



# **POLICE SCOTLAND**

Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE  
HIGHLAND COUNCIL LICENSING BOARD  
FOR THE PERIOD  
1<sup>ST</sup> APRIL 2016 to 31<sup>ST</sup> MARCH 2017



# Highland

## 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 Highland Council Licensing 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 understate 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 North Division, Highland.

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

North Division is further divided into four local authorities; Shetland, Orkney, Western Isles and Highland. This report relates to the Highland policing area and licensing board.

## **LOCAL POLICING PRIORITIES**

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

- Protecting People
- Reducing Antisocial Behaviour
- Reducing Violence
- Tackling Substance Misuse
- Making our Roads Safer
- Tackling Serious Organised Crime



On 31<sup>st</sup> March 2017 there were a total of 1244 licensed premises within the Highland area with the Highland Regional Council having issued 3,091 granted personal liquor licenses.

With so many licensed premises being distributed over such a large geographical area this can provide a challenge for policing of the said premises. This is overcome through excellent community engagement, sound liaison and partnership working with licensees, their staff, Licensing Standards Officers, The Highland Licensing Forum and groups such as Pub Watch.

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

### **INTRODUCTION**

The Licensing (Scotland) Act 2005 is underpinned by five licensing objectives which must be adhered to at all times

- Preventing Crime and Disorder
- Securing Public Safety
- Preventing Public Nuisance
- Protecting and Improving Public Health
- Protecting Children from Harm

These licensing objectives also tie into the local policing priorities.

Incidents reported to, or attended by, Police Scotland, which occur within a licensed premise, whether resulting in a crime or not, are recorded on the Police Scotland National Licensing database, InnKeeper. InnKeeper is reviewed on a daily basis by members of the divisional licensing team. Should any incidents suggest the licensing objectives are not being met interaction will take place between Police Scotland and the licensee or staff with a view to rectifying the issue by providing advice or guidance.

Should such incidents fail to be rectified, or should they be of a serious nature, then direct intervention will take place by members of the divisional licensing team in conjunction with the Area Commander for the given area.

### **PARTNERSHIPS**

Police Scotland North Division and their licensing team maintain an excellent relationship with the Highland Regional Council licensing team and Licensing Standards Officers. There is almost daily liaison between Police Scotland North Division and Highland Regional Council licensing teams and regular collaboration is maintained with Licensing Standards Officers including joint visits to licensed premises.

Pub Watch schemes in the Highland Area are supported and attended by North Division Police Officers. Best Bar None plays an important part in the Inverness night time economy, supported via the Inverness Pub Watch scheme.

Police Scotland North Division also maintains a very healthy relationship with the Highland Licensing Forum. Following recent meetings of the Highland Licensing Forum information has been disseminated regarding the possibility of organising a National Licensing Forum where the Highland Forum would be part of a louder voice to be heard at a National level, a move North Division are supportive of.

An excellent working relationship has continued to develop between North Division licensing team and staff from the Security Industry Agency (SIA) with one of their preventions and interventions officers providing an extremely informative presentation to the joint meeting of the Highland Licensing Board and the Highland Licensing Forum.

North Division Counter Terrorism Security Advisors provided an in-depth presentation around the night time economy to Pubwatch, with a similar presentation having been given to the Highland Licensing Board, under the banner of Operation Contest, to co-ordinate intelligence gathering and activity relating to Counter Terrorism.

## **PROBLEM SOLVING**

On 14<sup>th</sup> March 2016, Police Scotland launched InnKeeper, a national licensing database. Over the period of this report, 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017, North Division Licensing Team have worked tirelessly to fully adopt the system and carry out back record conversion.

InnKeeper back record conversion meant uploading details of every licensed premise and every personal liquor licence onto the system, along with attaching copies of the actual licences. Now, with the system little over one year old, all back record conversion of licence transfer from paper to digital has been completed.

All applications for grant or renewal of licences, variations, occasional licences and extensions are input into, and processed via, InnKeeper, along with ongoing licensing enquiries, premise inspections and incidents relating to licensed premises.

Over and above InnKeeper, Police Scotland has analytical products at its disposal to review crime and incident trends which may affect licensed premises.

North Division Licensing Team, in conjunction with North Division Preventions and Interventions Team, recently reviewed incidents of shoplifting which occurred from retail outlets, with the Licensing Team looking in particular at incidents relating to the theft of alcohol from these premises.

As a result of this analysis a direct link was established between thefts of alcohol from retail premises to incidents of disorder within a domestic environment.

As such, a meeting was set up which was attended by nine retail companies, with presentation given by a representative from Retailers Against Crime, Licensing Standards Officer, Inverness Area Commander, Preventions and Interventions Sergeant and Licensing Sergeant. Some excellent dialogue followed the presentation with work now ongoing with a view to reducing incidents of theft of alcohol which is anticipated to have a knock on effect in relation to domestic disorder.

## **SUMMARY**

The Licensing (Scotland) Act 2005 came into force in September 2009 and has moulded how licensed premises should operate. The five licensing objectives, as previously detailed, must be adhered to in all aspects regarding the sale of alcohol.

Proactive attendance by Police Officers when visiting a licensed premise are logged on the InnKeeper licensing database system. North Division officers have been recognised at a national level for the high standard they maintain in relation to visits to licensed premises. North Division has recorded approximately 23% of all licensed premises visits in Scotland which, given the area has approximately 9.4% of all licensed premises in Scotland, reflects the excellent working relationship and partnership enjoyed between North Division officers and the licensees and staff of our licensed premises. This excellent working relationship was highlighted during a meeting of Police Scotland and the licensing trade by the trade itself.

Incidents of Police involvement in relation to licensed premises are entered onto the InnKeeper database by the attending officer, the incidents are then reviewed by the North Division Licensing Team.

Low level and minor incidents are dealt with by the attending officers and do not normally require any follow up involvement from the Licensing Team. However, should an incident be of a serious nature, or should it appear to form a pattern of recurring behaviour or continuing breach of the licensing objectives, then intervention from the licensing team may be required.

Intervention by the licensing team will normally involve an inspection of the premise with guidance or advice being given to licensees and staff. This form of low level intervention is normally sufficient to rectify the problem and bring running of the establishment back in line with the licensing objectives.

Further options open to Police Scotland in relation to dealing with issues in and around licensed premises tend to form a sliding scale as follows.

Monitored Licensed Premises – are premises which require additional supervision or support and may include a tasked inspection program.

Formal Intervention Agreement with Licensed Premises – where issues have been identified within premises a Formal Intervention Agreement can be put in place between the licensed premise, the Area Commander and Divisional Licensing teams to work together to resolve the issues.

Problematic Licensed Premises - should an incident be of such a serious nature or when previous interaction and/or intervention has failed then a premise may be classed as a problematic premise.

It is normal procedure to move through the different forms of intervention although in some extreme cases it may be prudent to move straight to requesting a review by the licensing board.



During the period of this report only one premise and its designated premises manager have been reported to the licensing board for consideration of review. Following review of both licences the board took the decision to revoke both the premise licence and the personal liquor licence held by the designated premises manager.

Given the large number of licensed premises distributed over an extremely large geographical area, crimes, offences and disorder within those premises remain low. Figures specific to the Highlands are

Drunk and attempt to enter licensed premises	1
Disorderly conduct on licensed premises	10
Refusing to quit licensed premises	75
Licensee/employee/agent licensing offence	2
Sale of alcohol to person under 18	1
Purchase alcohol for person under 18	4

These low figures are testament to the hard work, diligence and partnership working shown by licensees and their staff, the processes and policy set by and adhered to by the Highland Licensing Board, Highland Council Licensing staff, Licensing Standards Officers, Highland Licensing Forum and Police Scotland North Division.

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

All five licensing objectives can be directly linked to preventing the sale or supply of alcohol to children or young people. Current intelligence does not suggest this is a major issue in the Highland area.

Test purchase operations are utilised to test the integrity of licensed premises and their age verification policy. Test purchase operation are only used in relation to off sales premises.

During the course of this report there were 5 test purchase operations completed with only 1 premise failing, the said premise passed on its second test. The number of test purchase operations was reduced from the previous year due to the youths used for the operations falling out with the age bracket allowed for the test purchase operation to take place. There is only a 6 month window of opportunity for youths to be used. Work is currently ongoing to recruit new volunteers with a number of home visits being progressed.

On every occasion a child or young person comes to the adverse attention of Police in relation to incidents where alcohol is involved their details are entered into the Vulnerable Persons Database (VPD) and the information is shared with partner agencies such as Social Work, Education and Health. This process is utilised so as to find ways to work with the child or young person rather than criminalise them.

Police Scotland North Division in conjunction with Highland Council, Barnardo's and Child Protection Consortium have collaboration to provide training courses in relation to Child Sexual Exploitation awareness. These courses have been provided to licensees and their staff to raise awareness in relation to Child Sexual Exploitation. These courses have been extremely well received by licensees and their staff.

## **TACKLING SERIOUS AND ORGANISED CRIME**

Police Scotland North Division continues its fight against Serious and Organised Crime Groups (SOCG) in the Highland Area with the Licensing Team assisting in this fight by scrutinizing all applications for licences. All Police systems are checked with applicants being interviewed and premises inspected. Intelligence is reviewed in the event a member of an SOCG has utilised an associate to apply for a licence as an apparent legitimate front.

North Division Licensing Team and Intelligence Unit work closely together with a view to establishing early warning or indication of links between SOCG's and the licensing trade.

North Division Police have been a driving force behind multi-agency task teams, including Her Majesty's Revenue & Customs (HMRC), Home Office Immigration, Local Authority, Licensing Team and other agencies, who have performed joint, intelligence led, operations. However, during the period of this report, intelligence directed this task team to civic licences only with no specific intelligence pointing towards direct involvement between SOCG's and liquor licensed premises.

There can be no complacency however and North Division Licensing Team will continue to vehemently interrogate intelligence systems and sources for any possible links between SOCG's and the liquor licence trade.

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

North Division licensing team will continue to process licensing enquiries in a streamlined manner by use of the InnKeeper Database. They will utilise all means at their disposal to perform those enquiries and continue in their battle to keep Serious and Organised Crime Groups out of the licensing trade in their area.

All adverse incidents connected to licensed premises will be reviewed to ensure the appropriate advice, guidance or enforcement is provided in relation to premises or persons who fail to adhere to the licensing objectives. North Division Police Officers will continue to be supported in their proactive visits to licensed premises where they continue to build on the excellent working relationship they have developed between licensees and their staff.

The licensing team will continue to support the flexi team who coordinate Test Purchase Operations and assist in any way possible as they strive to enlist the support of willing young volunteers to partake in this extremely important and rewarding activity.

Following a link being established between the theft of alcohol from retail establishments and disorder in a domestic environment, work is to be undertaken to look at preventative measures to reduce this problem. This will involve considerable interagency work between North Division licensing team and crime prevention officers, Licensing Standards Officers and retailers.

## **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 Policing 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.