



**POLICE
SCOTLAND**

Keeping people safe

**CHIEF CONSTABLE'S REPORT TO THE
[ANGUS] LICENSING BOARD
FOR THE PERIOD
1ST April 2014 to 31ST March 2015**

LVRD/ 04/05/2015 V.1

Foreword

I am pleased to present my Annual Report for 2014/15, in accordance with the requirements of the Licensing (Scotland) Act 2005 (S12A).

This report is set against a backdrop of recorded crime in Scotland reaching a 40 year low and outlines the comprehensive activity which has been undertaken in Angus over the last twelve months. Going forward, this report confirms the steps we will take in 2015/16 to ensure we continue to improve on our performance and positively impact upon the lives of people throughout Scotland.

Over the last year, our Licensing focus has centred on prevention, supplemented by intervention and enforcement measures. Collectively, these measures are designed to improve our consistency of approach, reduce violence and positively influence behaviour and cultural attitudes towards alcohol across Scotland.

Working in partnership to deliver results remains at the heart of policing. We continue to seek out new partnership opportunities, whilst maintaining and building upon our existing relationships to support the licensed trade, relevant authorities and local communities.

Police Scotland strives to ensure the safety and wellbeing of people, places and communities across Scotland and our focus remains 'Keeping People Safe'.

Sir Stephen House QPM
Chief Constable
Police Scotland

Police Scotland Licensing Overview

Licensing Structure

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. This is defined through a national policy unit and local licensing teams.

National Perspective

The National Liquor and Civic Licensing Policy Unit (NLCLPU)

The NLCLPU is a specialist department within Licensing and Violence Reduction Division (LVRD) which exists to support territorial divisions across Police Scotland.

It consists of a Chief Inspector, Inspector, Sergeant and a Constable and is based at Dalmarnock Police Office, Glasgow.

Working with divisional licensing teams the NLCLPU shape policy and strategy around the police licensing function and provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing Commanders.

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

The National policy unit has particular focus on;

- Scrutiny of the most serious incidents of violence and disorder linked to licensed premises.
- Identifying opportunities to impact on serious and organised crime groups who may seek to exploit the licensed trade
- Working closely with partners to identify and address licensed premises issues and inform personal licence holder training.
- Engaging with Major event and festival organisers to agree alcohol management plans that will set out how alcohol sale, supply and risk are to be controlled.
- Support the development of the National Licensing ICT solution “Innkeeper”

Local Perspective

Police Scotland comprises of 14 divisions each of which has a dedicated licensing team within a Divisional Coordination unit which consist of Police officers and members of police staff.

These teams service the statutory obligation placed on the Chief Constable to respond to the 34 Licensing Boards and have oversight of all licensable activity with their division.

Local Licensing teams regularly work in partnership with the licensed trade and any other relevant body, to prevent violent incidents and vulnerability occurring in and around licensed premises.

Where problems are identified local problem solving is adopted, licensing staff generally take an incremental approach and try to agree a proactive and positive way forward to address ongoing issues.

However, on occasions enforcement activity or an application to review a premises licence may be the solution to the problem and local Licensing teams will report to COPFS and/or Local Licensing Boards as necessary.

Priorities

Both the National Liquor and Civic policy unit and Divisional Licensing work towards Police Scotland National priorities;

Violence, Disorder and Antisocial behaviour
Serious organised Crime
Counter Terrorism
Protecting people at risk of harm
Road Safety and Road crime

Part 1

ANGUS LICENSING BOARD AREA

The Licensing Board area is policed by D Division.

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

Angus Area Command

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

Local Policing Priorities

Following our public consultation process, the policing priorities for D Division, as set out in our Local Policing Plan are as follows;

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 Dundee are as follows;

Licensing Department;

Inspector Carol Brown
Sergeant Iain Bethway

Head of Department
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, pharmaceuticals and advanced digital media.

Angus has much to offer residents, visitors and business in an area of just 2,200 square kilometres. With a population of 108,400 (2001 census) 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 employment 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, 2015, there were 319 recorded licensed premises operating with the Angus area.

PART 2: 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.

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.

Best Bar None

Best Bar None is not currently operating in Angus.

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 2014 to 31 March 2015 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.

PART 3: PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE

The sale and supplying of alcohol to children and young people is irresponsible.

Police Scotland along with its partner agencies including Angus local authority have clear priorities in keeping children and young people safe from harm and it is accepted that it is everyone's responsibility to ensure this.

The wellbeing of children and young people is at the heart of Getting It Right for Every Child.

Police Scotland is committed to protecting children and young people from the harm caused by alcohol misuse and to support them to make positive choices.

A variety of successful multi agency initiatives are currently being delivered throughout the Angus Local Policing area.

Understanding why children and young persons drink alcohol can be complex and the risks to their health whilst still developing can be significant. 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 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.

Operation Dry Up

This is an ongoing operation designed to tackle the misuse of alcohol by young persons. Officers undertake patrols in identified hotspots and challenge young people who engage in under age drinking and drinking openly in public places. Any alcohol, found is confiscated and subsequent enquiry made to trace its origin.

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.

PART 4: TACKLING SERIOUS AND ORGANISE CRIME

Introduction

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 (2015 - 2016) - 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.

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.

Appendix A

Tayside Division (Angus LPA)
Summary of Policing in connection with the operation of the
Licensing (Scotland) Act 2005

Applications for a Premises Licence Review		Total
Premises Licenses (Sec 36)	On sale	0
	Off Sale	0
Personal Licenses (Sec 84A)	On sale	0
	Off sale	0
Interventions		Total
Premises Interventions	On Sale	0
	Off sale	0
No. of interventions which led to a review application		0
No. of interventions where no further action was required		0