



**POLICE**  
**SCOTLAND**

Keeping people safe

# Chief Constables Annual Licensing Report for 2019/20

## Angus Licensing Board

Licensing Department / March 2020 / v 1.0

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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 Angus 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 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 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 13 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 Tayside Division.

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

### **Angus Area Command**

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

### **Senior Officer**

Inspector Jamie Allen – Head of Licensing Department, is responsible for the overall supervision of the department.

Sergeant James Gordon – Licensing Sergeant, is responsible for the day to day management of the department and staff.

### **Local Policing Priorities**

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

- Putting victims at the heart of what we do
- Protecting vulnerable people
- Tackling crime and anti-social behaviour
- Maintaining public safety

These are underpinned by our values of Integrity, Fairness and Respect.

### **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 116,660 (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.

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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 to live, work and visit.

As of 26 February 2020, there are 8 premises licensed as nightclubs and 118 public houses licensed within the Angus area.

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

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 continue to evolve to ensure such developments can be effectively tackled.

The misuse of alcohol is regularly cited as a contributory factor in relation to crimes of Violence, Disorder and Anti-Social Behaviour.

The Alcohol Licensing Toolkit utilised by Police Scotland 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.

The Divisional Licensing Team provides guidance and support to local Policing in relation to prevention and problem solving at licensed premises, and are supported in this regard by the framework set out in the Liquor Licensing National Operating Model, which contains a problem solving “Range of Options”.

All crimes, incidents, or instances of police attendance linked to the licensed premises should be recorded by officers on the police “Innkeeper” system, which provides a means of reviewing such matters of concern with a view to supporting the licensed premises concerned.

### **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.

In Angus we work closely with our partners in the local authority with a view to raising standards in the licensed trade, through proportionate and effective enforcement of the licensing legislation and working practices.

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By listening to the concerns of our communities, we utilise evidence based policing to deploy resources to identified locations, in order to deter and prevent issues surrounding alcohol related violence and disorder.

There are three locality Inspectors responsible for the multi member wards throughout Angus. These Inspectors enhance local partnership working whilst developing 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 the Community Empowerment Act 2015 place a statutory obligation on the Police and other public sector bodies to work together.

As such, we work with partner agencies including Social Work, the Departments of Health and Education, the Drug and Alcohol Team, 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.

By working closely with our communities and supporting the aims and activities of our partners such as the local authority Licensing Standards Officer, Immigration Enforcement, HMRC, Security Industry Authority and Trading Standards, we gather intelligence in support of local and national initiatives to disrupt criminal activity. Where appropriate, we share information to ensure effective early intervention and, importantly, be visible in our communities to reduce the threat, risk and harm to individuals and communities.

This collaborative approach improves the performance of those responsible for the operation of liquor licensed premises within the terms of the legislation.

This has resulted in a number of joint 'intelligence led' operations whereby premises have been visited and, as well as general licensing issues, persons with no right to remain in this country have also been traced working within.

This subsequently led to Premise and Personal Licence Reviews being submitted to the Licensing Board with warnings and endorsements issued as a result.

### **Problem Solving**

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

The Licensing Administration Tool is a national database known as "Innkeeper", accessed and utilised by all officers throughout Police Scotland. Incidents and inspections of licensed premises are recorded on Innkeeper, ensuring the Licensing

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Department have an informed overview of all happenings and a capability to identify any emerging issues.

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 staff at licensed premises 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 any conditions they may impose on licence holders.

The options for taking action involve increased interaction with the licensed 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 ‘Licensing Intervention Plans’ to be agreed and utilised whilst gaining the support of the licensed premise staff and management in question.

The action taken at all stages is documented on our national ‘Innkeeper System’.

It is clear from the data collated from our aforementioned systems that excessive alcohol consumption is an aggravating factor in the majority of incidents of assault and serious assault linked to licensed premises.

Tayside Division Licensing Department have recently undergone a change in leadership and focus. Although there are still administrative tasks to deal with, the Licensing Team continue to take a more proactive and public facing approach. This includes regularly briefing officers, thereby improving productivity and knowledge when visiting licensed premises. The team also deploys at various times of day or evening, and engages with all licensed trades. This ensures compliance, provides education, and gives support to local officers.

Operation Respectful is the overarching delivery of licensing activity in Tayside Division and is used to promote the operational deployment and engagement with the licensed trade. This approach has seen an increase in positive relationships with the licensed trades through days of action, including taxi education, Immigration deployments and licensed premises inspections in partnership with Trading Standards and HMRC.

In December 2019 and February 2020, the divisional licensing team delivered a number of seminars to both community and response police officers in the Angus area. This focused on how better cooperation and collaboration with officers and members of the licensing trade can support the policing priorities and keep people safe.

## **Summary**

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

During that time there have been three premise reviews and three personal licence reviews. Two of these premise and associated personal reviews related to licensing and immigration offences (as mentioned previously), and the third related to a period of anti-social behaviour, disturbances and allegations of serious sexual offences taking place at the premise.

One premise was also graded as Monitored due to issues with underage persons, drug misuse and general anti-social behaviour taking place over a period of time. This resulted in tasked inspections over a number of weeks and which led to a successful conclusion.

All liquor licence applications are given thorough consideration, giving due regard to all available information, and in relation to personal applications, the date and nature of all relevant previous convictions along with any available intelligence are also considered.

All offences committed or alleged to have been committed by holders of personal licences issued within Angus are automatically brought to the attention of the Divisional Licensing Team. 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 its conclusion and the relevant disclosure or representation is then made to the Licensing Board.

Each instance of violence that occurs within or is linked to a licensed premises which results in a report being submitted to the Procurator Fiscal is reviewed by the Divisional Licensing Team. Officers are encouraged to seek appropriate bail conditions in relation to the offender along with a request for an Exclusion Order (post-conviction) to be added when the report is submitted.

To that end, one exclusion order has been requested in the Angus Board area and remains in place.

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

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

Alcohol related violence and disorder incidents are dealt with robustly by officers at the time of attendance, and early intervention by licensed premise staff is always 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. These ensure resources are deployed accordingly as a preventative measure to locations, premises and events



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where disorder is a likely outcome due to increased footfall of patrons combined with the consumption of alcohol. Positive engagement is encouraged by all staff employed in the running of licensed premises, with the risks and consequences of excessive alcohol consumption by individuals continually highlighted to mitigate any risks to drunk persons after they leave licensed premises.

The Divisional Licensing Team has also developed, and will continue to develop, its proactive approach towards the regulation and operation of licensed premises across Angus. Officers are now routinely deployed throughout the year, out with normal office hours, to tackle emerging issues and establish a regime of regular inspections. This is often in conjunction with other partner agencies such as Immigration, HMRC or Trading Standards, whose added presence has been noted as having a positive effect with regards to individual compliance with and enforcement of the licensing objectives.

The Divisional Licensing Team recently received a “Certificate of Recognition” at the Local Divisional Commander’s Award Ceremony for our outstanding performance which contributed to the success of the Division.

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

The sale and supply of alcohol to children and young persons is both serious and irresponsible, and should never be underestimated.

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 and anti-social behaviour, leaving children and young persons vulnerable and susceptible to exploitation.

The drinking habits and trends of children and young persons are continually changing. In some areas, the consumption of alcohol has moved behind closed doors, making it increasingly problematic to address from a policing perspective. In some areas, alcohol consumption in either remote or secluded locations remains apparent. The significant risks associated with the misuse of alcohol by children and young people remain challenging, regardless of location.

It is also apparent that venues host events and functions catering for the 18 year old and younger age group where the sale of alcohol is permitted. This will always attract underage individuals who have consumed alcohol prior to attending, and who are inclined to bring their own alcohol with them for consumption on and off the premises.

All applications for Premises Licences, major variations and occasional/extended hours are examined on receipt by the Divisional Licensing Team for any potential impact on the safety of children and young persons. If any issues are identified,

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concerns are raised with Angus Council and letters of objection or representation are submitted to the Licensing Board.

**Activity**

Keeping children safe is a high priority for Police Scotland, and we remain committed to focusing on engagement with children and young persons. Initiatives including 'Choices For Life,' working with schools and developing outcome based solutions, including the development of our Police Scotland Youth Volunteers programme, aim to prevent them from coming to harm.

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 effective early 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 more likely to engage and less likely to 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. This ensures that anyone providing support puts the child or young person and their family at the centre of the process.

Over the last year there have been three Innkeeper incident reports received in Angus in relation to liquor licensing concerns and incidents involving children and young persons. All of these related to the same premises and specifically related to 18<sup>th</sup> birthday parties (this resulted in the premises being graded as Monitored, see Summary above).

The Divisional Licensing Team scrutinise all allegations of suspected underage activity in relation to licensed premises. Officers are routinely tasked 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.

The age verification 'Challenge 25' scheme is actively encouraged in all licensed premises (both on and off sales) at the point of sale, and is an effective tool to prevent the sale of alcohol to children or young persons.

Although there is provision for Test Purchasing in terms of Section 105 of the Licensing (Scotland) Act, 2005, the procedure is currently under review with Police Scotland's Legal and Policy unit and was unable to be utilised during 2019/2020.

Warning letters can also be sent to the license holder and / or management of the premises highlighting to them the extent of any alleged underage problems, while making it clear that unless the situation improves, further formal action is a likely consideration, with matters being reported to the Licensing Board. This provides for remedial action to be taken and improvements to be made by staff to address the problem.

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The Divisional Licensing Team continues to carry out joint operations with Immigration Enforcement and HMRC 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 in terms of proxy purchasing. This joint approach often identifies other non-licensing related issues which can have a significant impact on the running of a business, and as such it is noted that improvements and compliance in respect of liquor licensing legislation are achieved at the same time.

Our local Community Policing Teams endeavour to exploit every opportunity to obtain information and intelligence from any source, including children and young persons themselves, in respect of drinking habits, trends, the places of purchase and misuse of alcohol which allows for effective deployment of resources to tackle the situation.

## **TACKLING SERIOUS AND ORGANISED CRIME**

### **Introduction**

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

At present there are no Serious and Organised Crime Groups based within Tayside Division, however this does not mean that certain groups do not operate within the Tayside area. It should be noted that SOCGs do not restrict themselves to geographical boundaries such as those surrounding local authority areas, and Serious and Organised Crime Groups will unfortunately impact on all communities.

### **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 and Organised Crime Groups by supportive 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

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Tayside Division continues to carry out intervention to prevent SOCGs operating without being challenged, and will continually seek opportunities to identify SOCG activity. This is through intelligence gathering and conducting days of action along with partner agencies, focussing on illegal activities that may involve liquor licensed premises, late hours catering establishments, car wash premises, nail bars etc.

**PROPOSED ACTIVITY FOR THE YEAR AHEAD**

Police Scotland remains committed to maintaining a prevention, partnership and intelligence led approach to tackling violent crime, disorder and anti-social behaviour which can all be fuelled by excessive and uncontrolled alcohol misuse. We note that the impact of this has consequences that extend beyond victims, affecting families, communities and society as a whole.

We will ensure our people have all the skills and knowledge to enable them to target and reduce violent crime, disorder and anti-social behaviour, and will work with our partners to develop and deliver a collaborative approach to prevent these issues.

We will work in partnership to reduce and prevent harm from violence within private space and the link with alcohol use.

The role of our National Safer Communities Task Force and Violence Reduction Unit will be enhanced to ensure resources are deployed effectively and efficiently in a collaborative and planned manner, and our local Community Policing Teams will continue to develop strong relationships with our communities to prevent anti-social behaviour.

The Divisional Licensing Team will continue to work closely with our National Licensing Policy Unit to ensure the local delivery of policing services by ensuring a consistent approach is taken in tackling alcohol related violence, disorder and anti-social behaviour linked to licensed premises.

We will be actively involved in the evaluation of minimum unit pricing of alcohol, and we will ensure that our people are kept fully informed regarding any changes to licensing legislation, and the tactical options available to them by way of a refreshed 'alcohol toolkit'.

By working closely with the licensed trade we seek to improve licensing standards in premises by continuing the proactive approach adopted by the Divisional Licensing Team, maintaining a robust inspection policy throughout the Division to identify any potential shortcomings with appropriate reporting to the Licensing Board as required.

The Divisional Licensing Team continue to increase their proactive approach across the area with more days of action, education seminars and better use of enforcement options available to us.

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,

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licence holders and licensed premises staff have a better understanding of their responsibilities. We look forward to furthering this partnership over the coming year.