



POLICE SCOTLAND

Keeping people safe

CHIEF CONSTABLE'S REPORT TO THE
WEST LOTHIAN LICENSING BOARD
FOR THE PERIOD
1ST APRIL 2018 to 31ST MARCH 2019

NOT PROTECTIVELY MARKED

Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2018/19, in accordance with Section 12(A) Licensing (Scotland) Act 2005. During this year the Minimum Unit Pricing of Alcohol was introduced in Scotland. We will work through the Evaluation Advisory Group to assess the impact of this legislation.

Working in partnership is key to effective regulation in liquor licensing. Police Scotland remains committed to working closely with partners in the 32 Local Authorities across Scotland to ensure a fair and consistent approach. Preventing alcohol fuelled violence, disorder and antisocial behaviour is a priority and I believe that working together to achieve effective early intervention and enforcement is vital to this.

I would like to acknowledge the many active local partnerships that provide continued support, enabling Police Scotland and partners to drive improvement in licensing. I will ensure that all officers and staff continue to recognise the importance of working closely with key partners, including the Licensed Trade, to improve licensing standards nationally utilising the range of options available to them.

I am confident that through strong partnerships and collaborative working, we will meet any challenges that may arise and will continue to improve licensing standards for the communities of Scotland.

Mr Iain Livingstone QPM
Chief Constable
Police Service of Scotland

NOT PROTECTIVELY MARKED

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 2018/2019, from a licensing perspective, our particular focus will be on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Continuous professional development training and guidance for staff to harmonise licensing practice across the country.
- Working closely with statutory partners within a National Licensing Trade Forum to identify licensing related issues and prevent/reduce associated crimes.
- 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.
- The implementation and ongoing development of the Licensing Admin tool provides divisional licensing officers with a single ICT product negating the need to research police systems independently. Through accurate recording, the licensing admin tool assists Police Scotland in deploying our resources to the right places and the right time to keep people safe.

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.

NOT PROTECTIVELY MARKED

LICENSING BOARD AREA

The West 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 Alun Williams is based at Livingston. He is responsible for performance management, community engagement, partnership working and the daily management of local personnel.

Chief Inspector Williams is supported by Inspector Myles Marshall, who is also based at Livingston.

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 Jocelyn O'Connor and Sergeant Colleen Hope.

The local Licensing Department is based at Livingston Police Station, one Police Officer, supplemented by administration staff based at Dalkeith Police Station, controls the day-to-day function and in consultation with senior management, reviews applications, updates the Local Area Commander and makes representation on behalf of the Divisional Commander as part of the consultation process.

This consultation process forms part of the Police support of the Licensing Objectives.

Local Policing Priorities

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

- Protecting People
- Reducing Antisocial Behaviour
- Reducing Violence
- Tackling Substance Misuse
- Road Safety
- Tackling Serious and Organised Crime
- Tackling Acquisitive Crime

Description of Board Area

The command area of West Lothian boundaries with the City of Edinburgh, Falkirk, North Lanarkshire, South Lanarkshire and the Scottish Borders and serves approximately 182,310 local residents with population forecast to rise to 191,063 by 2035. It has a unique set of policing challenges with its industry and retail sectors and its diverse mix of urban, rural and isolated towns and villages. The local authority covers a geographical area of approximately 165 sq/miles and is situated between the two main Scottish Cities, Glasgow and Edinburgh. The policing headquarters is situated within the Civic Centre in Livingston.

NOT PROTECTIVELY MARKED

13% of the population experience income deprivation and almost 9000 people in West Lothian, around 5% of its population, live within 15% of the of the most deprived areas in Scotland. Research suggesting that those affected by social inequality are more likely to have poorer physical and mental health.

There are currently 111 'on sales' and 159 'off sales' and 116 combined 'on and off sales' premises in West Lothian.

During this reporting year there have been 9 Provisional Premises Licences and 6 Premises Licence granted by the Board.

In the Alcohol and Harm report (April 2018) published by Alcohol focus Scotland, West Lothian is ranked 25th out of 30 local authority areas for alcohol outlet availability in Scotland (27th for on-sales and 15th for off-sales outlets), this is lower than Scotland as a whole. Other key findings for West Lothian include;

- Alcohol-related death rates in the neighbourhoods with the most on-sales outlets were 80% higher than in neighbourhoods with the least.
- Crime rates in the neighbourhoods with the most off-sales outlets were 2.7 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 most deprived neighbourhoods had 2.2 times the number of alcohol outlets than the least deprived neighbourhoods.
- The total number of alcohol outlets in West Lothian decreased by 8 (2%) from 398 in 2012 to 390 in 2016.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Introduction

The Divisional Licensing Officer is responsible for processing all correspondence received from the Licensing Board. This 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 Police Officers to support the Licensing Objectives in tandem with the local/national policing priorities.

In West Lothian there were 662 recorded incidents related to licensed premises between 1st April 2018 and 31st March 2019, this is an increase on the previous year. There continues to be an increase in thefts of alcohol from 'off sales' premises over the reporting year, with many of these thefts being of the 'high end' type of product. The thefts that have later had a perpetrator identified suggest that many of these thefts

NOT PROTECTIVELY MARKED

are by recidivists looking to fund a drug habit, rather than persons stealing alcohol for consumption.

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

Police Scotland carried out 717 recorded inspections of licensed premises during the reporting year. Officers tasked through the Area Commander's Weekend Policing Plan carried out a large percentage of these on Friday and Saturday evenings. There are also a significant number of inspections on the run up to major football and sporting events.

The Weekend Policing Plan utilises various resources, with some officers on foot, to aid with dispersal of licensed premises and reduce antisocial behaviour and violence related incidents between the hours of 2200-0400.

Partnerships

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 to maintain effective information sharing procedures and establish good partnership working. This unified approach has resulted in a number of successful resolutions.

Of note was joint action regarding a premise in the Whitburn area, following information from local officers that the premises was operating in a manner that raised concerns of the ability of management to suitably control the premise. Regular inspections of the premises by local Police officers, along with meetings where guidance in respect of standards was given by the LSO were used to address these concerns. Unfortunately the efforts to deal with these concerns were not successful, with further incidents occurring, culminating in a serious incident involving the licence holder within the premises. The premises is currently closed and Police Scotland are awaiting the outcome of an upcoming trial prior to submitting a request for a review of the Premises Licence and of the Personal Licence held by the Designated Premises Manager.

West Lothian Licensing Forum

The police licensing officer is an active member of the West Lothian Licensing Forum and over the last year there has been a lot of work carried out around the Statement of Licensing Policy as well as consultation and feedback on other licensing policy and guidance.

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 there were 13 premises that took part in the BBN scheme, with three unfortunately withdrawing prior to assessment.

2 premises, in Armadale and Livingston, attained a Silver Award. 8 premises, in Bathgate (3), Linlithgow, Mid Calder, Seafield, West Calder and Whitburn attained a Gold Award. The Black Bull Inn maintained their previous Platinum award.

Three venues, Black Bull Inn in Mid Calder, Glenmavis Tavern and Smiths in Bathgate went through as national finalists in different categories.

The Glenmavis Tavern were the winners in the National Heart of the Community category.

BBN Scheme is something that Police Scotland will continue to drive forward, promoting and encouraging responsible management of licensed premises.

Pub Watch

Pub Watch is an initiative run by local pubs/clubs to tackle crime and antisocial behaviour in and around their premises. The schemes are run by local licensees but are advised by local Community Police Officers.

The Pub Watch schemes operating in West Lothian are all working well and have achieved their goal of reducing risk and maintaining a safe and secure social environment for staff and customers. Police Scotland fully supports these schemes and would encourage all licensees to become members of a scheme operating in their area.

Safety Advisory Groups (SAG)

The Safety Advisory Group (SAG) is a multi-agency approach to pre-planned events taking place in West Lothian. A number of large events are held each year in West Lothian, which require SAG meetings between interested partners and the applicants to ensure the highest possible standards of public safety at events. These SAG meetings discuss any matters relevant to the event being staged and partners offer advice to applicants regarding all aspects of their applications and include discussions relating to Occasional Licences where an application for such has been submitted. The partners involved in these meetings include Police Licensing, Police Events, the Scottish Fire and Rescue Service, the Scottish Ambulance Service, the council LSO, the council Roads and Highways Department and the council Environmental Health Department, with the council Events Co-ordinator as the chair and facilitator of these meetings.

Campaigns

During this reporting year there were a number of campaigns including the 'Ask Angela' campaign. The scheme is supported by Rape Crisis Scotland, Police Scotland, West Lothian Council, National Pub Watch and Best Bar None.

It is designed to reduce sexual abuse in the night time economy. The idea of the scheme is that if someone is on a date, or a night out, and someone makes them feel uncomfortable, they can ask a member of licensed premises staff for 'Angela'. Staff will immediately understand the situation and call for a taxi or help the customer to leave discreetly and safely, with little fuss. It is a fantastic, simple approach designed to make people feel safer and a great tool for staff to support customers who find themselves in a difficult situation. The scheme has been very well received and we have had it used successfully in West Lothian. A great example of staff showing social responsibility and a duty of care for their patrons.

In 2011 the Scottish Violence Reduction Unit began working on replicating the US Mentors in Violence Prevention Programme to fit the Scottish setting. This creative prevention tool adopts a bystander approach to the prevention of bullying and gender based violence. Men are not simply seen as perpetrators or potential perpetrators and women are not simply seen as victims or potential victims of violence.

A number of 'Bystander' workshop events have trained staff from 13 licensed premises in West Lothian through discussions and a video presentation to identify situations of concern and provide them with the confidence to become 'empowered bystanders' to act and provide support, with a clear role in preventing varying forms of abuse and violence.

NOT PROTECTIVELY MARKED

Problem solving

The Intervention Process

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

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

Police Interventions 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.	1
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.	1
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.	4
No Action	Action – An incident review has highlighted no issues regarding the management of the premises or licensing legislation. No further police action.	

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.

During the reporting year there was one Problematic premise in West Lothian, with a request for a review of their premises licence currently pending, awaiting a court

NOT PROTECTIVELY MARKED

hearing, before submission to the Board. This is due to a serious crime committed on the premises and other matters of concern.

There were four Monitored Premises, one going on to be problematic, as mentioned above. Of the other three premises, one was being considered for formal intervention for the second time in a year, but the premises closed and the premises licence was surrendered. One other is still currently monitored, with increased Police activity and guidance leading to drop in incidents. The fourth was subject of warning from the Divisional Licensing Officer and increased Police activity, with no repetition of the concern raised.

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. As the Licensing (Scotland) Act 2005 is well bedded into everyday working practices.

The Police Local Area Commander has a proactive Weekend Policing Plan to deal with the night-time economy at the busiest times. Included in that plan are officers tasked with pro-active visits to licensed premises.

During the reporting year officers in Livingston were engaged in other enquiries in when they came across some young people in possession of alcohol. They enquired as to where the alcohol had been obtained and were told that another under age teenage male had provided it and that he was currently within a local shop seeking to purchase more alcohol. That male then returned in possession of alcohol that he had purchased and enquiries led to a staff member and the Designated Premises Manager, who was present at the time, being charged accordingly. A report was submitted in relation to this incident, with the court procedure pending.

A review of the Premises Licence and the Personal Licence of the Designated Premises Manager will be considered on the completion of the court procedures.

Section 22 - Applications

Over the course of the reporting year there has been six New Premises Licences granted and five Premises Licences confirmed,

There have also been ten applications received by the Board for Provisional Premises Licences. With four granted and six pending.

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.

NOT PROTECTIVELY MARKED

In this reporting year there were no Review Applications submitted by Police Scotland, although there is one review application pending, awaiting a court hearing, before submission to the Board. This is due to a serious crime committed on the premises and other matters of concern.

There are also two other incidents relating to incidents in licensed premises that have court procedures pending and all of which are likely to lead to requests for the review of premises licences.

Section 63 – Sale or Supply out with licensed hours

Officers in West 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.

Earlier this year the Licensing Officer received information that a premise in Blackburn and a premise in Armadale were trading beyond core hours. Local officers were tasked to make relevant enquiries but have found no offences in relation to either of these premises to date.

Section 72 – Personal Licence Applications

There were 264 applications made for personal licences during this reporting year in West Lothian. These were a combination of new applications and applications to renew personal Licences, with 2019 being the year when personal licence holders who were issued with licences in the initial licensing period of the 2005 Act having to renew their licences within the 'ten year' licence period.

There is again a rise in the number of new applications compared to previous years, which appears to be the result of a number of 'off sales' premises seeking to have more staff trained to a higher level than the basic level required under legislation.

The amendment to legislation 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.

Section 84 (84A) – Personal Licence Reviews

Police Licensing Officers are responsible for monitoring the conduct of Personal Licence Holders. In particular, there have been occasions when the holders of a personal licence have failed to report conviction(s) for relevant offence(s) to the Court and/or the Licensing Board. Again, the amendment to legislation in terms of the Criminal Justice and Licensing (Scotland) Act 2010 and the Police and Fire Reform (Scotland) Act 2012 has widened the ability for the Chief Constable to report conduct inconsistent with the Licensing Objectives.

NOT PROTECTIVELY MARKED

There were no Personal Licence Reviews requested by Police Scotland in this reporting year, however there is one review pending following a serious offence within a licensed premise and other matters of concern. There were two other incidents during the reporting period where the actions of personal licence holders have resulted in reports being submitted to the Procurator Fiscal. The Divisional Licensing Officer is awaiting the result of court procedures involving those personal licence holders, prior to submitting any review.

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 3 months and up to 2 years. The Police Licensing Officer proactively drives the use of Exclusion Orders whenever appropriate. The use of Exclusion Orders is fully supported by the licensed operators in West Lothian. During the reporting year there were three Exclusion Orders granted by local courts following Police application. There are a number of other applications pending.

Section 97 – Closure Orders

There were no closure orders used within West 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 to COPFS	
Section 111 (drunk persons within licensed premises)	1
Section 112 (obtaining alcohol by or for a drunk person)	0
Section 113 (sale of alcohol to a drunk person)	0
Section 114 (DPM drunk whilst on duty)	0
Section 115 (disorderly conduct within licensed premises)	3
Section 116 (refusal to leave licensed premises)	0

The numbers reported to COPFS above remains relatively low as a result of officers using their discretion in many cases. We are committed to keeping people safe and improving the quality of life for residents in West Lothian.

PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR 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.

Activity

In terms of Section 105 of the Licensing (Scotland) Act 2005, the Chief Constable may authorise a young person to buy or attempt to buy alcohol to determine whether an offence is being committed.

The use of young persons to conduct Test Purchase Operations provides Police with an effective tool in the fight against underage sales and represents an important safeguard against underage drinking and the resultant antisocial behaviour that adversely affects many communities.

Due to a new 'code of practice' introduced by the Scottish 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.

As a result, Police Scotland have updated their Standard Operating Procedure this type of operation. This update was only completed on the 12th March 2019 and so unfortunately there has been no Test Purchase Operations carried out in the West Lothian area.

In December 2018, the Divisional Licensing Officer followed up on a previous activity to highlight the issue with 'under age' persons using false identification documents. The previous activity included the circulation of packs which included details of the relevant legislation and aids to allow good practice. These were circulated to the nightclub and late trading premises normally frequented by younger adults, to provide guidance for door stewards, with further packs and replacements being circulated in the licensed trade, for the festive period. These packs continue to have positive results with false identification documents being seized and local officers being summoned regarding the young persons found in possession of the documents. There have also been seizures of false documents by stewards, where the person presenting them have made off, with the documentation being passed to Police Officers at the first opportunity. This ongoing 'partnership working' with staff in the licensed trade assists in protecting young persons from harm and expands good working practices in licensed premises.

NOT PROTECTIVELY MARKED

Number of offences reported to COPFS	
Section 102 (sale of alcohol to a child or young person)	2
Section 103 (allowing the sale of alcohol to a child or young person)	0
Section 104A (supply of alcohol to a child)	1
Section 104B (supply of alcohol to a young person)	0
Section 105 (purchase of alcohol by or for a child or young person)	1

Section 104A and 104B is a relatively new addition following the amendment made to the Act by the Air Weapons and Licensing (Scotland) Act 2015. This should prove to be a very useful weapon in the fight against 'agent purchase' or 'proxy purchasing' and will be used by local officers whilst out on patrol.

The offences detailed relating to the supply of alcohol to young persons all relate to pending cases. The circumstances relating to one of these incidents is likely to lead to a request for the review of a premises licence, pending the outcome of court procedures.

Proposed Activity

Officers will 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 school holidays.

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 West Lothian Command Area will continue to use this tactic as and when required.

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 West Lothian Command Area will continue to use this tactic as and when required.

TACKLING SERIOUS AND ORGANISED CRIME

Introduction

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

NOT PROTECTIVELY MARKED

criminal activities such as money laundering, tax evasion, drug and people trafficking and other dishonest activities.

SOCGs 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 (SAOC) Activity in the Board area -

Over the past year, the Police Licensing Officer has scrutinised and interrogated licence applications to identify where OCGs 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 manager's position and therefore are not 'relevant' persons.

The Licensing Officer continues to monitor the persons connected to licensed premises in West Lothian who are known to have links to SOCGs.

UK Government statistics identify that 60% of all civil penalties for 'illegal working' served in the UK in the year to February 2017 were issued in the retail, hotel, restaurant and leisure industry sectors, many of which hold licences. The Licensing Officer works closely with partnership agencies, especially Immigration Enforcement. This department is responsible for preventing abuse of immigrants, tracking immigration offenders and increasing compliance with immigration law to regulate migration in line with government policy, while supporting economic growth.

There were five joint operations carried out in West Lothian, with fourteen persons found working within various types of licensed premises, who were without visas allowing them to seek employment in the United Kingdom. Almost all of these people were being paid well below the National Minimum Wage. All of these people were subject of arrest with procedures started to seek their deportation. These operations also resulted in financial penalties of up to £20,000 per infringement (a maximum possible to total of £280,000) being sought by Immigration Enforcement from five local businesses and Her Majesty's Revenue & Customs (H.M.R.C.) seeking recovery of monies and prosecutions in relation to a number of other offences.

Immigration Enforcement also carried out further operations in other premises, with further incidents of illegal working being detected and arrests made.

Immigration Enforcement had a 71% conversion rate of fines imposed relating to all operations in the West Lothian area being paid.

NOT PROTECTIVELY MARKED

PROPOSED ACTIVITY FOR THE YEAR AHEAD.

Police Scotland and the Fire Service continue to work closely with the Scottish Business Resilience Centre to evolve the Best Bar None scheme. Organisers recognise that standards are improving on a year by year basis and hope to continue in the coming year, increasing the number of premises taking part.

The Bystander Training Package will continue to be offered to premises to assist their staff in keeping people safe in local licensed premises. With activity being planned for inputs to the further education colleges for 'fresher's week'.

The Divisional Licensing Officer will continue to work closely with Immigration Enforcement and other partnership agencies, including H.M.R.C. The joint operations with these agencies will continue to target persons who exploit and traffic immigrants and seek to increase compliance with immigration law, as well as addressing the tax offences perpetrated by people, some from OCGs, involved in linked criminal activity.

To conclude we would like to thank you for your continued support and stress the importance of this collaborative problem solving approach. This ensures that police, licence holders and licensed premises staff have a better understanding of their responsibilities. We look forward to furthering this partnership over the coming year.