

Agenda Item No. 4

SOUTH AYRSHIRE

Licensing Report

2021 - 2022



POLICE
SCOTLAND
Keeping people safe

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Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2021/22, in accordance with Section 12(A) Licensing (Scotland) Act 2005. Throughout this year Local Authorities and Police Scotland worked hard to support licensed premises in their road to recovery as Covid-19 restrictions were being lifted.

Collaboration is vital to ensure these businesses can flourish, providing much needed employment for our communities as well as a safe environments for people to socialise. Police Scotland will continue to work closely with Local Authorities, as well as other stakeholders, to ensure there is a fair and consistent approach across all 32 Local Authorities throughout Scotland to aid this recovery. Preventing alcohol fuelled violence, disorder and antisocial behaviour remains a priority for Police Scotland and I believe that working together we can reduce this through early intervention and enforcement.

I would like to take this opportunity to thank our local partnerships and the good work they carry out. With their support Police Scotland and partners can continue to drive improvements in licensing. I will continue to ensure that all officers and staff recognise the importance of working together with key partners, including the Licensing Trade, in an effort to improve licensing standards nationally.

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 Dalnarnock 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.

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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 2021/2022, from a licensing perspective, our particular focus was on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Working closely with Licenced Premises and Scottish Government to navigate the challenges of the COVID-19 pandemic through the 4Es approach by engaging, explaining, educating and enforcing.
- 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. Police Scotland are currently working on upgrade to the National ICT system to ensure compliance with GDPR legislation.

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.

LICENSING BOARD AREA

The Licensing Board area is policed by South Ayrshire Sub-Division. Chief Superintendent Faroque Hussain is the Local Police Commander who has the responsibility for all day-to-day policing functions.

Senior Officers

The senior officers who hold responsibility for licensing within the area of South Ayrshire are as follows;

Chief Inspector Kevin Lammie
T/Inspector Darren Muir
Sergeant Sheryl Syme

Area Commander
Head of the Licensing Department
Licensing Department

Local Policing Priorities

Following our public consultation process, the policing priorities for South Ayrshire Sub-Division as set out in our Local Policing Plan area as follows:

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- Serious and Organised Crime
- Safer Communities
- Acquisitive Crime
- Community Wellbeing
- Road Safety

Description of Board Area

There are a total of 388 Licensed Premises in South Ayrshire:

106 On-Sales

165 On/Off Sales

117 Off-Sales

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Alcohol pervades across a wide range of issues in our society and, as you know, is often a factor in violence, domestic abuse and anti-social behaviour; incidents that the Police Service of Scotland deals with every day in each area of the country. Therefore, licensed premises are carefully monitored with all incidents in and around such premises scrutinised to ensure compliance with the licensing objectives, resulting in a greater knowledge and understanding of potential problematic premises.

A problem solving approach is implemented in conjunction with the Premises Licence Holder and Designated Premises Managers. Premises that continue to fall below expected standards can be subject of formal police interventions and in some cases, a review being submitted to the Licensing Board.

Ayrshire Divisional Licensing Department utilises the Innkeeper database to highlight monitored and problematic premises, this allows our officers to focus their attention on the premises requiring the most support and attention.

Board Decisions

Application for Review of Licence

In the South Ayrshire Board Area during the reporting year, there have been two premises licence reviews submitted to the South Ayrshire Licensing Board by Police Scotland.

Applications for Premises Licences and Licence Variations

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All applications for premises licences and licence variations are carefully considered in line with current policy and legislation, paying particular attention to the Licensing Objectives. There have been no objections submitted to South Ayrshire Licensing Board by Police Scotland.

Personal Licences

Personal licences are carefully considered by Ayrshire Division Licensing in line with policy and legislation before being returned to the local authority. In the reporting period, there have been two objections submitted to South Ayrshire Licensing Board by Police Scotland.

Formal Police Interventions

Our focus is to improve the safety and wellbeing of people, places and communities in South Ayrshire by focusing on keeping people safe. This is done by local officers who are proactively identifying and addressing concerns regarding licensed premises at an early stage. Through early intervention and working in partnership with Designated Premise Managers and Premise Licence Holders, areas of concern have been successfully resolved without the requirement for a premises or personal licence review.

There is only one premises within the South Ayrshire Board Area that have been subject of a formal intervention agreement in the reporting year. These agreements are entered into between Premises Licence Holders and Police Scotland and set out areas in which improvement could be made. Each agreement is monitored and reviewed within a specific timescale to ensure that the necessary improvements have been implemented.

The formal intervention process should result in an improvement in standards and practices. The process also ensures that Police Scotland utilises a fair and evidence based approach prior to pursuing a formal review of a Premises Licence if agreed terms are not being complied with or if there are recurring issues.

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

In South Ayrshire there have been no reports submitted to the Procurator Fiscal for contravention of Section 102 of the Licensing (Scotland) Act 2005, which relates to the sale of alcohol to a child or young person.

Locality Policing and campus officers are exploring the possibilities of returning the Test Purchase Scheme that was previously delivered and was an effective tool to address such issues when they were identified within our communities.

TACKLING SERIOUS AND ORGANISED CRIME

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Serious and Organised Crime (SOCG) presents a clear threat to the Ayrshire Licensing trade and legitimate economy. As a result, Ayrshire Division continues to target known criminality in this area as well as attempting to reduce the opportunity for individuals to exploit legitimate licensing opportunities for their own illegitimate means.

Licensing staff work closely with Divisional Intelligence teams to explore intervention opportunities against Serious and Organised Crime Groups.

At this current time, there is 4 Serious Organised Crime Group being managed by Ayrshire Division with this group having a known interest in a business requiring some form of licence to operate. Not all groups are based in South Ayrshire but they all operate on a pan-Ayrshire basis.

This involvement in the licensing trade is often a direct result of the expertise or experience of an individual from their group in that business sector, and/or the chosen business, providing an ability to launder criminal proceeds.

Officers in South Ayrshire continue to carry out targeted premises visits whenever possible to ensure that all license conditions are being complied with. Such visits will also involve a range of partner agencies including;

HMRC, DVSA, DVLA, Scottish Power, SEPA, South Ayrshire Council, SIA and others.

Within South Ayrshire, continued scrutiny of problematic premises has in the past had positive results. Licensed premises throughout Ayrshire usually positively engage with Police by not only reporting incidents that occur within the Licensed Premise, but incidents that occur out with the premise, ensuring public safety.

DIVISIONAL LICENSING

Officers within South Ayrshire continued to submit details of inspections of licenced premises on the Inn Keeper system to ensure on and off sale activity was captured. These highlighted positive and negative incidents and assisted in identifying problematic premises and good practices.

Interrogating of police systems assists in identifying individuals connected with the licensing process who are involved in criminality and allow for appropriate early intervention.

Divisional licensing staff monitor reported offences on licensed premises ensuring exclusion order requests are included in police reports for consideration by the courts.

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In 2021 South Ayrshire locality Inspectors along with the local authority licensing standards officer implemented meetings with the licensing trade. These meetings have been well received and allow for the opportunity to discuss any concerns, emerging issues as well as offering prevention and re-assurance messages. These planned meetings will continue throughout 2022/23.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

South Ayrshire Sub-Division will continue to focus on “Keeping People Safe” and will work collaboratively with the licensed trade, partners and local communities to improve standards and compliance across the licensed trade and actively targeting;

- excess alcohol consumption
- vulnerability due to excess alcohol consumption
- sale and supply of alcohol to children and young people
- incidents of crime and offending connected to sale of alcohol

Operation Inver

Operation Inver is a partnership approach to ensure a focussed and proportionate response to support the night time economy in South Ayrshire.

The overarching objective during this time will be to Keep People Safe. The following strategy is implemented for this operation:

- Maximise the safety of the public.
- Minimise disruption to the local communities.
- Ensure public order is maintained, addressing alcohol related violence and anti-social behaviour, particularly in and around licensed premises.
- Ensure licensed premises comply with the current legislation.
- Ensure positive and negative interactions with licensed premises are accurately logged.

Officers are tasked with specific duties including visits to licensed premises to ensure that licensing legislation and responsibilities expected by managers and staff as contained within their license is complied with, and that any instances of anti-social behavior in and around licensed premises is dealt with accordingly.

In engaging members of the public the policing style adopted is friendly and engaging whilst robustly dealing with any instances of anti-social behaviour.

Operation Inver is further enhanced on Saturday nights with the deployment of Taxi marshals, Street pastors and St Andrews Ambulance.

FOCUS ON VULNERABILITY AND DUTY OF CARE IN THE NIGHT TIME ECONOMY – Bystander Training.

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Divisional Licensing staff are due to commence Bystander training in South Ayrshire in May 2022. This is training offered to Licensed premises to raise the awareness of preventing incidents of vulnerability and related crime, promoting safety by identifying the signs of vulnerability at the earliest opportunity, minimising the risk to themselves or members of the public by:

- Understanding what Vulnerability is
- Recognise the impact factors
- Identify those who may be vulnerable
- Understanding what our duty of care is
- Practical information

NATIONAL PERSPECTIVE

Our priorities and policing plans continue to be shaped by the objectives contained within the 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 which 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

To conclude we would like to thank you for your continued support during what has been a challenging year for all. We have all had to adapt to a new way of working and ever changing circumstances which has been embraced by all.

We look forward to a safe and healthy 2022/2023.

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