



**POLICE
SCOTLAND**
Keeping people safe

**POLICE SCOTLAND CONSULTATION UPDATE – MAY 2024
STATEMENT OF LICENSING POLICY FOR EDINBURGH – OVERPROVISION**

Introduction

Police Scotland submitted an initial response to the Edinburgh Licensing Board in April 2023 in relation to the overprovision policy. This further submission is intended to be read in conjunction with that report.

Current Policy

The Edinburgh Statement of Licensing Policy currently has four areas of over provision within its policy –

- Old Town, Princes Street and Leith Street
- Tollcross
- Deans Village
- Southside, Canongate and Dumbiedykes

These broadly encompass the Ward 11 area of Edinburgh. Due to different measurement parameters between partner agencies, we have reported our findings in Ward areas.

Having an effective, proportionate, and robustly administered overprovision policy contributes to upholding the licensing objectives, reduces the negative effects of alcohol harm whilst enhancing community life.

The Boards current policy states that there is a *“rebuttable presumption against the grant of new premises licences, provisional premises licences and major variations to increase capacity of premises in these localities.”* However, the *“Board recognises that there may be exceptional cases where the Board determines applicants have been able to demonstrate that the grant of the application would not undermine the licensing objectives”*.

Police Scotland would support the continuation of the rebuttal of new premises licences, provisional premises licences and major variations to increase capacity within the new overprovision policy.

We would also encourage the Board to set out a comprehensive set of *“factors which may be considered by the Board include applications which fill a gap in existing service provision or are considered to enhance the quality of life for residents and visitors alike.”* This would provide clarity to applicants, board members and statutory agencies when considering applications in areas of overprovision.

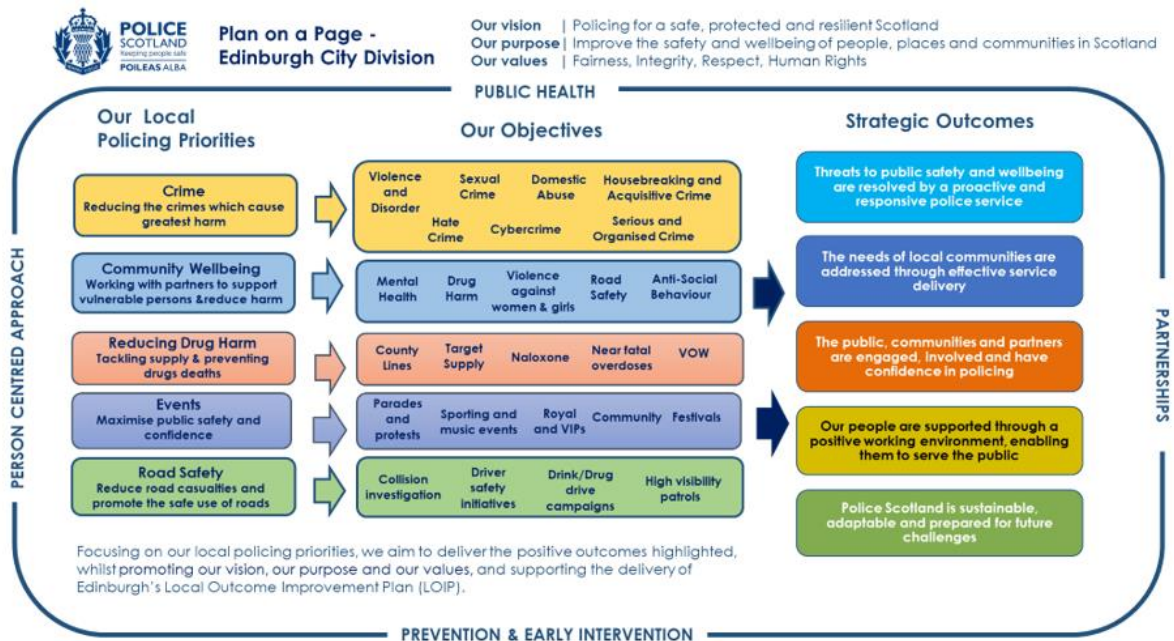
We fully appreciate that this would not be a definitive set of factors and every application will be judged on its merits, but having a clear set of parameters would provide additional clarity for the applicant allowing the Board to have a consistent and defensible approach to its policy.

Edinburgh Police Division

Edinburgh recently updated its local policing plan to cover the 2023 – 2026 period. Four of the current priorities are regularly influenced by alcohol consumption.

Crime, Community Wellbeing, Events and Road Safety can all be associated with alcohol and regularly place additional strain and demand on the Police and other emergency services. We believe a comprehensive and robust overprovision policy can assist in improving Edinburgh as a whole, whilst positively contributing towards our priorities.

Local priorities – Our plan on a page



Ward 11 City Centre

Ward 11 in the City Centre encompasses the majority of Edinburgh's Night Time Economy (NTE). The area is densely populated with licenced premises, both on and off sales and regularly attracts a large number of patrons to the city centre. This includes Edinburgh residents as well as tourists. A significant amount of police and other emergency services resources are dedicated to this area regularly dealing with incidents involving alcohol.

Alcohol fuelled crime is most visible at weekends and prevalent within the City Centre area. To address this, Edinburgh Police have an ongoing dedicated policing operation, Op Nightguard, every Friday and Saturday night purely to police the NTE. As well as a dedicated police operation there is support from other emergency services, CEC

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departments, third sector and voluntary agencies to ensure the city centre is as safe and welcoming as possible.

This is often an incredibly challenging environment due to the high volume of incidents, crime and antisocial behaviour that occur particularly around dispersal times of 0100 and 0300 hours.

Excessive consumption of alcohol is a significant factor in levels of crime and disorder, particularly during the NTE. This manifests itself in public space violence and disorder in areas densely populated with licensed premises.

Our initial submission highlighted the volume of incidents where alcohol has been present when a crime has been recorded and shows the distribution of these crimes across the city. The city average at that time demonstrated that alcohol was present in 9.32% of crimes. In the City Centre Ward 11 area this jumped to 35.7%.

In the financial year 2023-2024 Police Scotland recorded a total of 772 incidents in licensed premises across Edinburgh. Just over 50% of these incidents occurred in the Ward 11 City Centre area. The next busiest area is the Leith Walk ward with 96 incidents.

Area	Total incidents in licenced premises
Edinburgh City	772 incidents
Ward 11 City Centre	392 incidents
Ward 12 Leith Walk	96 incidents
Ward 13 Leith	51 incidents

Not all of these incidents have resulted in crimes but have required police attention and resources. Given this information we recommend that the area within City Centre Ward 11 is marked as an area of overprovision for both on and off sales. This ward covers most of the areas of the Old Town, Princes Street, Leith Street and Toll Cross highlighted in the current overprovision policy.

Off sales and alcohol consumption in private dwellings

Police Scotland’s concerns are not solely related to on sale licenced premises. A large number of alcohol related incidents the police attend are in private dwellings. Overconsumption of alcohol in private spaces is a concern to Police Scotland as this gives the opportunity for individuals to consume large quantities of cheaper alcohol from off sales.

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A recent publication from Alcohol Focus Scotland, via the Scottish Health survey found that 32% of Edinburgh residents drink above the Chief Medical Officers' low-risk guidelines. This compares to 23% of people in Scotland who drink above the guidelines.

Having spoken to partners in the NHS, Police Scotland would support any overprovision policy update that highlights areas which are of concern and have a disproportionately high number of off sales.

Occasional Alcohol Licences

Edinburgh has unique position due to its vast tourism footprint, the Edinburgh Festival, Winter Festivities including the Hogmanay Street Party which result in a significant number of occasional licences being submitted to the Edinburgh Licensing Board.

Data from Police Scotland systems identified Edinburgh receives a disproportionately high volume of occasional licences when compared to other cities across Scotland.

Occasional applications by their name are designed for occasional use and to support those who are going through the provisional and full licence application process. The Summer and Winter festivals do account for a large number of occasional licences, however there is data showing the occasional licence process is being used for longer continuous periods which may not be consistent with the licensing objectives. For example, Police Scotland data shows that 4 different premises have submitted a total of 416 occasional licence applications in the past 5 years without any premises submitting a provisional licence application.

In the last financial year Edinburgh Police Division processed 5261 occasional licence applications. Figures from Police Scotland systems show that this was the highest in Scotland. The table below shows city Licensing Board areas that received the highest number of occasional licences across Scotland (figures taken from Police Scotland systems and may differ from official council figures)

Police Scotland Licensing Board area	Total number of Occasional Licences processed
Edinburgh	5261
Glasgow	1464
Dundee	866
Aberdeen	401

Occasional licences add to the availability of alcohol in a Board area. In 2016 – 2017 police records show we processed 2568 applications. This has more than doubled to

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the present figure of 5261. As density and availability of alcohol increases, so too does alcohol related harm.

Police Scotland have concerns that the volume of occasional licences submitted to the Edinburgh Board may not be consistent with the licensing objectives. Occasional Licences may not be able to form part of the new overprovision policy but regardless of this Police Scotland feel that due to Edinburgh's unique position, the volume of occasional licences have a significant impact on the availability of alcohol across the city.

We would ask the board to ensure its new overprovision policy is a comprehensive and robustly enforced policy which compliments and works in conjunction with part 11.3 and 11.4 of the overall Board policy. This would ensure that all aspects of Edinburgh Licensing are consistent with the licensing objectives.

Recommendations

Recommendation 1

The City Centre Ward 11 area is demarcated as an area of overprovision for on and off sales. This would cover the majority of the current areas of overprovision namely Old Town, Princes Street, Leith Street and part of Toll Cross.

It is appreciated that not all partners work in ward areas however Police Scotland believe that there is sufficient concern and evidence to warrant this being included as an area of overprovision. We have no objections if this area is broken down into smaller areas however would encourage the board to ensure that all high premises density areas are included.

Recommendation 2

The Board continues the policy of rebuttal of new premises licences, provisional premises licences and major variations to increase capacity within the new overprovision policy area.

Recommendation 3

The Board to set out a comprehensive set of factors or what may be considered exceptional cases to override the presumption of rebuttal of a new licence within an area of overprovision.

Recommendation 4

Creation of a live trace-mapping system showing the volume, location and type of licenced premises within the city and this system to be available to the Board, partners and the public

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