

**MORAY**

**Licensing Report**

**2020-2021**



**POLICE  
SCOTLAND**

Keeping people safe

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**Foreword**

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

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

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

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

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

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

**Iain Livingstone QPM**

Chief Constable

Police Service of Scotland

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## **Police Scotland Licensing Overview**

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

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

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

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

During 2020/2021, from a licensing perspective, our particular focus was on the following:

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises;
- Working closely with Licensed Premises and Scottish Government to navigate the challenges of the COVID-19 pandemic through the 4Es approach by engaging, explaining, educating and enforcing;
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management. Police Scotland are currently working on upgrade to the National ICT system to ensure compliance with GDPR legislation.

Each of the 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.

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## **LICENSING BOARD AREA**

The Licensing Board area is policed by North East Division.

Chief Superintendent George Macdonald 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, as set out in our Local Police Plan 2020 - 23 are as follows:

- Protecting vulnerable people;
- Serious organised crime;
- Anti-social behaviour, violence and disorder;
- Road safety and road crime;
- Acquisitive crime;
- Counter terrorism and domestic extremism.

## **OPERATION OF THE LICENSING (SCOTLAND) ACT 2005**

Due to the global COVID-19 pandemic, we began and ended the reporting period in national lockdown. Many licensed premises operated under varying restrictions between July and December 2020, with the exception of venues which could be considered nightclubs.

This presented new and unprecedented challenges for all involved in the licensed trade; from prolonged cessation of trading for much of the year and the adapting to guidelines and regulations to permit certain types of business to operate under prescribed conditions.

The vast majority of operators abided by the frequently changing landscape of regulations and worked in close co-operation with Police Scotland and local authority partners such as Licensing Standards Officers, Trading Standards and Environmental Health.

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 546 inspections (visits) to licensed premises recorded on the Inn Keeper system.

Any Police Officer who attends an incident at a licensed premises is expected to submit a concise report via the Inn Keeper system, particularly when the incident

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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 32 incidents connected to licensed premises within Moray recorded on the Inn Keeper system.

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.

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, 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 two licensed premises subject to a period of monitoring or intervention. In all instances, the issues were connected to management and procedures in terms of legislation introduced and relating to the COVID-19 pandemic, including one which resulted in a premises licence review hearing.

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.

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

Towns in Moray attract a relatively low number of reports of underage drinking or youth congregation involving alcohol when considering other towns and cities across Scotland.

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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.

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.

### **PROPOSED ACTIVITY FOR THE YEAR AHEAD**

The uncertainty of the global COVID -19 pandemic has impacted heavily on the licensing trade making it very difficult to plan for proposed activity for the year ahead.

The North East Division Licensing Team, along with Community Policing Teams, will work alongside licensed premises, to ensure that the premises are complying with 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 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 during what has been a challenging year for all. We have all had to adapt to a new way of working and ever changing circumstances which has been embraced by all.

We look forward to a safe and healthy 2021/2022.

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