



POLICE
SCOTLAND
Keeping people safe

Chief Constable's Annual Licensing Report for 2019/20

Moray Licensing Board

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Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2019/20, in accordance with Section 12(A) Licensing (Scotland) Act 2005. During this year Police Scotland has continued to work tirelessly towards supporting and enforcing the licensing objectives.

Police Scotland continues to work closely with local authorities and partnership agencies to deliver effective regulation in liquor licencing. Preventing alcohol fuelled violence, disorder and antisocial behaviour is a priority and I believe that working together to achieve effective early intervention and enforcement is vital to this.

I would like to take this time to thank our many local partnerships and acknowledge the good work that they do, as without their support we would not be able to maintain the high standard in licencing we have become accustomed to in the Moray Licensing Board area.

Going forward I will continue to emphasise the importance of partnership working to our dedicated officers and staff. I am confident that through strong partnerships and collaborative working, we will meet any challenges that may arise and will continue to improve licensing standards for the communities of Scotland.

Mr Iain Livingstone QPM
Chief Constable
Police Service of Scotland

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Police Scotland Licensing Overview –

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

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

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

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

During 2019/2020, from a licensing perspective, our focus was on the following:

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises;
- Continuous professional development training and guidance for staff to harmonise licensing practice across the country;
- Working closely with statutory partners within a National Licensing Trade Forum to identify licensing related issues and prevent/reduce associated crimes;
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management;
- The implementation and ongoing development of the Licensing Admin tool provides divisional licensing officers with a single ICT product negating the need to research police systems independently. Through accurate recording, the licensing admin tool assists Police Scotland in deploying our resources to the right places and the right time to keep people safe.

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

LICENSING BOARD AREA

The Moray Licensing Board area is policed by North East Division.

Chief Superintendent Campbell Thomson is the Local Police Commander who has the responsibility for all day-to-day policing functions.

Local Policing Priorities

Following our public consultation process, the policing priorities for North East Division 2019-2020, as set out in our Local Policing Plans, are as follows:

- Anti-social Behaviour, Violence and Disorder;
- Acquisitive Crime;
- Road Safety and Road Crime;
- Protecting People at Risk of Harm;
- Serious Organised Crime;
- Counter Terrorism and Domestic Extremism.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

The North East Division Licensing Team is located across the division in Aberdeen, Inverurie, Elgin and Stonehaven. All staff have a division wide remit and a working knowledge of all the areas covered.

The North East Division Licensing Team, supported by Community Policing Officers, has promoted the Police Service of Scotland's force priorities alongside the five licensing objectives, the overarching principles and aims of the Licensing (Scotland) Act 2005.

In the reporting period, as statutory consultees, the team responded to the Board regarding 479 applications for occasional licences or extended hours (an increase from 438 the previous year), 11 premises or provisional premises applications (the previous year saw 12), 282 personal licence holder applications (an increase from 207 the previous year which reflect the 10 year renewal point) and 43 premises variations or premises licence transfer applications (an increase from 38 the previous year).

Where any query arises from any such application, a member of the team will seek to discuss the application with the applicant, or the applicant's agent, to ensure that responses to the Board by means of representation or objection are considered, reasonable and proportionate.

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The team enjoys a strong working relationship with the Local Authority Licensing Standards Officer, who share information and regularly conduct joint visits to licensed premises, on both a pro-active and reactive basis.

The North East Division Licensing Team is represented on the Local Licensing Forum and Moray Alcohol and Drugs Partnership and works alongside the following groups and organisations to jointly improve local licensing issues:

- Licensed Trade Association;
- Community Safety Partnership;
- Local Security Industry companies;
- Street Pastors.

Reviewing incidents on, or connected to, licensed premises is a key part of our day-to-day business.

Community based Police Officers are encouraged and expected to routinely visit licensed premises within their area. Sizeable towns in Moray benefit from a dedicated Weekend Policing Plan to support the night time economy.

Within the reporting period, there were 3893 inspections (visits) to licensed premises within Moray recorded on the InnKeeper system, a marked increase on 3305 the previous year.

Any Police Officer who attends an incident at a licensed premises is expected to submit a concise report via the InnKeeper system, particularly when the incident involves violence, disorder, anti-social behaviour, drunkenness, drug misuse, underage drinking, breaches of licensing legislation or any other matter that might impact on public safety.

Within the reporting period, there were 192 incidents connected to licensed premises within Moray recorded on the InnKeeper system. This is a reduction from 212 the previous reporting year.

The information obtained may show a causal link between the operation of the premises and the incident. An incremental intervention process allows for issues to be addressed quickly and effectively at an early stage. This includes a low level 'interaction' which may involve a discussion between the Police and the premises management and/or licence holder. The level of engagement from within the Aberdeen licensed trade is very good and in many instances, this approach reduces recurrence or escalation.

Premises may become 'monitored' with closer attention being paid to any incidents occurring there. This is often undertaken in conjunction with tasked, supportive visits to the premises by uniformed Police Officers.

However, where necessary, the staged process allows for more formal intervention to support premises where the need for support has been identified. A premises licence holder and the premises management may be asked to meet with the Police,

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when concerns will be discussed. This will often involve an agreed action plan being put in place, with a reasonable time scale for completion.

The most common example of an agreed 'action' is refresher training of staff covering their responsibilities including the sale of alcohol to underage or intoxicated persons, 'Challenge 25' and the general terms and conditions of the licence held.

Should the intervention stage not bring about the necessary changes, or be otherwise unsuccessful, the next stage is the submission of a premises licence review application for the consideration of the Licensing Board.

Over the reporting period there have been five licensed premises in Moray subject to a period of monitoring or intervention, a slight increase from three previous year. The issues that were addressed ranged from failure to report incidences of violence, underage persons within and an intoxicated licence holder.

Partnership working between the Police, the Licensing Standards Officer and the premises licence holders and premises' management teams continues to hopefully fully resolve the issues and prevent bringing the matters to the Licensing Board by premises licence review application.

In the reporting period there was one premises licence review application submitted to the Board, which related to the sale of alcohol to underage persons.

The North East Division Licensing Team also has a system in place which monitors certain conduct of Personal Licence holders. Should such a licence holder be charged with any offence, this is brought to the attention of the team. Should the circumstances appear to be inconsistent with any of the five licensing objectives, consideration will be given to bringing this to the attention of the Board by way of a personal licence review. In addition, should an individual be convicted of a relevant offence, this will undergo the same scrutiny. Three such reports for a personal licence review were submitted to the Board in the reporting period.

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

The Moray area attracts a relatively low number of reports of underage drinking or youth congregation involving alcohol when considering other towns and cities across Scotland.

Where a person under 18 years of age is found to be either under the influence of alcohol, drinking alcohol in a public place or in possession of alcohol, the Police Officer involved will take all appropriate steps to ascertain the source of the alcohol.

Where information that cannot be fully evidenced is received regarding the sale of alcohol to children and young persons, in accordance with the national guidance contained within the 'Alcohol Toolkit', letters will be sent to licensed premises in the area reminding them of their responsibilities and requesting extra vigilance.

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If such concerns were to continue in respect of specific premises, then other operational strategies would be considered.

One way in which North East Division delivers our commitment to the community is through our School Liaison Officers and School Based Officers. These Officers attend schools and other educational establishments seeking to equip our young people with the appropriate information and understanding that will allow them to make better informed decisions in key areas of their lives, both now and in the future. To this end they deliver lessons, linked to the Curriculum for Excellence, on a range of subjects including alcohol, controlled drugs and anti-social behaviour – particularly alcohol fuelled anti-social behaviour and the potential for related safety issues and consequences.

In support to the Protecting Children and Young Persons from Harm licensing objective, applications for premises licences and variations to premises licences come under close scrutiny often resulting in the submission of letters of objection, or more commonly, of representation, in which the imposition of conditions in respect of on sales, with regard to the times and terms in which children can be on such premises, will be recommended by the Chief Constable.

TACKLING SERIOUS AND ORGANISED CRIME

Many of the processes and procedures involved in licensing applications are carried out to guard against Serious Organised Crime Groups (SOCG) infiltrating the licensed trade in any way. This scrutiny is further enhanced with the nation-wide InnKeeper system. This database contains details of all liquor and civic licences for every Division in Scotland, and enhances our information sharing in respect of premises and people in the licensed trade as they move about the country and work in multiple venues.

If such an SOCG were able to gain a foothold in licensed premises this would afford the criminal group a seemingly legitimate income stream, which could be no more than a veneer for other criminal activities such as money laundering, tax evasion, drug and people trafficking and other dishonest activities.

Many of the procedures currently carried out by the North East Divisional Licensing Team, particularly in relation to new premises licences and the transfer of premises licences are done to ensure complete financial transparency and to ensure there are no business related irregularities which may be indicative of SOCG involvement.

Frequent and directed Police attendance and contact with licensed premises also increases the opportunity for irregularities to be identified or reported.

As part of this, the North East Division Licensing Team regularly liaise with Police Interventions staff who are aware of SOCG activity within the Division to ensure that applicants are not affiliated in any way to such groups, before responding to the Licensing Board.

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The consistent high profile approach and interaction with licensed premises in direct correlation with the aforementioned close scrutiny in the application process should reinforce the work carried out to maintain this position.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

Over the forthcoming year, North East Division Licensing Team, in conjunction with Community Policing Teams, will work alongside licensed premises, to ensure that these premises are adhering to the spirit of the legislation and operate in a manner that supports the five licensing objectives. We aspire to maintain our number of supportive visits to licensed premises and hope to see a continued reduction in the number of incidents taking place on licensed premises.

Our involvement and participation in public safety campaigns will continue, such as the 'Ask for Angela' personal safety campaign, the 'One Punch' campaign which highlights consequences for both victims and perpetrators of spontaneous acts of violence and support partners with campaigns such as 'Count 14' promoting awareness of alcohol consumption guidelines. We will also remain involved in ongoing work to ensure premises are complying with the recent Duty of Care condition.

Working with established partnerships but particularly with the licensed trade, we hope to continue to see a reduction in alcohol-related crime, particularly violence, whether perpetrated within licensed premises, public places or private spaces.

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