

Inverclyde Licensing Board

ALL MEMBERS OF THE LICENSING BOARD

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Our Ref: FD/LIC
Your Ref:
Date: 30 August 2018

Dear Member

Please attend a meeting of the **INVERCLYDE LICENSING BOARD** to be held on **THURSDAY 6 September 2018** at **10.00 a.m.** within the **MUNICIPAL BUILDINGS, GREENOCK.**

Yours faithfully

Depute Clerk

AGENDA

- 1. Licensing (Scotland) Act 2005: Application for Variation of Premises Licence**
A list of applications is enclosed.
- 2. Licensing (Scotland) Act 2005: Application for Provisional Premises Licence**
A list of applications is enclosed.
- 3. Licensing (Scotland) Act 2005**
Police Scotland: Chief Constable's Report - 1 April 2017 to 31 March 2018
Report enclosed.

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(1) APPLICATION FOR VARIATION OF PREMISES LICENCE

<u>No</u>	<u>Name & Address of Applicant / Agent</u>	<u>Address of Premises</u>	<u>Variation Details</u>	<u>Decision</u>
1.	Wm Morrison Supermarkets plc c/o Gosschalks Queens Gardens Hull	Morrisons Rue End Street / Dellingburn Street Greenock	<p>(a) Add restaurant facilities to activities to be provided on the premises both during and outwith core licensing hours. (Tick box "Yes")</p> <p>Existing Tick Box "No"</p> <p>(b) Add the following description to any other activities to be provided:-</p> <p>The premises licence holder may offer occasional free samples/tastings of alcohol products to its customers over 18 within the alcohol display area during core licensed hours.</p> <p>Existing Products other than alcohol will be sold and ancillary consumer services provided during all or part of the period between 6.00 a.m. and 12 Midnight each day subject to customer demand and other statutory consents where required.</p>	
2.	Cont'd			

<u>No</u>	<u>Name & Address of Applicant / Agent</u>	<u>Address of Premises</u>	<u>Variation Details</u>	<u>Decision</u>
2.	Reo's Ltd c/o Maitlands 6A Brougham Street Greenock	The Exchange Wine Bar & Bistro 1/3 Tobago Street Greenock	Extension to premises to create cocktail bar, amendment to layout plan accordingly and increase occupancy capacity by approximately 110 persons. Existing Occupancy Capacity 152 persons	
3.	Stacey Loy c/o Black Hay 45/47 Main Street Prestwick	84 Bridgend Road Greenock	Increase off sales core licensing hours to:- Monday – Sunday 10.00 a.m. – 10.00 p.m. Existing Monday – Wednesday 10.00 a.m. – 7.00 p.m. Thursday – Saturday 10.00 a.m. – 9.00 p.m. Sunday 10.00 a.m. – 2.30 p.m.	

INVERCLYDE LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

(2) APPLICATION FOR PROVISIONAL PREMISES LICENCE

<u>No</u>	<u>Name & Address of Applicant / Agent</u>	<u>Address of Premises</u>	<u>Proposed Premises Details</u>	<u>Decision</u>
1.	Surinder Singh Dhillon c/o Blair & Bryden 20A Union Street Greenock	54 Sinclair Street Greenock	Description of Premises General convenience store with off sales facility. Ground floor terraced premises in urban location in residential area Core Licensing Hours – Off Sales Monday – Sunday 10.00 a.m. – 10.00 p.m. Capacity of Premises Alcohol Display Area – 6.41 sq. m. Designated Premises Manager To be confirmed	
2.	Sukhdeep Kaur Benning c/o Blair & Bryden 20A Union Street Greenock	31 Ingleston Street Greenock	Description of Premises General convenience store with off sales facility. Ground floor premises in urban location within residential area. Core Licensing Hours – Off Sales Monday – Sunday 10.00 a.m. – 10.00 p.m. Capacity of Premises Alcohol Display Area - 28.45 sq. m. Designated Premises Manager Sukhdeep Kaur Benning	

<u>No</u>	<u>Name & Address of Applicant / Agent</u>	<u>Address of Premises</u>	<u>Proposed Premises Details</u>	<u>Decision</u>
3.	Sadhu Singh c/o Maitlands 6A Brougham Street Greenock	54/56 Fancy Farm Road Greenock	<p>Description of Premises Retail shop with off sales facility.</p> <p>Core Licensing Hours – Off Sales Monday – Saturday 10.00 a.m. – 8.00 p.m. Sunday 10.00 a.m. – 4.00 p.m.</p> <p>Capacity of Premises Alcohol Display Area – 36.42 sq. m.</p> <p>Designated Premises Manager Shazia Saleem</p>	



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SCOTLAND**
Keeping people safe

NOT PROTECTIVELY MARKED**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

NOT PROTECTIVELY MARKED**Police Scotland Licensing 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

NOT PROTECTIVELY MARKED**LICENSING BOARD AREA**

The Licensing Board area is policed by Renfrewshire and Inverclyde Division.

Chief Superintendent Gordan Crossan is the Divisional Commander with responsibility for all policing functions.

Chief Inspector Alison Kennedy and Chief Inspector Hazel Scott were the Local Area Commander for Inverclyde with responsibility for the management of personnel, local service delivery, community engagement and partnership working to ensure local and national priorities are met during the reporting period. From 3rd April 2018 the new Local Area Commander is Temporary Chief Inspector Louise Harvie.

Inverclyde is bordered to the north/west by the Firth of Clyde, the east by Renfrewshire and stretches south where it meets North Ayrshire. It has a population of over 80,000 people. It is one of the smallest in terms of area (29th) and population (27th) of the 32 Scottish unitary authorities.

The main population centres of Greenock, Port Glasgow and Gourock are surrounded by smaller local communities such as Wemyss Bay, Inverkip and Kilmacolm and policing delivery is tailored to meet the needs of those communities. Partnership working in Inverclyde is well established and those partnerships deliver a highly effective police service which has a positive impact on local communities.

Inverclyde has a rich and renowned history in shipbuilding and the 'deep water docking' on the Clyde offers berth to visiting cruise ships. Much investment has been made in education within Inverclyde with the area being home to the Greenock campus of West College Scotland.

There are currently 208 licensed premises in Inverclyde, 75 are licensed for off sales only, 81 on sales only and 52 for both on and off sales.

Local Policing Priorities

The policing priorities for Inverclyde, identified following public consultation and engagement, are as follows;

- Protecting people at risk of Harm
- Serious and Organised Crime
- Violence, Antisocial Behaviour and Disorder
- Road Safety and Road Crime
- Counter Terrorism and Domestic Extremism

NOT PROTECTIVELY MARKED**Senior Officers**

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

Licensing Department;

Head of Department Chief Inspector Elliot Brown.

Licensing Sergeant Jonathan Hay.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Alcohol misuse, exacerbated by its accessibility, availability and affordability, is commonly acknowledged as a contributory factor in incidents of violence, disorder and antisocial behaviour.

Police Scotland continues to work with its partner agencies, including the licensed trade, to reduce the impact alcohol misuse has on local communities. By working together we can target those who fail or simply refuse to promote responsible trading practices. Together we can improve the safety and wellbeing of people, places and communities in Scotland.

Partnerships

Partnership working is key to delivering tangible outcomes and we will continue to strengthen our relationships with all agencies, community representatives and local residents to ensure our services are co-ordinated, effective and efficient and address the needs of our communities

Some examples of work carried out during the past 12 months include:

- Working with Inverclyde Trading Standards, the licensing department arranged a licensing seminar for the Inverclyde liquor licensing trade. The seminar was held on the 22nd November 2017 at the Ardgowan Bowling Club, Ardgowan Square, Greenock and premises licence holders, management and staff of all on sale premises were invited to attend. Inputs were delivered relating to crime scene management, current drug trends and legal highs, preventing sexual violence, Guide Dogs, Pub Watch, roads policing and counter terrorism as well as an input by Inverclyde Council trading standards. Positive feedback was received after the seminar. The seminar will run in the coming year.
- “No Knives Better Lives” is a national initiative and aims to raise awareness of the consequences of carrying a knife and provides information on local activities and opportunities for young people. It is delivered at a local level and is a primary prevention initiative that specifically addresses the issue of knife carrying. It is informed by and complimentary to wider priorities and interventions that aim to prevent offending and antisocial behaviour and to improve outcomes for young people in Scotland.

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- Persistent Offender Partnership is a community safety initiative using a joint partnership approach to identify and focus on the needs of the most persistent offenders within Inverclyde, many of whom commit crimes to sustain their dependency on alcohol and/or drugs. The aim is to assist in reducing the dependency on alcohol and drugs, to reduce or even stop offending behaviour and promote 'positive' lifestyles for offenders and their families. In the past year there have been 49 persons on the scheme whose misuse of alcohol has been noted as a contributory factor in their offending.
- Inverclyde Youth Antisocial Behaviour and Safeguarding Initiative. Over the summer months we ran a series of operations involving partners including Inverclyde Council Youth Workers, Inverclyde Council Wardens, Antisocial Investigators, Scottish Fire and Rescue Service, Scottish Ambulance Service, British Transport Police and HM Coastguard. This is a multi-agency approach in diverting young people from antisocial behaviour whilst keeping them safe from harm including alcohol misuse. This has developed to include movement over the rail network, associated antisocial behaviour around the stations and providing reassurance to the residents. Regular support is provided by Force resources such as the Support Unit and Mounted Branch. In addition we work with housing and ASIST colleagues to follow up with parental letters, joint visits and housing tenancy warnings where necessary.
- We have carried out and will continue to carry out intelligence led Test Purchasing operations at off sales throughout the area. Our aim is to prevent the unlawful sale and supply of alcohol to young people, reduce the instances of alcohol related Anti-Social Behaviour and violence and reduce harm. Local residents have been supportive and continue to provide intelligence about agent purchases in particular. Within Inverclyde, 12 premises have been visited this year to date and all have passed.
- Renfrewshire and Inverclyde Division works in partnership with I Am Me and a network of local businesses to create 'Keep Safe' places for disabled, vulnerable, and elderly people when out and about in the community. There are now 165 Keep Safe places in the Division, 20 of them are licensed premises. The Keep Safe Ambassador programme is also going from strength to strength and now has 128 High School Ambassadors, 70 Police Scotland Youth Volunteer Ambassadors, 35 Ambassadors with a learning disability and 50 Keep Safe Ambassador trainers across Scotland. In 2017 I Am Me was awarded the Best Community Project at the Herald Scotland Diversity Awards and the Disability Charity of the Year at the Charity Champions Awards.
- Clyde Conversations. Over the last 3 years Inverclyde Council have run a participation project involving pupils from all schools in the area allowing a host of discussions on various topics including sex education, community safety, drugs and alcohol awareness and more. We have participated in workshops with young people to discuss the issues and use the information to inform our policing strategies. We maintain strong links to schools through our schools liaison officer and Community Policing teams and regularly assist with joint inputs in relation to alcohol, drugs and safe life choices.

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NOT PROTECTIVELY MARKED**Problem Solving**

Police Scotland currently have 3 levels for categorising licensed premises that come to our attention:

- **Monitored** – Premises that require extra support and supervision. This can include premises that have come to police attention through incidents or newly opened premises with inexperienced staff. A low key approach is used to address issues before they escalate.
- **Intervention** – A formal intervention agreement is put in place to improve the safe and legitimate operation of a premises. This intervention plan, which contains a list of conditions, is agreed between all parties. The intervention period would last a minimum of three months and be subject to review.
- **Problematic** – Premises deemed problematic will normally be the subject of a premises licence review submission by Police Scotland to the Licensing Board.

Any categorised premises will be subject to regular inspections to ensure compliance and will form part of the tasking regime for the night time economy action plans. All inspections, pro-active, re-active or planned are submitted via the Innkeeper system.

Figures for the period 1st April 2017 to 31st March 2018 show that there were a total of 5 monitored premises within Inverclyde which were subject to regular inspections. There were no intervention or problematic premises during this time.

Summary

Appendices A and B provide details of all crimes/offences detected within Inverclyde and the volume of applications processed by Police Scotland for licensed premises within Inverclyde in terms of the Licensing (Scotland) Act 2005, between 1 April 2017 and 31 March 2018.

Section 1 - Unlicensed sale of alcohol – There were no offences of this nature reported.

Section 22 – Objections and Representations – There were no objections or representations submitted by Police Scotland in response to the grant of new premises licences.

Section 36 – Review Applications – There were no premises subject to a review application.

Section 63 – Sale or supply out-with licensed hours – There were no offences of this nature reported.

Section 72 – Personal Licence Applications – There were no submissions by Police Scotland recommending refusal.

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Section 84 – Personal Licence Reviews - There were no review submissions.

Section 94 – Exclusion Orders – There were no exclusion orders.

Section 97 – Closure Orders – There have been no closure orders issued.

Section 111-116 – Drunkenness/Disorder Offences – 9 persons were charged under these sections during this year. Many of the offences were dealt with by way of a Fixed Penalty Notice. The total number of offences recorded under the Licensing (Scotland) Act 2005 has fallen from 36 in 2016-17 to 9 in 2017-2018.

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

Police Scotland, in conjunction with partner agencies make a positive impact on outcomes for children and families, by addressing the sale and supply of alcohol to young persons, by licensed premises or by proxy (agent purchase).

Identifying young people that drink, or those on the periphery of offending through alcohol will allow intervention to be progressed and consistently applied. Parent alert schemes or formal warnings, diversionary activities such as Street Stuff, Police Scotland youth volunteers and Street Pastors complement ongoing enforcement activity within our communities.

Police officers attached to the Safer Communities Department routinely provide inputs across schools in Inverclyde in partnership with local community initiatives and 3rd sector organisations. Through Early and Effective Intervention (EEI) we and our partners aim to divert young people from offending, and reduce their need for, or dependence on, alcohol or drugs. Research suggests that the earlier intervention is delivered to a young person the more likely they are to engage and not re-offend. Consideration is also given to the impact of offending upon victims and communities.

The provision of test purchasing in terms of section 105 of the Licensing (Scotland) Act 2005 is a tactic which is used where there is an underlying body of evidence to suggest that alcohol is being unlawfully sold or supplied to a child or young person from a particular off sales premises or that the participating premises are located within an area where all off-sale licensed premises are being subjected to a test purchase operation, in a non-discriminatory manner, to raise awareness in relation to the unlawful sale or supply of alcohol in licensed premises.

A total of 12 premises in Inverclyde have been tested this year and all have passed.

Anecdotally there continues to be a move towards ‘agent purchase’ of alcohol and much less instances of children or young person’s purchasing alcohol themselves. No one has been reported for buying alcohol for children/ young persons in the last year.

Police Scotland continued to work in Partnership with Inverclyde Council Trading Standard and Licensing Standards Officers to tackle ‘agent purchase’. This included joint educational visits to premises and prominent stencilling and display near to licensed premises.

NOT PROTECTIVELY MARKED**TACKLING SERIOUS ORGANISED CRIME (SOC)**

The Serious Organised Crime Taskforce was set up to ensure Scotland can respond robustly to the threat posed by organised crime, identify improvements and ensure all agencies are working to the same aims and to raise public awareness. Membership of the group includes the Solicitor General; the Police Service of Scotland; the Prison Service; Her Majesty's Revenue and Customs (HMRC); National Crime Agency (NCA); Society of Local Authority Chief Executives (SOLACE); Her Majesty's Inspectorate of Constabulary Scotland (HMICS) and Scottish Business Resilience Centre (SBRC).

Its remit is to work together to help deliver the Scottish Government's commitment to tackling serious organised crime by:

- Identifying priorities for tackling serious organised crime (SOC) in Scotland.
- Sharing best practice and improving co-ordination between law enforcement agencies and others;
- Identifying innovative ways of working together and encouraging better ways of working together;
- Developing a coherent Scottish response on reserved and other SOC issues; and
- Making proposals for legislation, research and other measures to tackle SOC.

There are several groups operating within the Inverclyde area, some of which have connections to the licensed trade, via licensed premises, second hand dealers, tanning salons and car wash facilities. Police Scotland, in conjunction with our partner agencies, have identified innovative ways to disrupt such organisations who are targeted through multi-agency days of action. Whilst it can be difficult to link these groups to serious crimes, targeting other crimes has proven to be a useful tool in disrupting their operations.

NOT PROTECTIVELY MARKED**PROPOSED ACTIVITY FOR THE YEAR AHEAD****Test Purchase Operations**

Further recruitment of young people will ensure these operations continue to be carried out by Police Scotland throughout 2018 and 2019.

Enforcement Operations

The Licensing department will continue to plan and coordinate multi agency operations with officers from Home Office Immigration Enforcement (HOIE), Her Majesty's Revenue and Customs (HMRC) and Inverclyde Council targeting all forms of licensed premises and persons within the area.

Licensing Seminar

This annual event for the Inverclyde liquor trade will continue to be part of the festive safety campaign. Licensing staff will liaise with partners to identify appropriate topics for discussion as well as a suitable venue.

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 better understanding of their responsibilities. This strengthens locally-led alcohol licensing practices, in order to preserve order and promote safety and public health.

NOT PROTECTIVELY MARKED**APPENDIX A**

Licensing (Scotland) Act 2005

Review Applications 1st April 2017 – 31st March 2018

Inverclyde Board Area

Type of Application or Review	Total
Section 36 Licensing (Scotland) Act 2005 – Application for Review of Premises Licence	0
Section 84 Licensing (Scotland) Act 2005 –Review of Personal Licence (conduct inconsistent with Licensing objectives)	0
Total	0

*Licensing (Scotland) Act 2005**Applications Received 1st April 2017 – 31st March 2018**Inverclyde Board Area*

Type of Application	Total
<i>Premises Licence</i>	<i>3</i>
<i>Provisional Premises Licence</i>	<i>3</i>
<i>Extended Hours</i>	<i>68</i>
<i>Major Variation</i>	<i>9</i>
<i>Minor Variation</i>	<i>22</i>
<i>Occasional Licence</i>	<i>183</i>
<i>Personal Licence</i>	<i>52</i>
<i>Premises Transfer</i>	<i>10</i>
Total	350

NOT PROTECTIVELY MARKED**APPENDIX B**

Licensing (Scotland) Act 2005

Number of Crimes and Offences 1st April 2017 – 31st March 2018

Inverclyde Board Area

Licensing (Scotland) Act 2005	Offence	Total
Section 1(1)	Liquor licensing laws, other offences	0
Section 48(1)(a)	Liquor licensing laws, other offences	0
Section 52(1) and (2)	Liquor licensing laws, other offences	0
Section 104A (1)(B)	Sale of Drink to person under 18	1
Section 102(1)	Sale of alcohol to person under 18 years of age	0
Section 105(4)(A)	Buy or attempt to buy alcohol for child or young person	3
Section 110(4)	Licensed persons, other offences	0
Section 111(1)	Drunk and attempting to enter licensed premises	1
Section 113	Licensed persons, other offences	0
Section 114	Employee drunk on premises	0
Section 115(1)(a)	Disorderly on licensed premises	2
Section 115(2)	Permitting riotous behaviour within licensed premises	0
Section 116	Refusing to quit a licensed premises	0
Section 116(1)	Refusing to quit a licensed premises	2
Total		9