



POLICE SCOTLAND

Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE
ANGUS LICENSING BOARD
FOR THE PERIOD
1ST APRIL 2015 to 31ST MARCH 2016

FOREWORD

As the Chief Constable of Police Scotland, it gives me great pleasure to provide my first annual licensing report, in accordance with section 12(A) of the Licensing (Scotland) Act 2005.

I would firstly like to take this opportunity to acknowledge and thank you for the contribution and excellent work undertaken during the past year throughout the licensing area of business in Scotland, especially within our 32 Local Authorities.

Police Scotland together with our licensing partners have faced and continue to confront many challenges, not least our budget constraints. However, this will not detract from our commitment to continuing to provide the very best and sustainable policing service to our communities across the country.

I am especially keen to develop our local services to meet the varying licensing demands and expectations within our diverse local communities, by listening to people and developing opportunities to improve, including the sharing of best practise and influencing positive attitudes and behaviours to reduce alcohol related crimes and anti-social behaviour.

Police Scotland's licensing structure and function has recently underwent significant transition and now benefits from improved governance, flexibility and support, with a real emphasis on quality of service. These changes are further enhanced through our commitment to investing and implementing a national I.T. database, (Innkeeper), which has significantly improved our management and the administration of all liquor and civic licences. Police Scotland and our licensing partners now benefit from a consistent service with improved local delivery, decision making and reporting process.

With our licensing transition complete, we are now transforming our licensing service and central to this is our ability to continue to work closely with our Local Authorities, the licensed trade and other key partners, with a main focus on prevention and vulnerability.

We recognise that problem solving is essential in achieving our mutual aims of public safety and a healthy community environment, while enforcement should only be used as necessary. We will only achieve these aims together through consent and by legitimate means with the full support of all key licensing partners.

I look forward to the coming year where we will continue to improve licensing standards, reduce violence and continue to keep our communities and people safe.

Philip Gormley QPM
Chief Constable
Police Service of Scotland

Police Scotland Licensing Overview

Following the inception of Police Scotland in 2013, a two tier structure for licensing was adopted to support both national and local priorities and service delivery.

A National Licensing Policy Unit (NLPU), which sits within Licensing and Violence Reduction Division, has overall responsibility for determining and delivering national licensing strategy and policy. The NLPU also provides advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

Dedicated licensing teams are located in each of the 13 local divisions and are 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 within their local area.

ANGUS LICENSING BOARD AREA

The Licensing Board area is policed by D Division.

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

Angus Area Command

Chief Inspector David McIntosh has responsibility as Area Commander for the Angus Local Policing Area. He is based at Forfar Police Office.

Local Policing Priorities

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Public Protection and Safety

Serious and Organised Crime

Antisocial Behaviour

Road Safety

Acquisitive Crime

Terrorism

Wildlife Crime

Senior Officers

The senior officers who hold responsibility for licensing with the area of Angus are as follows;

Licensing Department:

Inspector Carol Brown

Head of Department

Sergeant Iain Bethway

Licensing Sergeant

Angus is an area of outstanding natural beauty, which captures the very essence of Scotland. Situated on Scotland's glorious east coast, the county is home to Arbroath Abbey - the birthplace of the historic Declaration of Scottish Independence in 1320. Breath-taking mountains, magnificent glens and a rugged coastline provide the stunning backdrop to the seaside towns and market burghs of Angus today.

A historic but forward looking county, the Angus economy has grown from its agricultural and seafaring origins and now supports a diverse portfolio of business including the oil industry, engineering, textiles, and pharmaceuticals and advanced digital media.

Angus has much to offer residents, visitors and business in an area of just 2,200 square kilometres. It has a population of 116,660 (2004 census), which represents 2.2% of the total population of Scotland. Angus has seven main towns - Arbroath, Forfar, Montrose, Carnoustie, Kirriemuir, Brechin and Monifieth.

Most of the population lives within these towns and the coastal and Strathmore areas, with the remote glens to the north of the county having a very sparse population.

For Policing purposes, Angus is served by both Response and Community Officers who work together to create a strong working relationship both with residential and commercial properties in order to create a safe environment for the public.

Whilst unemployment is generally low and the local economy continues to grow, there are still areas of poverty within the Angus communities. The Scottish Indices of Multiple Deprivation (SIMD) confirm that Arbroath is the most deprived area of Angus and has the highest unemployment figures.

As of 31st March, 2016, there were 9 premises trading as nightclubs and 103 as public houses operating with the Angus area.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Introduction

The legislation in relation to alcohol legislation continues to evolve through case law and statutory instruments.

As such policing tactics require to continually developing to keep pace with these changes.

Police Scotland has produced a Licensing Toolkit which provides practical and tactical guidance to operational officers, supervisors, commanders and police licensing practitioners on actions they can take individually that will contribute to the safe and legitimate operation of premises licensed to sell alcohol.

Partnerships

Reduce alcohol related violence and disorder.

The consumption and misuse of alcohol is a factor in the majority of instances of violence and disorder within Angus. In order to reduce the prevalence and impact of alcohol and keep people safe we will:

Work closely with the Local Authority and partners to raise the standards of the licensing trade, through the effective enforcement of licensing legislation.

Focus our resources to target locations affected in order to prevent alcohol related violence and disorder.

Increase the police presence and engagement within licensed premises, prioritising the police response to investigate crimes of violence.

Actively engage and challenge individuals and repeat offenders who pose a significant threat to the public.

Aim to reduce the impact of alcohol and drug related anti-social behaviour on children, families and communities.

Our consultation through the multi member wards plans confirms that alcohol and drug misuse contribute towards anti social behaviour which adversely affects the peace and tranquillity of our villages, towns and city.

As such we will aim to reduce the impact of drugs and alcohol on individuals and families to promote a peaceful Angus.

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Each area will have an identified community officer who will take personal responsibility and be the lead investigator for ongoing anti social behaviour affecting a community.

We will work with our partners including the Department of Education, the Alcohol and Drug Partnership and Tayside Council on Alcohol to raise awareness about the dangers of alcohol and drug misuse.

We will work with the Third Sector to support those adversely affected by alcohol and drug addiction to aid their journey to recovery.

We will work with communities to gather intelligence in relation to those individuals supplying drugs and thereafter carry out robust enforcement to bring those offenders before the courts.

We will identify areas where anti social behaviour is affecting communities and together with community wardens, safer community investigators and residents develop and implement a strategy to improve the quality of life in these areas.

Licensing Standards Officers

Close partnership working with local authority Licensing Standards Officer is an essential element in tackling issues in licensed premises. Regular meetings take place between the Licensing Departments and the Licensing

Standards Officer, this ensures a consistency of approach in our dealings with identified problematic and monitored premises. A number of joint operations and visits have been carried out in an effort to drive up standards in licensed premises

and circumvent future problems. It also allows the sharing of information relevant to emerging issues.

Joint working initiatives / partner working

There are joint working initiatives with partners in a number of areas. These include Licensing Standards Officers, local Alcohol and Drugs Partnerships, Street Pastors, Community Wardens and Social Workers. The work carried out puts resources into areas that require the most support and help.

By engaging with local communities and responding to their needs, we help to protect them and help them to make a difference. In addition by working closely with our partners in the local community we are in the best position to identify any emerging trends in locality.

In the period from 1 April 2015 to 31 March 2016 there have been no premises or personal licence reviews referred to the Board. This reflects the good work carried out by Police Scotland and their partners when dealing with issues.

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

The sale of alcohol to children and young persons is serious and irresponsible.

Alcohol can pose various health risks to children and young persons who consume it whilst still developing. Alcohol misuse amongst children and young persons can also result in behavioural issues and offending; such as violence, and antisocial behaviour, as well as increasing vulnerability and susceptibility to exploitation.

Police Scotland can make a positive impact on the future outcomes for children and families, by addressing the sale and supply of alcohol to young persons, by problematic premises or by proxy (agent purchase), and working with our partners take the appropriate action to address both the potential and actual misuse of alcohol within the early years.

Identifying young people that drink, or those on the periphery of offending through alcohol, or otherwise, will allow intervention and diversionary activities to be progressed and consistently applied, such as parent alerts schemes, formal warnings or diversionary sporting activities. These complement ongoing enforcement activity within our communities.

The Scottish Government, 'Preventing Offending by Young People – A Framework for Action', introduced the Early and Effective Intervention (EEI) concept for children and young people under 16 years of age. It follows considerable research suggesting that the earlier an intervention is delivered to a young person who offends, at the lowest level, the more likely they are to engage and not re-offend.

Consideration is also given to the impact of offending upon victims and communities.

The Whole System Approach further extends the EEI process to 16 and 17 year olds and aims to ensure that only those under 18 years of age, who need formal measures such as supervision by the Children's Hearings System, prosecution, secure care or custody, will receive them. Again, research indicates that young people are less likely to re-offend following community sentences, compared to those who are incarcerated.

Where alcohol has been an issue relative to offending behaviour Alcohol Brief Interventions (ABIs) have the potential to establish alcohol consumption levels and more effectively challenge behaviour and encourage better choices. Police Scotland will support partners and the delivery of ABI's.

Questioning children and young persons as to consumption levels, drinking habits and trends, choice of alcohol and place of purchase will enhance intelligence and information capture. This will also assist identify the supply of alcohol and enable us to focus resources accordingly.

The introduction of Challenge 25 from 1st October 2011 has not seen any reduction in the consumption of alcohol by children and young persons, however there is a

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move towards 'agent purchase' of alcohol and much less instances of children or young persons purchasing alcohol themselves.

The provision of Test Purchasing in terms of Section 105 of the Act is a tactic which is used where there is an underlying body of evidence to suggest that alcohol is being supplied or purchased from a particular off sales premises. Case Law has shaped the use of such a tactic and it is something which is carried out only where there is an evidential base in support of the needs for a test.

The use of bottle marking tactics has encountered adverse comment and the threat of legal action from some sectors of the licensed trade; however this is a tactic which we will continue to use as an intelligence gathering opportunity, identifying the source of discarded alcohol litter in public places. The use of tamper proof labels on bottles is a voluntary scheme which enables more information to be gathered regarding the source of alcohol being drunk in drinking dens, public parks and other open spaces.

This tactic does not stop the abuse of alcohol by children and young persons, but provides community intelligence in support of further police and partner agency activities to prevent sales and the supply of alcohol to young persons.

Enforcement

Police Scotland will take decisive and positive action in relation to any intelligence received which indicates that any licensed premises are involved in the supply of alcohol to children and young persons.

All such offences will be reported to the Procurator Fiscal with potential for reporting contraventions of the Licensing Objectives to the appropriate Licensing Boards.

TACKLING SERIOUS AND ORGANISED CRIME

Police Scotland will ensure active scrutiny of all licensing applications to identify any links to Serious and Organised Crime.

Serious and organised crime gangs will attempt to launder their illegally obtained funds through apparently legitimate businesses. We will work with the Local Authority to support close scrutiny of licensing applications to prevent these criminals from establishing such businesses in Angus.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

Looking ahead (2016 - 2017) - Particular views about matters relating to policing in connection with the operation of the Act in the Board's area for the coming year and any areas identified for development.

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Communities across the length and breadth of Scotland have given us their views during our public consultation processes and all have a common theme at the top of their list; that our communities have had enough alcohol fuelled anti social behaviour which blights our villages, towns and cities.

Utilising analytical products, we are able to identify locations where there is the greatest need for police attendance and we use this information to tactically deploy resources where they can be of greatest benefit, reducing the numbers of victims of crime and making our communities safer places to work, socialise and reside.

The establishment of a National Licensing Policy Unit allows the co-ordination of licensing activity and the sharing of best practise across the country. This small team will support the local delivery of policing services by ensuring a consistent approach is taken in tackling alcohol fuelled violence, disorder and anti-social behaviour.

The identification of problematic licensed premises is an integral part of our core policing tactics in reducing anti-social behaviour and reducing the levels of intoxication in our communities. We will endeavour to seek solutions to issues by engaging with the licensed trade, utilising a problem solving approach to day to day issues. By working with the licensed trade, we seek to drive up licensing standards in premises and utilise a robust Inspection policy to identify any potential shortcomings.

The application for a review of a premises or personal licence is not a decision that is taken lightly and such applications will often be submitted at the conclusion of an ongoing dialogue attempting to rectify an issue. Our submissions to licensing boards will detail the steps taken and will contain disclosable evidence, closely linked to the licensing objectives to justify the application.

National Perspective

Our Priorities and Policing Plans continue to be shaped by the objectives contained within Scottish Government's Strategic Objectives and National Outcomes and the Strategic Police Plan that are delivered locally through single outcome agreements.

Consultation and engagement is combined with our own analysis of the issues likely to impact on the safety of the public to inform our local and national Strategic Assessments that identify our priorities and provide a firm evidence base for local policing teams across Scotland to deliver operational plans to prevent crime and disorder and Keep People Safe.

Our National Priorities are:

- **Violence Disorder and Anti-social Behaviour**
- **Serious Organised Crime**
- **Road Safety and Road Crime**
- **Protecting People at Risk of Harm**
- **Counter Terrorism**

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The National Licensing Policy Unit (NLPU) is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work in conjunction with licensing colleagues, from local policing divisions. Together, they seek to ensure that legislation governing the sale and supply of alcohol and other civic licensed activity is applied and reported consistently across the country to licensing boards, in accordance with the Licensing Objectives.

During 2016/17, from a licensing perspective, our particular focus will be 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 to introduce a National Licensing Trade Forum to identify licensing related issues and prevent/reduce associated crimes.
- The implementation and ongoing development of a National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management.

The assistance obtained from the local authority to ensure that “Innkeeper” was implemented successfully during March 2016 is very much appreciated by Police Scotland. It is anticipated that this effective collaboration between the parties will continue to ensure that this valuable national resource remains fit for purpose and significantly improves the management of liquor and civic licensing records, documentation and information.

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