



MINUTES OF THE MEETING OF THE EAST LoTHIAN LICENSING FORUM

WEDNESDAY 22 MAY 2024, 10AM
HYBRID SYSTEM

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Forum Members Present:

Mr G Blaikie
Mr S Baxter
Ms K Harling
PC L Wilson
Mr A Podder
Mr J Thayers

Council Officials Present:

Ms M Scott

Elected Members Present:

Councillor J McMillan
Councillor G McGuire

Visitors Present:

N/A

Apologies:

Councillor L Bruce

Declarations of Interest: There were no Declarations of Interest recorded at the meeting.

1. MINUTES OF THE MEETING OF THE EAST LOTHIAN LOCAL LICENSING FORUM HELD ON 21 FEBRUARY 2023 AND MATTERS ARISING

The minute was agreed as an accurate recording of the meeting.
There were no matters arising.

2. POLICE REPORT (VERBAL)

PC Wilson gave an update on reported incidents between the 21st February and 21st May 2024. There were 60 alcohol related incidents between this time including; 9 assaults, 6 disturbances, 3 failure to leave, 1 noise complaint, 1 drug related incident, 1 hate crime, 1 accident, 1 robbery and 37 thefts. The Police and Licensing Standard Officer have completed 40 planned and unplanned visits which only flagged up some minor issues or none at all. PC Wilson reported there had been an increased effort to use Special Constables to complete inspections which has raised some points of learning. He is making an effort over the next few weeks to complete online evening training sessions to address these points. PC Wilson explained the main issue that had been raised from public house owners was Special Constables requesting to see paperwork on busy weekend evenings which is not necessary as these deep dive checks can be completed on quieter days as to no inconvenience staff.

PC Wilson made Members aware a bid had been put in for extra funding and resources for the It Will Cost You campaign but unfortunately this was not successful as other areas were deemed to need this more but he confirmed the campaign will still run as planned at the beginning of the summer months to inform young people about the dangers of alcohol.

Graham Blaikie asked if there had been an increase in reported hate crime incidents. PC Wilson explained he did not have first hand knowledge on this but he knows from colleagues in the first few weeks there was a significant increase in reports but this is now more settled. He believes people are more willing to report these crimes now.

Councillor McMillan asked if it would be possible for the police to do a public statement regarding the It Will Cost You campaign to raise awareness of it. He also raised concerns regarding young people using their travel passes to move all around East Lothian and causing anti social behaviour concerns on bus routes, especially at the terminuses and asked if this was something the police were aware of. Councillor McMillan also asked if the police were aware of any incidents of youths abusing alcohol in Haddington around the end of term when the 6th year pupils leave school and if any special measures could be put in place to combat this. PC Wilson shared Councillor McMillan's concerns around young people travelling around East Lothian as this makes it very difficult to determine what area they come from or the location they have secured their alcohol. PC Wilson was aware of the anti social behaviour, particularly around bus terminuses but this is not something he deals with personally. This was also the case for the issues Councillor McMillan raised in Haddington but PC Wilson was aware of these and the increase in youths drinking when the weather improved. He highlighted the It Will Cost You campaign will begin at the same time and community officers will continue to do their best to address the issue, including doing talks in schools on the dangers of alcohol. Stuart Baxter added that outreach workers in Haddington also make youths aware of the dangers of drinking alcohol but they do not have the authority to remove any alcohol from them.

John Thayers asked if the police were currently completing test purchases. PC Wilson confirmed this is not something they police are carrying out at this time.

3. LICENSING STANDARDS OFFICER REPORT

Ms Harling spoke to her report and explained the following outcomes from the February, March and April Licensing Board Meetings.

FEBRUARY

- Occasional Licenses for Dunglass Estate (3 different catering companies) - granted with the expectation a premises licence application would follow by May.
- Occasional Licenses for Luffness Golf Club (application for several occasional licenses with commencement time before Board policy for temporary bars on the golf course – granted with conditions that the area be clearly delineated and one drink per person.
- Occasional Licenses for Broxmouth Courtyard (Application for 8 occasional licences with a terminal hour of 12 midnight out with Board policy terminal hour of 11pm on those days. Provisional premises licence at premises has 11pm terminal hour) - granted with varied terminal hour to 11pm.

MARCH

- Premises Licence Application for Mazzoli Café, Haddington (full premises licence application following operation on occasional licences) – granted.
- Major Variation Application for Event Space (Eskmills Venue), Musselburgh (application to add gaming for bingo events) – granted.
- Occasional Licence Application for Gosford House (application for an occasional licence for a wedding from 12noon – 2am) - Denied by Board and terminal hour changed to 1am in line with Board policy.
- Occasional Licence Application for Seton Walled Garden (application for occasional licences over a period of 6 months on a weekly basis. Premises has been operating in this way for 2 years) - granted for this year with the expectation that a premises licence application will be made.
- Premises License Review for Newbigging Newsagent, Musselburgh (Information was presented to the Board that the premises manager had died in Oct 2022. Extensive guidance was given to the premises over a period of months however the premises licence holder failed to appoint a premises manager. A compliance notice was served in relation to no premises manager and no staff training and alcohol sales were to cease. In Jan 2024 a member of the public bought alcohol from the premises as sales had recommenced. Police and LSO visit the premises and found alcohol on display in excess of capacity on the licence and the premises licence holder made an admission that alcohol had been sold) - The Board reviewed the information and questioned the premises licence holder. The Board revoked the premises licence on the grounds the premises licence holder was not a fit and proper person.

APRIL

- Occasional Licence Application for Edinburgh Marathon Festival (application for occasional licence for bar at the finish of the Edinburgh Marathon to open at 10am, out with Board policy for commencement hour) - after hearing from the organiser who gave details of why the early start was needed the Board granted the licence.
- Occasional Licence Application for East Linton Gala Committee (application for an occasional licence for an alcohol refreshment tent at East Linton Gala. The gala field will contain a funfair, inflatables, highland dancing competition, there is a planned gala parade, gala court and market. The application was brought to the board in relation to the Board's policy that events predominantly organised for children should not necessarily attract the need for an occasional licence) - The Board unanimously refused to grant the occasional licence as the event was considered a children's event in keeping with policy and stated that fundraising with alcohol was not a sufficient reason. The applicant wished to appeal the decision and was informed this

would need to be done on application to a sheriff. There has been no appeal made so far.

- Provisional Premises Licence Application for One Stop, Tranent (application was made for a provisional premises licence for an off sales premises with deliveries) - granted with a conditions for deliveries.
- Major Variation for Little Superstore, Ormiston (application was made to change the off sales hours on Sunday from 12noon to 10am. It was reported that this was a retrospective change and that the premises had a notice to say that alcohol was available from 10am 7 days a week) - The Board reminded the applicant to check his licence carefully and not make mistakes in the future. The change was granted.
- Major Variation Application for The Tower Inn, Tranent (application made for extension of outside area to form a beer garden) - granted with 3 conditions.
- Premises Licence Application for Dunglass Estate (full premises licence application received. Terminal hour of 12 midnight requested on Wednesday out with Board policy) - licence granted with condition that the additional hour on a Wednesday only be used for wedding events.
- Major Variation Provisional Premises Licence Application for Broxmouth Courtyard (major variation application received to amend terminal hour to 12 midnight Monday – Wednesday which is out with Board policy. Additional activities added) - Licence granted with condition that the additional hour on a Wednesday only be used for wedding events and a condition in relation to deliveries.
- Premises Licence Cease to have effect for Beer Zoo - Premises licence holder insolvent, licence noted to have ceased to take effect.

Ms Harling reported there were 13 Provisional Licenses outstanding confirmation. She explained they would need to come to the Board to ask for an extension and this would only be granted if they can confirm construction has been delayed which has been outwith their control.

Ms Harling confirmed herself and PC Wilson have visited areas currently struggling with anti-social behaviour to offer guidance and support and ask premises to report incidents when they happen, not days after the event as it is helpful for Police to know at the time. Ms Harling added East Linton was flagged as a hotspot, particularly of theft therefore she and PC Wilson visited and offered information on how best to combat this.

Marketing the Forum

Ms Harling confirmed she continues to market the Forum but this is an ongoing process.

Pre-inspection Letters

Ms Harling confirmed letters with information about the statement of licensing policy and helpful resources are being distributed to all licensed premises. Inspection will take place after all letters delivered.

Members Club Presentation

A presentation for Club premises under the act will take place to give guidance on the requirements of the legislation. A venue, time and date are still to be confirmed for this.

Councillor Cassini asked if there was a way for extensions on provisional license to be granted if there was no resolution as Councillors are busy during the summer months attending community events. Ms Harling made it clear that if applicants apply for an extension then they must attend a Board meeting to provide information on why work has not been completed.

Councillor Cassini raised a concern of anti-social behaviour and underage drinking taking place within the old Esk Green Care Home on Short Hope Street and asked if PC Wilson

would be able to look into this. PC Wilson confirmed he would pass this onto community officers to look into.

Graham Blaikie asked how many pubs Ms Harling has seen closing recently. Ms Harling reported she hasn't heard of any pubs closing down but instead a lot are reducing their hours or days as they do not have the footfall required to stay open on certain days. She reported premises are also having issues retaining permanent, reliable staff. Mr Blaikie said there were twice as pubs closing down in Scotland compared to England.

Ms Harling confirmed personal license holders would receive two reminder letters to renew their license. She stated if a license holder has changed their address and not made the department aware then they will not receive a letter.

Decisions

The Forum agreed:

- For minutes of the Forum to be sent to Board members if no one is able to attend
- Members to send any contacts of youth organisations or persons involved in youth work to Miss Scott to collate and send on to Ms Harling to contact
- Ms Harling to draft a letter to send to youth organisations about hosting an event to recruit or involve young people in the Forum
- Mr Thayers to contact Alcohol Focus Scotland to see what information is accessible in regards to seeing what home delivery orders include alcohol

4. ANY OTHER BUSINESS

Ms Harling confirmed the letter to the Scottish Government on Occasional Licenses, which was drafted by Councillor Bruce has now been sent. Mr Blaikie asked if there was a way to work out how much processing Occasional Licenses was actually costing the Board as it would be more than the £10 charge for the license. Ms Harling said she wasn't sure this would be possible to work but it was something they would look into. She is hopeful the cost for Occasional Licenses will increase from £10 to between £50-£100.

NEXT MEETING DATE

Future meeting invites will be sent out electronically.

- Wednesday 21st August, 10am
- Wednesday 20th November, 10am (joint meeting with the Licensing Board)
- Wednesday 26th February 2025, 10am
- Wednesday 21st May 2025, 10am

East Lothian Licensing Report 2023-2024



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SCOTLAND**
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Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2023/24, in accordance with Section 12(A) Licensing (Scotland) Act 2005.

Police Scotland has continued to achieve success by focussing on prevention, early intervention and enforcement. This has been made far more effective with the continued support of the many active partnerships that exist within the 32 Local Authorities across Scotland.

This collaborative working is vital to ensuring a fair and consistent approach to licensing while focussing on preventing alcohol fuelled violence, disorder and antisocial behaviour.

In the year ahead our approach will remain focused on prevention and collaboration to ensure efficient and effective service delivery. I will continue to encourage officers and staff to utilise the range of options available to improve licensing standards, reduce violence and to positively influence behaviour and attitudes across Scotland.

I would like to take this opportunity to thank our local partnerships and acknowledge their contribution in continuing to drive improvements with the Licensed Trade, and for the communities we all serve.

Jo Farrell

Chief Constable

Police Service of Scotland

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Police Scotland Licensing Overview –

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Partnerships Prevention & Community Wellbeing 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 2023/2024, from a licensing perspective, our particular focus was on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management. Police Scotland are currently working on upgrade to the National ICT system to ensure compliance with GDPR legislation.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day-to-day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

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LICENSING BOARD AREA

The Licensing Board area is policed by Lothians & Scottish Borders (J) Division.

Chief Superintendent Catriona Paton is Divisional Police Commander who has the responsibility for all day-to-day policing functions within J Division. The Local Area Commander, Chief Inspector Ben Leathes, is based at Musselburgh. He is responsible for performance management, community engagement, partnership working and the daily management of local personnel.

Chief Inspector Leathes is supported by Inspector Alan King, who is based at Haddington. The East Lothian Licensing Boards are predominantly attended by PC Lee Wilson.

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 Colin Notman and Sergeant Stuart Miller.

The local liquor Licensing officer, PC Lee Wilson is based at Dalkeith Police Station. PC Lee Wilson is supported by administration staff Natasha Gregory and Craig Beveridge based at Dalkeith Police Station and West Lothian Civic Centre.

Local Policing Priorities

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

- Protecting the most Vulnerable People
- Reducing Violence & Antisocial Behavior
- Reducing Acquisitive Crime
- Improving Road Safety
- Tackling Serious and Organised Crime

In response to the local policing priorities, J divisions will continue to work in partnership with partner agencies to reduce alcohol related criminality and continue to

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develop night time economy plans with licensed premises. It is recognised that education, prevention, partnership working and robust policing are all key factors in reducing crime and disorder in this area.

Description of Board Area

There are currently:

- 52 'on sales' only premises,
- 86 'off sales' only premises, and
- 145 combined 'on/off sales' premises

Giving a total of 283 premises in East Lothian licensed to sell alcohol.

This is a decrease of 2 premises on the previous reporting period.

In addition there were 12 provisional licences that were outstanding and not confirmed in the recording period.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

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

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

In East Lothian, there were 303 recorded incidents in licensed premises between 1st April 2023 and 31st March 2024, this figure shows an increase from 145 incident in the previous year.

There were 135 inspections of licensed premises during the same period, an increase from 99 in the previous year.

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On Friday and Saturday evenings police officers are deployed on foot where other incidents permit, to aid with dispersal of licensed premises and reduce antisocial behaviour and violence related incidents between the hours of 2200-0200.

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

The misuse of alcohol is regularly cited as a contributory factor in relation to crimes of violence, domestic abuse, disorder and antisocial behaviour occurring on our streets and within our homes. In addition, alcohol is also known to lower inhibitions which can have an impact on people's lives.

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

The intervention Process

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

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

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

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

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

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

Section 1 – Unlicensed Sale of Alcohol

Alcohol is not to be sold on any licensed premises except and in accordance with a Premises Licence or Occasional Licence.

During this reporting period the council LSO brought several incidents to the attention of police.

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Police licensing officers have adopted the 4'E's (Engage, Explain, Encourage, Enforce) in dealing with such reports and will avoid criminalising members of the public where the matter is deemed to be of a low level nature and/or there has been no criminal intent, unless the circumstances are deemed to warrant it.

One report to police was recorded as a crime and the offender was issued a Recorded Police Warning for the offence of Forgery and Uttering.

In another case, immigration issues were identified whilst investigation breaches of the premises licence. As a result one male was detained by Border Force officers.

Section 36 – Application for Review of Licence

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

In this reporting year there were 2 review applications of this type submitted by this East Lothian Council. Both premises licences were revoked.

Section 63 – Sale or Supply out with licensed hours

Officers in East Lothian monitor the sale or supply of alcohol out with licensed hours closely. Local officers continue to make pro-active visits to licensed premises, particularly at weekends, to ensure premises are being managed appropriately. The police Innkeeper IT solution can be accessed by police control staff and officers alike, twenty four seven, providing any information on licensed hours etc. that are required, out with normal office hours of the Licensing Department. Close monitoring of premises through the use of Innkeeper, tasking's, and nighttime economy dispersal details continue to assist in reducing offending of this nature. In this reporting year, there has been no licence holders reported for this type of offence.

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Section 72 – Personal Licence Applications

There were 223 applications made for the grant or renewal of personal licences during this reporting year in East Lothian. This is an increase from the previous year from 158 applications.

The amendment to legislation in terms of the Criminal Justice and Licensing (Scotland) Act 2010 and the Police and Fire Reform (Scotland) Act 2012 permitting the Chief Constable to request refusal for the purposes of ‘any’ Licensing Objective has widened the scope for making appropriate representations to the Board. During this reporting year there has been no representation of this type made to the Licensing Board.

Section 84 (84A) – Personal Licence Reviews

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

There was one Personal Licence Review requested by Police Scotland following a licence holder being found guilty of a relevant criminal offence. That persons subsequently failed to engage with police or the Board and his licence was revoked.

Another Personal Licence Review was also requested by East Lothian Council in respect of person working within an off-sales premises. This was part of a series of issues identified at the premises. It was the opinion of the board that this person was not a fit and proper person to hold a personal licence and it was duly revoked.

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

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'remarks' section of the police report. Exclusion Orders are granted by the Courts, 'on conviction', and can exclude a person from specific licensed premises for between three months and up to two years. The Police Licensing Officer proactively drives the request for exclusion orders whenever there is an incident in or in the immediate vicinity of licensed premises. Persistent offenders can also be dealt with under the Anti-Social Behaviour legislation. The use of Exclusion Orders are fully supported by the licensed operators in East Lothian. There were no exclusion orders during the dates reported.

Section 97 – Closure Orders

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

Violence and ASB Data

A total of 1159 crimes of violence* were recorded within East Lothian for the period from 1st April 2023 to 31st March 2024. This represents an increase of 26 crimes (2.3%) from the 2022-23 levels of violence. The violence recorded in 2023-24 included one murder (the only murder recorded in the Lothians and Scottish Borders Division this year), two attempted murders, 46 serious assaults, 23 robberies and 967 common assaults which includes 73 assaults against emergency workers and 33 assaults against retail workers. This represents an increase in crimes of murder, serious assault, robbery, and common assaults of emergency workers and retail workers from the previous year. It should also be noted that there were two recorded crimes of drugging during 2023-24, both of which were alcohol-related and one of which took place in a public place at a music festival. A total of 40 crimes of violence were recorded for licensed premises within East Lothian during 2023-24 compared to 23

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reports in 2021-22. These were mostly in the areas of Dunbar (7 crimes), Musselburgh (12 crimes), and Wallyford (5 crimes) as well as Tranent (4 crimes), Macmerry (3 crimes), and North Berwick (3 crimes). It was also noted that 27 crimes were committed within supermarkets licensed to sell alcohol with six such crimes being “alcohol” related.

*Violence for the purposes of this reports includes crimes in Group 1 Crimes of Violence as well as the Group 6 crimes of common assault (including those against emergency workers and retail workers).

Violence Data Where Alcohol Is A Factor

Crimes with an “alcohol” tag applied can give an indication of offences where alcohol is a factor. It should be noted however that it is not compulsory to add tags to crime reports and therefore the statistics provided here in relation to alcohol related violence provide an indication only, and do not specify the nature of the link to alcohol. Of the 1159 recorded crimes of violence for the 2023-24 period, a total of 177 (15.3%) had the alcohol marker attached to the crime report. This is a reduction in volume from the 195 recorded in 2022-23. Common assaults continue to account for the main volume of alcohol-related violence (70.6%), however this is a reduction in volume from the previous two years. The only type of violent crime to record an increase in terms of alcohol being a factor is common assaults of a retail worker, increasing from two in 2022-23 to six in 2023-24. Alcohol was also deemed a relevant factor in the murder that was recorded in 2023-24.

Antisocial Behaviour

A total of 4995 incidents relating to ASB have been recorded during 2023-24 within the East Lothian area. This represents an increase of 183 incidents (3.8%) recorded in the 2022-23 period but a reduction from the 5840 recorded in 2021-22.

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

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

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with our partners, taking the appropriate action to address both the potential and actual misuse of alcohol within the early years.

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

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.

During this reporting period 2 adults were reported to the Procurator Fiscal for buying alcohol for children.

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

TACKLING SERIOUS AND ORGANISED CRIME

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

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

If SOCGs gain a foothold in licensed premises then this would afford the criminal group a seemingly legitimate income stream, which could be no more than a veneer for other criminal activities such as money laundering, tax evasion, drug and people trafficking and other dishonest activities.

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

All opportunity is taken to disrupt the running of these licensed premises with the assistance of the National Intervention Unit. Multi-Agency Proactive visits are conducted with key partners in an effort to put the pressure on these operators, in an effort to disrupt their activity and cease from trading.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

- **East Lothian Community Action Team**

East Lothian have an ELCAT made up of 2 sergeant and 8 PC's.

All funding by East Lothian Council was removed but the team was maintained by Police Scotland. The team are directed solely by the Local Area Command And cover a wide variety of police work including -

Youth Engagement: actively engage with youths and foster a positive image of the police and their local communities. Act as primary first responders to youth calls, disrupt antisocial behaviour and enforce appropriate legislation firmly but fairly. Maximise alcohol seizures. Engage with partners and CBO colleagues to identify appropriate support and diversionary activities.

Licensed Premises: monitor licensed premises activity and act as first responders to antisocial behaviour related incidents whenever possible.

- The Licensing Officer will continue to work in conjunction with partner agencies and LSO's to provide guidance and support to all parties, ensuring license holders and licensed premises staff have a better understanding of their responsibilities/obligations. This collaborative approach should seek to further develop partnerships as well as fulfil licensing objectives.
- The Dedicated Night Time Economy Policing Plan will continue and will be led by Local Community Police Officers, with assistance from Response Officers (subject to incident demand). This co-ordinated plan will be devised with the Licensing Officer and will include licenced premises inspections to ensure compliance with licensing obligations and to detect and deter any alcohol-fuelled criminality. All incident related visits will continue to be recorded for any required further action from the Licensing Officer.

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- Continue with the “It’ll Cost You” Proxy Purchase Campaign. This will encompass further distribution of campaign materials, engaging with licensed premises staff to provide appropriate guidance and some social media activity to increase awareness across East Lothian.
- The Licensing Officer will continue to review any relevant intelligence and liaise with colleagues or other intelligence sources (where permitted) to facilitate a satisfactory resolution.
- Work in conjunction with major event organisers, colleagues and partner agencies to agree conditions for events, offer advice and support in order to achieve a safe and crime free environment for such events.
- Raise any necessary licence objections, adverse concerns or representations and conditions, as well as identify any potential licensing reviews required to be submitted for review by East Lothian Licensing Board.

CONCLUSION

Police Scotland would like to thank you for your continued support during what has been a challenging year for all in terms of resourcing and financial challenges.

We look forward to a safe and healthy 2024/2025.

LSO – Licensing Forum Notes

November 2024 – January 2025

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Board Meetings

As Licensing Standards Officer, I have been involved in the following applications etc. as presented at the Licensing Board:

- **November Licensing Board 2024**
 - **Major Variation Application – East Lothian Co-operative Bowling Club**
Application to remove club status to change to “open premises” licence and appoint a premises manager. Granted by the Board.
 - **Major Variation Application – Premier Store, Haddington**
Application to increase off sales capacity. Several compliance issues raised by LSO at previous meeting which have been resolved to the satisfaction of the Board. Granted.
 - **Extension of Provisional Premises Licence 57 Eskview Terrace, Musselburgh**
Previous 6-month extension expired further 6 months granted.
 - **Occasional Licence Application– 57 Eskview Terrace**
Review of occasional licences in line with above provisional premises licence extension request. Granted
 - **Occasional licence Application – Edinburgh Catering Company – Gilmerton House**
Application for occasional licences from catering company for use at Gilmerton House. Reviewed due to regular use and need for premises licence. Granted with the board requesting that the premises submit a premises licence application.
 - **Premises Licence Review – Non payment of Annual Fees – The Stand, Musselburgh**
The premises licence holder failed to pay the annual fee by 1st October and has repeatedly done this for 10 years. Premises has not been in use since pre-2014, LSO raised the question has it ceased to be used for the sale of alcohol under section 28. Premises licence holder could not be understood online. Review continued until Jan 2025 with premises licence holder asked to attend in person.
 - **Premises Licence Review – Non payment of Annual Fees – Shish Mahal, Musselburgh**
The premises licence holder failed to pay the annual fee by 1st October and has repeatedly done this for 13 years. Premises licence holder could not be understood online. Review continued until Jan 2025 with premises licence holder asked to attend in person.
 - **Presentation of Chief Constables Report 2023-2024**
Presentation of the report by Sgt Stuart Miller. The Board members questioned the accuracy of the report and why crimes that had been reported to the Board were not present in the report. Sgt Miller replied that they were not included as there was no intent. This was not accepted by

the Board with the Convenor stating he would write to the Chief Constable and Justice Secretary about the standard of the report.

- **December Licensing Board 2024 – no Board hearing, scheduled recess**
- **January Licensing Board 2025**
 - **Provisional Premises Licence Application – Greywalls Hotel, Gullane**
Application to replace previously lost premises licence. Some small changes to previous licence as a refresh. Granted by the Board.
 - **Provisional Premises Licence Application – Company Bakery, Musselburgh**
Application for a bakery with café for sales of alcohol at events. Granted by the Board.
 - **Major Variation Application – La Dolce Vita, Haddington**
Application to extend on sales time, and adapt licence to fit a restaurant setting, along with a small change to the layout. Granted by the Board.
 - **Major Variation Application – Ozy’s Kitchen, Haddington**
Application to add outside drinking for dining space on street outside premises. Granted by Board with conditions.
 - **Major Variation Application – Lifestyle Express**
Application to increase capacity and alter layout plan. Granted by the Board.
 - **Occasional Licence Applications – The Brunton Trust for Haddington Corn Exchange and Loretto Theatre**
Application for multiple occasional licence applications at both venues. Venues to replace the Brunton theatre have been in operation for over 12 months. Information was presented to the Board that the Brunton Theatre have now secured funding to continue the lease at Haddington Corn Exchange for which it intends to apply for a premises licence. The Board agreed to grant occasional licences used at Bruton Theatre venues for the next 12 months on delegated powers.
 - **Premises Licence Review – Non payment of Annual Fees – The Stand, Musselburgh**
This review was continued from Nov 2024. The premises licence holder attended with an agent. Details of the premises and intentions for its use were discussed. The premises licence holder assured the Board that works would be starting so that the premises could re-open. The Board agreed that the premises licence should remain at this time however and requested an update on work done by September’s Licensing Board. At this time, the Board would review the situation, a written warning was issued in relation to the late payment of annual fees.
 - **Premises Licence Review – Non payment of Annual Fees – Shish Mahal, Musselburgh**
This review was continued from Nov 2024. The premises licence holder attended with an agent. The premises licence holder’s agent assured the Board that payment of the annual fee would be made on time from now on. The Board issued a written warning to the premises licence holder and stated that should the fee be paid late again another review would be held.

Provisional Licences Outstanding Confirmation

Provisional Grant Date	Premises	Comments re Section 50 Certs.	Confirmed
07/07/2020	Chip Shop, 57 Eskview Terrace	No update	Extended to June 2025
31/03/2022	Broxmouth Courtyard	No update	Expires Mar 2026
25/08/2022	The Mart, East Linton	No update	Expires Aug 2026
27/10/2022	The Tap Room, Haddington	Awaiting S50	Expires Oct 2026
23/02/2023	Humbie Hub	No Update	Expires Feb 2027
30/03/2023	Buck and Birch	No update	Expires Mar 2027
28/09/2023	Carfrae Farm shop	No update	Expires Sep 2027
26/10/2023	Premier, Haddington	No update	Expires Oct 2027
23/11/2023	Garden City, Longniddry	No update	Expires Nov 2027
23/11/2023	The Tiffin Box, North Berwick	No update	Expires Nov 2027
25/04/2024	One Stop, Tranent	No update	Expires Apr 2028
23/05/2024	Tesco Express, Wallyford	No update	Expires May 2028
23/05/2024	Lido, Musselburgh	No update	Expires May 2028
29/08/2024	Papple steading	No update	Expires Aug 2028
29/08/2024	Costcutter, Tranent	No update	Expires Aug 2028
29/09/2024	Premier Store, Dunbar	No update	Expires Sep 2028
30/01/2025	Greywalls Hotel	No update	Expires Jan 2029
30/01/2025	Company Bakery	No update	Expires Jan 2029
Confirmation	Outstanding	18	

Overview of 2025

Month	Premises licences	Provisional Premises Licence	Confirmations	Premises Reviews	Premises Surrendered	Premises Revoked	Premises ceased
Jan-24	2	1	0	0	0	0	0
Feb-24	0	0	0	0	0	0	0
Mar-24	1	0	1	1	0	1	0
Apr-24	1	1	2	0	0	0	1
May-24	0	2	0	0	0	0	0
Jun-24	0	0	1	0	0	0	0
Jul-24	0	0	0	0	0	0	1
Aug-24	2	0	2	0	0	0	0
Sep-24	1	0	0	0	0	0	1
Oct-24	0	0	0	0	2	0	0
Nov-24	0	0	0	2	1	0	0
Dec-24	0	0	0	0	0	0	0
Total	7	4	6	3	3	1	3

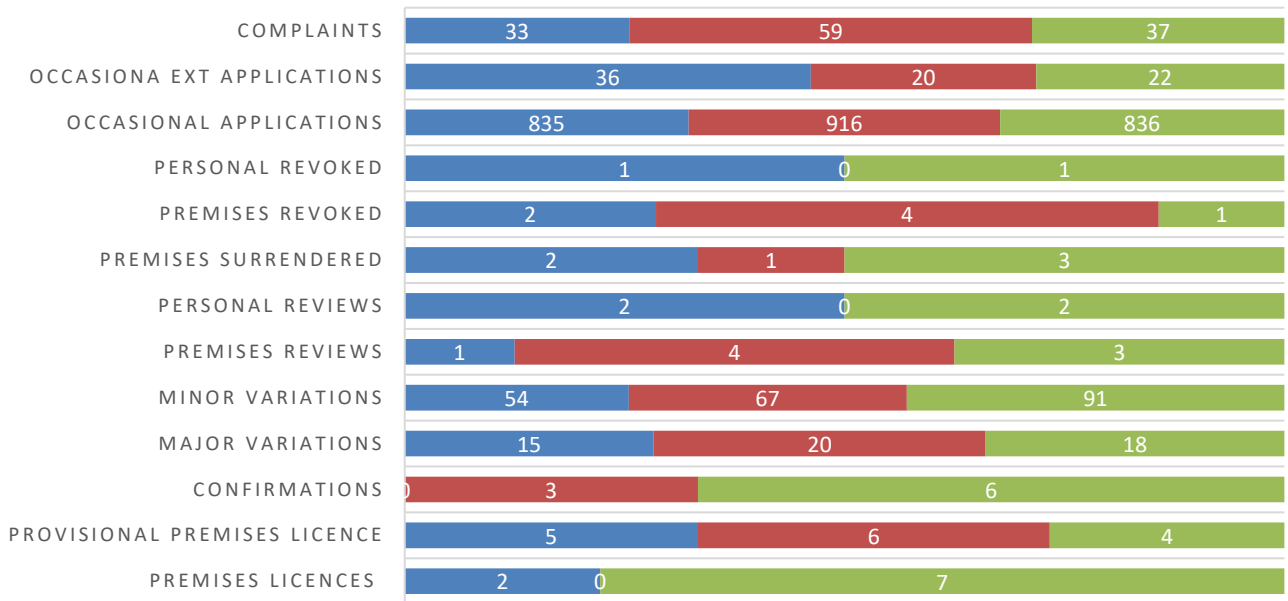
Month	Major Variations	Minor Variations
Jan-24	2	7
Feb-24	0	3
Mar-24	1	6
Apr-24	3	10
May-24	2	12
Jun-24	3	6
Jul-24	0	9
Aug-24	0	6
Sep-24	2	9
Oct-24	3	11
Nov-24	2	6
Dec-24	0	6
Total	18	91

Month	Personal Reviews	New Personal Licences	Personal Revoked at review
Jan-24	2	20	1
Feb-24	0	14	0
Mar-24	0	25	0
Apr-24	0	14	0
May-24	0	12	0
Jun-24	0	16	0
Jul-24	0	15	0
Aug-24	0	8	0
Sep-24	0	12	0
Oct-24	0	13	0
Nov-24	0	16	0
Dec-24	0	6	0
Total	2	171	1

Month	Occasional Applications	Occasional Reports to Board	Occasional Ext Applications	Complaints
Jan-24	103	0	1	3
Feb-24	69	5	0	2
Mar-24	54	0	0	3
Apr-24	121	3	2	2
May-24	120	5	12	6
Jun-24	54	2	3	2
Jul-24	59	0	1	3
Aug-24	40	0	1	3
Sep-24	69	2	0	5
Oct-24	81	0	0	2
Nov-24	66	2	2	4
Dec-24	27	0	0	2
Total	863	19	22	37

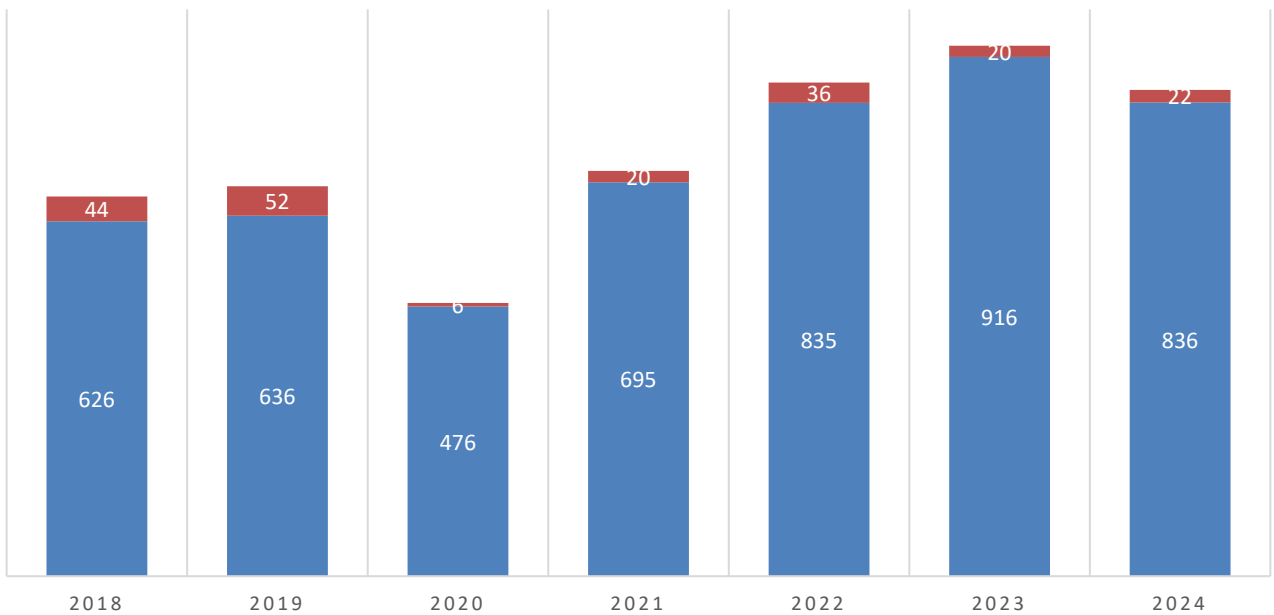
YEARLY BREAKDOWN

■ 2022 ■ 2023 ■ 2024



OCCASIONAL AND EXTENDED HOURS APPLICATIONS

■ Occasional Applications ■ Occasiona Ext Applications



Marketing the Forum

The LSO has been promoting the forum whilst on visits.

Pre-inspection letters

Letters with information about the statement of licensing policy and helpful resources are being distributed to all licensed premises. Inspections will take place after all letters delivered.

MUP update

On 1st May 2024, the Minimum Unit Price for alcohol increased from 50p to 65p. Since this time checks have been done on a number premises which have been mostly compliant. Initial LSO's across the country were finding that larger chain supermarkets had not updated products correctly especially those where loyalty card schemes were active. Many smaller retailers having lower stock levels were able to change more easily. Guidance have been given in relation to any noncompliance.

Karen Harling

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