



**POLICE  
SCOTLAND**

Keeping people safe

# Chief Constables Annual Licensing Report for 2019/20

## Perth and Kinross Council Licensing Board

Licensing Department / March 2020 / v 1.0

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## **Foreword**

It gives me great pleasure to provide the Annual Licensing Report for 2019/20, in accordance with Section 12(A) Licensing (Scotland) Act 2005. During this year Police Scotland has continued to work tirelessly towards supporting and enforcing the licensing objectives.

Police Scotland continues to work closely with local authorities and partnership agencies to deliver effective regulation in liquor licencing. Preventing alcohol fuelled violence, disorder and antisocial behaviour is a priority and I believe that working together to achieve effective early intervention and enforcement is vital to this.

I would like to take this time to thank our many local partnerships and acknowledge the good work that they do, as without their support we would not be able to maintain the high standard in licencing we have become accustom to in the Perth and Kinross Board area.

Going forward I will continue to emphasise the importance of partnership working to our dedicated officers and staff. I am confident that through strong partnerships and collaborative working, we will meet any challenges that may arise and will continue to improve licensing standards for the communities of Scotland.

Mr Iain Livingstone QPM  
Chief Constable  
Police Service of Scotland

## **Police Scotland Licensing Overview**

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Safer Communities based at Dalmarnock Police Station, Glasgow.

The VPLCU upholds the two tier structure for licensing which supports both national and local priorities through service delivery. They have overall responsibility for determining and delivering national licensing strategy and policy, by providing advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

The Violence Prevention and Licensing Co-ordination Unit is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2019/2020, from a licensing perspective, our particular focus will be on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Continuous professional development training and guidance for staff to harmonise licensing practice across the country.
- Working closely with statutory partners within a National Licensing Trade Forum to identify licensing related issues and prevent/reduce associated crimes.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management.
- The implementation and ongoing development of the Licensing Admin tool provides divisional licensing officers with a single ICT product negating the need to research police systems independently. Through accurate recording, the licensing admin tool assists Police Scotland in deploying our resources to the right places and the right time to keep people safe.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

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## **LICENSING BOARD AREA**

The Licensing Board area is policed by Tayside Division.

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

### **Perth & Kinross Area Command**

Chief Inspector Ian Scott is the Area Commander for the Perth and Kinross Local Policing Area.

### **Senior Officers**

Inspector Jamie Allen is the Head of Licensing Department and he is responsible for the overall supervision of the department.

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

The department is made up of both operational officers and administration staff who cover all areas of the Division.

### **Local Policing Priorities**

Following our public consultation process, the policing priorities for Perth and Kinross Division, as set out in our Local Policing Plan 2017-2020 are as follows;

- Putting victims at the heart of what we do
- Tackling Crime and antisocial behaviour
- Protecting vulnerable people
- Maintaining public safety

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

### **Description of Board Area**

Located in the heart of Scotland, Perth and Kinross serves as the crossroads of the country and gateway to the Highlands. Covering over 5,300 square kilometers, Perth and Kinross is a large and varied area that serves a population of 150,680.

Only an hour from Edinburgh and 75 minutes from Glasgow, the area's principal city, Perth, is at the hub of both Scotland's motorway and rail networks. 90% of Scotland's inhabitants live within 90 minutes of Perth.

Perthshire is a traditional and distinguished area of Scotland. As the old capital of Scotland, the Perth area has strong Royal links – Scone Palace, the Stone of Destiny, Loch Leven and Queen's View. It has a historic city centre with many independent retail outlets, and a range of eating and drinking establishments and licensed premises.

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Due to the vast area covered by Perth and Kinross, the licensed premises within the division range from busy city centre pubs and nightclubs to local village pubs. Each premise, however, is vital to the community and the local economy.

As of February 2020, Perth and Kinross has three premises operating as nightclubs, around 161 hotels, 135 public houses and 192 off sales premises.

In 2019, Perth and Kinross hosted the Solheim Cup which was held at Gleneagles. This prestigious event was watched across the world by millions and showed Perth and Kinross in a positive light.

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

Legislation in relation to the sale and supply of alcohol is continually evolving through case law and statutory instruments. Police Scotland strive to match the evolution of legislation with policing tactics in order to effectively tackle these changes.

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

Police Scotland have developed the "Licensing Toolkit" – a document with practical and tactical advice along with a range of problem solving options. This is designed to assist operational officers, supervisors, commanders and Police Licensing Practitioners in relation to decision making around licensed premises, to ensure their safe and legitimate operation.

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

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

Over the last year there have been no Premises Licence Review requests submitted to the Board which is a positive step, and shows the positive working relationships between the Licensing Department and the Licensed Trade.

In this year, Police Scotland have submitted four Personal Licence reviews to the Board for consideration.

Of these reviews, one licence was revoked, two were endorsed and one remains pending.

The Divisional Licence team receives notification of offences within Tayside committed by licence holders. Only the most significant, serious and relevant matters are brought to the attention of the Licensing Board prior to conviction, and others are monitored closely until dealt with by the Court before being brought to the Board's attention.

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After every instance of violence within a licenced premises, the reporting officer has the option of requesting an exclusion order banning the perpetrator from licenced premises within an area after conviction. There are currently four persons with exclusion orders within Perth and Kinross.

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

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

Weekend policing plans are produced each week. These ensure resources are deployed accordingly as a preventative measure to locations, premises and events where disorder is a likely outcome due to increased footfall of patrons combined with the consumption of alcohol. Positive engagement is encouraged with all staff employed in the running of licensed premises at all times, with the risks and consequences of excessive alcohol consumption by individuals continually being highlighted to mitigate any risks to drunk persons after they leave establishments.

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

## **Partnerships**

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

Police Scotland work closely with our partners in the Local Authority, Perth and Kinross Licensing Forum, Local Pubwatch Schemes and Security Industry Authority to raise the standards of the licensed trade through proportionate and effective enforcement of licensing legislation and working practises.

In order to reduce violence and disorder with in Perth and Kinross, we will

- Listen to the concerns of our communities and utilise evidence based policing to deploy our resources to identified locations to prevent the misuse of alcohol and related violence and disorder.
- Actively encourage police engagement and interaction with licensed premises, ensuring crimes of violence are investigated as a priority and bail

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conditions and exclusion orders are effectively applied to prevent repeated offending by individuals who pose a significant threat to the public.

We will also work with partners including Social Work, Departments of Health & Education, the Alcohol and Drug Partnership and Tayside Council on Alcohol and Child Protection Committees to raise awareness, seek solutions, and support joint problem solving in relation to alcohol and drug misuse in our communities.

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

As a team we regularly carry out joint operations to licensed premises to ensure compliance and offer support to licensees and staff. The Board will be pleased to note that in this year, while joint operations were carried out with immigration officers, no premises or licence holders have been reported to the Board, which is a positive step forward.

We regularly liaise with the Licensing Standards Officers to address any emerging issues and often resolve issues before they escalate.

This past year we were involved in the planning and operation of the licensing provision at the Solheim Cup and worked with the Licensing Standards Officers, the licence holder, senior officers within Police Scotland and Trading Standards to ensure that the licensing arrangements were acceptable to all parties.

## **Problem Solving**

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

The Licensing Administration Tool is a national database known as “Innkeeper”, accessed and utilised by all officers throughout Police Scotland. Incidents and inspections of licensed premises are recorded on Innkeeper, ensuring the Licensing Department have an informed overview of all happenings and a capability to identify any emerging issues.

We also exercise a range of options to assist our problem solving approach when considering issues identified at licensed premises. These options form a staged but flexible response to identified issues, from simply engaging with and advising the staff at licensed premises at the lower end of the scale, to grading premises as being ‘Problematic’ and requesting a review of a premise licence by the Licensing Board in relation to the more serious matters.



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Any recommendations made may influence the decision making process of the board and / or any conditions they may impose on licence holders.

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

Over the last year, only one premise in Perth and Kinross was monitored. The use of the monitored status allowed us to work with the premises and assist them to address the issues without having to formally report them to the Licensing Board.

The action taken at all stages is documented on our national Innkeeper system.

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

Tayside Division Licensing Department have recently undergone a change in leadership and focus. Although there are still administrative tasks to deal with, the Licensing Team have taken up a more proactive and public facing approach. The team deploy at various times of the day and evening, and engages with all licensing trades to ensure compliance, to provide education, and to support local officers.

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

With the increase in events and festivals within the Perth and Kinross area, the Divisional Licensing Team are kept busy, ensuring that the events run smoothly in respect of licensing legislation. The Licensing Team are actively involved in the application process and liaise with the alcohol provider to ensure that Alcohol Management Plans are submitted where required and are appropriate for the event.

In the run up to events, the Licensing Team carry out visits to the site and the licence holder, and during the events the team are again on hand to ensure compliance and give support to the licensee where required.

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

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



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

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

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

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

Over the last year there have been nine incident reports received across the Division in relation to liquor licensing concerns and incidents involving children and young persons, with three of those relating to Perth and Kinross area. It should be noted that while the majority of premises do not cause issues in relation to underage sales, there appears to be a rise in the number of reports of 'proxy' sales being reported. This is something that is being addressed by both the Licensing Team and local community officers.

The Divisional Licensing Team scrutinise all allegations of suspected underage activity in relation to licensed premises, and routinely task officers via the Innkeeper system to ensure that full enquiries are made, and appropriate action is taken if necessary in respect of both the young persons involved and the licensed premises.

All applications for Premises Licences, major variations and occasional/extended hours are examined on receipt by the Divisional Licensing Team for any potential impact on the safety of children and young persons. If any issues are identified, concerns are raised with Perth and Kinross Council and letters of objection or representation are submitted to the Licensing Board.

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

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

Warning letters can also be sent to the licence holder and / or management of premises highlighting to them the extent of any alleged underage problems, whilst making it clear that unless the situation improves, further formal action is a likely consideration, with matters being reported to the Licensing Board. This provides for remedial action to be taken and improvements to be made by staff to address the problem. This tactic has been utilised once in Tayside but not in Perth and Kinross in the last year, and is always followed up by a regime of tasked inspections to ensure compliance with licence conditions and support of the Licensing Objectives.

## **TACKLING SERIOUS AND ORGANISED CRIME**

### **Introduction**

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

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

### **Activity**

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

We have continued to focus on our four objectives to;

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

**DETER** – Deter Serious and Organised Crime Groups by supportive private, public and third sector organisations to protect themselves and each other

**DETECT** – Identify, detect and prosecute those involved in serious organised crime

**DISRUPT** – Disrupt Serious Organised Crime Groups

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

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

As mentioned above, the number of reports of proxy sales are increasing, particularly within Perth City Centre. The Divisional Licensing Team, along with local Community Officers are focussed on carrying out education with premises and licence holders to raise their awareness of this issue.

This is historically a more difficult issue for premises as the person purchasing the alcohol is over 18, however, by informing the premises of the trends in what drinks appeal to youngsters then this can be more apparent when someone attempts to buy large quantities of these drinks.

There are a number of festivals and outdoor events again this year within Perth and Kinross which will be a focus for the Divisional Licensing Team, as well as Perth Races which is also a challenge in terms of alcohol consumption.

Work will be carried out with the licence holders of these events to remind them of their obligations.

Perth Christmas Lights has grown over the years and as a result the Licensing Team carry out work in the planning stages of this event in respect of the alcohol sales.

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

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

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

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

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

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

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

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

To conclude we would like to thank you for your continued support and stress the importance of this collaborative problem solving approach. This ensures that police, licence holders and licensed premises staff have a better understanding of their responsibilities. We look forward to furthering this partnership over the coming year.