



MINUTES OF THE MEETING OF THE EAST LoTHIAN LOCAL LICENSING FORUM

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WEDNESDAY 5 SEPTEMBER 2012
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

Forum Members Present:	Stuart Baxter Dave Dickson (Chair) Bill Duncan Richard Foley David Forrest Rudi Fruzynski Jim Goodfellow (ex officio, Convenor of the Licensing Board) Pat Hanson (Secretary) Bernard Harkins
Council Officials Present:	None
Visitors Present:	There were no visitors present
Apologies:	Richard Ross Heather Bowsher Simon Broadhurst John Boyce

1. MINUTES OF THE MEETING HELD ON 6TH June 2012

The minutes of the Forum meeting held on 6th June 2012 were presented for approval.

Decision

The Forum agreed to approve the minutes, subject to the addition of David Forrest's name to those sending apologies.

2. LOCAL LICENSING FORUM CONSTITUTION REVIEW

Rudi Fruzynski introduced the paper which had been circulated and outlined the proposed changes to the Forum's Constitution. He drew particular attention to the section on Membership – there were well-known problems tracking members down and securing their attendance. Member would now be de-listed from membership if they did not attend three meetings without good reason. He described most of the other changes as 'tidying up'.

There was a further discussion about the number of members, email contact and potential future members. It was noted that there were new Community Council elections in October 2012. Other methods for increasing membership were also discussed.

Arising out of this discussion the relationship with the Licensing Board was also debated, including arrangements for the Annual Meeting with the Forum. It was understood that the Board now had a Policy Group, which was able to discuss issues wider than individual licence applications.

The Chair led members in thanking Rudi for the work he had put into the revised Constitution. Its adoption was proposed by the Secretary and seconded by Bernard Harkins.

Decisions

The Forum agreed:

- i. To adopt its revised Constitution, noting that it would be published on the Forum website and elsewhere;
- ii. That the Secretary should contact ELC officers to see what, if any, budget was available for a further trawl for Forum members, including advertisement, contact with premises licence holders, etc;
- iii. That the Secretary should contact the Clerk to the Licensing Board with a view to progressing the Annual Meeting between the Board and the Forum, as well as discussing the new Board Policy Group in relation to the possible involvement of the Forum Chair and Secretary.

3. ALCOHOL-RELATED HOSPITAL ADMISSIONS

The paper tabled at the end of the previous meeting and now re-circulated was introduced by Richard Foley and discussed. He pointed out that some further notes had been added to the paper by John Boyce.

Members noted that there were still questions about some of the rates quoted and, in particular, geographical issues such as the non-appearance of Gullane and Macmerry in the tables. Richard gave additional information about the definition of 'alcohol-related hospital admissions', which could include longer-term conditions.

The Secretary said that there were still clearly a number of issues relating to content, clarity and definitions and suggested that it should not be carried forward as an Agenda item in its current state.

Decision

The Forum agreed that, given the nature of the discussions as minuted, John Boyce should be asked to give an indication as to how he saw the way ahead for this paper.

4. POLICE REPORT

As there were no police representatives to report in person, Rudi Fruzynski commented on some points which had been passed on by Heather Bowsher.

There had been 59 incidents reported at on-sale and off-sale premises in August 2012. 39 occasional licences had been sought and approved and also some conversions to 'open' licences.

Operation 'Outline' had been targeted at Friday nights in Lothian and Borders and was designed to show that the police had a partnership approach to licensing. The LSO had also attended. There had been some issues with staff training but overall the experience had been very good. In answer to questions Rudi said that 'Outline' would probably carry on.

Operation 'Epsilon' involved test purchasing but no such purchases had taken place in the area in the last three months.

Finally, the Chief Constable's 2011/2 report to the Licensing Board had just been published.

Decision

The Forum agreed that the Chief Constable's report should be an Agenda item for the December meeting.

5. LICENSING STANDARDS OFFICER'S REPORT

Rudi Fruzynski reported orally on recent developments. 11 complaints about licensed premises, mostly about noise, had been received since the last meeting, although this may not be the final total. Such problems were given immediate attention before they escalated.

The Licensing Board had discussed a pub in Musselburgh where disturbances had taken place. Poor management practices had been identified and the licence suspended. The lease-holder had now changed. Three other reviews had also taken place. The Board was

looking into problems with signing-in policies at clubs. There had been some major variations of premises licence e.g. at Belhaven Fruit Farm.

Rudi also reported on a continuing trend for members' clubs to move towards 'open' licences. They would remain non-profit members' clubs but gain additional flexibility for functions etc and avoid the restrictions associated with series of occasional licences. Forum members discussed these developments and raised associated questions e.g. regarding rateable status. Rudi said that this was not a licensing issue and that the Rating Department had yet to issue any relevant guidance.

The Licensing Board was preparing to review its Statement of Licensing Policy. It would be useful if the Forum could start to consider its own views at the next meeting.

Finally, the Forum website was ongoing and there was a new link to Pubwatch schemes.

Alcohol Forum Scotland's eFocus newsletters would be circulated to members via the email list and could be discussed by Forum members when they met.

Members thanked Rudi Fruzynski for his detailed report.

Decision

The Forum agreed:

- i That the Secretary should seek out a contact in the Rating Department to establish what view, if any, they had on the rateable status of members' clubs acquiring an 'open' licence;
- ii That an Agenda item should be included for the next meeting on the forthcoming review of the Statement of Licensing Policy;
- iii That a standing Agenda item should be added for eFocus and other newsletters produced by Alcohol Focus Scotland and other relevant bodies, as circulated.

6. ANY OTHER BUSINESS

There being no further business the meeting was closed at 2035hrs following a vote of thanks to the Chair.

EAST LoTHIAN LICENSING FORUM

Meeting: 5th December 2012

REPORT BY THE CHAIR AND SECRETARY ON THE ALCOHOL FOCUS SCOTLAND 'NATIONAL LICENSING CONFERENCE 2012'

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1. The Conference was held in Glasgow on 12th September 2012. There was a total attendance of about 150 people, of which only about 10 were from Licensing Forums (a mix of Convenors, Secretaries and ordinary Forum members). The Conference was chaired by Lesley Riddoch, who generally intervened with her own views and questions rather excessively.
2. East Lothian was well represented, with attendees from the Licensing Board, East Lothian Council and the police as well as ourselves.
3. Following an introduction by Dr Evelyn Gillan, the Chief Executive of Alcohol Focus Scotland, the keynote address was given by Kenny MacAskill MSP, Cabinet Secretary for Justice (and also Minister for Licensing as part of his remit). His was a more balanced approach than Alcohol Focus Scotland's, emphasizing the role of licensed (on-sale) premises in providing a community focus and bringing people together. Mr MacAskill also talked about the affordability of off-sales – hence the Scottish Government's drive to implement minimum unit pricing. He also referred to the issue of retraining for personal licence holders. The type and detail of this was unresolved and was currently under review.
4. The eminent lawyer Sir Crispin Agnew then gave an interesting overview of the role of Licensing Boards, particularly as interpreted through recent (and not so recent) case law. He also stressed the importance of stakeholders (such as Licensing Forums) having a proper input into Licensing Boards' reviews of their Statements of Licensing Policy. This presentation, as with the next two, was followed by a panel discussion with good audience participation.
5. After lunch Ian Grant from Information Services Division (ISD) Scotland spoke about accessing and collecting data on alcohol use and abuse and associated matters. ISD was responsible for publishing Alcohol Statistics Scotland and was establishing adult alcohol consumption figures for the first time in late 2012. A participant in the discussion mentioned the role of Local Licensing Forums in assisting cross-agency approaches to reducing alcohol harm locally.
6. The final conference session featured Jon Bannister from the University of Glasgow. He discussed new research on the link between the number of alcohol

outlets and violence (in a Strathclyde setting). He described the relationship as a 'smooth curve', which seemed unlikely given the widely differing areas studied, but provided no firm data to back up this assertion. In the discussion Chief Superintendent Grant Manders from Strathclyde Police gave a particularly good analysis of the problems facing Licensing Boards - he felt that they really needed to concentrate on off-sales premises because of the increasing professionalism evident in the on-sale trade.

7. Dr Gillan, in closing, once more referred to a series of papers published by Alcohol Focus Scotland to coincide with the Conference. These included analyses of the 'cost of alcohol-related harm' in each local authority in Scotland (a separate Agenda item refers to the East Lothian paper).
8. On the whole this was an interesting and thought-provoking Conference and we are very grateful to East Lothian Council for making it possible for us to attend.

Dave Dickson

Pat Hanson

THE COST OF ALCOHOL IN EAST LoTHIAN 2010/11



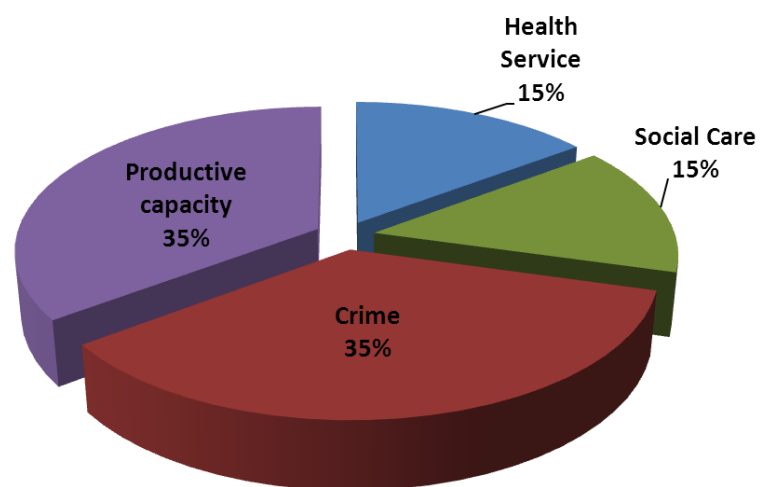
In 2010 the Scottish government produced 'The Societal Cost of Alcohol Misuse in Scotland for 2007' which estimated a central cost of £3.6bn. This national methodology has been applied to local data to provide estimates of the cost of alcohol-related harm at a local authority area level.

This factsheet provides a summary of the estimated cost of alcohol-related harm to East Lothian. For breakdowns of social care and productive capacity costs, and for further details of health and crime costs, please see Alcohol Focus Scotland website: www.alcohol-focus-scotland.org.uk/licensing

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EAST LoTHIAN - COST OF ALCOHOL HARM BREAKDOWN

HEALTH SERVICE:	£3.97m
SOCIAL CARE:	£3.89m
CRIME:	£9.50m
PRODUCTIVE CAPACITY:	£9.42m
TOTAL COST:	£26.77m



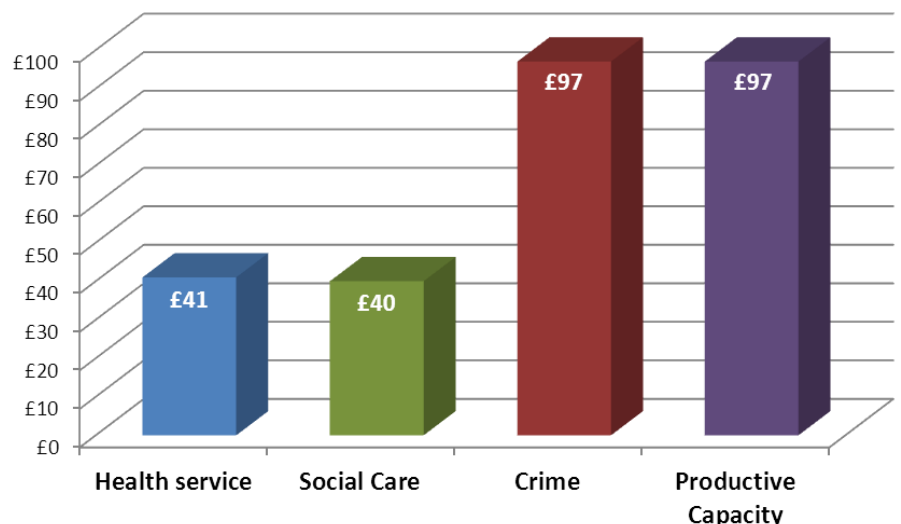
The above total cost does not include wider social costs that estimate the value of non-paid work and intangible social costs associated with people who experience premature mortality from alcohol-related diseases. As these costs are hard to estimate accurately they have been excluded from the overall total, but are believed to be somewhere in the range of £12.23m-£22.38m for East Lothian.

EAST LoTHIAN - COST OF ALCOHOL HARM PER PERSON

OVERALL COST PER HEAD:

EAST LoTHIAN: £275

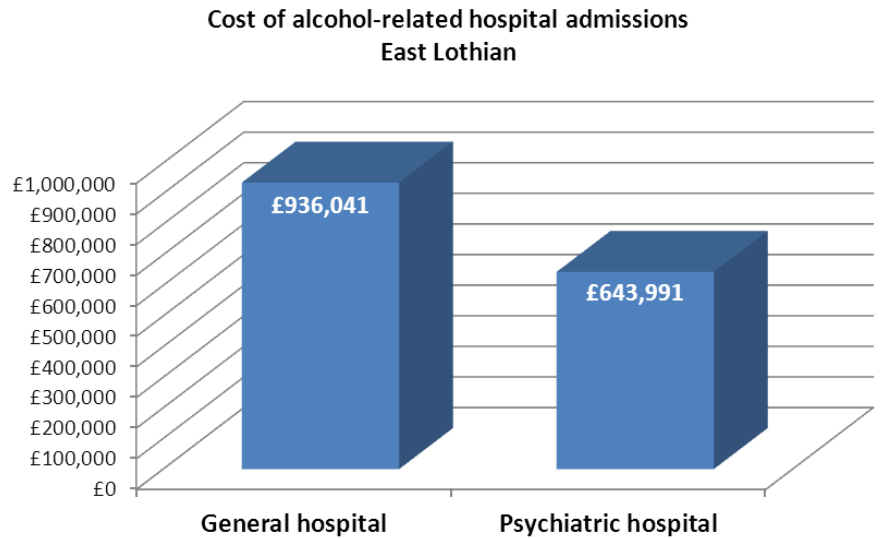
The overall cost per head shown above is not inclusive of wider social costs as described above. Including these costs increases the local authority area cost per head to £452 in 2010/11.



HEALTH SERVICE COSTS

Health service costs in East Lothian include hospital admissions, A&E attendances, ambulance journeys, outpatient attendances, alcohol services, prescription costs and GP consultations.

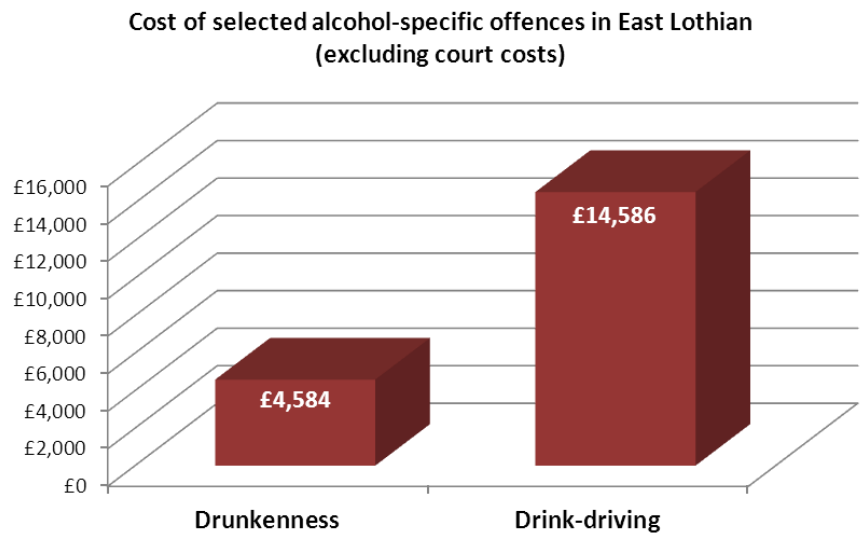
The highest single health cost in East Lothian is related to hospital admissions.



CRIME COSTS

Crime costs in East Lothian include alcohol-specific offences such as drink-driving and drunkenness.

It also includes offences where alcohol is recognised as being a contributory factor, such as breach of the peace and violence.



OTHER COSTS

Social Care costs are calculated based on the estimated level of social work caseload due to problem alcohol use, community service orders and probation orders related to alcohol, and care home expenditure for people with alcohol addictions. **Productive capacity** costs cover the estimated cost of alcohol use to the economy in the form of presenteeism (being present at work, but performance negatively affected by alcohol consumption), absenteeism, unemployment and premature mortality.

IN FOCUS



“Important update for customers in Scotland. From 1st October all retailers of alcohol in Scotland cannot offer discounts on multiple bottles of wine. Great news! All orders placed at TescoWine by the case will still qualify for these discounts as your wine is dispatched from our distribution centre in England.”

How the big supermarkets worked hard to undermine the new licensing laws.



Alcohol Focus Scotland Training Workshops

Alcohol Focus Scotland's latest workshop programme provides a range of knowledge and skills development courses essential for people working to reduce alcohol-related harm and promote recovery in Scotland. All workshops take place in Glasgow.

Service User Involvement for Frontline Services

26 October 2011, 9.30am-4.30pm

The aim of this workshop is to enable frontline service providers to competently and confidently design and deliver service user involvement within their services to improve and evidence outcomes.

Using Directive and Non-Directive Approaches with Problem Drinkers

28 October 2011, 9.30am-4.30pm

This workshop will introduce the application of a person-centred approach along with a more directive approach to working with problem drinkers.

Rory Learning Resource

3 November 2011, 9.30am-1.30pm

This training workshop will introduce participants to the Rory learning resource designed for use with children aged 5 - 11 years old to explore the issue of parental alcohol misuse.

Using Motivational Interviewing with Problem Drinkers

9 November 2011, 9.30am-4.30pm

This workshop will introduce the principles and skills of motivational interviewing (MI), an evidence-based skill that includes the active participation of the service users. The workshop will offer examples of this in practice and an opportunity to practice these skills.

Oh Lila Learning Resource

22 November 2011, 9.30am-1.30pm

This training workshop will introduce participants to the Oh Lila learning resource for use with children aged 3 – 5 years old. The learning resource is an early intervention tool and aims to build protective and resilience factors in young children.

Full day workshops cost £95 and half day workshops cost £60 per person.

Alcohol Focus Scotland can also design and deliver bespoke training packages to fit the needs of your organisation.

For more information about our workshops and training please visit our website: www.alcohol-focus-scotland.org.uk/workshops or email: training@alcohol-focus-scotland.org.uk or call 0141 572 6703.

Welcome from the Chief Executive



Welcome to the autumn edition of In Focus. Much has happened since the last edition with minimum pricing back on the agenda following the election of the SNP government in May. We expect to see the Minimum Pricing Bill introduced before the end of this year. Our progress in Scotland comes at a time when Ministers in Northern Ireland, Wales and the Republic of Ireland have publicly stated their support for minimum unit pricing. It is also timely that Professor Tim Stockwell is due to publish the first evaluation of minimum pricing schemes in two Canadian provinces later this year. Professor Stockwell shared some of his findings with politicians from all parties at a recent briefing event organised jointly by AFS, SHAAP and the BMA at the Scottish Parliament. Members of the Scottish Parliament heard that minimum pricing had resulted in a drop in alcohol consumption of between 3% and 5% in the two provinces studied.

If we need reminding of the public health case for imposing controls on price and availability to reduce the high levels of harm in Scotland, we need only read Dr Alastair McGilchrist's comments in this newsletter about the changes he has seen over the last 30 years with deaths from liver disease doubling every decade and patients being admitted to liver wards at a much younger age. We have learnt that alcohol policy can quickly turn into party political point scoring and when this happens, it is easy to forget that alcohol harm is not an abstract discussion. Quite simply – good alcohol policy saves lives, bad alcohol policy kills people. And it is even more important that we remember this simple truth when we consider our responsibility to protect the most vulnerable in our society from alcohol harm. We report in this newsletter on Westminster MP Dr Sarah Wollaston's courageous attempt to protect children and young people from harm by restricting their exposure to alcohol marketing. Dr Wollaston's Private Members Bill is due to have a second reading in Westminster later this month. We know that exposure to alcohol marketing increases the likelihood that young people will start drinking and we also know that the earlier a person starts drinking, the more they are at risk of developing alcohol problems in later life. This knowledge alone should be enough to persuade us that having our children growing up in an environment saturated with alcohol messages is not in the public interest. The news that both Heineken and Diageo will spend millions of pounds communicating directly with young people through Google and Facebook, is a development that we should be seriously concerned about. The role of the alcohol industry in seeking to influence alcohol policy is touched upon in our report of the Statement of Concern which was presented to the high level United Nations meeting on non-communicable diseases in Geneva in September. Alcohol Focus Scotland is a signatory to the statement along with around 150 NGOs and other organisations from around the world.

We also report on the publication of the report Rethinking Alcohol Licensing which we produced in conjunction with our colleagues at SHAAP. Alcohol Focus Scotland will be organising meetings across Scotland over the coming months to disseminate the findings of the report and provide support for licensing boards and other licensing stakeholders who want to ensure that they give meaningful effect to the licensing objective to protect and improve public health. Finally, we report on the implementation of the Alcohol etc. (Scotland) Act and the antics of the large supermarkets in seeking to circumvent the legislation which bans bulk discounts. The behaviour of some supermarkets in trying to get round legislation designed to restrict irresponsible pricing practices calls into question their claims to be responsible retailers. Politicians may want to reflect on this the next time they argue against government regulation in favour of voluntary self-regulation.

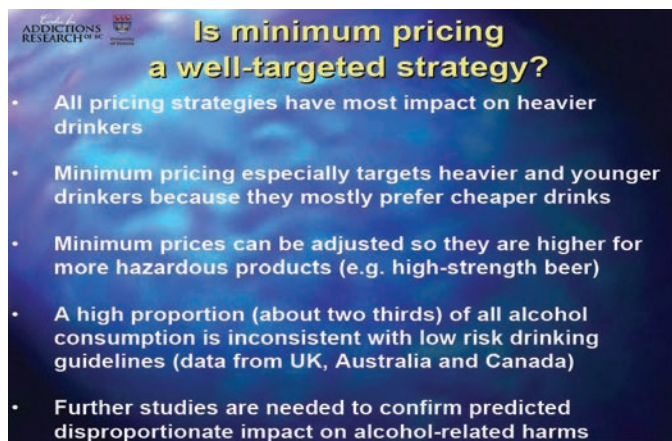
Dr Evelyn Gillan
Chief Executive
Alcohol Focus Scotland

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Minimum pricing and the Canadian experience

The Scottish Government will introduce the Alcohol Minimum Pricing Bill to Parliament before the end of the year. The policy objective of the Bill is to use pricing as a tool to reduce overall alcohol consumption in the population in order to reduce Scotland's high levels of alcohol harm. All the available international evidence would indicate that this approach will be effective. The Bill will be considered by the Health & Sport Committee in the coming months with written and oral submissions from a variety of stakeholders.



ADDICTIONS RESEARCH

Is minimum pricing a well-targeted strategy?

- All pricing strategies have most impact on heavier drinkers
- Minimum pricing especially targets heavier and younger drinkers because they mostly prefer cheaper drinks
- Minimum prices can be adjusted so they are higher for more hazardous products (e.g. high-strength beer)
- A high proportion (about two thirds) of all alcohol consumption is inconsistent with low risk drinking guidelines (data from UK, Australia and Canada)
- Further studies are needed to confirm predicted disproportionate impact on alcohol-related harms

When minimum pricing was previously debated in the Scottish Parliament as part of the Alcohol etc (Scotland) Bill, opposition politicians expressed the view that whilst they accepted that the evidence linking alcohol price, consumption and harm was substantial, no other country had introduced the specific policy measure of minimum unit pricing. Since this was last debated in the Parliament, an evaluation has been undertaken of minimum pricing schemes in two Canadian provinces. Alcohol Focus Scotland, Scottish Health Action on Alcohol Problems (SHAAP) and BMA Scotland recently invited the lead researcher, Professor Tim Stockwell, from the Centre for Addictions Research in Victoria, Canada to present his findings to members of the Scottish Parliament. The event was hosted by Malcolm Chisholm MSP (Labour) and Willie Rennie MSP (Lib Dems) and was attended by a number of MSPs and researchers from all the parties.

Initial findings from the three year evaluation undertaken by Professor Stockwell now give clear evidence of the effectiveness of this policy measure in reducing overall alcohol consumption in a population.

Professor Stockwell confirmed that all credible, scientific evidence shows that action on price is one of the most powerful policy levers for reducing alcohol consumption and harm. In light of this international evidence, eight out of ten Canadian provinces have implemented minimum unit pricing. There is a diversity of approach to minimum pricing across the provinces with differing impacts on consumption as a result. However, crucially, across the two provinces included in Professor

Dr Alastair MacGilchrist, liver specialist:



"As a liver specialist I see patients every day - both men and women - who should be in their prime but instead are dying as a consequence of liver failure. Alcoholic liver disease has always affected people in their middle age, rather than being a disease of the elderly which is mostly true for the other common illnesses such as heart disease, stroke and cancer. Liver disease is now the second commonest cause of death in under 65 year olds. However it is the young women who really shock you. Nowadays it is commonplace to see deeply jaundiced, emaciated women in their 30s or even younger whose alcoholic hepatitis is all-too-often fatal, something unheard of when I started in this field 30 years ago. These observations are confirmed by the statistics which show that deaths from liver disease in Scotland have been doubling every decade, at a time when the death rates are falling elsewhere in Europe, and that women in Scotland are as likely as men in England to die from cirrhosis, which is pretty shocking considering that the situation in England is also very bad.

Many of these patients don't realise the damage their drinking has done until it's too late. Although you sometimes hear cancer described as a "silent killer", that description is just as appropriate to alcoholic cirrhosis, with patients often feeling entirely well - and therefore assuming that they are going to "get away with it" despite their heavy consumption - until out of the blue they develop dramatic complications such as internal bleeding, jaundice or coma which are often fatal.

Of course the solution lies in prevention and although attempting to educate people about the dangers and influence their drinking behaviour has its place, we know from bitter experience that these measures alone are rather ineffective. Studies in many countries over many years have all shown that deaths from cirrhosis are very closely linked to the availability of alcohol, which is principally determined by cost relative to income. You might not realise it, but alcohol is currently much cheaper relative to income than it was a generation ago, and this means that to be effective, any preventative measure has to be cost-based.

Despite its critics - of whom the most vociferous are the drinks industry - all the scientific evidence points to a policy where setting a minimum price for alcohol will be the most effective. The heaviest drinkers - those at most risk of harm - favour the very cheap drinks available such as vodka and strong cider, so a minimum pricing policy very effectively targets the problem drinker.

Raising prices is never going to be popular, but something has to be done now to address this dreadful epidemic. We need to learn the lessons of history and introduce a minimum unit price for alcohol in Scotland without delay."

Stockwell's study – British Columbia and Saskatchewan - there was a reduction in consumption which was consistent with the price that had been set.

In both cases, significant drink specific and across-the-board impacts on alcohol consumption were observed. Professor Stockwell highlighted that the minimum price set in British Columbia is lower than in other provinces but has still resulted in a 3.4% reduction in consumption. By comparison, the Saskatchewan province has set a higher minimum price which has resulted in a 5.2% reduction in overall consumption.

The evidence from both provinces served to show the effectiveness of using minimum pricing to control alcohol consumption – that is, when the price of alcohol went up, consumption came down.

Other initial findings from his research included:

- A high proportion (about two thirds) of all alcohol consumption is inconsistent with low risk drinking guidelines (data from UK, Australia and Canada).
- Reductions in consumption are greater when there are across the board increases for all beverage types, especially when these match beverage strength.
- All pricing strategies have most impact on heavier drinkers.
- Minimum pricing especially targets heavier and younger drinkers because they mostly prefer cheaper drinks.
- Further studies are needed to confirm predicted disproportionate impact on alcohol-related harms.

Professor Stockwell reported that the eyes of global public health community are now on Scotland as we are seen to be at the forefront of developing ground-breaking alcohol policy to reduce alcohol related harm. He commended the Scottish Government for their proposal

to set a minimum unit price for alcohol and recommended that to ensure on-going effectiveness, the price should be index linked so the minimum price level keeps up with inflation.

Professor Stockwell's work will be published in full in a peer reviewed journal in the coming months and we will highlight this in a future edition of our E Focus newsletter.

In terms of building political consensus for minimum pricing across all parties in Scotland, it is heartening to see that there is a significant increase in support for the measure. The Scottish Liberal Democrats leader Willie Rennie MSP announced his party's support by saying: "Alcohol misuse continues to blight the whole of Scottish society, wrecking individual lives and harming families and communities. I believe that radical action is needed and will therefore support moves to introduce minimum unit pricing in Scotland".

Scottish Conservative Jackson Carlaw MSP has said he would advocate support for the SNP proposals subject to the agreement of government to both a "sunset clause" and active participation by alcohol producers and retailers in new abstinence programmes.

Ken Macintosh MSP, a candidate for the leadership of the Scottish Labour Party, has also said he would consider supporting minimum pricing if the SNP proposed a minimum price of at least 75p.

As the world looks on, Scotland is now on the brink of making a real change to begin to reduce the devastating harm caused by alcohol to many individuals, families and communities. The sooner we see the implementation of the minimum pricing legislation, the sooner we will see the benefits: more lives being saved; less alcohol-related illness and disease; fewer children and families suffering from the harm caused by drinking and less anti-social behaviour and violence in communities, villages, towns and cities right across Scotland.



Detective Chief Superintendent John Carnochan,
Co-director of the Violence Reduction Unit:

"Alcohol and violence are crippling our country. In 2008 it was estimated the annual cost to Scotland of alcohol abuse was £2.25b. The cost of violence, although impossible to estimate with accuracy, could be as high as £3bn. But there is also a cost that goes beyond economics: the personal cost to the families of both the victim and the offender of losing a child to death or to prison. That is a cost that cannot be measured in pounds and pence.

To have a real impact on this problem, we need to alter our country's attitude to alcohol. Adolescent binge drinking – drinking to get drunk - is symptomatic of adult drinking patterns in the UK. Many teenagers see adults consuming huge amounts of alcohol on a weekly basis – so it is small wonder they grow up to follow suit. We can limit the availability of alcohol, crack down on street drinking and stop people buying alcohol on behalf of under 18s, but they cannot stop young people growing up to copy what they see as normal behaviour. To break that cycle, we need to change our attitudes to drink, and that is a responsibility for all of us – parents, police, alcohol manufacturers, health professionals – everyone has a part to play."

Alcohol Act bans irresponsible promotions and introduces Challenge 25



The Alcohol etc (Scotland) Act 2010 came into force on 1 October 2011.

The new legislation makes it mandatory for all licensed premises to have a policy of checking the age of anyone buying alcohol who looks under 25. The scheme, known as 'Challenge 25', is one element of the new Act which also contains measures to ban irresponsible promotions in shops and supermarkets as well as stopping cost-based incentives which encourage bulk-buying of alcohol. Discounts such as '3 for 2' or '25% off when you buy 6' will no longer be allowed.

Dr Evelyn Gillan, Chief Executive of Alcohol Focus Scotland, said:

"The Alcohol Act contains a range of measures which will contribute to reducing harmful consumption of alcohol in Scotland. 'Challenge 25' will make it tougher for young people under the legal drinking age to buy alcohol, and ending irresponsible promotions in off-sales should discourage people from buying more alcohol than they intended.

These measures will be even more effective when minimum unit pricing is finally introduced. If we want to reduce the level of alcohol-related harm in Scotland, we need to reduce overall alcohol consumption. Evidence shows that price increases reduce consumption, and consequently harm. As well as saving lives, minimum pricing would also save the taxpayer hundreds of millions of pounds in NHS, crime and employment costs."

During the first weekend of the new legislation a number of the major supermarkets were quick to take action to undermine the spirit of the Act including encouraging online purchasing of alcohol and slashing prices as they can no longer offer incentives or discounts for multi-purchasing or bulk buying. With no minimum pricing currently in place, these moves are perfectly legal and this is further evidence that we need to introduce minimum pricing legislation as a matter of urgency to stop these irresponsible practices.

The major supermarkets have been vocal in their desire to work alongside the government to reduce alcohol harm in Scotland, however their actions paint a very different picture and it is apparent that they are more than happy to put their profits before the health of Scotland's people.

Plans for 'public health levy' on supermarkets

Alcohol Focus Scotland welcomed Finance Secretary John Swinney's announcement of a new levy on major retailers as part of the Scottish Government's spending plans for next year. The levy would apply to retailers who sell both alcohol and tobacco and would provide increased revenue for preventative spending.

Mr Swinney said Scotland's health and social problems associated with alcohol and tobacco were well documented and created additional burdens on policing, local authorities and the NHS. "As such, I propose that the business rates paid by large retailers of both tobacco and alcohol will be increased by a supplement from April 1," he said. He believes the tax, which will have to be paid by large retailers of alcohol and tobacco, will raise £110 million over the next three years.

Scotland Bill – devolving excise duty on alcohol

The Scottish Government has stated its desire for greater taxation powers and part of this would be for the control of excise duty on alcohol.

The First Minister has previously stated that he would be requesting devolved power to increase the duty on alcohol and that if this power was forthcoming, an increase in duty combined with a 45p minimum unit price could potentially deliver the reduction in consumption required to reduce harm. He stated that minimum pricing would provide a safety net to address market distortions and tackle the very cheap alcohol on sale.

Stewart Hosie SNP MP tabled an amendment to the Scotland Bill to give the Scottish Government devolved powers over duty, but it failed to make it into the final legislation that was passed in Westminster in June. Stewart Hosie said that as well as raising money for the Exchequer, "one of the key aims of the duty is to reduce excessive consumption of alcohol". Alex Salmond had said in interviews following his re-election in May that the Scotland Bill should be amended to include the devolution of alcohol duty.

Alcohol Focus Scotland supports the following:-

- Alcohol tax should be based on the amount of alcohol a product contains. This is the way that beer and spirits are currently taxed, on strength.
- The best way to reduce alcohol harm is a combination of ABV (strength) linked duty bands and minimum unit pricing.
- Reducing harm will only be achieved through a price rise which brings up the cost of the lowest priced products. Banning the sale of alcohol below the rate of duty plus VAT will not do this.
- Alcohol duty should include an element of ring fenced tax which goes directly towards the treatment of people with alcohol dependence.
- Extra profits made by supermarkets with the introduction of minimum pricing should be countered by a Social Responsibility Levy.

Inquiry into alcohol guidelines

Westminster's Science & Technology Select Committee has recently carried out an inquiry into the evidence base for the current alcohol guidelines provided by Government to the public.

Current advice from the Chief Medical Officer recommends that men should not regularly drink more than 3–4 units of alcohol a day and women should not regularly drink more than 2–3 units a day. Pregnant women or women trying to conceive are advised to avoid drinking alcohol but if they do choose to drink, they should not drink more than 1-2 units of alcohol once or twice a week. Parents are advised that children should not drink any alcohol until they're at least 15 years old.

Alcohol Focus Scotland and Scottish Health Action on Alcohol Problems (SHAAP) jointly provided written evidence to this inquiry highlighting the need for clear government advice based on new scientific evidence which has emerged since the original guidelines were introduced in 1987 and revised in 1995.

Key points included in the AFS and SHAAP submission were:

Men: No more than 3-4 units a day and no more than 21 units in a week.

Women: No more than 2-3 units a day and no more than 14 units a week.

We all need at least 2 days a week without alcohol. Doctors agree that drinking more than the sensible limit damages health in the short and long term.

How many units in a drink?

 330ml bottle standard lager/beer:	1.7 units
 700ml bottle whisky:	28 units
 275ml bottle alcopop:	1.5 units
 1 pint standard lager/beer:	2.3 units
 175ml glass standard wine:	2.1 units
 1 pint strong cider:	3.4 units
 35ml measure gin/rum/vodka/whisky:	1.4 units
 1 pint medium strength lager/beer:	2.8 units

- A substantial amount of new evidence has been accumulated in recent years quantifying the disease burden and mortality attributable to alcohol and identifying disease categories for which alcohol is a direct or contributory cause.

- Any revision of the drinking guidelines needs to be based on a comprehensive, systematic review of the scientific evidence by individuals or organisations properly qualified for the task.
- The Government must set guidelines which encourage low risk drinking and a reduction in population level consumption.
- There is no 'safe' amount of alcohol consumption. The Government should avoid the use of words such as 'sensible' and 'safe' limits and use the terms low, medium and high risk drinking.
- Unit advice should be clear e.g. 3 units maximum in one day rather than 2-3 units.
- The provision of public health information about alcohol should be the job of public health agencies alone.

All written evidence which has been received will be reported to the House of Commons on 12th October, with oral evidence sessions commencing shortly. Look out for an update in future E Focus newsletters.

Alcohol Focus Scotland signs UN statement

Alcohol Focus Scotland has joined forces with over 150 NGOs from around the world to sign a statement of concern to the UN about conflicts of interest between the commercial sector and public health policy objectives.

The statement, which was sent to the President of the UN ahead of the Civil Society Interactive Hearing in New York and UN High Level Meeting in September, calls upon the UN to recognise the difference between business interest NGOs (BINGOs) and public interest NGOs (PINGOs).

The statement also calls for the establishment of a code of conduct to manage conflicts of interest between the private sector, which clearly differentiates between policy development and implementation.

It states "...the policy development stage should be free from industry involvement to ensure a "health in all policies" approach, which is not compromised by the obvious conflicts of interests associated with the food alcohol,

beverage and other industries, who are primarily answerable to shareholders"

This Statement of Concern comes in response to the increasing involvement in particular, of the global alcohol and food industries in the development of public health policies. The issue was also highlighted in a recent edition of BBC's Panorama programme, where grave concerns were raised by leading public health bodies about the Westminster Government's excessive involvement of multi-national companies from the alcohol and food industries in the development of alcohol and food (obesity) policy for England and Wales.

Read the full statement of concern here: <http://info.babymilkaction.org/node/458>





Reducing children's exposure to alcohol advertising

Alcohol Focus Scotland, Barnardo's Scotland, ChildLine in Scotland, Children 1st and Children in Scotland joined forces to urge Scottish MPs at Westminster to support a Private Member's Bill introduced by Sarah Wollaston MP. The Bill addresses two pressing and uncontested problems: the excessive drinking of our young people and their massive exposure to alcohol advertising.

It proposes to adapt a well-established policy developed and applied in France for the last twenty years – known as the Loi Evin – to a UK context. This policy is currently protecting French children and young people by ensuring that their media and cultural exposure to alcohol is minimised.

The drinks industry spends in the region of **£800m** each year advertising and promoting their products, dwarfing health promotion budgets and campaigns. The World Health Organisation (WHO) has stated that the content of alcohol marketing and the volume of marketing that young people are exposed to are critical issues given the particular vulnerability of young people to alcohol's harmful effects.

Young people are an important target group for alcohol marketing by global producers, with a growing evidence base identifying a positive relationship

between alcohol marketing and the volume and pattern of young people's consumption of alcohol. The evidence clearly shows that alcohol marketing encourages children to drink at an earlier age and in greater quantities than they otherwise would. A recent survey funded by the Medical Research Council highlighted that almost all **(96%) of 13 year olds** in the UK were aware of alcohol advertising and on average had come across it in five different types of media.

Another recent report by Alcohol Concern highlighted that the volume of **online adverts in the UK has almost doubled** between 2007 and 2008 with online advertising expenditure now overtaking TV expenditure in the UK for the first time. The report also highlighted that almost half (49%) of children aged 8-17 years who use the internet have set up their own profile on an SNS (social networking site). With a large and increasing presence of alcohol companies on such sites the likelihood of children and young people being exposed to alcohol marketing is considerable.

A multi-million dollar deal announced in September between Facebook and drinks company Diageo will further expose increasing numbers of young people to alcohol marketing. Diageo said Smirnoff had become "the number one

beverage alcohol brand on Facebook worldwide". Its brands in the US had enjoyed a 20% increase in sales "as a result of Facebook activity". Half of Facebook users are stated to be under the age of 24 and many are under the legal drinking age of 18. Both Diageo and Facebook argue that pages set up by alcohol advertisers are "age-gated", and therefore only accessible to those who are over 18. However these moves completely fly in the face of recommendations from the Westminster Health Select Committee inquiry on alcohol which advised that more effective ways of restricting young people's access to new media which promoted alcohol were required, and specifically that alcohol promotion should not be permitted on social networking sites and expert guidance was needed to ensure age-gate controls were much more effective.

Sarah Wollaston's Private Member's Bill as proposed would permit the promotion of alcohol only in media targeted at adults, including press, radio stations and cinema and at the point of sale in licensed premises. Advertisers would also have to ensure that promotional messages about their products are factual and verifiable and they would also be required to carry explicit health information.

The Bill is due to have a second reading debate in Westminster on 21 October.

Alcohol's harm to others

"The negative effects of excessive drinking on family members, and particularly on children, remain a cause for concern and have to be considered a pertinent public health issue...Children are the most severely affected, since they can do little to protect themselves from the direct or indirect consequences of parental drinking." (WHO, 2001)



Alcohol Focus Scotland has identified harm to others as a strategic priority area of work to ensure the issue remains a high profile concern within policy, practice and public arenas. In June this year we held a very successful a Harm to Others Conference which was attended by over 90 delegates. The conference heard from a range of expert speakers, including a key note address given by Professor Robin Room from the University of Melbourne on the range and magnitude of alcohol's harm to others in Australia. His study found that if the cost of harm to others is taken into account, the overall costs of alcohol harms could be double the previous estimates. Professor Room called for alcohol policy decisions to take into account the interests of those around the drinker and suggested programmes to strengthen community responses should be tested and implemented. For further details on the conference please see the conference report on our website www.alcohol-focus-scotland.org.uk/alcohol-s-harm-to-others-conference

Since the conference there have been a number of exciting developments, including working with Children 1st to develop and produce leaflets and posters for parents and practitioners on parental drinking. The leaflets are now available to download on our website and the posters will be launched later in the year. We have also been working alongside a number of other key partners to carry out surveys and focus groups to gather information on the impact that alcohol has on teenagers, family relationships and carers. We will use the information gathered to continue to raise the profile of this critical issue in the coming months with the media, politicians, practitioners and the general public.

To support practitioners who work with children and young people who may be affected by parental drinking, Alcohol Focus Scotland has developed two learning resources. Oh Lila builds resilience and protective factors in children aged 3 – 5 years old and Rory for work with children aged 5 -11 years begins to address the issue of parental alcohol misuse in a sensitive and child friendly way. Both resources are now being used in a wide range of settings across Scotland and



the UK with training available to support practitioners to make best use of them. In addition to these resources for work with children, Alcohol Focus Scotland has also developed Harm to Others training which increases awareness of the range and magnitude of alcohol's harm to people other than the drinker.

For more information on these resources and training please contact Jane Wilson, Senior Officer – Children & Young People, 0141 572 6598 or jane.wilson@alcohol-focus-scotland.org.uk

Licensing Update

National licensing conference 2011

Around one hundred and fifty people attended Alcohol Focus Scotland's National Licensing Conference held on 15 September in Glasgow. Delegates included Licensing Board members and clerks, Licensing Forum members, police, Licensing Standards Officers, Alcohol and Drug Partnership representatives, public health officials, private practice lawyers and the licensed trade.



Shona Robison MSP

The conference was opened by Shona Robison MSP, Minister for the Commonwealth Games and Sport, formerly the Minister for Public Health. She outlined the Scottish Government's concern with Scotland's worsening record of alcohol-related harm and a determination to tackle the problem. She emphasised that licensing has an important role to play.

Sir Crispin Agnew QC spoke about how the licensing objective on public health can be promoted and the problems associated with it. He pointed out how crucial the licensing policy statement is in promoting the public health objective. The policy should have regard to health evidence and statistics that apply across the board's area. A robust policy will provide support for individual decisions taken on the grounds of supporting the public health objective. He also pointed out that the law requires the Licensing Board 'to ensure the policy statement seeks to promote the licensing

objective' therefore it must take reasonable steps to gather evidence. Such evidence could include statistics and also professional opinion such as from a Director of Public Health.

Dr James Nichols of Bath Spa University provided a very interesting presentation on the history of public health and licensing in Scotland which showed that there have been continual cycles of liberalisation followed by government intervention. In the 1930's, a period of relatively low alcohol consumption, a Royal Commission on Licensing concluded that *'a younger generation is growing up to which, as a whole, any resort to alcoholic excess as a necessary or usual practice is almost totally unknown'*. Licensing laws were



Dr James Nichols

gradually relaxed and from the 1950's onwards consumption and alcohol-related harm began to rise.

Fiona Myers of NHS Health Scotland gave an update of the first interim results from the evaluation of the implementation of the new Licensing Act. The evaluation is running over 3 years and will produce its final report in spring 2013. The first results are based on telephone interviews with Licensing Board representatives and Licensing Standards Officers from across Scotland. Some of the perceived positive impacts so far were increased dialogue between the different stakeholders and an increase in the enforcement agenda.

A perceived negative impact was that it was felt that the Act had so far had a limited impact on the off-sales sector. In terms of progress on meeting the licensing objectives, most respondents felt good progress was being made on the majority of the objectives but the protecting and improving public health objective was felt to be least successfully addressed with many unsure about what action should be taken.

Dr Evelyn Gillan of Alcohol Focus Scotland outlined the recommendations contained in a new report 'Rethinking Alcohol Licensing' which was launched at the conference. The report is based on the findings of an expert group which included experts from the fields of licensing law, history, public health, social science and local government.

Licensing laws and practice have been steadily relaxed over the past 30 years with more licences issued to a wider range of premises and for longer opening hours. Evidence summarised in the report shows that increasing the availability of alcohol is linked increased consumption and harm.

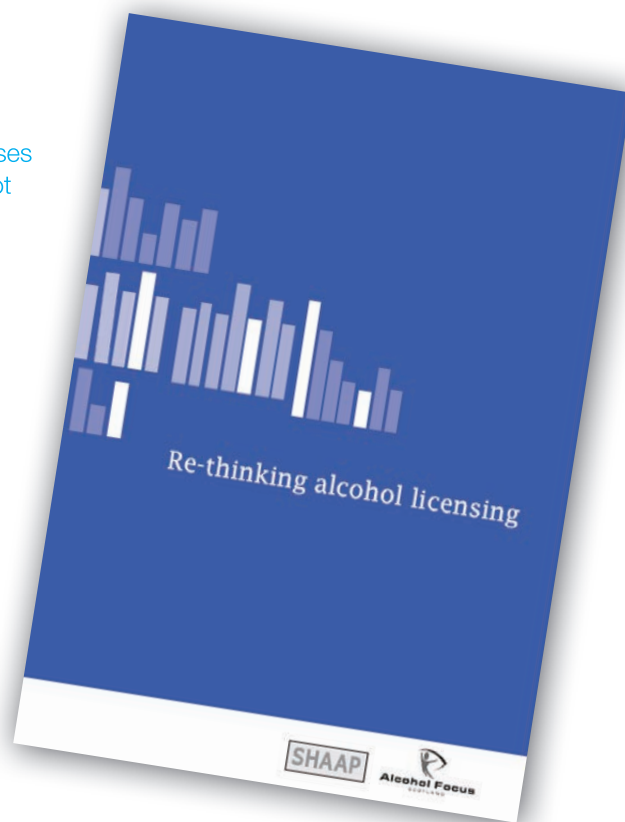
Dr Evelyn Gillan, Chief Executive of Alcohol Focus Scotland, said:

"Scotland is unique in having a licensing system which is based on protecting and improving public health. But we need to make sure that this principle is put into practice. The recommendations contained in the report would shift the focus away from individual 'problem' licensed premises, to managing the overall availability of alcohol in the interests of society's health and wellbeing. The licensing system exists because there is a consensus in society that alcohol is not an ordinary commodity. It is a substance with known toxic, intoxicating and addictive effects. As such, it needs to be carefully regulated."

The report makes a number of recommendations for licensing boards and local authorities, for other statutory bodies and to the Scottish Government including:

- Licensing policy should consider the overall effect of licensed premises on drinking behaviour and levels of alcohol harm in communities, not just the operation of individual licensed premises.
- Off-sales hours should be reduced to 10am until 8pm.
- Licensing boards should publish detailed information about the number, type and capacity of licensed premises in their area.
- Separate alcohol-only checkouts should be introduced in supermarkets.
- Licensed premises should be required to provide annual information on the volume of alcohol sold by drink type as a condition of their licence.
- Licensing fees should be applied based on volume of alcohol sold.

Copies of the presentations and report are available in the licensing section of our website www.alcohol-focus-scotland.org.uk/licensing



Next steps

- To provide a further opportunity for discussion on Rethinking Alcohol Licensing, Alcohol Focus Scotland is organising a series of five regional events to run across Scotland for key stakeholders including Licensing Boards, Licensing Forums and Alcohol and Drug Partnerships. The dates and venues are currently being agreed and will be announced shortly. Contact us for more information: licensing@alcohol-focus-scotland.org.uk

- Alcohol Focus Scotland is working with the Scottish Government to progress a review of the training specifications for the licensing board member training so that these are updated and ready for the training which will be required following the Council elections in May 2012.
- Alcohol Focus Scotland will continue to urge the Scottish Government to update the Guidance for Licensing Boards and Local Authorities on the Licensing Act so that this better supports taking a public health approach in licensing.

Alcohol Focus Scotland AGM

and guest lecture by Professor Thomas Babor

- Date:** Tuesday 15 November 2011
- Venue:** The Lighthouse, 11 Mitchell Lane, Glasgow, G1 3NU
- Time:** Tea and coffee from 1.45pm, AGM 2-2.45pm, guest lecture 2.45-4pm

We are delighted to welcome Professor Tom Babor, Head of Department, Community Medicine & Public Health, University of Connecticut to our meeting this year.

The title of Professor Babor's lecture will be:

"Problem Drinking in the UK: Public Health Implications of Defining a Drinking Epidemic as a "Corporate-born Disease."

If you would like to attend please contact Vickie Longmuir at Alcohol Focus Scotland on 0141 572 6708 or email:

vickie.longmuir@alcohol-focus-scotland.org.uk



National alcohol brief interventions

The Scottish Government held a national event in Glasgow on 6 September 2011 to review the progress made against the HEAT H4 target on Alcohol Brief Interventions (ABIs) and discuss next steps for implementation. The event provided an opportunity for key stakeholders to share learning, celebrate the success of the ABI programme to date and consider their respective roles in embedding ABIs.

Sarah Currie, Alcohol Brief Interventions Manager for the Scottish Government opened the event with a presentation on the progress against the HEAT target. The original target required NHS Scotland to deliver 149,449 ABIs nationally between April 2008 and March 2011 in three priority settings of primary care, A&E, and antenatal care. This target has been achieved, and a subsequent one year target to deliver 61,081 ABIs was introduced for April 2011 – March 2012 with the aim of supporting the long-term embedding of ABIs.

The event was used to launch the full evaluation report on the implementation of ABIs which is now available to download on the NHS Health Scotland website along with the presentations from the event. Read the full report here:

<http://www.healthscotland.com/topics/health/alcohol/alcohol-brief-interventions-communications-and-guidance.aspx>

Information on the pilot projects delivering ABIs in non HEAT settings is also available on the NHS Health Scotland website. Evidence from these pilots which include delivery in dentistry



and sexual health settings is being collated and analysed as part of the Monitoring and Evaluating Scotland's Alcohol Strategy (MESAS) work being taken forward by NHS Health Scotland. This information will support the recommendation in the Quality Alcohol Treatment and Support (QATS) report from the Scottish Government to:

"Build on the current HEAT H4 target, the Scottish Government, in collaboration with Alcohol and Drug Partnerships, should support the continued delivery of alcohol brief interventions (ABIs) in evidence based settings. As the evidence develops a wider range of settings may become appropriate."

Community action to reduce alcohol related harm

The importance of involving people in helping to identify and address alcohol related harm in their own communities has been high on the agenda of local and national government for some time. Alcohol Focus Scotland has a long history of involvement in projects that range from service user involvement to the Community Action on Alcohol project in Blackburn. Alcohol Focus Scotland recently received funding from the Robertson Trust to further develop community based approaches to reducing alcohol related harm and share the learning at a national level.

The National Communities Project will work in two identified communities and develop a national resource to support sharing and dissemination of evidence-based good practice in this field throughout Scotland.

The work of the National Communities Project will contribute to Alcohol Focus Scotland's strategic priorities which are:

- Affordability and availability of alcohol
- Public health and licensing
- Harm to others
- Protecting young people from alcohol marketing
- Supporting frontline services to deliver alcohol outcomes

Work to identify the two communities is underway and the development of the national resource will begin in spring 2012.

For further information please contact Caroline Church, National Communities Officer, 0141 572 6591 or email caroline.church@alcohol-focus-scotland.org.uk

CONTACT US

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Tel: 0141 572 6700. Email: enquiries@alcohol-focus-scotland.org.uk

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03 SEP 2012

Received



Lothian
and Borders
Police

The Clerk to the Licensing Board
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA

Our Ref:

Your Ref:

Date: 28th August 2012

Dear Madam,

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

3

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

Graham Sinclair
Temporary Assistant Chief Constable
(Crime & Operational Support)

David JR Strang QPM BSc MSc Chief Constable

Lothian and Borders Police
Force Headquarters
Fettes Avenue
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CHIEF CONSTABLE'S REPORT TO EAST LOTHIAN LICENSING BOARD FOR THE PERIOD April 2011-March 2012

INTRODUCTION

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

The report outlines the structure of Lothian and Borders Police and describes our vision, values, strategic objectives and policing priorities. Information is also provided in regard to Drugs and Alcohol within the local and national context.

Police performance and activities undertaken in the financial year April 2011 to March 2012 are also contained within this report.

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.

BOARD AREA – POLICING RESPONSIBILITY

Lothian and Borders Policing area includes the City of Edinburgh, East, Mid and West Lothian and the Scottish Borders. It covers an area of 2,500 square miles and serves a population of approximately 939,000 people. It has a staff of around 4,110 made up of over 3000 police officers and 1,110 police staff.

The Force area serves 5 local authorities and their respective Licensing Boards. The policing divisions are coterminous with local authority boundaries, each headed by a divisional commander:

City of Edinburgh: Ch. Supt. Malcolm Graham
Midlothian (E' Division): Supt. Elizabeth McAinsh
East Lothian (E' Division): Supt. Philip O'Kane
West Lothian: Ch. Supt. Jeanette McDiarmid
Borders: Supt. Andrew Allan

David Strang is the Chief Constable of Lothian and Borders Police and is supported by Deputy Chief Constable Steve Allen, Assistant Chief Constable Bill Skelly, Temporary Assistant Chief Constable Graham Sinclair and Director of Resources Susan Mitchell.

“E” Division covers East Lothian and Midlothian. The division is split into two local authorities – East Lothian Council and Midlothian Council – and is unique in that it reports to two Licensing Boards.

The area covered by the division is diverse and multi cultural and covers rural and urban policing. It is home to a large farming community and is host to large retail and industrial sites as well as sites of national importance including Torness power station and the Bush estate near Penicuik. The area is also a major tourist destination drawn by the beautiful beaches and countryside and the many historical sites including Rosslyn Chapel and the plentiful supply of golf courses.

Policing the area provides many challenges not least the geographical size of the area. The division is serviced by 12 local police stations with divisional headquarters at Dalkeith and sub divisional headquarters at Haddington police station. The division is also host to the main arterial route, the A1, between England and Scotland. The division is particularly busy in the summer when every local town and village has gala days or festival weeks. Most notable of these is Musselburgh Honest Toun celebrations and Penicuik Hunter Lad and Lass festivities. Alongside policing local events the division offers support to other divisions in relation to major events such as the Papal visit.

There are approximately 700 licensed premises in “E” division, which are spread throughout the division. The division is comprised of 381 police officers and 69 police staff. The divisional licensing section is based at Dalkeith police station and consists of two Police Constables.

Our Vision - Creating Community Wellbeing

VISION

Working together with our partners so that everyone can ...

- Enjoy a good quality of life with ready access to public services
- Live in safety and have confidence in their physical and legal security
- Participate in decision-making and influence the services and policies that affect them
- Have the opportunities and support to achieve their potential and lead a fulfilling life
- Look after each other and their environment through a shared sense of social responsibility
- Have identity, self-respect and positive relationships

Values

VALUES

Making everyone we come into contact with feel like they matter

- We act with honesty, fairness and respect in serving our communities and the individuals within them
- We take pride in working within an organisation dedicated to protecting people and upholding the law
- We always do the right thing, take personal responsibility for our actions and strive to make a difference

Our Strategic Objectives

STRATEGIC OBJECTIVES



Priorities



Liquor Licensing

Temporary Assistant Chief Constable Graham Sinclair (Crime & Operational Support) now has the Force Executive lead for licensing. As such he is responsible for the statutory duties as per the Licensing (Scotland) Act 2005. Temporary Chief Superintendent John Hawkins is now the Divisional Commander for 'E' Division and so responsible for the day to day policing of licensed premises and surrounds in the East Lothian area. During the financial year to which this report refers ACC Skelly had responsibility for licensing and Chief Superintendent Mark Williams for 'E' Division.

Drug and Alcohol Strategy

The Tackling Drug and Alcohol Misuse Strategy 2011/2014 aims to address harm caused to communities through drug and alcohol misuse. The misuse of drugs and alcohol are both a symptom and cause of crime. Dependency on drugs and over consumption of alcohol can lead to involvement in serious and violent crime, domestic abuse and low-level antisocial disorder. Communities in general pay a huge cost in terms of drug and alcohol related deaths, employment potential and the breakdown of families, with many people directly and indirectly affected.

The strategy sets out two key objectives:

- to reduce alcohol related harms and encourage responsible attitudes to drinking
- to reduce the demand and misuse of harmful substances, including controlled drugs

These objectives will be pursued through encouraging attitudinal change, prevention and enforcement.

Young People and Alcohol Strategic Framework 2010/12

The framework complements the wider Drug and Alcohol Strategy. Its aim is to protect children and young people from alcohol related harms, ensuring their welfare and development. It is also intended to reduce the availability of alcohol to under age people and tackle the crime, violence and antisocial behaviour that can stem from the misuse of alcohol by some young people and their carers.

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

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

Applications for Reviews of Licences		Total
Premises Licences (Section 36)	Off-sale only (shop premises):	2
	On-sale (all others):	3
Personal Licences (Section 84A)	Off-sale only (shop premises):	0
	On-sale (all others):	2
Interventions		
Total number of Intervention Meetings carried out:		
Stage 1: Discussion		14
Stage 2: Intervention Meeting		16
Stage 3: Pre-review Warning		9
Off-sale only (shop premises):		
Stage 1: Discussion		0
Stage 2: Intervention Meeting		0
Stage 3: Pre-review Warning		0
On-sale (all others):		
Stage 1: Discussion		14
Stage 2: Intervention Meeting		16
Stage 3: Pre-review Warning		9

Working in Partnership:

Table 2: Initiatives with Partners

Activity Details
<p><u>Best Bar None (BBN)</u> BBN is a national award scheme aimed at promoting responsible management and operation of alcohol licensed premises. The aim of BBN is to reduce crime and disorder in town centres by building positive relationships between the licensed trade, police and local authorities and improving the knowledge and skills of the enforcement and regulation agencies, licensees and bar staff. Over the course of 2010 – 2011, the Best Bar None scheme was piloted within the Musselburgh area, with 6 premises participating. Partner agencies included Lothian and Borders Fire and Rescue Service. 4 premises achieved accreditation with 1 achieving gold and 3 silver standard. Such was the success of the scheme that it is being repeated and expanded this year.</p> <p><u>Pub Watch</u> is a scheme whereby licensed premises in a particular geographic area meet to share information with a view to preventing crime and anti-social behaviour in and around licensed premises thereby maintaining a safe and secure social environment for staff and customers. There are several schemes dotted throughout the East Lothian area, in which the police are actively involved.</p> <p><u>Divisional Operations</u> There has been several Divisional Operations to tackle crime and anti-social behaviour associated with licensed premises. These have included:</p> <ul style="list-style-type: none">• Operation Epsilon – test purchase to tackle underage sales.• Operation Eucalyptus – initiative to test licensed premises for traces of cocaine within their toilets.• Operation Escapade – tackling youths and alcohol, anti social behaviour.• Operation Equinox – initiative during the school holidays (summer & winter) youths, alcohol and anti social behaviour.• An initiative to target off sales of alcohol to underage youths, which entailed visits to off licenses by community beat officers.• Joint visits with the Licensing Standards Officers for East Lothian Council.• There have also been several initiatives undertaken at specific licensed premises targeting issues such as football violence, hate crime, and personal safety. <p>As well as Operations such as described above to tackle crime and disorder, the monitoring of licensed premises often features in the planning of the many high profile events in East Lothian. In the run up to the recent Scottish Football Cup Final the local community beat officers visited all the licensed premises in East Lothian raising awareness of the possible tensions and asking that they make suitable arrangements re. staffing levels etc. This had</p>

a positive impact in that there were less disturbances reported in licensed premises than anticipated during the cup final weekend.

Training and Development (Internal):

Table 3: Training and Development Carried Out

Training details
<p>A training module has been developed and is being delivered to all probationers. The module includes an overview of the Force licensing department, the intervention protocol regarding licensing offences, legislation and police powers. The intent is to give probationers sufficient knowledge to apply the legislation in a practical situation and to give them a point of referral for advice and support.</p> <p>For all those officers outwith their probationary period, an aide memoire has been written and issued outlining the essential elements of the 2005 Act they need to know to apply the legislation. The aide memoire highlights the main licensing offences, powers and appropriate police response. It is also available on the Personal Digital Assistant (PDA) and so can be updated as the legislation develops.</p> <p>The Force has written a series of workbooks covering the entirety of the Licensing Scotland Act 2005, aimed at the needs of operational officers. These books have been welcomed by the Association of Chief Police Officers Scotland (ACPOS) and are to be published as National guidance.</p> <p>Officers from the licensing section regularly visit stations to personally speak to operational officers about the practical application of the licensing legislation. They also deliver training on Operation Epsilon to officers who will be involved in the test purchase operations.</p> <p>ACPOS is developing a National Standard Operational Procedure in regard to the Licensing Scotland Act 2005. This will provide the Police Service of Scotland with a consistent national approach to the legislation.</p>

National Policing Activity:

The Policing responsibility in the Board area as described in the introduction to this report is set within a national policing context.

The Association of Chief Police Officers in Scotland have various responsibilities, including the Licensing portfolio, for which ACC Ewing is currently the lead officer.

The Group meets monthly and all Scottish Police Forces are generally represented along with officials from the current Government. Consultation takes place regarding emerging trends and changes in legislation; with the overarching purpose of providing Strategic Guidance and also practical guidance to officers working at an operational level.

The work of this Group is aligned to the Strategic Government Objectives of:

- Wealthier and Fairer;
- Smarter;
- Safer and Stronger;
- Healthier;
- Greener.

and this is linked with the five Licensing Objectives which underpin the Licensing (Scotland) Act 2005 of :

- Preventing Crime and Disorder;
- Securing Public Safety;
- Preventing Public Nuisance;
- Protecting and Improving Public Health;
- Protecting Children From Harm

The work of the Group is linked to the work of Partner Agencies in relation to high-end alcohol strategies.

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

In East Lothian there were 925 reported incidents in licensed premises between 1st April 2011 and 31st March 2012. The statistics provided in Part 1 of this report shows that there were only 5 applications for Reviews of Premises Licences, which accounts for a tiny percentage when taken in context. This is due to the successful Intervention Strategy adopted by Lothian and Borders Police and designed to minimise the need to review licences by correcting problems at an early stage.

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.

Drug and Alcohol Strategy: Lothian and Borders Police recognises that the effective operation of the Act will contribute to its achieving its drug and alcohol agenda as set out in the Drug and Alcohol Strategy, Young People and Alcohol Strategic Framework 2010/12 and Edinburgh Violence Reduction Programmed. All of these fit well with the Scottish Governments National Outcomes.

Intervention Protocol: Lothian and Borders Police operate an Intervention Protocol for liquor licensing purposes. This protocol reflects the changes brought about by the Licensing (Scotland) Act 2005 and takes cognisance of its emphasis on mediation, resolution and compliance. It provides a consistent, transparent and fair system of engagement with licence holders in addressing concerns through consultation and cooperation prior to escalating matters to a review at the Licensing Board.

Test Purchasing: Test purchasing allows the Chief Constable to authorise a young person to purchase or attempt to purchase alcohol in licensed premises, which may lead to a criminal prosecution. It is a useful tool to address the negative impact on the community of the anti social behavior associated with young people under the influence of alcohol and to address the health agenda. Test Purchasing of alcohol in licensed premises will continue in the East Lothian area and will include publication of a Standard Operating Procedure (SOP) and continued development and delivery of training to officers.

Best Bar None (BBN): BBN is a national award scheme aimed at promoting responsible management and operation of alcohol in licensed premises. It enables the police to develop relationships and rapport with licence holders and to develop their knowledge of the 5 licensing objectives and the 2005 Act. Following the success of the Musselburgh pilot last year it is to be repeated and expanded to include the whole of East Lothian this year.

Intelligence: Lothian and Borders is leading the Association of Chief Police Officers (ACPOS) development of the use of intelligence to better inform the Licensing Board when making decisions. Consultation is currently ongoing between the Licensing and Intelligence Sub-Groups to agree a national protocol for disclosing intelligence where it is deemed relevant and necessary to do so. A National SOP will be published in due course.

Development of Intranet site: It is intended to create and develop a training web page on the Force intranet. It is appreciated that expert advice from licensing officers may not always be available to operational officers 24/7 and

that a 'one stop shop' providing access to training materials, guidance on best practice, initiatives, legislative development would be of benefit.

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

Introduction

Preventing the sale or supply of alcohol to children or young people is just one part of a much wider strategy to protect children and young people, under 18 years old, from alcohol related harms.

The Young People and Alcohol Strategic Framework 2010/2012 provides the framework for our approach. The Framework has been developed through meaningful engagement with key partners including Alcohol and Drugs partnerships, the Scottish Government, Young Scot and a range of youth and treatment services. It is primarily intended to focus on reducing the harm caused to young people through alcohol and to encourage their healthy development. It is also intended to reduce the availability of alcohol to underage young people. In line with the Scottish Governments national framework we are committed to a whole population approach, as the evidence is clear that reducing overall average alcohol consumption delivers improved outcomes for the whole population. The strategy is divided into 3 parts, prevention, intervention and enforcement

Prevention includes: creating more choices and chances to develop the skills required to make positive life style choices, working with partners in education to deliver alcohol awareness inputs, encouraging schools to support visits to the risk factory where pupils are given the opportunity to explore and consider the risks and consequences of alcohol misuse

Intervention: includes ensuring that young people found with alcohol in public are dealt with consistently and to involve their parents/carers where appropriate, to work with partners to provide support, advice and information that parents and carers need to discuss the hazards of alcohol use with their own children and delivering alcohol brief interventions.

Enforcement: includes working with partners to take proactive measures to prevent young people from gaining inappropriate access to alcohol, identify problematic licensed premises and apply licensing regulations to address poor management in licensed premises.

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

Table 5: Test Purchase Operations

Number of Test Purchases carried out	16
Number of first failures	1
Number of second failures	0
Number of Premises Licence review applications in relation to Test Purchase failures	1
Number of Section 84A Personal Licence review applications in relation to Test Purchase failures	0

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

Lothian and Borders Police will continue to pursue The Young People and Alcohol Strategic Framework 2010/2012 as outlined above.

Officers will continue to routinely proactively visit premises licensed for off sales to ensure that they are aware of their responsibilities under to 2005 legislation and in particular in the run up to school holidays. The opportunity will be taken to update vendors of the most current fake identity documents being used by youngsters and how to identify them.

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

Test purchasing affords the Chief Constable the opportunity to authorise a young person to purchase or attempt to purchase alcohol in licensed premises, which may lead to a criminal prosecution. It is a useful tool to address the negative impact on the community of the anti social behavior associated with young people under the influence of alcohol and to address the health agenda. Test Purchasing of alcohol in licensed premises will continue in the East Lothian area and will include publication of a Standard Operating Procedure (SOP) and continued development and delivery of training to officers.

CONCLUSION

The Scottish Government has passed the Police and Fire reform (Scotland) Bill, which will allow for the creation of the Police Service of Scotland. Amid the challenges of financial restraints and uncertainty over restructuring on a national level we will continue to work with key partners to pursue the Scottish Government and National Policing alcohol strategies and objectives at a local level.

Signatory/Designation etc: