



**POLICE
SCOTLAND**

Keeping people safe

Date: 31st October 2014

Your Ref:

Our Ref: J/LIC/4462/JL

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Dear Sir

**CIVIC GOVERNMENT (SCOTLAND) ACT, 1982
LATE HOURS CATERING LICENCE – RENEWAL - REPRESENTATION
McDONALD'S, PENTLAND RETAIL PARK, LOANHEAD, EDINBURGH**

I refer to the application by McDonald's Restaurants Limited for a late hours catering license for the above premises.

Police enquiry indicates that nothing is known to the detriment of the applicant however would make representation in the following terms:

The premises currently have a late hours catering licence the hours being:

Monday to Sunday 11pm to 5am

There have been 18 reported incidents to the premises between the hours of 11pm and 5am between 21st October 2013 and 1st October 2014. (four reported incidents over the same period prior to 11pm). Seventeen of the incidents have been reported by staff of the premises who have cooperated fully with police. There have been no adverse police comments in relation to the operation of the premises.

The incidents reported have included 15 instances where alcohol, disorder and violence have been the precursor to the police being contacted.

These incidents show that the premises are being frequented by persons who are causing undue public nuisance and putting members of the public's safety at risk. (List and breakdown of incidents in attached appendix).

Should the application be granted it is respectfully requested that in terms of Section 10 of the Civic Government (Scotland) Act 1982 the Board vary the conditions of the licence to include the following condition:

"A qualified SIS security guard should be employed between the hours of 11pm and 5am"

This is to help alleviate issues with anti social behavior, violence and disorder that the premises have been subject to during the hours of 11pm and 5am.

I report this for your consideration.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Kenny Simpson', written over a horizontal line.

Kenny Simpson
Chief Inspector
Midlothian Area Commander

Appendix

Inc 1:

About 03:59hours on Sunday 21st October 2013 a member of staff contacted police to report a female customer being abusive. Police attended at 04:09hours and took a report of the incident. A female was subsequently traced and charged with Section 38 of the Criminal Justice and Licensing (Scotland) Act 2010. She was offered a Fiscals fine in relation to the incident.

Inc 2:

About 03:02hours on Wednesday 11th December 2013 a member of staff contacted police to report customers refusing to leave after being refused service. Police attended at 03:09hours and the females left on request of the police. No complaints were made.

Inc 3:

About 02:11hours on Saturday 14th December 2013 a member of the public contacted police to report an assault at the premises. Police attended at 03:23hours where they were apprised that the complainer had been head butted to the face in an unprovoked attack. Statements were noted the suspect traced and reported. He was subsequently found guilty at Edinburgh Sheriff Court on 21st March 2014 and order to pay a compensation order of £300.

Inc 4:

About 02:06hours on Friday 27th December 2013 a call was received from a member of the public who monitors staff alarms at the premises reporting two males fighting. Police attended at 02:13hours and there was nothing ongoing. No complaint was made to the officers.

Inc 5:

About 01:52hours on Sunday 29th December 2013 a member of staff called police regarding an ongoing disturbance at the premises. Police attended at 03:03hours. On arrival they were apprised a verbal altercation had taken place, which culminated in a male shouting and swearing at a group of females prior to discharging a fire extinguisher in the restaurant. The male was traced and arrested and subsequently issued with a fixed penalty ticket for breach of the peace.

Inc 6:

About 01:39hours on Monday 3rd February 2014 a member of staff contacted police to report a drunk aggressive female refusing to leave. Police attended at 01:42hours. The female left prior to police attendance and no complaint was made.

Inc 7:

About 04:50hours on Monday 24th February 2014 a member of staff contacted police to report a patron who he suspected was drink driving. Police attended at 04:59hours. On police attendance the driver and vehicle were still at the premises however made off from officers and made good his escape. A male was subsequently reported for road traffic offences. He was found guilty and fined £590 and had his licence endorsed.

Inc 8:

About 05:19hours on Friday 1st March 2014 a member of staff contacted police regarding a drunken male kicking the premises window. Police arrived at 05:32hours and traced a male who was warned. No complaints were made.

Inc 9:

About 03:07hours on Saturday 19th April 2014 a member of staff contacted police in relation to four drunken customers throwing food and drink about within the premises. The customers left prior to police attendance and no complaints were made.

Inc 10:

About 01:55hours on Sunday 15th June 2014 a member of staff contacted police in relation to an alleged drunk driver at the premises. Police attended at the premises at 02:42hours and searched the area however were unable to trace the driver or vehicle.

Inc 11:

About 04:08hours on Sunday 15th June 2014 a member of staff contacted police regarding six males being aggressive. Police attended at 04:10hours. On arrival they were apprised that a male had climbed over the counter helped himself to food prior to smashing the dessert cabinet. The male was arrested and reported. He was found guilty and given a Fiscals Fine and Compensation Order.

Inc 12:

About 03:30hours on Sunday 29th June 2014 a member of staff contacted police regarding four males fighting and refusing to leave. Police attended at 03:36hours. The males had left prior to police arrival. No complaints were made.

Inc 13:

About 00:30hours on Sunday 6th July 2014 a member of the public contacted police regarding an argument following an accident. Police attended at 00:39hours. Details were thereafter noted and a vehicle accident report was submitted. No complaints were made.

Inc 14:

About 04:18hours on Saturday 12th July 2014 a member of staff contacted police regarding two customers causing a disturbance. Police attended at 04:35hours. They were apprised there had been a verbal dispute between two tables of patrons, which resulted in one patron being threatened by another patron. Details were noted however enquiries to trace the suspect were negative.

Inc 15:

About 03:37hours on Saturday 9th August 2014 a member of staff contacted police regarding a driver alleged drunk at the premises. Police attended at 03:59hours. They traced the alleged drunk driver who was not impaired however on being searched was found in possession of herbal cannabis. He was reported and given a Fiscals Fine.

Inc 16:

About 01:47hours on Monday 11th August 2014 a member of staff contacted police to report a customer had assaulted staff. Police attended at 01:59hours. They were apprised that a female had entered the premises and caused a disturbance. She smashed a charity box, threw bottles about from the fridge and thereafter punched and spat on a member of staff who tried to intervene. Police enquiries to trace the suspect have proved negative to date.

Inc 17:

About 23:53hours on Friday 15th August 2014 a member of staff contacted police to report a group of drunks causing annoyance one of which, had flooded the premises toilet. Police attended at 00:33hours. The group causing the issues had subsequently left and no complaints were made.

Inc 18:

About 00:41hours on Wednesday 1st October 2014 a member of staff contacted police regarding a male trying to pay with a fake £20. Police attended and noted details. Subsequently the vehicle involved was identified as being used in the commission of Robberies in Edinburgh for which 3 people have been reported.