

Item No 11

1. LSO's informed the Forum that they can not divulge any information once they pass on a case to the police therefore it is difficult to gauge what the issues arising are. How many such instances have there been and can you provide any detail on the types of referrals and any subsequent cases/convictions, geographical areas, age range etc.

Joint working has evolved considerably over the last year or so. A joint licensing tactical meeting now takes place on a weekly basis with supervisors from Force Licensing, the LSO's and operational officers from the central area. The meeting reflects on any recent incidents of concern and focuses on any emerging issues. Joint actions and further activity is then agreed and drives ongoing work. Key information is then shared and updates provided at this meeting with a record disseminated to all relevant managers within the police and council. Given that this is a dynamic process and deals with specific premises it would be inappropriate to share the exact detail regarding individual premises

2. Inspector Hunter has reported to the Board that the Hearings Process is working well, however we have no indication, information or sense exactly what this means.

3. There does not appear to be any information regarding test purchasing, how many have there been, are there any particular areas causing concern etc.

Test Purchasing is an operation tool, which is used on an intelligent led basis targeting either specific premises or a range of premise in a defined area. From January 2010 until end of March 2011 there have been a total of 110 off-sales tested during Test Purchase operations carried out in the Edinburgh area. To date no on-sales premises have been test as the intelligence does no support this time of activity at this time or alternatively the evidence can be gathered in alternative ways.

As a result of the failures detected, eight premises were then subject of a Section 36 Premises Licence Review application to the Licensing Board. Outcomes have been fairly consistent with a range of sanctions imposed by the Board dependent on the individual circumstances of each case presented. Heavier penalties incurred often reflect more serious issues with the premises such as the need for a second review in a short space of time. The Clerk to the Licensing Board has ownership of this information.

It is pertinent to note that Section 12A of the Licensing (Scotland) Act 2005 comes into effect in relation to Chief Constables' reports to Licensing Boards and Local Licensing Forums.

Every Chief Constable must, as soon as practicable after the end of each financial year, send a report to each Licensing Board whose area falls within the police area of the Chief Constable setting out —

(a) the Chief Constable's views about matters relating to policing in connection with the operation of this Act in the Board's area during that year and the following year, and

(b) any steps the Chief Constable has taken during that year and intends to take in the following year, to prevent the sale or supply of alcohol to children or young people in that area.

The Chief Constable must also send a copy of the report to the Local Licensing Forum for the Board's area.

If a Licensing Board or Local Licensing Forum so requests, the Chief Constable (or other constable nominated by the Chief Constable) must attend a meeting of the Board or Forum to discuss the report.

The first formal report will be due at the end of 2011-2012 financial year. Work is currently ongoing to determine the content and format of the report to ensure consistency across Scotland.