not contribute to overprovision. Any application outwith the above CRA's should also be subject to overprovision assessment to determine the extent to which trade would be drawn from CRA's deemed to be overprovided.

ii) **On-sales licences:**

The report highlights the impact of alcohol related incidents/crime across the City. Alcohol related incidents/crime tend to happen soon after excessive alcohol has been consumed. While measures of alcohol related crime in the report focus on the offence, it should be recognised that over consumption and individual health harm are also contained within this measure of alcohol related harm. Within this context, it is recommended that Dundee Licensing Board pursue **one of the following options in respect of on-sales licences:-**

Option 1: The report has identified five measures of alcohol related crime in Dundee based on LCPP residence of individual/offender. These measures are Serious Assault, Sexual Crimes, Petty Assault, Vandalism and Breach of the Peace. In view of the level and spread of alcohol related crime affecting communities, along with individual alcohol related health harm experienced across the City, the whole of Dundee City should be considered overprovided in terms of on-sales licensed premises.

All future on-sales licences should be refused, unless the applicant can demonstrate that the new licence will not contribute to overprovision.

Option 2: Based on the report's measure of all alcohol related crime by location of incident, LCPP areas which have this measure should be considered overprovided. The LCPP areas in this category are Maryfield and Lochee.

All future on-sales licences should be refused for the above areas unless the applicant can demonstrate that the new licence will not contribute to overprovision. Any application outwith these LCPP areas should also be subject to overprovision assessment to determine the extent to which trade would be drawn from the LCPP areas deemed to be overprovided.

SECTION 1 - Introduction

1.1 Background

1.1.1 National requirements

Alcohol Licensing is a process that takes place at a Local Authority level to regulate:

- who can sell alcohol
- where it can be sold
- the conditions of sale
- the hours and days of sale
- the number of premises permitted to sell alcohol at a local level.

Scotland's licensing system has five objectives:

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

Licensing Boards are responsible for administering the licensing system at a local level and must seek to promote these five objectives in their work. They must do that through their policy statement; when considering whether there is overprovision of licensed premises in their area; and when making decisions on licence applications or review.

Promotion of the Licensing Objectives begins with evidence collection and analysis. Licensing Boards must have sufficient information on each of the licensing objectives to be able to consider and apply the most appropriate licensing measures to achieve the objectives.

In a policy context, Licensing Boards also have a **duty to assess overprovision** and **must include a specific statement on whether there is an overprovision of licensed premises** in their respective areas. Licensing Boards are expected to refuse new premises licences or extra capacity in areas deemed to be overprovided; or where it considers that any additional licensed premises or capacity would result in overprovision.

It is acknowledged that decisions on overprovision must be informed by evidence from police, health, Local Authorities and other agencies. Nevertheless, there is recognition that **the difference between provision and overprovision is ultimately a judgement on the part of Licensing Boards**. In other words, the number of licensed premises that constitutes overprovision is a matter for a Licensing Board to decide, **based on an assessment of the evidence**.

1.1.2 Information in Dundee

In 2011, to support the Dundee Licensing Board with its ongoing work and to develop of a statement on overprovision, the Dundee Alcohol and Drug Partnership (ADP) co-ordinated a short-life experts group (see appendix 1 for membership) to gather, analyse and present information on overprovision in the City. Dr. Kirsty Licence chaired the group and membership included representation from Dundee City Council, Licensing Standards Officers, NHS Tayside, Tayside Police, the voluntary sector and the ADP Support Team. The ADP was the sponsor of the work (i.e. it was conducted under the auspice of the ADP). The resulting report brought together information on the availability of alcohol (both off- and on-sales) and the health/social harm caused by the consumption of alcohol. The original overprovision report has been updated with new information and additional analysis.

1.2 Partnership Approach

The following approach to data collection was agreed by partners to support the development of a community alcohol profile. It was agreed that:-

- Appropriate areas of analysis would be identified within which data are available and which would be meaningful to local people, local community planning groups, and elected members;
- Data in relation to occasional licences and extensions, as well as premises licences, would be examined;
- Partnership information would be made available to the Dundee Local Licensing Forum to inform the Forum's statutory role in overseeing the Licensing Board's application of the Licensing Act (2005);
- Local information would be presented in a context that provides evidence of the relationship between alcohol availability and alcohol related health and social harm;
- Community views were critical and community consultation approaches would be developed and incorporated as part of the process in the development of the profile.

SECTION 2 – Evidence linking alcohol availability and alcohol related harm

There is a substantial body of evidence that **increased availability of alcohol is associated with increased consumption**, and that measures to limit availability, accessibility and affordability are likely to have a beneficial impact on both consumption and alcohol related harm.

A review undertaken for the Scottish Executive in 2003¹ concluded that the relationship between general restrictions on alcohol availability and alcohol related harm was complex, but there was evidence that measures including restricting hours of sale, enforcement of purchase age limits, staggering closing times, and controlling outlet density were associated with reductions in alcohol related crime and disorder.

A further review examined the **impact of off-licence premises in particular**.² This examined features of off-licence selling including promotions, sales to under-age and intoxicated customers, and the impact of outlet density. The review concluded that:

- Sales to underage customers were common in off-licence premises
- Sales to intoxicated customers were also common, although there was less evidence of this than of under-age selling
- There was evidence of a relationship between outlet density and assault
- There was evidence of a relationship between outlet density and homicide
- There was evidence of a relationship between outlet density and drink-driving/alcohol related crashes. In some cases, this relationship was specific to on-licence premises density, but in one study the relationship was significant for off-licence density.
- There is evidence from the USA that as licensed premises density increases over time in defined geographical areas, so has the rate of violence and anti-social behaviour.

Analysis of local data in Glasgow demonstrated the relationship between alcohol outlet density and alcohol related crime.³ This replicated evidence gathered in a recent systematic review of 36 studies looking at the impact of alcohol outlet density on alcohol related harms.⁴ The review found significant positive relationships between high outlet density and increased levels of violence, alcohol-related traffic accidents, self-reported injuries and suicide, sexually transmitted disease and child abuse or neglect.

One longitudinal study included in the review found a 10% increase in the number of off-sales premises and bars was related to a 1.67% and 2.06% increase in violence rates respectively.

Another study found the number of bars per 1,000 of the population was positively related to the rate of physical abuse of children.

In addition, there are identifiable characteristics of retail alcohol outlets that may influence levels of alcohol consumption and harm:⁵

- Outlet size (physical size of the retail premises or volume of sales)
- Clustering, with competitive pressure from neighbouring outlets driving down prices and fuelling increased consumption
- Location i.e. the proximity of retail sites to places of concern, such as schools or places of worship
- Neighbouring environmental factors, such as community demographics, and the degree of isolation of a community

¹ Reid-Howie associates. *Liquor Licensing and Public Disorder: Review of literature on the impact of Licensing and other controls, and audit of local initiatives*. Edinburgh: Scottish Executive Social Research, 2003

² Pattoni L, Emmerson C, Sudbery m, et al. *The relationship between off-sales and problem drinking in Scotland*. Edinburgh: Scottish Executive, 2007

³ *The relationship between outlet density and crime in NHS GGC*. Dr Catherine Chiang, 2009

⁴ Popova S et al. *Hour and days of sale and density of alcohol outlets: Impacts on alcohol consumption and damage: A systematic review*. *Alcohol & Alcoholism*;44(5):500-516, 2009

⁵ Campbell CA, et al. *The effectiveness of limiting alcohol outlet density as a means of reducing excessive alcohol consumption and alcohol related harms*. *American Journal of Preventative Medicine*.: 37(6):556-569, 2009

- The size of a community (which may affect access to other retail sites)
- The type and number of alcohol outlets (bar, restaurant, liquor store, grocery outlet) in a community may also influence whether and how outlet density affects drinking behaviour
- Alcohol outlets may be associated with illegal activities, such as drug use, which may also contribute to public health harms.

Several of these are amenable to positive influence via Licensing Law.

Alcohol affordability is, to an extent, influenced by physical availability. Increasing the numbers and range of outlets licensed to sell alcohol increases competitive pressures and drives down prices. The effects of this are clearly seen in the supermarket chain sector, where alcohol can be sold below cost price in order to increase general footfall.⁶ A survey undertaken in Clydebank in 2008, found that people were willing to travel a few miles to purchase low cost alcohol usually from supermarkets.

Whilst proposals for the alcohol minimum pricing legislation could have a beneficial impact on this, competitive pressures between high-density alcohol outlets remain a challenge. Where there is a high density of alcohol outlets and economic pressures that may reduce custom, on-trade premises are at risk of significant under-capacity. This could increase the purchasing of alcohol from off-sales, which would increase consumption within people’s own home in a less controlled environment and greater risk of harm. This was demonstrated in a report to West Dunbartonshire Licensing Board, where overall on-licence capacity was under-used by 97%.⁷

The World Health Organisation has reviewed the evidence for interventions likely to reduce alcohol consumption and alcohol related harm⁸⁹. Restricting the availability of alcohol consistently emerges as amongst the most effective interventions for reducing alcohol consumption (see Box below).

Impact of interventions to reduce alcohol related harm	
MEASURE	IMPACT
Pricing	High
Availability - Age limit - Outlet Density	High
Harm Reduction - Server training - Local Policing - Nighttime Transport	Mid
Treatment - Brief Interventions	High
Regulating Ads & Promotions	Mid
Education - Schools - Public Education	Low

Source: WHO. Alcohol: No ordinary commodity

⁶ Groceries Market Investigation: provisional findings report, Appendix %, 6. Competition Commission, Oct 2007.
⁷ West Dunbartonshire Alcohol and Drugs Partnership. Alcohol Overprovision-Licensing Board Consultation. June 2010
⁸ WHO. Effectiveness and cost-effectiveness of policies and programmes to reduce the harm caused by alcohol
⁹ Babor TF, Caetano R, Casswell S, et al. Alcohol: no ordinary commodity. Oxford: Oxford University Press, 2003

As a means of supporting local Licensing Fora and Boards, Alcohol Focus Scotland (AFS) convened an Expert Workshop Group in 2011. This included representatives from public health, substance misuse services, Scottish Health Action on Alcohol Problems, academic institutions, and legal representatives including a QC.

The output from the workshop was a report published in 2011, *Re-thinking Alcohol Licensing*¹⁰ which presents much of the evidence linking provision of alcohol licences with alcohol related harm, as well as providing practical guidance to Licensing Boards and Fora on the application of the public health objective in licensing policy.

During 2012-2013, Alcohol Focus Scotland produced a series of 'Toolkits' for Licensing Boards in respect of using evidence to support policy and decision-making and using policy to guide licensing decisions (see www.alcohol-focus-scotland.org.uk/licensing-toolkit).

¹⁰ AFS and SHAAP. *Re-thinking Alcohol Licensing*. Sep 2011

SECTION 3 – Step by step guidance to an overprovision policy

3.1 West Dunbartonshire Licensing Board

In 2010, West Dunbartonshire Licensing Board was the first Board in Scotland to adopt an overprovision policy in their three year Licensing Policy Statement for 2010-2013. Within this context as an aid to other Boards, Alcohol Focus Scotland recently published step by step guidance on developing an evidence-based overprovision policy based on the exemplar West Dunbartonshire experience. This guidance has informed the approach, data collection and direction of the overprovision report developed for Dundee Licensing Board.

In terms of developing an overprovision policy, the guidance also supports the key following points:-

- While developing an overprovision policy is a statutory requirement there is also an advantage in doing so. Board decisions based on robust evidence-led policies are more likely to withstand subsequent court challenge and the guidance gives two reasons for this. Firstly, the 2005 Act is based on the principle that Board policies should give fair notice of what Boards expect. Secondly, in the absence of a clear and robust policy, Boards face a considerable challenge in demonstrating grounds of refusal. Within this context, an evidence-based overprovision policy contributes to a more robust licensing process.
- In respect of an overprovision policy there is also a need to include the evidence required to overcome the policy. The guidance states that “a policy creates a presumption and the onus will be on an applicant to overcome the presumption that the policy will be followed”. The West Dunbartonshire policy indicates that applicants will be required to give robust and factual evidence against each licensing objective to demonstrate why the benefits in granting the application outweigh the Board’s Overprovision Policy. The steer from West Dunbartonshire is clear in that there may be exceptional cases where an applicant can persuade the Board there is a case to grant. Within this context, the Board should make it clear that it will seek robust and reliable evidence from an applicant.
- Developing an overprovision policy provides a snap shot in time of a local situation. A licensing board may agree an overprovision policy and then find a subsequent reduction in premises within an area previously identified as overprovided. Currently no statistical evidence is available that demonstrates the level to which the number of licensed premises would have to be reduced to remove overprovision. To address this position, West Dunbartonshire Licensing Board advises Boards to reserve the right to reconsider the overprovision situation taking into account the capacity being replaced and the location of the new premises. Only if local figures have improved to an acceptable level would such an application find favour with the Board.
- Where an assessment of overprovision does not cover the whole of an area, a Licensing Board would need to consider an appropriate response in those circumstances. West Dunbartonshire advises there is a need for a Board to ascertain ‘trade draw’ i.e. the extent to which a licensed premise in an location outwith an area of overprovision would draw trade from the area deemed to be overprovided. Within this context, a Licensing Board could:
 - draw on an existing retail impact assessment, or ask for its own retail impact assessment from an applicant;
 - for off-sales licences, compare walking or driving distances to other nearby off-sales and;
 - for pubs and nightclubs, apply local knowledge or police intelligence.

The full Step-by-Step Guidance by West Dunbartonshire is available on the ADP website.

<http://www.dundeepartnership.com/content/alcohol>).

The experience of the West Dunbartonshire Licensing Board in developing and applying an overprovision policy from 2010 to the present provides a very useful framework of reference. Within this context, other Licensing Boards can be confident in drawing on the West Dunbartonshire experience to inform the development processes regarding overprovision.

SECTION 4 – Alcohol availability in Dundee

4.1 Local geographies for data analysis

Information gathering across agencies is complicated by the different ways in which data are recorded. The Tayside Division of Police Scotland records crimes and incidents by grid reference, whilst NHS data are recorded by postcode. Postcode level data can be aggregated to a variety of levels, including Data Zones, Intermediate Zones, Local Community Planning Partnerships and Local Authority multi-member wards. It is important, however, that information is presented in a way that is meaningful to the user. For residents within Dundee City, there will be a number of clearly defined communities with which people may associate themselves. Representation is also an important consideration, as the views of communities are often expressed through geographically defined bodies such as Local Community Planning Partnerships and Electoral Wards. It is often through these structures that change can be implemented within a local area.

For the purpose of this report, Local Community Planning Partnership (LCPP) areas have been selected as the core unit of analysis. The rationale for this was:

- These represent areas for which there are designated representative groups with whom a dialogue can be established on these issues
- The LCPP areas are coterminous with the multi-member wards, making them meaningful to elected members on the Licensing Board and other Council groups, and to the electorate
- Data available on population from the NHS and the police can be aggregated to the level of the LCPP areas.

Given that the effects of alcohol related harm are manifested to a much greater extent amongst populations with higher levels of socio-economic deprivation, the impact of alcohol within regeneration areas was also examined where data were available.

4.2 Alcohol availability

The data reported in this section are drawn from a variety of sources including industry sales (The Nielson Company), official government statistics and population surveys.

Retail sales data indicate that in 2010, 11.8 litres of pure alcohol were sold per adult in Scotland compared with 10.7 litres in 1994. This equates, on average to 22.8 units drunk in 2010 per adult per week, higher than the recommended low risk drinking limits for both men (21 units per week) and women (14 units per week).

Over this time period, on-trade sales decreased by 28% to 3.9 litres between 1994 and 2010 whereas off-trade sales increased by 52% over the same time period to 7.9 litres.

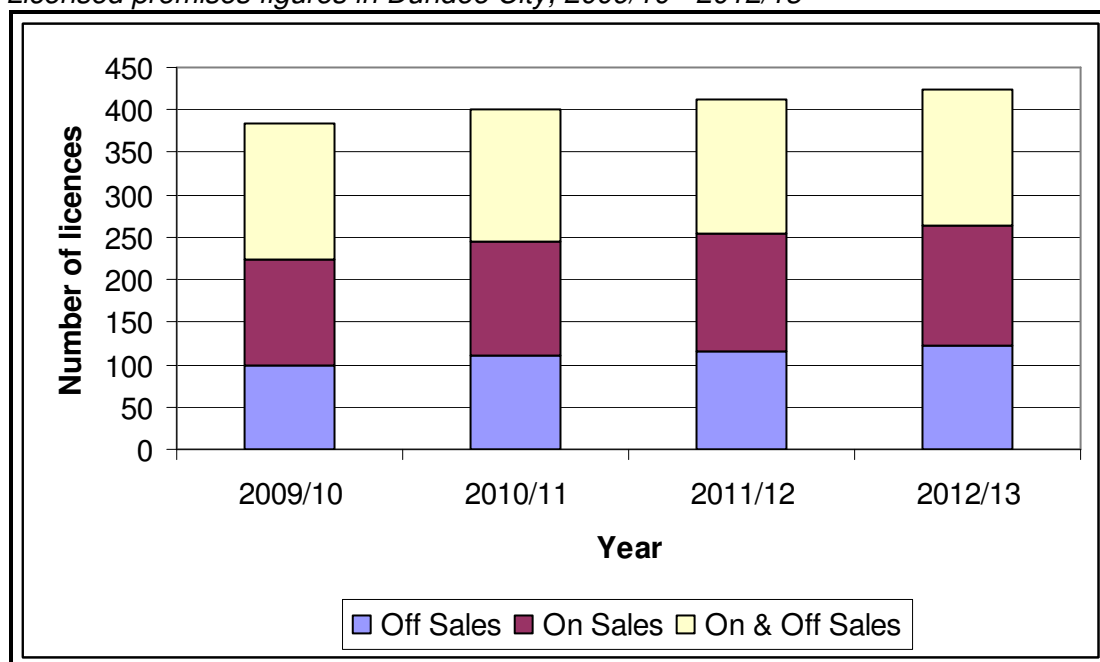
The average price of a unit of alcohol sold through the off-trade in Scotland was 45 pence per unit and 134 pence per unit through the on-trade.

4.3 Premises licences

Previously published licensing data by the Scottish Government showed that in Dundee City, the overall rate of licences had consistently been lower than the overall Scottish rate. Recent local figures show that the rate of premises licences per 10,000 population aged 18+ years was 35.8 in 2012/13 compared to 33.2 per 10,000 in 2009/10. It should be noted that, in comparison with other areas of the UK, Scotland has very high levels of alcohol related harm (see section 5). In turn, the UK has higher levels of alcohol related harm than other comparable countries including many European neighbours, the USA, and Australia. If as a community, we are serious about wanting to reduce the levels of alcohol related harm, we should be seeking much healthier comparators than Scotland or our UK neighbours in terms of availability and consumption.

Figure 1 shows a breakdown of the number of premises licences in Dundee City between 2009/10 and 2012/13. Overall, the number of premises licences has increased by 9.9% in the four year period. Off-sales licences have increased by 24.5%, on-sales by 13.6% while on & off-sales combined licences have decreased by 1.9%.

Figure 1: Licensed premises figures in Dundee City, 2009/10 - 2012/13



Source: Licensing Team, Dundee City Council

The number of personal licences issued in Dundee City has also increased in the period 2009/10 to 2012/13 from 848 to 1,287, an increase of 51.8%.

There is marked variation in the distribution of licences across Dundee City, leading to high concentrations in some localities (Table 1 and 2). In July 2013, the rate of off-sales licences in Dundee City was 85 per 100,000 population compared to the lowest rate of 48 in the ward area of Strathmartine and 147 in Maryfield. By comparison, the Dundee City on-sales licences rate was 212 per 100,000 with a variation between wards from 46 to 583 per 100,000 for North East and Maryfield respectively. Previous figures (June 2011) show that there have been some changes in the numbers of premises licences in each ward and although any increase in one type of licence has generally been offset by a decrease in the other licence type, the overall numbers for Dundee have increased for both type of licence. The implications of high outlet density have been discussed above.

Table 1: Premises licences in Dundee City by Ward as at June 2011 and July 2013

LCPP/Ward area	Off-sales premises licences			On-sales premises licences		
	As at June 2011	As at July 2013	Change from 2011 to 2013	As at June 2011	As at July 2013	Change from 2011 to 2013
Coldside	16	19	+	36	35	-
East End	18	17	-	8	9	+
Lochee	16	16	No change	29	26	-
Maryfield	23	25	+	97	99	+
North East	8	8	No change	7	7	No change
Strathmartine	9	9	No change	17	17	No change
The Ferry	15	12	-	39	40	+
West End	17	18	+	73	76	+
Dundee City	122	124	+	306	309	+

Source: Licensing Team, Dundee City Council

Across the City as a whole, and in 6 of the 8 multi-member wards, there are more (and in most cases substantially more) on than off-sales premises. In Community Regeneration Areas, however, a very different pattern is seen with more of the grouped areas in Table 2 having a greater number of off than on-sales licensed premises. This is significant because:

- Off licences sell alcohol at markedly cheaper prices
- Off licence sales allow for much more unsupervised and unregulated alcohol consumption, especially amongst young people
- Under-age drinkers are far more likely to purchase alcohol from off-licence premises than on-licence premises.

Table 2: Current premises licences in Dundee City by Community Regeneration Area (CRA) as at July 2013

Community Regeneration Area	Number		Rate per 100 000 population	
	On-sales premises licences	Off-sales premises licences	On-sales premises licences	Off-sales premises licences
Ardler/St Mary's/ Kirkton	1	5	9	43
Beechwood/Dryburgh/Lochee Menzieshill/Charleston	15	9	92	55
Fintry/Whitfield/Mill O'Mains	3	5	42	69
Coldside/Maryfield; Stobswell	46	30	179	117
MidCraigie/Linlathen/Douglas	5	15	45	136
CRA Totals	70	64	97	89

Source: Licensing Team, Dundee City Council

Bearing in mind that people will travel to purchase cheaper alcohol, the distribution of licences on a ward by ward basis may appear irrelevant. Such physical clustering of alcohol outlets will, however, have impacts on local communities in terms of:

- Visibility and normalisation of alcohol
- Competitive pressures
- Noise
- Litter
- Gatherings of people
- Absence of other social or other activities within communities.

4.4 Extensions and occasional licences

4.4.1 Occasional Licences

Applications for occasional licence can be made by either a personal licence holder, premises licence holder or a voluntary organisation (there is no description in the legislation as to what a voluntary organisation has to be).

An applicant can not apply for an occasional licence for a premise that already has a premises licence excluding members clubs. A social club may apply for this occasional licence if they were holding an event that would see non members attending e.g. open day at a bowling club in an attempt to raise membership or a birthday party where non-members would be attending.

Both social clubs and voluntary organisations are limited as to how many occasional licenses they may apply for. There are no limits on applications for personal licence holders and/or premises licence holders.

If the Licensing Board receives an occasional licence application and has not received any notice from the Chief Constable or a report from the LSO's or an objection in relation to that application, the Board

must grant the application. If the Board do receive any form of objection/report, they may hold a hearing regarding the grant.

Data on the number of occasional licences granted by the Dundee Licensing Board is currently not available.

4.4.2 Extended Hours

Licensing extensions were routinely available to all licensed premises, upon application, for 77 days of the year (over 20% of days). These were general extensions where the Licensing Board allowed all premises in an area the option of extra hours (e.g. over the festive period). Uptake of these extensions by number of premises is shown in Table 3 and compares 2011 to 2012 and 2013.

There are other occasions when licensed premises, including social clubs, can apply. These would be for a special event being catered for on the premises or an event of local or national significance.

Table 3: General licence extensions for holiday periods in Dundee City, 2011-2013

Holiday	Number of days on which extension of licensing hours offered	Number of premises applying for extensions 2011	Number of premises applying for extensions 2012	Number of premises applying for extensions 2013
Spring holiday	3 days	17	22	20
Easter	3 days	25	23	20
May holiday	3 days	33	26	20
Victoria day	3 days	24	26	28
Blues Bonaza/Broughty Ferry festival	10 days	27	26	34
Annual trades holiday	17 days	30	24	35
Autumn holiday	3 days	32	6	31
Christmas and New Year	33 days	77	10	unknown
St Patricks Day	1 days	8	14	6
Halloween	1 days	19	12	unknown

Source: Licensing Team, Dundee City Council

In September 2013, a proposal to extend on-sales trading hours in the City on Fridays and Saturdays was considered by Dundee Licensing Board. Objections to extending on-sales trading were submitted by Police Scotland, Dundee ADP and community groups. In support of their objection, Police highlighted that local intelligence re crime levels and incidents already suggests an upward trend from 23:00 - 03:59 hours corresponding with public house and night club existing closing times. Police emphasised that extending on-sales hours was likely to have an adverse impact particularly on these high risk times.

The Board approved extending on-sales trading hours on Fridays and Saturdays at the September meeting. Subject to successful application, public houses could trade to 1am, licensed premises which provide substantial entertainment could trade until 2am and nightclubs or similar establishments could trade to 3am. The Board agreed to review the position in six months.

At a later meeting, the Board decided that successful applicants for the above Friday and Saturday extensions would be ineligible for the general licence extension days listed in Table 3 above. General licence extensions over holiday periods, as per Table 3, would only be open to on-sales licences that had not taken up the option of Friday and Saturday extensions.

4.5 Capacity of licensed premises

Applications for on-licence premises are required to include the capacity of the premises in terms of the number of customers. For off-licence applications, these are required to include the area of shelf frontage that will be dedicated to alcohol displays. This information actually provides very limited information on actual sales or even sales capacity because shelf capacity varies, re-stocking has an impact, and inspection often shows that the actual shelf frontage for alcohol displays varies substantially from operating plans. This lack of information has been noted in other overprovision assessments.

SECTION 5 – Alcohol consumption and related harm

5.1 Alcohol consumption and purchasing by young people

The Scottish Adolescents Lifestyle and Substance Use Survey (SALSUS) is carried out amongst 13 and 15 year olds every 2 years nationally and every four years locally. Key findings from the 2010 survey of Dundee youngsters included:

- Of those who had ever had an alcoholic drink, 64% of 13 year olds and 77% of 15 year olds had been drunk at least once.
- Of all the youngsters who had ever had an alcoholic drink (58% of 13 year olds and 75% of 15 year olds), 46% of those aged 13 years and 63% of those aged 15 years had purchased alcohol themselves.
- In the 4 weeks before the survey, 13% of the youngsters had bought alcohol in a shop, supermarket or off-licence, and 9% in a pub, bar or club.
- Overall, however, the most significant source of alcohol for under-age young people was older friends, relatives, and sometimes strangers, who were commonly reported to buy alcohol for the teenagers.

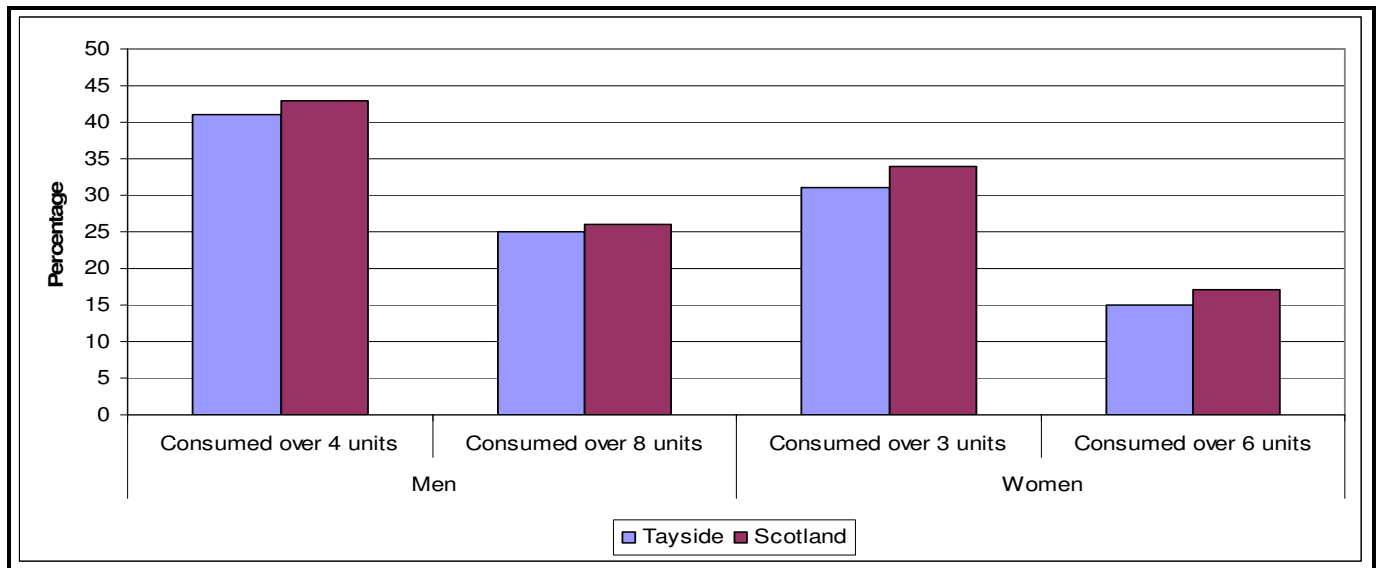
These statistics demonstrate the need for ongoing strong enforcement of existing licensing legislation and the application of new approaches to limit under-age and proxy purchasing.

5.2 Alcohol consumption of adults

Previous alcohol consumption data at Health Board level was available from the 2003 Scottish Health Survey. However, following a review by the then Scottish Executive in 2005/06, it was recommended that the survey should be carried out on a more frequent basis and as a result the survey began running continuously from 2008. The most recent Scottish Health Survey was published in 2012 and to enable information to be published at Health Board area (i.e. to ensure that the sample size was large enough for meaningful data), results were amalgamated for the four years 2008, 2009, 2010 and 2011.

Figure 2 shows the percentage of adults in Tayside and Scotland who drank over (and more than twice) the recommended daily limits (4 units for men and 3 units for women) on their heaviest drinking day in the week prior to the survey (2008-2011 results). Tayside alcohol consumption is slightly lower than the reported average national consumption for both men and women. The mean number of units consumed by men in Tayside on their heaviest drinking day was 5.5 units and for women it was 3.0 units.

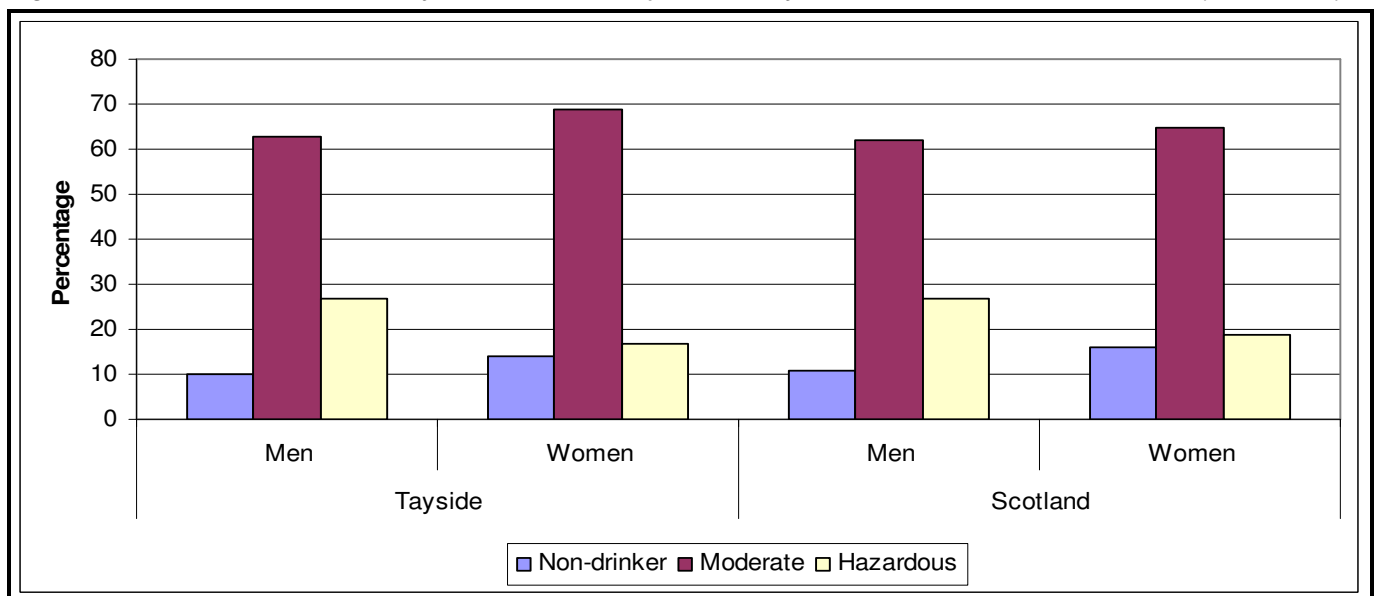
Figure 2: Percentage of adults (aged 16+) who drank over the recommended daily limits in Tayside and Scotland, 2008-2011 (combined)



Source: Scottish Health Survey 2012

The estimated usual weekly consumption of adults in Tayside and Scotland is shown in Figure 3. Hazardous drinking was reported by 22% of adults in Tayside and 23% across Scotland. The mean number of units drunk weekly by men and women in Tayside was 14.9 and 7.7 respectively. In addition, 15% of men and 11% of women were drinking on more than 5 days of the week in Tayside.

Figure 3: Estimated usual weekly alcohol consumption in Tayside and Scotland, 2008-2011 (combined)



Source: Scottish Health Survey 2012

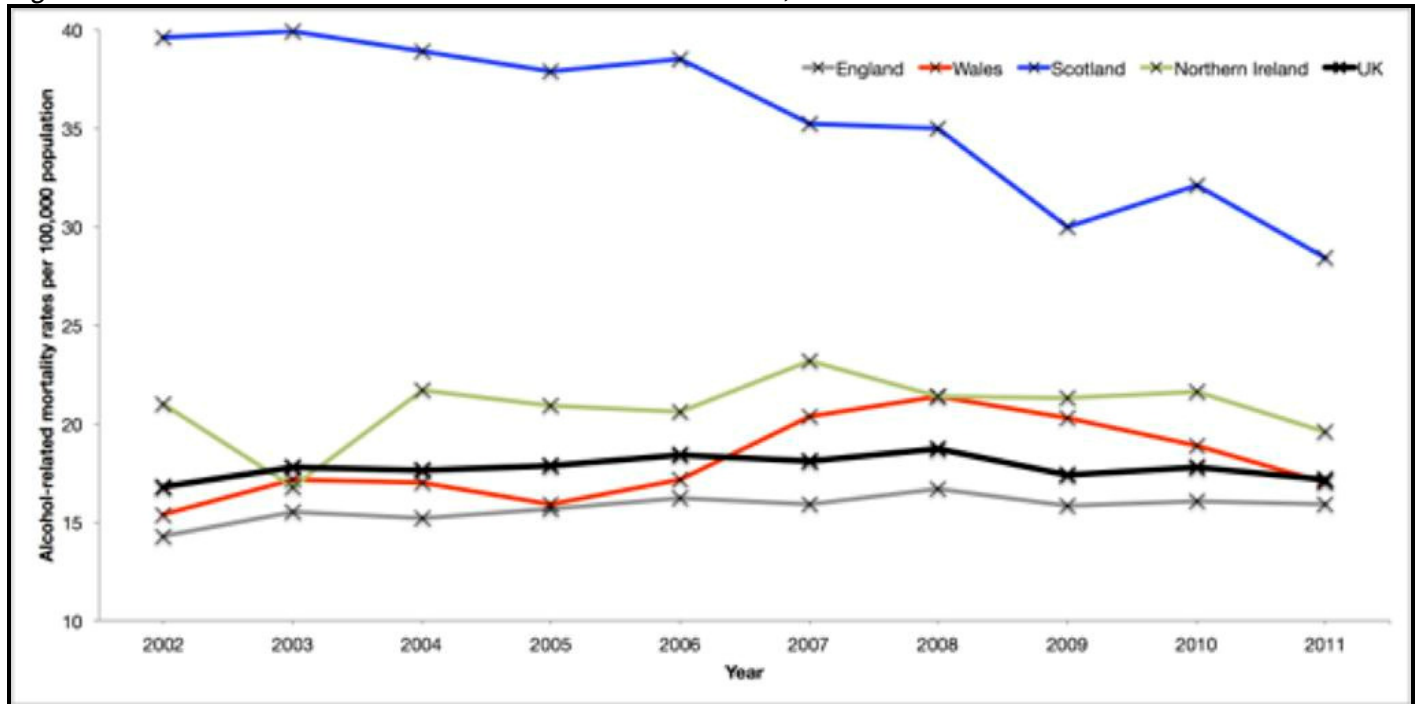
Results from previous surveys do suggest that the proportion of adults ‘binge’ drinking has decreased over time. This short term small reduction in self-reported alcohol consumption must be set in the context of the longer term trend described above for marked increases in alcohol purchasing. Despite the slight fall in consumption, these data show that almost a half of all adult men and a third of adult women regularly consume alcohol above low risk limits. This dramatic fact is reflected in high levels of alcohol related harm.

5.3 Alcohol related harm

Excessive alcohol consumption can result in a wide range of health problems. It can cause short term problems such as acute intoxication and poisoning. Over the longer term, excessive consumption can cause serious damage to parts of the body such as the liver and brain. Alcohol misuse can lead to mental health problems such as alcohol dependency. There are many conditions where alcohol is known to be a contributory factor such as cancer of the mouth, pancreatitis and stroke.

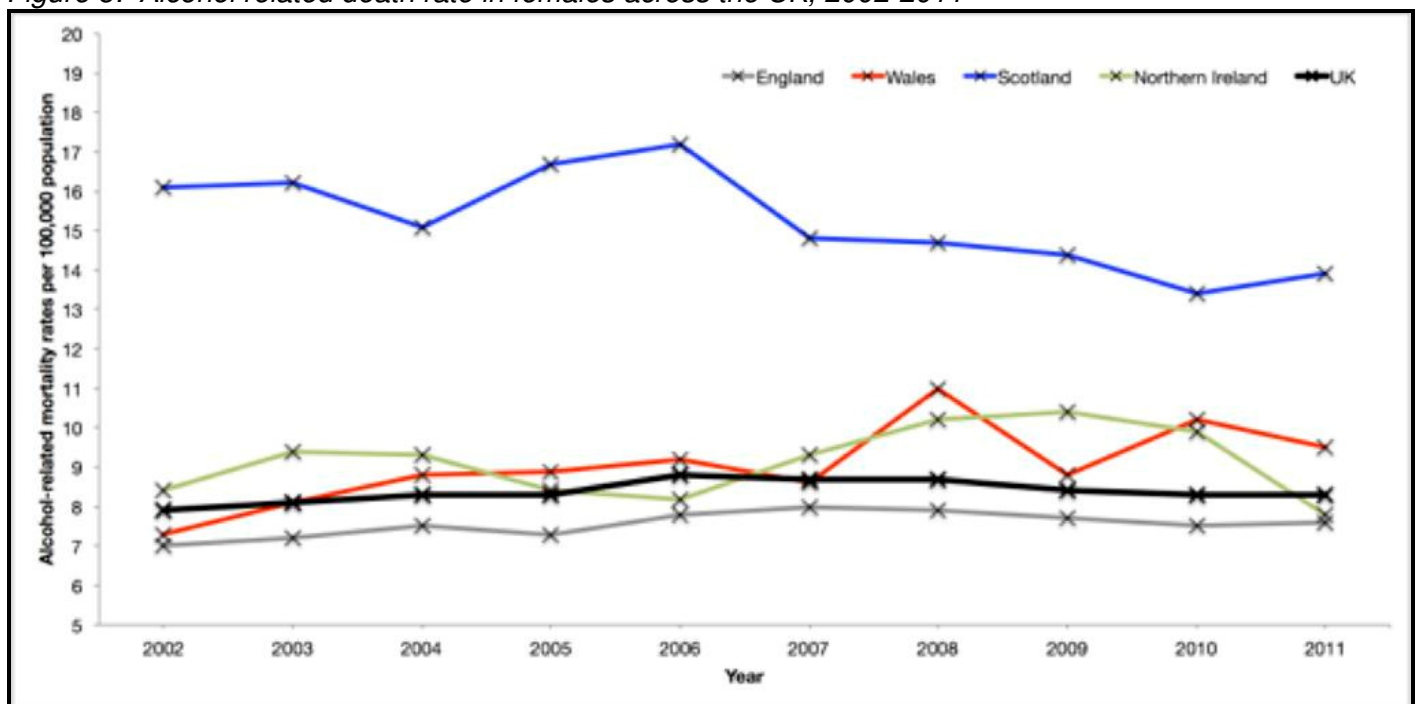
Figures 4 and 5 compare the Scottish alcohol related mortality rates for males and females with the rest of the United Kingdom during the period 2002-2011. Although there has been a decrease over the last 10 years, the mortality rate is considerably higher in Scotland than the rest of the UK.

Figure 4: Alcohol related death rate in males across the UK, 2002-2011



Source: ONS, Northern Ireland Statistics and Research Agency, SCOTTISH RECORD OFFICE (July 2013)

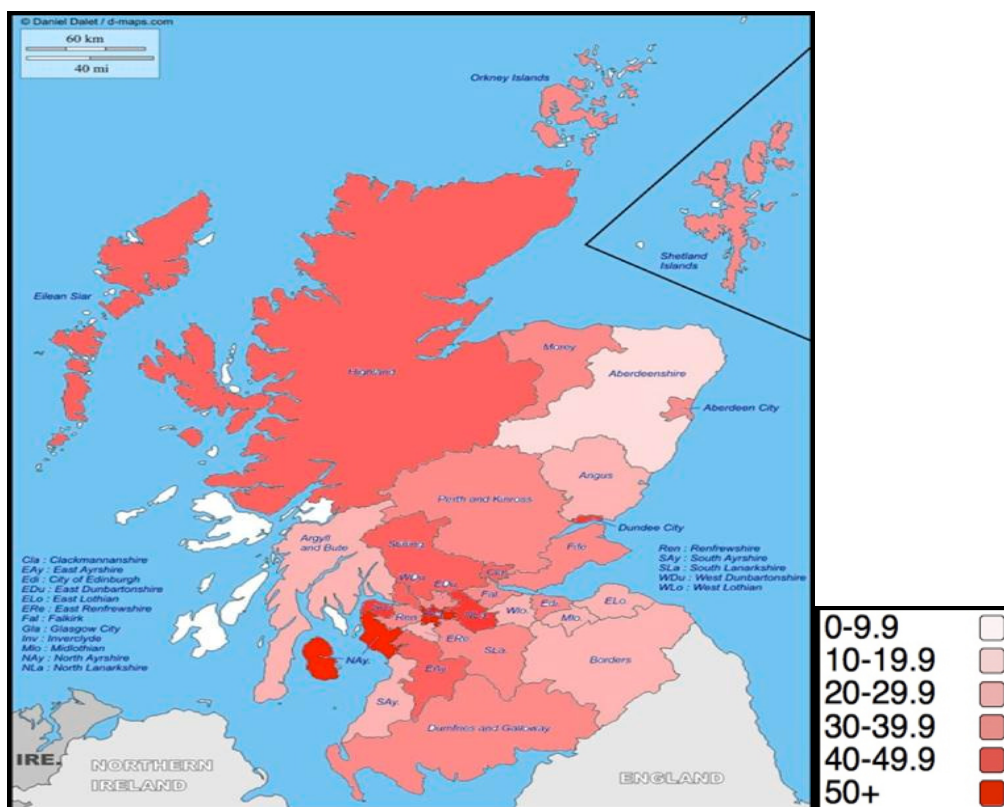
Figure 5: Alcohol related death rate in females across the UK, 2002-2011



Source: ONS, Northern Ireland Statistics and Research Agency, SCOTTISH RECORD OFFICE (July 2013)

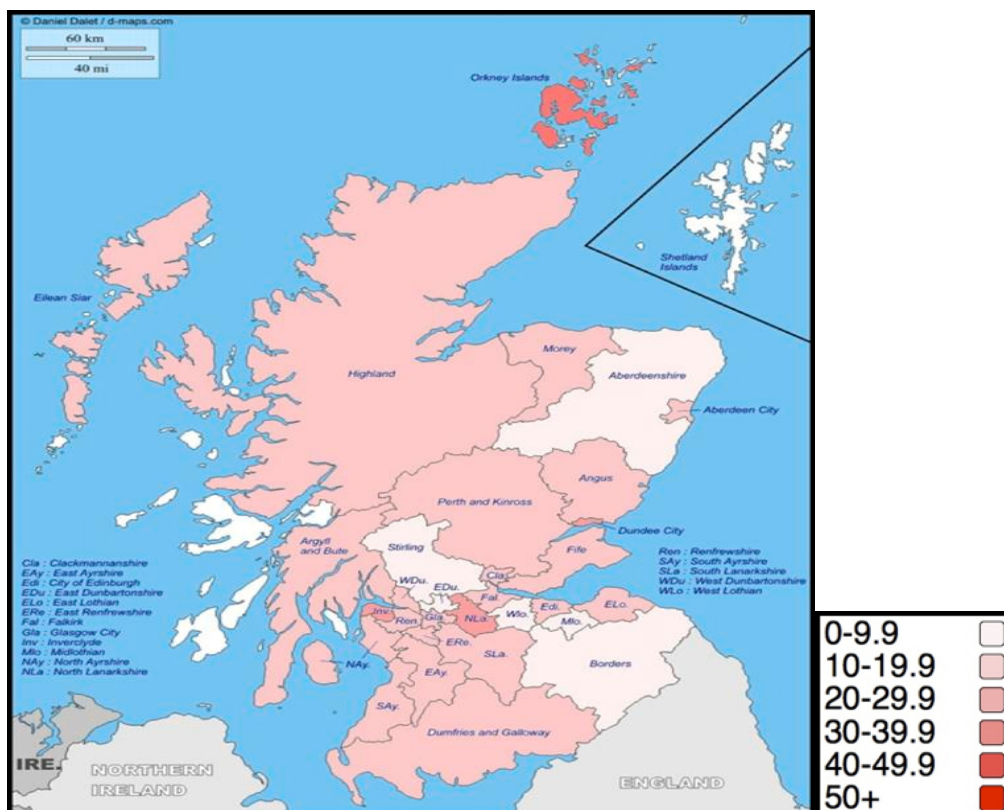
Local Authority comparisons (shown in Figures 6 & 7) in 2009 showed that Dundee City is amongst the worst local areas for alcohol related deaths in the whole of Scotland.

Figure 6: Male alcohol related death rates per 100,000 population Scotland 2009



Source: ONS, Northern Ireland Statistics and Research Agency, SCOTTISH RECORD OFFICE (July 2013)

Figure 7: Female alcohol related death rates per 100,000 population Scotland 2009



Source: ONS, Northern Ireland Statistics and Research Agency, SCOTTISH RECORD OFFICE (July 2013)

SECTION 6 – Alcohol related health harm

6.1 Alcohol related presentations to Accident & Emergency

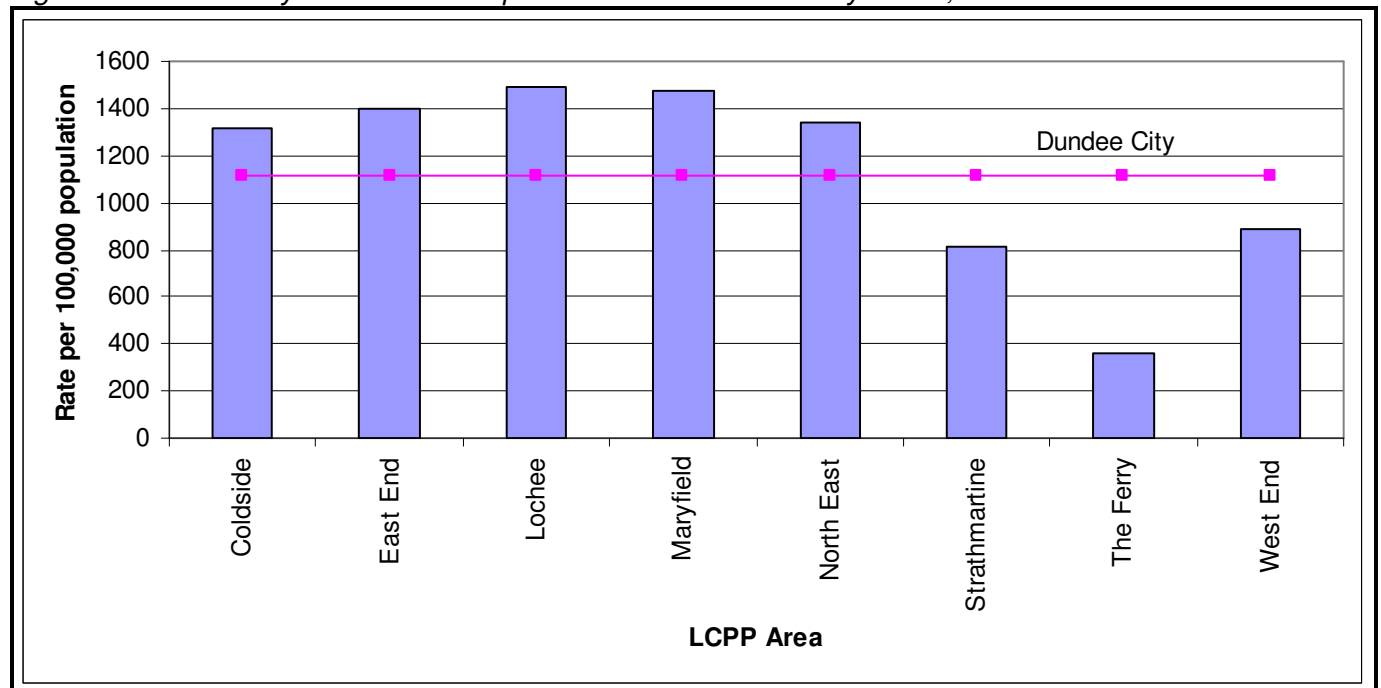
A NHS Quality Improvement Scotland audit report published in November 2006 found that alcohol was a contributory factor in 11% of attendances to A&E departments across Scotland.

Building on this report, this section shows attendances to the A&E department at Ninewells Hospital or Perth Royal Infirmary (PRI) by Dundee City residents, where either an ‘alcohol intoxication’ diagnosis was recorded or where the ‘misuse of alcohol’ was recorded.

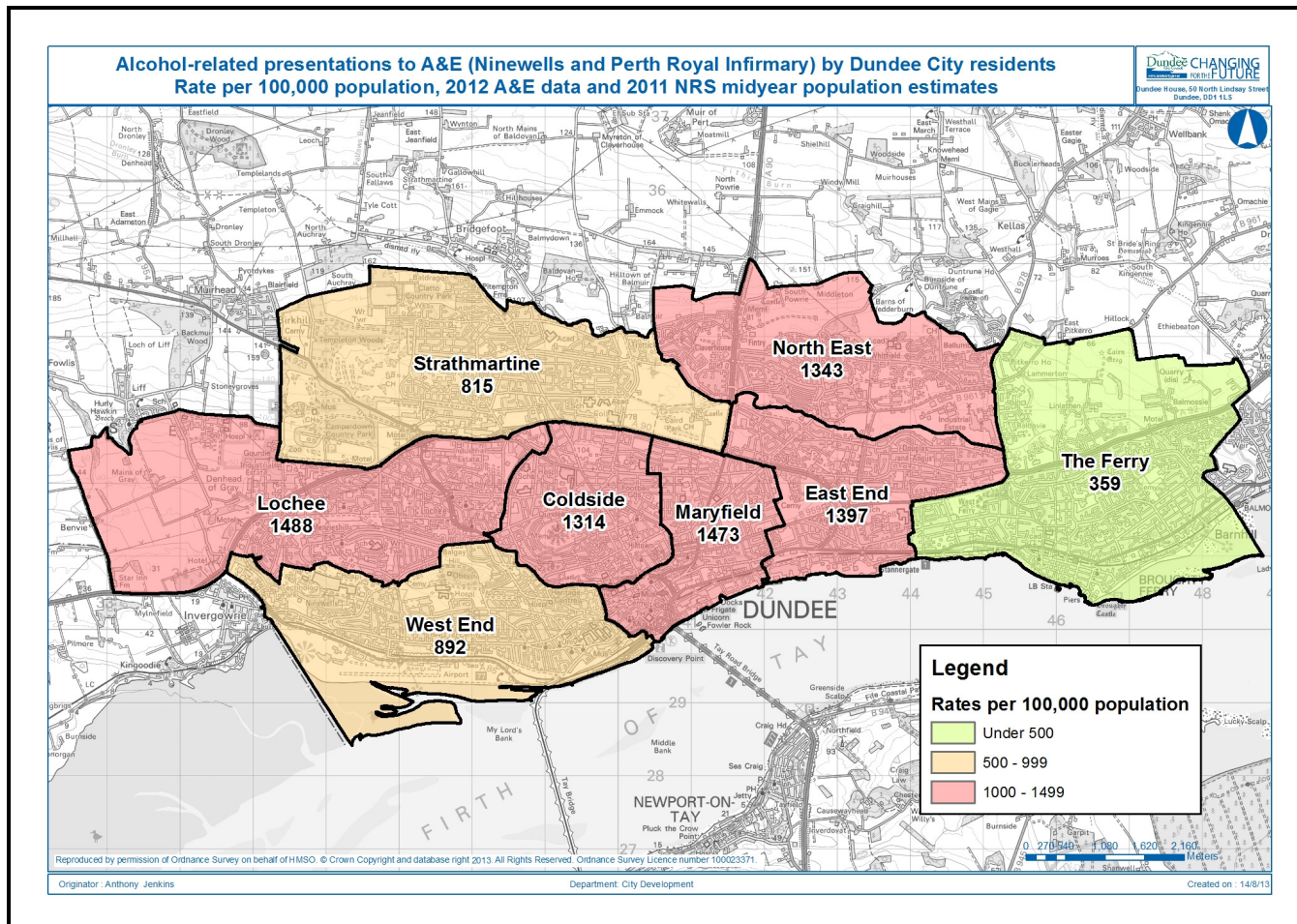
In 2012, there were 1,625 alcohol related attendances to A&E by Dundee City residents, a rate of 1,116.3 per 100,000 of the general population. This was a decrease from the previous known rate of 1,376.5 per 100,000 population in 2010/11. The majority (99.2%) of the 2012 attendances were to Ninewells Hospital. Almost a third (32.7%) of the presentations were children or young people aged under 25 years old and 61.3% of the presentations were male.

Figure 8 (and the map that follows) shows alcohol related attendance rates per 100,000 population by the Local Community Planning Partnership (LCPP) area of residence of those presenting. The rate across Dundee City varied from 1,487.8 per 100,000 in Lochee to 359.2 in the LCPP area of The Ferry.

Figure 8: Dundee City alcohol related presentation rate to A&E by LCPP, 2012



Source: A&E Information Analyst and NRS midyear population estimates



Anecdotal evidence suggests that there are some periods of the day, notably between 11pm and 4am, where the proportion of alcohol patients is estimated at 80% of the attendances to Ninewells A&E. This is particularly so on Friday and Saturday nights. Staff report that these intoxicated individuals are often more difficult to assess and can be occasionally abusive but even when this is not the case, their symptoms and signs can be difficult to interpret. They therefore take up a lot of medical and nursing time which can have an impact on other patients who sometimes have to wait longer to be seen. In addition, 64% of the attendees arrive by ambulance; this is clearly a drain on the Ambulance Service resource given that these attendances are generally at a time when the numbers of ambulances are at minimal levels. Anything that increases the numbers who call for an ambulance will inevitably cause greater delays for those dialling 999.

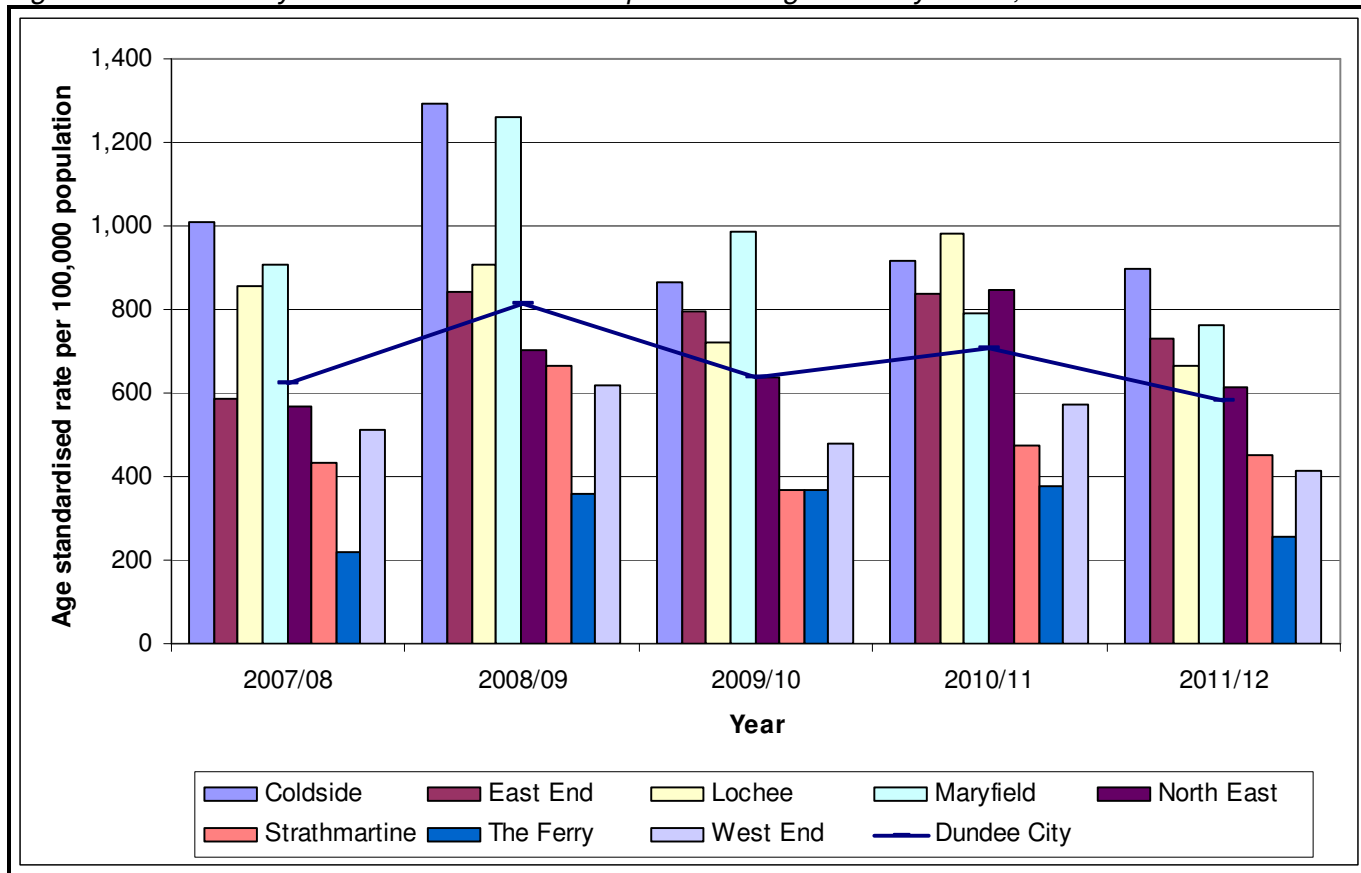
6.2 Alcohol related acute hospital discharges

Alcohol related hospital discharges give a measure of the amount of harm to physical and mental health that alcohol misuse is causing.

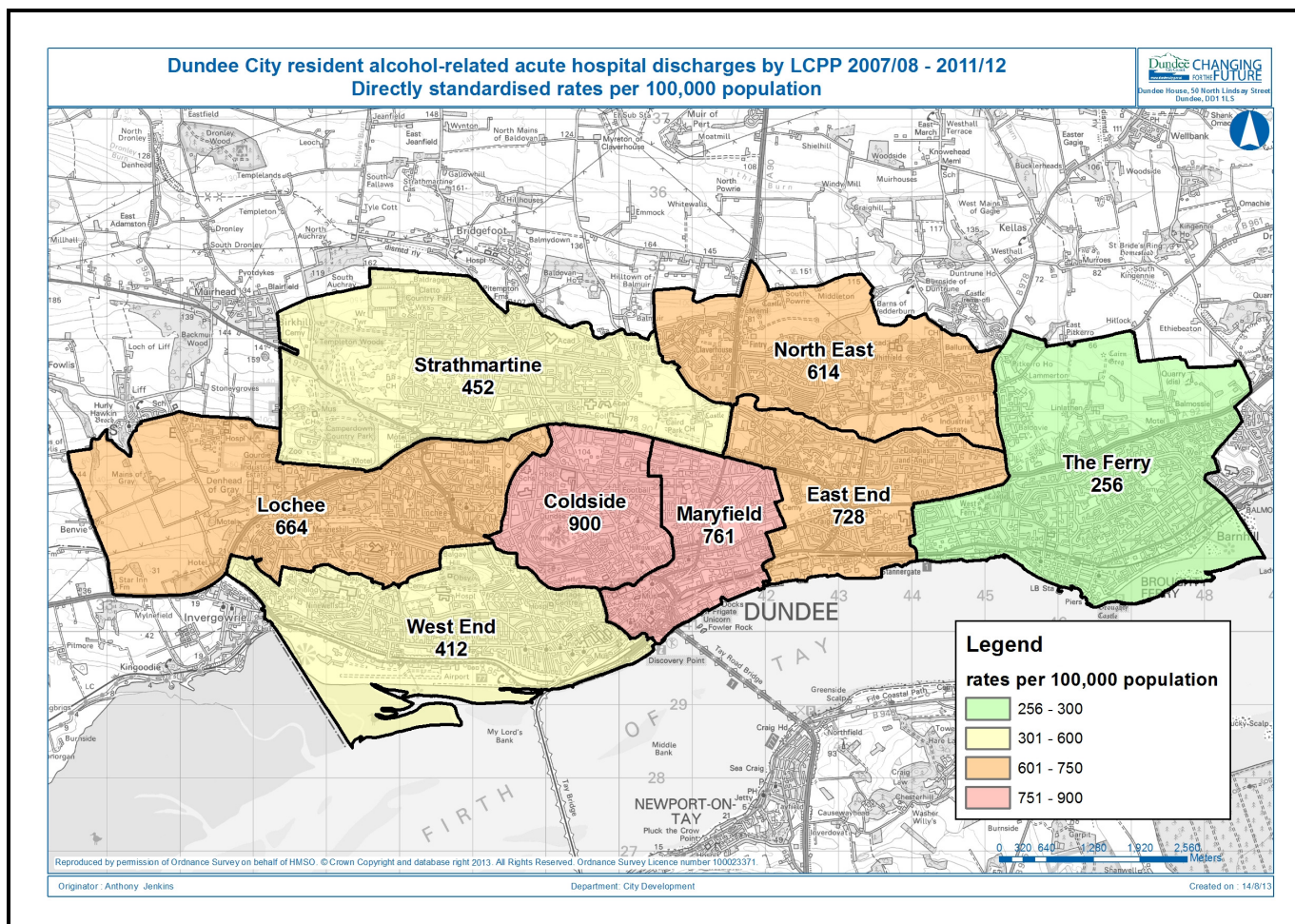
In 2011/12, there were 862 alcohol related hospital discharges by Dundee City residents, a rate of 592 per 100,000 of the general population. Two thirds of the discharges were males with the largest proportion being in the 50-54 age group. The older age groups as a whole made up the majority of the discharges. This is a contrast to the demographics of those attending A&E with an alcohol diagnosis.

Comparisons of age standardised alcohol discharge rates across Dundee can be made by examining LCPP areas of residence as shown by Figure 9 (and the map that follows). This chart also shows trends over the five years 2007/08 – 2011/12. Despite some fluctuations, the overall Dundee alcohol related discharge rate has remained fairly steady in the time period. There has, however, been some change over time within the LCPP areas of the city but Coldside, Maryfield and Lochee have had consistently higher rates than the Dundee average. In 2011/12, the discharge rate varied from 900.0 per 100,000 population in Coldside to 255.9 in The Ferry.

Figure 9: Dundee City alcohol related acute hospital discharge rates by LCPP, 2007/08 - 2011/12



Source: SMR01 and NRS Midyear population estimates

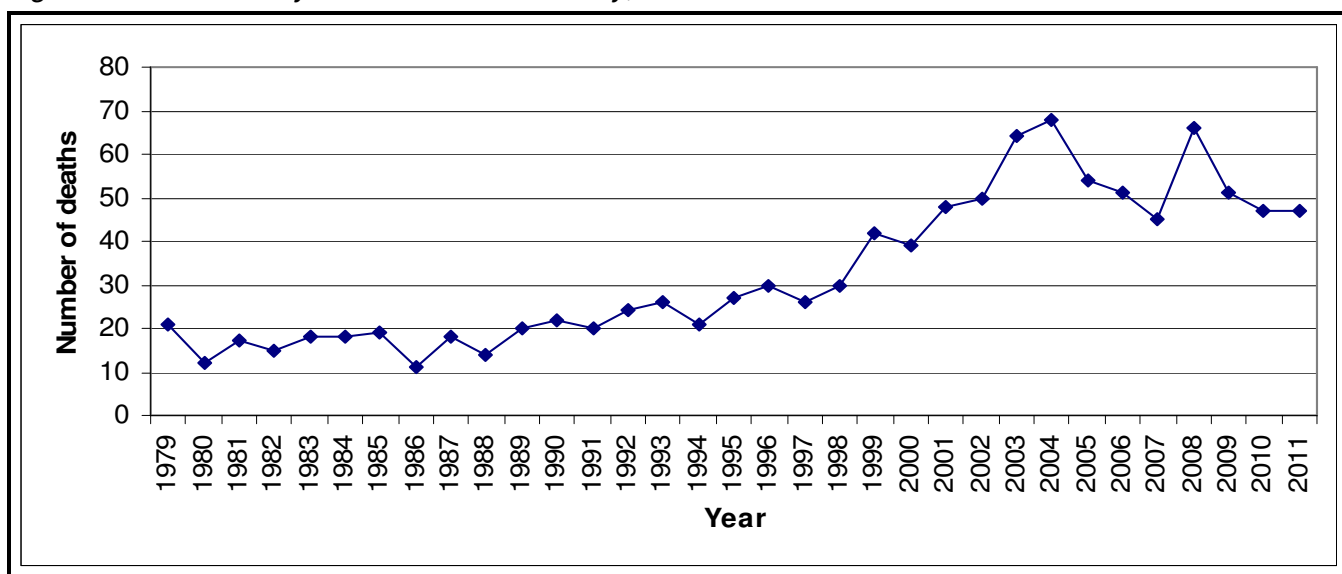


Almost two thirds of alcohol related discharges in the five year period 2007/08-2011/12 had a diagnosis of 'mental and behavioural disorders due to the use of alcohol'. Other common diagnoses for alcohol related discharges were the 'toxic effect of alcohol' and 'alcoholic liver disease'. 'Mental and behavioural disorders' and 'alcoholic liver disease' discharge rates were higher in the older age groups reflecting their long term effects on health whereas 'alcohol poisoning' was more common in the younger age groups.

6.3 Alcohol related mortality

Figure 10 shows the pattern of Dundee City deaths over the last 33 years where alcohol was the underlying cause of death. The figure shows that, despite some fluctuations over time, there has been an increase in such deaths.

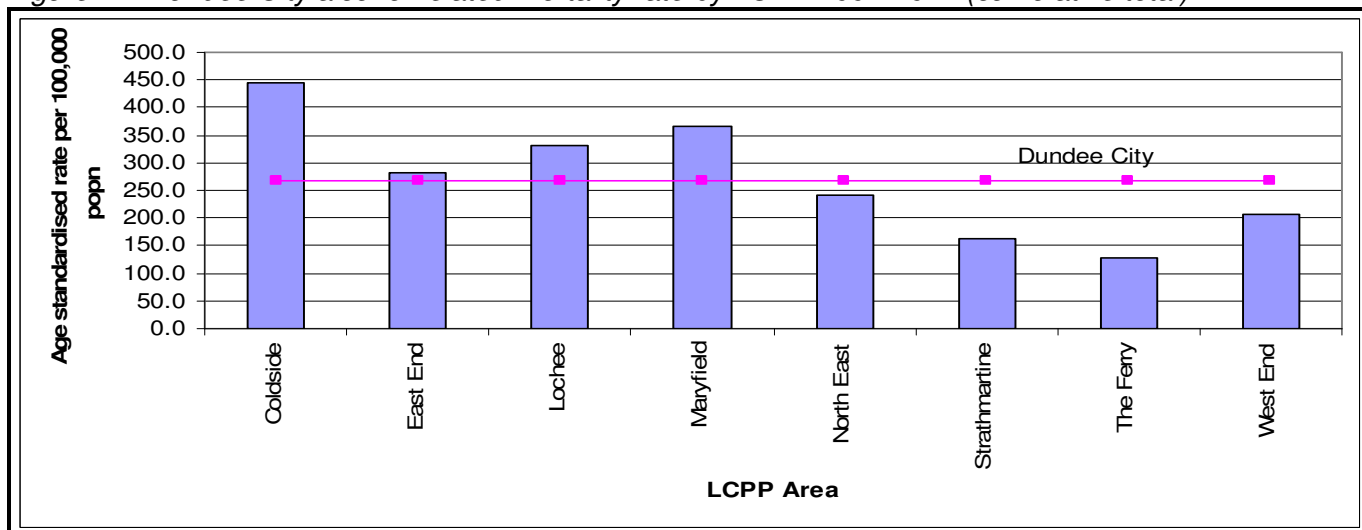
Figure 10: Dundee City alcohol related mortality, 1979 - 2011



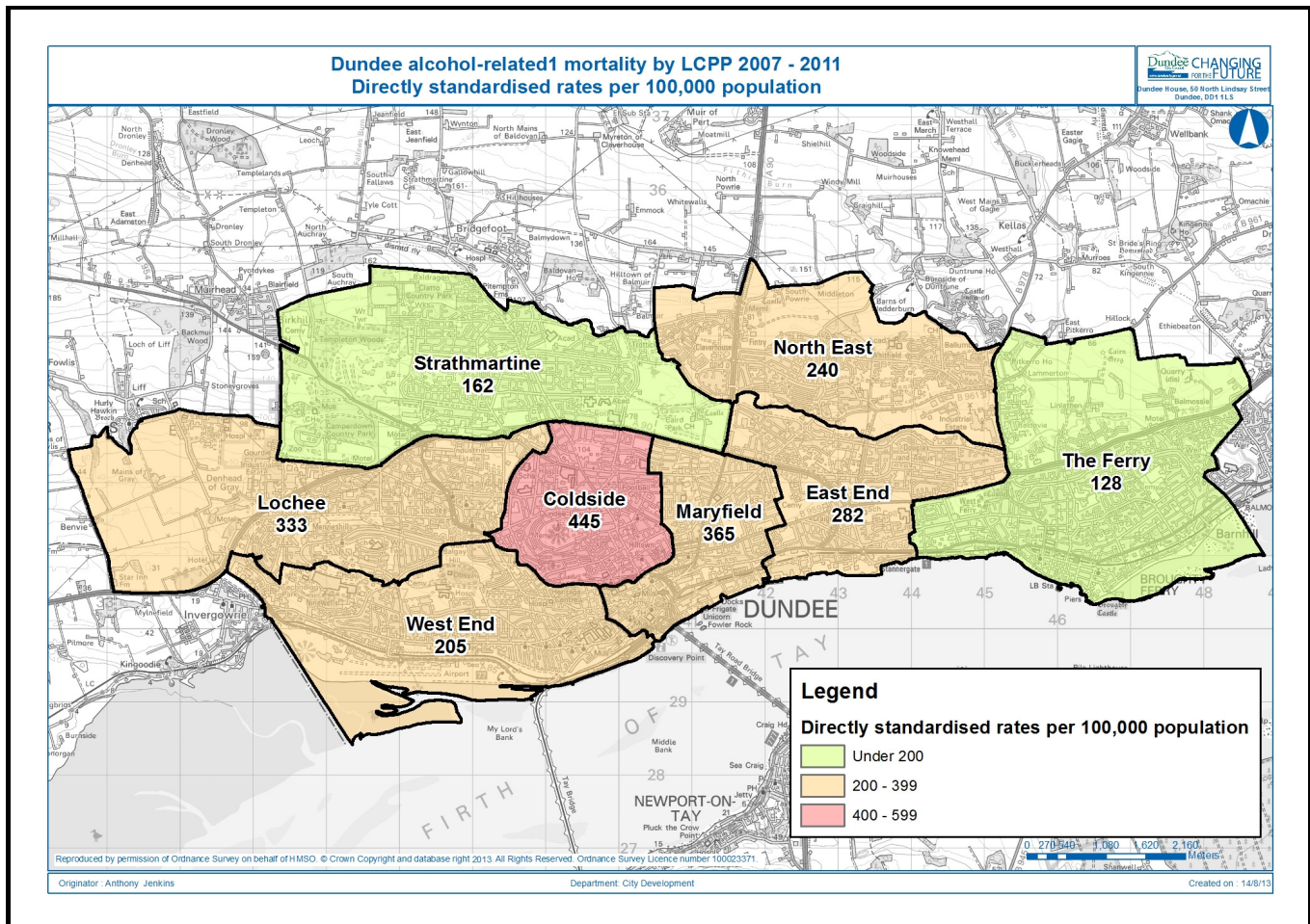
Source: NRS

To allow for comparisons of alcohol related deaths within Dundee, five years of deaths (2007-2011) have been added together and age standardised to give more meaningful data at a LCPP geography. The overall Dundee standardised rate for the period was 266.5 deaths per 100,000 population compared to the highest rate of 444.6 per 100,000 in Coldsides and the lowest of 128.0 in The Ferry (Figure 11 and the map that follows).

Figure 11: Dundee City alcohol related mortality rate by LCPP 2007-2011 (cumulative total)



Source: NRS



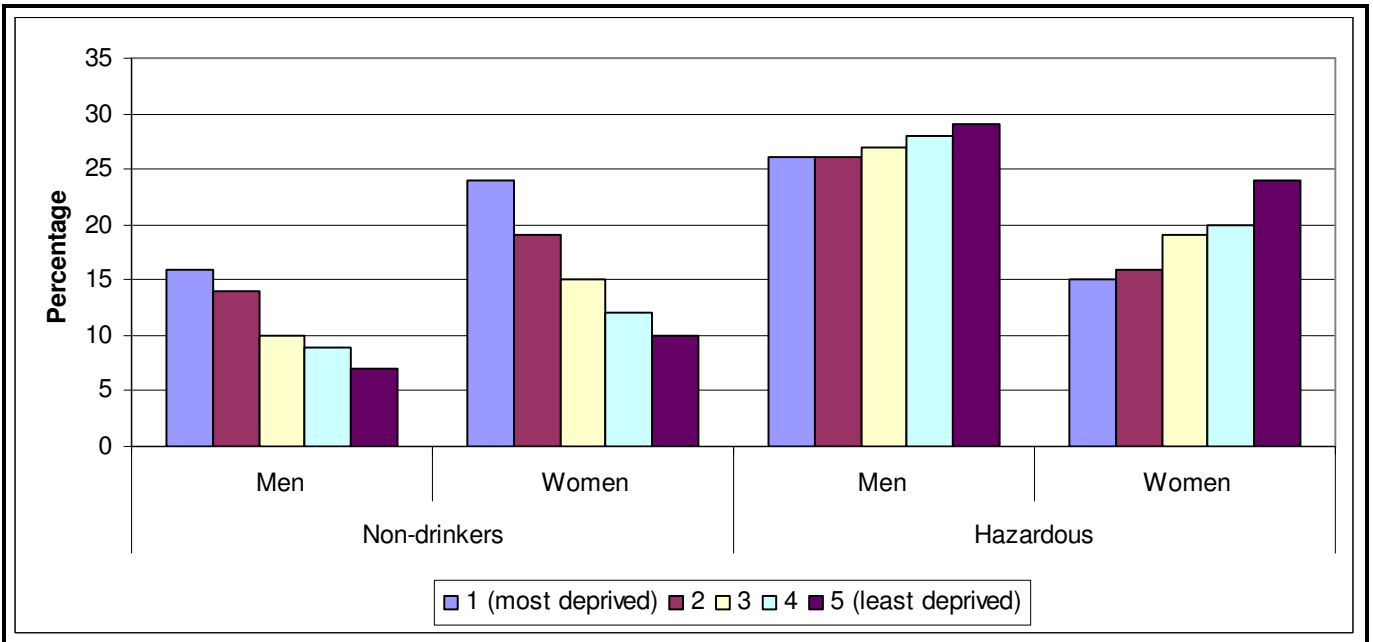
6.4 Alcohol related health harm and deprivation

There is a clear association between deprivation and greater levels of alcohol related health harm, consumption, hospital admissions, A&E attendances, alcohol related deaths, and alcohol related mental health problems. This is illustrated in figures 12-15.

Scotland-wide alcohol consumption by age and deprivation (using the Scottish Index of Multiple Deprivation or SIMD) was analysed in the 2012 Scottish Health Survey. Mean weekly consumption by age group shows a slightly different pattern compared to 'binge' drinking by age group. The results suggest that older age groups tend to spread their drinking out more throughout the week, drinking less on more days while younger people drink on fewer days, but drink at high levels on these days.

A larger proportion of those living in the most deprived areas of Scotland in the period 2008-2011 reported being non-drinkers compared to those living in the least deprived areas. In addition, adults in the least deprived areas were more likely to exceed weekly benchmarks for sensible drinking than those in more deprived areas. Figure 12 depicts weekly alcohol consumption across Scotland by deprivation category (SIMD quintile).

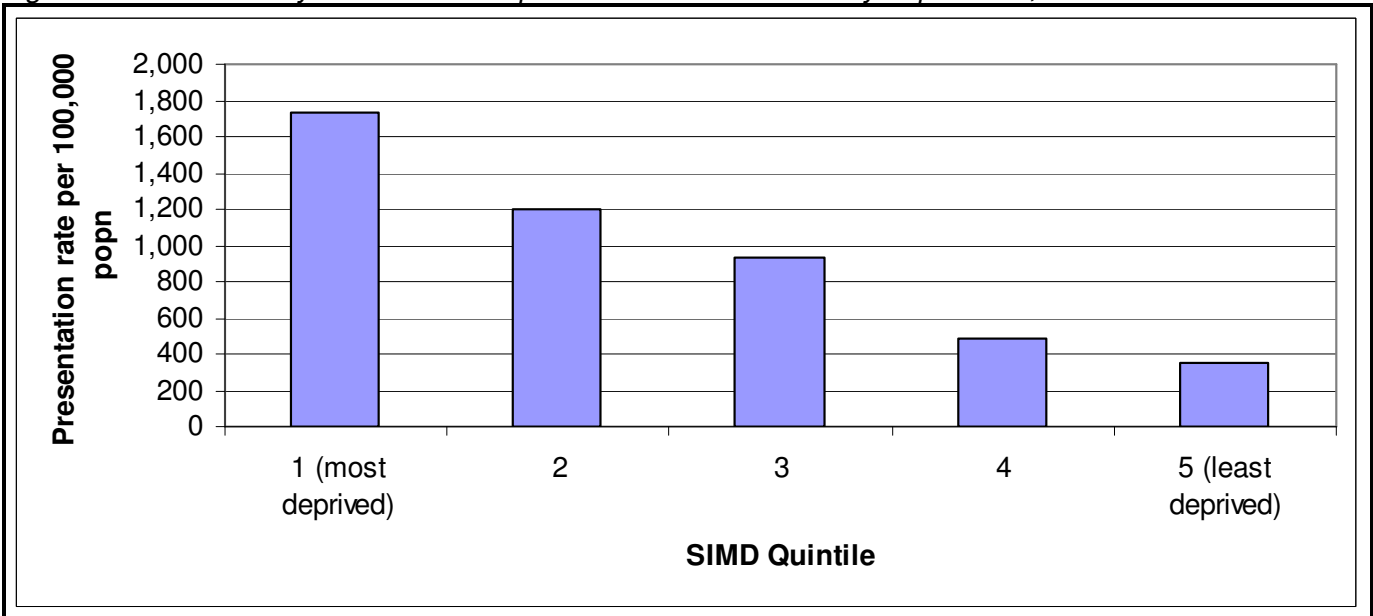
Figure 12: Estimated weekly consumption level by drinking category¹, gender and SIMD deprivation quintile, Scotland, 2008-2011



1 – ‘Hazardous’ drinking is defined as over 21 units a week for men and 14 units for women
 Source: Scottish Health Survey 2012

Figure 13 shows that the presentation rate to A&E with an alcohol related diagnosis varies by deprivation. Individuals from the most deprived areas account for more than five times the number of presentations to A&E compared with those from the most affluent areas.

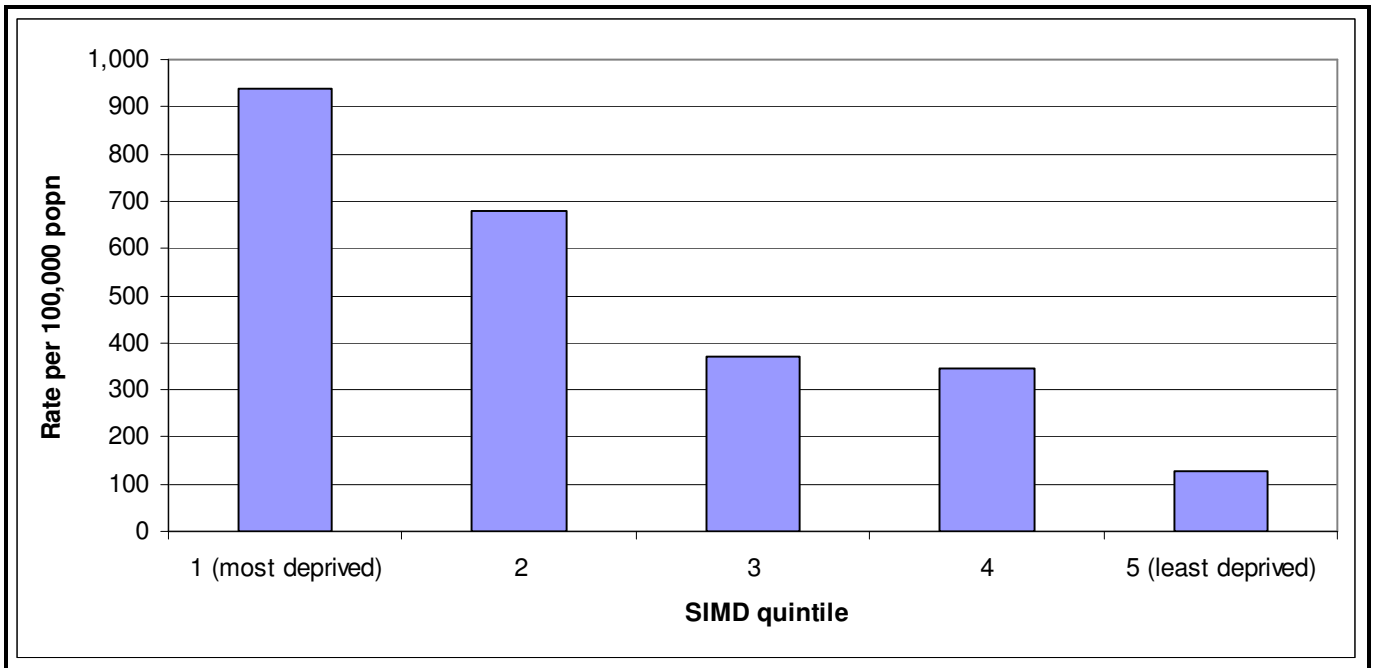
Figure 13: Dundee City alcohol related presentation rate to A&E by deprivation, 2012



Source: A&E Information Analyst, NRS and SG SIMD 2012

Figure 14 shows the relationship between alcohol related hospital discharges and deprivation. A clear inequality gradient exists, with individuals from the most deprived areas showing a higher discharge rate per 100,000 population. This is similar to the pattern shown by presentations to A&E. Comparing the deprivation and hospital attendances/discharges with alcohol consumption patterns by deprivation shows that although people from the least deprived areas consume just as much or more alcohol than those living in the most deprived areas, individuals from deprived areas are more likely to develop health problems due to their alcohol consumption.

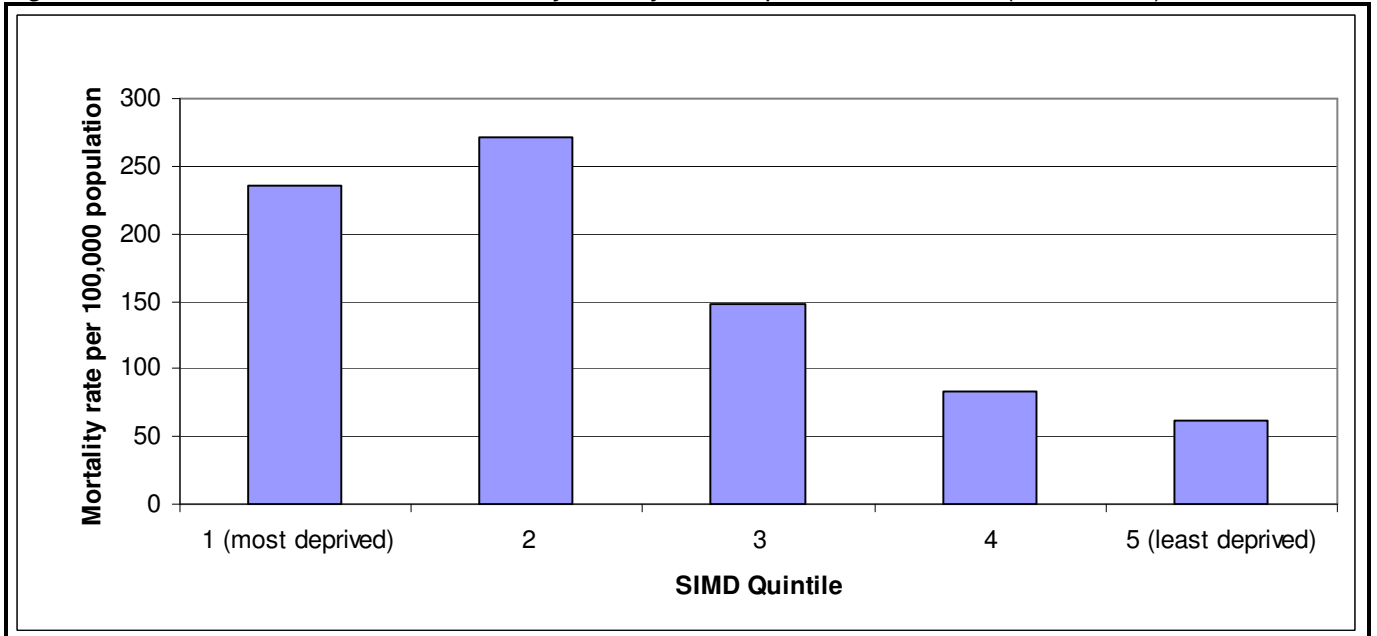
Figure 14: Dundee City alcohol related acute hospital discharge rates by SIMD quintile, 2011/12



Source: SMR01, NRS and SG SIMD 2012

Examining alcohol related deaths by SIMD quintile shows that the rate of deaths from those in the most deprived areas is 6.1 times higher than those from the most affluent areas, thus confirming that although people in the least deprived have greatest consumption, individuals from the more deprived areas are suffering the greatest health harm.

Figure 15: Dundee Alcohol related mortality rate by SIMD quintile 2007-2011 (cumulative)



Source: A&E Information Analyst, NRS and SG SIMD 2012

SECTION 7 – Alcohol related crime and disorder

7.1 National recorded crime

In 2012/13, figures released by the Scottish Government showed that the overall crime rate in Dundee City is far higher than the Scotland-wide rate. Table 4 compares local crime rates for various offences with Scotland-wide rates and shows that the total crime rate in Dundee City was 615.6 per 10,000 population compared to 519.6 nationally.

Table 4: Crime rate per 10,000 population for all and selected crimes in Dundee City and Scotland, 2012/13

Crime Type	Dundee City	Scotland
All crimes	615.6	519.6
Sexual offences	14.9	14.6
Crimes of dishonesty	334.0	258.6
Fire-raising, vandalism, etc.	129.7	113.2
Offensive weapons	8.8	7.6
Domestic housebreaking	41.3	29.8
Vandalism, malicious damage & malicious mischief	117.8	102.2

Source: Recorded Crime in Scotland statistics, SG

National figures for the above offences where alcohol was considered to be a factor are not available as there is no national method for recording this. Data however from Tayside Police on alcohol related crimes are available and are considered in section 7.2.

7.2 Alcohol related offences by crime type

The Scottish Government figures show that there were 460 offences for 'driving under the influence' reported in Tayside in 2012/13, a rate of 11.3 per 10,000 population. In addition, 248 drunkenness offences were recorded equating to a rate of 6.1 per 10,000 population. Although both of these Tayside rates were lower than the national average of 12.2 and 10.7 respectively, we know that Dundee City typically has higher crime rates than Tayside as a whole.

Offences data recorded by Tayside Police show that alcohol is an aggravator in a large percentage of incidents. Table 5 details crimes in Dundee and their relationship with alcohol. It must be noted that this is by no means a true reflection of alcohol involvement and is likely to be underestimated. Alcohol involvement has to be stipulated by the reporting officer as an aggravator which can be subjective. The table shows that the highest number and rate of alcohol related offences were for petty assault, vandalism and breach of the peace. Although a far smaller number of offences for serious assault were recorded, alcohol was thought to be an aggravator in 69.4% of the incidents.

Table 5: Offences recorded in Dundee and their relationship with alcohol 2012/13

Offence Type	Total number of incidents	Incidents where alcohol is involved		Alcohol related incident rate per 10,000 population
		Number	Percentage	
Petty Assault	2131	961	45.0%	65.0
Vandalism	1684	155	9.2%	10.5
Breach of the Peace	438	140	32.0%	9.5
Drugs Offences	1086	100	9.2%	6.8
Serious Assault	62	43	69.4%	2.9
Sexual Crimes	213	35	16.4%	2.4
Culpable & Reckless Conduct (not with firearms)	91	15	16.5%	1.0
Indecent Assault	10	<5	*	*
Indecent Breach Of The Peace	12	<5	*	*
Indecent Exposure	<5	<5	*	*

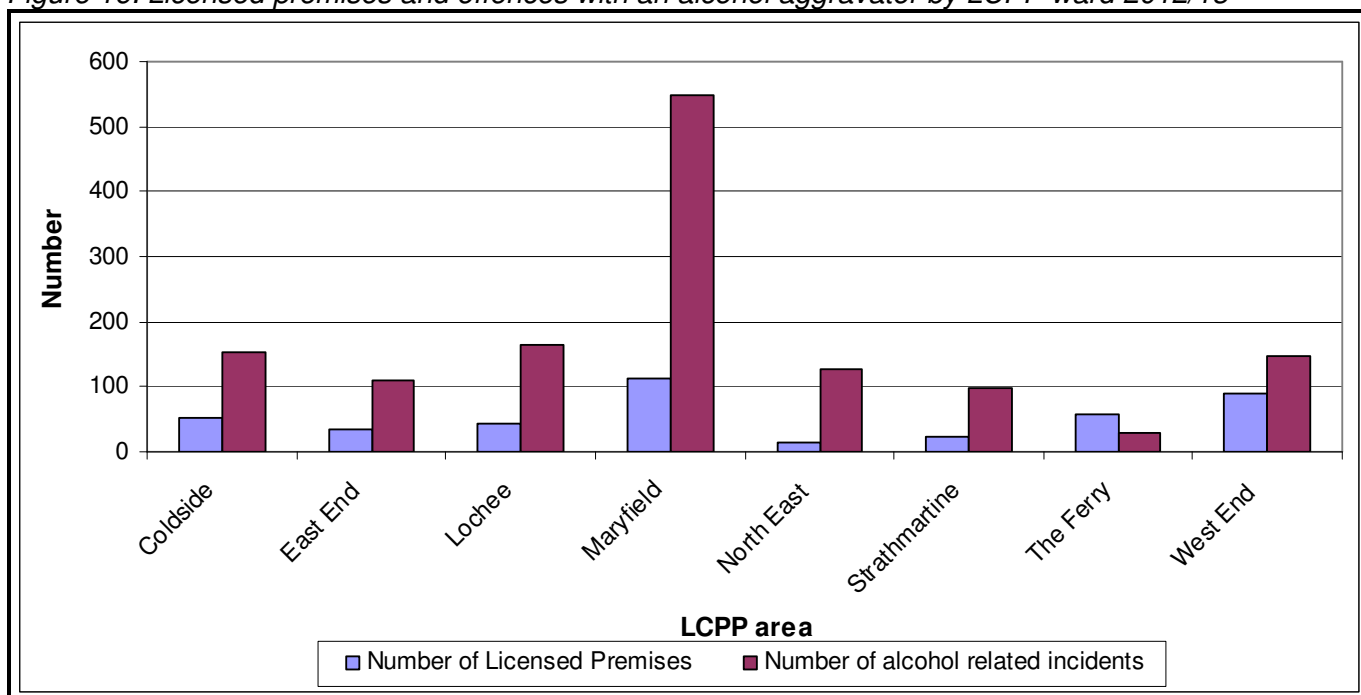
* Very small numbers
 Source: Tayside Police

7.3 Alcohol related offences by location of incident

In Dundee in 2012/13, there were a total of 1,377 alcohol related offences committed by 1,074 different offenders.

Figure 16 details the 8 LCPP areas in Dundee by the number of licensed premises and compares to the number of alcohol related incidents in 2012/13 that occur in each area. There have been some changes over time in the number of licensed premises (as discussed in section 4) but Maryfield continues to have the highest number of licensed premises in 2012/13 and North East continues to have the lowest number. In addition, Maryfield had the highest absolute number of alcohol related incidents. This is not unexpected as this area covers the city centre where alcohol related offences are much more likely to occur given the number of persons frequenting the area (particularly over weekends) and given the number of licensed premises. In contrast, the North East ward appears to have a high level of police incidents relative to the number of licensed premises in the area while The Ferry has a low level of offences in the context of a relatively high number of licensed premises.

Figure 16: Licensed premises and offences with an alcohol aggravator by LCPP ward 2012/13



Source: Tayside Police

The rate of alcohol related incidents varies from 323.5 per 10,000 in Maryfield compared to the lowest rate in the LCPP area of The Ferry (15.1 per 10,000). The overall Dundee rate was 94.6 per 10,000 population. Table 6 shows the rates for all alcohol related crime by LCPP as well as for specific crimes. For the reasons explained earlier, Maryfield has the highest rate for each of the selected crimes.

Table 6: Alcohol related crime rate for all and selected crimes by LCPP area, 2012/13

	All alcohol related crimes	Petty Assault	Breach of the Peace	Serious Assault	Vandalism	Sexual Crimes
DUNDEE	94.6	66.0	11.7	3.0	10.6	2.3
Coldside	77.3	55.1	8.6	3.0	10.6	4.0
East End	68.9	45.5	15.2	0.0	9.5	2.5
Lochee	89.9	59.9	14.7	3.3	8.7	2.2
Maryfield	323.5	225.1	26.5	9.4	30.1	5.9
North East	83.4	56.9	13.2	4.0	9.9	0.7
Strathmartine	52.2	34.1	10.7	1.1	8.0	1.1
The Ferry	15.1	11.5	1.0	0.5	1.6	0.0
West End	68.8	53.9	7.0	2.8	8.8	2.3

Source: Tayside Police

7.4 Alcohol related offences by area of residence of offender

This section considers the **area of residence of the offender committing the alcohol related crime** rather than where the incident took place.

In 2012/13, 870 Dundee residents committed a total of 1,391 alcohol related offences. Table 7 shows in which LCPP area these offenders lived in and how many alcohol related offences they committed. On average, there were a slightly higher number of offences committed per offender (1.7) by those from Lochee and Strathmartine compared to the lowest number by residents of The Ferry (1.2).

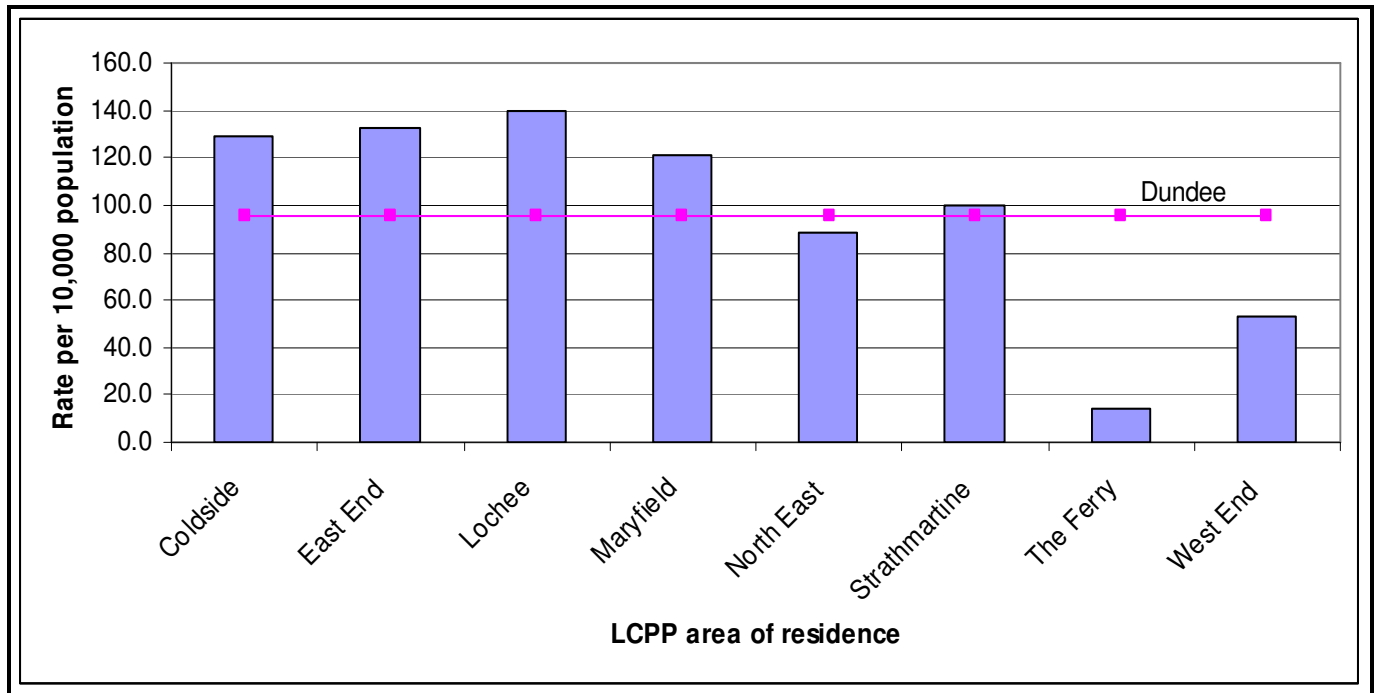
Table 7: Number of alcohol related incidents and offenders by LCPP area of residence, 2012/13

	Number of alcohol related incidents	Number of offenders committing these offences	Average number of incidents per offender
Dundee	1391	870	1.6
Coldside	255	158	1.6
East End	210	131	1.6
Lochee	257	150	1.7
Maryfield	205	135	1.5
North East	134	92	1.5
Strathmartine	187	108	1.7
The Ferry	28	23	1.2
West End	115	73	1.6

Source: Tayside Police

Figure 17 shows the alcohol related crime rate by LCPP area of residence of the offender in 2012/13. The overall rate of alcohol related crimes committed by Dundee residents was 95.6 per 10,000 population. The rate varied from 140.1 for those living in Lochee to 14.6 per 10,000 for those from The Ferry. These differences are explored further in the summary table in section 9.

Figure 17: Alcohol related crime rate per 10,000 population by LCPP area of residence of offender, 2012/13



Source: Tayside Police

7.5 Fixed Penalty Notices (FPNs)

Figures for consuming alcoholic liquor in a public place and urinating or defecating in circumstances causing annoyance to others are obtained through FPNs. Due to the recording of FPNs the 'easting' and 'northings' were not obtained therefore could not be mapped along with the crime offences. Furthermore, it could not be ascertained without a manual check whether those urinating or defecating in circumstances causing annoyance to others were under the influence or not. Figures for 2012/13 are noted below.

- **Eight** incidents of consuming alcoholic liquor in a public place.
- **One hundred and seventy eight** incidents of urinating or defecating in circumstances causing annoyance to others.

7.6 Domestic incidents

- Incidents that have taken place where there has been a domestic concern are marked with a domestic aggravator. In 2012/13, there were 2,731 incidents that had a domestic aggravator. Of these, 1087 (39.8%) had an alcohol aggravator either for the offender, the victim or both.
- Of the 43 serious assaults with an alcohol aggravator **7.0%** (3) contained a domestic aggravator.
- Of the 961 petty assaults with an alcohol aggravator **28.5%** (274) contained a domestic aggravator.
- Of the 140 breach of the peace incidents with an alcohol aggravator **76.4%** (107) contained a domestic aggravator.

As with the rest of this section, the figures above by no means give an exact figure, primarily due to the under reporting of domestic incidents. It does however give an indication of alcohol involvement in domestic incidents.

SECTION 8 – Alcohol related social & economic harm

8.1 National Context

A study from the University of York estimated the total costs to the Scottish economy of alcohol related harm to be between £2.48 billion and £4.64 billion, with a mid-point estimate of £3.56 billion. These are broken down as follows:

- 7.5% health service costs
- 6.5% social work costs
- 20.4% crime associated
- 24.3% due to loss of productive capacity
- 41.2% wider societal costs associated with such things as alcohol related deaths and family breakdown.

8.2 Dundee Context

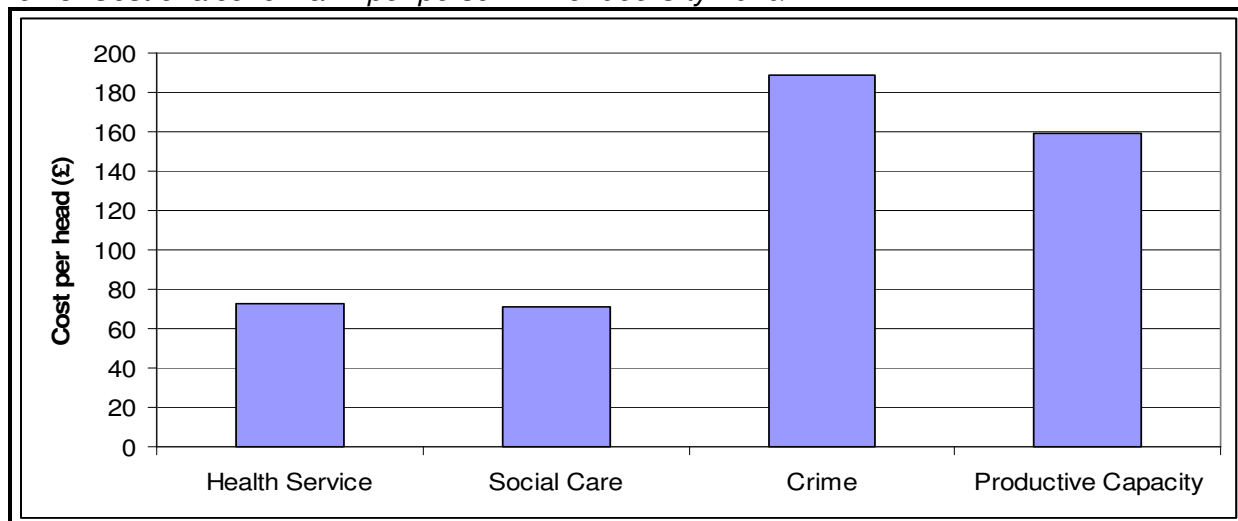
In Dundee, although alcohol sales and alcohol outlets contribute much to the overall income and night-time economy of the city, this must be set against the costs of alcohol related harm. Methodology used by the Scottish Government in 2007¹¹ and applied to Dundee City, estimated the cost of alcohol related harm to be:

- **Health Service:** £10.58m
- **Social Care:** £10.24m
- **Crime:** £27.25m
- **Productive Capacity:** £22.99m
- **Total Cost:** £71.05m

The above total cost does not include wider social costs that estimate the value of non-paid work and intangible social costs associated with people who experience premature mortality from alcohol related diseases. As these costs are hard to estimate accurately they have been excluded from the overall total, but are believed to be somewhere in the range of £36.86m-£67.59m for Dundee City.

The estimated overall **cost per head** of alcohol related harm in Dundee City in 2010/11 was **£492**. Figure 18 breaks this down further and shows that crime (which includes drink-driving and drunkenness) bears the largest costs.

Figure 18: Cost of alcohol harm per person in Dundee City 2010/11



Source: Alcohol Focus Scotland

¹¹ <http://www.alcohol-focus-scotland.org.uk/view/download/271-cost-of-alcohol-harm-profile-dundee-city>

SECTION 9 – Summary of alcohol related harms

9.1 Comparison of various measures of alcohol related harm across Dundee City

Table 8 summarises and compares some of the measures of alcohol related harm that have been discussed in this report. To allow this comparison, the rate for each indicator and LCPP area has been calculated as a multiple of the mean rate for Dundee City. Measures of 1.0 are the same as the Dundee average, those below 1 are lower than average and those above 1 show how many more times the average a particular LCPP area is for a particular measure e.g. the rate of on-sales licences in Maryfield is 2.7 times higher than the Dundee average.

Given that we know that Dundee City has high levels of alcohol related harm compared to Scotland as a whole, any measures that are greater than or equal to 1 have been highlighted in red and are considered to be of particular concern. It should of course be noted that just because a particular measure is below average, it should not be ignored. In the main, significant individual alcohol related health harm develops by way of excessive consumption over the longer term while alcohol related incidents/crime often happens soon after excessive alcohol has been consumed and more often than not affects not just the individual but the wider community. Alcohol related incidents/crime suggests levels of over consumption which also contributes to individual alcohol related health harm.

The first three columns relate to the LCPP area in which the premise licence is located and where the alcohol related crime took place. The rest of the table is based on the LCPP area of residence in which the individuals/offenders reside.

Table 8: Summary of alcohol related harm across Dundee City LCPP areas

LCPP Area	Measures based on LCPP location of premises/incidents			Measures based on LCPP residence of individual/offender									
	Alcohol Availability		All alcohol related crimes	Alcohol related Health Harm			Alcohol related Crime						
	On-sales licences	Off-sales licences		Alcohol related A&E presentations	Alcohol related acute hospital discharges	Alcohol related mortality	All alcohol related crimes	Serious Assault	Sexual Crimes	Petty Assault	Vandalism	Breach of the Peace	
Dundee City	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Maryfield	2.7	1.7	3.4	1.3	1.3	1.4	1.3	1.3	0.9	1.1	0.8	1.3	
Coldside	0.8	1.1	0.8	1.2	1.5	1.7	1.3	1.3	1.5	1.2	1.8	1.6	
Lochee	0.7	1.0	1.0	1.3	1.1	1.2	1.5	1.4	2.1	1.3	1.5	0.9	
East End	0.3	1.3	0.7	1.3	1.3	1.1	1.4	0.7	1.0	1.6	1.7	1.7	
North East	0.2	0.6	0.9	1.2	1.1	0.9	0.9	1.9	1.5	0.9	0.6	1.0	
Strathmartine	0.4	0.6	0.6	0.7	0.8	0.6	1.0	0.9	0.0	1.1	1.2	1.3	
West End	1.7	1.0	0.7	0.8	0.7	0.8	0.6	0.5	1.1	0.7	0.4	0.4	
The Ferry	1.0	0.7	0.2	0.3	0.4	0.5	0.2	0.4	0.0	0.2	0.1	0.1	

Key: Measures = 1.0 are the same as the Dundee average
 Measures > 1.0 are 'worse' than the Dundee City average
 Measures < 1.0 are 'better' than the Dundee City average

Maryfield

Maryfield is a concern in 10 of the 12 measures. As would be expected, given that Maryfield contains the City Centre, the measures of premises licences and location-based alcohol related crimes, are particularly high (the rate of crime is 3.4 times the average). However, the residence-based measures show that the population of Maryfield also suffer from above average alcohol related health harm and their residents commit higher than average alcohol related crime.

Coldside

Coldside is of concern in 10 of the 12 measures. Despite having similar rates of premises licences as the Dundee average, Coldside's residents have higher rates of alcohol related health harm and commit higher alcohol related crimes than Dundee as a whole.

Lochee

Lochee is also a concern in 10 of the 12 measures. Of particular note in Lochee are the higher than average rates of alcohol related crimes committed by the population of this area e.g. sexual crime rates by Lochee residents are 2.1 times higher than the Dundee average.

East End

East End is of concern in 9 of the 12 measures. There is a low rate of on-sales licences and alcohol related crimes being committed within the East End area however the residents are committing a high rate of petty assault, vandalism and breach of the peace alcohol related crimes.

North East

North East has been highlighted in 5 of the 12 measures. Although there are below average rates of premises licences and the residents have similar rates of alcohol related health harm to Dundee as a whole, the rate of sexual crimes committed by those from the North East area is 1.9 times the average.

Strathmartine

Strathmartine is of concern in 4 of the 12 measures. This area has a low rate of licences and lower than average alcohol related health harm but does have higher than average alcohol related crime being committed by it's residents.

West End

The West End has concerning rates in 3 of the 12 measures. Although the population of West End have lower than average alcohol related health harm and crime, the rate of on-sales licences is 1.7 times higher in this area than the Dundee average.

The Ferry

Although The Ferry is only considered to be a concern in 1 of the 12 measures and has particularly low crime rates, we know that this area is fairly affluent and the earlier considered alcohol consumption figures show that this population are drinking just as much, if not more than those from the least affluent areas of Dundee City which is a concern for the future.

SECTION 10 – Dundee Community Consultation

10.1 Consultation approach

While statutory agencies were solely involved in the initial development of the alcohol profile and evidence gathering, it was considered essential that the report on overprovision should also contain community views on alcohol. Within this context, a community consultation took place between April and July 2013 and involved two approaches:-

- i) Face to face discussions with Local Community Planning Partnerships (LCPPs) and local community involvement groups, and
- ii) Consultation with the wider population by way of an online community alcohol questionnaire lodged on the Dundee City Council website.

10.2 Discussions with LCPPs and Community Involvement Groups

During May and June 2013, discussions were held with a range of community groups in the City which included: Coldside Community Forum; Maryfield LCPP; East End LCPP; West End LCPP; Lochee LCPP; The Ferry LCPP and Stobswell Community Forum. These discussions highlighted a range of alcohol issues and there were a number of recurring themes highlighted across local communities:-

- A consensus that there are currently too many off-sales premises across the City providing cheap alcohol locally;
- Concern was also voiced about the length of the opening hours of on-sales, with a view expressed that “pubs always seem to be open”;
- Concerns were expressed about what seems to be an automatic renewal of premises licences locally. This was seen as adversely impacting on the nature of an area and preventing other retail outlets coming into the neighbourhood;
- Local views were that more drinking is now taking place in the home with issues around anti-social behaviour, noise nuisance and the risk of escalating violence (including domestic violence) within local neighbourhoods;
- Community groups were especially clear in the need for a more transparent liquor licensing process and more structured community involvement with the Licensing Board and Licensing Process.

In summary, there was a clear concern amongst local communities about the number of off-sales premises. Regarding on-sales premises, there were concerns about the length of opening hours. There were issues regarding premises licences in that once a premises licence is granted, it appears to be automatically renewed. Nevertheless, community groups all expressed a keen interest in the licensing process and a desire for more structured community involvement to be developed as an integral part of the Licensing process.

A full report on the discussion with all the community groups is on the ADP website (<http://www.dundeepartnership.com/content/alcohol>).

10.3 Online Community Alcohol Questionnaire

In order to gain a wider population view on alcohol and licensing, an online questionnaire was developed and lodged on the Council’s website. The online questionnaire was adapted from a similar questionnaire developed and run by the Alcohol and Drug Partnership in Aberdeenshire earlier in the year.

The overall aim of the Dundee survey was to gauge community views on alcohol availability and get a sense of the factors that influence alcohol purchasing locally, along with other associated attitudes in the City. The survey was run under the auspices of the Dundee ADP and was live during the period 17th June to 31st July 2013. **The online survey was completed by 213 people.**

A full report in respect of online responses is available on the ADP website (<http://www.dundeepartnership.com/content/alcohol>).

While there were limitations in using an online consultation approach, over 200 local people chose to respond to this survey and clearly had strong views about alcohol in the City. In this respect, a wider population view has been acquired and has contributed to the local dialogue about alcohol.

Key findings of the online consultation mirrored the views expressed in the face to face discussions with LCPPs and other community involvement groups. Within this context, community views from the two consultation approaches will inform and help shape the recommendations of the overprovision report.

10.3.1 Findings – Alcohol purchase from off-sale premises

- 11% reported they have not purchased alcohol from off-sale premises over the past 12 months;
- 54% reported they have purchased alcohol from off-sales over the past 12 months.
- Out of those that have purchased alcohol from off-sales, 49% reported they most frequently purchase alcohol from a supermarket; 9% reported they purchase alcohol from a local shop; 3% on line; and 3% from specialist alcohol retailers.

10.3.2 Findings – Alcohol availability

Respondents were asked for their views on the number of places that alcohol could be bought in their area. Within this context, respondents were asked to choose one of the following options on the number of places to buy alcohol in their area:

Options	Responses (%)
Too few	4
About right	40
Too many	17
Don't know	4

*35 % of respondents did not answer this question

Respondents were also asked for their views regarding which type of establishment should not be permitted to sell alcohol:

Options	Responses (%)
Online retailers	13
Supermarkets	4
Garage/petrol stations	30
Local shops/grocer stores	15
Specialist alcohol retailer	6

Key messages from the survey are that people do not have to travel too far or too long to access a wide range of off-sales premises. Within this context, it is also evident that the current level of off-sales provision locally is deemed by the majority of respondents to be sufficient. In addition, the suggested cost of buying alcohol and drinking it at home emerges as a cheaper option when compared with the 'cost of going out for a drink'.

SECTION 11 – Conclusions, key findings and recommendations

11.1 Conclusions

There is a substantial body of evidence that **increased availability of alcohol is associated with increased consumption**, and that measures to limit availability, accessibility and affordability of alcohol are likely to have a beneficial impact on both consumption levels and alcohol related harm. Tackling excessive alcohol consumption and alcohol related harm is a multi-agency task that requires actions to be taken by a wide range of bodies influencing national, local authority, community, family and individual practices.

At a national level, the overall annual cost to the public purse of alcohol related harm in terms of health, crime, fires etc is estimated at £3.5 billion. At an individual level, there is harm not only to those consuming the alcohol but also to their family, friends and an increasingly high number of children and young people whose parents and carers have alcohol misuse problems.

The Dundee Licensing Board, through its Licensing Policy and enforcement of current Licensing Law, has the ability and responsibility to contribute to a shift towards a healthier relationship with alcohol in the City.

This report provides the Dundee Licensing Board with an evidence base of alcohol availability and alcohol related health and social harm across the City. National guidance highlights that evidence-led licensing policies are more likely to withstand subsequent court challenge. Within this context, this report has been compiled to support the development of Dundee City Licensing Board Policy for 2013 – 2016 and to specifically inform the statement on overprovision.

11.2 Key findings

The key findings from the report are highlighted below with references to the pages on which further detail can be found in the main report. Dundee City has one of the highest rates of alcohol related mortality in the whole of Scotland and local figures for alcohol related deaths continue to show an increase. In addition, specific areas within Dundee have particular problems not only in terms of alcohol related deaths but alcohol related hospital discharges, A&E alcohol related attendances, alcohol related crime and tends to have a high density of licensed premises.

- i) Evidence shows that increased availability of alcohol is linked with increased consumption and alcohol related health and social harm (p12). In 2003, a Scottish Executive review found that restricting hours of sale and controlling outlet density were two ways of helping to reduce alcohol related crime and disorder (p12&13).
- ii) Scottish Executive research in 2007, found that a 10% increase in off-sales and bars was related to an increase in violence (p12). Off-sales licences in Dundee have increased by 24.5% and on-sales licences have increased by 13.6% during the period 2009/10 to 2012/13 (p17).
- iii) The number of licensed premises increased overall in the City between 2011 and 2013 (p17). The wards of Maryfield and Westend had the largest increase of licensed premises during this time coupled with high number of alcohol related police incidents in 2012/13 (p31). In particular, Maryfield has a high rate of alcohol related incidents but it should be noted that this ward does include the City Centre (p32&33).
- iv) The inclusion of the City Centre within the Maryfield Ward obscures the impact of alcohol in the neighbourhood areas of the ward outwith the City Centre (p32&33). However, data by the ward area of residence of the offender shows that the highest number of alcohol related offences were committed by people residing in Lochee and Colleside (p32&33).
- v) As at July 2013, there were more on-sales than off-sales premises in 6 of the 8 wards. Only North East and East End had fewer on-sales (p17). In Community Regeneration Areas, the pattern is different with 3 of the 5 CRAs (Mid Craigie/Linlathen/Douglas, Fintry/Whitfield/Mill O'Mains,

Ardler/St Mary's/Kirkton) having more off-sale than on-sale licensed premises (p18).

- vi) Availability of alcohol is also increased through extended hours of sale. Across the City, general licence extensions (particularly those available for holiday periods) contribute to increasing availability of alcohol (p19).

- vii) Research has shown that the outlet density and clustering of licensed premises can have a particular impact on communities (p13). Increased competitive pressures tend to drive down prices and fuel increased consumption (p12&13). International evidence highlights that as licensed premises density increases over time, rates of violence and anti-social behaviour also increase (p12&13).

Offences data recorded by Police show that, on a City-wide basis, alcohol is an aggravator in a large percentage of incidents. Police figures show that the highest rate of alcohol related offences in 2012/13 were for petty assault, vandalism and breach of the peace (p32). Further interrogation by LCPP residence of individual/offender, highlights that Maryfield, Coldside, Lochee, East End, North East and Strathmartine LCPPs all show a City-wide impact in respect of alcohol related crime (p 33).

- viii) Anecdotal evidence from Ninewells Hospital highlights that around 80% of A/E attendances between 11 pm and 4 am are alcohol related attendances. This is particularly the case on Friday and Saturday nights. (p26) Police Scotland have also flagged up a situation which mirrors the A/E experience and timeframe. Within this context, local police intelligence suggests increased levels of alcohol related crime and incidents during 23:00 and 03:59. Police Scotland reports that this activity corresponds with public house and night club closing times (p19).

- ix) Local Authority comparisons by the Office of National Statistics in 2009 showed that Dundee City is among the worst local authority areas for alcohol related deaths in the whole of Scotland (p23). Local figures show, despite some fluctuations, an increase in alcohol related deaths within Dundee over the last 33 years (p 27).

- x) For the period 2007-2011, Coldside, Maryfield, East End and Lochee had alcohol related death rates above the Dundee average (p27). The areas of Coldside, Maryfield and Lochee have also shown consistently higher alcohol related hospital discharge rates than the Dundee average throughout the period 2007/08-2011/12 (p26) with the addition of East End and North East showing higher hospital rates than the average, in the most recent year (p33).

- xi) In 2012, alcohol related attendance rates at A&E are particularly high from residents of the Lochee, Maryfield, East End, North East and Coldside wards. These five wards all show a higher rate than the Dundee average (p24).

- xii) Dundee community views on alcohol and availability were gathered via face to face discussions and by way of an online questionnaire during the summer of 2013. The survey found that in Dundee, people do not have to travel too far or too long to access off-sales premises and that the current level of off-sales provision is deemed to be sufficient (p39).

11.3 Specific recommendations for Dundee Licensing Board

- i) In terms of assessing the level of alcohol availability and alcohol related health and social harm within Dundee, the evidence in this report demonstrates that the City is overprovided in respect of both off-sales and on-sales licensed premises.

Based on this assessment, it is recommended that the Dundee Licensing Board Policy for 2013 – 2016 contains an overprovision statement to that effect. See section 11.4 for overprovision options.

- ii) Once an overprovision statement has been established in the City, all future alcohol licences should be refused unless an applicant can demonstrate that a new licence or licensing extension will not contribute to overprovision.

It is recommended that any applicant for either a new licence or licensing extension should be expected to provide robust and factual evidence against each licensing objective to demonstrate why the benefits in granting the application outweigh the Board's Overprovision Policy

- iii) Should an overprovision statement be agreed by Dundee Licensing Board that does not cover the whole of Dundee City, there is a need for the Board to consider an appropriate response in those circumstances.

It is recommended in these circumstances that Dundee Licensing Board ascertain the extent to which future licensing applications in a location outwith an overprovided area would draw trade from the area deemed to be overprovided.

- iv) For the first time, this report includes the views of local communities and residents along side the wide-range of other data. Local Community Planning Partnerships (LCPPs) and other community involvement groups in the City have identified alcohol availability as a problem issue for their respective areas. Given the strong views expressed, this level of community involvement needs to be built upon and incorporated into the alcohol licensing process.

It is recommended that the Licensing Board, as a matter of course, should formally consult with LCPP's and Community Regeneration Fora in respect of new alcohol licences, licensing extensions or as part of any other licensing consultation.

Every effort should be made to continually improve the quality and reliability of partnership information supporting Licensing Board decisions.

- v) **It is recommended that the ADP should continue to work with Alcohol Focus Scotland, Council Licensing, Trading Standards, Planning Departments and others to determine an approach to 'trade draw' and establish, if possible, an appropriate measure of alcohol sales volume from retail premises within Dundee.**

11.4 Overprovision options for Dundee Licensing Board

Off-sales licences:

- i) The report emphasises that the availability of low cost alcohol fuels consumption and contributes to increased levels of alcohol related health harm. Within this context, it is recommended that Dundee Licensing Board pursue **one of the following options in respect of off-sales licences:-**

Option 1: The report highlights that Dundee is among the worst local authority areas in Scotland in respect of alcohol related deaths. It is also recognised that people are prepared to travel a few miles to secure low cost alcohol from off-sales premises. Based on this, the whole of Dundee City should be considered overprovided in respect of off-sales licensed premises.

All future off-sales licences should be refused, unless the applicant can demonstrate that the new licence will not contribute to overprovision.

Option 2: Based on the report's three measures of alcohol related health harm in Dundee re A/E presentations, hospital discharges and death, the LCPP areas which have all or most of these measures of health harm should be considered overprovided. The LCPP areas are Maryfield, Coldsides, Lochee, East End and North East.

All future off-sales licences should be refused for the above areas unless the applicant can demonstrate that the new licence will not contribute to overprovision. Any application outwith these LCPP areas should also be subject to overprovision assessment to determine the extent to which trade would be drawn from the LCPP areas deemed to be overprovided.

Option 3: The report illustrates a clear association between disadvantage and greater levels of alcohol related health harm, consumption, hospital admissions, A&E attendances and alcohol related deaths. In view of the strong connection between health inequalities and Community Regeneration Areas (CRA's), the CRA's should be considered overprovided in terms of off-sales provision. Community Regeneration Areas lie within Ardler/StMary's/Kirkton; Beechwood/Dryburgh/Lochee/ Menzieshill/Charleston; Fintry/Whitfield/Mill O'Mains; Coldsides/Maryfield; Stobswell; Mid Craigie/Linlathen/Douglas.

All future off-sales licences should be refused for the above areas unless the applicant can demonstrate that the new licence will not contribute to overprovision. Any application outwith the above CRA's should also be subject to overprovision assessment to determine the extent to which trade would be drawn from CRA's deemed to be overprovided.

ii) **On-sales licences:**

The report highlights the impact of alcohol related incidents/crime across the City. Alcohol related incidents/crime tend to happen soon after excessive alcohol has been consumed. While measures of alcohol related crime in the report focus on the offence, it should be recognised that over consumption and individual health harm are also contained within this measure of alcohol related harm. Within this context, it is recommended that Dundee Licensing Board pursue **one of the following options in respect of on-sales licences:-**

Option 1: The report has identified five measures of alcohol related crime in Dundee based on LCPP residence of individual/offender. These measures are Serious Assault, Sexual Crimes, Petty Assault, Vandalism and Breach of the Peace. In view of the level and spread of alcohol related crime affecting communities, along with individual alcohol related health harm experienced across the City, the whole of Dundee City should be considered overprovided in terms of on-sales licensed premises.

All future on-sales licences should be refused, unless the applicant can demonstrate that the new licence will not contribute to overprovision.

Appendices

Appendix 1: Membership list of short-life experts group

Organisation	Nominee
Mark Duncan	Tayside Police
Simon Goulding	Licensing Standards Officer
Vered Hopkins	ADP Support Team
Liz Kay	Community Safety Manager
Dr Kirsty Licence	NHS Tayside (Chair)
Graeme Petrie	Licensing Standards Officer
Carole Robertson	Dundee City Council
Caroline Snowdon	NHS Tayside
Tony Jenkins	Dundee City Council
Kirstie Wilkinson	Dundee Focus on Alcohol
Brian Woodcock	Dundee City Council/Licensing Board