



5



**POLICE
SCOTLAND**

Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE
EAST LoTHIAN LICENSING BOARD
FOR THE PERIOD
1ST APRIL 2020 to 31ST MARCH 2021

OFFICIAL
NOT PROTECTIVELY MARKED

Contents

| | |
|---|----|
| FOREWORD..... | 3 |
| POLICE SCOTLAND LICENSING OVERVIEW..... | 3 |
| LICENSING BOARD AREA..... | 4 |
| Local Policing Priorities | 5 |
| Description of Board area | 5 |
| OPERATION OF THE LICENSING (SCOTLAND) ACT 2005 | 8 |
| The intervention process..... | 10 |
| Summary | 12 |
| Partnership Working | 15 |
| PREVENTING THE SUPPLY OF ALCOHOL TO CHILDREN AND YOUNG PEOPLE | 16 |
| Introduction..... | 16 |
| Activity | 17 |
| Fake Identification | 18 |
| Offences relating to children and Young Persons..... | 19 |
| TACKLING SERIOUS AND ORGANISED CRIME | 19 |
| Examples of Serious and Organised Crime (SAOC) Activity in the Board area | 19 |
| PROPOSED ACTIVITY FOR THE YEAR AHEAD | 20 |
| CONCLUSION..... | 22 |

OFFICIAL
NOT PROTECTIVELY MARKED

FOREWORD

In accordance with Section 12(A) Licensing (Scotland) Act 2005 I provide the Annual Licensing Report for 2020/21.

I would like to thank you for working with policing to keep the people of Scotland safe in what has been an extremely demanding year. During these challenging times Police Scotland has continued to work closely with Local Authorities and key stakeholders and, collectively, we have played a crucial role in supporting the national response to the COVID-19 pandemic, explaining the rules and encouraging our fellow citizens to do the right thing.

We have embraced new, flexible ways of working that have involved remote or home working where possible and the incorporation of new IT solutions. We have quickly adapted to these changes while continuing to provide a high standard of service to our communities.

We have also continued to deliver effective regulation of Liquor Licensing whilst taking full cognisance of the restrictions and requirements conferred by the Coronavirus Regulations. Our focus has been on preventing alcohol fuelled violence, disorder and antisocial behaviour along with supporting the national response to suppress the virus.

I would like to thank our many local partnerships and acknowledge the good work that they do; without their support we would not be able to maintain the high standard in licensing in the East Lothian area.

Police Scotland remains committed to working with others to achieve the licensing objectives. I am confident that through effective, collaborative working we will meet any challenges that may arise and will continue to improve licensing standards for the communities of Scotland.

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 2020/2021, 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

OFFICIAL
NOT PROTECTIVELY MARKED

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 East Lothian local authority area is policed by J Division. Chief Superintendent John McKenzie is the Local Police Commander who has the responsibility for all day-to-day policing functions. The Local Area Commander Chief Inspector Neil Mitchell is based at Haddington. He is responsible for performance management, community engagement, partnership working and the daily management of local personnel.

Chief Inspector Mitchell is supported by Inspector Stuart Fletcher who is based at Tranent. The East Lothian Licensing Boards are predominantly attended by Inspector Fletcher.

The Licensing Department is part of the Divisional Co-ordination Unit based at Dalkeith Police Station. The senior officers who have responsibility for Licensing are Inspector John McEwan and Sergeant Karen Harling.

The local liquor Licensing Department is based at Dunbar Police Station. This consists of one police officer, Police Constable Graeme Bairden, supported by administration staff based at Dalkeith Police Station.

OFFICIAL
NOT PROTECTIVELY MARKED

Local Policing Priorities

Following our public consultation process, the policing priorities for J Division, as set out in our Local Policing Plan are as follows;

- Protecting the most vulnerable people
- Reducing Violence & Antisocial Behaviour
- Tackling Serious and Organised Crime
- Improving Road Safety
- Reducing Acquisitive Crime

In response to the local policing priorities, J divisions will continue to address violence, including focusing on alcohol related violence as well as dealing with disorder and antisocial behaviour related to the sale, and consumption of alcohol. It is recognised that education, prevention, partnership working and robust policing are all key factors in reducing crime and disorder in this area.

Description of Board Area

The command area of East Lothian serves, as of 30th June 2019, a population of 107,090 people in an area covering over 262 square miles from Musselburgh to the Dunbar area on the east coast and south into the Lammermuir Hills. The age group 25-44 saw a 5.4% decline in numbers over the last 20 years while the 65 - 74 age group saw a 45.6% increase in population over the same period (National Records of Scotland). Approximately 31,333 persons residing in the East Lothian are in the 45-64 age group which represents 29.3% of the population. Between 2018 and 2028, the population of East Lothian is projected to increase from 105,790 to 113,403. This is an increase of 7.2% which compares to a projected increase of 1.8% for Scotland as a whole.

There are currently:

- 61 'on sales' only premises,
- 94 'off sales' only premises, and

OFFICIAL
NOT PROTECTIVELY MARKED

- 133 combined on/off sales premises

Giving a total of 288 premises in East Lothian licensed to sell alcohol.

In the Alcohol Outlet Availability and Harm report (April 2018) published by Alcohol Focus Scotland, East Lothian is ranked 18th out of 30 local authority areas for alcohol outlet availability in Scotland (13th for on-sales and 21st for off-sales outlets). East Lothian has an alcohol outlet availability lower than Scotland as a whole. Other key findings for East Lothian include;

- Alcohol-related death rates in the neighbourhoods with the most alcohol outlets were 4 times higher than in neighbourhoods with the least.
- Alcohol-related hospitalisation rates in neighbourhoods with the most alcohol outlets were double those in neighbourhoods with the least.
- Crime rates in the neighbourhoods with the most alcohol outlets were 2.5 times higher than in neighbourhoods with the least.
- The link between alcohol outlet availability and harm was found even when other possible explanatory factors, such as age, sex, urban/rural status and levels of income deprivation, had been taken into account.
- The total number of alcohol outlets in East Lothian decreased by 17 (5.9%) from 286 in 2012 to 269 in 2016.

COVID-19 PANDEMIC

The year 1st April 2020 to 31st March 2021 was very unique in many ways, particularly in relation to the licensed trade due to the various restrictions placed on premises on how, when and where they can safely operate throughout the Covid-19 Pandemic.

Police Scotland set up 'Operation Talla' in response to the pandemic, ensuring a consistent and measured approach was taken to implementing restrictions throughout the country. Lothian Scot Borders Licensing Department worked closely with Operation Talla, as well as Liquor & Civic Licensing Policy Unit to provide clear and

OFFICIAL
NOT PROTECTIVELY MARKED

consistent advice to operational officers, to enable them to support premises as they introduced special measures in their premises in response to restrictions.

Police Licensing, in partnership with Licensing Standard Officers (LSO's) and Environmental Health Officers worked closely with the licensed trade, including legal representatives, throughout this difficult time, providing guidance, advice and support to them and their staff to assist in the safe operation of licensed premises through the unprecedented challenges that faced them over the reporting period.

Changes to the levels system introduced by the Scottish Government as part of the route-map out of lockdown meant that East Lothian was one of the areas where 'on sales' premises moved progressively from being closed to limited sales outdoors in the lead up to Christmas. Officers also worked with East Lothian council to support the introduction of Festive Stalls in Haddington in December 2020.

Whilst the pandemic is not yet over, with the introduction of vaccines in the coming year, it is expected that society, including the hospitality trade can start returning to a level of 'normality' including the re-opening of pubs, restaurants, nightclubs, sporting venues and other licensed premises throughout the division. Police Licensing will continue to work closely with both internal and external partners to help ensure the safe and successful return of customers to licensed premises throughout the division, as well as the return of many of the annual events.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

The Licensing Officer is responsible for processing all correspondence received from the Licensing Board. The officer reviews applications on behalf of the Chief Constable as part of the consultation process in conjunction with the Area Commander. This consultation process forms part of the Police support of the Licensing Objectives.

This section concentrates on how the Act has been applied by the licensing team and other local policing officers to support the Licensing Objectives in tandem with the local/national policing priorities.

In East Lothian, there were 195 recorded incidents in licensed premises between 1st April 2020 and 31st March 2021, this figure shows a major decrease from 355 recorded

OFFICIAL
NOT PROTECTIVELY MARKED

incidents equating to 55% on the year before. There continues to be a notable trend in thefts of alcohol from 'off sales' premises over the reporting year, this may be due to the impact that Covid-19 has had on society. There is continued work being carried out by the East Lothian Council Licensing Standards Officer and Police Licensing Officer with regards to crime prevention in this particular area in order to combat this trend. Police Scotland carried out 226 recorded inspections of licensed premises in East Lothian during the reporting year. This shows a decrease of 22% decrease and is affiliated to the impact of the Covid-19 pandemic accompanied by restrictions on Licensed Premises opening and reduced trading hours having the effect of reduced visits.

On Friday and Saturday evenings police officers are deployed on foot where other incidents permit, to aid with dispersal of licensed premises and reduce antisocial behaviour and violence related incidents between the hours of 2200-0400.

The proactive use of exclusion orders and antisocial behaviour legislation continues to contribute hugely to reducing repeat offending in licensed premises.

The misuse of alcohol is regularly cited as a contributory factor in relation to crimes of violence, domestic abuse, disorder and antisocial behaviour occurring on our street and within our homes. In addition, alcohol is also known to lower inhibitions and can render an individual as much a victim as a perpetrator of crime.

We continue to ensure there is a concerted focus on the issues surrounding the sale and supply of alcohol within our communities and work together in partnership with Licensed Premises and other agencies to promote responsible trading practices, ultimately keeping people safe.

Violence and ASB Data Where Alcohol Is a Factor

Violence recording indicates an "Alcohol" marker as a clearly defined aggravator to indicate where the presence of alcohol is deemed a factor in the act of violence. Of the 766 recorded crimes of violence for the 2020-21 period, a total of 150 had the alcohol marker attached to the crime report. Of that total 97 were in residential locations leaving 53 acts of violence in a public space where alcohol featured.

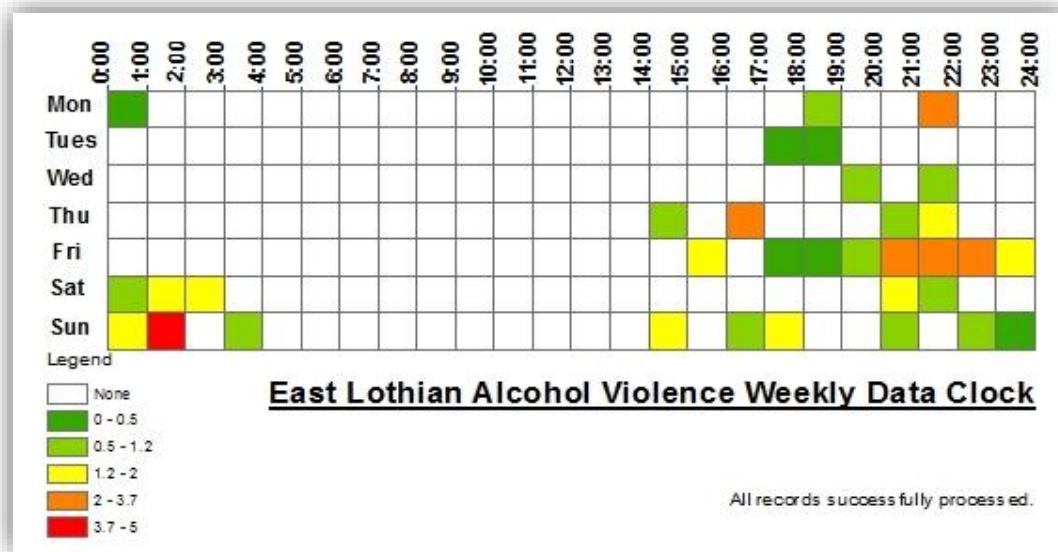
OFFICIAL
NOT PROTECTIVELY MARKED

The following map has been produced indicating the locations of public space violence where alcohol is a factor. The red dots indicate alcohol while the green dots are the other crimes where no such aggravator has been added.



The areas of Musselburgh, Prestonpans, Tranent, Haddington and Dunbar are evident above. The data clock below is based on alcohol related acts of violence and clearly shows the weekend from Friday through to Sunday as most prominent.

OFFICIAL
NOT PROTECTIVELY MARKED



The Intervention Process

As detailed in previous reports to the Licensing Board, issues in licensed premises are assessed using a well-established intervention process. Incidents connected to premises are identified by licensing officers who evaluate the Licensing Objectives to determine if any have been compromised.

Police intervention usually results in a meeting with the appropriate representatives of the premises concerned e.g. premises licence holder, designated premises manager and if appropriate, any stewarding company to discuss concerns and agree a way forward to resolve these.

Premises being monitored by way of the above system are subject to weekly visits by either local officer's or licensing officers to monitor progress, measure improvement and ensure that agreed remedial measures are implemented.

The intervention system is ultimately designed to support the licence holder before any premises review is sought, although a serious or significant incident may obviously merit an immediate review application.

OFFICIAL
NOT PROTECTIVELY MARKED

Depending on the severity of the incident and history of the premises, licensing officers will categorise the premises/incident as follows:

| Police Intervention Categories | | Number this reporting Year |
|--------------------------------|--|----------------------------|
| RED | Problematic Premises – those operating in a manner inconsistent with the Licensing Objectives or out with the conditions of a premises licence and where local police intervention and support has failed or is unlikely to succeed in resolving the issues. A premises review request to the local Licensing Board is considered the most appropriate way to address the issue. | 0 |
| AMBER | Premises that require Formal Intervention. Issues have arisen and a formal intervention agreement is entered into between premises licence holders and Divisional Licensing teams to resolve them. This action may be taken with more serious or repeat issues. | 0 |
| GREEN | Monitored – the premises have come to note for a minor adverse issue and are being monitored. This may result in an informal intervention in terms of advice/support to the premises along with police visits. | 1 |
| NO ACTION | Action – An incident review has highlighted no issues regarding the management of the premises or licensing legislation. No further police action. | 0 |

Over the last calendar year there has been no premises in East Lothian which have been classed as 'Monitored'. In addition, there has been no problematic premises.

During the reporting year there was one premises in East Lothian that required formal intervention and review to Licensing Board following an incident where an underage youth had purchased alcohol and subsequently required medical assistance after consuming same. A written warning against the premises licence was given by the Licensing Board following the hearing.

Summary

Section 1 – Unlicensed Sale of Alcohol

Alcohol is not to be sold on any licensed premises except and in accordance with a Premises Licence or Occasional Licence. During the reporting year no premises or events were found to be operating unlicensed.

Section 22 - Applications

Over the reporting year, there were 8 Provisional Premises Licences, a decrease of 9 from the previous year and 1 Confirmation of a Provisional Premises Licence granted by the Board, a decrease of 5 on the previous reporting year.

Section 36 – Application for Review of Licence

Police Scotland only seek review of a premises licence when an intervention has failed, is likely to fail or there is a serious risk to public safety if the premises continues to operate in the same manner e.g. the resulting problems as well as community impact must be considered.

In this reporting year there was one review application of this type submitted by Police Scotland in East Lothian.

Section 63 – Sale or Supply out with licensed hours

Officers in East Lothian monitor the sale or supply of alcohol out with licensed hours closely. Local officers continue to make pro-active visits to licensed premises, particularly at weekends, to ensure premises are being managed appropriately. The police Innkeeper IT solution can be accessed by police control staff and officers alike, twenty four seven, providing any information on licensed hours etc. that are required, out with normal office hours of the Licensing Department. Close monitoring of premises through the use of Innkeeper, tasking's, and night time economy dispersal

OFFICIAL
NOT PROTECTIVELY MARKED

details continue to assist in reducing offending of this nature. In this reporting year, there have not been any licence holders reported for this type of offence.

Section 72 – Personal Licence Applications

There were 75 applications made for the grant or renewal of personal licences during this reporting year in East Lothian. This is a significant decrease on the previous year from 345 applications in 2019-2020 reporting period. This equates to a 78% decrease.

The amendment to legislation in terms of the Criminal Justice and Licensing (Scotland) Act 2010 and the Police and Fire Reform (Scotland) Act 2012 permitting the Chief Constable to request refusal for the purposes of ‘any’ Licensing Objective has widened the scope for making appropriate representations to the Board. During this reporting year there has been one representation of this type made to the Licensing Board. We are currently awaiting the outcome of criminal proceedings prior to any decision being made by East Lothian Licensing Board.

Section 84 (84A) – Personal Licence Reviews

Police Licensing Officers are responsible for monitoring the conduct of personal licence holders. Again, the amendment to legislation has widened the ability for the Chief Constable to report conduct inconsistent with the Licensing Objectives.

There were no Personal Licence Reviews requested by Police Scotland in this reporting year.

Section 94 – Exclusion Orders

When a person has been charged with a violent offence within or in the immediate vicinity of any licensed premises, a request for an Exclusion Order is included in the ‘remarks’ section of the police report. Exclusion Orders are granted by the Courts, ‘on conviction’, and can exclude a person from specific licensed premises for between three months and up to two years. The Police Licensing Officer proactively drives the

OFFICIAL
NOT PROTECTIVELY MARKED

request for exclusion orders whenever there is an incident in or in the immediate vicinity of licensed premises. Persistent offenders can also be dealt with under the Anti-Social Behaviour legislation. The use of Exclusion Orders are fully supported by the licensed operators in East Lothian.

Section 97 – Closure Orders

There were no closure orders used within East Lothian during the reporting year. It is fully expected that should a premises require to cease trading, due to a serious risk to public safety, that we would receive full cooperation from the licence holder or person in charge.

Sections 111-116 – Drunkenness / Disorder Offences

The following licensing offences have been reported to the COPFS during the reporting year.

| Number of offences reported – East Lothian | 2019-20 | 2020-21 |
|---|---------|---------|
| Section 111 (drunk persons within licensed premises) | 0 | 0 |
| Section 112 (obtaining alcohol by or for a drunk person) | 0 | 0 |
| Section 113 (sale of alcohol to a drunk person) | 0 | 0 |
| Section 114 (DPM drunk whilst on duty) | 0 | 0 |
| Section 115 (disorderly conduct within licensed premises) | 1 | 1 |
| Section 116 (refusal to leave licensed premises) | 5 | 3 |

The numbers reported to COPFS above remains relatively low as a result of officers using their discretion in many cases. Due to the Covid-19 pandemic, we have seen a decrease in reported incidents in licensed premises as would be expected given the initial lockdown and subsequent tiering system and return to further lockdown. We remain committed to keeping people safe and improving the quality of life for residents in East Lothian.

Partnership Working

The Licensing Officer supported by local policing officers, have promoted the Police Service of Scotland's Force Priorities in conjunction with the five licensing objectives and the overarching principles and aims of the Licensing (Scotland) Act 2005.

Police management in East Lothian continues to enjoy a positive working relationship with partner agencies, in particular with East Lothian Council and the Licensing Board. The local licensing officer works regularly with a number of partner agencies and organisations to improve local licensing issues including Trading Standards, Environmental Health, HM Revenue & Customs, Immigration, East Lothian Licensing Forum, Midlothian & East Lothian Drug and Alcohol Partnership (MELDAP), Best Bar None initiatives, Security Industry Authority, NHS Lothian, Scottish Ambulance Service and Scottish Fire and Rescue.

During the course of this unprecedented year, the licensing officer has carried out a considerable amount of joint working to ensure compliance to the Covid-19 regulations. Many licensed premises were issued with corrective advice and guidance. This joint working practise also forged new links and provided reassurance and much need support to licence holders. Going forward this working practise will continue.

Licensing Standards Officer (LSO)

The local Police Licensing Officer works regularly with a number of partner agencies including the Local Authority. He continues to work alongside the LSO within East Lothian to maintain effective information sharing procedures and establish good partnership working. This unified approach has resulted in a number of successful resolutions in East Lothian.

East Lothian Licensing Forum

The Police licensing officer is an active member of the East Lothian Licensing Forum however during this last reporting year there has not been much activity as a direct result of the Covid-19 pandemic.

OFFICIAL
NOT PROTECTIVELY MARKED

Best Bar None (BBN)

Best Bar none is a unique National Award Scheme aimed at raising standards and rewarding licensed premises who undertake positive management practices in support of a safe night out.

The purpose of the Best Bar None Scheme is to

- Reduce alcohol related crime
- Promote social responsibility and duty of care.
- Improves knowledge and skills to assist in responsible management.
- Promotes partnership working to identify good practices and areas for improvement.
- Supports due diligence
- Awards both locally and nationally to reward success.
- Operating more responsibly can improve the commercial viability and attractiveness of a venue and locality.

During this reporting year the 'Best Bar None' scheme was sisted due to the majority of the premises being closed for most of the reporting period. The BBN scheme is something that Police Scotland will continue to drive forward as it promotes and encourages responsible management of licensed premises.

Campaigns

During this reporting year there were no campaigns run by J division a direct result of the Covid-19 pandemic.

PREVENTING THE SUPPLY OF ALCOHOL TO CHILDREN AND YOUNG PEOPLE

Introduction

Police Scotland can make a positive impact on the future outcomes for children and families, by addressing the sale and supply of alcohol to young persons and working with our partners, taking the appropriate action to address both the potential and actual misuse of alcohol within the early years.

OFFICIAL
NOT PROTECTIVELY MARKED

Activity

Officers continue to routinely proactively visit premises licensed for 'off-sales' to ensure that they are aware of their responsibilities under the 2005 Act, and in particular in the run up to and during school holidays.

Likewise, officers will continue to routinely proactively visit premises licensed for 'on-sales' to ensure that management have taken all appropriate measures to prevent the sale or supply of alcohol to young people under age.

The provision of 'Test Purchasing', in terms of Section 105 of the principal legislation, is a tactic that is used by Police Scotland, and the East Lothian command area will continue to use this tactic as and when required as an effective tool in the fight against underage sales.

Due to the 'code of practice' introduced by Government on 1st March 2018, a Directed Surveillance Authority under the terms of the RIP(S)A (Regulation of Investigatory Powers Scotland Act) must now be sought before a Test Purchase Operation is carried out.

East Lothian have the ability to carry out test purchase operations on an intelligence led basis. When initial intelligence is received pertaining to premises selling alcohol to persons under 18, the first stage in the process is to issue a warning letter to the premises. This letter is delivered by hand by the licensing officer who will also inspect the premises and discuss expectations regarding the responsible sale of alcohol with the licensee. If further intelligence is received after this intervention then at this juncture there will be a discussion around a test purchase operation being implemented.

A 'National Proxy Purchase Campaign' was scheduled to take place in 2020 where Police and partners would engage with premises to raise awareness of the issue of adults buying alcohol for children and young people. This was aimed at providing education, support and advice to premises, as well as using local and social media to highlight the impacts of it to communities, in an effort to reduce proxy purchases in the division as a whole. Unfortunately, this campaign was also postponed as a result of Covid-19 pandemic.

OFFICIAL
NOT PROTECTIVELY MARKED

There are two dedicated School Link Officers based in high schools in East Lothian and they are seen as one of the main links between Police and children and young persons in the area. The local licensing officer continues to work alongside School Link Officers to provide education and support to students around the dangers of alcohol not only to their own health but also the impact on the community.

Fake Identification

The trade in fake identification is very lucrative, and there appears to be more circulating amongst our young people than ever before, especially fake driving licences, resulting in then having access to alcohol.

The Police Licensing Officer and Community Officers continue to educate licensed premises in order to keep up with trends and how to target the use of fake identification. This collaborative working approach has proven successful in the past and has led to increased training for new staff members and more stringent practices and procedures in place.

Offences relating to children and Young Persons

The following licensing offences have been reported to the COPFS during the reporting year.

| Number of offences reported – East Lothian | 2019-20 | 2020-21 |
|---|----------------|----------------|
| Section 102 (sale of alcohol to a child or young person) | 0 | 1 |
| Section 103 (allowing the sale of alcohol to a child or young person) | 0 | 0 |
| Section 104A (supply of alcohol to a child) | 0 | 3 |
| Section 104B (supply of alcohol to a young person) | 2 | 2 |
| Section 105 (purchase of alcohol by or for a child or young person) | 1 | 0 |

Section 104A and 104B is a new addition following the amendment made to the Act by the Air Weapons and Licensing (Scotland) Act 2015. This has proved to be a very

OFFICIAL
NOT PROTECTIVELY MARKED

useful weapon in the fight against 'agent purchase' or 'proxy purchasing' and will continue to be used by local officers whilst out on patrol.

TACKLING SERIOUS AND ORGANISED CRIME

The Serious Organised Crime Task Force was set up by the Scottish Government to provide direction and co-ordination for all organisations involved in tackling Serious Organised Crime in Scotland.

The task force has a remit to disrupt, dismantle and pursue Serious Organised Crime Groups (SOCGs). Key partners include Police Scotland, NCA, HMRC, COPFS, SOLACE and the Scottish business Resilience Centre, amongst others.

If SOCGs gain a foothold in licensed premises then 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.

SOCG's pose a serious threat to communities, individuals and businesses. We use intelligence and enforcement to break the cycle of crime and reduce opportunities for criminals to profit from illegal activity.

Examples of Serious and Organised Crime Activity in the Board area

Over the past year, the Police Licensing Officer has scrutinised and interrogated licence applications to identify where Serious and Organised Crime Groups (SOCGs) may be trying to enter legitimate businesses. This is particularly detailed when processing new premises and transfer applications, where the applicant may be asked to evidence the source of any financing. Unfortunately a lot of SOCGs already have a foothold in licensed premises which makes it very difficult to object to these applications because more often than not they have no relevant convictions to comment on. In some cases they do not actually transfer the licence, they are 'tenants', who neither hold the premises licence or the Designated Premises Manager position and therefore are not 'relevant' persons.

OFFICIAL
NOT PROTECTIVELY MARKED

The police Licensing Officer continues to monitor the persons connected to licensed premises in East Lothian, who are known to have links to SOCGs. All opportunity is taken to disrupt the running of these licensed premises whenever an opportunity arises. Proactive visits to these premises keeps the pressure on these operators and ultimately they tend to leave an area as quickly as they arrived.

As detailed in last year's Chief Constables report to Licensing Boards, the disclosure of intelligence on applicants' criminal activities is now an option that can be used to object to a licence. This document is known as an 'Information Assessment Disclosure' or IAD. This process is strictly managed and has now been used successfully to disrupt the activities of a prominent East Lothian SOCG nominal and highlighted excellent collaborative working between local Licensing Officers and the East Lothian Licensing Committee resulting in the nominal being refused a civic licence and also leading to his subsequent withdrawal of a premises licence application for the East Lothian area.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

The division has an operation which focuses on violence in all forms and recognises that alcohol has a significant part to play in a large amount of the recorded crimes and incidents.

We will continue to work towards both divisional and national priorities in particular in connection to the consumption of alcohol by carrying out the following proposed activity over the coming year.

- The licensing officer will continue to work alongside partner agencies and LSO's to provide quality and pertinent advice and support to licence holders and their staff in order to ensure they keep both their staff and customers safe during these unprecedented times and are aware of the legislation and licensing objectives.

OFFICIAL
NOT PROTECTIVELY MARKED

- Local Community Police Officers' will undertake a dedicated night time economy policing plan which focusses on alcohol related incidents, antisocial behaviour, violence, disorder and drugs misuse. They provide a targeted and coordinated approach in conjunction with the local licensing officer to deter, disrupt and detect antisocial behaviour. This activity will include licence premise visits to ensure compliance and good practice. Any incidents occurring at or near any licensed premise are further followed up on by the local licensing officer.
- Local Licensing Officer will continue to analyse intelligence and disseminate to colleagues allowing for a measured and focussed tasking approach.
- All reports of proxy purchase will continue to be prioritised and interventions with premises to educate and provide advice and support. Further use of social media platforms to provide awareness.
- To engage with licensees to deliver any national campaigns including providing 'Bystander' training to licence premise staff with a view to education to protect vulnerable persons within licensed premises and help tackle sexual violence connected to alcohol consumption.
- Engage with any major event organisers to agree alcohol management plans for the events, work alongside partner agencies and events planning to provide advice from a licensing perspective at any safety and advisory group meeting in relation to any such event.
- Continue to raise objections, representations and other appropriate concerns in relation to applications for all types of alcohol licences. Furthermore continue to review incidents and submit licensing reviews to the local authority to be reviewed by the Licensing Board.

OFFICIAL
NOT PROTECTIVELY MARKED

- Work towards ensuring a safe and successful transition out of this current Covid-19 pandemic, providing support, education and advice to patrons and operational Police Officers encouraging safe re-opening of licensed premises and the return of major events to East Lothian.

CONCLUSION

We would like to thank you for your continued support during what has been a challenging year for all. We have 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 2021 / 2022.