



POLICE SCOTLAND

Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE
ANGUS LICENSING BOARD
FOR THE PERIOD
1ST APRIL 2016 to 31ST MARCH 2017

FOREWORD

It gives me great pleasure to provide my second annual licensing report, in accordance with section 12(A) of the Licensing (Scotland) Act 2005.

This report outlines what activity has been undertaken over the last twelve months for the Angus Board area which provides me with the opportunity to outline how our services will be delivered over the coming year.

Police Scotland continues to face an increasing range of demands against the backdrop of a challenging financial environment, however we will continue to work in partnership at local and national level to ensure that our communities are safe. I cannot underestimate the importance of empowering our people to work with others, to innovate and solve problems.

Over the last year we have seen success in our preventative problem solving approach, with officers and staff resolving issues proportionately and at the earliest opportunity. This has been possible due to the active partnerships which exist across the licensing sector, which have led to an increase in positive outcomes.

In the year ahead our approach will continue to be based on prevention and collaboration to ensure the most efficient and effective service delivery. I will encourage officers and staff to utilise the range of options available to ensure improved licensing standards, reduced violence and to positively influence behaviour and cultural attitudes across Scotland.

Finally, I would like to take this opportunity to record my thanks to all who work towards the shared aim of effective licensing regulation and I am sure that with the continued hard work and dedication of all staff, Police Scotland will continue to deliver a service that our communities can be proud of.

Mr Philip Gormley QPM

Chief Constable

Police Service of Scotland

Police Scotland Licensing Overview

The National Licensing Policy Unit (NLPU) sits within the Specialist Crime Division – Safer Communities based at Dalmarnock Police Office, Glasgow.

The NLPU 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.

Each 13 Local Policing divisions, have a licensing team wholly committed to 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.

Police Scotland Licensing is supported and governed by a National IT solution known as 'Innkeeper'.

LICENSING BOARD AREA

The licensing Board area is policed by D (Tayside) Division

Chief Superintendent Paul Anderson is the Divisional 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.

Senior Officers

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

Licensing Department;

Inspector Gordon Fotheringham Head of Department

Sergeant Gordon Peebles Licensing Sergeant

Local Policing Priorities

Following our public consultation process, the policing priorities for D (Tayside) 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

Description of Board Area

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 116,900 (2015), 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, coastal and Strathmore areas but there is also a significant rural population spread throughout the county.

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 communities in order to create a safe environment in which to flourish.

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, 2017, there were 8 premises trading as nightclubs, 116 as public houses and 34 hotels operating within the Angus area.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Introduction

Legislation in relation to the sale and supply of alcohol continues to evolve through case law and statutory instruments and as a consequence, it is essential that policing tactics also evolve in order to effectively tackle such developments.

The misuse of alcohol is regularly cited as a contributory factor in relation to crimes of violence, domestic abuse, disorder and antisocial behaviour.

As such the Alcohol Licensing Toolkit employed by Police Scotland along with the recently established problem solving 'Range of Options', provides practical and tactical advice to operational officers, supervisors, commanders and police licensing practitioners on actions they can take individually or collectively that will contribute to the safe and legitimate operation of licensed premises.

Partnerships

The locality policing model in operation within Tayside is designed to ensure local police work with local people, communities and other public and third sector services and agencies, to ensure the most vulnerable are protected whilst contributing towards building stronger communities. This includes actively engaging with the licensed trade and those applying to conduct licensable activities, with a view to improving the regulation of license holders and activity in and around licensed premises and events.

The consumption and unfortunate misuse of alcohol is a significant contributory factor in the vast majority of instances of violence and disorder that occur within Angus. In order to reduce the risk of alcohol and drug related violence, disorder and anti-social behaviour and to improve the safety and wellbeing of our people, places and communities we:-

- Work closely with the Local Authority and partners such as the Angus Licensing Forum, local Pubwatch schemes and Security Industry Authority (SIA) to raise the standards of the licensed trade, through proportionate and effective enforcement of licensing legislation and working practices.
- Listen to the concerns of our communities and utilise evidence based policing to deploy our resources to identified locations to prevent the misuse of alcohol and related violence and disorder.
- Actively encourage police engagement and interaction with licensed premises and ensure that crimes of violence are investigated as a priority, ensuring that Bail Conditions and Exclusion Orders are effectively applied to prevent repeated offending by individuals who pose a significant threat to the public.

Our consultation through the multi member ward plans confirm that drug and alcohol misuse significantly contributes towards anti-social behaviour, which adversely affects the quality of life of the population of our villages and towns throughout Angus.

There are 3 Locality Inspectors responsible for the multi member wards throughout Angus and these Inspectors will develop and enhance local partnership working and public engagement ensuring that a problem solving approach is adopted towards local community issues and that local community concerns and priorities are addressed in a co-ordinated manner.

A legislative framework through the Police and Fire Reform Act 2012 and Community Empowerment Act, 2015 place a statutory obligation on the Police and other public sector bodies to work together.

As such we work with our partners including Social Work, the Departments of Health and Education, the Alcohol and Drug Partnership and Tayside Council on Alcohol and Child Protection Committees to raise awareness, seek solutions, ensure continuous improvement and support joint problem solving in relation to alcohol and drug misuse in our communities.

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

Working with our communities and partners such as Local authority Licensing Standards Officers, Immigration Enforcement, HMRC and Trading Standards, we gather intelligence and support local and national initiatives to disrupt criminal activity.

Problem solving

As an organisation we have a number of analytical tools and products at our disposal such as Beat Tracker, Ward Tracker and the Licensing Administration Tool which are used to identify hotspot areas, repeat callers, trends in relation to crime, violence, anti-social behaviour which can be linked to the locations of licensed on and off sales premises.

We also exercise a 'Range of Options' to assist our problem solving approach when considering issues identified at licensed premises. These options form a staged but flexible response to identified issues, from simply engaging with and advising the licensees at the lower end of the scale, to grading premises as being 'Problematic' and requesting a review of a premise licence by the Licensing Board in relation to the more serious matters. Any recommendations made may influence the decision making process of the board and or any conditions they may impose on licence holders.

The intervening options involve increased interaction with licenced premises, managers and staff, grading premises as 'Monitored' which necessitates a regime of tasked inspections and increased scrutiny for an identified period of time, to 'Intervention' which requires formal dialogue to occur and agreed 'Licensing Intervention Plans' to be agreed and utilised whilst gaining the support of the licenced premise staff and management.

The course of action taken will be documented at all stages on our national 'Innkeeper' system.

Summary

Over the last year the unlicensed sale/supply of alcohol has not been an issue that has featured within Tayside Division.

The Divisional Licensing Team has worked closely with the local authority to establish a recognised standard that is applied to all letters of representation and objection with regards to premise and personal licence applications and has instigated a process of refresher training and constructive dialogue has been held with the clerk to the licensing board, which has improved the knowledge and understanding of all officers within the team.

In the last year there has only been one application for a review of a premise licence in Tayside which was considered in Angus. The application for review primarily related to circumstances surrounding the consumption of alcohol by children and young person's attending birthday parties at a licensed premise and the anti-social and criminal behaviour associated therewith. There were no grounds established for a review on this occasion.

The sale or supply of alcohol out with licensed hours has not been an issue in Tayside over the last year and there have been no reports to the board in this regard. Any allegations of such activity tends to be post event with little or no corroborative evidence but are always followed up by interaction/contact with the licence holder or designated premise manager and appropriate advice and warnings given. This is always accompanied by tasked activity by the local response and community policing teams in respect of any identified premises.

All personal licence applications are given thorough consideration, giving due regard to the date and nature of all relevant offence previous convictions and any available intelligence.

There have been no objections in relation to personal licence applications in Angus in the last year. There has been a single objection to a personal licence application elsewhere in Tayside where the Divisional Licensing Team objected in August, 2016. The application was subsequently refused and the objection related to the applicant's alleged involvement in significant criminal matters and is presently under appeal.

The Divisional Licensing Team automatically receives notification of all offences committed by personal licence holders within Tayside. Giving due regard to the alleged conduct of the licence holder, only the most significant, serious and relevant matters are brought to the attention of the licensing board prior to conviction. Each case is monitored until either not proven or conviction is achieved and the relevant disclosure/representation is then made to the licensing board.

Every instance of violence that occurs within licensed premises which results in a report being submitted to the procurator fiscal is reviewed by the Divisional Licensing Team and if not already considered by the submitting officer or line management, then appropriate bail conditions are requested to be applied to the offender along

with a request for an Exclusion Order (post conviction) to be added when the report is submitted.

These measures are routinely requested by the local policing teams however, the national 'Innkeeper' system allows for individual officers to be tasked to consider and apply such measures.

There have been no Closure Orders in regard to licensed premises within Tayside Division in the last year.

Drunkenness and Disorder incidents and offences are dealt with robustly by officers at the time of attendance and early intervention by licensed premise staff is advocated. This message is reinforced by the Divisional Licensing Team when interacting with licensed premise staff regarding such matters.

Weekend policing plans are produced each week and resources deployed and tasked accordingly as a preventative measure to locations and premises where such behaviour is likely to occur.

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

Introduction

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

The physical, mental and moral development of children and young persons can be significantly compromised as a result of the misuse of alcohol. Behavioural changes can occur during those early years and can be accompanied by involvement in criminality and violent, antisocial behaviour, leaving children and young person's vulnerable and susceptible to exploitation.

The drinking habits and trends of children and young persons are ever changing and in some areas, the consumption of alcohol has moved behind closed doors thus making it increasingly problematic to address from a policing perspective. The risks associated with the misuse of alcohol by children and young persons in remote and secluded locations remain challenging. It is also apparent that venues that host events and functions catering for the 18 year old and younger age group, where the sale of alcohol is permitted, frequently attract underage individuals who have consumed alcohol prior to attending and who are inclined to bring their own alcohol with them for consumption on or off the premises.

Activity

Keeping children safe is a high priority for Police Scotland and we are committed to focusing on engagement with children and young persons and preventing them from harm through initiatives including 'Choices For Life' and working with schools and developing outcome based solutions, including developing our Police Scotland Youth Volunteers programme.

The identification of children and young persons who misuse alcohol and those on the periphery of offending as a result of such activity is therefore a priority. This allows for early and effective intervention and for diversionary activities to be identified and applied. Research suggests that the earlier interventions are delivered to young people who offend at the lowest level, the likelihood is that the intervention will be effective, the individual will engage and will not re-offend.

Police Scotland operates the Whole System Approach for addressing the needs of young people involved in offending and this is underpinned by the 'Getting It Right for Every Child' framework that ensures that anyone providing support, puts the child or young person and their family at the centre of the process.

Alcohol Brief Interventions (ABIs) are interventions for those individuals (aged 16 and over) who are drinking at hazardous and harmful levels, to moderate their drinking and thereby reduce the risk of developing more serious related alcohol problems. Police Scotland will support partners in the delivery of ABI's.

Offences relating to the sale of alcohol to or purchase of alcohol by children and young persons are few and far between in the Tayside area. It is recognised that a significant proportion of young people will however experiment with alcohol and will resort to a variety of measures to source it.

The age verification 'Challenge 25' scheme is actively encouraged in all licensed premises however there is a move towards 'agent purchase' of alcohol and there are fewer instances of children or young persons purchasing alcohol themselves. The Divisional Licensing Team scrutinise all allegations of suspected underage licensing offences and routinely task officers via the 'Innkeeper' system to ensure that full enquiries are made and appropriate action is taken if necessary in respect of both the young persons involved and the licensed premises.

Information and intelligence obtained from children and young persons in respect of drinking habits, trends and the places of purchase and misuse of alcohol allows for effective deployment of resources to tackle the situation.

Although there is provision for Test Purchasing in terms of Section 105 of the Licensing (Scotland) Act, 2005, this is not a tactic that has been utilised in the Tayside Division in the last year and is only used where there is evidence to support the requirement for a test.

Over the last year, the Divisional Licensing Team has carried out joint operations with Licensing Standards Officers whereby off-sales premises have been visited with a view to ensuring standards are being adhered to and that staff are fully aware of their training and responsibilities in relation to the sale of alcohol to suspected underage persons or their agents.

Operation 'Dry-Up' has also been carried out to target areas where reports have been received regarding young person's drinking alcohol. Additional resources have also been secured on occasion from out with the Tayside Division area to support local officers. It has however been noted that this type of activity appears to be far less of a problem than has been historically reported and that there appears to be a

tendency for underage drinking activities to take place behind closed doors in private dwellings.

Over the forthcoming year Police Scotland will continue to take decisive and positive action in relation to any information received which indicates the sale or supply of alcohol to children, young persons or their agents by any licensed premises. Where the evidence supports, all such offences will be reported to the Procurator Fiscal with any breaches of the Licensing Objectives reported to the Licensing Board for consideration of a review of either personal or premise licences.

Realising that child protection is a complex area of policing requiring a sensitive and dedicated approach, we will continue to work closely with key partners to focus on protecting children from harm and reducing the availability of alcohol to children and young persons.

TACKLING SERIOUS AND ORGANISED CRIME

Introduction

Police Scotland will work closely with our partners to prevent harm caused to individuals, communities and businesses by Serious Organised Crime (SOC) and enhance our understanding and response to emerging cyber threats and internet enabled crime used by Serious Organised Crime gangs who will continually attempt to launder their illegally obtained funds through apparently legitimate businesses.

The Divisional Licensing Team will work with the Local Authority to closely scrutinize all licensing applications to prevent SOCGs from establishing a foothold in related businesses in the area.

SOCG's operating in board area

At present Tayside Division has only one Serious and Organised Crime Group operating within its area which has no identified links to licensable activities. It should be noted that SOCGs do not restrict themselves to geographical areas such as local authority areas.

Activity

In the last year Police Scotland has continued to take preventative measures to cut off the markets for Serious and Organised Crime products such as drugs and counterfeit goods. We have also worked with schools, prisons, communities and third sector organisations on diversionary activities in an attempt to prevent or reduce recruitment to Serious and Organised Crime Groups.

We have continued to focus on our four objectives to,

- **DIVERT** - Divert people from becoming involved in serious organised crime and using its products.

- DETER - Deter Serious Organised Crime Groups by supporting private, public and third sector organisations to protect themselves and each other.
- DETECT - Identify, detect and prosecute those involved in serious organised crime.
- DISRUPT - Disrupt Serious Organised Crime Groups.

Tayside Division retains the capability to carry out intervention techniques to prevent SOCGs operating without being challenged and will continually seek opportunities to identify SOCG activity through intelligence gathering and conducting days of action along with partner agencies, focussing on illegal activities that may occur at late hours catering establishments, car wash premises, tanning salons and nail bars etc.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

Proposed activity

Over the forthcoming year (2017 – 2018) we will consider every opportunity to increase our use of the media to deliver our key messages relating to the dangers of alcohol to our communities with a view to 'Keeping People Safe'.

We will continue close engagement with our partners in the Local Authorities, Trading Standards and Security Industry Authority (SIA) to ensure that standards within the licensed trade are maintained and any breaches of the Licensing Objectives are notified to the relevant Board.

We will work closely with our Community Policing Teams to engage with and educate the children and young persons within our local communities regarding the dangers of alcohol and provide training to licensees and their staff and deliver 'Bystander' presentations which incorporates the 'Who Are You?' video. This will raise awareness within the licensed trade with regards to challenging potential perpetrators of sexual harassment and crime and identifying and protecting vulnerable individuals.

As a Divisional Licensing Team we will provide assistance and guidance to large organised licensed events such as 'Mo-Fest', 'Rewind Festival' and 'Carnival 56' to ensure licensing standards are being adhered to and deploy operationally along with our Community Policing Teams with the additional support of Special Constables to conduct enforcement and compliance operations across Tayside to address underage drinking and the sale and supply of alcohol to children and young persons. We will work in partnership with Licensing Standards Officers (LSOs) and the SIA to achieve positive results in this regard.

Through the licensing governance process that Tayside Divisional Licensing Team has developed and incorporated, we will continue to ensure that all incidents at or within the vicinity of licensed premises or connected to licensable activities are reviewed on a daily and weekly basis in conjunction with the locality policing teams and specialist departments to ensure appropriate investigation and reporting of all matters.

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**

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 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 NLPU 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 2017/18, 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.
- Working closely with partners within a National Licensing Trade Forum we will continue to develop and promote positive partnership working between Police Scotland and the Licensed trade, in order to increase legal understanding and support a shared aim of best practice, responsible operation and respect.
- 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 and to ensure problem solving is at the heart of our Licensing approach.
- The implementation and ongoing development of a Licensing Admin tool which provides divisional licensing officers with an ICT product which negates the

need to research police systems independently and which builds on our problem solving approach.

To conclude we would like to thank you for your continued support and stress the importance of this collaborative, problem solving approach, which ensures that police, licence holders and licensed premises staff have a better understanding of their responsibilities. This strengthens locally-led alcohol licensing practices, in order to preserve order and promote safety and public health.