

Orkney Licensing Report 2024-2025



**POLICE
SCOTLAND**
Keeping people safe

OFFICIAL
NOT PROTECTIVELY MARKED

Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2024/25, in accordance with Section 12(A) of the Licensing (Scotland) Act 2005.

Throughout the last year I have been committed to improving confidence amongst our communities by working in partnership with a focus on prevention, early intervention and proactivity. This supports our broader 2030 vision of safer communities, less crime, supported victims and a thriving work force.

In respect of Licensing, I recognise that success can only be achieved in collaboration with the 32 local authorities across Scotland. Along with contribution from many other associated national and local partners, this collaborative working ensures support for the licensed trade while also preventing alcohol fuelled violence, disorder and anti-social behaviour. Our joint campaigns which aim to protect children and young persons from harm will continue.

In the year ahead, our approach will remain focused on prevention and collaboration to ensure high standards of service delivery. I will continue to encourage officers and staff to engage with licensed premises and take relevant and proportionate action where appropriate to ensure licensing standards are maintained in the interest of the safety of the people of Scotland.

I would like to take this opportunity to once again thank our local partnerships for their contribution to maintaining high standards and driving improvement where necessary within the Licensed Trade for the benefit of the communities we all serve.

A handwritten signature in black ink, appearing to read 'J. Farrell'.

Chief Constable Jo Farrell

OFFICIAL
NOT PROTECTIVELY MARKED

Police Scotland Licensing Overview –

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within the National Policing Together Division and have staff based across the force. The department has overall responsibility for determining and delivering national licensing strategy and policy, providing advice, guidance and support to divisional licensing teams and undertaking other specialist functions.

The VPLCU is a specialist department which consists of a small team of officers. 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 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 2024/2025, 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.
- Delivering and promoting campaigns which seek to address issues arising from the consumption of alcohol, particularly in relation to young persons and in the context of the night-time economy.
- 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 continue to work on upgrading 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.

LICENSING BOARD AREA

The Licensing Board area is policed by the Highland and Islands Police Division. Chief Superintendent Robert Shepherd is the Local Police Commander who has the responsibility for all day-to-day policing functions.

OFFICIAL
NOT PROTECTIVELY MARKED

Highlands and Islands Division is divided into four Local Authority areas: namely Highland, Shetland, Orkney and the Western Isles. The content of this report relates to the Orkney area.

The communities across Orkney face unique challenges, particularly due to the geography of the region. With a mixture of both rural and urban communities, Orkney experience overall low crime levels, however, this does not imply immunity from such occurrences.

Alcohol and associated behaviours can be a significant factor in incidents of violence and disorder within the region. The police are committed to working closely with the licensing industry and our partners to share best practice and maintain robust licensing monitoring.

Orkney remains one of the safest areas in the United Kingdom in terms of the overall levels of crime, but it also faces a unique set of challenges in how we go about meeting the expectations of our communities. We are far from being immune from the issues which are seen in more densely populated areas - albeit at a less concentrated level. Responding to these challenges can only be done through a focus on effective partnership working - which includes not only our statutory partners but also a wide variety of organisations, as well as the communities which we serve.

We recognise our role in identifying and supporting those within our communities who are particularly vulnerable and ensuring pathways to a wider level of support are created and maintained as part of a program of initiatives with a focus on prevention and public protection.

Police Scotland recognises the strong sense of community identity and resilience across Orkney. With our partners in the Orkney Council and many other organisations we will strive to build on this to make all our communities stronger, safer and more resilient.

Senior/Licensing Officers:

The officers who hold responsibility for liquor licensing within the area of Orkney are as follows:

Superintendent Jennifer Valentine	Support and Service Delivery
Chief Inspector Scott Robertson	Orkney Islands Area Commander
Chief Inspector Jane MacKenzie	Head of Licensing Department
Inspector Kirsten Marshall	Licensing Inspector
Sergeant Sarah Paterson	Licensing Sergeant

In addition to a Licensing Inspector and Sergeant, the department has three Divisional Licensing Administrators.

OFFICIAL
NOT PROTECTIVELY MARKED

Local Policing Priorities

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

- Road safety and road crime
- Serious organised crime
- Crimes of theft and dishonesty
- Antisocial behaviour, violence and disorder
- Protecting vulnerable people
- Terrorism and public order.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

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.

The Licensing (Scotland) Act 2005 exists to control the overall availability of alcohol throughout Scotland, and to regulate the manner in which licensed premises operate. The Act is underpinned by five licensing objectives, namely;

- Preventing Crime and Disorder
- Securing Public Safety
- Preventing Public Nuisance
- Protecting and Improving Public Health
- Protecting Children and Young Persons from Harm

These five licensing objectives are pivotal to ensuring that licensed premises operate in a responsible manner. A well-run licensed premises will ensure that these objectives are at the core of to their daily operation. Failure to adhere to the objectives will undoubtedly result in poorly managed premises. Police Scotland is acutely aware of the importance of these objectives and understands the necessity to ensure that premises are always complying with them.

Of note there were 1,277 alcohol-specific deaths in Scotland in 2023, which is an increase of 1 death from 2022 (National Records of Scotland, September 2024).

Nationally the mortality rates in the most and least deprived areas has narrowed over time, people in the most deprived areas of Scotland are more than 4.5 times as likely to die from an alcohol specific death compared to people in the least deprived areas. (National Records of Scotland, September 2024).

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.

OFFICIAL
NOT PROTECTIVELY MARKED

In the Orkney area, there were 24 recorded incidents in licensed premises between 1st April 2024 and 31st March 2025, this is an increase of 11 incidents on the last reporting period.

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 street and within our homes.

In addition, alcohol is also known to lower inhibitions which can have an impact on people's lives, both resulting in them becoming victims of crime, as well as the perpetrator, which can have serious consequences for individuals and their families.

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.

Section 84 (84A) – Personal Licence Reviews - Police Licensing Officers are responsible for monitoring the conduct of personal licence holders.

The amendment to legislation has widened the ability for the Chief Constable to report conduct inconsistent with the Licensing Objectives.

There were no Personal Licence Reviews requested by Police Scotland in this reporting year to the Orkney Licensing Board.

Section 94 – Exclusion Orders - When a person has been charged with a violent offence within or in the immediate vicinity of any licensed premises, a request for an Exclusion Order is included in the 'remarks' section of the police report.

Exclusion Orders are granted by the Courts, 'on conviction,' and can exclude a person from specific licensed premises for between 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.

There have been no exclusion orders applied for in this reporting year.

Section 97 – Closure Orders - There were no closure orders within this reporting period. 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.

In October 2024 Police Scotland working in consultation with NHS Public Health and the Alcohol and Drug Partnership in Orkney submitted a Major Variation amendment request to an application by a premises to vary their licence in respect of their children and young person's policy. This was to ensure that there was no threat to the Licensing Objectives, namely protecting children and young people from harm.

OFFICIAL
NOT PROTECTIVELY MARKED

The Orkney Licensing Board heard this matter and granted the application with some of the suggestions proposed by Police.

The Licensing Sergeant for the Highland and Islands has visited Orkney twice in this reporting year carrying out liquor licensing checks on Orkney and Hoy.

There are a total of 105 licensed premises in Orkney and local officers carried out a total of 964 recorded inspections within this area alone in that same period, an increase from last year's 837 recorded inspections. These inspections provide officers with an opportunity to positively engage with those involved in the trade whilst monitoring the behavior of the public attending the licensed premises

The police have a licensing toolkit to ensure a consistent approach throughout the force is adopted when premises become problematic. The toolkit details an incremental licensing intervention process.

An incident of a minor nature would generally be resolved through discussion with the licensee, either undertaken by local officers or the licensing department staff. The Local Authority Licensing Standards Officer (LSO) will normally be informed of issues at this stage so that they are aware. This is particularly beneficial for information sharing purposes and will allow the police to benefit from LSO's expertise and any previous involvement that they have had with a premise.

Should problems persist or a pattern of incidents are identified, the premises will become 'monitored,' which is the first stage of the intervention process. The licensing department Sergeant will always involve the local area Inspector and Chief Inspector at this stage. In addition, the LSO will also be informed. On occasions, the police licensing department and LSO will request a joint meeting with the licensee to discuss concerns. This can often take place at the premises to allow a full compliance check at that time. When premises are monitored, the police are required to undertake a specific number of tasked inspections each week, which are recorded on the police licensing database, Innkeeper. These tasked inspections would take place over a specific period which would be agreed with the licensee and Area Commander.

There were no premises elevated to 'monitored' status within the past year.

Should problems persist then the next stage of the process ordinarily is an action plan, and the premises are elevated to 'problematic' status.

An action plan will detail concerns and will initiate a number of actions which the police require the licensee to undertake. These actions will focus on the areas of concern; however, licensees will discover that what is being asked of them is no more than their statutory requirements under licensing legislation. An action plan can last for up to 6 months and will be reviewed at the half-way stage. The LSO will always be involved in the action plan and will be present when this is implemented. It is important that the licensee is in agreement with the actions and is willing to engage with the police and LSO. Failure to agree on the specific actions would not be conducive to a successful outcome of this plan. Again, the action plan would be subject of the Area Commander's approval.

OFFICIAL
NOT PROTECTIVELY MARKED

Within the past year, no premises in the Orkney area have been the subject of action plans.

The final stage in the intervention process is the police requesting the review of a premises license. This would occur when matters have not been resolved and the Chief Superintendent for the division is satisfied that the premises are not operating in accordance with the licensing objectives, and that any intervention processes carried out thus far have failed to result in significant improvement.

It should be noted that the police can bypass stages of the intervention process if necessary. For example, a premises can be at 'monitored' status and if circumstances dictate then the police will request the review of a premises licence without engaging in the action plan stage if appropriate and justified.

A review of the premises licence is always a last resort for the police and the focus will always be on intervention work in conjunction with the licensee, our partners and local policing.

No Premises Licence Reviews were submitted to the Orkney Licensing Board during this reporting period.

Board Decisions

As of 31st March 2025, Orkney Council region has 105 premises licences. Of these licences, 14 are 'on sales', 35 are 'off sales' and 56 are both 'on and off sales'. In addition, 255 people currently hold a personal licence which has been granted by the Orkney Council Licensing Board.

The police licensing department is responsible for vetting and processing all liquor licensing applications which are submitted to Orkney Council. As statutory consultees, the police are required to adhere to strict statutory timescales in which to process these applications. On occasions, applications require a fast turnaround for a variety of reasons. The police will always assist where possible and the willingness to assist our partners at Orkney Council, which is equally reciprocated, has resulted in very strong and positive working relationships, which benefits both organisations.

Any applications which are contradictory to the licensing objectives, or which highlight relevant convictions in relation to any applicants or connected persons, will require a report to the Licensing Board by way of a representation or an objection from the Chief Constable.

Between 1st April 2024 and 31st March 2025, the following applications were received from the Orkney Council Licensing Board and processed accordingly by the police, with the subsequent Licensing Board decisions detailed below:

Application Type	Submitted	Granted	Refused

OFFICIAL
NOT PROTECTIVELY MARKED

Premises licence	1	1	0
Provisional premises licence	0	0	0
Major variations	3	3	0
Minor Variations	13	13	0
Transfers	6	6	0
Occasional Licence (including extended hours)	203	203	0
Personal Licence	36	36	0

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

Where a person under 18 years of age is found to be either under the influence of alcohol, drinking alcohol in a public place or in possession of alcohol, the Police Officer involved will take all appropriate steps to ascertain the source of the alcohol.

Where information that cannot be fully evidenced is received regarding the sale of alcohol to children and young persons, in accordance with the national guidance contained within the 'Alcohol Toolkit', letters will be sent to licensed premises in the area reminding them of their responsibilities and requesting extra vigilance. If such concerns were to continue in respect of specific premises, then other operational strategies would be considered.

There were no reported cases of adults buying alcohol for children within Orkney during the reporting period. There were no reported cases of alcohol being purchased by a person under the age of 18. In support to the Protection of Children from Harm licensing objective, applications for premises licences and variations to premises licences come under close scrutiny often resulting in the submission of letters of objection, or more commonly, of representation, in which the imposition of conditions in respect of on sales, with regard to the times and terms in which children can be on such premises, will be recommended by the Chief Constable. As noted above one such representation was submitted by Police to the Orkney Licensing

OFFICIAL
NOT PROTECTIVELY MARKED

Board in respect of this Licensing Objective when a Premises submitted a variation application to their Premises Licence.

Police Scotland can make a positive impact on the future outcomes for children and families, by addressing the sale and supply of alcohol to young persons and working with our partners, taking the appropriate action to address both the potential and actual misuse of alcohol within the early years. 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 underage.

TACKLING SERIOUS AND ORGANISED CRIME

Many of the processes and procedures involved in licensing applications are carried out to guard against Serious Organised Crime Groups (SOCG) infiltrating the licensed trade in any way. This scrutiny is enhanced with the nation-wide Innkeeper system. This database contains details of all liquor and civic licences for every Division in Scotland and enhances our information sharing in respect of premises and people in the licensed trade as they move about the country and work in multiple venues.

If such an SOCG were able to gain a foothold in licensed premises this would afford such groups with 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.

Frequent and directed Police attendance and contact with licensed premises also increases the opportunity for irregularities to be identified or reported. The consistent high-profile approach and interaction with licensed premises in direct correlation with the aforementioned scrutiny in the application process should reinforce the work carried out.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

During the next year Police Scotland will continue to work in all areas of licensing in line with the Divisional and National Policing Priorities to ensure that we continue in our commitment to the safety and wellbeing of the people and communities of Orkney.

The Divisional Licensing Team have strong working relationships with our partners, and we will continue to build on these in the forthcoming year.

The Divisional Licensing Team will continue to work in conjunction with community and response officers, towards achieving local and national priorities.

OFFICIAL
NOT PROTECTIVELY MARKED

There are plenty of events in the Orkney area, including The Orkney Island Games, and the Divisional Licensing Team will continue to work in partnership with event organisers and the Orkney Council to scrutinise and support alcohol management plans to ensure the safe operation of these events.

We will continue to share information where appropriate and consult other agencies to assist in solving problems or concerns that arise involving licence holders. Police Scotland will continue to monitor all incidents in and around licensed premises and where shortcomings are identified, will provide support and/or plans in respect of tackling these issues. Divisional Licensing Teams will use interaction, intervention and support prior to requesting a review of a premises licence unless the matter, due to its severity, requires to come before the Licensing Board immediately.

We will continue to tackle agent purchasing of alcohol on behalf of children and young persons through intelligence led policing and community education. We will support the Licensed Trade in their efforts to prevent and deter violence in premises.

This will continue to be carried out by tasking visits to premises where violence has been identified as an issue and by ensuring that staff are well prepared for dealing with any such incidents. We will continue to seek exclusion orders for persons convicted of committing acts of violence on licensed premises

Bystander training will be offered to Licenced Premises where a need is identified through inspections and incident reports to the Divisional Licencing Team from our officers on the front line and other partners to promote intervention and preventing in and around licenced premises, by delivering this to licence holders and other relevant staff. We want people to report if they see something suspicious, to step in if they think someone may be at risk or see someone behaving suspiciously.

To conclude we would like to thank you for your continued support during what has been a challenging year for all. We have all had to adapt to a new way of working and ever-changing circumstances which has been embraced by all.

We look forward to a safe and healthy 2025/2026.