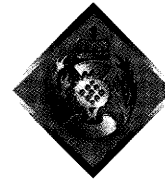


Date: 31 May 2012



STRATHCLYDE  
**POLICE**

Your Ref:  
Our Ref: L300

**CHIEF CONSTABLE**  
Stephen House QPM

Argyll & Bute Licensing Forum  
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LOCHGILPHEAD

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Dear Sir

**LICENSING (SCOTLAND) ACT 2005, SECTION 12A: CHIEF CONSTABLES'  
REPORTS TO LICENSING BOARDS AND LOCAL LICENSING FORUMS**

I refer to the above legislation, which provides that the Chief Constable should send a report to the Local Licensing Forum at the end of the financial year that sets out the following information.

- 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
- 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.

I am pleased to enclose the Chief Constable's report for the year April 2011 to March 2012 for the information of the Forum. I would be happy to arrange for an officer to attend a meeting of the Forum to discuss the report should the Forum wish.

I trust that this is helpful.

Yours faithfully

Chief Superintendent  
Divisional Commander

**CHIEF CONSTABLE'S REPORT TO ARGYLL & BUTE LICENSING  
BOARD  
FOR THE PERIOD 01/04/2011 – 31/03/2012**

**INTRODUCTION**

This report has been produced for the information of Argyll & Bute Licensing Board and Argyll & Bute Licensing Forum in accordance with Section 12A of the Licensing (Scotland) Act 2005.

The report relates to police performance and activities undertaken in the financial year April 2011 to March 2012 and is in two distinct parts:

**Part 1:** contains the Chief Constable's views about matters relating to policing in connection with the operation of the Act in the Board's area during the reporting year. It also looks forward and identifies areas he intends to address or focus on in the coming year.

**Part 2:** highlights the steps that officers have taken, or intend to take, to prevent the sale or supply of alcohol to children or young people in the Board's area.

Argyll & Bute is a beautiful sparsely populated area covering approximately 10% of Scotland while housing only 92,000 people. The area relies a great deal on tourism to support the local economy. Licensed premises contribute greatly to the tourist industry and as such it becomes vital that these premises are policed positively and proactively in line with the Licensing (Scotland) Act 2005 and the Licensing Objectives.

**BOARD AREA – POLICING RESPONSIBILITY**

Argyll & Bute is policed by Strathclyde Police 'L' Division with the Divisional Headquarters based at Dumbarton police office, Stirling Road, Dumbarton G82 3PT. The Divisional Commander Superintendent Russell Dunn has overall responsibility for licensing issues within the division.

Due to the geographical expanse of Argyll & Bute the area is split from a policing perspective into three geographical areas Oban, Kintyre and Cowal and Bute. Each of these areas has a designated Chief Inspector that has local control of licensing issues in their area. The area Chief Inspector further delegates licensing issues to one of the area Inspectors. The area Inspectors link in with the Divisional Licensing Departments based at Lochgilphead and Dumbarton regarding licensing issues.

## PART 1: OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

### Introduction

Area Inspectors and local officers regularly attend licensed premises for routine inspections in relation to compliance with the Licensing (Scotland) Act 2005.

Each day the area Inspector also reviews all police incidents relating to licensed premises in their areas.

Following this review and discussion at the sub-divisional morning meeting the area Inspector or their designated sergeant attends at the premises. There he reviews the incident in line with the premises behaviour in line with the Licensing (Scotland) Act 2005, Licensing Objectives. This review takes the form of a general discussion regarding the operation of the premises in line with the Licensing Objectives. Where the premises is found to fall short of these Objectives the attending officer will commence a Police Intervention highlighting the premises shortfalls in line with the Licensing Objectives. At this time the officer gives the premises recommendations in line with these objectives and a period of time to comply. At the end of the period of time allocated the area Inspector reviews the premises efforts to comply with these recommendations and uses this to decide whether the premises have made suitable effort to comply with the Licensing Objectives. Where a premises have been found to fail to reach what the police believe to be an acceptable standard the premises will be reported to the Licensing Board requesting a Licence Review.

### a). Summary of policing in connection with the operation of the Act in the Board's area during the reporting year:

Table 1: Premises and personal licences

<b>Applications for Reviews of Licences</b>		<b>Total</b>
Premises Licences (Section 36)	Off-sale only (shop premises):	<b>0</b>
	On-sale (all others):	<b>2</b>
Personal Licences (Section 84A)	Off-sale only (shop premises):	<b>0</b>
	On-sale (all others):	<b>0</b>
<b>Interventions</b>		
Total number of Intervention Meetings carried out:		
Stage 1: Discussion		<b>24</b>
Stage 2: Intervention Meeting		<b>8</b>
Stage 3: Pre-review Warning		<b>1</b>

<b>Off-sale only (shop premises):</b>		
Stage 1: Discussion		<b>0</b>
Stage 2: Intervention Meeting		<b>0</b>
Stage 3: Pre-review Warning		<b>0</b>
<b>On-sale (all others):</b>		
Stage 1: Discussion		<b>24</b>
Stage 2: Intervention Meeting		<b>8</b>
Stage 3: Pre-review Warning		<b>1</b>

### **Working in Partnership:**

Table 2: Initiatives with Partners

<b>Activity Details</b>
<p>a) Strathclyde police are working closely with Argyll &amp; Bute Licensing Standards Officers (LSO) to assist with licensing issues. Where a premise has been identified for a police Intervention the LSO works closely with the police and other agencies to rectify the noted problem in an attempt to prevent this leading to a licence review.</p> <p>b) Where a local Pub Watch is in operation a designated local police officer attends these meeting in support of the group. These Pub Watches have a positive impact on the safety of both patrons of the premises and staff as well as the potential to enjoy a trouble free evening on licensed premises.</p> <p>c) Following a 'glassing' incident in the Dunoon area of Argyll &amp; Bute the police Licensing Department in conjunction with A&amp;B LSO attended at a number of identified premises in possession of the 'Polariscope' glass testing machine. All identified premises were advised at this time regarding the suitability of the glasses they were using and the safest way forward.</p>

## **Training and Development (Internal):**

Table 3: Training and Development Carried Out

<b>Training details</b>
<p>'L' Division Licensing personnel have attended various Licensing seminars while keeping themselves abreast of any changes in Licensing legislation.</p> <p>All identified area licensing officers are regularly updated with changes in Licensing legislation.</p> <p>A section of Divisional Training now requires probationer constables to attend the Licensing Department for a days input from Licensing personnel.</p> <p>All relevant changes in Licensing legislation are devolved to Divisional staff to assist in the front line use of this by patrol officers.</p>

## **National Policing Activity:**

Table 4: National Policing Activity

a)

<b>National Policing Activity</b>
<p>'L' Division have over the period of this report participated in National Policing Activity in relation to various Initiatives related to Drink Driving Campaigns, working with UK Borders Agency and tackling Serious and Organised Crime Groups. Although figures are not available in relation to these Initiatives these operations must always looked upon as disruptive to these forms of criminality.</p>

## **b) Particular views about matters relating to policing in connection with the operation of the Act in the Board's area during the reporting year:**

'L' Division has carried out a pro-active year in relation to the Licensing (Scotland) Act 2005 and the Licensing Objectives. Police officers have carried out numerous visits to licensed premises to create a positive link between staff on licensed premises and the police.

Our Licensing department has monitored all incidents related to licensed premises and where necessary raised a police Intervention to improve the running of the premises. On occasion the police have been required to report certain premises to Argyll & Bute Licensing Board for failure to conform to the Licensing Objectives.

**c) Looking ahead (2012-2013) - Particular views about matters relating to policing in connection with the operation of the Act in the Board's area for the coming year and any areas identified for development.**

'L' Division will continue to visit all licensed premises at various times but will now include a new format for licensed premises 'Inspections. These Inspections will assist the police in tackling failure to conform to the Licensing Objectives while offering further support to the premises.

Divisional enquiry has revealed an issue with regard to alcohol sales outside licensing hours. This will be strictly policed and where premises are identified to be selling alcohol outside their permitted hours they will be reported both to the local Procurator Fiscal and to the Licensing Board for a review of their Licence.

Oban Chief Inspector Brian Auld has identified the need in the area for an organised Pub Watch to assist in the safe management of local licensed premises. This will be set up and organised in collaboration between the Divisional Licensing sergeant, area staff and local licence holders.

**PART 2: PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE**

**Introduction**

The police are aware that children and young persons can be the most vulnerable groups in our society. The Licensing (Scotland) Act 2005 specifically covers under its Licensing Objectives 'Protecting children from harm'.

In relation to these concerns 'L' Division has been proactive in policing premises in relation to the underage sale of alcohol to children and young persons. Local officers make regular visits to licensed premises to deter and detect the sale or supply of alcohol to children or young persons.

**a) Activity carried out to prevent the sale or supply of alcohol to children**

Table 5: Offences relating to children and young persons

Total number of persons charged under sections 102 to 109 of the Licensing (Scotland) Act 2005	<b>3</b>
Designated Premises Managers/Personal Licence Holders	<b>0</b>
No Personal Licence Holders	<b>0</b>

**b) Proposed activity to be carried out to prevent the sale or supply of alcohol to children during next reporting period:**

We will continue to proactively attend premises in relation to the potential for the sale of alcohol to children and young persons. This will now involve the Strathclyde police licensed premises Inspection where required.


Where an area is known for alcohol related youth problems and there is information that the alcohol is being purchased locally we will consider the use of an organised Test Purchase Operation targeting licensed premises in these areas. We will continue to work with our partner agencies in identifying these areas where we will proactively prevent and detect offenders.

## **CONCLUSION**

'L' Division police officers covering the Argyll & Bute area have shown a positive approach to the Licensing (Scotland) Act 2005 throughout this year. They have shown support to the licensed trade while implementing the requirements of the Act and detecting offences.

This good work will be continued with officers intending to work closely with licensed premises in achieving the Licensing Objectives and supporting the local community.

Yours faithfully



Chief Superintendent  
Divisional Commander