



**POLICE
SCOTLAND**

Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE
ABERDEEN CITY LICENSING BOARD
FOR THE PERIOD
1 April 2013 to 31 March 2014

FOREWARD

It gives me great pleasure to present my Annual Report for 2013/14, in accordance with Section 12 A Licensing (Scotland) Act 2005.

Since April 2013, Police Scotland has faced and overcome many challenges set against a backdrop of competing demands, budget constraints and organisational change. However, throughout this period we have remained focused on delivering a local service that addresses local issues and needs, balanced against national priorities.

To date our success speaks for itself with crimes of violence now at its lowest recorded level in 38 years, in addition to a reduction in disorder and antisocial related offences. This is welcome news and means that there are now fewer victims of crime living and working in Scotland. However, there is no room for complacency and what is evident is that the link between alcohol misuse with incidents of crime and offending, victimisation and health related harm continues to negatively impact on individuals, families and communities on a daily basis.

Police Scotland can, however, continue to make a difference and working collaboratively with the licensed trade, partners and local communities we will continue to strive towards improved standards and compliance across the licensed trade; address business practices that result in excess alcohol consumption and vulnerability; address the sale and supply of alcohol to children and young people and identify and tackle localities most affected by the misuse of alcohol and related incidents of crime and offending. In addition, Police Scotland will continue to support both our partners, in terms of health promotion and improvement, and legitimate local traders who make a positive contribution to local economies and communities.

Throughout 2013/14 Police Scotland has been working steadily towards harmonising our approach towards licensing, balanced against the need to deliver a local service that reflects and addresses local issues and concerns. Our focus has centred on enforcement activity, complemented and supplemented by a number of supportive prevention and interventions measures, designed to improve licensing standards, reduce violence and positively influence behaviour and cultural attitudes across Scotland.

This report outlines what activity has been undertaken in the Aberdeen City Licensing Board area and what steps we will take in 2015 to ensure we continue to improve on our performance and positively improve the lives of the people of Scotland - keeping people safe.

Sir Stephen House QPM
Chief Constable
Police Scotland

POLICE SCOTLAND LICENSING OVERVIEW

Structure

Following the inception of Police Scotland in 2013; a two tier structure for Licensing was adopted, to support both national and local priorities and service delivery.

A National Licensing Policy Unit (NLPU) which sits within Licensing and Violence Reduction Division has overall responsibility for determining and delivering national licensing strategy and policy. The NLPU also provides advice and support to Divisional Licensing teams as well as other specialist functions.

Dedicated Licensing teams are located in each of the 14 local Divisions and are responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises within their local area.

National Perspective

Licensing and Violence Reduction Division

Licensing and Violence Reduction Division (LVRD) is a specialist division which, as stated, exists to support each of the 14 divisions across Police Scotland. Working with Divisional Licensing teams we shape the policy and strategy around the Police licensing function.

The Licensing Policy Unit provide practical and tactical advice and support to operational Officers, Supervisors, Commanders and Police Licensing Practitioners on actions that can contribute to the safe and legitimate operation of premises licensed to sell alcohol.

We seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across each division and that all opportunities are taken to address the illegal or irresponsible sale, supply or consumption of alcohol. This is with the intention of preventing violent crime and disorder. The application of alcohol legislation continues to evolve through case law and statutory instruments. As such, policing tactics require to be continually developing to keep pace with these changes.

All of this activity is done in support of the National Police Scotland priorities:

National Priorities:

- Reduce violence, disorder and antisocial behaviour;
- Protect the public;
- Increase road safety and reduce road crime;
- Tackle serious and organised crime and terrorism;
- Effectively Police major events and threats;
- Maintain high levels of public confidence in policing;
- Deliver our equality and diversity outcomes.

The Licensing Policy Unit currently has a focus on the following priorities:

Effectively Police Major Events

Events and festivals around the country where alcohol is supplied are placing increasing demands on policing. As we strive to protect the public it is recognised that the management of alcohol consumption is a crucial part of event management.

Experiences from events have informed the view that there should be a move towards agreed alcohol management plans which set out how alcohol sale and supply and alcohol risk are to be controlled.

It is intended that these plans should be made available to the Licensing Board and will form the basis of any enquiry the board make following an application. This will allow the board to set expectations around public safety and reduce the impact some events might have on the wider community.

Reduce Violence, Disorder and Antisocial Behaviour

LVRD will scrutinise the most serious incidents of violence and disorder linked to licensed premises to inform the tactics the Police might develop and use to solve the underlying problems causing these incidents. Engagement with the affected licensed premises whilst attempts are made to identify the solutions to identified problems. This activity is reported to the Chief Constable on a weekly basis.

The NLPU are currently developing partnerships which will assist in a better understanding of the challenges faced by the licensed trade. Where possible there will be engagement with premises and companies which rarely come to the attention of the Police. This is with the intention of identifying good practice and the hope that this can be shared across the trade. This approach will enable Police Scotland to further work together with local communities and key partners preventing alcohol related crime and offences.

Tackle Serious Organised Crime and Terrorism

LVRD identifies opportunities to impact on serious and organised crime groups who may seek to exploit the licensed trade, either by making attempts to become involved in the running of, or ownership of 'legitimate' enterprises, or by seeking to influence or intimidate legitimate operators in furtherance of their criminal enterprises.

The Licensing Policy Unit has identified that there are considerable opportunities to impact on organised crime groups in our communities. There has been a concerted effort made to research and engage key stakeholders involved with the regulation of businesses such as HMRC and the Insolvency Service in order to map out how information gleaned by each agency can be fused together towards a focused joined up disruption against SOCG licensed businesses.

Working in collaboration with the Police Scotland, Organised Crime and Counter Terrorism Interventions Unit, ways to deter serious and organised crime groups from gaining access to legitimate licensed premises have been identified as having methods of disrupting them within or depriving them of already established businesses.

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To this end the Licensing Policy Unit has developed staff in terms of Intelligence and Financial Investigation disciplines in order to develop intelligence about organised crime groups involved in licensing, and also to initiate money laundering enquiries where unlawful conduct and recoverable assets are identified through the licensing process. There is close liaison with the Civil Recovery Unit at the Crown Office, where licensed premises have in the process of enquiries been identified as a vehicle for unlawful conduct and fraud.

Strategic Focus 2014-2015

With the intention of harmonising licensing practice across the country, Police Scotland has introduced training and seminars which will ensure there is continuous professional development for staff in licensing departments.

Inn Keeper software has been purchased by Police Scotland and will be available for use across Scotland from late spring in 2015.

The Licensing Policy Unit will continue to support the operational activity of licensing teams across Scotland, as we look to develop a consistent standard in relation to reporting to licensing boards and the application of the Licensing (Scotland) Act 2005.

ABERDEEN CITY LICENSING BOARD AREA

The Licensing Board area is policed by Aberdeen City Division.

Chief Superintendent Adrian Watson 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 Aberdeen City Division, as set out in our Local Policing Plan are as follows:

- Acquisitive Crime;
- Antisocial Behaviour;
- National Security;
- Protecting People;
- Safer Roads;
- Serious and Organised Crime;
- Violent Crime.

Home to a population of 224,970, Aberdeen is a thriving, cosmopolitan city in the North East of Scotland, the gateway to Scotland's castle and whisky country. The City has a buoyant, modern, economy. Its continuing economic success is benefiting all its citizens and advancing equality in the city. While traditional industries such as education, tourism, farming and fishing are still important, it is the energy technology industry which sets the City apart and is widely recognised as being the oil capital of Europe.

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The city accommodates a wide variety of licensed establishments, which contribute to the leisure and employment opportunities in the area.

Operation of the Licensing (Scotland) Act 2005

In this section we will provide some statistical data relating to applications made under the terms of the Act and other decisions made while considering the five licensing objectives.

For the reporting period, Aberdeen City Division responded to 1157 applications made under the terms of the Act dealt.

This included two premises licence review applications from the Police, which resulted in a variation of the licence and conditions being imposed for one of the premises and a written warning for the other.

Three premises were found to be selling alcohol outwith licensed hours and reported the Procurator Fiscal, with the responsible persons concerned also being reported.

Aberdeen City Division submitted eleven Personal Licence reviews in the time period of which two were revoked, two were suspended, two were endorsed, one had no action taken, one was deferred and two were abandoned due to procedural issues.

In March 2014, Aberdeen City Division made application for a Closure Order in respect of a nightclub within the city centre, which was supported and granted by the Board. This was one of the first uses of powers under Section 97 of the Act by any Board in Scotland.

In the reporting period, Aberdeen City Division recorded the following common licensing offences:

- Disorderly conduct on licenced premises - 148;
- Drunk on licensed premises/attempting to enter whilst drunk - 22;
- Permitting disorderly conduct on licenced premises - 9;
- Refusal to leave licensed premises - 190.

Aberdeen City Division works in partnership with the following groups and organisations to jointly improve local licensing issues:

- Local Licensing Forum;
- Licensing Standards Officers;
- Unight;
- Weekend Partnership;
- Torry Alcohol Action Group;
- Purple Flag;
- Community Safety Partnership;
- Local Pubwatch initiatives;
- Local Security Industry companies.

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Police Officers submit an Inspection of Licensed Premises Report via a software system on every occasion they are called to attend an incident at licensed premises, with particular focus upon violence, disorder, antisocial behaviour, drunkenness, drug dealing or misuse, underage drinking, breaches of licensing legislation and any other matter that might impact on the safety of the public. Within the reporting period there were 3990 recorded visits or inspections of licensed premises.

The information obtained may show a causal link between the operation of the premises and the incident. Where necessary, a four stage process may be engaged in order to address any issues or concerns regarding the premises. This can range from low level 'interaction' which may involve a discussion between the Police and premises licence holder, or the premises may become 'monitored' with closer attention being paid to day-to-day operations and incidents occurring. Where necessary, the premises licence holder and management may be asked to attend an 'intervention' meeting with the Police where concerns can be discussed and this may involve an agreed action plan, with set time scales, being put in place for the premises to remedy any matter.

The most serious status premises can attain is that of being considered 'problematic' where it is unlikely that interaction or intervention will resolve the issue and it is likely that the Police would submit a premises licence review application to the Licensing Board.

For problematic, intervention or monitored premises there may be a tasked visiting regime put in place, where Police Officers are tasked to visit the premises and observe their operation with a view to noting improvements, or otherwise.

These tasked visits are assessed by Aberdeen City Division Command Officers on a daily basis.

Preventing the Sale or Supply of Alcohol to Children or Young People

The Police Service of Scotland reserves the capability to carry out test purchases operations on an intelligence led basis. For the reporting period, no operations were carried out in Aberdeen.

Aberdeen Division is committed to continuing to engage with the community, in particular with schools and educational establishments to raise awareness of vulnerability and risk associated with the consumption of alcohol. Initiatives include the use of the 'Who are you?' training material which highlights the dangers and consequences of excessive intoxication, including the heightened vulnerability to sexual assault.

The 'Is it Worth it?' initiative continues to drive home the dangers and consequences of counterfeit, borrowed or stolen identity documents as proof of age to enter licensed premises and purchase alcohol.

Tackling Serious and Organised Crime

Many of the processes and procedures involved in licensing applications are carried out to guard against serious and organised crime groups (SOCG) infiltrating the licensed trade in any way.

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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 Police licensing departments particularly in relation to new premises licences, the transfer of premises licences and the appointment of premises Managers are done to ensure complete financial transparency and there are no business related irregularities which may be indicative of SOCG involvement.

During the reporting period, Aberdeen City Division identified one SOCG within the Board's area, who were attempting to obtain a premises licence by transfer. This group were known to be involved in the supply of controlled drugs in the northwest of England.

The Police and other partners are utilising all tactical options available to them to disrupt the group, prevent them from obtaining a licence and ultimately displace them from the area.

Proposed Activity For The Year Ahead

Aberdeen City Division will continue to work closely with Aberdeen City Licensing Board and be mindful of their Policy and the legislative framework available.

Specific attention and effort will be given to addressing alcohol related violence and antisocial behaviour throughout the City.

Effectively addressing alcohol related violence includes not only dealing with perpetrators and victims, but also sharing information, and at time intelligence, in order to prevent it. This requires a co-ordinated, partnership approach at both local and national levels incorporating a wide range of agencies, including health, criminal justice, education, local authorities, the local alcohol industry, voluntary organisations, the media and communities.

The Police will continue to raise objections, representations and other concerns when appropriate. In addition, the Police will engage with all partners involved in the licensed trade and work together with them to uphold the five licensing objectives and the spirit of the 2005 Act to ensure the safety and wellbeing of the people of Aberdeen.

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