

# Public Document Pack



To: Kenneth McGeough, Convener; Sarah Wheeler, Vice Convener; and Peter Benton, Barbu Dragosflorin, Ken Eddie, Tara-Erin Gilchrist, Shamini Omnes, Emily Queen, Diane Sande, Miriam Smith and Heather Wilson.

Town House,  
ABERDEEN 2 November 2017

## LOCAL LICENSING FORUM

The Members of the **LOCAL LICENSING FORUM** are requested to meet in **Soul Bar, 333 Union Street, Aberdeen** on **THURSDAY, 9 NOVEMBER 2017 at 2.00 pm.**

FRASER BELL  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### **B U S I N E S S**

- 1 Minute of Meeting of 22 August 2017 - for approval (Pages 5 - 12)
- 2 Draft Minute of joint meeting between Local Licensing Forum and Licensing Board of 31 August 2017 - for noting (Pages 13 - 20)
- 3 Matters Arising
- 4 Membership Updates
- 5 Presentation by Public Health (Pages 21 - 24)

### **INTELLIGENCE (TO INFORM THE WORKING GROUP OF THE LICENSING FORUM)**

### **LICENSING OBJECTIVE 1 : PREVENTING CRIME AND DISORDER**

6.1 Update from Police Scotland

6.2 Chief Constables Report - Aberdeen 2016/17 (Pages 25 - 36)

### **LICENSING OBJECTIVE 2 : SECURING PUBLIC SAFETY**

6.3 Update from Licensing Standards Officer

### **LICENSING OBJECTIVE 3 : PREVENTING PUBLIC NUISANCE**

6.4 Update from Unight Representative

### **LICENSING OBJECTIVE 4 : PROTECTING AND IMPROVING PUBLIC HEALTH**

6.5 Update from NHS Grampian and Alcohol and Drugs Partnership (Pages 37 - 44)

### **LICENSING OBJECTIVE 5 : PROTECTING CHILDREN FROM HARM**

6.6 Update from Children's Services Representative

6.7 Become an Unfeartie - Email from Catrin Jeans, Children's Parliament - for consideration (Pages 45 - 46)

7 Progress Statement (Pages 47 - 50)

8 2018 Meeting Dates

It is proposed that the Local Licensing Forum should meet on the following dates during 2018 - for discussion:

31/01/18 – 2pm

28/03/18 – 2pm

30/05/18 – 2pm

29/08/18 – 2pm

28/11/18 – 2pm

Venues to be arranged by mutual consent.

EHRIA's related to reports on this agenda can be viewed at  
[Equality and Human Rights Impact Assessments](#)

To access the Service Updates for this Committee please use the following link:  
<https://committees.aberdeencity.gov.uk/ecCatDisplayClassic.aspx?sch=doc&cat=13450&path=0>

Website Address: [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Should you require any further information about this agenda, please contact Iain Robertson, tel. 01224 522869 or email [iairobertson@aberdeencity.gov.uk](mailto:iairobertson@aberdeencity.gov.uk)

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## LOCAL LICENSING FORUM

2pm, Tuesday 22 August 2017

Town House, Aberdeen

Members present: Insp Kenneth McGeough (Police Scotland), Convener; Sarah Wheeler (Unight), Vice Convener; and Fiona Cochrane (Aberdeen Samaritans, for items 1-6, as substitute for Peter Benton), Ken Eddie (Civic Forum), Shamini Omnes (Aberdeen City Health and Social Care Partnership), Emily Queen (Community Safety Partnership), Diane Sande (Licensing Standards Officer, for items 1-5) and Miriam Smith (Education and Children's Services, Aberdeen City Council (ACC)).

Also present: Iain Robertson and Garry Watson (Committee Services, ACC), Catrin Jeans (Children's Parliament) and Nicola Johnston (Aberdeen Inspired).

Apologies: Peter Benton, Heather Wilson, Rebecca Eldon, Laura Bailey and Steven Stark.

	Item	Discussion	Action / Decisions	To be actioned by
1	<b><u>Minute of Meeting of 24 May 2017</u></b>	The Forum had before it the minute of the previous meeting.	<p>With reference to item 1, to note that Mr Mongru's name was spelled incorrectly and to instruct the Clerk to make the necessary revisions;</p> <p>To revise item 1 to read "<i>that the assessment may produce recommendations for the Board's consideration but confirmed that a report would first be submitted to the Forum to develop and endorse the final recommendations of the Health Impact Assessment</i>";</p> <p>To revise item 10 to read that "<i>a series of public engagement events had been scheduled to provide a forum for community engagement and feedback in identifying local health and wellbeing priorities</i>"; and</p> <p>Otherwise approve the minute as a correct record.</p>	I Robertson

	Item	Discussion	Action / Decisions	To be actioned by
2	<b><u>Matters Arising</u></b>	<p>With reference to item 5, the Convener noted that no response had thus far been received from Cllr Boulton with regard to his letter sent on 27 June 2017. The Forum agreed that this was disappointing and resolved to raise this issue at the Joint Licensing Meeting;</p> <p>With reference to item 5, to note that the Joint Meeting had been rearranged for 31 August 2017;</p> <p>With reference to item 5, the Clerk advised that he had liaised with the Vice Convener and confirmed that pending final checks the next meeting of the Forum would be held at Soul Bar;</p> <p>With reference to item 5, Emily Queen advised that an off sales representative had not been identified yet but she would continue to engage with the trade to source a nomination; and</p> <p>With reference to item 5, Miriam Smith explained that she had identified a potential Young Person's representative to the Forum but confirmed that they had submitted apologies to today's meeting. Ms Smith was hopeful that the nominated Young Person's representative could attend November's meeting.</p>	<p>To note that Communication between the Licensing Board and Forum would be an agenda item at the Joint Licensing Meeting on 31 August 2017;</p> <p>To instruct the Clerk to confirm the November meeting venue and inform members as soon as possible; and</p> <p>To request Emily Queen to get in touch with an umbrella group representing Aberdeen off sales premises with a view to identifying an off sales representative to the Forum.</p>	<p>I Robertson</p> <p>G Watson/S Wheeler</p> <p>E Queen</p>
3	<b><u>Communication Strategy</u></b>	<p>The Convener advised that he supported the greater use of the media to expand the Forum's profile and increase its capacity to engage potential partners and reach the wider public. As such, the Forum would be required to develop and agree a Communications and Information Sharing Protocol.</p>	<p>To instruct the Convener to draft an outline of the Forum's purpose, its membership needs and future intent for discussion amongst members;</p> <p>To instruct Miriam Smith to draft a survey to support the recruitment of new Forum</p>	<p>K McGeough</p> <p>M Smith</p>

	Item	Discussion	Action / Decisions	To be actioned by
		Members agreed that the Forum's priorities should be to attract Community Council, Young Person's and Off Sales representatives; and requested that the Convener and Miriam Smith prepare the framework for the development of a Communications and Information Sharing Protocol.	members; and  To note that Website Development would be an item for discussion at the Joint Licensing Meeting on 31 August 2017.  <b><u>The Forum Resolved</u></b>	
4	<b><u>Membership Updates</u></b>	The Clerk noted that Laura MacDonald had resigned from Community Council Forum and could no longer be a member of the Licensing Forum. He advised that he was in discussions with the Council's Community Council Liaison Officer with a view to identifying a new representative to the Forum.	To instruct the Clerk to contact the Council's Community Council Liaison Officer with a view to identifying a new Community Council representative to the Forum.	I Robertson
5	<b><u>Ask Angela Campaign</u></b>	The Convener advised that Rebecca Eldon had sent her apologies for today's meeting and requested that the presentation be deferred until the Forum's next meeting in November.  Thereafter members were provided an information leaflet on the Ask Angela campaign and intimated their support for the initiative.	To defer the Ask Angela presentation to the Forum's next meeting;  To source the number of calls made to Aberdeen Taxis under the Ask Angela initiative; and  To request that members circulate the information leaflet around their respective workplaces.	G Watson  E Queen  All Members
6	<b><u>Preparation for Joint Meeting with Licensing Board</u></b>	The Clerk advised that he met with legal officers who supported the Licensing Board and explained that following feedback from Forum members the following agenda items had been agreed thus far:-  <ul style="list-style-type: none"> <li>• An update from the Depute Clerk to the Licensing Board;</li> <li>• A progress update on the Statement of</li> </ul>	To note the update.	

	Item	Discussion	Action / Decisions	To be actioned by
		<p>Licensing Policy Review;</p> <ul style="list-style-type: none"> <li>• The Forum's role during consultation;</li> <li>• The Forum's role in the wider licensing process;</li> <li>• Communication between the Board and the Forum;</li> <li>• Evaluating the effectiveness of the Board through an annual performance report; and</li> <li>• Recent trends in alcohol consumption</li> </ul> <p>The Clerk highlighted that the agenda was being finalised but there was still an opportunity to shape the agenda and noted the deadline would be 12pm on 23 August 2017.</p> <p>Thereafter members discussed issues they intended to raise at the Joint Meeting, with particular focus on whether the Board would consider adding criteria within the new SLP to oblige applicants to demonstrate compliance with best practice and industry standards.</p>		
7	<b><u>Alcohol Related Support</u></b>	<p>Miriam Smith provided an overview of the data collection process and the statistics produced by the Children's Social Work service and highlighted the number of children and families being supported by the service.</p> <p>Catrin Jeans (Children's Parliament) summarised the purpose of the Children's Parliament and advised that issues relating to alcohol misuse and licensing had been a common issue raised by young people as an area of concern which negatively impacted on their feelings of comfort and safety within local communities. She added that through their engagement work, young people responded</p>	<p>To note the report and the information provided;</p> <p>To request Catrin Jeans to circulate web links on the purpose and work of the Children's Parliament; and</p> <p>To instruct the Clerk to liaise with Catrin Jeans to identify a suitable date and forum for further engagement with the Children's</p>	<p>C Jeans/ I Robertson</p> <p>G Watson / C Jeans</p>



	Item	Discussion	Action / Decisions	To be actioned by
		that they wanted fewer licensed venues; less drinking in public parks; and fewer instances of public drunkenness and volatility. Ms Jeans circulated information on Aberdeen's Imagineers and noted that she would welcome further engagement with the Forum to support Imagineer aims particularly as 2018 was the Year of Young People in Scotland.	Parliament/Aberdeen Imagineers.	
8	<b><u>Update from Police Scotland: Licensing Objective 1: Preventing Crime and Disorder</u></b>	The Convener provided an update on police operations intended to support a safe and secure fresher's week; and advised that the Chief Constable's annual report to the Licensing Board had been completed and would likely be submitted to the Board's next meeting on 10 October 2017.	To note the update.	
9	<b><u>Update from Licensing Standards Officer: Objective 2: Securing Public Safety</u></b>	No update.		
10	<b><u>Update from Unight Representative: Licensing Objective 3: Preventing Public Nuisance</u></b>	The Vice Convener (Unight) noted that Unight organisations had received bystander training and guidance on suicide awareness. She added that the next Unight meeting was on 29 August 2017.  Emily Queen highlighted that the Community Safety Partnership was co-ordinating with Unight in preparation for the upcoming university fresher weeks and Offshore Europe.	To note the update.	
11	<b><u>Update from NHS Grampian and Alcohol and Drugs</u></b>	Shamini Omnes (Aberdeen City Health and Social Care Partnership) highlighted three reports that had recently been published: (1)	To note the update;	

	Item	Discussion	Action / Decisions	To be actioned by
	<b><u>Partnership: Licensing Objective 4: Protecting and Improving Public Health</u></b>	<p><i>Monitoring Scotland's Alcohol Strategy (MESAS) 2017</i> presented headline statistics for high level indicators relevant to outcomes that the national alcohol strategy sought to achieve; (2) <i>Anytime, Anyplace, Anywhere</i> compared and assessed Australian and UK licensing policies. The report produced an alcohol availability scorecard which evaluated 14 alcohol control policies for their effectiveness in reducing harm and value for money; and (3) Alcohol Related Deaths Statistics – 2 August 2017 found there were 1,265 alcohol related deaths in Scotland which equated to a 10% increase from the previous year. This was the highest annual increase in deaths since 2010.</p> <p>Ms Omnes also provided a progress update on Health Impact Assessments and noted that the survey response rate amongst the target groups had been disappointing thus far, particularly from the licensed trade.</p>	<p>To instruct the Clerk to circulate the three reports referenced in the update;</p> <p>To instruct the Clerk to add Health Impact Assessments as an agenda item for the Forum's next meeting; and</p> <p>To request that Emily Queen facilitate a meeting between Rohan Mongru and the Torry Alcohol Action Group.</p>	<p>I Robertson</p> <p>G Watson</p> <p>E Queen/S Omnes</p>
12	<b><u>Update from Children's Services Representative: Licensing Objective 5: Protecting Children from Harm</u></b>	No further update.		
13	<b><u>Progress Statement</u></b>	The Forum had before it the Progress Statement.	To note the Progress Statement.	
14	<b><u>Date of Next Meeting</u></b>	The Clerk requested that the date of the next meeting be moved from Wednesday, 8 November to Thursday, 9 November to avoid	To agree to reschedule the Forum's next meeting to 9 November 2017.	I Robertson

	Item	Discussion	Action / Decisions	To be actioned by
		a clash with the Council's Communities, Housing and Infrastructure Committee.  <u><b>INSP KENNETH MCGEOUGH, Convener</b></u>		

If you require any further information about this minute, please contact Iain Robertson, tel. 01224 522869 or email [iairobertson@aberdeencity.gov.uk](mailto:iairobertson@aberdeencity.gov.uk)

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## JOINT MEETING – LOCAL LICENSING FORUM AND LICENSING BOARD

ABERDEEN, 31 August 2017, Minute of Meeting of the JOINT MEETING - LOCAL LICENSING FORUM AND LICENSING BOARD. Present:- , Councillors Boulton Convener; and Councillor Lesley Dunbar, Greig and McLellan, and Peter Benton, Paul Clarkson, Tara-Erin Gilchrist, Nicola Johnston, Sgt Stuart McAdam, Inspector Kenny McGeough, Shamini Omnes, Emily Queen, Miriam Smith, Sarah Wheeler and Heather Wilson. Officers in attendance:- Arlene Dunbar, Karen Gatherum, Alexander Munro, Iain Robertson, Gillian Scott and Jennifer Wilson.

Apologies: Councillors Cameron and Townson and Diane Sande, LSO.

### WELCOME AND INTRODUCTIONS

1. Councillor Boulton took the chair and welcomed everyone to the annual joint meeting of the Licensing Board and the Local Licensing Forum

### MINUTE OF PREVIOUS MEETING

2. The Joint Meeting had before it the minute of its previous meeting of 08 June 2016.

With reference to article 18 – AOCB, it was noted that the text should read ‘low risk alcohol consumption’ and not ‘safe alcohol consumption’ as set out in the minute.

### The Joint Meeting resolved:-

Subject to the correction at article 18 to approve the minute as a correct record.

### UPDATE FROM LICENSING TEAM

3. Alexander Munro, Solicitor, provided the Joint Meeting with an update on licensing developments. He advised that the licensing team were now up to their full complement of staff and that Jennifer Wilson had been appointed as the Licensing Team Leader.

Mr Munro informed the Joint meeting that the Licensing Board had held a mini licensing conference in March. The conference was attended by Board members and Licensing Standards Officers from Aberdeen City, Aberdeenshire and Moray as well as partner organisations including Police Scotland, NHS Grampian, the Licensing Forum and local licensing solicitors. The event was a great success and it is hoped that it will become a regular event.

## **JOINT MEETING – LOCAL LICENSING FORUM AND LICENSING BOARD**

### **31 August 2017**

Mr Munro provided an update on the main provisions of the Air Weapons and Licensing (Scotland) Act (2015) in force as it pertained to licensing. He advised that the Licensing Board was required to produce an annual report on the Board's functions and finance and that the first financial report was available on the Board's website. He commented that it may be a few years until any meaningful data from this report is produced. The fit and proper test having regard to the licensing objectives has been introduced to the Licensing (Scotland) Act 2005. Aberdeen City Board has not had to consider any cases to date involving the fit and proper test and Mr Munro commented that he was not aware of any cases nationwide.

The Licensing Board's new policy statement requires to be updated by November 2018; the statement will undergo some major changes to the format and will include a functions report setting out how the Board is performing in respect of each Licensing Objective. In the interim the Board are in the process of updating its Overprovision policy for off consumption premises. The Board have agreed that the whole of the Board's area is over provided for and a consultation exercise will take place in the coming weeks.

#### **The Joint Meeting resolved:-**

- (i) to note the update from the licensing team.

### **FORUMS ROLE IN CONSULTATION**

4. Inspector McGeough advised the Joint meeting that in his capacity as Convener of the Licensing Forum he had written to the Licensing Board on 26 June 2017 regarding the Forum's role in consultation and to date had not received a response.

Mr Munro advised that the Licensing Board would welcome written responses; however these could be in the form of a letter or an email. The Convener commented that any response from the Forum should be representative of the views of the Forum as whole and not just particular interest groups from within the Forum. The Forum represents a variety of interest groups and the Board would wish to ensure that all of those views are reflected in its Policy statement.

Inspector McGeough acknowledged that the Forum had not always been successful at reflecting the views of all of its members. He advised that it is the intention to recruit more members to it, carry out some media and social media activities to promote the work of the it and to work with the membership to ensure that the Forum is more successful in carrying out its functions. He added that it within a year it is planned

## **JOINT MEETING – LOCAL LICENSING FORUM AND LICENSING BOARD 31 August 2017**

that the convenership of the Forum would be passed over to a licensing trade representative.

Inspector McGeough considered that it would be useful for the Forum to have a page on the Council website. Iain Robertson commented that the Council website was undergoing a redesign at the moment but that the possibility of page for the Forum could be explored.

### **The Joint Meeting resolved:-**

- (i) to explore the possibility of the Forum having a webpage within the Licensing section of the Council website .

### **FORUMS ROLE IN WIDER LICENSING PROCESS**

5. Inspector McGeough commented that the Forum had not been in a position to carry out their role effectively; however this was the case for many forums across the country. In this regard he advised that the Forum could review its constitution. Iain Robertson advised there may be some scope to review the local arrangements however; some aspects of the constitution are set out in Licensing (Scotland) Act 2005.

Peter Benton commented that when the Forum provided information or feedback to the Licensing Board it would be useful for the Forum to learn how valuable or otherwise that information or feedback has been.

### **EFFECTIVENESS OF THE BOARD**

6. Mr Murno advised that the Board's Policy Statement which will be published in November 2018 would contain statements on how the Board intend to meet each of the licensing objectives and set benchmarks to measure the effectiveness of the Board. It is hoped that this will allow the Forum and others to evaluate the effectiveness of the Board more easily.

Inspector McGeough felt it would be useful if a Board Member attend each Forum meeting in order to answer any questions from them.

Mr Munro advised that a Board member cannot be a member of the Forum and advised that the Licensing Team would consider the position and revert back to the Forum.

## **JOINT MEETING – LOCAL LICENSING FORUM AND LICENSING BOARD 31 August 2017**

### **The Joint Meeting resolved:-**

- (i) To request that the Licensing Team investigate the possibility of a Board Member attending Forum meetings and revert back to the Forum.

### **COMMUNICATION BETWEEN BOARD AND FORUM**

7. Inspector McGeough considered that communication between the Board and the Forum could be improved. He cited examples of correspondence from the Forum that had either gone unanswered from the Forum to the Board or had taken several months to receive a response. Mrs Dunbar had advised that the Licensing Team had been extremely short staffed during 2016 but were now fully staffed and she considered that there should be no further issues with communication. It was suggested that Conveners of the Forum and Board could endeavour to meet on a regular basis to strengthen communication between the two bodies.

### **The Joint Meeting resolved:-**

To look into the possibility of the Conveners of the Forum and the Board meeting on a regular basis to improve communication between the two bodies.

### **WIDER DISCUSSION ON RECENT TRENDS ON ALCOHOL CONSUMPTION**

8. The joint meeting heard from Heather Wilson who provided an update on the latest Scottish health statistics. Ms Wilson advised that Aberdeen was climbing the league table for alcohol related stays in hospital and were currently sitting at 6<sup>th</sup> in the league table. She advised that for this year the admission rates were worse than the Scottish average and that there had been a 33% increase in alcohol related deaths. She commented that Scotland as a whole is badly placed compared to the rest of the UK and compared to Western Europe. Finally she advised that 74% of alcohol is purchased for consumption at home.

Councillor Greig considered that it would be useful for the Board to have more analysis for these figures, looking at the reasons why there has been an increase in alcohol related deaths, cases studies on domestic violence and the off sale trade for example.

Miriam Smith advised that there is some data available for social work regarding the number of looked after children where alcohol is a contributing factor and attempts could be made to map this data.

Paul Clarkson commented that many of the statistics related to off-sales but he felt that the on trade were bearing the majority of the responsibility.



## **JOINT MEETING – LOCAL LICENSING FORUM AND LICENSING BOARD**

### **31 August 2017**

Ms Wilson advised that the NHS' position was that any increase in availability was detrimental to health. Shamini Omnes advised that the NHS were doing some work on impact assessments and would welcome input from the trade.

Inspector McGeough commented that preloading was an issue from Police Scotland and acknowledged that this for an issue from the on trade.

Councillor Donnelly highlighted that the Board were aware of the economic downturn and asked about the number of patrons refused entry to premises because of intoxication.

Emily Queen advised that there was good practice across the city and that there was a variety of methods used to record refusals including manually and at till points. She advised that best bar none and Unight would be willing to come to the Board to discuss these practices with the Board.

Councillor McLellan asked the trade representatives what customers were looking for in terms of licensing hours.

Sarah Wheeler considered that there was a move away from the traditional nightclub and that people were looking for longer hours in bars and lounge bars where they could enjoy music and entertainment. Nicola Johnston agreed that there are a large number of international students who have a different attitude to alcohol and are more interested in the social aspects and are looking to stay in bars longer.

### **BOARD PROCEEDINGS**

**9** Mr Munro advised that the Board had made some amendments to the proceedings before the Board. The Board have already agreed to some changes to make the proceedings less formal including removing the requirement for Solicitors to wear gowns at meetings of the Board. Changes have been made to hearing of objections and summing up procedures and a new scheme of delegation is in the process of being drafted.

**The Joint Meeting resolved:-**  
to note the position.

### **AOCB**

**10.** Equalities & Mainstreaming Report

**JOINT MEETING – LOCAL LICENSING FORUM AND LICENSING BOARD  
31 August 2017**

Iain Robertson advised that the Board's Equalities and Mainstreaming Report would be circulated to the Forum for consultation and that responses should be feedback to the Board as soon as possible.

Communication between the Board and Trade

Sarah Wheeler advised that communication between the Board and trade was poor. She cited the recent General Direction for Off-Shore Europe and the lack of information to the trade regarding the Direction. Mrs Dunbar advised that the information was to be published on the Board's website and enquired what the preferred method of communication would be. The trade indicated that that their preferred method would be by email. Mrs Dunbar advised that the Licensing Team did not hold email address for all licensed premises and it was difficult to keep such a list up to date. Councillor Boulton noted the comments about communication. Iain Robertson suggested that the Convener of the Forum and Chair of Unight be added to the Board's agenda distribution list.

**The Joint Meeting resolved:-**

to add the Convener of the Forum and the Chair of Unight to the Board's agenda distribution list.

- **MARIE BOULTON , Convener**

**JOINT MEETING – LOCAL LICENSING FORUM AND LICENSING BOARD  
31 August 2017**

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## Health Impact Assessment of Alcohol Licensing in Aberdeen City – Results Summary

29<sup>th</sup> October, 2017

This document summarises the major themes identified by the health impact assessment of alcohol licensing in Aberdeen City conducted in 2017. The full report contains details of the methods and quotes used and is available from the Clerk and details the methods used and the quotes used to draw conclusions. **Bold points** were mentioned multiple times or considered to be of importance after discussion among the researchers.

Two broad themes are described which reflect the topics discussed. *Theme A* relates to specific parts of the Statement of Licensing Policy for Aberdeen City 2013-16. *Theme B* covers each of the licensing objectives in turn.

### Theme A. Statement of Licensing Policy

#### 1. Applications and objections

The *applications process* was thought to be lacking in transparency with regards to the guidelines followed in making decisions as well as containing a number of administrative difficulties. **Community councils in particular spoke the delays they have in receiving notifications (via 2nd class mail) and the short time they have to respond.** They've noted decisions being made in their absence and premises opening up in their locality that they would have objected to. The Board isn't obliged to wait for their response. Some of these issues are mitigated by licence toolkit training but not every board has taken part in this. Often, the community council does not meet before the scheduled Licensing Board meeting posing challenges in forging timely and representative replies.

There is a perception that powerful legal representation, as well as having time to prepare responses, can also push through the applications of large clients with the resources to hire them. The on-sales trade representative had attended Board meetings and thought that the **objections are easy to dismiss** from environmental health, the Police and public health as being too general for a given premises. The decisions on occasional and extended hours licence applications often take a protracted amount of time with the final decision heard close to the date itself affecting the venue's preparations. The trade and community councils had engaged in applications and objections, respectively, in the past. **They would prefer some indication of how the application was progressing, as well as feedback on how the final decision was made.** This could be via an update system on the website stating which stage an application had reached, or correspondence to indicate that an application had been received and was under consideration.

#### 2. Enforcement and review

City centre premises received a number of **spot checks** often at peak times by the Police and occasionally by Licensing Standards Officers. There is a process for the Police to monitor off-sales sites but usually only after a complaint is made. A commonly held view was that that training for on-sales staff was more rigorous and there was greater enforcement of standards in on sales premises, particularly those opening late in the city centre than in off-sales premises.

**Questions were made about the level of training in off-sales establishments and if these sites should have more awareness training to recognise when people should not be served.**

### 3. Hours of trading

A view was expressed by the recovery group that there were certain times of day when some vulnerable groups (e.g. schoolchildren petitioning adults) buy alcohol.

The only argument made in favour of **extended hours** of trading (outside of more business) was the possibility of patrons *slowly dispersing* home rather than all leaving at the same time. *Staggered closing times* was proposed (and has been tried in other cities e.g. Glasgow) but the Police representative thought this meant the latest closing venue became overcrowded and described situations where **intoxicated people hanging around and within food vendors after licensed venues had closed as a source of potential public disorder.**

### 4. Overprovision

All community groups interviewed recognised the decline in on-sales sites and increase in the number of off-sales premises. **Supermarkets were mentioned as making alcohol easier and cheaper to obtain and always succeeding at obtaining or making major changes to their licence.** The group representing individuals in recovery from alcohol dependence had members of all ages, both genders and from a variety of social backgrounds who lived across the city. **The group unanimously reported at least two off-sales sites within five minutes walk of their home.** Their chances of trying to address their addiction and reintegrate into community life are threatened by this proximity to alcohol.

## Theme B. Licensing Objectives

### 1. Preventing crime and disorder

Crimes listed included violent crimes and public disturbances such as street-drinking.

**Challenge 25 was found to be strictly enforced in most premises including off-sales sites** - this was put down to the salesperson risking the fine and a criminal record. **Bans** were used by a number of on and off-sales sites but were found to be less effective in the latter and were usually of shorter duration.

### 2. Securing public safety

This section mainly covered the pioneering **Torry Alcohol Action Group (TAAG)** - on- and off-sales sites linked by RadioLink with regular meetings of participants to discuss issues. It was working well with trouble kept to a minimum and bans working well but depends on the willingness of volunteers and most (if not all) establishments signing up. It is currently being re-started. The project had stopped due to a number of operational factors resulting in limited capacity to support it. It is considered by Torry Police to be an important project that engages the local community.

### 3. Preventing public nuisance

This was only mentioned in passing. Street-drinking was reported as being commonplace by some communities and required Police intervention. Drunken people could be found on public transport, especially at night; this was used by young people who couldn't get a lift from friends and who found taxis prohibitively expensive.

### 4. Protecting and improving public health

#### *Access and visibility:*

The children and young people's groups (CYP) reported that they still obtained their alcohol waiting outside shops and asking adults to buy for them. They would also raid their parents' cabinets and **mentioned a seller on Facebook**. Ordering alcohol as part of a takeaway delivery was another reported means by which CYP groups obtained alcohol.

The recovery group didn't think that reducing shelf space or hiding alcohol would deter them from buying but thought it would deter impulse buys. They also noticed alcohol being placed in prominent positions *e.g.* end of aisles. One man thought that it was odd that there was no limit to the alcohol that could be bought in one purchase - "enough to kill yourself". **This group also described how off-sales sites exploited their vulnerability by encouraging them to buy alcohol when they didn't want to, or to buy more; and to have their usual purchases ready for them in a bag when they came through the door.**

#### *Preloading:*

This was recognised as a common, current practice but some issues were highlighted including how they become the problem of the on-sales site when they enter it and how difficult and time-consuming this situation can be to manage.

#### *Education:*

It was thought that the amount of alcohol education in schools and delivered to children and young people is minimal compared to drugs education. The **community councils also used to provide information through community centres** which was thought to combat alcohol use in children and young people and provide alternative activities to drinking.

#### *Normality of alcohol and its central role in making and sustaining social relationships.*

This section mainly provided an appreciation of drinking being a normal thing to do, even in young people's social circles - "everyone drinks". As a result, people in recovery spoke about having to avoid former friends who still drank or places that served alcohol.

#### *Pricing:*

Alcohol was bought from off-sales and consumed at home mostly due to **price and convenience**; supermarkets could undercut other vendors. **Customers prioritised buying alcohol for the cheapest price and consuming at home, rather than paying extra to enjoy the more social and convivial atmosphere of an on-sales venue.** A perception of the social workers was that **raising prices would disproportionately affect poorer people who would prioritise alcohol above essentials possibly resulting in them neglecting their children and other family members.**

#### *Drivers and non-drinkers:*

Everyone agreed that **free or cheaper drinks for drivers** / non-drinkers was a good idea. The range of drinks sold by on-sales reflects consumer choice and some soft drinks also appeal to drinkers. However, any drink sold must first be profitable for the vendor.

#### *Mental health:*

Alcohol was named by a number of groups as a **coping mechanism** for dealing with stressful issues in people's lives. It was related to **isolation and depression**; often for people without homes, jobs, victims of domestic abuse or other, similar situations. On-sales premises *e.g.* Unight members, are starting to train their staff to recognise mental health signs and to offer more appropriate support. **Social services described difficulties in accessing psychiatric care for vulnerable clients** where these services requested the person be sober (or drug free) for three months before a mental health assessment is possible.

#### *Social support:*

A number of services assisting vulnerable groups within Aberdeen City were highlighted and include those assisting people in recovery, homeless and victims of domestic abuse. These organisations are essential in navigating difficult and lengthy forms requiring many details and much personal information but also provide a point of social contact to mitigate the degree of isolation.

#### *Housing:*

Much of social support targeted housing to provide a stable basis for recovery and is a great concern when absent. **A number of those who had abused alcohol had periods of homelessness and sofa-surfing** and may engage in risky or criminal behaviour to obtain money for alcohol such as stealing or prostitution.

#### *Domestic abuse:*

One organisation who worked with homeless people specifically assisted those who had suffered domestic violence. **Alcohol may be the cause of the abuse or, conversely, a means of coping with it.** They described situations of victims of domestic abuse being housed in insecure, deprived areas where alcohol and drugs were present and where they were isolated without friends.

### 5. Protecting children from harm

There was concern that **"vulnerable adults"** were not considered and measures not taken to protect them from specific harms. They were aghast at **occasional licences** at school events (or other events aimed at children) where responsible adults had access to alcoholic drinks. However, they at least wanted some **awareness training** for the serving staff to recognise risky situations, whatever the venue. **They wondered if off-sales vendors received the same training as pubs.**

### Acknowledgements

The study team comprised: Rohan Mongru (Public Health locum, NHS Grampian); Shamini Omnes (Public Health Co-ordinator, Aberdeen City Health and Social Care Partnership); Heather Wilson (Health Improvement Officer, Alcohol & Drugs) and supervision was provided by Dr Tara Shivaji (Consultant in Public Health Medicine, NHS Grampian). Additionally, the results were kindly reviewed by Aidan Collins (Alcohol Focus Scotland).





**POLICE  
SCOTLAND**

Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE  
ABERDEEN CITY LICENSING BOARD  
FOR THE PERIOD  
1<sup>ST</sup> APRIL 2016 to 31<sup>ST</sup> 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 Aberdeen City Licensing Board 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 of the 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 East Division.

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

## **Local Policing Priorities**

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

- Antisocial Behaviour, Violence and Disorder
- Acquisitive Crime
- Protecting People at Risk of Harm
- Road Safety and Road Crime
- Serious Organised Crime
- Counter Terrorism and Domestic Extremism

## **Description of Board Area**

The Board area is the city of Aberdeen which is formed by two of the five Local Command policing areas within North East Division. Chief Inspector Kevin Wallace is the North Aberdeen Area Commander and Chief Inspector Martin MacKay is the South Aberdeen Area Commander.

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

The North East Division Licensing Team is led by Inspector Kenny McGeough who is based at Queen Street Police Office, Aberdeen. He is supported by Sergeants Kim Wood and Gill Flett, based at Stonehaven and Queen Street Offices respectively. Licensing enquiry officers and administrative staff are located across the Division in Elgin, Inverurie, Aberdeen and Stonehaven. All staff have a division wide remit and a working knowledge of all the areas covered.

### **Partnerships**

The North East Division Licensing team, supported by Community Policing Officers, has promoted the Police Service of Scotland's force priorities alongside the five licensing objectives, the overarching principles and aims of the Licensing (Scotland) Act 2005.

The team enjoys a strong working relationship with the Local Authority Licensing Standards Officers. Both teams meet on a regular basis to share information. Over the reporting period there were a large number of inspections carried out jointly to licensed premises in the Board area. Specific areas of concern which often prompts such visits can be information about a lack of robust management of premises or lack of compliance with conditions relating to CCTV.

The reporting period has seen a new and increased approach and focus on inspections of licensed premises during Local Days of Action, which were led by the North East Division Licensing Team, supported by the Licensing Standards Officers.

This approach has seen a more pro-active and operational role of the Divisional Licensing Team working more closely with Community Policing Teams and has reinforced the direct partnership working required for the meaningful policing of licensed premises.

North East Division Licensing Team is represented on the Local Licensing Forum and Aberdeen Alcohol and Drugs Partnership and works alongside the following groups and organisations to jointly improve local licensing issues:

- Licensing Standards Officers;
- Unight;
- Weekend Partnership;
- Torry Alcohol Action Group;
- Purple Flag;
- Community Safety Partnership;
- Local Pubwatch initiatives;
- Local Security Industry companies;
- Best Bar None;
- Street Pastors.

## **Problem solving**

Incident management is a critical aspect of our ongoing monitoring of licensed premises.

Any Police Officer who attends an incident at any licensed premises is expected to submit a concise report via the Innkeeper system, particularly when the incident involves violence, disorder, anti-social behaviour, drunkenness, drug misuse, underage drinking, breaches of licensing legislation or any other matter that might impact on the safety of the public.

The information obtained may show a causal link between the operation of the premises and the incident. An incremental intervention process allows for issues to be addressed quickly and effectively at an early stage. This includes a low level 'interaction' which may involve a discussion between the Police and the premises management and/or licence holder. The level of engagement from within the Aberdeen licensed trade is very good and in many instances, this approach reduces recurrence or escalation.

Premises may become 'monitored' with closer attention being paid to any incidents occurring there. This is often undertaken in conjunction with tasked, supportive visits to the premises by uniformed Police Officers.

However, where necessary, the staged process allows for more formal intervention to support premises where a need has been identified. A premises licence holder and the premises management may be asked to attend a meeting with the Police, where concerns will be discussed. This will often involve an agreed Action Plan being put in place, with a reasonable time scale for completion. The most common example of an agreed 'action' is refresher training of staff covering their responsibilities including the sale of alcohol to underage or intoxicated persons, 'Challenge 25' and the general terms and conditions of the licence held.

Should the intervention stage not bring about the necessary changes, or be otherwise unsuccessful, the next stage is the submission of a premises licence review application for the consideration of the Licensing Board.

Over the reporting period there have been twelve licensed premises in Aberdeen subject to a period of monitoring or intervention, all of which were concluded successfully, thus negating the need to bring to the Board's attention issues which may previously have been brought before them.

In the reporting period there was one premises licence review application submitted to the Board.

Police Scotland considers the licensed trade to be an active and receptive partner. Two examples of success in that area during the reporting period are illustrated as follows:

Over a period of three to four months, due to the use of incident reporting systems, North East Division Licensing Team became aware of an increase in incidents at a late opening venue in Aberdeen, whereby patrons had received injuries largely due

## **NOT PROTECTIVELY MARKED**

to glass bottles. A number of these incidents were assaults; however, some incidents arose out of circumstances in which it was believed there was no criminal intent. The licensing staff were aware that the premises operated a policy of using polycarbonate or safety glass in respect of drinks receptacles.

At the request of the North East Division Licensing Team, the management team from the venue attended a meeting with Police at which it was mutually agreed that the safest course of action would be to decant all bottled drinks into the polycarbonate 'glasses' or sold in bottles made of safer alternatives. The premises management immediately withdrew glass bottles from sale and within a matter of days sourced bottled products in polycarbonate alternatives. This positive and rapid response has led to the eradication of a significant issue, and consequentially the impact on Police resources, but over and above this consideration, the success story is about public safety and impact on individuals, recognising that injuries sustained from broken glass can be severe and long lasting.

One other similar example relates to another late opening licensed premise which experienced a serious incident whereby three persons received significant injuries arising from one assault in which a glass was used.

After a discussion with the premises licence holder, the management team made a significant financial investment in replacing all glassware with high quality safety glass, which has the characteristics of traditional glass but which does not alter the tactile experience for the customer.

Both of these success stories did not engage the formal intervention element of the staged process; they were achieved by positive working between the North East Division Licensing Team and the management teams of the venues concerned.

### **Summary of licensing applications/offences**

#### **Section 1**

No persons were reported in the Board area during the reporting period for unlicensed sale or supply of alcohol.

#### **Section 22 - Applications**

Each copy of an application received from the local authority is considered by staff within North East Division Licensing Team and where relevant, objections and representations are made to the Board, giving particular attention to both relevant convictions and the five licensing objectives.

Within the limits of what legislation permits, the Chief Constable will always endeavour to bring all relevant information regarding applicants and applications before the Board to afford the fullest picture to be considered in any subsequent deliberations.

## **NOT PROTECTIVELY MARKED**

Within the reporting period there were two separate applications received which sought an increase to terminal hours beyond the Board's guidelines, which, if granted, would have permitted the applicant premises to trade until 0400 hours on weekend nights.

When considering these applications, the North East Division Licensing Team requested Aberdeen Community Safety Partnership to provide analytical statistics and data relating to key times and locations that alcohol related crime and disorder was occurring within the City Centre of Aberdeen during the weekend night times. The resulting data informed the decision that an increase in a terminal hour beyond that currently enjoyed would be likely to lead to an increase in crime and disorder. Police Scotland objected to the grant of these variations of the premises licences on the basis that it would be inconsistent with the licensing objectives of Preventing Crime and Disorder and Preventing Public Nuisance. Anti-Social Behaviour reports prepared by Aberdeen Community Safety Partnership were submitted with each letter of objection, the content of which was taken into consideration by the Board when the applications were heard. Both applications were refused.

### **Section 36 - Application for Review of Licence**

During the reporting period there was one such application in the Board area. The circumstances were heard before the Board who found that the grounds for review were established and the premises licence holder received a warning.

### **Section 63 - Sale or Supply outwith Licensed Hours**

There have been no reports of the above offence during the reporting period.

### **Section 84 - Personal Licence Reviews**

The North East Division Licensing Team has a system in place which monitors certain conduct of Personal licence holders. Should such a licence holder be charged with any offence, this is brought to the attention of the team. Should the circumstances appear to be inconsistent with any of the five licensing objectives, consideration will be given to bringing this to the attention of the Board by way of a personal licence review. In addition, should an individual be convicted of a relevant offence, this will undergo the same scrutiny.

During the reporting period there were two reviews of Personal Licence Holders, both of which resulted in the grounds for review being established at a hearing and both licence holders were issued with an endorsement.

### **Section 94 - Exclusion Orders**

When an individual is charged with a violent offence in or relating to licensed premises, the reporting officer will make a request within the Police report for an exclusion order to be considered if that person is found guilty of the offence. Such an order can exclude the person from one or a number of licensed premises in the area where the offence was committed, for a period of time the Court sees fit.

## Section 97 - Closure Orders

There have been no closure orders implemented during the reporting period.

## Sections 111 - 116 - Drunkenness/Disorder Offences

As mentioned above, where offences such as these are detected on licensed premises following a review of incidents, the North East Division Licensing Team in conjunction with the Local Commander for the area, will decide if the premises are to be monitored. If that decision is taken, the premises will receive an increase in visits by the Police.

Over the reporting period, the following common licensing offences were recorded:

Attempt to enter relevant premises whilst drunk [Sect 111(1)]	8
Drunk and Incapable on relevant premises [Sect 111(2)]	2
Disorderly conduct on premises whilst drunk [Sect 115(1)(a)]	27
Disorderly conduct/refusal to leave licensed premises [Sect 116(1)]	74

When such offences occur, these will be brought to the attention of premises management, to allow them to review their internal processes. Local Officers and the North East Division Licensing Team will offer advice and assistance and where appropriate, if further intervention is required, consideration will be given to a more focussed interaction with the premises.

Whilst crime figures relating to Aberdeen are not of particular concern, in relation to the city centre of Aberdeen, many of the most common alcohol-related crimes and offences have dropped in the past three years. However, the number of serious assaults which occurred within the city centre during the late night and early morning has not decreased and this reporting year saw a small increase in recorded crimes of that nature. A significant number of the people who were subsequently identified as being responsible had, in most cases, come from licensed premises and the peak time when these crimes were committed was the hour immediately after late opening venues had closed.

The prevention of crime is not a strategy owned exclusively by the Police and we will seek the co-operation, commitment and invested involvement of our of external partners, including the Licensing Board and licensed trade to explore all avenues and options to reduce alcohol-related crime, the impact of which extends beyond the economic factors.



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

Aberdeen City attracts a relatively low number of reports of underage drinking or youth congregation involving alcohol when considering other towns and cities across Scotland.

Where a person under 18 years of age is found to be either under the influence of alcohol, drinking alcohol in a public place or in possession of alcohol, the Police Officer involved will take all appropriate steps to ascertain the source of the alcohol.

Where information that cannot be fully evidenced is received regarding the sale of alcohol to children and young persons, in accordance with the national guidance contained within the 'Alcohol Toolkit', letters will be sent to licensed premises in the area reminding them of their responsibilities and requesting extra vigilance.

If such concerns were to continue in respect of specific premises, then other operational strategies would be considered.

One way in which North East Division delivers our commitment to the community is through our School Liaison Officers and School Based Officers. These Officers attend schools and other educational establishments seeking to equip our young people with the appropriate information and understanding that will allow them to make better informed decisions in key areas of their lives, both now and in the future. To this end they deliver lessons, linked to the Curriculum for Excellence, on a range of subjects including alcohol, controlled drugs and anti-social behaviour – particularly alcohol fuelled anti-social behaviour and the potential for related safety issues and consequences.

In support to the Protection of Children from Harm licensing objective, applications for premises licences and variations to premises licences come under close scrutiny often resulting in the submission of letters of objection, or more commonly, of representation, in which the imposition of conditions in respect of on sales, with regard to the times and terms in which children can be on such premises, will be recommended by the Chief Constable.

During the reporting period, there was one recorded crime of a child purchasing alcohol from an 'off sales' licensed premises and the corresponding offence committed by the responsible person and premises licence holder (by virtue of vicarious liability). The case was reported to Crown Office and Procurator Fiscal Service. The staff member responsible was given a Procurator Fiscal fine. At an intervention meeting the premises licence holder agreed to have all staff members re-trained by an accredited trainer, which was complied with.

Additionally, one person was reported to the Crown Office and Procurator Fiscal Service for purchasing alcohol on behalf of a young person. The person responsible was given a Procurator Fiscal fine.

## **TACKLING SERIOUS ORGANISED CRIME**

Many of the processes and procedures involved in licensing applications are carried out to guard against Serious Organised Crime Groups (SOCG) infiltrating the licensed trade in any way. This scrutiny is further enhanced with the nation-wide Innkeeper system. This database contains details of all liquor and civic licences for every Division in Scotland, and enhances our information sharing in respect of premises and people in the licensed trade as they move about the country and work in multiple venues.

If such an SOCG were able to gain a foothold in licensed premises this would afford the criminal group a seemingly legitimate income stream, which could be no more than a veneer for other criminal activities such as money laundering, tax evasion, drug and people trafficking and other dishonest activities.

Many of the procedures currently carried out by the North East Divisional Licensing Team, particularly in relation to new premises licences and the transfer of premises licences are done to ensure complete financial transparency and to ensure there are no business related irregularities which may be indicative of SOCG involvement.

Frequent and directed Police attendance and contact with licensed premises also increases the opportunity for irregularities to be identified or reported.

As part of this, the North East Division Licensing Team regularly liaise with Police Interventions staff who are aware of SOCG activity within the Division to ensure that applicants are not affiliated in any way to such groups, before responding to the Licensing Board.

The consistent high profile approach and interaction with licensed premises in direct correlation with the aforementioned close scrutiny in the application process should reinforce the work carried out to maintain this position.

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

Over the forthcoming year, North East Division Licensing Team, in conjunction with Community Policing Teams, will work alongside licensed premises, to ensure that these premises are adhering to the spirit of the legislation and operate in a manner that supports the five licensing objectives.

During the coming year, further provisions of the Air Weapons and Licensing (Scotland) Act will commence. Concentrating on the liquor licensing aspect of this Act, amongst other changes, a 'fit and proper' test will be introduced in respect of applicants. It is anticipated that this will allow Police Scotland to be even more robust in its scrutiny of applications, and, with cause, we will continue to make objections and representations where appropriate to keep unsuitable applicants or operating practices out of licensed premises in the Board area.

## **NOT PROTECTIVELY MARKED**

The coming year is likely to see the formation of a differently constituted Board and the commencement of the consultation process to inform a new statement of licensing policy.

The team also look to use the creation of a new Licensing Board after the local elections as an opportunity to develop our partnership further by offering awareness training to new members on the role of the Police. This will cover the work carried out in relation to applications, policing of licensed premises and maintaining a meaningful relationship with the trade. This aspect of proposed activity has a clear focus on education and partnership working towards safer communities.

The North East Division Licensing Team looks forward to the opportunities this presents on various aspects but particularly with regard to providing the Board with relevant data in respect of key times and locations to assist inform policy on guideline hours in relation to certain activities taking place within licensed premises.

Police Scotland is keen to be involved in any consultation and intend to work closely with the Board on various aspects of this and to work towards the reduction of alcohol related violence. This aspect of our future work should build upon the success of other areas within North East Division alongside an increased focus upon the use of analytical evidence to support direct, yet proportionate reasons for requesting that short and long term public safety orientated conditions are considered for one off events and established licensed premises.

We intend to continue the aforementioned Local Days of Action and other associated initiatives involving activity at and around licensed premises, with a view to further reducing the numbers of adverse incidents at such premises and to support premises licence holders and their staff too, who make a positive contribution to Aberdeen's economy and creditable reputation. These operations will be carried out in support of and in conjunction with Community Policing Teams. We will carry out this activity in partnership with other agencies, particularly the Licensing Standards Officers, ultimately to uphold the five licensing objectives to ensure the safety and wellbeing of the people of and visitors to the city of Aberdeen.

### **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 Local Outcome Improvement Plans.

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 reinforce our core focus of 'Keeping People Safe'.

**Our National Priorities are:**

- **Anti-social behaviour, Violence and Disorder**
- **Acquisitive Crime**
- **Protecting People at Risk of Harm**
- **Road Safety and Road Crime**
- **Serious Organised Crime**
- **Counter Terrorism and Domestic Extremism**

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.

## **REPORT ON COMMUNITY COUNCIL LICENSING WORKSHOP PART 2**

**Wednesday, 20<sup>th</sup> September 2017**

**Aberdeen City Council, Town House**

### **Background**

During December 2016 the first part of the Community Council Licensing Workshop was delivered to 15 Community Council delegates with 12 Community Councils represented. Due to time constraints, the full programme could not be delivered and it was agreed that a follow up session would be arranged focussing on more practical aspects of the licensing process.

Following brief introductions from the 6 Community Council representatives attending and those supporting the session, Sandy Munro, Solicitor to the Licensing Board gave an overview of the roles of the Licensing Team and Licensing Board. Sandy also spoke briefly about the various types of licenses.

The Community Council reps then broke into 2 groups to review placebo applications for an off and on sale licensed premises in their own respective areas. Support to the groups was provided by Tara Shivaji, Shamini Omnes, Heather Wilson and Sandy Munro. Community Council reps were encouraged to discuss the applications and decide if they wished to make an objection or representation to the Licensing Board. They were encouraged to look at the Operating Plans, check opening times with the Statement of Licensing Policy, be aware of the Overprovision Areas for on sales and make decisions based on their own local knowledge.

The evening and the exercise led to a great deal of discussion and was well received by those who attended..

### **Main topics for discussion**

- Process for notification of licensing applications
- Roles of the Licensing Team and the Licensing Board
- The practical exercise took up most of the evening

### **Tasks identified from the discussions**

- Information on the Imagineers project to be circulated to Community Councils via Karen Rennie.
- Discussion around a template that could be used by Community Council members to collect information from local residents on topics of interest was discussed. HW/SO agreed to try to draft a document and send it to Alex Mess for comment.

### **Evaluation of event**

Community Council members were asked to complete an evaluation questionnaire for the event. The resulting responses identified that:

- 83% (5/6) advised that they had attended the previous session. Only 1 attendee had not attended part 1. (*When asked if he required more information on the licensing process he felt he had sufficient knowledge and did not require any additional support.*)
- 67% (4/6) advised that their confidence in apply learning was now good or very good.
- 1 person advised that their confidence in applying learning was now satisfactory, with 1 person advising that their confidence to apply learning was poor.
- 100% (6/6) advised that the facilitators knowledge was very good

### **Additional comments:**

- Thank you very much for a very informative workshop
- I need more chances to discuss the problems
- 12/10 – first class
- More workshops please

All Community Council delegates received a pack of alcohol related information and statistics and contact details so that they would know who to contact for any help in the future.

## Items of Interest to Aberdeen City Licensing Forum – November 2017

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### Alcohol labels failing to inform consumers

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A review of 315 alcohol labels across 27 UK locations by the Alcohol Health Alliance (AHA) found only one product informed the public of the current low-risk drinking guideline (14 units a week). Some products contained out of date information, while others carried the Republic of Ireland guideline. No labels provided health warnings, advice to spread drinking across the week, or recommended alcohol-free days - all of which are contained in the UK Chief Medical Officer's guidelines. The AHA says the findings make the case for mandatory labelling like the example below. [Read the report](#)



### Concern over baby boomers' substance misuse

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The number of people aged over 50 experiencing problems from alcohol and drugs is growing rapidly, with the numbers receiving treatment expected to double in Europe by 2020. With alcohol being the most common substance of misuse among older people, under-detection of alcohol problems is of immediate concern - and may increase further as baby boomers get older because of their more liberal views of, and higher use of alcohol.

### Latest alcohol licensing stats published

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The Scottish Government has published the annual liquor licensing statistics for 2016/17 which show there are 16,678 licences in force in Scotland. Seventy per cent of these (11,587) are for on-sales premises i.e. pubs, clubs and

restaurants. In addition, around 24,000 occasional licences were granted by boards across the country. Just 14 applications for premises licences were refused.

## [Liquor licensing statistics Scotland 2016-17](#)

Part of:

### [Law and order](#)

Scotland's Chief Statistician has today released [Liquor licensing statistics Scotland 2016-17](#). This is being released as a web table showing information on premises and personal licences in force, applications and reviews, as well as numbers of licensing standards officers (LSOs) employed and the number of occasional licences issued.

The Licensing (Scotland) Act 2005 came fully into force in September 2009 and this release reflects the seventh full year of operation under the new licensing arrangements.

The overall number of premises licences in force on 31 March 2017, at just under 16,700, has shown a very slight upward trend over the last seven years, increasing by 2 per cent since March 2011.

Some of the other main findings from the data are:

- Just under 70 per cent of premises licenses in force at March 2017 related to licenses which allowed for on sales transactions, with the remaining 31 per cent related to off-sales only
- Forty-one per cent of applications received for new premises licenses in 2016-17 were for off-sale only
- Three per cent of applications for premises licences under section 23 of the 2005 Act in 2016-17 were refused
- After falling sharply in 2015 due to the revocation of licences where people failed to undertake refresher training, the number of personal licences in force has risen by 12 per cent in the two years since then
- Scottish local authorities employed a full-time equivalent of 57 licensing standards officers at March 2017, the same as in 2016
- There were around 24,000 occasional licences granted by local authorities during 2016-17, similar to the levels in both 2014-15 and 2015-16.

## **Background**

The web table can be accessed at [here](#).

Key changes introduced by the Licensing (Scotland) 2005 Act include:



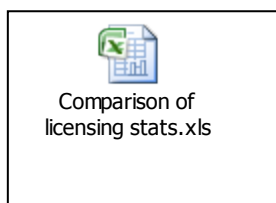
- Introducing [five Licensing Objectives](#) which underlie the Act and all decisions relating to it
- Replacing all previous licence categories with a single premises licence and a personal licence and occasional licence
- Inclusion of premises operating plans and layout plans with licence applications
- Personal licensees must hold an accredited licensing qualification
- Mandatory training for staff who sell or serve alcohol.

Under Section 23 of the 2005 Act, a licensing board is required to hold a hearing for the purposes of considering and determining an application for a premises licence.

This is a National Statistics release for Scotland. Official and National Statistics are produced to professional standards set out in the Code of Practice for Official Statistics. They undergo regular quality assurance reviews to ensure that they meet customer needs and are produced free from political interference. More information on the standards of official statistics in Scotland can be accessed [here](#).

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Licensing statistics for Aberdeen, Aberdeenshire and Moray for the past 5 years are detailed below.



AFS has published a [Licensing Resource Pack](#) aimed at professionals involving in Scotland's licensing system. It covers using evidence to support policy and decision-making, statements of licensing policy, developing an effective overprovision policy, and useful resources. The pack is available to download in full or in 5 separate sections on the AFS website.

Is this something that the Licensing Forum would like to discuss further with AFS?

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### **Call for crackdown on airport alcohol sales**

Ryanair has called for a crackdown on alcohol sales at British airports after claiming that airlines are saddled with the consequences of passengers getting drunk before flights. They have proposed a ban on early morning sales of alcohol in bars and restaurants, and limiting the number of drinks sold per boarding pass. The call comes after figures showed a spike in alcohol-related arrests at airports and in the air, while **Page 41** of cabin crew found most had witnessed drunken and disruptive behaviour on board. [Read more](#)

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## UK children anxious about parents' drinking

Report finds low-level parental drinking can leave children feeling worried, embarrassed and facing more arguments. A new report published today by the Institute of Alcohol Studies (IAS) in partnership with the Alcohol and Families Alliance and Alcohol Focus Scotland explores the impact of nondependent parental drinking on children and families. Findings show parents do not have to regularly drink large amounts of alcohol for their children to notice changes in their behaviour and experience negative impacts. Whilst much evidence exists on the negative effects of alcohol dependence, this is the first study to look at how lower level alcohol consumption impacts families in the UK.

Download the report - [Like sugar for adults. The effect of non-dependent parental drinking on children and families \(pdf\)](#)

### Key findings

- Having seen a parent tipsy or drunk was associated with children feeling worried as well as experiencing at least one of a range of negative impacts including, feeling less comforted than usual, facing more arguments, unpredictable parental behaviour and disrupted bedtime routines.
- Whilst many parents strive to set a good example with their alcohol use, 15% children had asked their parents to drink less and 16% of parents reported feeling guilty or ashamed of their parenting as a result of their drinking.
- More than half (51%) of parents reported being tipsy, and 29% being drunk, in front of their child.
- Children surveyed who had seen their parent tipsy or drunk were less likely to consider the way their parent drinks alcohol as providing a positive role model for them.
- Children whose parents were in higher socio-economic groups were more likely to report that their parent hides their drinking from them, and that their parent has argued with them more than normal as a result of their drinking.
- Children showed an astute awareness of their parents' drinking, with reports of how much their parents drank matching up accurately with parental responses in the majority of cases.
- Children described their views on why their parents drank, with 11 and 12 year olds describing alcohol as "like sugar for adults" with parents drinking to "solve their problems".

## Quarter of Scots drink above the recommended guidelines

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Key alcohol findings from the Scottish Health Survey 2016 report:

- 26% of adults drink above the recommended maximum of 14 units per week.
- Male drinkers were twice as likely to drink more than 14 units than female drinkers.
- More adults reported not drinking alcohol in the most deprived areas (26%) than the least deprived areas (11%).
- Female drinkers in the least deprived areas had higher weekly consumption than female drinkers in other areas.
- Drinkers aged 75 and over consumed less alcohol at one time but drank with greater frequency, on average, than younger drinkers who tended to consume greater volumes in fewer drinking sessions.

Download [Scottish Health Survey \(2016\) main report](#)

### **Alcohol briefing for elected members**

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AFS has published a briefing with the [Improvement Service](#) to increase understanding amongst elected members of how alcohol consumption and harm impacts on local communities and across different areas of local authorities' work. It examines the role elected members can play in tackling the harms caused in their communities and improving local outcomes. [Read the briefing](#)

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**From:** Catrin Jeans [<mailto:catrin@childrensparliament.org.uk>]

**Sent:** 20 September 2017 08:02

**To:** Iain Robertson

**Subject:** Unfeartie

Hello Iain,

I was wondering if you and the rest of the Forum would consider signing up to become Unfearties?

To mark Children's Parliament's 21st birthday we are creating an inspiring and brave band of Unfearties. Unfearties are individuals who are courageous in discussing children's issues, are making a difference in children's lives, and who are willing to speak up for, and stand alongside, children.

## **An Unfeartie**

Listens to children

Views children as capable and an asset to their communities

Strives to ensure children's voices are heard

Challenges infringements of children's human dignity

Helps children learn the values of honesty, empathy, respect and social justice

Promotes greater awareness + understanding of children's rights

Speaks up about their Unfeartie role and spreads the message about how to sign up

**Do you recognise yourself in the description above? Would you like to join the brave band of Unfearties?**

Please sign up here:

<http://www.childrensparliament.org.uk/about-us/unfearties/become-an-unfeartie/>

## Become an Unfeartie - Children's Parliament

[www.childrensparliament.org.uk](http://www.childrensparliament.org.uk)

"Before, I didn't feel like I could voice my concerns, but being an Unfeartie helps my confidence as I know there are other people who share my ideas; it makes me ...

I have a DVD to send to the group of a past Children's Parliament project in Glasgow that focused on alcohol in children's lives. It might be of interest to you. Where should I post this to?

We are keen to invite the Forum group to an Imagineer session in early 2018. I'll be in touch after the October holidays to arrange this.

Thanks,

Catrin



**Catrin Jeans**  
**Imagining Aberdeen Programme Manager**

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## ABERDEEN LOCAL LICENSING FORUM

### PROGRESS STATEMENT – 9 November 2017

Remit of Local Licensing Forums as set out in the Licensing (Scotland) Act 2005 – keeping under review the operation of the Act in the Forum’s area and in particular the exercise by the Licensing Board of their functions including giving advice and making recommendations to the Board in relation to those matters where the Forum considers it appropriate. The Act does not enable a Forum to review or give advice or make recommendations in relation to the exercise by a Board of their function in relation to a particular case. “Case” is taken to mean an application before a Board and in the interests of natural justice is also taken to mean individual licensed premises. The preferred route for consideration of complaints about the running of licensed premises is to write directly to the Clerk or Depute Clerk to the Licensing Board.

The Licensing (Scotland) Act 2005 requires Licensing Boards in exercising any of their functions to have regard to any advice given or recommendations made to them by a Local Licensing Forum and where the Board decides not to follow the advice or recommendation to give the Forum reasons for that decision, the Board must provide copies of relevant statistical information to the Forum as it may reasonably require for the purposes of its general functions.

Licensing Standards Officers have a general function of providing to interested persons information and guidance concerning the operation of the Act, supervising compliance with the Act and the conditions of their licences by holders of Premises Licences and Occasional Licences and mediate between communities and the trade or between any two parties where there is a need to resolve a local problem and develop a local solution. LSOs do not act as “policemen” with regard to licensing but they will liaise with the police and other relevant officials such as Environmental Health Officers in pursuit of the objectives of the Act.

Item	Meeting Reference	Decision/Action	Update	Responsible Lead	Licensing Objective
Items relating to all Licensing Objectives					
1.		<b><u>Statistical Information</u></b> To receive reports from the Licensing Board containing relevant statistical information.	The Forum and Board will continue to liaise at joint meetings.	All	All objectives

Item	Meeting Reference	Decision/Action	Update	Responsible Lead	Licensing Objective
2.	8 June 2016 (Joint Licensing Meeting)	<p><b><u>Statement of Licensing Policy Refresh</u></b></p> <p>The Forum discussed their initial consultation response with members of the Licensing Board ahead of the development of the refreshed Statement of Licensing Policy.</p>	At the joint meeting in 2017 the Forum received an update from the Depute Clerk to the Licensing Board on the development of a refreshed Statement of Licensing Policy.	All	All objectives
3.	11 February 2015	<p><b><u>Alcohol and Young People</u></b></p> <p>The Forum considered whether attitudes towards alcohol have changed amongst younger people and the Convener requested a presentation for a future workshop on what young people think of alcohol and their experiences of its use and impact.</p>		Young Person's Representative to the Forum	All Objectives
4.	18 November 2015	<p><b><u>Youth Justice Monitoring</u></b></p> <p>The Forum requested that Sgt Flett provide an update on the monitoring arrangements and research conducted by the Youth Justice team on how young people accessed alcohol.</p>	<p>Sgt Flett provided an update on 12 January 2016 and advised that there was no clear mechanism in place to retrieve the requested data but discussions were ongoing between Police Scotland the Youth Justice Team on how to achieve greater alignment.</p> <p>On 8 November 2016, Miriam Smith advised the Forum that data could be made available through the Responsible Group which the Convener was a member of. This would ensure there was no</p>	Police Scotland representative to the Forum	Licensing Objective 1: Preventing Crime and Disorder; and Licensing Objective 5: Protecting Children from Harm



Item	Meeting Reference	Decision/Action	Update	Responsible Lead	Licensing Objective
			duplication of information or resource.		
5.	13 September 2016	<p><b><u>LSO Annual report 2015-16</u></b></p> <p>The Forum requested that the LSO Annual Report 2015-16 be presented to the Forum with an indicative submission date of mid-2017.</p>		D Sande/T-E Gilchrist	All Objectives
6.	13 September 2016	<p><b><u>Convener's Letter to the Licensing Board</u></b></p> <p>The Forum instructed the Convener to correspond with the Convener of the Licensing Board to invite a Board representative to the Forum's next meeting to provide a progress update in relation to issues raised at the Joint Meeting.</p>	<p>An update was provided by the Council's Legal Licensing team on 5 April 2017.</p> <p>A further letter from the Convener of the Forum to the Convener of the Licensing Board was sent on 27 June 2017 seeking assurance on the Forum's role ahead of the Statement of Licensing Policy consultation.</p>	K McGeough	All Objectives
7.	13 September 2016	<p><b><u>Referral System in Torry</u></b></p> <p>The Forum requested an update on the development of a referral system for individuals who had been banned from licensed premises in the self-policing scheme in Torry due to issues related to alcohol abuse.</p>	An update was provided by the Community Safety Partnership on 5 April 2017.	P Lees	All Objectives

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