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## THE MORAY LICENSING BOARD

THURSDAY 6 OCTOBER 2016

**YOUR ATTENDANCE IS REQUESTED** at the Meeting of **THE MORAY LICENSING BOARD** to be held within the The Moray Council, Council Chambers, High Street, Elgin on Thursday 6 October 2016 at 10.00am.

Alasdair McEachan  
CLERK

29 September 2016

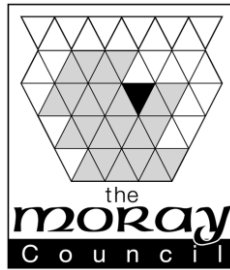
### BUSINESS

1. Prior Minutes
  - (i) Minutes of the Meeting held on 11 August 2016
  - (ii) Minutes of the Special Meeting held on 3 October 2016 (to be tabled at meeting)

### The Licencing (Scotland) Act 2005

2. Applications Section– Appendix 1
3. Licensing (Scotland) Act 2005 – Chief Constables Report under Section 12A (copy attached)

CLERK:	Alasdair McEachan
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CLERK:	Alasdair McEachan
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**THE MORAY LICENSING BOARD****SEDERUNT****COUNCILLOR J ALLAN****COUNCILLOR G COWIE****COUNCILLOR J DIVERS****COUNCILLOR M HOWE****COUNCILLOR G LEADBITTER****COUNCILLOR M McCONACHIE****COUNCILLOR A MCLEAN****COUNCILLOR R H SHEPHERD****COUNCILLOR D SLATER****COUNCILLOR C TUKE****CLERK TO THE BOARD: M A McEachan**

## **THE MORAY LICENSING BOARD**

### **MINUTE OF THE MEETING OF THE MORAY LICENSING BOARD**

The Moray Council Chambers, Council Headquarters, High Street, Elgin on Thursday 11 August 2016

#### **PRESENT**

Councillors: J Allan  
G Cowie  
M Howe  
M McConachie  
A McLean  
R Shepherd  
D Slater  
C Tuke

#### **APOLOGIES**

Apologies were intimated on behalf of Councillors J Divers and G Leadbitter.

#### **IN ATTENDANCE**

Sean Hoath, Depute Clerk to the Licensing Board  
Sergeant Gavin Jardine, Police Scotland

#### **1. PRIOR MINUTES**

- (i) The Minutes of the Meeting held on 2 June 2016 were submitted and approved.

## **2. LIST OF DECISIONS FOR APPLICATIONS FOR PREMISES LICENCES**

### **(i) Application for a New for Premises Licence The Polish Deli, 28 Commerce Street, Elgin**

The Depute Clerk introduced the application and advised the applicant had been cited to the meeting, Neil Ross, solicitor represented the applicant. The Depute Clerk advised that all paperwork was in order. After hearing from Neil Ross the Board agreed to grant the licence.

### **(ii) Application for a Variation to Premises Licence Portknockie Bowling Club, Seafield Terrace, Portknockie**

The Depute Clerk introduced the application and advised the applicant was represented by Mr Miles. The Depute Clerk advised that all paperwork was in order and that there were no objections or representations. The Board agreed after discussion it was agreed that only on sales were required for what they were trying to do, the applicant agreed. The Board agreed to grant on that basis.

### **(iii) Application for a Variation to Premises Licence Royal Hotel, Station Road, Elgin**

The Depute Clerk introduced the application and advised the applicant was in attendance. He explained the changes were to bring it in line with other premises. After listening to all the changes the Board agreed unanimously to grant the variation.

## **3. Licensing (Scotland) Act 2005 – Personal Licence Application Hearing Following Disclosure of Relevant Conviction on Application (Case 3 of 2016)**

The Depute Clerk introduced the application and advised the Board the applicant was in attendance. Councillor Tuke declared an interest and left the meeting for the duration of the item. The Depute Clerk reminded the Board of the test. After hearing from both sides and gaining clarification that the applicant's job was not threatened because of this, Councillor Howe moved to grant the licence, Councillor Allan seconded the motion. Councillor McLean made an amendment to refuse the application, he had no second therefore the motion was carried.

**4. Licensing (Scotland) Act 2005 – Annual Review of Licensing Fees**

The Depute Clerk outlined the various options open to the Board after giving them a briefing on the performance for profit and loss over the last year. It was agreed to accept the fee structure at Appendix III with a review in a year.

**5. Licensing (Scotland) Act 2005 – The Air Weapons and Licensing (Scotland) Act 2015 – Changes to the Statement of Licensing Policy**

The Board noted the recommendations and approved the licensing policy period.

**6. Licensing (Scotland) Act 2005 – Re-establishment Best Bar None Scheme, Moray**

The Board noted the recommendations.

# **APPENDIX 1**

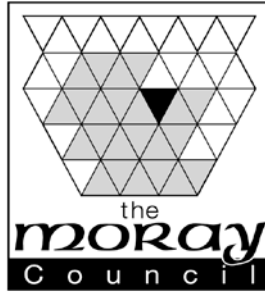
## MORAY LICENSING BOARD

MEETING, 6 October 2016 at 10:00am in Council Chambers, Council Headquarters, High Street, Elgin, IV30 1BX

### Licensing (Scotland) Act 2005

Type	Premises	Applicant	Date Received	Comments
Variation (Major)	Moray House 1 Trinity Road Elgin IV30 1UF	Diageo Scotland Limited	7 September 2016	Variation to change location of off sales area for staff.
Variation (Major)	The Visitor Centre Knockando Distillery Knockando AB38 7RT	Diageo Scotland Limited	7 September 2016	Variation to visitor centre to expand activities and change to children and YP access
Variation (Major)	Cardhu Distillery Cardhu Distillery Cardhu Aberlour Moray AB38 7RY	Diageo Scotland Limited	6 September 2016	Variation to visitor centre to expand activities and change to children and YP access
Variation (Major)	The Muckle Cross The Muckle Cross 36 High Street Elgin Moray IV30 1BU	J D Wetherspoon (Scot) Limited	12 August 2016	Variation to add outside area to licensed area and associated changes to activities and access for children and YP
Variation (Major)	Windswept Brewing Co Ltd Unit 13 B Coulardbank Industrial Estate Lossiemouth Moray IV31 6NG	Windswept Brewing Co Ltd	8 September 2016	Variation to add further areas to licensed area including outside area and visitors centre and associated changes to activities and access for children and YP





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**REPORT TO: THE MORAY LICENSING BOARD 6<sup>th</sup> OCTOBER 2016**

**SUBJECT: LICENSING (SCOTLAND) ACT 2005 – CHIEF CONSTABLE’S REPORT UNDER SECTION 12A**

**BY: CLERK TO THE BOARD**

**1. Reason for Report**

1.1 This report is to place before the Board a report from the Chief Constable, who has a responsibility to report certain matters to the Board on an annual basis.

**2. Recommendations**

**It is recommended that the Board:-**

**2.1 Note the contents of the report attached at Appendix 1.**

**2.2 Note that the Chief Constable’s representative has been invited to attend the meeting to answer any questions about the report.**

**3. Background**

3.1 The Chief Constable on 30 August 2016, submitted a report under section 12A of the Licensing (Scotland) Act 2005. This section provides that he should send a report to the Licensing Board at the end of each financial year that sets out the following information.

3.1.1 His views about matters relating to policing in the Licensing Board’s area during that year and the following year, in connection with the operation of the Licensing (Scotland) Act 2005; and

3.1.2 any steps taken during the year, or intended to be taken in the following year, to prevent the sale or supply of alcohol to children or young people in the Board’s area.

**3.2 The Chief Constable’s report for 2015 to 2016 is attached at Appendix I.**

#### 4. **SUMMARY OF IMPLICATIONS**

**(a) Moray 2023 A Plan for the Future/Service Plan**

The provisions of alcohol licensing directly relate to the priorities within the 10 Year Plan (Moray 2023) in relation to healthier citizens, a growing and diverse economy and safer communities. Alcohol and alcohol dependency influence the health of the population. The alcohol industry in terms of production, retail and the positive effects on tourism all aid a growing economy. Regulation of the sale of alcohol contributes to a safer community.

**(b) Policy and Legal**

Matters raised in the Chief Constable's report may be relevant to Licensing Board policy.

**(c) Financial implications**

None.

**(d) Risk Implications**

None

**(e) Staffing Implications**

None.

**(f) Property**

None.

**(g) Equalities**

None.

**(g) Consultations**

None.

#### 5. **Conclusion**

5.1 It is proposed that the Board note the report from the Chief Constable.

Author of Report: Sean Hoath, Senior Solicitor, Depute Clerk to the Licensing Board

Background Papers:

Ref: SH

Signature: \_\_\_\_\_ Date: 29 September 2016

Designation: Head of Legal and Democratic Services, Clerk to the Board

Name: Alasdair McEachan



**POLICE  
SCOTLAND**

Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE  
MORAY LICENSING BOARD FOR THE PERIOD  
1<sup>ST</sup> APRIL 2015 to 31<sup>ST</sup> MARCH 2016

## **FOREWORD**

As the Chief Constable of Police Scotland, it gives me great pleasure to provide my first annual licensing report, in accordance with section 12(A) of the Licensing (Scotland) Act 2005.

I would firstly like to take this opportunity to acknowledge and thank you for the contribution and excellent work undertaken during the past year throughout the licensing area of business in Scotland, especially within our 32 Local Authorities.

Police Scotland together with our licensing partners have faced and continue to confront many challenges, not least our budget constraints. However, this will not detract from our commitment to continuing to provide the very best and sustainable policing service to our communities across the country.

I am especially keen to develop our local services to meet the varying licensing demands and expectations within our diverse local communities, by listening to people and developing opportunities to improve, including the sharing of best practise and influencing positive attitudes and behaviours to reduce alcohol related crimes and anti-social behaviour.

Police Scotland's licensing structure and function has recently undergone significant transition and now benefits from improved governance, flexibility and support, with a real emphasis on quality of service. These changes are further enhanced through our commitment to investing and implementing a national I.T. database, (Innkeeper), which has significantly improved our management and the administration of all liquor and civic licences. Police Scotland and our licensing partners now benefit from a consistent service with improved local delivery, decision making and reporting process.

With our licensing transition complete, we are now transforming our licensing service and central to this is our ability to continue to work closely with our Local Authorities, the licensed trade and other key partners, with a main focus on prevention and vulnerability.

We recognise that problem solving is essential in achieving our mutual aims of public safety and a healthy community environment, while enforcement should only be used as necessary. We will only achieve these aims together through consent and by legitimate means with the full support of all key licensing partners.

I look forward to the coming year where we will continue to improve licensing standards, reduce violence and continue to keep our communities and people safe.

Philip Gormley QPM  
Chief Constable  
Police Service of Scotland

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### **Police Scotland Licensing Overview**

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, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

Dedicated licensing teams are located in each of the 13 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.

### **LICENSING BOARD AREA**

The Moray 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.

The senior officers who hold responsibility for licensing with the area of North East Division are as follows;

Superintendent George MacDonald	Operational Policing (Support)
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#### **Licensing Department;**

Inspector Kenneth McGeough	Head of Department
Sergeant Gavin Jardine	Licensing Sergeant
Sergeant Gill Flett	Licensing Sergeant

### **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;

- Acquisitive Crime
- Antisocial Behaviour
- National Security
- Public Protection
- Road Safety and Road Crime
- Serious and Organised Crime
- Violent Crime

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The Moray Area covers the multi member wards of Elgin City North, Elgin City South, Heldon & Laich, Fochabers & Lhanbryde, Buckie, Keith & Cullen, Speyside & Glenlivet and Forres.

These are contained within four Policing areas each with a nominated Community Policing Team Inspector. The area covers the large towns of Elgin, Forres, Keith, Lossiemouth and Buckie with additional smaller settlements in the community.

Moray covers 2238 square kilometres and a population of around 88,000 people. The economy revolves around tourism, forestry and agriculture with the Whisky Industry playing a large role in the local and Scottish economy.

The community is served by larger Police stations in the main towns with smaller stations at Fochabers and Rothes.

Chief Inspector Stewart Mackie is the Area Commander for Moray. He is based at Elgin Police Office. His responsibilities include delivering the outcomes of the Local Policing Plan, community engagement, performance management and partnership working.

The Partnership Development Officer is Sergeant Kevin McPherson. His responsibilities include working with partner agencies on initiatives aimed at delivering the outcomes of the Local Policing Plan and community engagement.

There are 348 licensed premises within the area of Moray, mainly public houses. The majority of these premises are housed in the larger areas of population, which enjoy a relatively significant night time economy, where, at times, extra demand can often be placed on local Police resources.

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

### Introduction

On Friday 1 January 2016, the single North East Division was created from the existing Aberdeen City and Aberdeenshire and Moray Divisions. The creation of the single division will facilitate more flexible deployment of officers to enhance our capability at an operational level. However, it should be emphasised that Police Officers will remain in their current location, serving the same communities. There has been no change to the Local Area Command structure and the focus will remain on the effective delivery of local policing. There will of course be more flexibility in managing resources making sure that the right people are in the right place at the right time. There had already been a great deal of flexibility between the two divisions since the creation of Police Scotland and this has proven to be extremely beneficial in making sure that support is given in cases where extra resources are required. One advantage of these resources being under the command of one Divisional Commander, is it allows him to more easily make decisions about where the resources are needed on any given day and during any enquiry or incident.

The North East Divisional Licensing team now encompasses staff from both legacy divisions. It is currently headed by Inspector Kenneth McGeough who is supported

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by two Sergeants; Sergeant Gavin Jardine based at Stonehaven Police Office and Sergeant Gill Flett based at Queen Street Police Office in Aberdeen. Additional administration staff and enquiry officers are based at Stonehaven, Inverurie, Elgin and Queen Street Police Offices. All staff have a Division wide remit.

Local Police enjoy a productive relationship with partner agencies, and there are various initiatives in the area encompassing a number of issues the communities of Moray face.

For example, Operation Avon is a Moray Community Safety Partnership initiative aimed at tackling youth issues such as underage drinking and antisocial behaviour. This Operation takes the form of joint operations within a nominated town or area and is intelligence led. Patrols are carried out usually on a weekend night between 1830 hours and 2330 hours and are attended variously by a mix of Police Officers, Community Wardens, Youth Justice Social Workers, Health Workers and Community Learning and Development Officers. The focus is mainly on intervention and education as opposed to enforcement and the operation seeks to jointly engage young people with a view to promoting responsible and healthy lifestyles.

Another initiative which has taken place over the reporting period is Operation Sandside. This is an integral part of North East Division's partnership approach to violence reduction and seeks to proactively and robustly prevent, reduce and detect violent crime within the Division as a whole. This continual commitment to keeping people safe sees the deployment of additional officers, national resources and partner agencies within the community to focus on bringing violent offenders to justice and prevent further offending.

Enforcement phases involved a concerted five week period of action where Officers engaged in a variety of activities to investigate outstanding crimes of violence, apprehend violent offenders wanted on warrant and prevent further crimes occurring through effective patrols including increased visits to licensed premises.

Cognisance was given to the importance of alcohol as a causation factor in violent incidents, and therefore liaison with the Divisional Licensing Team and associated partners took place. This included those engaged in the licensed trade.

In addition, a Safer Streets campaign took place over the festive period in North East Division under the remit of Operation Sandside. This involved additional Police Officers being involved in the operation which was carried out in collaboration with several partner agencies including both Aberdeenshire and Moray Councils, the Scottish Fire and Rescue Service, Street Pastors, NHS Grampian, Social Work and alcohol and drug referral agencies.

The operation saw additional high-visibility patrols across the region with a focus on targeting anti-social behaviour and violence, which included almost 600 licensed premises visits carried out.

The result of the operation as a whole was a decrease in both serious and common assaults across the division.

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The groups and organisations which work in partnership with North East Division as a whole to jointly improve local licensing issues in addition to the above are as follows;

- Local Licensing Forum
- Licensed Trade Association
- Community Safety Partnership
- Local Pubwatch initiatives
- Local Security Industry companies
- Voluntary organisations/Event organisers - in respect of sale/supply of alcohol at events
- Alcohol Drug Partnerships
- Best Bar None

### Board Decisions

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

Police Officers submit an Inspection of Licensed premises report via a software system (Innkeeper) on every occasion they are called to attend an incident at licensed premises with particular focus upon violence, disorder, anti-social 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.

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 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 North East Division Command Officers on a weekly basis.

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Over the past year, three licensed premises in the Moray Board area were subject to this problem solving process and all were satisfactorily concluded.

The use of this approach continues to very successful in resolving issues which may have previously been brought before the Board to be remedied.

During the reporting period, there have been over two thousand visits and inspections recorded at licensed premises in the Moray Board area. As alluded to earlier, given the larger areas of population and subsequent higher numbers of licensed premises, the majority of these visits took place in the towns of Elgin, Forres, Keith, Lossiemouth and Buckie.

### **Section 1**

There were no reports in the Moray Board area during the reporting period of unlicensed sale or supply of alcohol.

### **Section 20 - Applications**

Each application received from the Licensing Board is scrutinised by staff of the Divisional Licensing Team and where relevant, objections and representations are made to the Board, paying particular attention to both relevant convictions and the five licensing objectives.

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

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

During the reporting period there were no such applications in the Board area.

### **Section 63 - Sale or Supply out-with Licensed Hours**

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

### **Section 72 - Personal Licence Applications**

In line with the section above regarding premises applications, close scrutiny is made by the Divisional Licensing team paying particular attention to relevant convictions and the five licensing objectives. Despite this scrutiny, over the reporting period, there have been no objections to any personal licence applications for the Moray Board area.

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

The Divisional Licensing Team has a system in place which monitors the conduct of personal licence holders. Should such a person be charged with any offence, this is brought to the attention of the team by the Officers dealing with that individual. The offence is looked at and should it be inconsistent with any of the five licensing

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objectives, consideration will be given to bringing this to the attention of the Board in respect 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, one personal licence was subject to a review hearing at the Moray Licensing Board, the result being the licence was revoked.

### Section 94 - Exclusion Orders

When an individual is charged with a violent offence on licensed premises, the reporting officers request an exclusion order within the Police report, requesting that the accused person be excluded on conviction from 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 Divisional 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 undergo an increased inspection regime.

This process is best described by an example where a premises from the Moray area underwent a robust period of monitoring as a result of increased reporting of drunkenness and assaults on or near to the premises. Inspector Milne and Sergeant Jardine met with the Premises Licence Holder and staff and a strict inspection regime was instigated for the relevant times. An intervention agreement was drafted and agreed to by the premises management. Any compliance issues were quickly identified and rectified, and following the period of monitoring, a marked improvement in the overall running of the premises was evident. The resultant decrease in demand on local Police resources has also been clear. This was a successful intervention between Police and the premises management and has contributed greatly to ensuring the licensing objectives are being met.

Over the reporting period Police Officers in the Moray Board area have recorded the following common licensing offences:

Attempt to enter relevant premises whilst drunk [Sect 111(1)]	4
Drunk and Incapable on relevant premises [Sect 111(2)]	0
Disorderly conduct on premises whilst drunk [Sect 115(1)(a)]	11
Disorderly conduct/refusal to leave licensed premises [Sect 116(1)]	13

In comparison to the previous year, this reporting period has seen a marked reduction in all categories of offence, with the biggest drop being where Disorderly conduct on licensed premises has dropped from 27 to 13 recorded offences. This is an encouraging trend and it may be that through the work of Police Scotland and partners engaging with premises management and being visible within and around

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licensed premises, that any issues that become apparent are being dealt with at an early stage.

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 Divisional 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 (as outlined above).

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

### **Introduction**

This section of the report concentrates specifically on children and young people, and the licensing objective of Protecting Children From Harm.

Evidence to the contrary is scant, and therefore it would be fair to say that the Moray area does not suffer greatly from any issues surrounding the sale or supply of alcohol to children or young persons. However, that does not mean that Police Scotland are complacent to the dangers of such behaviour and Operation Avon as described above demonstrates this.

Should there be intelligence that the practice is taking place, The Police Service of Scotland reserves the capability to carry out test purchase operations. For the reporting period, no operations were carried out in the Board area.

One way in which North East Division delivers on our commitment to the community is through our School Liaison Officers and School Based Officers, of which there are six roles and three roles respectively. 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 respect of licensed events which occur out-with licensed premises, officers from the Divisional Licensing team are consulted to ensure that appropriate conditions are sought on all such licences. In respect of larger events, the Divisional Licensing team will also be asked to consider the suitability of the event alcohol management plan. Access to such events by children and young persons is closely scrutinised and appropriate conditions sought to regulate the limits and scope of such access.

In the reporting period, there was one reported offence in respect of the sale/supply of alcohol to children and young persons in the Board area, where one adult was charged with the sale of alcohol to a young person within a licensed premises. The other relevant offences are considered to be as follows:

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Sale of alcohol to a child/young person [Sect 102(1)]

Person under 18 buy or attempt to buy alcohol [Sect 105(1)]

Consumption of alcohol by a child/young person on premises [Sect 106(1)]

Such offences are always brought to the attention of the relevant licensed premises to ensure that their processes are as robust as they should be. Where shortcomings are identified within the premises, consideration will be given to engaging with the premises in line with the four stage process outlined previously.

## **TACKLING SERIOUS AND ORGANISED CRIME**

### **Introduction**

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 and this will be enhanced with the introduction of the national Innkeeper system throughout Police Scotland. This database contains details of all liquor and civic licences for every Division in Scotland, and will greatly enhance our information sharing in respect of premises and people in the licensed trade as they move about the Country and work in multiple venues. It will also allow the sharing of good practice at the touch of a button.

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 Divisional Licensing team, 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 to ensure there are no business related irregularities which may be indicative of SOCG involvement.

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

As far as the licensed trade is concerned within the Moray Board area, there is no intelligence available to suggest that serious and organised crime groups have infiltrated liquor licensed premises.

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

### **Introduction**

Over the forthcoming year, the Divisional Licensing team, in conjunction with local Police, will work alongside all licensed premises, to ensure that these premises are adhering to the spirit of the legislation, in that they all work to and fully understand the five licensing objectives.

The current reporting period saw the introduction of the new Innkeeper system being implemented throughout all territorial divisions within Police Scotland. This is an updated version of the previous ICT system used by North East Division, and will allow staff from Police Scotland nationwide to view all civic and liquor licences held, with a view to enhancing efficiency and operational effectiveness. As with all new systems, it is anticipated that this will continue to develop over the forthcoming year.

During the coming year, 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, using this, we will continue to raise objections, representations and other concerns when appropriate to keep unsuitable applicants or operating practices out of licensed premises in the Board area.

In the early part of the next reporting period, it is intended to hold a seminar for members of the licensed trade in the Moray Board area. This will involve members of the licensed trade being invited to receive inputs on a number of subjects, such as crime scene guidance, and drug and counter terrorism awareness to name but a few. Work is also ongoing with other partner agencies to garner their involvement, and we are scoping the issue of circulating a very worthwhile document entitled 'The Bar Code' to on sales premises which will complement the seminar.

More generally, North East Division will continue to work closely with the Moray Licensing Board and be mindful of their Policy and the legislative framework available.

We aim to improve standards and compliance across the licensed trade and tackle business practices that result in excess alcohol consumption and vulnerability, whilst supporting legitimate local traders who make a positive contribution to local economies and communities.

By doing so and by working collaboratively with our partners, we will support the licensed trade in upholding the five licensing objectives and the spirit of the 2005 Act, to ensure the safety and wellbeing of the people of North East Division.

## **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 single outcome agreements.

Consultation and engagement is combined with our own analysis of the issues likely to impact on the safety of the public to inform our local and national Strategic Assessments. These, in turn, identify our priorities and provide a firm evidence base for local policing teams across Scotland to deliver operational plans to prevent crime and disorder and Keep People Safe.

### **Our National Priorities are:**

- **Violence Disorder and Anti-social Behaviour**
- **Serious Organised Crime**
- **Road Safety and Road Crime**
- **Protecting People at Risk of Harm**
- **Counter Terrorism**

The National Licensing Policy Unit (NLPU) is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work in conjunction with licensing colleagues, from local policing divisions. Together, they seek to ensure that legislation governing the sale and supply of alcohol and other civic licensed activity is applied and reported consistently across the country to licensing boards, in accordance with the Licensing Objectives.

During 2016/17, 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 to introduce a National Licensing Trade Forum to identify licensing related issues and prevent/reduce associated crimes.
- The implementation and ongoing development of a National ICT Licensing System, known as "Inn Keeper", to increase the efficiency and effectiveness of liquor and civic licensing administration and management.

The assistance obtained from the local authority to ensure that "Innkeeper" was implemented successfully during March 2016 is very much appreciated by Police Scotland. It is anticipated that this effective collaboration between the parties will continue to ensure that this valuable national resource remains fit for purpose and significantly improves the management of liquor and civic licensing records, documentation and information.