



THE MORAY LICENSING BOARD

THURSDAY 6 September 2018

NOTICE IS HEREBY GIVEN at the Meeting of **THE MORAY LICENSING BOARD** is to be held within the The Moray Council, Council Chambers, High Street, Elgin on Thursday 6th September 2018 at 09.30am.

Alasdair McEachan
CLERK

29 August 2018

BUSINESS

1. Prior Minutes
 - (i) Minutes of the Meeting held on 14th June 2018
 - (ii) Minutes of the Special Meeting held on 20th August 2018

The Licencing (Scotland) Act 2005

2. Applications Section – Appendix 1
3. Chief Constable's Report to the Moray Licensing Board for 2017/18

CLERK:	Alasdair McEachan
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THE MORAY LICENSING BOARD

SEDERUNT

COUNCILLOR L LAING
COUNCILLOR D BREMNER
COUNCILLOR P COY
COUNCILLOR A PATIENCE
COUNCILLOR F BROWN
COUNCILLOR M MCLEAN
COUNCILLOR J ALLAN
COUNCILLOR G COWIE
COUNCILLOR R EDWARDS

CLERK TO THE BOARD: Mr 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 14 June 2018

PRESENT

Councillors: J Allan
D Bremner
G Cowie
P Coy
R Edwards
L Laing
M McLean
R Shepherd

APOLOGIES

Apologies were intimated on behalf of Councillor J Divers

IN ATTENDANCE

Sean Hoath, Depute Clerk to the Licensing Board

1. PRIOR MINUTES

- (i) The Minutes of the Meeting held on 19 April 2018 were submitted and approved
- (ii) The Minutes of the Special Meeting held on 7 June 2018 were submitted and approved.

There were no declarations of interest.

2. APPLICATIONS

(i) Major Variation – Phoenix Community Stores

The Applicant was represented by David Hammond and Anne Jenkins. The Depute Clerk introduced the application and advised that all the paperwork was in order. There were no questions from the Board. The Convenor proposed granting the application and there being no-one otherwise minded it was agreed to grant the application.

(ii) New Premises Licence – Aroma Café Lossiemouth

The Applicant was not present or represented. The Applicant had submitted a written request to defer the application given the requirement for planning consent outstanding. There being no member otherwise minded it was agreed to defer the application to the September meeting.

(iii) New Premises Licence – The Speyside Whisky Shop

The Applicant was represented by Mr Neil Ross, solicitor. The Depute Clerk introduced the application and advised that all the paperwork was in order and a site visit had been carried out. The Applicant's representative was invited to address the Board and explained the application as well as answering questions from the Board. Cllr Laing proposed granting the application and there being no-one otherwise minded it was agreed to grant the application.

(iv) **New Provisional Premises Licence – The Co-op, Falcone Avenue, Forbes**

The Applicant was represented by Mr Rory Anderson, solicitor, as agent for Messrs Hill Brown Licensing. The Depute Clerk introduced the application and advised that all the paperwork was in order and a site visit had been carried out. The Applicant's representative was invited to address the Board and explained the application as well as answering questions from the Board. The Convenor proposed granting the application and there being no-one otherwise minded it was agreed to grant the application.

MINUTE OF SPECIAL MEETING OF THE MORAY LICENSING BOARD

Monday 20 August 2018

PRESENT

Councillors Patience
 Bremner
 Cowie
 Coy
 Edwards
 McLean

APOLOGIES

Cllr Laing
Cllr Brown
Cllr Allan

IN ATTENDANCE

Hilary Locker, Depute Clerk.

1. CONVENING OF MEETING

The meeting was convened at 2.15pm at the HQ Car Park, Council Office, Elgin.

2. SITE VISITS

The following premises were visited:

- (i) Major Variation – Coulard Inn, Coularbank Road, Lossiemouth
- (ii) Premises Licence – Speyside Whisky Shop, 110A High Street, Aberlour

3. CONCLUSION OF MEETING

At the conclusion of the foregoing programme of site visits, the meeting concluded at 4.00pm.

MORAY LICENSING BOARD

MEETING, 6 September 2018 at 09:30am in Council Chambers, Council Headquarters, High Street, Elgin, IV30 1BX

Licensing (Scotland) Act 2005

Type	Premises	Applicant	Date received	Comments
Major Variation	Coulard Inn Coulardbank Road Lossiemouth IV31 6SL	John Hamish Martin	14 May 2018	Major variation application to extend operating hours and allow children for table meals Operating Plan Paperwork in order Neighbour representations
New Premises Licence	The Speyside Whisky Shop 110A High Street Aberlour AB38 9NX	Neil Ross Grigor and Young	26 July 2018	New premises licence application Site visit carried out Paperwork in order No objections or representations
New Premises Licence	Aroma Covesea Links Lossiemouth IV31 6SP	Partnership of Aroma	15 May 2018	New premises licence application Site visit carried out Paperwork in order No objections or representations

Key to Colour Coding of Applications within Appendices to the Agenda of Business for the Moray Licensing Board

All matters are to be heard by the Moray Licensing Board and the Moray Licensing Board has the final decision. However, in accordance with Government Guidance and locally agreed procedure, applications may be submitted to the Board with a general recommendation.

Please note that colour coding may be subject to change given the nature of the licensing procedure. Documents may be received and/or negotiations resolved following publication of the agenda.

RED

Indicates that the application will normally require to be heard, whether by virtue of general procedural rules or as a result of problems arising. This should apply to all new premises/provisional licence applications. There may be ongoing negotiations to resolve problems.

YELLOW

Indicates changing circumstances with the application. It is not ready to be granted at the time of publication but there are not normally major problems e.g. procedural issues or ongoing negotiations. Applications will normally be submitted with recommendation for grant or deferral.

GREEN

Indicates that all is in order with the application. All documents have been received and checked. All procedures have been followed. There are unlikely to be any representations, objections or problems or the same have been resolved. It is being submitted with a recommendation for grant but members are free to make enquiries as they see fit.

Licensing (Scotland) Act 2005

Licensing Objectives

Section 4 sets out the licensing objectives:

“(1) For the purposes of this Act, the licensing objectives are—

- (a) preventing crime and disorder,
- (b) securing public safety,
- (c) preventing public nuisance,
- (d) protecting and improving public health, and
- (e) protecting children and young persons from harm.”

Applications for a Premises Licence or Provisional Premises Licence

Section 20 Application

By section 20 any person (over 18) may apply to the appropriate Licensing Board for a premises licence in respect of any premises.

An application under subsection must—

- (a) contain a description of the subject premises, and
- (b) be accompanied by—
 - (i) an operating plan for the subject premises,
 - (ii) a “layout plan” of the subject premises, and
 - (iii) the certificates required by section 50(1).

Notice of Application

Notice of the application has been given to—

- (a) each person having a notifiable interest in neighbouring land *i.e. neighbours within 4 metres of the boundary of the premises*
- (b) the community council within whose area the premises are situated,
- (d) the chief constable, and
- (e) the fire service
- (f) the NHS

Objections / Representations

By section 22 any person may, by notice to the Licensing Board—

- (a) object to the application on any ground relevant to one of the grounds for refusal (detailed below)
- (b) make representations to the Board—
 - (i) in support of the application,
 - (ii) as to modifications which the person considers should be made to the operating plan accompanying the application, or
 - (iii) as to conditions which the person considers should be imposed.

A representation is not an objection to a licence being granted. It means the representer would like to see a changes or changes to the licence or conditions on the licence before it is granted.

Where a Licensing Board receives a notice of objection or representation the Board must—

- (a) give a copy of the notice to the applicant, and
- (b) have regard to the objection or representation in determining the application,

unless the Board rejects the notice as being frivolous or vexatious.

Where a Licensing Board rejects a notice of objection or representation as frivolous or vexatious, the Board may recover from the person who gave the notice any expenses incurred by the Board in considering the notice.

Consideration and determination of a Premises Licence Application

Section 23(4) states that:

“(4) The Board must, in considering and determining the application, consider whether any of the grounds for refusal applies and—

- (a) if none of them applies, the Board must grant the application, or
- (b) if any of them applies, the Board must refuse the application.”

Possible Courses of Action

1. Grant the licence as applied for;
2. Grant the licence with a condition(s) under s.27(6). Determine the licensing objective and how the situation can be improved and the exact terms of a condition.
3. Grant the licence with a modification to the operating plan under s.23(7) which states that
“(7) Where the Licensing Board considers that—
 - (a) they would refuse the application as made, but
 - (b) if a modification proposed by them were made to the operating plan for the subject premises accompanying the application, they would be able to grant the application,the Board must, if the applicant accepts the proposed modification, grant the application as modified.”
4. Refuse - In section 23(5) of Act:
 - (5) The grounds for refusal are—
 - (a) that the subject premises are excluded premises,
 - (b) that the application must be refused under section 25(2) (*licence refused within the last year*), 64(2) (*licence sought for 24 hours continuous*) or 65(3) (*off sale hours outside 10am to 10pm*),
 - (ba) that the Licensing Board consider, having regard to the licensing objectives, that the applicant is not a fit and proper person to be the holder of the premises licence,

- (c) that the Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives,
 - (d) that, having regard to—
 - (i) the nature of the activities proposed to be carried on in the subject premises,
 - (ii) the location, character and condition of the premises, and
 - (iii) the persons likely to frequent the premises,the Board considers that the premises are unsuitable for use for the sale of alcohol,
 - (e) that, the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of the same or similar description as the subject premises, in the locality.
5. Defer – if for example the Board wanted to arrange a further site visit.

Consequences of Refusal

Section 25 says that where a Licensing Board has refused a premises licence application the Board must refuse any subsequent premises licence application in respect of the same premises before the expiry of the period of one year beginning with the date of the earlier refusal UNLESS at the time of the earlier refusal the Board directed that this provision would not apply or the Board is satisfied that there has been a material change of circumstances.

Applications to Vary a Licence

Section 29 Application

By section 29(1) a premises licence holder may apply to the appropriate licensing Board for a variation of the licence. Such an application must be accompanied by

- (a) the premises licence to which the application relates, or
- (b) if that is not practicable, a statement of the reasons for failure to produce the licence.

Meaning of Variation

Section 29(5) defines a variation as meaning any variation (which includes addition deletion or other modification) of:

- (a) any of the conditions to which the licence is subject (*other than those to which the licence is subject by virtue of section 27(1) which are Schedule 3 mandatory conditions and cannot be changed*);
- (b) any of the information contained in the operating plan contained in the licence;
- (c) the layout plan contained in the licence; or
- (d) any other information contained or referred to in the licence.

Generally a variation that involves a change to the information contained within the operating plan is not a minor variation and it requires to be determined by the Licensing Board.

Any variation that involves:

- (i) a change to the layout plan that does not affect the operating plan
- (ii) a restriction on the access for children/young persons
- (iii) a change of premises manager
- (iv) reduction in the alcohol display area or capacity
- (v) reduction in the core hours

can be considered to be a minor variation which must be granted and so is dealt with under delegated powers.

Notice of Application

Notice of the application has been given to—

- (a) each person having a notifiable interest in neighbouring land *i.e. neighbours within 4 metres of the boundary of the premises*
- (b) the community council within whose area the premises are situated,
- (d) the chief constable, and
- (e) the fire service
- (f) the NHS

Section 22 applies the same as it does to a premises licence application and so any person may, by notice to the Licensing Board object to the application on any ground relevant to one of the grounds for refusal or make representations to the Board concerning the application.

Determination of the Variation Application

Section 30(3) provides that the Licensing Board must hold a hearing for the purpose of considering and determining the application. The Board must consider whether any of the grounds for refusal applies and:

- (a) if none of them applies, the Board must grant the application;
- (b) if any of them applies, the Board must refuse the application;

Section 30(5) provides that the grounds for refusal are:

- (a) that the application must be refused under section 32(2) (*licence refused within the last year*), 64(2) (*licence sought for 24 hours continuous*) or 65(3) (*off sale hours outside 10am to 10pm*);
- (b) that the Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives;
- (c) that, having regard to the nature of the activities carried on or proposed to be carried on in the subject premises, the location, character and condition of the premises, and the persons likely to frequent the premises,

the Board considers that the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation;

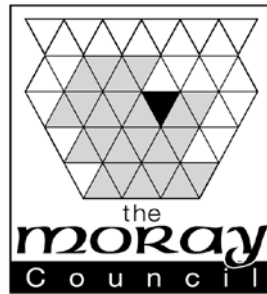
(d) that the Board considers that if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of the same or similar description as the subject premises (taking account of the variation), in the locality.

Where the Licensing Board grants the application, the Board may make a variation of the conditions to which the licence is subject.

Where the Licensing Board refuses the application the Board must specify the ground for refusal, and where relevant the Board must specify the licensing objective or objectives in question.

Subsequent Applications Following Refusal

Section 32 says that where a Licensing Board has refused a premises licence variation application the Board must refuse any subsequent premises licence variation application in respect of the same premises licence, and seeking the same variation made before the expiry of the period of one year beginning with the date of the earlier refusal UNLESS at the time of the earlier refusal the Board directed that this provision would not apply or the Board is satisfied that there has been a material change of circumstances.



REPORT TO: THE MORAY LICENSING BOARD 6 SEPTEMBER 2017

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.

3. Background

3.1 The Chief Constable on 23 August 2018, 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 2017 to 2018 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:None

Ref: SH

Signature:

Date: 29 August 2018

Designation: Clerk to the Board

Name: Alasdair McEachan



**POLICE
SCOTLAND**
Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE
MORAY LICENSING BOARD
FOR THE PERIOD
1ST APRIL 2017 to 31ST MARCH 2018

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FOREWORD

It gives me great pleasure to provide the Annual Licensing Report for 2017/18, in accordance with Section 12(A) Licensing (Scotland) Act 2005.

I would like to acknowledge the contributions made to effective licensing regulation in the past year. Working in partnership is vital to ensure a fair and consistent approach to licensing whilst maintaining a focus on preventing alcohol fuelled violence, disorder and antisocial behaviour. Police Scotland is committed to continuing to work with partners in the 32 Local Authorities across Scotland to achieve positive outcomes.

Over the past year, Police Scotland has continued to achieve success with a focus on prevention, underpinned by early intervention and enforcement. This has only been possible with the support of the many active partnerships that exist in local areas. I will ensure that all officers and staff continue to work with the licensed trade and other key partners, utilising the range of options available to them to achieve improved licensing standards, reducing violence, disorder and antisocial behaviour across Scotland.

On 1st May 2018, Minimum Unit Pricing of Alcohol was introduced in Scotland. We will work through the Evaluation Advisory Group to assess the impact of this legislation. The coming year will present many challenges but I am confident that through collaborative working, we will meet these challenges and continue to improve licensing standards and deliver a service to the communities of Scotland.

Mr Iain Livingstone QPM
Deputy Chief Constable Designate
Police Service of Scotland

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OVERVIEW

The National Licensing Policy Unit (NLPU) sits within the Specialist Crime Division – Safer Communities based at Dalmarnock Police Office, Glasgow.

The NLPU is responsible for the two tier structure for licensing which supports both national and local priorities. 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 locally based officers dedicated 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 in their local area.

Police Scotland Licensing is supported and governed by a National IT solution known as ‘Innkeeper’.

The NLPU and Licensing practitioners within Police Scotland develop partnerships and identify best practice which assist in a better understanding of the challenges faced by the licensed trade. This approach enables us to continue to work with local communities and key partners to prevent alcohol related crime and offences.

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.

NATIONAL PERSPECTIVE

Our Priorities and Policing Plans continue to be shaped by the objectives contained within Scottish Government’s Strategic Objectives and National Outcomes and the Strategic Policing Plans that are delivered locally through single outcome agreements.

Consultation and engagement is combined with our own analysis of the issues that impact on the safety of the public to provide a firm evidence base for local policing teams to prevent crime and disorder and Keep People Safe.

Our National Priorities are

- Violence, disorder and antisocial behaviour
- Serious organised crime
- Counter terrorism and domestic extremism
- Protecting people at risk of harm
- Road safety and road crime
- Acquisitive crime

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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

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

SENIOR OFFICERS

The senior officer who holds responsibility for licensing within the area of North East Division is Temporary Superintendent Richard Craig.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

The North East Divisional Licensing Team is led by Inspector Kenny McGeough who is based at Queen Street Police Office, Aberdeen. He is supported by Sergeants Gill Flett and Kim Wood, based at Queen Street and Stonehaven 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 Divisional 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. Over the reporting period there were a 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 an increase in the number of incidents at the premises.

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The reporting period has a focus on inspections of licensed premises through Local Days of Action, which were led by the North East Divisional Licensing Team, supported by community based Police Officers.

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

North East Divisional Licensing Team is represented on the Local Licensing Forum and works alongside the following groups and organisations to jointly improve local licensing issues:

- Licensed Trade Association
- Licensing Standards Officers
- Community Safety Partnership
- Local Security Industry companies
- Best Bar None
- Street Pastors

PROBLEM SOLVING

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

Community based Police Officers are encouraged and expected to routinely visit licensed premises within their area. Moray benefits from a dedicated Weekend Policing Plan to support the night time economy. Within the reporting period, there were 3575 inspections (visits) to licensed premises within Moray recorded on the InnKeeper system, which is an increase of 775 from the previous year.

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. Within the reporting period, there were 261 incidents connected to licensed premises within Moray recorded on the InnKeeper system.

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 Moray 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.

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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 four licensed premises in Moray subject to a period of monitoring or intervention. The issues that were addressed ranged from sale of alcohol outwith licensed hours to duty of care towards highly intoxicated patrons.

All of these 'interventions' were concluded successfully, thus negating the need to bring to the Board's attention issues which may previously have been brought before them by premises licence review application.

In the reporting period there were no premises licence review applications submitted to the Board.

The North East Divisional 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.

SUMMARY

There remains a causal link between excessive alcohol consumption, late opening premises and alcohol related crime. A significant number of the people who were subsequently identified as being responsible for committing violent offences in the late night economy had, in most cases, come from late opening licensed premises.

The prevention of crime is not a strategy owned exclusively by the Police and we seek the co-operation, commitment and invested involvement of our 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 economic factors.

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

Moray 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 young person purchasing alcohol from an 'on sales' licensed premises and they were charged accordingly and reported to the Crown Office and Procurator Fiscal Service. No action was taken against the staff member responsible, as they had used due diligence and the use of fake I.D. was involved.

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

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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 Divisional 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 Divisional 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.

The North East Divisional Licensing Team is fully engaged in the consultation process as we move towards the publication of a new Statement of Licensing Policy and will continue to provide 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, to continue working to reduce 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 carrying out 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

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premises licence holders and their staff too, who make a positive contribution to Moray'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 Moray.

Our work fits in well with the current Moray Local Outcome Improvement Plan (LOIP) which has ongoing tasking to reduce the negative impact of alcohol on society, children, young people and families with an overarching focus upon 'Changing our relationship with alcohol'. The North East Divisional Licensing Team is a key and vocal partner in this initiative.

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 secure understanding of their responsibilities to preserve order, reduce violence and promote safety.