

# Public Document Pack



To: Councillor Boulton, Convener; and Councillors Cameron, Carle, Copland, Donnelly, Grant, Lawrence, Townson and Yuill.

Town House,  
ABERDEEN 25 September 2015

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in Committee Room 2 - Town House on **TUESDAY, 6 OCTOBER 2015 at 10.30 am.**

FRASER BELL  
CLERK TO THE LICENSING BOARD

### BUSINESS

- 1 Application for a provisional premises licence - R S McColls, Provost Watt Drive - Remitted back by Sheriff (Pages 5 - 10)
- 2 Application for a provisional premises licence - Co-operative, 122 - 124 Broomhill Road - Remitted back by Sheriff (Pages 11 - 106)
- 3 List of Applications (Items 3.1 to 3.18) (Pages 107 - 114)
  - 3.1 Application for a premises licence - Cocoa Ooze, 24-28 Belmont Street (Pages 115 - 116)
  - 3.2 Application for a provisional premises licence: Angus and Ale, 55 Schoolhill (Pages 117 - 118)
  - 3.3 Application for a provisional premises licence: R S McColl's, 2-4 Balgownie Crescent (Pages 119 - 130)

- 3.4 Application for a provisional premises licence: R S McColl's, 207a Union Street (Pages 131 - 144)
- 3.5 Application for variation of a premises licence: Musa, 33 Exchange Street (Pages 145 - 146)
- 3.6 Application for variation of a premises licence: Wine Raks, 8 St Swithin Street, Aberdeen (Pages 147 - 148)
- 3.7 Application for variation of a premises licence: Borsalino's, 337 North Deeside Road, Peterculter (Pages 149 - 158)
- 3.8 Application for variation of a premises licence: O'Neill's (Gnd Floor), 9 Back Wynd (Pages 159 - 164)
- 3.9 Application for variation of a premises licence: Co-operative, Lewis Road (Pages 165 - 172)
- 3.10 Application for variation of a premises licence: Ghillies Lair, Great Southern Road (Pages 173 - 176)
- 3.11 Application for variation of a premises licence: Lidl, Inverurie Road (Pages 177 - 184)
- 3.12 Application for variation of a premises licence: Lidl, Wellington Road (Pages 185 - 192)
- 3.13 Application for variation of a premises licence: Lidl, Lang Stracht (Pages 193 - 200)
- 3.14 Application for variation of a premises licence: Mill of Mundurno, Bridge of Don (Pages 201 - 210)
- 3.15 Application for variation of a premises licence: Premier Inn, Argyll Way, Aberdeen Airport (Pages 211 - 212)
- 3.16 Application for a personal licence: AC4161 (Pages 213 - 214)
- 3.17 Application for a personal licence: AC4174 (Pages 215 - 216)
- 3.18 Application for a personal licence: AC4141 (Pages 217 - 218)
- 3.19 Premises Licence Review Hearing - Noose & Monkey, Rosemount Viaduct

Should you require any further information about this agenda, please contact Jacqui Wallace, e-mail [jwallace@aberdeencity.gov.uk](mailto:jwallace@aberdeencity.gov.uk) or tel. 01224 522985

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISES:** R S McCOLL'S, PROVOST WATT DRIVE

### DESCRIPTION

- Local Convenience Store
- Alcohol to be sold for consumption off the premises 10:00 to 22:00 hours daily
- Capacity 10 square metres
- The application was refused by the Board on 11 November 2014. The applicant appealed the decision in the Sheriff Court and the Sheriff remitted the application back to the Board to consider afresh

### OBJECTIONS/REPRESENTATIONS

- Police
- LSO
- NHS Grampian (late)

### LICENSING POLICY STATEMENT

#### Paragraph 6.5 – Conditions Attaching to Licences

The Board has devised a number of local conditions that may be attached to premises licences. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

#### CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy. (all off-sales are however exempt from 4.2 relating to lip sync capability at entrance and exit doors)

**The applicant has agreed to the imposition of the local condition in respect of CCTV.**

Extract from paragraph 9.8 Overprovision Off Sales

#### OFF SALES:

The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board).

**Having excluded these two localities, the Board identified the rest of its area as a locality which has overprovision of off sales premises.** The Board, having regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.

**NOT PROTECTIVELY MARKED**

29 September 2014

Your Ref:

Our Ref: AD/DASU/SID34999/6875/14

Mr Eric W J Anderson  
Team Leader (Team Three)  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6  
Level 1 South  
Marischal College  
Broad Street  
ABERDEEN  
AB10 1AB



Sir Stephen House QPM  
Chief Constable

Aberdeen City Division  
Queen Street  
Aberdeen  
AB10 1ZA

01224 306472

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF  
A PROVISIONAL PREMISES LICENCE  
MARTIN McCOLL LIMITED, McCOLL'S HOUSE, ASHWELLS ROAD,  
BRENTWOOD, ESSEX, CM15 9ST.  
RS McCOLL'S, PROVOST WATT DRIVE, KINCORTH, ABERDEEN,  
AB12 5NA.**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

In terms of section 22(1)(b)(ii), I make the following representation on behalf of the Chief Constable.

The premises are situated within the 'Off Sales' overprovision area, as detailed within 9.8 of the 2013- 2016 Aberdeen City Licensing Board Statement of Licensing Policy. The Policy states that the Board accepted detailed evidence from the Health Board when identifying it's off sales overprovision area and that it "...considered that the evidence provided by the Police in regard to

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alcohol related crime figures throughout the city adequately supported its view."

Police Scotland provided Aberdeen City Licensing Board with detailed analytical data in respect of crimes and offences connected to licensed premises, and other crimes where the consumption of alcohol by either the perpetrators or victims of crime was a key factor, all of which impacted significantly on the Preventing Crime and Disorder licensing objective, amongst others. This evidence was read alongside that provided by the Health Board during the Board's decision making process for the overprovision assessment.

For these reasons, and in terms of Section 22(1)(b)(ii) of the Licensing (Scotland) Act 2005, the Chief Constable makes representation in respect of to the application.

Yours faithfully

Murray Main  
Chief Inspector

**NOT PROTECTIVELY MARKED**

# MEMO

Environmental Health and Trading Standards

**Housing and Environment**

3<sup>rd</sup> Floor, Marischal College



**ABERDEEN**  
CITY COUNCIL

To	Eric Anderson Team Leader Legal and Democratic Services		
From	Diane Sande Licensing Standards Officer, Environmental Services		
Email	Commercial@aberdeencity.gov.uk	Date	29 September 2014
Tel.	522541	Our Ref.	DBS/PAC
Fax.	01224 523887	Your Ref.	

## **Licensing (Scotland) Act 2005**

### **Application for a Provisional Premises Licence**

**Address: R S McColls, Provost Watt Drive, Aberdeen, AB12 5NA**

**Applicant: Martin McColl Limited, McColl's House, Ashwells Road, Brentwood, Essex, CM15 9ST**

I refer to the above and would like to make the following representation.

The overprovision statement, as detailed within the Aberdeen Licensing Board policy (section 9), identifies overprovision of off sales in Aberdeen with the exception of two localities (section 9.8) - neither of which is relevant to this application. Therefore I would highlight that the application falls within an overprovision area of Aberdeen.

**Diane Sande**

Licensing Standards Officer

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISES:** Co-Operative Group Food Ltd, 122-124 Broomhill Road

### DESCRIPTION

- Convenience Store
- Alcohol to be sold for consumption off the premises
- Licensed Hours 10:00 to 22:00 Monday to Sunday
- Other activities: recorded music during and outwith core hours; the sale of groceries, non- food items and other household goods and the provision of ancillary services within and outwith core hours.
- Capacity 32.05m<sup>2</sup>
- The application was refused by the Board on 20 January 2015. The applicant appealed the decision in the Sheriff Court and the Sheriff remitted the application back to the Board to consider afresh.

### OBJECTIONS/REPRESENTATIONS

- Police Scotland
- LSO
- NHS Grampian
- Letters of Support X 3
- Objections x 39

### LICENSING POLICY STATEMENT

#### Paragraph 6.5 – Conditions Attaching to Licences

The Board has devised a number of local conditions which may be attached to premises licences.

1. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

#### CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy. (all off-sales are however exempt from 4.2 relating to lip sync capability at entrance and exit doors)

**NOTE:**

Applicant has accepted the imposition of the CCTV Condition

Paragraph 9.8 Overprovision Off Sales

OFF SALES: The Health Board identified the whole of the Board's area as having overprovision of all premises types except restaurants. The Board considers that the Health Board is the best source to advise on matters relating to health and its relationship with alcohol. The Health Board supported its recommendation with a variety of evidence as contained in its response dated 24 September 2013 to the Board's review. The Board had regard to this evidence and in particular noted that Scotland buys 69% of alcohol from supermarkets and shops rather than pubs and clubs. The Aberdeen City Council Citizens Panel has reported that 97.8% of respondents purchased their alcohol from supermarkets. The Board also took cognisance of the high figures of alcohol cirrhosis admissions per 100,000 in Aberdeen, alcohol related hospital admissions and attributable annual alcohol related admissions. The Board also noted from the Health Board's proposals that 96% of adult residents lived within 1,000 metres of an off sale premises whilst 84% lived within 500 metres of a liquor licensed premises. The Board was of the view that these statistics contributed to the evidence which led the Board to consider there to be an overprovision of off sales premises in its area. The Board also considered that the evidence provided by the police in regard to alcohol related crime figures throughout the city adequately supported its view. The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board). Both localities are identified by way of maps which are attached at Appendix 3 to this Policy.

Having excluded these two localities, the Board identified the rest of its area as a locality which has overprovision of off sales premises. The Board, having regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.



For the avoidance of doubt, the capacity figure stated in the operating plan at Q7 will be used by the Board only for the purpose of assessing overprovision.

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22 December 2014

Your Ref:

Our Ref: AD/DASUSID/37423/0075/14

Mr Eric W J Anderson  
Team Leader (Team Three)  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6  
Level 1 South  
Marischal College  
Broad Street  
ABERDEEN  
AB10 1AB



Sir Stephen House QPM  
Chief Constable

Aberdeen City Division  
Queen Street  
Aberdeen  
AB10 1ZA

01224 306472

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF  
A PROVISIONAL PREMISES LICENCE  
CO-OPERATIVE GROUP FOOD LTD, 1 ANGEL SQUARE, MANCHESTER,  
M60 0AG  
CO-OPERATIVE GROUP FOOD LTD, 122-124 BROOMHILL ROAD,  
ABERDEEN, AB10 6HX**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

The applicant seeks to obtain a premises licence for a new premises located in Aberdeen.

In terms of section 22(1)(b)(ii), I make the following representation on behalf of the Chief Constable.

**NOT PROTECTIVELY MARKED**

The premises are situated within the 'Off Sales' overprovision area, as detailed within 9.8 of the 2013- 2016 Aberdeen City Licensing Board Statement of Licensing Policy. The Policy states that the Board accepted detailed evidence from the Health Board when identifying it's off sales overprovision area and that it "...considered that the evidence provided by the Police in regard to alcohol related crime figures throughout the city adequately supported its view."

Police Scotland provided Aberdeen City Licensing Board with detailed analytical data in respect of crimes and offences connected to licensed premises, and other crimes where the consumption of alcohol by either the perpetrators or victims of crime was a key factor, all of which impacted significantly on the Preventing Crime and Disorder licensing objective, amongst others. This evidence was read alongside that provided by the Health Board during the Board's decision making process for the overprovision assessment.

For these reasons, and in terms of Section 22(1)(b)(ii) of the Licensing (Scotland) Act 2005, the Chief Constable makes representation in respect of the application.

Yours faithfully



Murray Main  
Chief Inspector

# MEMO

Environmental Health and Trading Standards  
3<sup>rd</sup> Floor, Marischal College



To	Eric Anderson Team Leader Legal and Democratic Services	
From	Tara-Erin Gilchrist Licensing Standards Officer,	
Email	Commercial@aberdeencity.gov.uk	Date 18 December 2014
Tel.	522185	Our Ref. TAE/PAC
Fax.	01224 523887	Your Ref.

## Licensing (Scotland) Act 2005

### Application for Provisional Premises Licence

**Address: Co-operative Group Food Ltd, 122-124 Broomhill Road, Aberdeen, AB10 6HX**

**Applicant: Co-operative Group Food Limited, 1 Angel Square, Manchester, M60 0AG**

In terms of Section 22 (1) (b), I make the following representation to the Licensing Board.

The overprovision statement, as detailed within the Aberdeen Licensing Board policy (section 9), identifies overprovision of off sales in Aberdeen with the exception of two localities (section 9.8) - neither of which is relevant to this application. Therefore I would highlight that the application falls within an overprovision area of Aberdeen.

This memo is submitted for your attention when considering the application.

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Date 19 December 2014  
Enquiries to 01224 557047  
Our Ref 20141164  
Email: [grampian.healthprotection@nhs.net](mailto:grampian.healthprotection@nhs.net)

Eric Anderson  
Solicitor  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6, Level 1 South,  
Marischal College, Broad Street  
Aberdeen AB10 1AB

Dear Mr Anderson

**Licensing (Scotland) Act 2005 – Application for a Premises Licence  
Co-operative Group Food Ltd, 122-124 Broomhill Road, Aberdeen, AB10 6HX**

I refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following objection under the licensing objective:

**Protecting and Improving Public Health.**

The applicant seeks to apply for a premises licence for the property at 122-124 Broomhill Road, Aberdeen, AB10 6HX

This objection will focus on the following points:

1. Evidence with regard to overprovision.
2. Distance between existing off sales premises in the area.
3. Hospital admission rates for wholly attributable alcohol- related conditions.
4. Comparison of alcohol related death rates.
5. Appendix 1 – map of alcohol off sales licensed premises for Aberdeen City
6. Appendix 2 – major disease and injury categories causally linked to alcohol

**1. Evidence with regard to overprovision**

The Aberdeen City Alcohol Licensing Board published their Statement of Licensing Policy in November 2013. Under Section 7 of the Licensing (Scotland) Act 2005, the Licensing Board were unanimous in the declaration of the whole of the Board area as overprovided for in terms of off-sales with the exception of two localities – Anguston and Kirkhill. This overprovision assessment was taken after considering the detailed analytical evidence

from both NHS Grampian and Police Scotland.

The application for 122-124 Broomhill Road is within the area defined by the Board as overprovided for in terms of off-sales - Section 9.8 of the Aberdeen Statement of Licensing Policy 2013-2016:

*Having excluded these two localities (Anguston and Kirkhill), the Board identified the rest of its area as a locality which has overprovision of off sales premises.*

NHS Grampian supported the Board's decision with density maps and data during the Statement of Licensing Policy consultation. Below is the compelling density data for Aberdeen. The density 1k buffer map is attached as appendix 1.

	Total licensed premises	On-sales premises	Off-sales premises	% population 18+ residing within 1 km off-sales	% population 18+ residing within 500 m off-sales
<b>Aberdeen City at Dec 2012</b>	<b>635</b>	<b>447</b>	<b>188</b>	<b>96%</b>	<b>84%</b>

There is a strong relationship between the availability of alcohol leading to over consumption resulting in health harm. Availability of alcohol not only pertains to access but also to price. Having premises in close proximity may result in competitive pricing thus making alcohol more available in terms of cost.

The Board will be aware that the majority of alcohol is bought from off-sales alcohol outlets where the alcohol is cheaper than purchasing from on-sales. Drinking within a domestic setting can increase the risks of alcohol-related harms and excessive consumption, leading to health harm. NHS Grampian provided evidence during the consultation demonstrating the link between provision of premises and increased consumption leading to alcohol related health harm. The World Health Organisation have reported alcohol attributable health harms and are presented in appendix 2, and have recently reported that alcohol is a considerable contributor in preventable illness and disease<sup>1</sup>.

Research published on the 7<sup>th</sup> October 2014 has strengthened the relationship between off sales density and greater alcohol related deaths. This research identified that neighbourhoods in Scotland with the most licensed premises have alcohol related death rates more than double those in neighbourhoods with the fewest licensed premises. One of the key findings from this research is that each increase in outlet availability was associated with a higher alcohol-related death rate.<sup>2</sup>

<sup>1</sup> <http://www.iarc.fr/en/publications/books/wcr/wcr-order.php>

<sup>2</sup> <http://www.alcohol-focus-scotland.org.uk/media/89684/cresh-research-alcohol-outlets-and-health.pdf>



## 2. Distance between existing off sales premises in the area.

Within the immediate vicinity of this proposed new off sales there are already a number of existing off-sales premises. See table below.

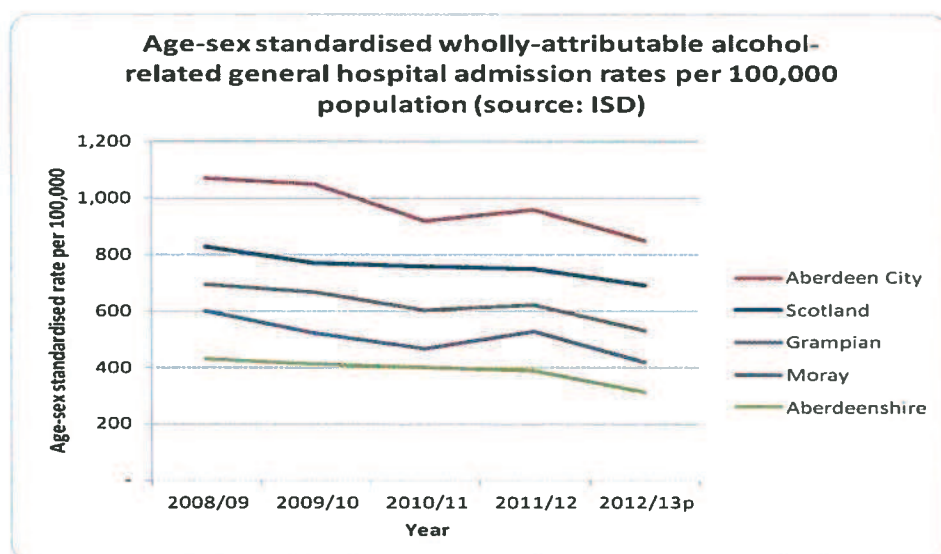
Address	Distance from Co-op	Walking time from Co-op
66 Broomhill Road **	0.22 km	3 mins
336 Gt Western Road	0.34km	5 mins
3 Forbesfield Road	0.4 km	6 mins
313 Holburn Street **	0.47 km	7 mins
306 Holburn Street	0.47 km	7 mins
207 Holburn Street **	0.71 km	10 mins
219 Holburn Street * & **	0.71 km	10 mins
124 Holburn Street	0.91 km	13 mins
485 Gt Western Road * & **	0.8 km	14 mins
43 St Swithin Street **	1.23 km	15 mins
32 Albyn Grove	1.14 km	15 mins
32 Holburn Street **	1.1 km	15 mins
571 Gt Western Road **	0.85 km	15 mins
8 St Swithin Street **	1.49 km	17 mins

\* Existing co-op stores

\*\*Stores open from 10am until 10pm including Sundays

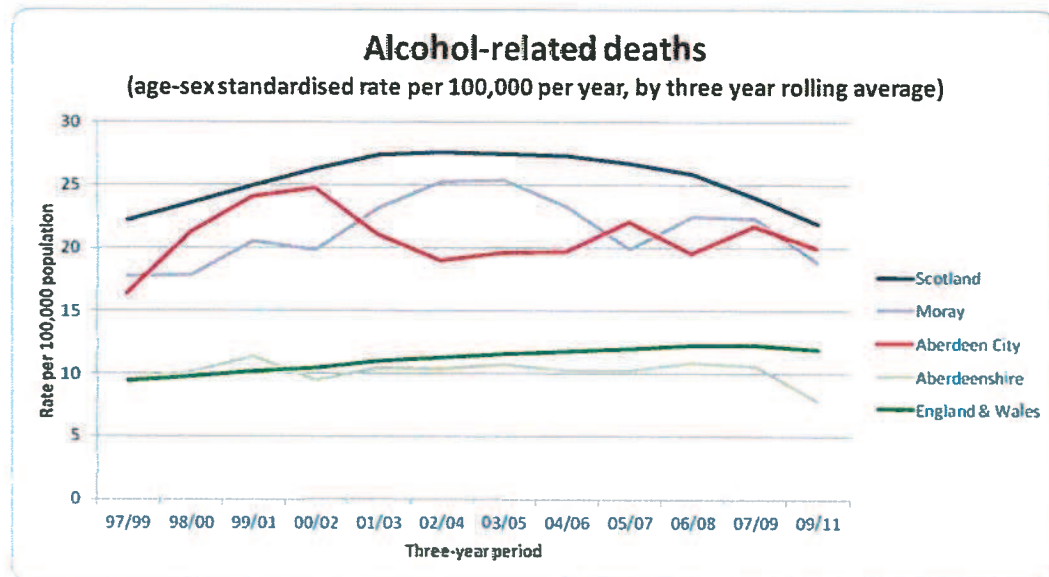
## 3. Hospital admission rates for wholly attributable alcohol- related conditions.

The graph below illustrates hospital admissions. Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City's admission rate remains significantly higher than Aberdeenshire or Moray.



#### 4. Comparison of alcohol related death rates.

The graph below illustrates death rates as reported by Scottish Public Health Observatory (ScotPHO<sup>3</sup>) using GROS data (General Register Office for Scotland). Aberdeen City's rate has remained essentially stable, in contrast to Scotland's falling rate.



The chart above illustrates the three year rolling average for alcohol related deaths with the most recent period shown being 2009 - 2011.

#### Alcohol related deaths 2011 - 2013<sup>4</sup>

Year	Aberdeen	Abnshire	Moray	Scotland
2011	33	22	19	1247
2012	38	25	21	1080
2013	42	23	22	1100

Alcohol related death in Scotland increased by 44% when comparing 1981 to 2013 and is still among the highest in Western and Central Europe<sup>5</sup>.

<sup>3</sup> <http://www.scotpho.org.uk/>

<sup>4</sup> <http://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-related-deaths/tables>

<sup>5</sup> <http://www.healthscotland.com/documents/24485.aspx>

There is nothing in the application which demonstrates that this license should be approved and no automatic assumption that a licence application in these circumstances should be granted.

For these reasons, and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian objects to the application as the granting of it would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health.

Yours sincerely

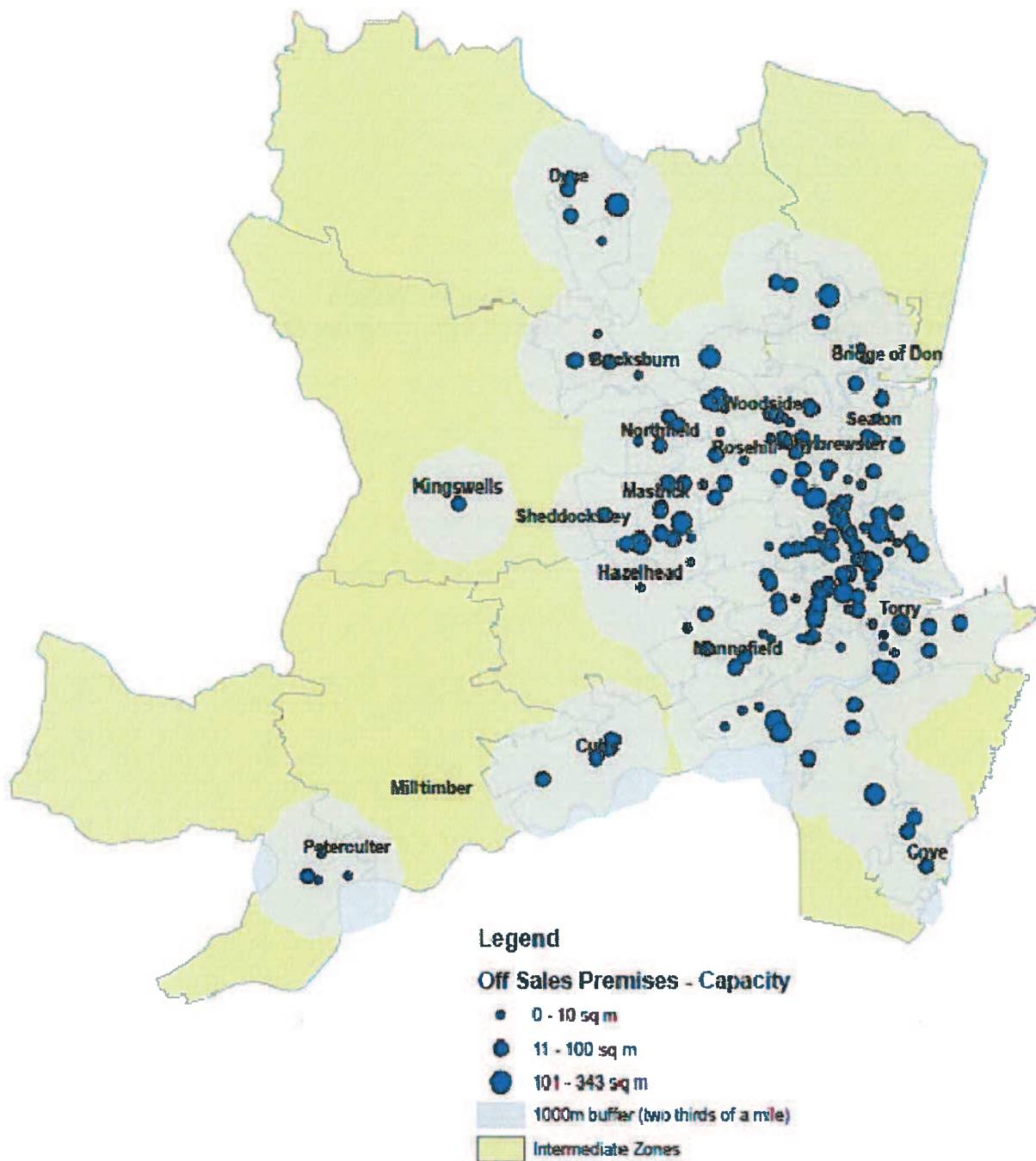


Christopher Littlejohn  
Consultant in Public Health

pp Heather Wilson  
Health Improvement Officer (Alcohol & Drugs)

# Aberdeen City Alcohol Off Sales Licensed Premises (188)

(1000m buffer)



Based on general practice registration of Abn City residents at April 2012  
 192,500 = 18 years and over population  
 185,600 = 18 years and over live within 1000 metres of an off-sales premises  
 96% = percentage of residents live within 1000 metres of an off sales premises



**Box 3. Major disease and injury categories causally impacted by alcohol consumption.**  
 (Excerpt from “World Health Organisation - Global status report on alcohol and health 2014”)<sup>6</sup>

**Green:** Overall beneficial effects from low-risk patterns of drinking, while heavy drinking is detrimental

**Red:** 100% alcohol- attributable

**Neuropsychiatric conditions:** **alcohol use disorders** (AUDs see Box 4) are the most important neuropsychiatric conditions caused by alcohol consumption. Epilepsy is another disease causally impacted by alcohol, over and above withdrawal-induced seizures (Samokhvalov et al., 2010b). Alcohol consumption is associated with many other neuropsychiatric conditions, such as depression or anxiety disorders (Kessler, 2004; Boden and Fergusson, 2011) but the complexity of the pathways of these associations currently prevents their inclusion in the estimates of alcohol-attributable disease burden (Rehm et al., 2010a).

**Gastrointestinal diseases:** liver cirrhosis (Rehm et al., 2010b) and pancreatitis (both acute and chronic; Irving et al., 2009) are causally related to alcohol consumption. Higher levels of alcohol consumption create an exponential increase in risk. The impact of alcohol is so important that for both disease categories there are subcategories which are labelled as “alcoholic” or “alcohol-induced” in the ICD.

**Cancers:** alcohol consumption has been identified as carcinogenic for the following cancer categories (International Agency for Research on Cancer, 2012) cancer of the mouth, nasopharynx, other pharynx and oropharynx, laryngeal cancer, oesophageal cancer, colon and rectum cancer, liver cancer and female breast cancer. In addition, alcohol consumption is likely to cause pancreatic cancer. The higher the consumption, the greater the risk for these cancers, with consumption as low as one drink per day causing significantly increased risk for some cancers, such as female breast cancer (Seitz et al., Rehm & Shield, 2013; Nelson et al., 2013).

**Intentional injuries:** alcohol consumption, especially heavy drinking, has been causally linked to suicide and violence (Cherpitel, 2013; Macdonald et al., 2013).

**Unintentional injuries:** almost all categories of unintentional injuries are impacted by alcohol consumption. The effect is strongly linked to the alcohol concentration in the blood and the resulting effects on psychomotor abilities. Higher levels of alcohol consumption create an exponential increase in risk (Taylor et al., 2010).

**Cardiovascular diseases (CVD):** the relationship between alcohol consumption and cardiovascular diseases is complex. The beneficial cardioprotective effect of relatively low levels of drinking for **ischaemic heart disease and ischaemic stroke** disappears with heavy drinking occasions. Moreover, alcohol consumption has detrimental effects on hypertension, atrial fibrillation and haemorrhagic stroke, regardless of the drinking pattern (Roerecke & Rehm, 2012).

**Fetal alcohol syndrome (FAS) and preterm birth complications:** alcohol consumption by an expectant mother may cause these conditions that are detrimental to the health of a newborn infant (Foltran et al., 2011).

**Diabetes mellitus:** a dual relationship exists, whereby a low risk pattern of drinking may be beneficial while heavy drinking is detrimental (Baliunas et al., 2009).

**Infectious diseases:** harmful use of alcohol weakens the immune system thus enabling development of pneumonia and tuberculosis. This effect is markedly more pronounced when associated with heavy drinking and there may be a threshold effect, meaning that disease symptoms manifest mainly if a person drinks above a certain level of heavy drinking (Lonnroth et al., 2008).

<sup>6</sup> [http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763\\_eng.pdf?ua=1](http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763_eng.pdf?ua=1)





## Proposed Licence to sell Alcohol by Cooperative Food Group at former 'Café o'Clay' –122 Broomhill Road.

The following extract is from the Scottish Office:

***"It is becoming increasingly evident that as a nation our relationship with alcohol has become unbalanced.***

***Alcohol sales data suggests that consumption has increased by 11 per cent since 1994, with enough alcohol being sold for every adult in Scotland to exceed weekly recommended limits for men each and every week since at least 2000.***

***In 2010, 23 per cent more alcohol was sold per adult in Scotland than in England and Wales, the widest gap to date.***

***The impact of this excessive consumption is estimated to cost Scots £3.6 billion each year, that's equivalent to an incredible £900 for each and every adult in Scotland.***

***Hospital discharges have quadrupled since the early 1980s and deaths directly related to alcohol misuse doubled.***

***The impact on crime and anti-social behaviour is equally stark, with statistics showing that 50 per cent of prisoners (including 77 per cent of young offenders) were drunk at the time of their offence.***

***What is clear is that bold action is required to help drive a long-term change in cultural attitudes towards alcohol."***

From: <http://www.scotland.gov.uk/Topics/Health/Services/Alcohol> (14/12/14)

Ashley and Broomhill Community Council would like to object to this application.

Alcohol is the source of huge problems - The Scottish office have produced a document \* which shows the scale of the problem. This report clearly links availability of cheap alcohol as a major problem, having a direct effect on crime, finances and health on communities.

### 1 Anti-social behaviour

Our area is not immune from the problems that sales of alcohol can cause. Compared to other areas we may be quieter, but we do have issues with car and property vandalism in the area as well as youth disorder issues, which, according to reports, stands to rise should there be a source of affordable alcohol nearby. This may lead to Policing issues and increased demand on already stretched police resources.

Many people in the area clearly don't want this off licence. Scottish office reports confirm that availability of competitively priced alcohol causes a rise in anti-social behaviour in the area, and this is a major cause for concern. Existing problems in 'the Woodies' would be greater. Police now patrol there regularly. A member of our Community Council regularly picks up discarded empty bottles and cans. There are a number of back lanes which at the moment are fairly quiet - but that could change as they become safe havens for under age drinkers. Litter, empty bottles and cans could land up on paths, roads and gardens in the community.



## 2 Nuisance to residents

Having an off licence would increase the volume of vehicular traffic using the site.

Recent traffic surveys in this residential area confirm that the area is very congested with parked cars day and night. The proposed store has long opening hours, seven days a week. They will employ staff, some of which will be sure to have cars. Staff, visitors and customers will quickly take up the limited number of parking spaces that are available. The remaining majority, of staff, visitors and customers will have to park in spaces on the street and on neighbouring streets, causing nuisance to the residents who will no longer be able to park close to their homes. To the people adjacent to the shop, the constant coming and goings would affect their quality of life.

Broomhill Road is an arterial road, on a busy bus route to Garthdee. If cars cannot park, and stop 'just to pop in quickly' on the narrow Broomhill Road they will create road hazards.

Delivery vehicles of licenced drinks are restricted to using the back entrance on Pitstruan Terrace via Pitstruan Place. Both these roads are too narrow for two larger vehicles to pass each other without pulling in. They will have to reverse into, and out of the premises. This will affect traffic flow to traffic that uses this route to cross the city, and extra disturbance to the residents who are immediately next to the site. When the timing of two or more delivery vehicles coincide, there will be safety issues.

## 3 Number of premises selling alcohol in the area

Already in close proximity and walking distance of the proposed outlet there are two corner shops and number of supermarkets including – 2 Sainsbury's, 2 existing Tescos, 1 Coop, 1 Spar, 1 Iceland – and that does not include the big two, Asda and Sainsbury's at the Bridge of Dee or the shops close by at Mannofield. All of these are licensed to sell alcohol.

The area is well provided with off licences.

## 4 Effect on local small shops

These shops do not sell cut price alcohol and cannot compete with the Coop. There would be a detrimental effect to their businesses, possibly causing them to be no longer economically viable.

## 5 Influence on Shopping

Attractive advertisements clearly promote alcoholic drinks as part of the normal shop. Attached are selected adverts taken from the seasonal flyer, and the Coop magazine issue 17. Such advertising could influence shoppers to increase their alcohol consumption.

## 6 Use of the building

Many local residents would like a change of use to this site to allow it to be used for much needed housing.

On behalf of the residents in the Ashley and Broomhill Community, it is hoped this application will be refused, as it was in a previous application in 2014 when there were more than 90 objections.

Thank you.

J Butler

(Chair of Ashley and Broomhill Community Council)

Attachment: Copy of seasonal advertisements from the Cooperative Food Group.

\* Changing Scotland's relationship with alcohol: a discussion paper on our strategic approach  
<http://www.scotland.gov.uk/resource/doc/227785/0061677.pdf>

For further reading:

A safer, healthier & more responsible attitude to alcohol in Aberdeen, Aberdeen City Alcohol & Drugs Partnership ADP Strategy 2009-2019  
<http://aberdeencityadp.org.uk/wp-content/uploads/2014/05/AlcoholStrategy20092019.pdf>



**Something for Every Occasion  
this Christmas**

**Available at your local Co-operative Food store**  
Selected stores only, subject to availability.

for the facts [drinkaware.co.uk](http://drinkaware.co.uk)

Top  
From Coop Food magazine issue 17.

Below  
From the Flyer:  
‘A good deal for Christmas’ delivered to households week starting 15<sup>th</sup> Dec.  
**No soft drinks were advertised in this printed version.**

**Make merry with friends this Christmas**



Tennents Cans  
18x440ml (€1.52 per litre)

**£12**



Single Malt Whisky  
70cl (€31.43 per litre)

**£22**

Campo Viejo Tempranillo Rioja 75cl  
~~WAS £8.99~~  
**NOW £5.99**

Inycon Growers Pinot Grigio Grecoanico 75cl  
~~WAS £7.49~~  
**NOW £4.99**

Harbys Stamp Shiraz Cabernet Sauvignon/Chardonnay Semillon 75cl  
~~WAS £7.49~~  
**NOW £4.99**  
Each





Smirnoff Red Label Vodka/Gordon's Special Dry London Gin/Bell's Original Scotch Whisky/Bacardi Superior Rum/The Famous Grouse Scotch Whisky/Whyte and Mackay Scotch Whisky/Russian Standard Vodka/Captain Morgan Spiced Golden Rum  
70cl (€18.57 per litre)

**£13 each**

**Third off**

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[REDACTED]

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**From:** [REDACTED]  
**Sent:** 14 December 2014 11:06  
**To:** Licensing  
**Subject:** Proposed supermarket development: 'Cafe o' Clay' - 122 Broomhill Road

For attention: [REDACTED]

I am writing to SUPPORT the permitting of an Off Sales Licence for the above development.

Thank you,

[REDACTED]

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[REDACTED]

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**Subject:** FW: Off Sales Licence

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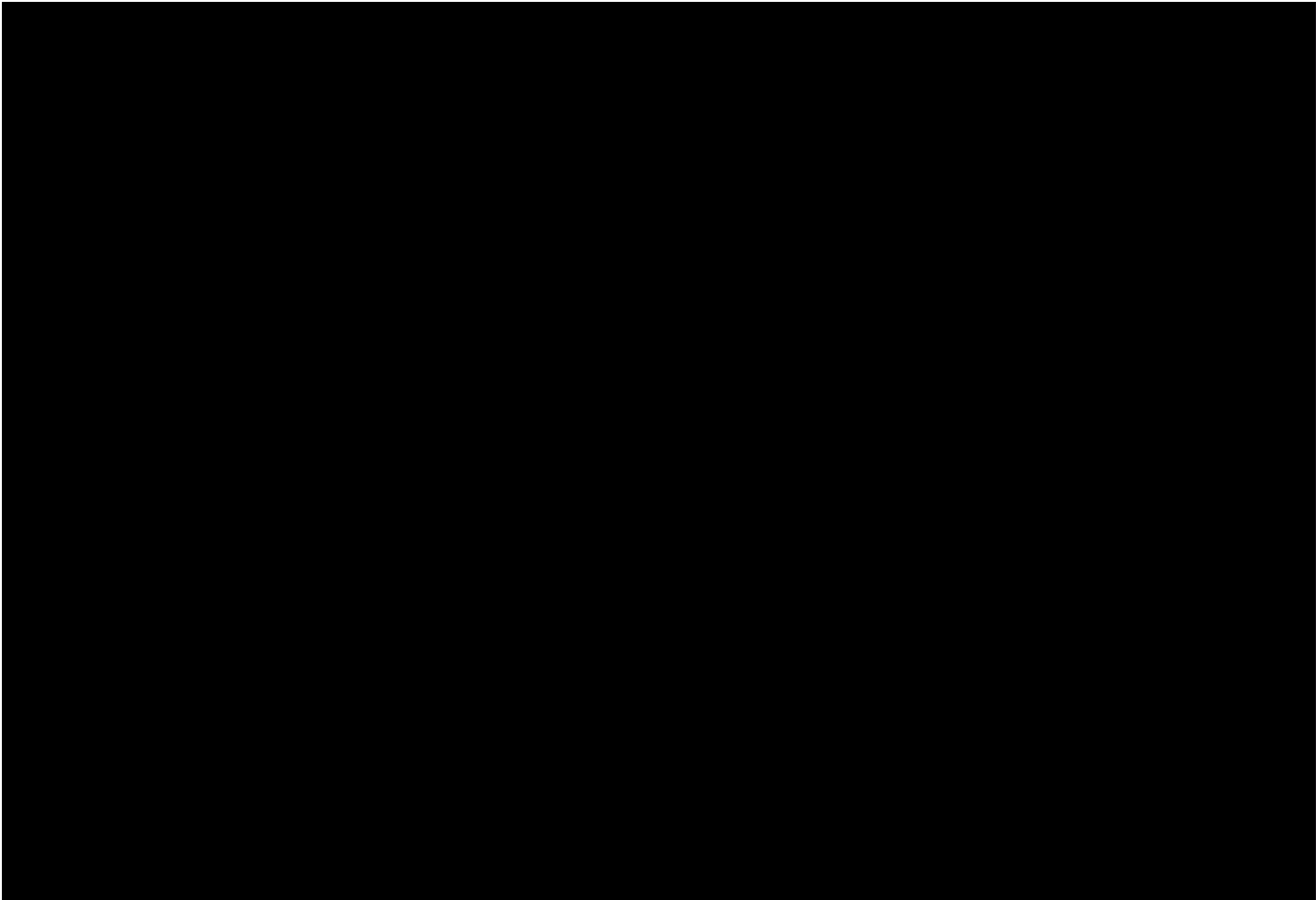
**From:** [REDACTED]  
**Sent:** [REDACTED]  
**To:** Licensing  
**Subject:** Off Sales Licence

26/12/14.  
[REDACTED]

I live at [REDACTED], walking distance to where this shop would be. I think it would be an asset to the area especially now that the Scottish Government have made it a criminal offence to have even one drink and drive. If one has a drink in the house and finds that one requires a pint of milk, if there are no shops near, there is a temptation to jump in the car. Having a shop within walking distance takes away this scene,

Yours faithfully,  
[REDACTED]

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**From:** [REDACTED]  
**Sent:** 30 December 2014 10:46  
**To:** Licensing  
**Subject:** attn [REDACTED]

Madam,

I am writing to inform you that I am in favour of the proposed supermarket and associated Off Sales Licence to be situated at 122 Broomhill Road, Aberdeen.

This is in response to the circular posted by Ashley and Broomhill Community Council.

Yours faithfully

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PROPOSED SUPERMARKET  
DEVELOPMENT —  
122 BROOMHILL ROAD.  
'OFF SALES LICENSE'



15. XII. 14.

To Whom it may concern,

Yet again, we have to put Pen to Paper to voice our opposition to the above development. I have yet to understand why, when Aberdeen City Councillors unanimously rejected their first appeal, did the Scottish Government grant it?

It's bad enough to allow a Super Market on that site, but to further allow it to have an 'Off Sales license', 10am-10pm <sup>would be</sup> a disgrace. There are enough Super Markets in the lower Holburn Street / Broomhill Road area, as it is — six to be exact — without encroaching into the Residential Area.



Apart from decreasing the value of nearby houses, there will be the added noise/disruption from Delivery Traffic front & back and an increase in Traffic and Parking, especially at the back and it is congested enough at the present.

What about the small number of 'Corner Shops' in the area, that have served the Community faithfully over the years, they are going to suffer even more and that is so unfair.

So please, just for once, let common sense prevail and refuse their Application and hopefully they'll take the hit and 'get lost' for good!



[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 14 December 2014 15:35  
**To:** Licensing  
**Subject:** Attention of [REDACTED] re proposed supermarket at 122 Broomhill Road, Aberdeen

Dear [REDACTED]

We feel this supermarket is unnecessary as there is already a similar one on the corner of Balmoral Place and Broomhill Road and would be detrimental to their business.

Yours sincerely,

[REDACTED]

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[REDACTED]

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**From:** [REDACTED]  
**Sent:** 14 December 2014 20:23  
**To:** Licensing  
**Subject:** [REDACTED] - 122 Broomhill Road

Hi,

I write to vehemently object to the proposed supermarket development at the above address.

I have already written to express my concerns at the original planning application and welcomed the City Council's unanimous objection to the proposals. It is incredulous that local opinion was totally ignored when the Scottish Government overturned this decision.

We now have another chance to let common sense prevail in this matter. Only recently a local Morrison's mini market decided to close at it was no longer a viable business due to the amount of competition in this area. This supermarket is neither wanted nor needed and I hope local democracy is what counts this time.

Regards.

[REDACTED]

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[REDACTED]

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**From:** [REDACTED]  
**Sent:** 15 December 2014 10:23  
**To:** Licensing  
**Subject:** Proposed off sales licence: 122 Broomhill Road

Attn: [REDACTED]

I am writing to register my objection to the granting of the above licence. There are several licensed grocers in the vicinity, one just a few yards away on Broomhill Road, so no need for another, and I have serious concerns about the inevitable negative effect on parking at the top of Abergeldie Road (which is already a major problem) and noise pollution.

Yours faithfully

[REDACTED]

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[REDACTED]

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**From:** [REDACTED]  
**Sent:** 14 December 2014 21:55  
**To:** Licensing  
**Subject:** FAO [REDACTED] - Cafe o Clay 112 Broomhill Road

FAO [REDACTED]

Proposed supermarket development:  
'Cafe o Clay' - 122 Broomhill Road Aberdeen.

As a resident of Broomhill Road and father of two young children who attend Broomhill Primary I implore you not to grant the license to sell alcohol at the proposed supermarket, if this license is not granted this planned development will not go ahead and the residents will finally get what they wanted from the beginning.

I'm absolutely sure I can speak for the vast majority of residents in the local area that we do not want this supermarket and it must be noted that Aberdeen's own councillors voted against this but as you may know was granted an appeal by the Scottish government who are some 125 miles away in Edinburgh! This is a prime example of not listening to the local community and what we want for our area.

The traffic situation in Broomhill Road is already very heavy and a major concern to all parents of children in the area, another shop will only add to the parking issues and congestion and I fear it's only a matter of time before there's a serious incident involving a young child.

The local area is already served perfectly well with at least eight shops on Holburn Street who have off license sales facilities, there's are two large supermarkets at the bottom of South Anderson Drive and numerous shops on Great Western Road that can also sell alcohol not to mention a small independent shop not 800 yards from this proposed supermarket which I'm sure will not be able to compete in the long run against another large chain store and no doubt lead to closure and the subsequent loss of jobs and a sense of community that is built up around such small privately owned shops.

Please do not grant this license and go against the wishes of the local community....

Thanks and regards,

[REDACTED]

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[REDACTED]

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**From:** [REDACTED]  
**Sent:** 14 December 2014 11:17  
**To:** Licensing  
**Subject:** [REDACTED]

Re Proposed Supermarket development Cafe O Clay - 122 Broomhill Road

- I write to register my strong opposition to the above proposal, on the grounds that it represents;
1. A contradiction to the Scottish Government's goal to target alcohol cheap pricing by supermarkets and introduce minimum pricing.
  2. A contradiction to the recently introduced lowering of drink/ drive levels as it is likely that many customers will drive to the proposed venue and buy alcohol potentially on impulse when supplies at home have run out, especially during the proposed late opening hours.
  3. It sets a bad example to the many school children who are likely to use the proposed shop en route to school that alcohol can be bought cheaply and locally throughout the day.
  4. Abergeldie and other parallel roads are already a rat run for traffice avoiding South Anderson Drive, often exceeding the 20 mph limit. It is highly likely this would be increased by the presence of a high turnover shop with resultant risks to pedestrian, much of it children and the elderly safety. The frequency of buses and high HGV traffic already cause congestion at this site.
  5. Resident parking is currently often poached by non residents and this too would likely become an issue.
  6. Like most folk, I enjoy a drink in the comfort of home and experience no difficulty at all in accessing this from the plethora of convenience supermarkets on Holburn Street, the large supermarkets at Bridge of Dee and a licensed grocer a few hundred yards from the current proposal.
  7. A casual perusal of recycling bins in the area suggests that local customers have no difficulty buying alcohol.

In my view the site would be far more usefully exploited for the community by development to a dental or health related building or even a quality restaurant which even if licensed would constitute far less of a risk to the safety and health of the community.

Your sincerely,

[REDACTED]

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[REDACTED]

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**Subject:**

FW: [REDACTED]

**From:** [REDACTED]

**Sent:** 15 December 2014 17:29

**To:** Licensing

**Subject:** Fao: [REDACTED]

It is not necessary to have any other commercial outlets in this area, we are awash with mini marts in this vicinity, all in commutable distances by car, bus or on foot.

Broomhill Road is a residential road, with a Primary School and wooded area, sounds tranquil eh? Nope! I have hold my breath every time my kids go out the front door as its already a race track for people accessing the city from 'THE DRIVE' the last thing we need is more traffic for the booze run!

No NO NO!

Demolish the eyesore and make it into a children's play area without dog poo!

Thankyou  
[REDACTED]

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[REDACTED]

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**Subject:**

FW: Off Sales License for 122 Broomhill Road

**From:** [REDACTED]

**Sent:** 15 December 2014 15:45

**To:** Licensing

**Subject:** Off Sales License for 122 Broomhill Road

For the Attention of [REDACTED]

I wish to express my concerns about the application for an Off Sales License for the proposed supermarket development at 122, Broomhill Road, Aberdeen.


I struggle to see the value to the community of this application and have great sympathy for direct neighbours - all of whom are residential. My main concern, however, is that over the past few weeks there have been several incidents relating to teenagers gathering - and drinking in the Bowling Club/Tennis Courts on Pittstruin Place (of which I am a neighbour). This happens mainly late at night - at weekends. They are loud, alarming - and understand that they leave broken alcohol bottles on the tennis courts. My fear is that, because the proposed supermarket backs on to this area, this group of youths will have a new found source of alcohol, seven days a week.

I find the license application completely unnecessary and of no value whatsoever.

Thank you, [REDACTED]

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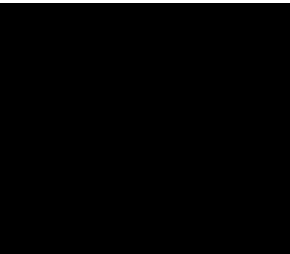
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**From:** [REDACTED]  
**Sent:** 17 December 2014 14:28  
**To:** Licensing  
**Subject:** proposed Cafe o' Clay development

Dear Madam,

I wish to forward my objection to the proposed supermarket development at Café O' Clay – 122 Broomhill Road – and to it's application to sell alcohol 10am to 10pm seven days a week. There are already other establishments in the area that sell alcohol so there is no need for anymore. Seven days a week would mean that alcohol would be available practically at all times of the week, even a Sunday. Another outlet selling alcohol would mean easier access to alcohol when present day thinking seems to be that society is drinking too much and it should be curtailed and not made easier which this would do.

Yours sincerely



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[REDACTED]

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**From:** Licensing  
**Sent:** 18 December 2014 09:25  
**To:** [REDACTED]  
**Subject:** FW: 122 Broomhill Road Development

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**From:** [REDACTED]  
**Sent:** 17 December 2014 15:06  
**To:** Licensing  
**Subject:** 122 Broomhill Road Development

Att. [REDACTED]

Once again this issue is resurrected. I live on Broomhill Road so know what issues there are regarding turning the building at 122 Broomhill Road into a supermarket with 'Off Sales Licence.

The main issue is large lorries and vans accessing the building as the front is too small a place to park off road and to park on the road would cause big issues as the road is busy to say the least and now that large lorries use it, it becomes a nightmare at rush hour. To the rear, I agree that there is a large parking area but access is limited due to the narrow streets and cars parking both sides.

Reference the 'Off Sales Licence' surely the shop along the road provides enough alcohol and in my opinion this licence goes against current Scottish Government thinking as they wish to reduce consumption and all this will do is increase it especially at night. We also have at times problems with people drinking in the 'Woodies' and leaving litter/cans etc. everywhere and broken glass is an issue for the children who play there as the school is across the road and football teams practice on the old tennis court area.

Generally my wife and I think it is a bad idea and we are definitely against any increase in heavy lorries and an increase in the sale of alcohol in the area.

Regards

[REDACTED]

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[Redacted]

[Redacted]

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[Redacted]

**Sent:** 17 December 2014 15:34

**To:** Licensing

**Subject:**

[Redacted]

Dear [Redacted]

In reference to literature from Ashley & Broomhill Community Council concerning the proposed supermarket development at 122 Broomhill Road, I wish to state that I am completely against the development, and consequently against an off sales licence being granted.

Yours sincerely,

[Redacted]

[Redacted]

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[REDACTED]

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**From:** Licensing  
**Sent:** 18 December 2014 09:30  
**To:** [REDACTED]  
**Subject:** FW: 122 Broomhill Road - application for off sales licence

-----Original Message-----

**From:** [REDACTED] | [REDACTED]  
**Sent:** 17 December 2014 20:09  
**To:** Licensing  
**Subject:** 122 Broomhill Road - application for off sales licence

FAO [REDACTED]

I wish to object to the application for an off sales licence in respect of the premises at 122 Broomhill Road - formerly Cafe O' Clay on the grounds that there is already ample provision of off sales facilities in the area.

Within a one mile radius of the proposed development there are 12 outlets selling alcohol on an off licence basis. These are :- Asda and Sainsbury at the Bridge of Dee. Spar, Iceland, Co operative, Tesco and Sainsbury on Holburn Street up to its junction with Great Western Road. J & C Lynch on Broomhill Road. Hammerton Stores and Leiths on Great Western Road. Co operative and Tesco at Mannofield.

In my opinion the existing provision should mean that this appeal against the original decision not to grant a licence should not be upheld.

[REDACTED]

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**Subject:**

FW: Off Sales Licence application 122 -124 Broomhill Road, Aberdeen

**Sent:** 23 December 2014 09:56

**To:** Licensing

**Subject:** Off Sales Licence application 122 -124 Broomhill Road, Aberdeen

Attention

I wish to object to the Off Sales licence application for the premises formerly known as Cafe o' Clay.

Broomhill area houses many families and elderly who benefit from living in a quiet and safe area. Granting of an off licence to these premises would change this:-

1. Increased traffic would mean that the safety of residents, particularly children and elderly, would be put at risk.
2. Granting this licence application will lead to groups of people congregating in the area and may lead to aggravation and nuisance for residents.
3. Premises with this type of licence usually sell lower and cut priced alcohol which will only increase the likelihood of trouble and nuisance in our area and may lead to public disorder.
4. Availability of alcohol from 10 am to 10pm seven days per week could lead to an increase in petty crime not currently experienced in this area.

Please refuse this application and allow our community to continue to be child and resident friendly.

Thank you

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[REDACTED]

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**Subject:**

FW: FAO [REDACTED] Cafe o Clay - 122 Broomhill Road

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**From:** [REDACTED]

**Sent:** 21 December 2014 10:33

**To:** Licensing

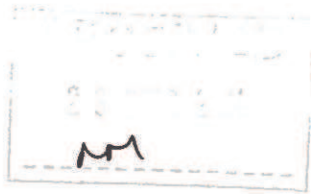
**Subject:** FAO [REDACTED] Cafe o Clay - 122 Broomhill Road

Hi [REDACTED]

I am writing to you regarding the application for an off sales licence for the address above. I don't think this area needs another business selling alcohol - there is an oversupply in the local area already.

It must be difficult enough already for the police to ensure that the restrictions on the sale of alcohol to minors are followed, another site will just place more pressure on our overworked police. I urge you to reject the application,

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H-1214.

Dear Mrs O'Hara,

I write to urge you not to grant an Off Sales Licence to Café-o'Alley from 10am to 10pm at 122 Broomhill Road seven days a week.

The road is in a densely populated area, and carries a traffic load, which frequently creates serious congestion and risk to pedestrians. To add still more 'users', to a property which has initially no space for vehicle parking, will create a substantial increase in difficulties. This would be



compounded by the increased  
'usage' of the area into the  
later part of every evening.

I hope these comments will  
enhance the determination of  
Aberdeen City Council that  
the project should not go ahead.

Yours sincerely,



**Subject:**

FW: 122 Broomhill Road , Aberdeen / Alcohol Licence Application

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**From:** [REDACTED]

**Sent:** 28 December 2014 10:36

**To:** Licensing

**Subject:** 122 Broomhill Road , Aberdeen / Alcohol Licence Application

Dear Licensing department

I would like you to take a long hard thought before you even consider the Pro's and Con's of approving the application for an Alcohol Licence for the above property.

Firstly , this application had already been refused last year , little or nothing has changed since last time , other than we are now seeing even more negative publicity on the financial burden on our hospitals and government to curtail the after effects - you can see below that even the greater majority are struggling to handle the effects - by then its too late i regret.

My opinion i am sure will be relayed to you all in one version or another by other neighbourhood residents who along with yourselves see the obvious negative effect alcohol has on our community , probably more so yourselves being at the front end of any Alcohol related complaints and side effects caused by it.

You just have to look along our Aberdeen main streets and look at the people walking and see the "many human wrecks" that have obviously succumbed to the effect of having plenty money and had a good time - too many times! and the one left to sort this out will be the NHS!

Please realise we are at a turning point where the reliance on alcohol could be nipped in the bud with your help.

Please do take a serious read of the letters and emails , understand what the senders are trying to get across , the writers are your eyes and ears of the city , this is not a case of being concerned about a particular businesses' profits ,

They have already decided to consider this site as a business , regardless of whether it sells alcohol at all.

I have attached a portion of the headlines from today's BBC internet news for you to consider what we are blindly walking into - if no further steps are taken to listen to the NHS

I think if all alcohol selling outlets were charged with re-paying all the NHS drink affected expense and the effects of alcohol abuse , they would only then realise the minimal profit there actually is selling the stuff!

Its a shame that if someone arrives at work with a hangover they are told to either go home or go have a black coffee? where if there are a drug taker are likely to be immediately fired and probably never be able to find a job again

We need to take a serious look , Alcohol is just as serious as drugs - we don't realise it yet!!

Please take onboard the content below , it is directly from the BBC internet news pages - not tampered by myself in any way

# Police should target troublesome drunks, A&E boss says



[Continue reading the main story](#)

## Related Stories

- [Festive 'drunk tank' frees up beds](#)
- [999 crews on alert for 'mad' Friday](#)
  - [Would drunk tanks ease A&E pressure?](#)

**Police should crack down on binge drinking to stop hospital staff becoming distracted by disorderly drunks, a leading doctor has said.**

Dr Clifford Mann, president of the College of Emergency Medicine, said a "softer approach" adopted by police "doesn't seem to be working".

A&E staff have to deal with disorderly patients on a "daily" basis, he added.

Dr Mann said police could deal with anti-social drunkenness with increased arrests, convictions and fines.

Speaking to the BBC, Dr Mann said intoxicated patients could be arrested for being drunk and disorderly if they cause problems in hospitals.

"All I am saying at the moment is the softer approach - where we don't any longer arrest many people for being drunk and disorderly - certainly doesn't seem to be working," he said.



Dr Mann said the number of people arriving at A&E units while drunk was increasing year on year, while the number of licensed premises in the UK was also increasing and alcohol was getting cheaper.

"I think these people, by the nature of the disorder, they are distracting medical and nursing staff from looking after other patients and therefore are wasting public resources.

"I think they therefore fall into the category of being drunk and disorderly in their behaviour and the police can act to take them away," he added.

### **'Too simplistic'**

**In a separate interview with the Observer**, Dr Mann said that if more people knew that if they got drunk they would be arrested, then fewer would drink too much in the first place.

There is "far too much acceptance" that drunkenness is "normal for a Friday or Saturday night", he said, adding: "It's not normal. It shouldn't be normal."

"Alcohol is well known to be a contributory factor in incidents of disorder but it is a complex issue and a crackdown on troublesome drunks is too simplistic an answer," he added.

He said "hauling people through the courts isn't always the answer either".

"That takes valuable time and resources to process, not just for the police, but also as people go through the courts and criminal justice system."

I hope that common sense will prevail , Broomhill Residents do not wish a Sales outlet for Alcohol.

Kind Regards



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28 December 2014



licensing@aberdeencity.gov.uk

**F.a.o.** [REDACTED]  
**Off-sales Licence application, proposed supermarket development at 122 Broomhill Rd  
(formerly Café o'Clay)**

Dear [REDACTED]

Please note my reasoned views on the above off-sales licence application:

● **Over-provision of licensed premises**

This area is already well-served by off-licence outlets where alcohol may be purchased, several within easy walking distance for all local residents.

● **Noise disturbance and safety**

Additional noise disturbance is likely along with the possibility of unacceptable alcohol-related behaviour which could impinge on personal safety in this residential area.

● **Car Parking**

Parking is already impossible at various times of day, such that residents are unable to park in the same street as their homes in the part of Abergeldie Road between Braemar Place and Broomhill Road. The availability of alcohol on sale from 10am-10pm daily will inevitably result in further pressure on the non-existent parking space in Abergeldie Road and also in the surrounding residential streets.

Yours sincerely

[REDACTED]

*(by e-mail)*

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[REDACTED]

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**Subject:**

**FW: for urgent att:** [REDACTED]

---

**From:** [REDACTED]

**Sent:** 29 December 2014 14:24

**To:** Licensing

**Cc:** [REDACTED]

**Su** [REDACTED]

[REDACTED]

Proposed Supermarket development - Cafe o'Clay - 122 Broomhill Road.

**I strongly object to the application that has been made for an Off Sales Licence for a possible supermarket development at 122 Broomhill Road.**

**Within a ten minute walk** around this area we have a Sainsbury's Local, a Tesco Local, a Co-op Local and a Spar Local, quite apart from the privately owned newsagent/general grocer shop on Broomhill Road.

**All these 5 shops have Off Sales Licences.** That is a lot of easily accessed licensed premises very close to hand, not to mention the licensed Spar in St Swithin Street (again within a ten minute walk).

We are also very close to Mannofield and its licensed shops, and to Bridge of Dee shopping.

We really do not need yet this Off-sales facility in Broomhill Road, let alone another 'supermarket' in a totally inappropriate place

PLEASE reject this application!

[REDACTED]



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

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[REDACTED]

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**Subject:**

FW: Off Sales Licence - Cafe 'o' Clay - 122 Broomhill Rd

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**From:** [REDACTED]

**Sent:** 30 December 2014 13:39

**To:** Licensing

**Subject:** Off Sales Licence - Cafe 'o' Clay - 122 Broomhill Rd

FAO [REDACTED]

I would like to object to the potential granting of a licence to sell alcohol at the above premises. The original application for the premises to be used as a supermarket was refused by Aberdeen City Council but on appeal the Scottish Government allowed the application.

There is no doubt that the appeal, as presented by a Mr David Campbell, was riddled with untruths as was clearly demonstrated in the objection which I made at the time. Notwithstanding the position of local government, the numerous objections made by local residents and the flawed representations by the applicant, the Scottish Government granted consent.

It is not long ago that the core of the Scottish Government told us how important it is to devolve governmental functions to local bodies (essentially the Yes campaign in the September Referendum) but yet were quite happy to throw out this sentiment when flexing their own muscles and crushing the Aberdeen City Council's decision, a decision which coincided with wishes of the affected people – the residents of Aberdeen.

I had always thought that politicians were supposed to govern on behalf of the people whereas what we are seeing more and more is a tendency for politicians to want to govern the people.

This is now an opportunity for the Licensing Board to do its bit for democracy by making a decision representing the wishes of Aberdeen Council and the residents of the city.

On the immediate matter of alcohol sales, the area is already awash with off sale outlets and no more are needed. Off-sales outlets tend to be a magnet for young folk to gather and these groups can become a nuisance if their behaviour becomes anti-social which I gather is already an issue in the area known as the "woodies" which is a mere stone throw from the proposed development. The immediate area around the outlet is relatively quiet but this peace could come to a halt (a) if a supermarket opens and (b) worse still if it is selling cheap alcohol 'til 10 p.m.

Please, reject this license application.

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[REDACTED]

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**Subject:**

FW: For attention of [REDACTED] regarding 122 Broomhill Road

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**From:** [REDACTED]

**Sent:** 30 December 2014 23:47

**To:** Licensing

**Subject:** For attention of [REDACTED] regarding 122 Broomhill Road

Dear [REDACTED]

I am writing to lodge an objection to the application for an Off Sales Licence for the proposed supermarket development at 122 Broomhill Road, the former Cafe O'Clay location.

My objection rests upon the overprovision of licences premises in this area. Within 0.5miles of 122 Broomhill Road are:

*J & C Lynch 66 Broomhill Road*

Andrew J Leith 3 Forbesfield Road

Hammerton Store 336 Great Western Road

Spar 313 Holburn Street

Iceland 306/308 Holburn Street

Co-operative 219 Holburn Street

Tesco 207 Holburn Street

Sainsbury's 124-130 Holburn St

Between 0.5 and 1 mile from 122 Broomhill Road are:

Co-op 485 Great Western Road (0.7m)

Wine Raks 8 St Swithin Street (0.7m)

Sainsbury's 492 Union Street (0.8m)

Tesco 499 Union Street (0.8m)

Aberdeen Whisky Shop 474 Union St (0.8m)

Co-op 15-17 Fountainhall Rd (0.9m)

Fountainhall Wines Ltd 29 Fountainhall Rd (0.9m)

Just over a mile away are the superstores of Asda and Sainsbury's at Garthdee.

Given that all of these stores are within a mile of the proposed location – which is a residential street with a primary school – taking less than twenty minutes to walk to and 5 minutes to drive to, I feel that this areas is already vastly overserved by licensed premises and I object to the application for an off sales licence on grounds of overprovision.

Thank you for considering this objection, and I urge the licensing committee to vote against permitting an Off Sales Licence to the proposed supermarket development.

Yours sincerely,

A solid black rectangular box used to redact the signature of the objector.

**Subject:**

FW: [REDACTED] Application for Off Sales Licence for Proposed Supermarket development at 122 Broomhill Road, Aberdeen

**From:** [REDACTED]

**Sent:** 30 December 2014 23:51

**To:** Licensing

**Subject:** [REDACTED] Application for Off Sales Licence for Proposed Supermarket development at 122 Broomhill Road, Aberdeen

Dear Sirs,

Please record my objection to the application for an Off Sales Licence for the proposed supermarket at 122 Broomhill Road, Aberdeen.

In my opinion, there is already an over provision of outlets that offer alcohol off sales within easy walking, public transport and driving distance of this site. Namely:

- Independent retailers on Broomhill Road and Great Western Road
- Co-op, Iceland, Sainsburys, Spar and Tesco on Holburn Street
- Sainburys and Tesco at Holburn Junction
- Co-op and Tesco on Great Western Road in Mannofield
- ASDA and Sainsburys superstores at the Bridge of Dee

The area does not need yet another outlet with an Off Sales Licence.

[REDACTED]

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[Redacted]

**Subject:** FW: For attention of Ruth o'Hare, ACC licensing board

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**From:** [Redacted]  
**Sent:** 31 December 2014 07:40  
**To:** Licensing  
**Subject:** [Redacted]

I had previously submitted my opposition to the proposed supermarket development at 122 Broomhill Road. Although ACC chose to listen to the views of the local people, the Scottish Government overturned the decision made by ACC.

I would now like to submit my opposition to the granting of an off sales licence to the proposed supermarket. Broomhill Road is a residential area and already has one shop within close proximity to no. 122 which has an alcohol licence. Another facility is not required – particularly given that there are also a number of supermarkets very close by on Holburn Street which have alcohol licences.

Best regards,

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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[REDACTED]

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**Subject:** [REDACTED]

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**From:** [REDACTED]

**Sent:** 31 December 2014 08:52

**To:** Licensing

**Subject:** [REDACTED]

Hello there,

I want to object to the proposal of having a supermarket in my street.

I live in [REDACTED], a road which is too narrow to have cars parked on both sides.

Any time I return home whilst the Dog Training group is using the scout hut opposite my house, I can find nowhere to park. On these occasions I circle the block and discover that there are cars end to end in Salisbury, Pitstruan Place and Broomhill Road. I have no doubt that there will be an increase in traffic in our small street, if this goes ahead, which will make life difficult for the residents.

Why we need more outlets for booze is beyond me. When there is problem with alcoholism in this country making it more readily available seems to me to be anti social.

Surely another business which doesn't sell drink, or require lots of parking spaces could be found for this property.

Yours Faithfully,

[REDACTED]

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[REDACTED]

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**Subject:**

**FW: For att:** [REDACTED]

**From:** [REDACTED]

**Sent:** 31 December 2014 11:51

**To:** Licensing

**Subject:** For att: [REDACTED]

I am sending this email to you regarding the proposed development to Cafe o'Clay, 122 Broomhill Road. I would like to express my concern about the application for a license to sell alcohol from these premises between 10am and 10pm. There are many houses and flats in very close proximity to the premises, many having young children. There is already a shop nearby which sells alcohol, so I do not see any reason for another.

Also, as I expressed last time I emailed about the proposed development of these premises, the delivery vehicles will struggle to gain access to the rear of the building as the streets are tight as it is. The times of the deliveries also concern me, with noise and also with blocking the streets.

I hope you take all of my concerns and the concerns of others into consideration when the committee meet to discuss this.

Thanks,

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**Subject:**

FW: Off Sales Licence - 122 Broomhill Road

-----Original Message-----

**From:**

Sent: 31 December 2014 17:48

To: Licensing

Subject: Off Sales Licence - 122 Broomhill Road

I wish to express my displeasure of the proposed off sales licence being granted for these premises. We are well served in this area already with 4 supermarket outlets on nearby Holburn Street. Our local general store will also be affected by yet another bid chain outlet.

Broomhill Road is already an overcrowded residential route with double length buses and oversized lorries using it as a short cut through Aberdeen, when they should clearly be directed over Anderson Drive.

I look forward to your reply.

Regards,

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[REDACTED]

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**Subject:**

FW: Application for Off Sales Licence for the proposed supermarket development at 122 Broomhill Road

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**From:** [REDACTED]

**Sent:** [REDACTED]

**To:** Licensing

**Subject:** Application for Off Sales Licence for the proposed supermarket development at 122 Broomhill Road

**For att:** [REDACTED]

**Re:** Application for Off Sales Licence for the proposed supermarket development at 122 Broomhill Road

**Dear** [REDACTED]

My interest in this application is on the basis that I am currently a resident and homeowner at [REDACTED]

I wish to object to the granting of an Off Sales Licence for the proposed supermarket development at 122 Broomhill Road as I do not believe that this will promote the following licensing objectives:

1. The prevention of crime and disorder
2. Public safety
3. The prevention of nuisance
4. The protection of children from harm.

I am concerned about the impact on the Broomhill community, bearing in mind the residential nature of our neighbourhood. The granting of an Off Sales Licence has the potential to increase, rather than reduce, the misuse and abuse of alcohol. There are already frequent reports of attempted break-ins in the area, with my own property being one of those most recently targeted. There are also two dark back lanes leading off Pitstruan Terrace, which I feel could become prone to loitering and associated antisocial behaviour, crime and public nuisance. Additionally, the proximity to Broomhill Primary School, Ruthrieston Outdoor Sports Centre and Holburn West Church should be borne in mind when considering this application.

Furthermore, I am dismayed that following refusal of the planning application by Aberdeen City Council, the Scottish Government saw fit to grant on appeal without consultation of local residents, many of whom object to the proposed supermarket development. Aside from the effects of alcohol abuse and antisocial behaviour, I am also concerned by the impact the development would have on local traffic and resident's parking in what is already a congested neighbourhood. Furthermore, I am concerned by the noise impact due to store deliveries early in the morning and late at night, having been unfortunate enough to witness this at a previous address.

I sincerely hope that the wish of the local residents and the wider community will be considered and the application refused.

With kind regards,

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**From:** [Redacted]  
**Sent:** 23 December 2014 18:36  
**To:** Licensing  
**Subject:** Proposed supermarket development at 122 Broomhill Road Aberdeen

I refer to the above development re application for a off sales Licence .There is a primary school about 150 yards from these premises, and an existing licensed grocer's shop within 200 yards. I do not consider it is advisable to add yet another supermarket supplying alcohol where young children are passing through every weekday. There are already five supermarkets within our area in Holburn Street all licensed. I live five minutes away from the school and on the bus route to Garthdee. At weekends especially there are quite enough passers by under the influence of drink already.

If this request is passed it will be glaringly obvious that the council has no intention of attempting any reduction in the consumption of alcohol in our city.

I objected to the passing by the Scottish Govt for permission for the supermarket and I strongly object to the granting of an off sales licence.



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[REDACTED]

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**Subject:**

FW: For att [REDACTED]

-----Original Message-----

**From:** [REDACTED]

**Sent:** 27 December 2014 13:44

**To:** Licensing

**Subject:** For att: [REDACTED]

Regarding the application for permit to sell alcohol from premises previously known as Cafe I' Clay I am not in favour. There are three Supermarkets already in this area, also smaller outlets in Broomhill road and surrounding streets. Although not such a problem at present the discarding of cans and bottles still exists. easy availability of alcohol remains a health problem for all of society and discouragement is not aided by increasing outlets of sale.

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Legal and Democratic Services

Aberdeen City Council,

ABERDEEN.

24/12/2014

Dear Sirs,

I understand that the Co-operative Group Food Ltd. have once again applied for a licence to sell alcohol and offering recorded music at 122/124 Broomhill Road.

I am most concerned about the effects this application would have if granted. The grounds of my concerns are as follows.

Parking in this area is limited. Often it is not possible to find a parking space nearby. If the application is granted there will be four less spaces. Staff working until 10pm may well require a car.

Many customers will want to come by car. They will find it difficult to find a space where they can park legally. The constant coming and going which is necessary if this is to be a viable concern, will make it difficult for other traffic. Broomhill Road is a 'bus route

Others may come by bicycle, which would make difficulties for primary school children walking to or from school along Broomhill or coming from Abergeldie Road. The increased traffic would affect both children and elderly or infirm residents in Broomhill Road

Deliveries to the premises could be problematic requiring delivery vehicles to get from Broomhill Road into Salisbury Terrace or Pitstruan Road. Large vans would find this difficult. Just before the last appeal a large vehicle knocked the pillar box down when attempting to enter Salisbury Terrace. Parked cars would make it equally difficult to enter from Great Western Road. Delivery vehicles in Pitstruan Terrace could be hazardous for the young children walking to school or using it as a comparatively safe area to cycle or play.

I am distressed to note that they propose staying open until 10 p.m. Monday to Sunday. Music and traffic noise at that hour would be disturbing for children and others trying to get to sleep.

There are many outlets for the sale of alcohol within a short distance. There is a licensed grocer in Broomhill Road only two streets away.

This is predominantly a residential area. The value of property in the area could well be affected.


This licence would affect people over a much wider area than the people living next door to 122/124 Broomhill Road.

Yours Faithfully,



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21<sup>st</sup> December 2014

  
Business Hub 6, Level 1 South  
Marischal College,  
Broad Street  
Aberdeen  
AB10 1AB

Dear 

**Ref: Objection to Proposed Supermarket Development: Café O'Clay,  
122 Broomhill Road, Aberdeen.**

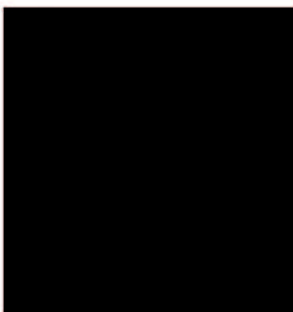
I am not surprised that our Government has over ruled our City Father's decision to refuse the above application, considering the corruption that is regularly reported involving the Retail Lobby and Politicians, but I am sure that common sense will prevail, when our licensing board deliberates on the Co-operative's application for an off sales licence to permit them with their proposed supermarket in our quiet residential area.

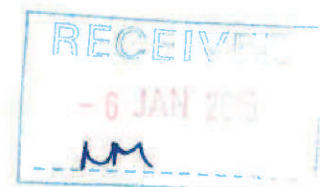
I have spoken with many of the residents in the streets surrounding the locus of the development and without exception all object, many are formally writing with their objections, whilst others indicate that because of the time of year they are too busy to take the time to write.

I would respectfully request that the Licensing Committee takes note of this formal objection and that we have already got two Licensed Grocers, one Public House and two Licensed Hotels within spitting distance of the development and granting of this application will only squeeze the life blood from these existing small businesses. This along with the added damage to already substandard narrow roads surrounding the locus and the disruption to traffic that will be caused by the numerous articulated heavy goods vehicles delivering to the supermarket and customers vehicles trying to park in an area that is already at bursting point with parked vehicles.

The residents in the area are against this application and should be listened to. Please take the right decision and consign this application to the dustbin where it belongs.

Yours sincerely





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[REDACTED]

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**From:** [REDACTED]  
**Sent:** 15 December 2014 13:33  
**To:** Licensing  
**Subject:** Proposed supermarket

We are strongly against this latest development regarding the supermarket and sincerely hope it doesn't get the approval.

[REDACTED]

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[REDACTED]

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**Subject:**

FW: Attn [REDACTED] proposed Supermarket Cafe O Clay, 122 Broomhill Road.

**From:** [REDACTED]

**Sent:** 31 December 2014 15:14

**To:** Licensing

**Cc:** [REDACTED]

**Subject:** Att [REDACTED] proposed Supermarket Cafe O Clay, 122 Broomhill Road.

Hello.

I am writing to express my concern about the proposal to develop the Cafe O Clay site into a supermarket. The area is already well served by the existing small shops and a supermarket will not improve things, I think it will be the opposite and force the closure of these shops.

We do not need another Off Sales shop in the area, the existing ones are adequate.

Also of concern, is the impact of traffic on an already busy road that has a primary school not far from the site. I cannot see the safety of children being improved by allowing a supermarket / off licence to be situated in this location.

Please do not allow this development to proceed.

Best regards.

[REDACTED]

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[REDACTED]

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**From:** [REDACTED]  
**Sent:** 13 December 2014 12:29  
**To:** Licensing  
**Subject:** Proposed supermarket development

Good Morning

I had previously welcomed the council decision to refuse planning permission for the proposed supermarket development at 122 Broomhill Road, only for Edinburgh to overturn the decision on appeal. So much for local authority ! Recently we have learned that there is now an application for a alcohol licence pending. Do the right thing and refuse the application. There are many reasons for refusing and we have 2 huge supermarkets in the area and a number of smaller ones, all selling alcohol, why do we need another ?

[REDACTED]

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**Subject:**

FW: Off sales - 122 - 124 Broomhill Road

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**From:** [REDACTED]

**Sent:** 31 December 2014 21:34

**To:** Licensing

**Subject:** Off sales - 122 - 124 Broomhill Road

Dear [REDACTED]

Re: Scottish Co-op , [122-124 Broomhill Road](#) , Aberdeen  
Off sales

Further to the recent planning application I would like to object to a license being granted due to the following issues;

The property is located in a very quiet residential area.

The property is close to a busy Primary School - Broomhill Primary.

The sales of alcohol from such outlets has been proven to increase unsociable behaviour, noise and litter in the vicinity.

There are adequate shops/pubs located within the area, there is no need for another shop selling alcohol.

Since the last application the Great Western Hotel increased its capacity by adding an extra floor of bedrooms, resulting in an increase in on street parking clearly evident on both sides of the street. There has been further development of Ashley Lodge (previously a Church of Scotland care home) where new flats are complete, again this has been since the last application was refused. This is all increasing the residential nature of the area and decreasing the appropriateness of the site for retail.

The application had been refused by Aberdeen City council planning due to the narrowness of the streets and this is only becoming more congested. People buying alcohol from this premises will be depriving local residents of the much needed car parking spaces, this increasing the inappropriate locale for a local shop.

I believe that this application should be refused a liquor licence again. It is clear that the Co-op need this licence before it will proceed with taking on this development, a clear admission that without this licence their planning application is worthless.

Kind regards

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## ABERDEEN CITY LICENSING BOARD

Meeting 6 October 2015 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen, AB10 1AB

### Licensing (Scotland) Act 2005

New Grant(s)	Premises	Applicant	Date Received	Comments
1	COCOA OOZE 24/28 BELMONT STREET ABERDEEN AB10 1JH	JAMIE WILLIAM HUTCHEON C/O THE COMMERCIAL LAW PRACTICE SOLICITORS COMMERCIAL HOUSE 2 RUBISLAW TERRACE ABERDEEN AB10 1XE	17 July 2015	Coffee shop, bistro and chocolatiers with chocolate making workshop facility which is seeking both on and off sales. Conference and restaurant facilities, receptions club and other meetings. Chocolate making workshops are to be held on the premises. Children and young persons will be allowed on the premises for the purposes of having a meal, participating in workshops etc.

**ABERDEEN CITY LICENSING BOARD**

**Meeting 6 October 2015 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen, AB10 1AB**

**Licensing (Scotland) Act 2005**

<b>Provisional(s)</b>	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
2	ANGUS AND ALE 55 SCHOOLHILL ABERDEEN AB10 1JT	MARK JAMES CAVANAGH C/O PETERKINS SOLICITORS 100 UNION STREET ABERDEEN AB10 1QR	22 July 2015	Restaurant seeking on sales 11:00 to 23:00 hours daily for the sale of wines and beers. Receptions and club meetings. Take-away food will also be available. Children and young persons will be allowed entry at all times the premises is open if accompanied by an adult.
3	R.S. MCCOLL'S 2-4 BALGOWNIE CRESCENT BRIDGE OF DON ABERDEEN AB23 8ER	MARTIN MCCOLL LIMITED C/O DWF LLP SOLICITORS 5 ST PAUL'S SQUARE OLD HALL STREET LIVERPOOL L3 9AE	9 June 2015	Off sales 10:00 to 22:00 hours daily with recorded music.
4	R.S. MCCOLL'S 207A UNION STREET ABERDEEN AB11 6BA	MARTIN MCCOLL LIMITED C/O DWF LLP SOLICITORS 5 ST PAUL'S SQUARE OLD HALL STREET LIVERPOOL L3 9AE	9 June 2015	Off sales 10:00 to 22:00 hours daily with recorded music.



**ABERDEEN CITY LICENSING BOARD**

**Meeting 6 October 2015 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen, AB10 1AB**

**Licensing (Scotland) Act 2005**

<b>Variation (Major)(s)</b>	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
5	MUSA 33 EXCHANGE STREET ABERDEEN AB11 6PH	MUSA 77 LIMITED	15 June 2015	Amend the core hours for on-sales to 11:00 -01:00 hours daily.
6	WINE RAKS 8 ST SWITHIN STREET ABERDEEN AB10 6XD	WINE RAKS (SCOTLAND) LTD C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	25 June 2015	Increase capacity from 54sq mtrs to 76.14 sq mtrs
	BORSALINO RESTAURANT 337 NORTH DEESIDE ROAD PETERCULTER ABERDEEN AB14 0NA	FRANCO BALSAMO C/O RAEBURN CHRISTIE CLARK & WALLACE SOLICITORS 12-16 ALBYN PLACE ABERDEEN AB10 1PS	17 July 2015	Add off sales 11:00 to 22:00 hours Monday to Saturday and 12:30 to 22:00 hours Sunday. Extend the upper restaurant area by adding a conservatory. The lower level is to become a bottle shop for wines, beers and spirits, and there is also the addition of live performances both during and outwith core hours.
8	O'NEILLS (GROUND FLOOR) 9 BACK WYND ABERDEEN AB10 1JP	MITCHELLS & BUTLERS RETAIL LTD C/O HILL BROWN SOLICITORS 3 NEWTON PLACE GLASGOW G3 7PU	11 May 2015	Allow children and young persons entry to the premises until 20:0 hours for the purpose of consuming a meal when supervised by an adult.

**ABERDEEN CITY LICENSING BOARD**

**Meeting 6 October 2015 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen, AB10 1AB**

**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
9 CO-OPERATIVE GROUP FOOD LIMITED LEWIS ROAD SHEDDOCKSLEY ABERDEEN AB16 6TU	CO-OPERATIVE GROUP FOOD LIMITED C/O THO & J W BARTY SOLICITORS 61 HIGH STREET DUNBLANE FK15 0EH	27 July 2015	Change of layout increasing the area used for displaying alcohol.
GHILLIES LAIR GREAT SOUTHERN ROAD INVERDEE ABERDEEN AB12 5XA	MITCHELLS & BUTLERS RETAIL LTD C/O HILL BROWN SOLICITORS 3 NEWTON PLACE GLASGOW G3 7PU	27 July 2015	Variation seeking to include the external area within the licensed area, add outdoor drinking to the operating plan and allow children and young persons access to the external area to 20:00 hours.
11 LIDL UK GMBH INVERURIE ROAD BUCKSBURN ABERDEEN AB21 9LZ	LIDL UK GMBH C/O LIDL UK GMBH LICENSING DEPARTMENT LOCKING CASTLE BUSINESS PARK WEST WICK WESTON SUPER MARE BS24 7TG	17 July 2015	The variation is seeking to increase the alcohol display area for theme weeks such as Italian week, French week etc. Outwith these weeks the increased display area would be used to merchandise premium wines.

**ABERDEEN CITY LICENSING BOARD**

**Meeting 6 October 2015 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen, AB10 1AB**

**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
12 LIDL UK GMBH WELLINGTON ROAD ABERDEEN AB12 3DN	LIDL UK GMBH C/O LIDL UK GMBH LICENSING DEPARTMENT LOCKING CASTLE BUSINESS PARK WEST WICK WESTON SUPER MARE BS24 7TG	3 August 2015	The variation is seeking to increase the alcohol display area for theme weeks such as Italian week, French week etc. Outwith these weeks the increased display area would be used to merchandise premium wines.
LIDL UK GMBH LANG STRACHT ABERDEEN AB15 6HY	LIDL UK GMBH C/O LIDL UK GMBH LICENSING DEPARTMENT LOCKING CASTLE BUSINESS PARK WEST WICK WESTON SUPER MARE BS24 7TG	3 August 2015	The variation is seeking to increase the alcohol display area for theme weeks such as Italian week, French week etc. Outwith these weeks the increased display area would be used to merchandise premium wines.
14 MILL OF MUNDURNO MURCAR BRIDGE OF DON ABERDEEN AB23 8BP	WHITBREAD GROUP PLC C/O JOHN GAUNT & PARTNERS OMEGA COURT 372-374 CEMETERY ROAD SHEFFIELD S11 8FT	24 June 2015	Extend the licensed area to include 22 additional bedrooms and allow non-residents access to the premises from 06:30 (currently 07:00) so as to facilitate the provision of breakfasts .

**ABERDEEN CITY LICENSING BOARD**

**Meeting 6 October 2015 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen, AB10 1AB**

**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
15 PREMIER INN ARGYLL WAY ABERDEEN AIRPORT ABERDEEN AB21 0AF	WHITBREAD GROUP PLC C/O JOHN GAUNT & PARTNERS OMEGA COURT 372-374 CEMETERY ROAD SHEFFIELD S11 8FT	1 July 2015	Variation seeking an increase to the hotel accommodation with the creation of an additional 124 bedrooms. This is to be done by way of a new annex which will impact upon the layout of the existing ground floor. The current restaurant will be enhanced to produce 60 extra covers and the lobby will be reconfigured

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**ABERDEEN CITY LICENSING BOARD**

**Meeting 6 October 2015 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen, AB10 1AB**

**Licensing (Scotland) Act 2005**

<b>Personal Licence(s) Applicant</b>	<b>Date Received</b>	<b>Comments</b>
16 GEORGE SCOTT	21 May 2015	
17 JULIE WILLIAMSON	11 June 2015	
18 GRANT BRUCE	15 May 2015	

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## LICENSING BOARD INFORMATION SHEET

### TYPE OF APPLICATION: PREMISES LICENCE

**PREMISES:** COCOA OOZE, 24-28 BELMONT STREET, ABERDEEN

### DESCRIPTION

- Coffee shop, bistro and chocolatiers with on site chocolate making workshop facility
- On sales from 11:00 hours to 23:00 hours Monday to Saturday and 12:30 to 23:00 hours Sundays
- Off sales 11:00 to 22:00 hours daily
- Provision of conference facilities, receptions and workshop meetings which may commence before the commencement hour for the sale of alcohol
- Recorded and live music
- Children and young persons will be allowed entry until 20:00 hours; those unaccompanied by an adult will be monitored by staff. Young persons will be allowed entry from 20:00 to 23:00 hours when accompanied by an adult.
- Children and young persons will not be permitted to sit at tables near the servery.

### OBJECTIONS/REPRESENTATIONS

None

### LICENSING POLICY STATEMENT

#### 6 CONDITIONS ATTACHING TO LICENCES

6.5 The Board has devised a number of local conditions which may be attached to premises licences.

#### **Drugs Policy**

It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises.

**The applicant has agreed to the imposition of a local condition in respect of the drugs policy.**

#### LICENSING OBJECTIVE – PROTECTING CHILDREN FROM HARM

28.1 The Board wishes to see child safe premises thriving in the city. It welcomes applications from those who wish to operate licensed premises which accommodate children and families. In determining any such application the risk of harm to children will be paramount.

28.2 Where applicants wish to operate such premises, the Board expects them to appreciate that this places additional responsibilities upon them at the same time as recognising that parents and other adults accompanying children also have responsibilities.



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISES:** ANGUS AND ALE, 55 SCHOOLHILL, ABERDEEN

### DESCRIPTION

- Restaurant seeking on sales from 11:00 hours to 23:00 hours daily for sale of wine and beer
- Food take away facility
- Receptions and club or other group meetings
- Recorded music
- Children and young persons will be allowed entry if accompanied by an adult, at all times the premises is open

### OBJECTIONS/REPRESENTATIONS

None

### LICENSING POLICY STATEMENT

#### 6 CONDITIONS ATTACHING TO LICENCES

6.5 The Board has devised a number of local conditions which may be attached to premises licences.

#### **Drugs Policy**

It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises.

**The applicant has agreed to the imposition of a local condition in respect of the drugs policy.**

#### LICENSING OBJECTIVE – PROTECTING CHILDREN FROM HARM

28.1 The Board wishes to see child safe premises thriving in the city. It welcomes applications from those who wish to operate licensed premises which accommodate children and families. In determining any such application the risk of harm to children will be paramount.

28.2 Where applicants wish to operate such premises, the Board expects them to appreciate that this places additional responsibilities upon them at the same time as recognising that parents and other adults accompanying children also have responsibilities.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISES:** RS MCCOLL'S, 2-4 BALGOWNIE CRESCENT

### DESCRIPTION

- Retail shop
- Off sales 10:00 to 22:00 daily

### OBJECTIONS/REPRESENTATIONS

- Police Scotland
- NHS Grampian

### LICENSING POLICY STATEMENT

Paragraph 6 – Conditions Attaching to Licences

6.5 The Board has devised a number of local conditions that may be attached to premises licences.

1. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

#### CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy. (all off-sales are however exempt from 4.2 relating to lip sync capability at entrance and exit doors)

Paragraph 9- Overprovision

9.8 OFF SALES:

.....

The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board).

**Having excluded these two localities, the Board identified the rest of its area as a locality which has overprovision of off sales premises.** The Board, having

regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.

27 July 2015

Your Ref:

Our Ref: AD/DASU/SID43462/0621/15

Mr Eric W J Anderson  
Team Leader (Team Three)  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6  
Level 1 South  
Marischal College  
Broad Street  
ABERDEEN  
AB10 1AB



Sir Stephen House QPM  
Chief Constable

Aberdeen City Division  
Queen Street  
Aberdeen  
AB10 1ZA

01224 306472

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF  
A PROVISIONAL PREMISES LICENCE  
R S MCCOLL'S, 2 - 4 BALGOWNIE CRESCENT, ABERDEEN, AB23 8ER  
MARTIN MCCOLL LTD, MCCOLL'S HOUSE, ASHWELLS ROAD,  
BRENTWOOD, ESSEX, CM15 9ST**

I refer to the above application and in terms of Section 21(4)(b)(i) of the Licensing (Scotland) Act 2005, I have to advise you that the applicant has been convicted of the following relevant offences.

<b>Date</b>	<b>Court</b>	<b>Crime/Offence</b>	<b>Disposal</b>
01/05/2012	Bodmin Magistrates Court	Health and Safety at Work x 8	Fines totalling £25,000.
01/10/2012	West Hampshire Magistrates Court	Offences under the Regulatory Reform (Fire Safety) Order 2005 x 5	Fines totalling £17,500.
26/06/2014	Suffolk Magistrates Court	Underage sales of alcohol x 2, and x 1	Fined £13,500

**NOT PROTECTIVELY MARKED**

The applicant seeks to obtain a premises licence for an existing premises located in Aberdeen.

In terms of Section 22(1)(b)(ii) of the Licensing (Scotland) Act 2005, the Chief Constable wishes to draw the Board's attention to the fact that the applicant premises are situated within the 'Off Sales' overprovision area, as detailed within 2013- 2016 Aberdeen City Licensing Board Statement of Licensing Policy, which was established following consultation with, amongst others, the Health Board and the Police Service of Scotland; and accordingly, makes representation in respect of the application.

Yours faithfully

Murray Main  
Chief Inspector

Date 6<sup>th</sup> August 2015  
Enquiries to 01224 557047  
Our Ref 20151094  
Email: [grampian.healthprotection@nhs.net](mailto:grampian.healthprotection@nhs.net)

Eric Anderson  
Solicitor  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6, Level 1 South,  
Marischal College, Broad Street  
Aberdeen AB10 1AB

Dear Mr Anderson

**Licensing (Scotland) Act 2005 – Application for a Premises Licence  
R S McColl, 2 – 4 Balgownie Crescent, Bridge of Don, Aberdeen, AB23 8ER**

I refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following objection under the licensing objective:

**Protecting and Improving Public Health.**

The applicant seeks to apply for a premises licence for the property at 2 – 4 Balgownie Crescent, Bridge of Don, Aberdeen, AB23 8ER

This objection will focus on the following points:

1. Evidence with regard to overprovision.
2. Distance between existing off sales premises in the area.
3. Hospital admission rates for wholly attributable alcohol- related conditions.
4. Comparison of alcohol related death rates.
5. Appendix 1 – map of alcohol off sales licensed premises for Aberdeen City
6. Appendix 2 – major disease and injury categories causally linked to alcohol

**1. Evidence with regard to overprovision**

The Aberdeen City Alcohol Licensing Board published their Statement of Licensing Policy in November 2013. Under Section 7 of the Licensing (Scotland) Act 2005, the Licensing Board were unanimous in the declaration of the whole of the Board area as overprovided for in terms of off-sales with the exception of two localities – Anguston and Kirkhill. This overprovision assessment was taken after considering the detailed analytical evidence from both NHS Grampian and Police Scotland.

The application for 2 – 4 Balgownie Crescent, Bridge of Don, Aberdeen is within the area defined by the Board as overprovided for in terms of off-sales - Section 9.8 of the Aberdeen Statement of Licensing Policy 2013-2016:

*Having excluded these two localities (Anguston and Kirkhill), the Board identified the rest of its area as a locality which has overprovision of off sales premises.*

NHS Grampian supported the Board’s decision with density maps and data during the Statement of Licensing Policy consultation. Below is the compelling density data for Aberdeen. The density 1k buffer map is attached as appendix 1.

	Total licensed premises	On-sales premises	Off-sales premises	% population 18+ residing within 1 km off-sales	% population 18+ residing within 500 m off-sales
<b>Aberdeen City at Dec 2012</b>	<b>635</b>	<b>447</b>	<b>188</b>	<b>96%</b>	<b>84%</b>

There is a strong relationship between the availability of alcohol leading to over consumption resulting in health harm.

NHS Grampian provided evidence during the consultation demonstrating the link between provision of premises and increased consumption leading to alcohol related health harm. The World Health Organisation has reported on major disease and injury categories causally impacted by alcohol consumption. These are presented in appendix 2. The World Cancer Report cites alcohol as a considerable contributor in preventable illness and disease<sup>1</sup>.

Research published on the 7<sup>th</sup> October 2014 has strengthened the relationship between off sales density and greater alcohol related deaths. This research identified that neighbourhoods in Scotland with the most licensed premises have alcohol related death rates more than double those in neighbourhoods with the fewest licensed premises. One of the key findings from this research is that each increase in outlet availability was associated with a higher alcohol-related death rate.<sup>2</sup>

<sup>1</sup> <http://www.iarc.fr/en/publications/books/wcr/wcr-order.php>

<sup>2</sup> <http://www.alcohol-focus-scotland.org.uk/media/89684/cresh-research-alcohol-outlets-and-health.pdf>



## 2. Distance between existing off sales premises in the area.

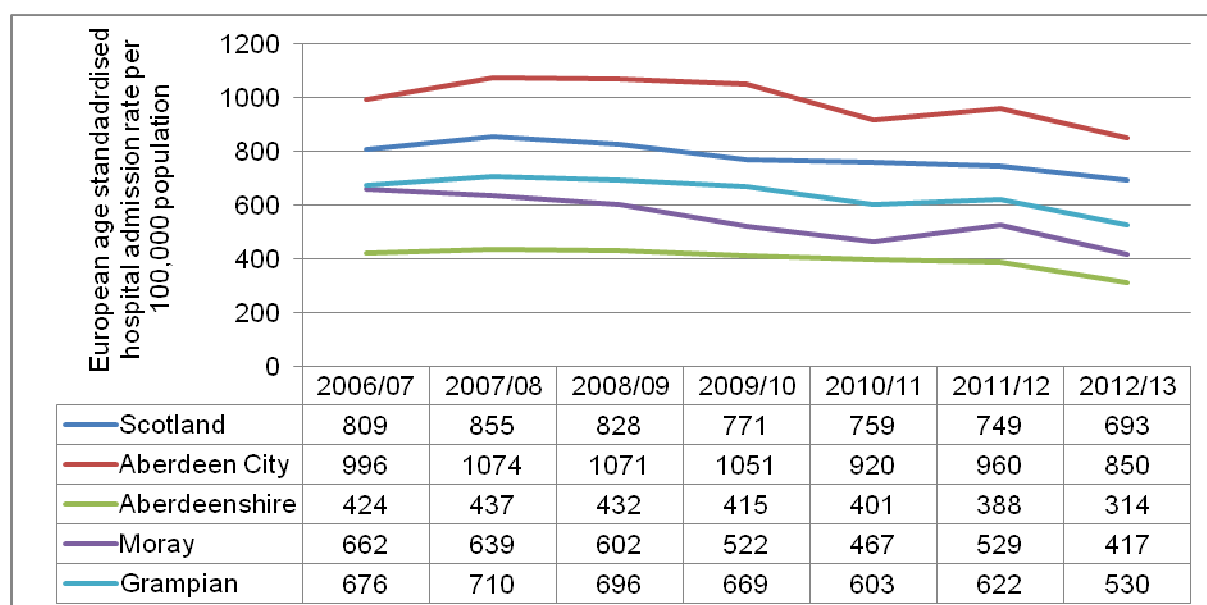
The information below clearly illustrates the close proximity of existing off sales premises.

Address	Distance from 2 – 4 Balgownie Cresc	Walking time from 2 – 4 Balgownie Cresc
*The Co-op, 21 Scotstown Road	0.80 km	9.20 minutes
Duncans, 25 Scotstown Road	0.80 km	9.20 minute
*Icon Stores, 6 Scotstown Road	0.72km	8.27 minutes

\*Store selling alcohol from 10am until 10pm including Sundays

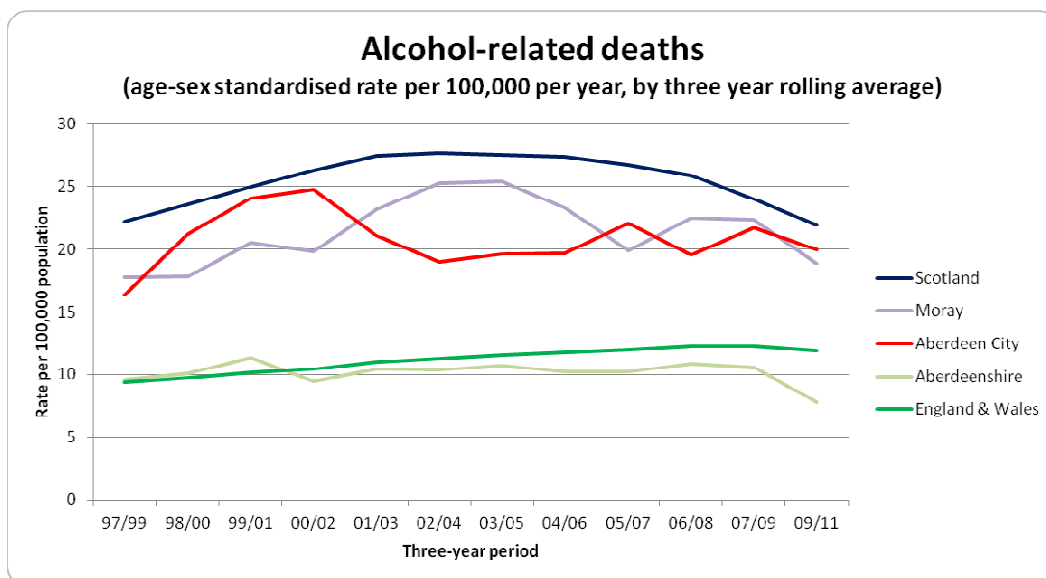
## 3. Hospital admission rates for wholly attributable alcohol- related conditions.

Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City's admission rate remains significantly higher than Aberdeenshire or Moray.



#### 4. Comparison of alcohol related death rates.

The graph below illustrates death rates as reported by Scottish Public Health Observatory (ScotPHO<sup>3</sup>) using GROS data (General Register Office for Scotland). Aberdeen City's rate has remained essentially stable, in contrast to Scotland's falling rate.



The chart above illustrates the three year rolling average for alcohol related deaths with the most recent period shown being 2009 - 2011.

#### Alcohol related deaths 2011 - 2013<sup>4</sup>

Year	Aberdeen	Abnshire	Moray	Scotland
2011	33	22	19	1247
2012	38	25	21	1080
2013	42	23	22	1100

In Scotland, alcohol-related death rates have fallen by 35% since 2003 but remain 1.4 times higher than in 1981. Alcohol related death in Scotland is still among the highest in Western and Central Europe. Similarly, the alcohol-related new patient (hospitalisation) rate fell by 25% since 2007/8, however, the rate was still 1.3 times higher in 2013/14 than in 1991/92<sup>5</sup>.

<sup>3</sup> <http://www.scotpho.org.uk/>

<sup>4</sup> <http://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-related-deaths/tables>

<sup>5</sup> <http://www.healthscotland.com/documents/24485.aspx>

There is nothing in the application which demonstrates that this license should be approved and no automatic assumption that a licence application in these circumstances should be granted.

For these reasons, and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian objects to the application as the granting of it would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health.

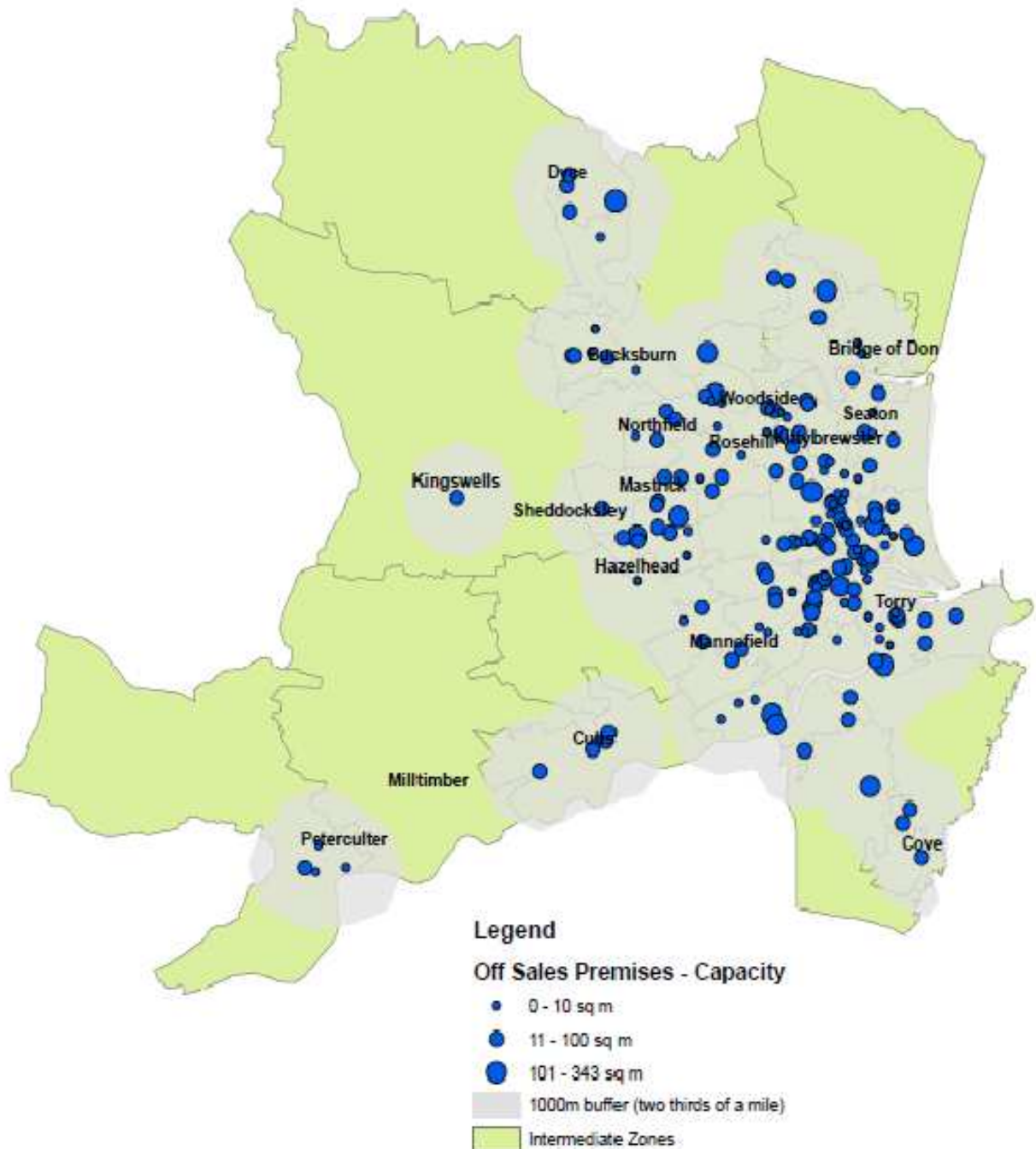
Yours sincerely

Dr Karen Foster  
Consultant in Public Health

pp Heather Wilson  
Health Improvement Officer (Alcohol & Drugs)  
**Appendix 1**

# Aberdeen City Alcohol Off Sales Licensed Premises (188)

(1000m buffer)



Based on general practice registration of Abn City residents at April 2012  
192,500 = 18 years and over population  
185,600 = 18 years and over live within 1000 metres of an off-sales premises  
96% = percentage of residents live within 1000 metres of an off sales premises

**Box 3. Major disease and injury categories causally impacted by alcohol consumption.**  
(Excerpt from “World Health Organisation - Global status report on alcohol and health 2014”)<sup>6</sup>

**Green:** Overall beneficial effects from low-risk patterns of drinking, while heavy drinking is detrimental

**Red:** 100% alcohol- attributable

**Neuropsychiatric conditions:** **alcohol use disorders** (AUDs see Box 4) are the most important neuropsychiatric conditions caused by alcohol consumption. Epilepsy is another disease causally impacted by alcohol, over and above withdrawal-induced seizures (Samokhvalov et al., 2010b). Alcohol consumption is associated with many other neuropsychiatric conditions, such as depression or anxiety disorders (Kessler, 2004; Boden and Fergusson, 2011) but the complexity of the pathways of these associations currently prevents their inclusion in the estimates of alcohol-attributable disease burden (Rehm et al., 2010a).

**Gastrointestinal diseases:** liver cirrhosis (Rehm et al., 2010b) and pancreatitis (both acute and chronic; Irving et al., 2009) are causally related to alcohol consumption. Higher levels of alcohol consumption create an exponential increase in risk. The impact of alcohol is so important that for both disease categories there are subcategories which are labelled as “alcoholic” or “alcohol-induced” in the ICD.

**Cancers:** alcohol consumption has been identified as carcinogenic for the following cancer categories (International Agency for Research on Cancer, 2012) cancer of the mouth, nasopharynx, other pharynx and oropharynx, laryngeal cancer, oesophageal cancer, colon and rectum cancer, liver cancer and female breast cancer. In addition, alcohol consumption is likely to cause pancreatic cancer. The higher the consumption, the greater the risk for these cancers, with consumption as low as one drink per day causing significantly increased risk for some cancers, such as female breast cancer (Seitz et al., Rehm & Shield, 2013; Nelson et al., 2013).

**Intentional injuries:** alcohol consumption, especially heavy drinking, has been causally linked to suicide and violence (Cherpitel, 2013; Macdonald et al., 2013).

**Unintentional injuries:** almost all categories of unintentional injuries are impacted by alcohol consumption. The effect is strongly linked to the alcohol concentration in the blood and the resulting effects on psychomotor abilities. Higher levels of alcohol consumption create an exponential increase in risk (Taylor et al., 2010).

**Cardiovascular diseases (CVD):** the relationship between alcohol consumption and cardiovascular diseases is complex. The beneficial cardioprotective effect of relatively low levels of drinking for **ischaemic heart disease and ischaemic stroke** disappears with heavy drinking occasions. Moreover, alcohol consumption has detrimental effects on hypertension, atrial fibrillation and haemorrhagic stroke, regardless of the drinking pattern (Roerecke & Rehm, 2012).

**Fetal alcohol syndrome (FAS) and preterm birth complications:** alcohol consumption by an expectant mother may cause these conditions that are detrimental to the health of a newborn infant (Foltran et al., 2011).

**Diabetes mellitus:** a dual relationship exists, whereby a low risk pattern of drinking may be beneficial while heavy drinking is detrimental (Baliunas et al., 2009).

**Infectious diseases:** harmful use of alcohol weakens the immune system thus enabling development of pneumonia and tuberculosis. This effect is markedly more pronounced when associated with heavy drinking and there may be a threshold effect, meaning that disease symptoms manifest mainly if a person drinks above a certain level of heavy drinking (Lonnroth et al., 2008).

<sup>6</sup> [http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763\\_eng.pdf?ua=1](http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763_eng.pdf?ua=1)

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISES:** RS MCCOLL'S, 207a UNION STREET

### DESCRIPTION

- Retail shop
- Off sales 10:00 to 22:00 daily

### OBJECTIONS/REPRESENTATIONS

- Police Scotland
- NHS Grampian
- Central North GP Practices

### LICENSING POLICY STATEMENT

Paragraph 6 – Conditions Attaching to Licences

6.5 The Board has devised a number of local conditions that may be attached to premises licences.

1. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

#### CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy. (all off-sales are however exempt from 4.2 relating to lip sync capability at entrance and exit doors)

Paragraph 9- Overprovision

9.8 OFF SALES:

.....

The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board).

**Having excluded these two localities, the Board identified the rest of its area as**

**a locality which has overprovision of off sales premises.** The Board, having regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.



27 July 2015

Your Ref:

Our Ref: AD/DASU/SID43473/0621/15

Mr Eric W J Anderson  
Team Leader (Team Three)  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6  
Level 1 South  
Marischal College  
Broad Street  
ABERDEEN  
AB10 1AB



Sir Stephen House QPM  
Chief Constable

Aberdeen City Division  
Queen Street  
Aberdeen  
AB10 1ZA

01224 306472

FOR THE ATTENTION OF MR ERIC ANDERSON

Dear Sir

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF  
A PROVISIONAL PREMISES LICENCE  
R S MCCOLL'S, 207A UNION STREET, ABERDEEN, AB11 6BA  
MARTIN MCCOLL LTD, MCCOLL'S HOUSE, ASHWELLS ROAD,  
BRENTWOOD, ESSEX, CM15 9ST**

I refer to the above application and in terms of Section 21(4)(b)(i) of the Licensing (Scotland) Act 2005, I have to advise you that the applicant has been convicted of the following relevant offence(s).

<b>Date</b>	<b>Court</b>	<b>Crime/Offence</b>	<b>Disposal</b>
01/05/2012	Bodmin Magistrates Court	Health and Safety at Work x 8	Fines totalling £25,000.
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26/06/2014	Suffolk Magistrates Court	Underage sales of alcohol x 2, and x 1	Fined £13,500

**NOT PROTECTIVELY MARKED**

The applicant seeks to obtain a premises licence for an existing premises located in Aberdeen.

In terms of Section 22(1)(b)(ii) of the Licensing (Scotland) Act 2005, the Chief Constable wishes to draw the Board's attention to the fact that the applicant premises are situated within the 'Off Sales' overprovision area, as detailed within 2013- 2016 Aberdeen City Licensing Board Statement of Licensing Policy, and which was established following consultation with, amongst others, the Health Board and the Police Service of Scotland; and accordingly, makes representation in respect of the application.

Yours faithfully

Murray Main  
Chief Inspector

**NOT PROTECTIVELY MARKED**

Date 6<sup>th</sup> August 2015  
Enquiries to 01224 557047  
Our Ref 20151096  
Email: [grampian.healthprotection@nhs.net](mailto:grampian.healthprotection@nhs.net)

Eric Anderson  
Solicitor  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6, Level 1 South,  
Marischal College, Broad Street  
Aberdeen AB10 1AB

Dear Mr Anderson

**Licensing (Scotland) Act 2005 – Application for a Premises Licence  
R S McColl, 207 Union Street, Aberdeen, AB11 6BA**

I refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following objection under the licensing objective:

**Protecting and Improving Public Health.**

The applicant seeks to apply for a premises licence for the property at 207 Union Street, Aberdeen, AB11 6BA

This objection will focus on the following points:

1. Evidence with regard to overprovision.
2. Distance between existing off sales premises in the area.
3. Hospital admission rates for wholly attributable alcohol- related conditions.
4. Comparison of alcohol related death rates.
5. Referrals to Integrated Alcohol Service, Aberdeen
6. Appendix 1 – map of alcohol off sales licensed premises for Aberdeen City
7. Appendix 2 – major disease and injury categories causally linked to alcohol

**1. Evidence with regard to overprovision**

The Aberdeen City Alcohol Licensing Board published their Statement of Licensing Policy in November 2013. Under Section 7 of the Licensing (Scotland) Act 2005, the Licensing Board were unanimous in the declaration of the whole of the Board area as overprovided for in terms of off-sales with the exception of two localities – Anguston and Kirkhill. This overprovision assessment was taken after considering the detailed analytical evidence

from both NHS Grampian and Police Scotland.

The application for 207 Union Street, Aberdeen is within the area defined by the Board as overprovided for in terms of off-sales - Section 9.8 of the Aberdeen Statement of Licensing Policy 2013-2016:

*Having excluded these two localities (Anguston and Kirkhill), the Board identified the rest of its area as a locality which has overprovision of off sales premises.*

NHS Grampian supported the Board's decision with density maps and data during the Statement of Licensing Policy consultation. Below is the compelling density data for Aberdeen. The density 1k buffer map is attached as appendix 1.

	Total licensed premises	On-sales premises	Off-sales premises	% population 18+ residing within 1 km <b>off-sales</b>	% population 18+ residing within 500 m <b>off-sales</b>
<b>Aberdeen City at Dec 2012</b>	<b>635</b>	<b>447</b>	<b>188</b>	<b>96%</b>	<b>84%</b>

There is a strong relationship between the availability of alcohol leading to over consumption resulting in health harm.

NHS Grampian provided evidence during the consultation demonstrating the link between provision of premises and increased consumption leading to alcohol related health harm. The World Health Organisation has reported on major disease and injury categories causally impacted by alcohol consumption. These are presented in appendix 2. The World Cancer Report cites alcohol as a considerable contributor in preventable illness and disease<sup>1</sup>.

Research published on the 7<sup>th</sup> October 2014 has strengthened the relationship between off sales density and greater alcohol related deaths. This research identified that neighbourhoods in Scotland with the most licensed premises have alcohol related death rates more than double those in neighbourhoods with the fewest licensed premises. One of the key findings from this research is that each increase in outlet availability was associated with a higher alcohol-related death rate.<sup>2</sup>

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<sup>1</sup> <http://www.iarc.fr/en/publications/books/wcr/wcr-order.php>

<sup>2</sup> <http://www.alcohol-focus-scotland.org.uk/media/89684/cresh-research-alcohol-outlets-and-health.pdf>

## 2. Distance between existing off sales premises in the area.

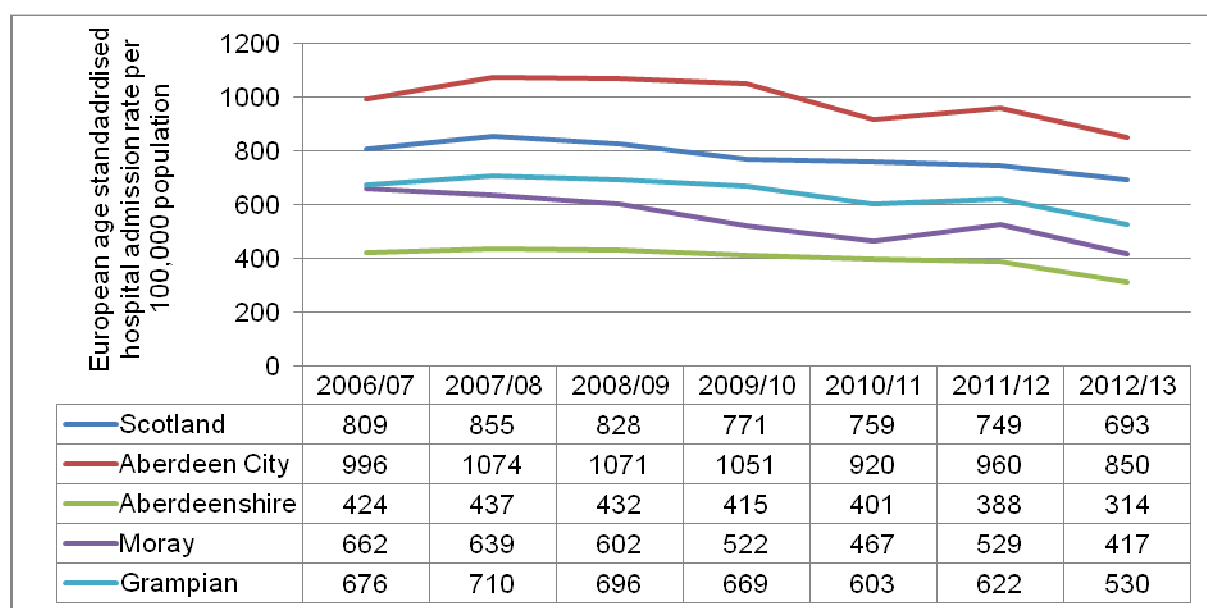
The information below clearly illustrates the close proximity of existing off sales premises.

Address	Distance from 207 Union Street	Walking time from 207 Union Street
*The Co-op, 204 Union Street	Directly across the road	Less than 1 minute
*Sainsburys, 206 Union Street	Directly across the road	Less than 1 minute
*Costcutter, 446 Union Street	0.62 km	5 minutes
*Sainsburys, 492 Union Street	0.68 km	6.30 minutes
*Tesco, 501 Union Street	0.68 km	6.30 minutes

\*Store selling alcohol from 10am until 10pm including Sundays

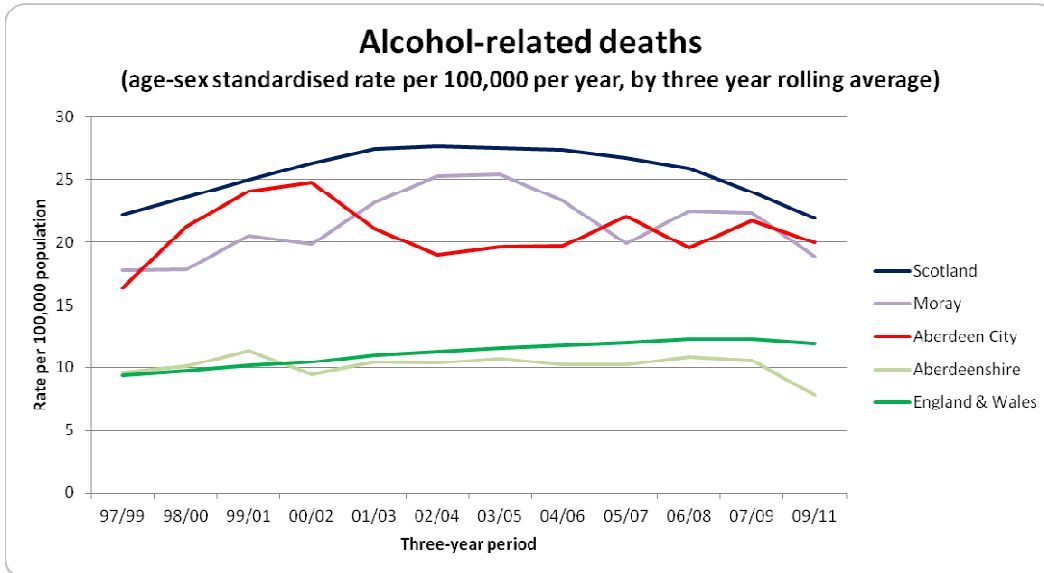
## 3. Hospital admission rates for wholly attributable alcohol- related conditions.

Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City's admission rate remains significantly higher than Aberdeenshire or Moray.



#### 4. Comparison of alcohol related death rates.

The graph below illustrates death rates as reported by Scottish Public Health Observatory (ScotPHO<sup>3</sup>) using GROS data (General Register Office for Scotland). Aberdeen City's rate has remained essentially stable, in contrast to Scotland's falling rate.



The chart above illustrates the three year rolling average for alcohol related deaths with the most recent period shown being 2009 - 2011.

#### Alcohol related deaths 2011 - 2013<sup>4</sup>

Year	Aberdeen	Abnshire	Moray	Scotland
2011	33	22	19	1247
2012	38	25	21	1080
2013	42	23	22	1100

In Scotland, alcohol-related death rates have fallen by 35% since 2003 but remain 1.4 times higher than in 1981. Alcohol related death in Scotland is still among the highest in Western and Central Europe. Similarly, the alcohol-related new patient (hospitalisation) rate fell by 25% since 2007/8, however, the rate was still 1.3 times higher in 2013/14 than in 1991/92<sup>5</sup>.

Information from ScotPHO can be broken down to post code sector. This postcode sector includes the data zones of City Centre, Ferryhill North and Ferryhill South. The City Centre data zone records alcohol related deaths and alcohol related or attributable hospital patient admissions to be **more than 5% worse than the Scottish average** and are coded Red in the most recent edition of the Traffic Lights Health & Wellbeing Profiles (2012)<sup>6</sup>.

<sup>3</sup> <http://www.scotpho.org.uk/>

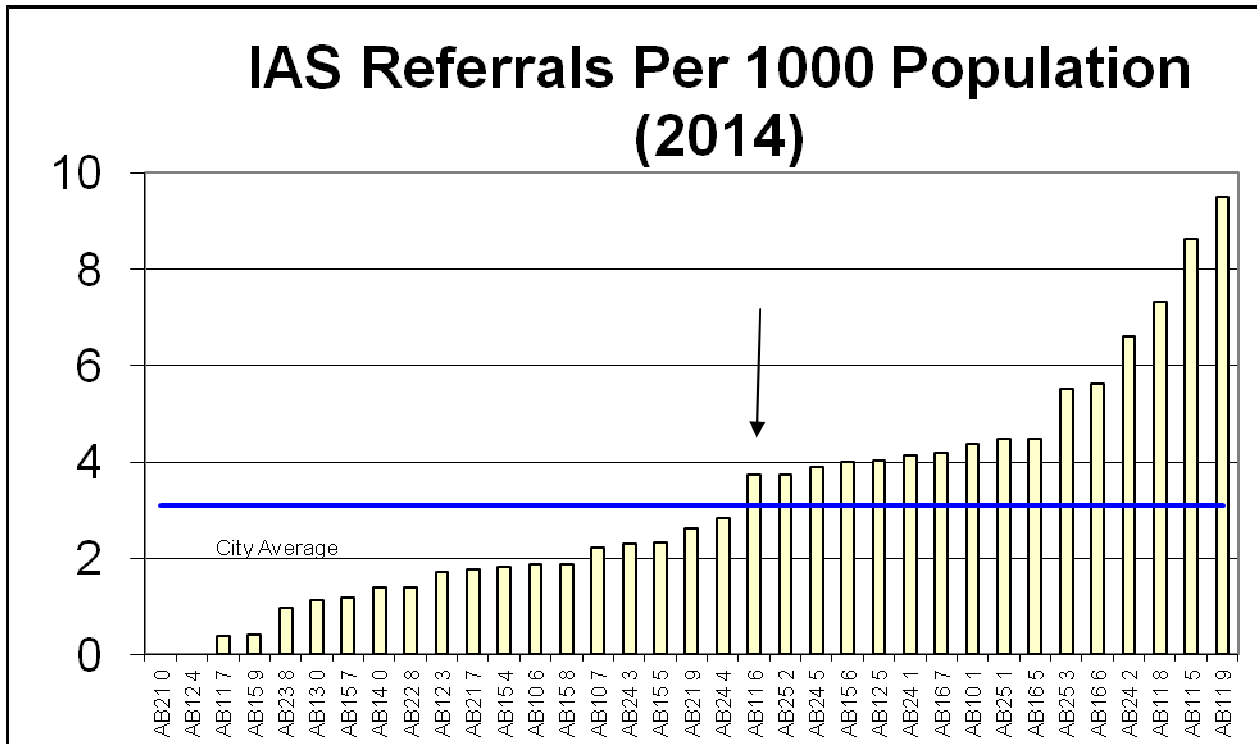
<sup>4</sup> <http://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-related-deaths/tables>

<sup>5</sup> <http://www.healthscotland.com/documents/24485.aspx>

<sup>6</sup> <http://www.nhsgrampian.org/grampianfoi/files/TrafficLights2012AberdeenCity.pdf>

## 5. Referrals to the Integrated Alcohol Service, Aberdeen

Referrals from the AB11 6 post code zone to the Integrated Alcohol Service at Cornhill Hospital are above the city average as the graph below illustrates. This graph covers the period from 1<sup>st</sup> January 2014 – 31 December 2014.



In a recent study of alcohol pricing and purchasing behaviour of patients with alcohol related conditions it emerged that the majority of their alcohol purchases were made from corner shops and **not** supermarkets<sup>7</sup>. Although this study was completed in Glasgow we see no reason to doubt similar preferences would not be evident in Aberdeen residents.

There is nothing in the application which demonstrates that this license should be approved and no automatic assumption that a licence application in these circumstances should be granted.

For these reasons, and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian objects to the application as the granting of it would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health.

Yours sincerely

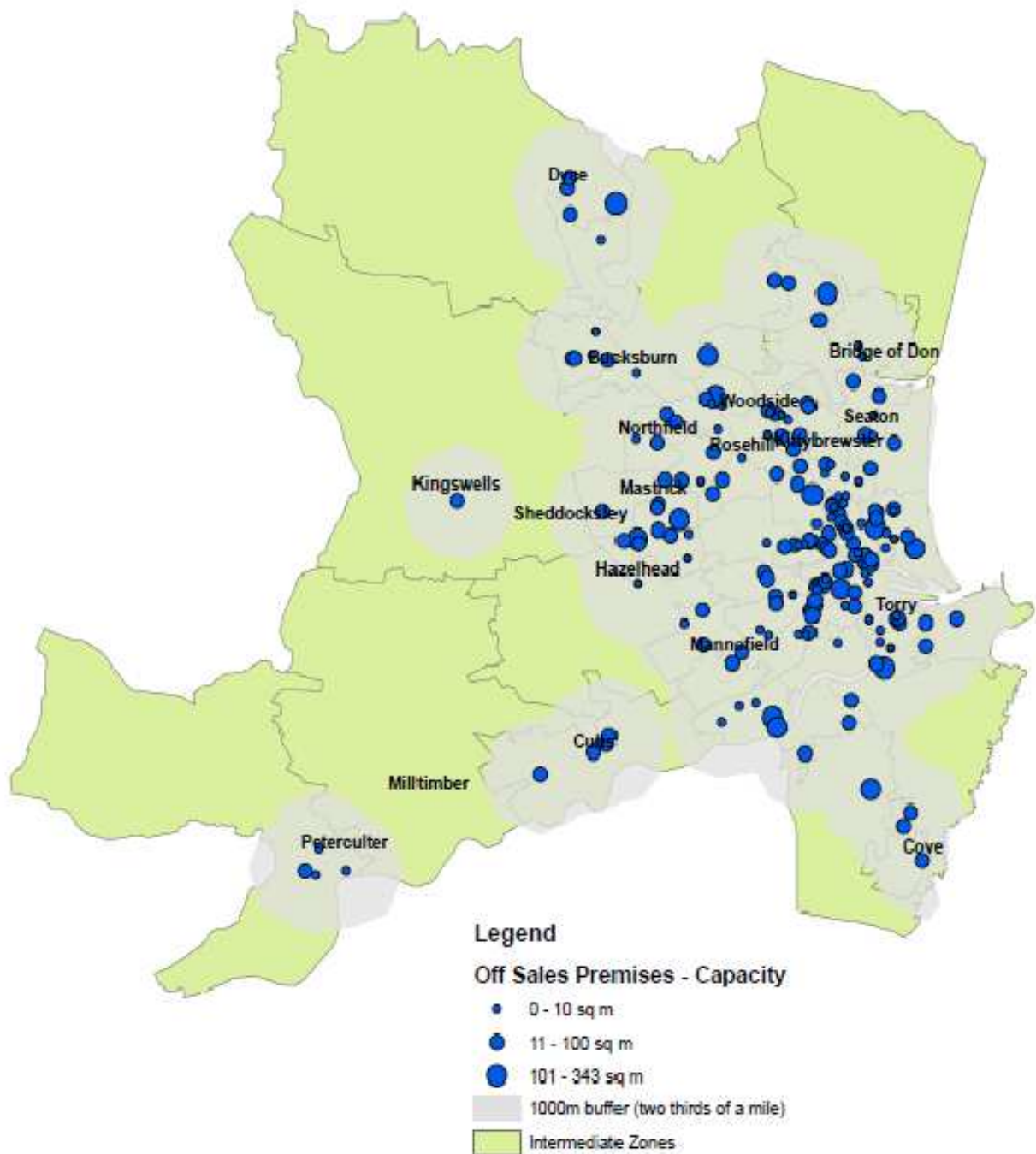
Dr Karen Foster  
Consultant in Public Health

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Health Improvement Officer (Alcohol & Drugs)

<sup>7</sup> [http://alcoholresearchuk.org/downloads/finalReports/FinalReport\\_0128.pdf](http://alcoholresearchuk.org/downloads/finalReports/FinalReport_0128.pdf)

# Aberdeen City Alcohol Off Sales Licensed Premises (188)

(1000m buffer)



Based on general practice registration of Abn City residents at April 2012  
192,500 = 18 years and over population  
185,600 = 18 years and over live within 1000 metres of an off-sales premises  
96% = percentage of residents live within 1000 metres of an off sales premises



**Box 3. Major disease and injury categories causally impacted by alcohol consumption.**  
(Excerpt from “World Health Organisation - Global status report on alcohol and health 2014”)<sup>8</sup>

**Green:** Overall beneficial effects from low-risk patterns of drinking, while heavy drinking is detrimental

**Red:** 100% alcohol- attributable

**Neuropsychiatric conditions:** **alcohol use disorders** (AUDs see Box 4) are the most important neuropsychiatric conditions caused by alcohol consumption. Epilepsy is another disease causally impacted by alcohol, over and above withdrawal-induced seizures (Samokhvalov et al., 2010b). Alcohol consumption is associated with many other neuropsychiatric conditions, such as depression or anxiety disorders (Kessler, 2004; Boden and Fergusson, 2011) but the complexity of the pathways of these associations currently prevents their inclusion in the estimates of alcohol-attributable disease burden (Rehm et al., 2010a).

**Gastrointestinal diseases:** liver cirrhosis (Rehm et al., 2010b) and pancreatitis (both acute and chronic; Irving et al., 2009) are causally related to alcohol consumption. Higher levels of alcohol consumption create an exponential increase in risk. The impact of alcohol is so important that for both disease categories there are subcategories which are labelled as “alcoholic” or “alcohol-induced” in the ICD.

**Cancers:** alcohol consumption has been identified as carcinogenic for the following cancer categories (International Agency for Research on Cancer, 2012) cancer of the mouth, nasopharynx, other pharynx and oropharynx, laryngeal cancer, oesophageal cancer, colon and rectum cancer, liver cancer and female breast cancer. In addition, alcohol consumption is likely to cause pancreatic cancer. The higher the consumption, the greater the risk for these cancers, with consumption as low as one drink per day causing significantly increased risk for some cancers, such as female breast cancer (Seitz et al., Rehm & Shield, 2013; Nelson et al., 2013).

**Intentional injuries:** alcohol consumption, especially heavy drinking, has been causally linked to suicide and violence (Cherpitel, 2013; Macdonald et al., 2013).

**Unintentional injuries:** almost all categories of unintentional injuries are impacted by alcohol consumption. The effect is strongly linked to the alcohol concentration in the blood and the resulting effects on psychomotor abilities. Higher levels of alcohol consumption create an exponential increase in risk (Taylor et al., 2010).

**Cardiovascular diseases (CVD):** the relationship between alcohol consumption and cardiovascular diseases is complex. The beneficial cardioprotective effect of relatively low levels of drinking for **ischaemic heart disease and ischaemic stroke** disappears with heavy drinking occasions. Moreover, alcohol consumption has detrimental effects on hypertension, atrial fibrillation and haemorrhagic stroke, regardless of the drinking pattern (Roerecke & Rehm, 2012).

**Fetal alcohol syndrome (FAS) and preterm birth complications:** alcohol consumption by an expectant mother may cause these conditions that are detrimental to the health of a newborn infant (Foltran et al., 2011).

**Diabetes mellitus:** a dual relationship exists, whereby a low risk pattern of drinking may be beneficial while heavy drinking is detrimental (Baliunas et al., 2009).

**Infectious diseases:** harmful use of alcohol weakens the immune system thus enabling development of pneumonia and tuberculosis. This effect is markedly more pronounced when associated with heavy drinking and there may be a threshold effect, meaning that disease symptoms manifest mainly if a person drinks above a certain level of heavy drinking (Lonnroth et al., 2008).

<sup>8</sup> [http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763\\_eng.pdf?ua=1](http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763_eng.pdf?ua=1)

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Dr Claire Rebello  
Clinical lead central north cluster  
Health and Social Care Partnership  
Summerfield House  
Eday Road  
Aberdeen  
AB15 6RE

07/08/2015

Dear Sir

I wish to make an objection on behalf of the Central North Aberdeen GP practices to plans for RS McColl's liquor license for their shops at Castle Street and Union Street.

You will be aware of the increasing health related problems we are seeing due to alcohol excess and binge drinking. I believe that the provision of alcohol in newsagents and corner shops is leading to an increase in the drinking habits of the population as it is so readily available. I therefore object to the expansion of this provision in the city centre.

I hope you will take the concerns of the GP practices in the area into account.

Yours faithfully

Claire Rebello

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF A PREMISES LICENCE

**PREMISES:** MUSA, 33 EXCHANGE STREET

### DESCRIPTION

- Vary the core hours for on sales to 11:00 to 01:00 hours daily.

### OBJECTIONS/REPRESENTATIONS

- None

### LICENSING POLICY STATEMENT

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** WINE RAKS, 8 ST SWITHIN STREET

### DESCRIPTION

- Change in layout resulting in an increase in capacity from 54 to 76.14m<sup>2</sup>

### OBJECTIONS/REPRESENTATIONS

- None

### LICENSING POLICY STATEMENT

Paragraph 9- Overprovision

#### 9.8 OFF SALES:

.....

The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board).

**Having excluded these two localities, the Board identified the rest of its area as a locality which has overprovision of off sales premises.** The Board, having regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF A PREMISES LICENCE  
**PREMISES:** BORSALINO RESTAURANT, 337 NORTH DEESIDE ROAD

### DESCRIPTION

- Add a conservatory to the upper restaurant area
- Convert lower level to a Bottle Shop selling wine, beers and spirits
- Add off sales 11:00 to 22:00 hours Monday to Saturday and 12:30 to 22:00 hours Sundays
- Add live performances both during and outwith core hours.

**22:00**

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian
- Culter Community Council

### LICENSING POLICY STATEMENT

#### **26 LICENSING OBJECTIVE - PREVENTING PUBLIC NUISANCE**

26.1 The Board believes that licensed premises have the potential to have a significant adverse impact on communities. It wishes to maintain and protect the amenity of occupiers of other businesses and residents from the potential consequence of the operation of licensed premises, whilst recognising the valuable cultural, social and business importance that such premises provide.

26.5 Applicants will be expected to consider the following

- when addressing the prevention of public nuisance:- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices, care homes, schools, nurseries and places of worship
- the licensed hours, especially late at night
- the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises
- the design and layout of premises and in particular the presence of noise limiting features and a functioning CCTV system (to a prescribed standard), which complies with relevant legislative requirements

26.6 The following examples of control measures are given to assist applicants.

- effective and responsible management of premises
- control of operating hours for all or parts of the premises, for instance garden areas
- installation of soundproofing, air conditioning, acoustic lobbies, sound limitation devices and other mitigation measures

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Date 18<sup>th</sup> September 2015  
Enquiries to 01224 557047  
Our Ref 2015111  
Email: [grampian.healthprotection@nhs.net](mailto:grampian.healthprotection@nhs.net)

Eric Anderson  
Solicitor  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6, Level 1 South,  
Marischal College, Broad Street  
Aberdeen AB10 1AB

Dear Mr Anderson

**Licensing (Scotland) Act 2005 – Application for a Variation of Premises Licence  
Borsalino Restaurant, 337 North Deeside Road, Peterculter, AB14 OLX**

I refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following objection under the licensing objective:

**Protecting and Improving Public Health.**

The applicant seeks to open a “Bottle Shop” for the sale of wine, beers (including craft beers) and spirits in a lower level of the premises.

This objection will focus on the following points:

1. Increase in availability of alcohol
2. Hospital admission rates for wholly attributable alcohol- related conditions.
3. Comparison of alcohol related death rates.
4. Appendix 2 – major disease and injury categories causally linked to alcohol

There is a strong relationship between the availability of alcohol leading to over consumption resulting in health harm. The World Health Organisation has reported on major disease and injury categories causally impacted by alcohol consumption. These are presented in appendix 2. The World Cancer Report cites alcohol as a considerable contributor in preventable illness and disease<sup>1</sup>.

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<sup>1</sup> <http://www.iarc.fr/en/publications/books/wcr/wcr-order.php>

## 1. Increase in availability of alcohol.

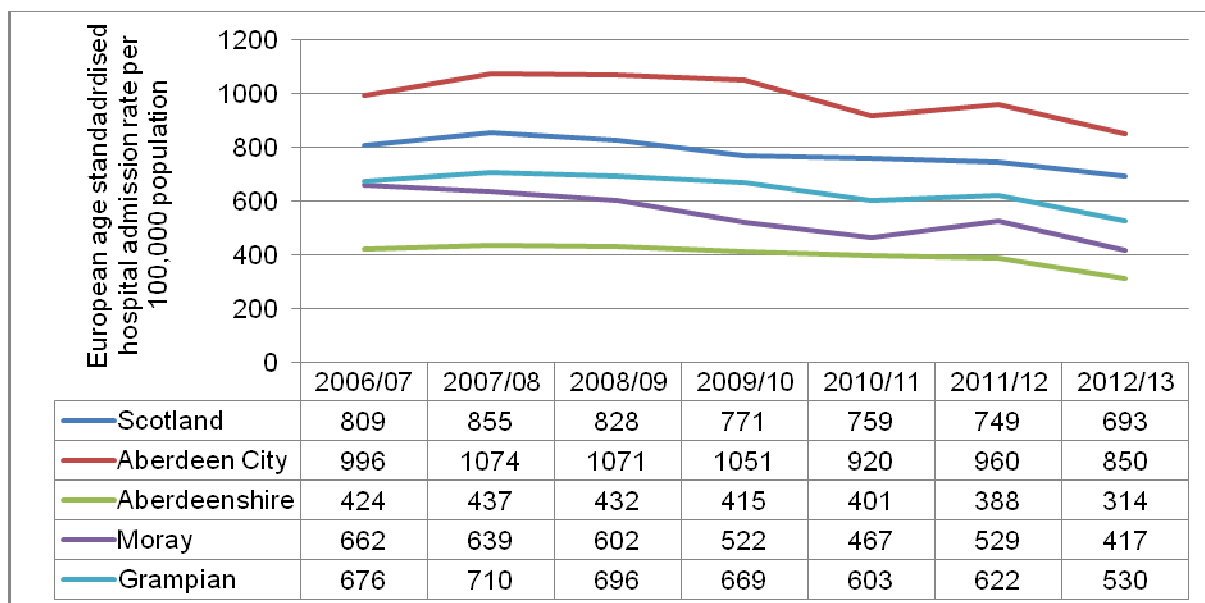
Although there is no specific requirement to apply for a separate license for the opening of the “Bottle Shop” within the premises of Borsalino Restaurant I feel this sets an unusual precedent. I am not aware of any other restaurant in Aberdeen offering this facility. I can appreciate that the amendment of the license to provide an off-sales facility will enable the restaurant to supply alcohol with the take away menu but by extending this to the provision of a separate shop, which will be open to the general public, adds another off-sales licensed premises to the city.

I have been unable to ascertain the capacity of this shop but am aware that it represents a sizeable addition to off-sales capacity for the area and there are already 5 off-sales outlets within the Peterculter area.

The nature of the wine and beer to be sold is of no relevance.

## 2. Hospital admission rates for wholly attributable alcohol- related conditions.

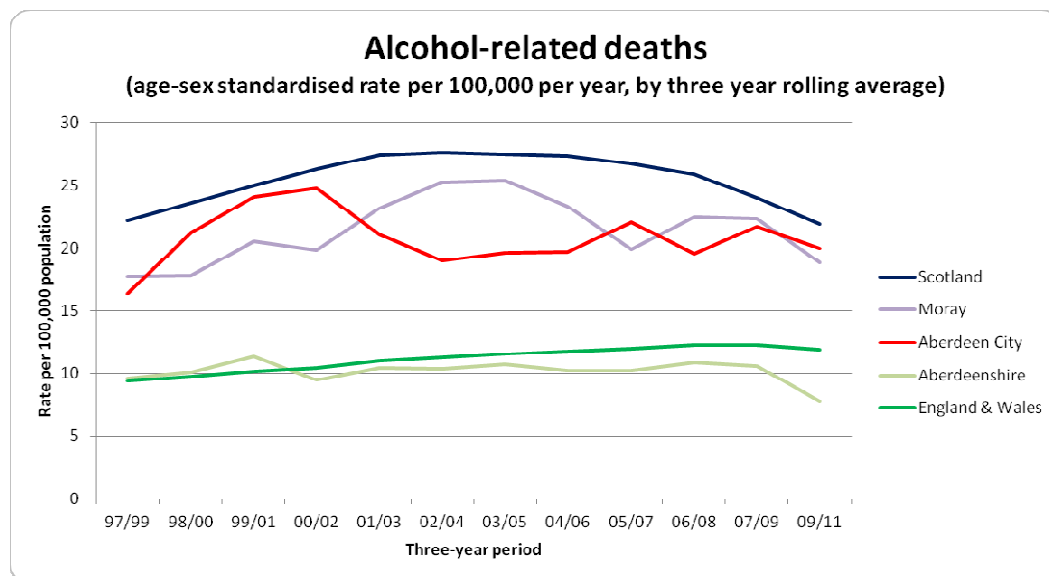
Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City’s admission rate remains significantly higher than Aberdeenshire or Moray.



Aberdeen City has one of the highest wholly-attributable alcohol-related admission rates in Scotland. In 2012/13, over 2,000 patients experienced nearly 3,000 hospital admissions with a wholly attributable alcohol-related condition (some were admitted more than once). The vast majority (88%) were unscheduled. When an estimate of partially-attributable alcohol-related admissions is taken into account, the total number of alcohol-related admissions in Grampian rises to around 7,000 per year.

### 3. Comparison of alcohol related death rates.

The graph below illustrates death rates as reported by ScotPHO<sup>2</sup> using GROS data (General Register Office for Scotland). Aberdeen City's rate has remained essentially stable, in contrast to Scotland's falling rate.



The chart above illustrates the three year rolling average for alcohol related deaths with the most recent period shown being 2009 - 2011.

#### Alcohol related deaths 2011 - 2014<sup>3</sup>

Year	Aberdeen	Abnshire	Moray	Scotland
2011	33	22	19	1247
2012	38	25	21	1080
2013	42	23	22	1100
2014	51	27	14	1152

In Scotland, alcohol-related death rates have fallen by 35% since 2003 but remain 1.4 times higher than in 1981. Alcohol related death in Scotland is still among the highest in Western and Central Europe. Similarly, the alcohol-related new patient (hospitalisation) rate fell by 25% since 2007/8, however, the rate was still 1.3 times higher in 2013/14 than in 1991/92<sup>4</sup>.

Within the data zone covered by this post code, alcohol related death and hospital admissions are better than the Scottish average. I would suggest that to maintain the current health status of this local community approval for the "Bottle Shop" is not granted.

<sup>2</sup> <http://www.scotpho.org.uk/>

<sup>3</sup> <http://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-related-deaths/tables>

<sup>4</sup> <http://www.healthscotland.com/documents/24485.aspx>

For these reasons, and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian objects to the application as the granting of it would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health.

Yours sincerely

Chris Littlejohn  
Consultant in Public Health

pp Heather Wilson  
Health Improvement Officer (Alcohol & Drugs)

**Box 3. Major disease and injury categories causally impacted by alcohol consumption.**  
(Excerpt from “World Health Organisation - Global status report on alcohol and health 2014”)<sup>5</sup>

**Green:** Overall beneficial effects from low-risk patterns of drinking, while heavy drinking is detrimental

**Red:** 100% alcohol- attributable

**Neuropsychiatric conditions:** **alcohol use disorders** (AUDs see Box 4) are the most important neuropsychiatric conditions caused by alcohol consumption. Epilepsy is another disease causally impacted by alcohol, over and above withdrawal-induced seizures (Samokhvalov et al., 2010b). Alcohol consumption is associated with many other neuropsychiatric conditions, such as depression or anxiety disorders (Kessler, 2004; Boden and Fergusson, 2011) but the complexity of the pathways of these associations currently prevents their inclusion in the estimates of alcohol-attributable disease burden (Rehm et al., 2010a).

**Gastrointestinal diseases:** liver cirrhosis (Rehm et al., 2010b) and pancreatitis (both acute and chronic; Irving et al., 2009) are causally related to alcohol consumption. Higher levels of alcohol consumption create an exponential increase in risk. The impact of alcohol is so important that for both disease categories there are subcategories which are labelled as “alcoholic” or “alcohol-induced” in the ICD.

**Cancers:** alcohol consumption has been identified as carcinogenic for the following cancer categories (International Agency for Research on Cancer, 2012) cancer of the mouth, nasopharynx, other pharynx and oropharynx, laryngeal cancer, oesophageal cancer, colon and rectum cancer, liver cancer and female breast cancer. In addition, alcohol consumption is likely to cause pancreatic cancer. The higher the consumption, the greater the risk for these cancers, with consumption as low as one drink per day causing significantly increased risk for some cancers, such as female breast cancer (Seitz et al., Rehm & Shield, 2013; Nelson et al., 2013).

**Intentional injuries:** alcohol consumption, especially heavy drinking, has been causally linked to suicide and violence (Cherpitel, 2013; Macdonald et al., 2013).

**Unintentional injuries:** almost all categories of unintentional injuries are impacted by alcohol consumption. The effect is strongly linked to the alcohol concentration in the blood and the resulting effects on psychomotor abilities. Higher levels of alcohol consumption create an exponential increase in risk (Taylor et al., 2010).

**Cardiovascular diseases (CVD):** the relationship between alcohol consumption and cardiovascular diseases is complex. The beneficial cardioprotective effect of relatively low levels of drinking for **ischaemic heart disease and ischaemic stroke** disappears with heavy drinking occasions. Moreover, alcohol consumption has detrimental effects on hypertension, atrial fibrillation and haemorrhagic stroke, regardless of the drinking pattern (Roerecke & Rehm, 2012).

**Fetal alcohol syndrome (FAS) and preterm birth complications:** alcohol consumption by an expectant mother may cause these conditions that are detrimental to the health of a newborn infant (Foltran et al., 2011).

**Diabetes mellitus:** a dual relationship exists, whereby a low risk pattern of drinking may be beneficial while heavy drinking is detrimental (Baliunas et al., 2009).

**Infectious diseases:** harmful use of alcohol weakens the immune system thus enabling development of pneumonia and tuberculosis. This effect is markedly more pronounced when associated with heavy drinking and there may be a threshold effect, meaning that disease symptoms manifest mainly if a person drinks above a certain level of heavy drinking (Lonnroth et al., 2008).

<sup>5</sup> [http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763\\_eng.pdf?ua=1](http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763_eng.pdf?ua=1)

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# CULTER COMMUNITY COUNCIL



18<sup>th</sup> September 2015

Ms Jacqui Wallace, Registered Paralegal  
Team 3, Litigation and Licensing  
Aberdeen City Council  
Business Hub 6, Level 1 South  
Marischal College  
Broad Street  
Aberdeen, AB10 1AB

Dear Miss Wallace

**Application for Licence Variation (Major) for the Premises - Borsalino Restaurant, 337 North Deeside Road, Peterculter, Aberdeen AB14 0NA**

The members of Culter Community Council (CCC) discussed this Application at their meeting on Wednesday 16<sup>th</sup> September 2015 and decided that:

- They would not oppose a licence variation to cover off-licence alcohol sales in the proposed Bottle Shop (as well as in the Restaurant)
- They would not oppose the entertainment part of the Application which would appear to be a retro application to cover what is already provided (singing of Italian Songs to guitar accompaniment while the Restaurant is open) but would be concerned and may need to reconsider if it was very different
- They did not consider at present there would be traffic problems with the Chinese Takeaway being replaced by another 'take-away', that is, the Bottle Shop
- As to the Planning part of the Application we will continue to consult with the ACC Planning Officer who has been given the task to investigate that side of the Licence Variation

Yours sincerely,

Lavina C Massie, Acting Chair  
Culter Community Council

Cc Councillors Malone and Malik

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF A PREMISES LICENCE

**PREMISES:** O'NEILL'S, 9 BACK WYND

### DESCRIPTION

- Allow children and young persons aged 0 – 17 years entry to the premises until 20:00 hours for the purpose of consuming a meal when supervised by an adult

### OBJECTIONS/REPRESENTATIONS

- Police
- LSO

### LICENSING POLICY STATEMENT

#### 28 - LICENSING OBJECTIVE – PROTECTING CHILDREN FROM HARM

28.1 - The Board wishes to see child safe premises thriving in the city. It welcomes applications from those who wish to operate licensed premises which accommodate children and families. In determining any such application the risk of harm to children will be paramount.

28.2 Where applicants wish to operate such premises, the Board expects them to appreciate that this places additional responsibilities upon them at the same time as recognising that parents and other adults accompanying children also have responsibilities.

28.3 Children may be adequately protected from harm by the action taken to protect adults but they may also need particular measures to be taken. When addressing the issue of Protecting Children from Harm the applicant must consider those factors which may particularly impact on children.

28.4 The following examples of control measures are given to assist applicants.

- effective and responsible premises management
- adoption of best practice guidance
- limitations on the hours when children may be present, in all or parts of the premises
- limitations or exclusions by age when certain activities are taking place
- imposition of requirements for children to be accompanied by an adult
- acceptance of accredited proof of age cards with photographs, or passports
- measures to ensure children do not purchase, acquire or consume alcohol
- measures to ensure children are not exposed to incidences of violence or disorder
- Appropriate training and supervision of those employed to secure protection of children from harm.
- Imposition of reasons for children to be present and/ or accompanied by a responsible person adult who shall have responsibility for, and supervise such

children and young persons will normally only be admitted to licensed premises for the purpose of consuming light refreshments or a meal, partaking in a relevant sporting activity or attending a pre-arranged function or event.

- Enforcement of the mandatory Challenge 25 Policy.

9 June 2015

Your Ref:

Our  
Ref:AD/DCU/SID41861/9211/15

Mr Eric W J Anderson  
Team Leader (Team Three)  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6  
Level 1 South  
Marischal College  
Broad Street  
ABERDEEN  
AB10 1AB



**POLICE  
SCOTLAND**

Keeping people safe

Sir Stephen House QPM  
Chief Constable

Aberdeen City Division  
Queen Street  
Aberdeen  
AB10 1ZA

01224 306472

[AberdeenCityLicensing@Scotland.pnn.police.uk](mailto:AberdeenCityLicensing@Scotland.pnn.police.uk)

Dear Sir

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
O'NEILL'S, GROUND FLOOR, 9-10 BACK WYND, ABERDEEN, AB10 1JP**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of amendments to Question 6 (a) to (e) of the Operating Plan and layout plan to allow access by children and young persons (aged 0 -17 years) to all public parts of the premises, for the purpose of consuming a meal, provided they are supervised by a person aged 18 years or over, from the commencement of core 'on sales' hours until 2000 hours.

In terms of Section 22(1)(a) of the Act, the Chief Constable objects to the granting of the licence for the following reasons.

On Wednesday 3 June 2015, Sergeant Flett of the Divisional Co-ordination Unit, accompanied by a Licensing Standards Officer, visited the premises, the primary purpose of which was to consider whether the premises, or part thereof, may be suitable for children and young persons to be within.

It is the Police's observation that the premises are quite small with maximum capacity set at 131 and it has a very traditional 'public house' ambiance.

The premises management furnished information to the effect that at the end of office working hours, the premises enjoy custom by patrons who are drawn to the

**NOT PROTECTIVELY MARKED**

traditional pub feel of the premises and who participate more in what can be described as 'vertical' drinking.

There are a number of tables within the premises at which food is served, however it was the view of the Police Officer who visited the premises that only about four tables could be considered far enough removed from the bar as to be considered 'not in close proximity to the bar', and of these, two were high tables situated at either side of the door of the premises, and unsuitable for young children. One other table, whilst enjoying the furthest distance from the bar, is positioned upon a small stage or platform, and also would be a physical hazard for any young child.

In support of the Protecting Children from Harm licensing objective, the Chief Constable objects to the grant of the variation on the basis that, for the reasons stated above in relation to nature, character and layout of the premises, the premises are unsuitable for children.

The Chief Constable acknowledges that the Protecting Children from Harm licensing objective relates only to children, i.e. 0 - 15 year olds, however, with regard to young persons aged 16 and 17 years being within the premises under the terms of the application, the Chief Constable requests that the comments made in relation to the premises be borne in mind when considering the application.

Yours faithfully

Murray Main  
Chief Inspector

**NOT PROTECTIVELY MARKED**

**From:** Tara-Erin Gilchrist  
**Sent:** 11 June 2015 16:25  
**To:** LicensingBoard  
**Cc:** Jacqui Wallace  
**Subject:** Application for Variation of Premises Licence - O'Neill's, Ground Floor, 9-10 Back Wynd, Aberdeen

To: Eric Anderson, Team Leader, Legal and Democratic Services

**Licensing (Scotland) Act 2005**

**Application for Variation of Premises Licence**

**Address: O'Neill's, Ground Floor, 9-10 Back Wynd, Aberdeen**

**Licence Holder: Mitchells & Butlers Retail Limited, 27 Fleet Street, Birmingham, B3 1JP**

The applicant proposes the following changes to their operating plan:

Question 6 (a) Amended to Yes

Question 6 (b) Amended to 'children and young persons will be allowed entry for the purpose of consuming a meal provided they are supervised by a person aged 18 or over.'

Question 6 (c) Amended to 'All ages'

Question 6 (d) Amended to 'From the time that the premises opens until 8pm'

Question 6 (e) Amended to 'All parts'

In response to the above, I visited the premises on the 3<sup>rd</sup> June 2015 and noted the size of the toilets within the ground floor of O'Neill's. The male and female toilets are small rooms with limited floor space and therefore, at present, the applicant cannot comply with the Mandatory Condition 12 (1) (b) and (c) and 12 (2).

**Mandatory Condition 12 (1) (b) and (c) and 12 (2)**

**Baby Change Facilities**

12. (1) The condition specified in this paragraph applies only in the case of the premises – in this instance; (b) on which alcohol is sold for consumption on the premises; and (c) to which children under the age of 5 are to be admitted.

12. (2) There are to be on the premises facilities for baby changing which are to be accessible to persons of either gender.

I am objecting to the application on the grounds that the applicant cannot incorporate a baby change facility, within the toilet areas or elsewhere on the premises, due to the limited space available at this present time.

Kindest regards

**Tara-Erin Gilchrist**  
**Licensing Standards Officer**

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF A PREMISES LICENCE

**PREMISES:** CLUNIE CONVENIENCE STORE, 7 CLUNIE PLACE

### DESCRIPTION

- Change of layout increasing the area used for the display of alcohol.

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian

### LICENSING POLICY STATEMENT

Extract from paragraph 9.8 Overprovision Off Sales

#### OFF SALES:

The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board).

**Having excluded these two localities, the Board identified the rest of its area as a locality which has overprovision of off sales premises.** The Board, having regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.

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Date 14<sup>th</sup> September 2015  
Enquiries to 01224 557047  
Our Ref 20151111  
Email: [grampian.healthprotection@nhs.net](mailto:grampian.healthprotection@nhs.net)

Eric Anderson  
Solicitor  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6, Level 1 South,  
Marischal College, Broad Street  
Aberdeen AB10 1AB

Dear Mr Anderson

**Licensing (Scotland) Act 2005 – Application for a Variation of Premises Licence  
Co-operative Group Food Ltd, Lewis Road, Sheddocksley, Aberdeen, AB16 6TU**

I refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following objection under the licensing objective:

**Protecting and Improving Public Health.**

The applicant seeks to increase the capacity of the premises off-sales display at Lewis Road, Sheddocksley, Aberdeen from 14.145 m<sup>2</sup> to 17.1723 m<sup>2</sup> by introducing an end of aisle alcohol display area.

This objection will focus on the following points:

1. Increase in capacity.
2. Hospital admission rates for wholly attributable alcohol- related conditions.
3. Comparison of alcohol related death rates.
4. Referrals to Integrated Alcohol Service, Aberdeen
5. Appendix 2 – major disease and injury categories causally linked to alcohol

There is a strong relationship between the availability of alcohol leading to over consumption resulting in health harm. The World Health Organisation has reported on major disease and injury categories causally impacted by alcohol consumption. These are presented in appendix 2. The World Cancer Report cites alcohol as a considerable contributor in preventable illness and disease<sup>1</sup>.

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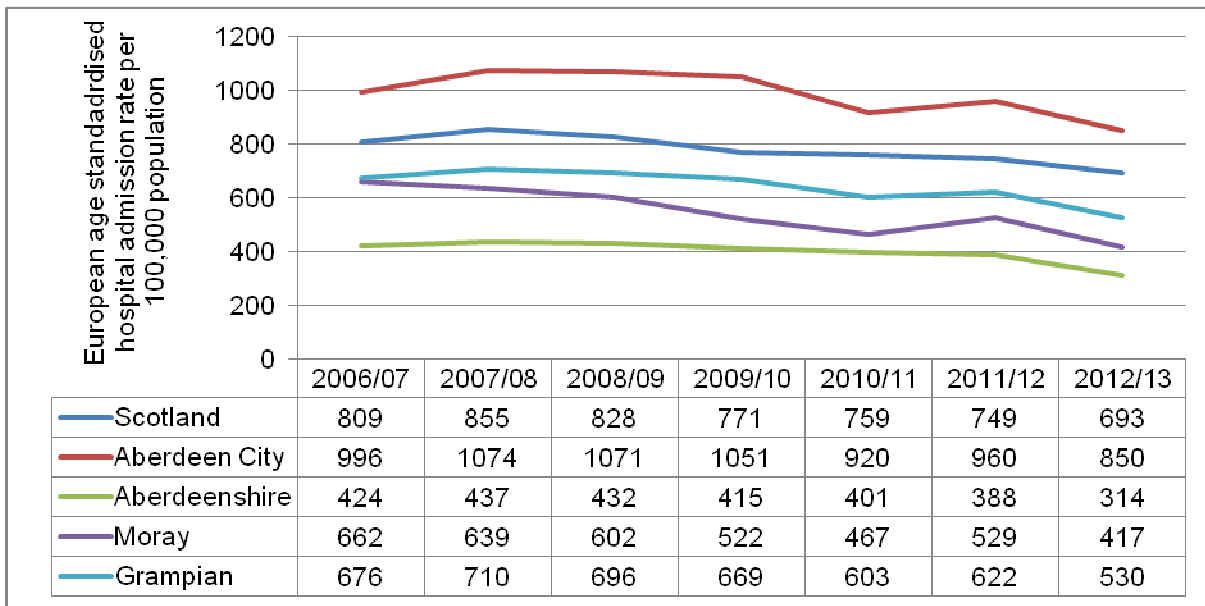
<sup>1</sup> <http://www.iarc.fr/en/publications/books/wcr/wcr-order.php>

## 1. Increase in capacity

I have a specific concern about the request to increase the alcohol display area by over 20% as this is likely to mean an increase in stock held and therefore in alcohol promoted, sold and ultimately consumed. There is also the added factor of positioning to be considered. The Institute of Alcohol Studies has advised that *“it is likely that the placement and positioning of alcohol products within stores, such as front of store and end of aisle promotions in supermarkets and shops encourages people to buy more alcohol than they intended to”*<sup>2</sup>. A research paper published in 2014 also identified the end of aisle area as a prime spot which led to increased sales and consumption<sup>3</sup>.

## 2. Hospital admission rates for wholly attributable alcohol- related conditions.

Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City’s admission rate remains significantly higher than Aberdeenshire or Moray.



Aberdeen City has one of the highest wholly-attributable alcohol-related admission rates in Scotland. In 2012/13, over 2,000 patients experienced nearly 3,000 hospital admissions with a wholly attributable alcohol-related condition (some were admitted more than once). The vast majority (88%) were unscheduled. When an estimate of partially-attributable alcohol-related admissions is taken into account, the total number of alcohol-related admissions in Grampian rises to around 7,000 per year.

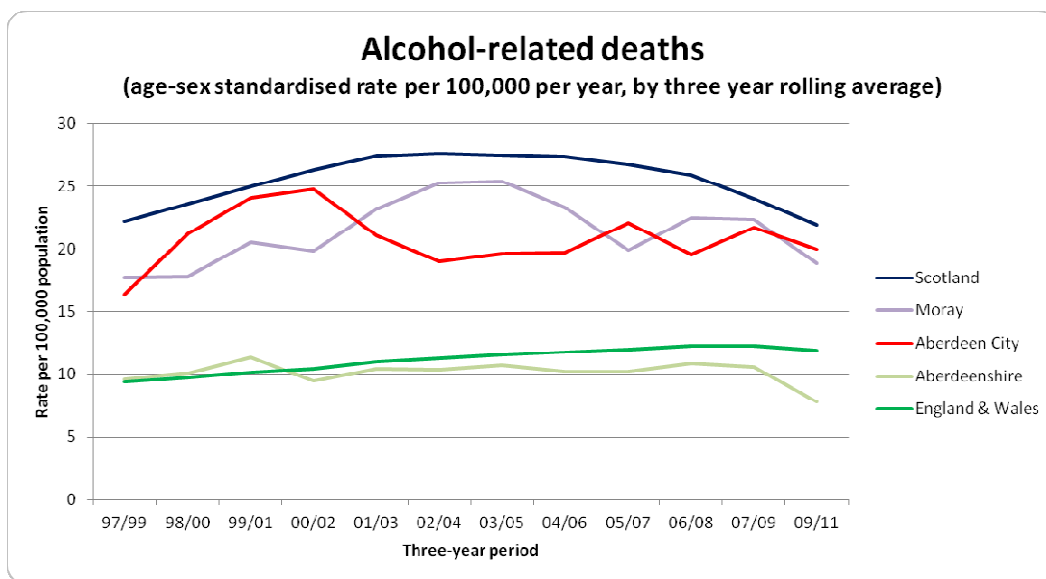
<sup>2</sup> <http://www.ias.org.uk/Alcohol-knowledge-centre/Marketing/Factsheets/What-is-Alcohol-Marketing-The-Four-Ps.aspx>

<sup>3</sup> <http://www.sciencedirect.com/science/article/pii/S0277953614001361>

Information from the Scottish Public Health Observatory (ScotPHO) can be broken down to post code sector. This postcode sector includes the data zones of Mastrick and Sheddocksley. Both data zones record alcohol related or attributable hospital patient admissions to be **more than 5% worse than the Scottish average** and are coded Red in the most recent edition of the Traffic Lights Health & Wellbeing Profiles (2012)<sup>4</sup>.

### 3. Comparison of alcohol related death rates.

The graph below illustrates death rates as reported by ScotPHO<sup>5</sup> using GROS data (General Register Office for Scotland). Aberdeen City's rate has remained essentially stable, in contrast to Scotland's falling rate.



The chart above illustrates the three year rolling average for alcohol related deaths with the most recent period shown being 2009 - 2011.

#### Alcohol related deaths 2011 - 2014<sup>6</sup>

Year	Aberdeen	Abnshire	Moray	Scotland
2011	33	22	19	1247
2012	38	25	21	1080
2013	42	23	22	1100
2014	51	27	14	1152

In Scotland, alcohol-related death rates have fallen by 35% since 2003 but remain 1.4 times higher than in 1981. Alcohol related death in Scotland is still among the highest in Western and Central Europe. Similarly, the alcohol-related new patient (hospitalisation) rate fell by 25% since 2007/8, however, the rate was still 1.3 times higher in 2013/14 than in 1991/92<sup>7</sup>.

<sup>4</sup> <http://www.nhsgrampian.org/grampianfoi/files/TrafficLights2012AberdeenCity.pdf>

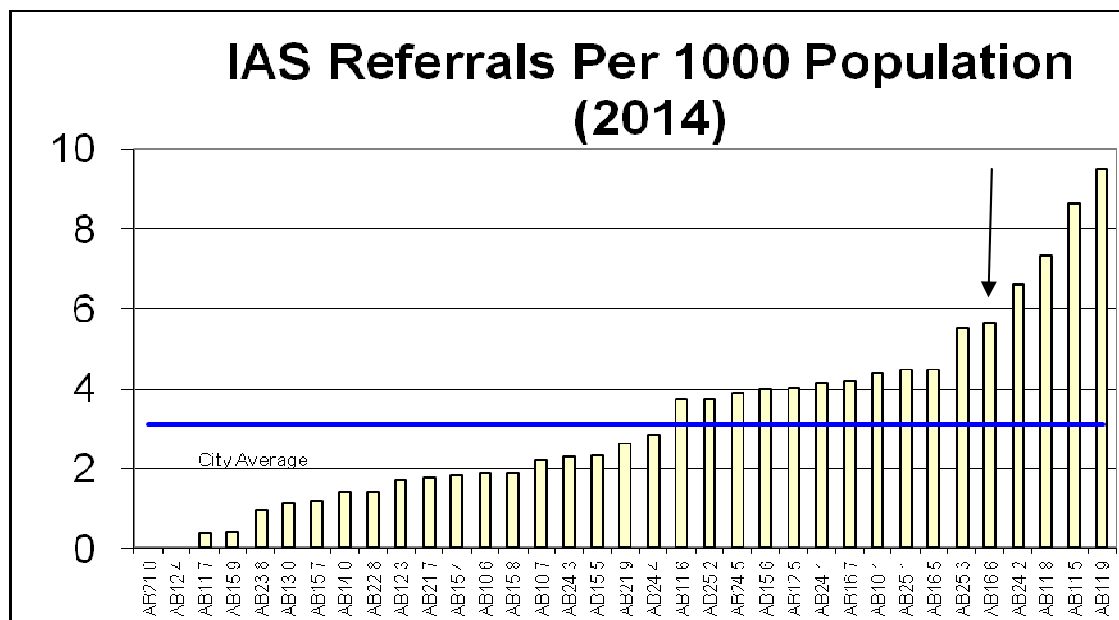
<sup>5</sup> <http://www.scotpho.org.uk/>

<sup>6</sup> <http://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-related-deaths/tables>

<sup>7</sup> <http://www.healthscotland.com/documents/24485.aspx>

#### 4. Referrals to the Integrated Alcohol Service, Aberdeen

Referrals from the AB16 6 post code zone to the Integrated Alcohol Service at Cornhill Hospital are above the city average as the graph below illustrates. This graph covers the period from 1<sup>st</sup> January 2014 – 31 December 2014.



In a recent study of alcohol pricing and purchasing behaviour of patients with alcohol related conditions it emerged that the majority of their alcohol purchases were made from corner shops and **not** supermarkets<sup>8</sup>. Although this study was completed in Glasgow we see no reason to doubt similar preferences would not be evident in Aberdeen residents.

Even small reductions in the availability of alcohol can contribute to health gain and reduce violence and harm to the population generally, as well as to the drinker themselves. We would suggest that this store retain its existing capacity in an effort to reduce the potential harm to the local community and approval to increase overall alcohol display is not granted.

For these reasons, and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian objects to the application as the granting of it would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health.

Yours sincerely

Chris Littlejohn  
Consultant in Public Health

pp Heather Wilson  
Health Improvement Officer (Alcohol & Drugs)

<sup>8</sup> [http://alcoholresearchuk.org/downloads/finalReports/FinalReport\\_0128.pdf](http://alcoholresearchuk.org/downloads/finalReports/FinalReport_0128.pdf)

**Box 3. Major disease and injury categories causally impacted by alcohol consumption.**  
(Excerpt from “World Health Organisation - Global status report on alcohol and health 2014”)<sup>9</sup>

**Green:** Overall beneficial effects from low-risk patterns of drinking, while heavy drinking is detrimental

**Red:** 100% alcohol- attributable

**Neuropsychiatric conditions:** **alcohol use disorders** (AUDs see Box 4) are the most important neuropsychiatric conditions caused by alcohol consumption. Epilepsy is another disease causally impacted by alcohol, over and above withdrawal-induced seizures (Samokhvalov et al., 2010b). Alcohol consumption is associated with many other neuropsychiatric conditions, such as depression or anxiety disorders (Kessler, 2004; Boden and Fergusson, 2011) but the complexity of the pathways of these associations currently prevents their inclusion in the estimates of alcohol-attributable disease burden (Rehm et al., 2010a).

**Gastrointestinal diseases:** liver cirrhosis (Rehm et al., 2010b) and pancreatitis (both acute and chronic; Irving et al., 2009) are causally related to alcohol consumption. Higher levels of alcohol consumption create an exponential increase in risk. The impact of alcohol is so important that for both disease categories there are subcategories which are labelled as “alcoholic” or “alcohol-induced” in the ICD.

**Cancers:** alcohol consumption has been identified as carcinogenic for the following cancer categories (International Agency for Research on Cancer, 2012) cancer of the mouth, nasopharynx, other pharynx and oropharynx, laryngeal cancer, oesophageal cancer, colon and rectum cancer, liver cancer and female breast cancer. In addition, alcohol consumption is likely to cause pancreatic cancer. The higher the consumption, the greater the risk for these cancers, with consumption as low as one drink per day causing significantly increased risk for some cancers, such as female breast cancer (Seitz et al., Rehm & Shield, 2013; Nelson et al., 2013).

**Intentional injuries:** alcohol consumption, especially heavy drinking, has been causally linked to suicide and violence (Cherpitel, 2013; Macdonald et al., 2013).

**Unintentional injuries:** almost all categories of unintentional injuries are impacted by alcohol consumption. The effect is strongly linked to the alcohol concentration in the blood and the resulting effects on psychomotor abilities. Higher levels of alcohol consumption create an exponential increase in risk (Taylor et al., 2010).

**Cardiovascular diseases (CVD):** the relationship between alcohol consumption and cardiovascular diseases is complex. The beneficial cardioprotective effect of relatively low levels of drinking for **ischaemic heart disease and ischaemic stroke** disappears with heavy drinking occasions. Moreover, alcohol consumption has detrimental effects on hypertension, atrial fibrillation and haemorrhagic stroke, regardless of the drinking pattern (Roerecke & Rehm, 2012).

**Fetal alcohol syndrome (FAS) and preterm birth complications:** alcohol consumption by an expectant mother may cause these conditions that are detrimental to the health of a newborn infant (Foltran et al., 2011).

**Diabetes mellitus:** a dual relationship exists, whereby a low risk pattern of drinking may be beneficial while heavy drinking is detrimental (Baliunas et al., 2009).

**Infectious diseases:** harmful use of alcohol weakens the immune system thus enabling development of pneumonia and tuberculosis. This effect is markedly more pronounced when associated with heavy drinking and there may be a threshold effect, meaning that disease symptoms manifest mainly if a person drinks above a certain level of heavy drinking (Lonnroth et al., 2008).

<sup>9</sup> [http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763\\_eng.pdf?ua=1](http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763_eng.pdf?ua=1)

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF A PREMISES LICENCE

**PREMISES:** GHILLIES LAIR, GREAT SOUTHERN ROAD

### DESCRIPTION

- Inclusion of the external seating area within the licensed
- Add outdoor drinking both within and outwith core hours
- Change the terms of access for children and young persons entry to the external area to 20:00 hours

### OBJECTIONS/REPRESENTATIONS

- Police

### LICENSING POLICY STATEMENT

None

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7 September 2015

Your Ref:

Our  
Ref:AD/DASU/SID44614/9898/15

Mr Eric W J Anderson  
Team Leader (Team Three)  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6  
Level 1 South  
Marischal College  
Broad Street  
ABERDEEN  
AB10 1AB



**POLICE  
SCOTLAND**  
Keeping people safe

Sir Stephen House QPM  
Chief Constable

Aberdeen City Division  
Queen Street  
Aberdeen  
AB10 1ZA

01224 306472

[AberdeenCitylicensing@Scotland.pnn.police.uk](mailto:AberdeenCitylicensing@Scotland.pnn.police.uk)

Dear Sir

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
GHILLIES LAIR, GREAT SOUTHERN ROAD, ABERDEEN, AB12 5XA**

I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of amendments to both the Layout Plan and the Operating Plan, namely:

1. The provision of outdoor drinking facilities both within and outwith core licensed hours.
2. Children to be permitted in the external areas during all hours that the premises are open.
3. Increase in capacity from 240 to 364 due to additional seating from external areas.

In relation to point 1 above and in terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation on behalf of the Chief Constable, who requests that the following conditions be imposed in respect of the external dining and drinking area:

1. Clear signage is displayed indicating 'Licensed Area under the terms of the Licensing (Scotland) Act 2005' at the entrance to the external area. This area

**NOT PROTECTIVELY MARKED**

must be clearly delineated to prevent general access and egress by those other than customers of the premises.

2. No alcohol to be taken out with the external area and clear signage to be displayed to that effect which should include wording advising that to do so would be an offence in terms of the Aberdeen City Council (Drinking in Public Places) Byelaws 2009.

3. The terminal hour for the external area is restricted to 2200 hours.

This representation is submitted for your attention when considering this application.

Yours faithfully

Murray Main  
Chief Inspector

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF A PREMISES LICENCE

**PREMISES:** LIDL, INVERURIE ROAD

### DESCRIPTION

- Increase the capacity for the display of alcohol to allow for theme weeks such as Italian week, French week etc.
- Outwith theme weeks the display area would be used to merchandise premium wines

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian

### LICENSING POLICY STATEMENT

Extract from paragraph 9.8 Overprovision Off Sales

OFF SALES:

The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board).

**Having excluded these two localities, the Board identified the rest of its area as a locality which has overprovision of off sales premises.** The Board, having regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.

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Date 18<sup>th</sup> September 2015  
Enquiries to 01224 557047  
Our Ref 20151115  
Email: [grampian.healthprotection@nhs.net](mailto:grampian.healthprotection@nhs.net)

Eric Anderson  
Solicitor  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6, Level 1 South,  
Marischal College, Broad Street  
Aberdeen AB10 1AB

Dear Mr Anderson

**Licensing (Scotland) Act 2005 – Application for a Variation of Premises Licence  
Lidl UK, Inverurie Road, Bucksburn, Aberdeen, AB21 9LZ**

I refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following objection under the licensing objective:

**Protecting and Improving Public Health.**

The applicant seeks to increase the capacity of the premises off-sales display at Wellington Road, Aberdeen from 28.94m<sup>2</sup> to 35.06m<sup>2</sup> by introducing an end of aisle alcohol display area.

This objection will focus on the following points:

1. Increase in capacity
2. Hospital admission rates for wholly attributable alcohol- related conditions.
3. Comparison of alcohol related death rates.
4. Appendix 2 – major disease and injury categories causally linked to alcohol

There is a strong relationship between the availability of alcohol leading to over consumption resulting in health harm. The World Health Organisation has reported on major disease and injury categories causally impacted by alcohol consumption. These are presented in appendix 2. The World Cancer Report cites alcohol as a considerable contributor in preventable illness and disease<sup>1</sup>.

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<sup>1</sup> <http://www.iarc.fr/en/publications/books/wcr/wcr-order.php>

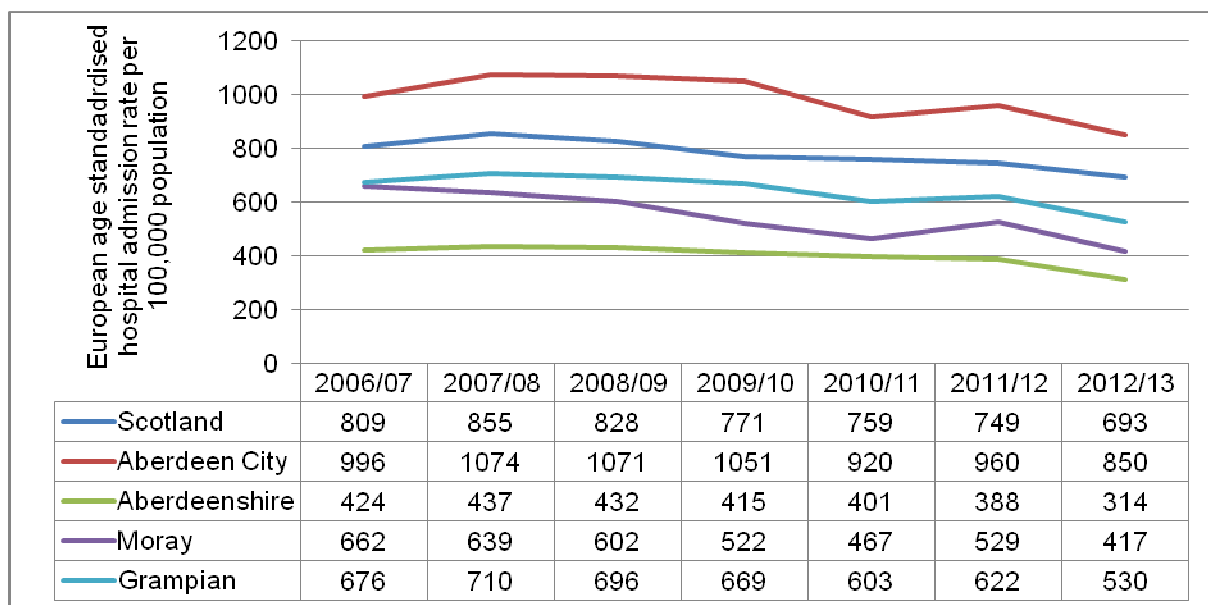
## 1. Increase in capacity

I have a specific concern about the request to increase the alcohol display area by over 20% as this is likely to mean an increase in stock held and therefore in alcohol promoted, sold and ultimately consumed. There is also the added factor of positioning to be considered. The Institute of Alcohol Studies has advised that *“it is likely that the placement and positioning of alcohol products within stores, such as front of store and end of aisle promotions in supermarkets and shops encourages people to buy more alcohol than they intended to”*<sup>2</sup>. A research paper published in 2014 also identified the end of aisle area as a prime spot which led to increased sales and consumption<sup>3</sup>.

The “premium” nature of the wine to be displayed is of no relevance.

## 2. Hospital admission rates for wholly attributable alcohol- related conditions.

Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City’s admission rate remains significantly higher than Aberdeenshire or Moray.



Aberdeen City has one of the highest wholly-attributable alcohol-related admission rates in Scotland. In 2012/13, over 2,000 patients experienced nearly 3,000 hospital admissions with a wholly attributable alcohol-related condition (some were admitted more than once). The vast majority (88%) were unscheduled. When an estimate of partially-attributable alcohol-related admissions is taken into account, the total number of alcohol-related admissions in Grampian rises to around 7,000 per year.

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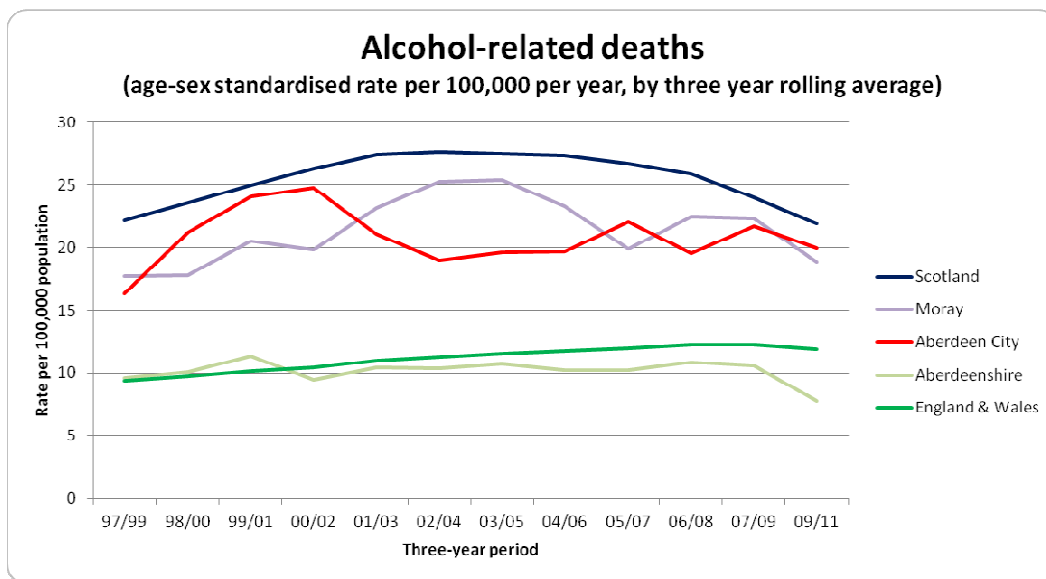
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Information from the Scottish Public Health Observatory (ScotPHO) can be broken down to post code sector. This postcode sector includes the data zones of **Bucksburn South (41.1% pop.)**, **Woodside (4.4% pop)**, **Bucksburn North (50.2%pop)**, Kingswells (2.3% pop) and **Dyce (1.4% pop)** Four of these five data zones (coloured red) record alcohol related or attributable hospital patient admissions to be **more than 5% worse than the Scottish average** and are coded Red in the most recent edition of the Traffic Lights Health & Wellbeing Profiles (2012)<sup>4</sup>.

### 3. Comparison of alcohol related death rates.

The graph below illustrates death rates as reported by ScotPHO<sup>5</sup> using GROS data (General Register Office for Scotland). Aberdeen City's rate has remained essentially stable, in contrast to Scotland's falling rate.



The chart above illustrates the three year rolling average for alcohol related deaths with the most recent period shown being 2009 - 2011.

#### Alcohol related deaths 2011 - 2014<sup>6</sup>

Year	Aberdeen	Abnshire	Moray	Scotland
2011	33	22	19	1247
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2013	42	23	22	1100
2014	51	27	14	1152

In Scotland, alcohol-related death rates have fallen by 35% since 2003 but remain 1.4 times higher than in 1981. Alcohol related death in Scotland is still among the highest in Western

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and Central Europe. Similarly, the alcohol-related new patient (hospitalisation) rate fell by 25% since 2007/8, however, the rate was still 1.3 times higher in 2013/14 than in 1991/92<sup>7</sup>.

Even small reductions in the availability of alcohol can contribute to health gain and reduce violence and harm to the population generally, as well as to the drinker themselves. We would suggest that this store retain its existing capacity in an effort to improve the current health status of this local community and approval to increase overall alcohol display is not granted.

For these reasons, and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian objects to the application as the granting of it would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health.

Yours sincerely

Chris Littlejohn  
Consultant in Public Health

pp Heather Wilson  
Health Improvement Officer (Alcohol & Drugs)

---

<sup>7</sup> <http://www.healthscotland.com/documents/24485.aspx>



**Box 3. Major disease and injury categories causally impacted by alcohol consumption.**  
(Excerpt from “World Health Organisation - Global status report on alcohol and health 2014”)<sup>8</sup>

**Green:** Overall beneficial effects from low-risk patterns of drinking, while heavy drinking is detrimental

**Red:** 100% alcohol- attributable

**Neuropsychiatric conditions:** **alcohol use disorders** (AUDs see Box 4) are the most important neuropsychiatric conditions caused by alcohol consumption. Epilepsy is another disease causally impacted by alcohol, over and above withdrawal-induced seizures (Samokhvalov et al., 2010b). Alcohol consumption is associated with many other neuropsychiatric conditions, such as depression or anxiety disorders (Kessler, 2004; Boden and Fergusson, 2011) but the complexity of the pathways of these associations currently prevents their inclusion in the estimates of alcohol-attributable disease burden (Rehm et al., 2010a).

**Gastrointestinal diseases:** liver cirrhosis (Rehm et al., 2010b) and pancreatitis (both acute and chronic; Irving et al., 2009) are causally related to alcohol consumption. Higher levels of alcohol consumption create an exponential increase in risk. The impact of alcohol is so important that for both disease categories there are subcategories which are labelled as “alcoholic” or “alcohol-induced” in the ICD.

**Cancers:** alcohol consumption has been identified as carcinogenic for the following cancer categories (International Agency for Research on Cancer, 2012) cancer of the mouth, nasopharynx, other pharynx and oropharynx, laryngeal cancer, oesophageal cancer, colon and rectum cancer, liver cancer and female breast cancer. In addition, alcohol consumption is likely to cause pancreatic cancer. The higher the consumption, the greater the risk for these cancers, with consumption as low as one drink per day causing significantly increased risk for some cancers, such as female breast cancer (Seitz et al., Rehm & Shield, 2013; Nelson et al., 2013).

**Intentional injuries:** alcohol consumption, especially heavy drinking, has been causally linked to suicide and violence (Cherpitel, 2013; Macdonald et al., 2013).

**Unintentional injuries:** almost all categories of unintentional injuries are impacted by alcohol consumption. The effect is strongly linked to the alcohol concentration in the blood and the resulting effects on psychomotor abilities. Higher levels of alcohol consumption create an exponential increase in risk (Taylor et al., 2010).

**Cardiovascular diseases (CVD):** the relationship between alcohol consumption and cardiovascular diseases is complex. The beneficial cardioprotective effect of relatively low levels of drinking for **ischaemic heart disease and ischaemic stroke** disappears with heavy drinking occasions. Moreover, alcohol consumption has detrimental effects on hypertension, atrial fibrillation and haemorrhagic stroke, regardless of the drinking pattern (Roerecke & Rehm, 2012).

**Fetal alcohol syndrome (FAS) and preterm birth complications:** alcohol consumption by an expectant mother may cause these conditions that are detrimental to the health of a newborn infant (Foltran et al., 2011).

**Diabetes mellitus:** a dual relationship exists, whereby a low risk pattern of drinking may be beneficial while heavy drinking is detrimental (Baliunas et al., 2009).

**Infectious diseases:** harmful use of alcohol weakens the immune system thus enabling development of pneumonia and tuberculosis. This effect is markedly more pronounced when associated with heavy drinking and there may be a threshold effect, meaning that disease symptoms manifest mainly if a person drinks above a certain level of heavy drinking (Lonnroth et al., 2008).

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF A PREMISES LICENCE

**PREMISES:** LIDL, WELLINGTON ROAD

### DESCRIPTION

- Increase the capacity for the display of alcohol to allow for theme weeks such as Italian week, French week etc.
- Outwith theme weeks the display area would be used to merchandise premium wines

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian

### LICENSING POLICY STATEMENT

Extract from paragraph 9.8 Overprovision Off Sales

OFF SALES:

The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board).

**Having excluded these two localities, the Board identified the rest of its area as a locality which has overprovision of off sales premises.** The Board, having regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.

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Eric Anderson  
Solicitor  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6, Level 1 South,  
Marischal College, Broad Street  
Aberdeen AB10 1AB

Dear Mr Anderson

**Licensing (Scotland) Act 2005 – Application for a Variation of Premises Licence  
Lidl UK, Wellington Road, Aberdeen, AB12 3DN**

I refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following objection under the licensing objective:

**Protecting and Improving Public Health.**

The applicant seeks to increase the capacity of the premises off-sales display at Wellington Road, Aberdeen from 34.47m<sup>2</sup> to 40.59m<sup>2</sup> by introducing an end of aisle alcohol display area.

This objection will focus on the following points:

1. Increase in capacity
2. Hospital admission rates for wholly attributable alcohol- related conditions.
3. Comparison of alcohol related death rates.
4. Appendix 2 – major disease and injury categories causally linked to alcohol

There is a strong relationship between the availability of alcohol leading to over consumption resulting in health harm. The World Health Organisation has reported on major disease and injury categories causally impacted by alcohol consumption. These are presented in appendix 2. The World Cancer Report cites alcohol as a considerable contributor in preventable illness and disease<sup>1</sup>.

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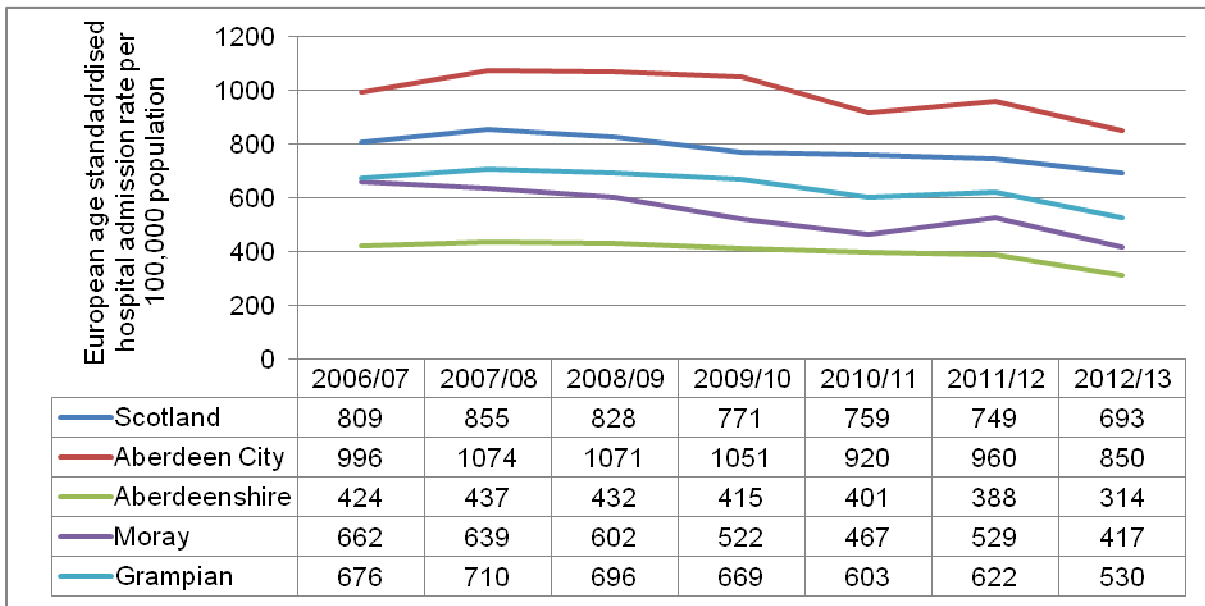
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## 1. Increase in capacity

I have a specific concern about the request to increase the alcohol display area by almost 20% as this is likely to mean an increase in stock held and therefore in alcohol promoted, sold and ultimately consumed. There is also the added factor of positioning to be considered. The Institute of Alcohol Studies has advised that *“it is likely that the placement and positioning of alcohol products within stores, such as front of store and end of aisle promotions in supermarkets and shops encourages people to buy more alcohol than they intended to”*<sup>2</sup>. A research paper published in 2014 also identified the end of aisle area as a prime spot which led to increased sales and consumption<sup>3</sup>.

## 2. Hospital admission rates for wholly attributable alcohol- related conditions.

Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City’s admission rate remains significantly higher than Aberdeenshire or Moray.



Aberdeen City has one of the highest wholly-attributable alcohol-related admission rates in Scotland. In 2012/13, over 2,000 patients experienced nearly 3,000 hospital admissions with a wholly attributable alcohol-related condition (some were admitted more than once). The vast majority (88%) were unscheduled. When an estimate of partially-attributable alcohol-related admissions is taken into account, the total number of alcohol-related admissions in Grampian rises to around 7,000 per year.

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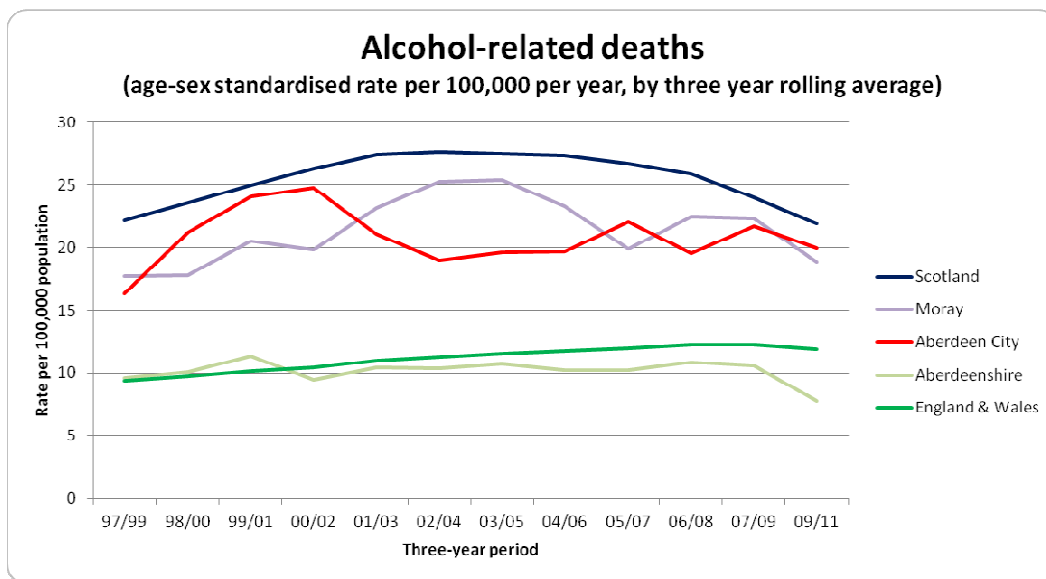
<sup>3</sup> <http://www.sciencedirect.com/science/article/pii/S0277953614001361>



Information from the Scottish Public Health Observatory (ScotPHO) can be broken down to post code sector. This postcode sector includes the data zones of Cove South (39.1%), Cove North (40.5%), Kincorth, Leggart (18.4%) and Banchory, Devenick, Findon (2%). Two of the four data zones (coloured red) representing 59% of the population record alcohol related or attributable hospital patient admissions to be **more than 5% worse than the Scottish average** and are coded Red in the most recent edition of the Traffic Lights Health & Wellbeing Profiles (2012)<sup>4</sup>.

### 3. Comparison of alcohol related death rates.

The graph below illustrates death rates as reported by ScotPHO<sup>5</sup> using GROS data (General Register Office for Scotland). Aberdeen City's rate has remained essentially stable, in contrast to Scotland's falling rate.



The chart above illustrates the three year rolling average for alcohol related deaths with the most recent period shown being 2009 - 2011.

#### Alcohol related deaths 2011 - 2014<sup>6</sup>

Year	Aberdeen	Abnshire	Moray	Scotland
2011	33	22	19	1247
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In Scotland, alcohol-related death rates have fallen by 35% since 2003 but remain 1.4 times higher than in 1981. Alcohol related death in Scotland is still among the highest in Western

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<sup>6</sup> <http://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-related-deaths/tables>

and Central Europe. Similarly, the alcohol-related new patient (hospitalisation) rate fell by 25% since 2007/8, however, the rate was still 1.3 times higher in 2013/14 than in 1991/92<sup>7</sup>.

Even small reductions in the availability of alcohol can contribute to health gain and reduce violence and harm to the population generally, as well as to the drinker themselves. We would suggest that this store retain its existing capacity in an effort to reduce the potential harm to the local community and approval to increase overall alcohol display is not granted.

For these reasons, and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian objects to the application as the granting of it would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health.

Yours sincerely

Chris Littlejohn  
Consultant in Public Health

pp Heather Wilson  
Health Improvement Officer (Alcohol & Drugs)

---

<sup>7</sup> <http://www.healthscotland.com/documents/24485.aspx>

**Box 3. Major disease and injury categories causally impacted by alcohol consumption.**  
(Excerpt from “World Health Organisation - Global status report on alcohol and health 2014”)<sup>8</sup>

**Green:** Overall beneficial effects from low-risk patterns of drinking, while heavy drinking is detrimental

**Red:** 100% alcohol- attributable

**Neuropsychiatric conditions:** **alcohol use disorders** (AUDs see Box 4) are the most important neuropsychiatric conditions caused by alcohol consumption. Epilepsy is another disease causally impacted by alcohol, over and above withdrawal-induced seizures (Samokhvalov et al., 2010b). Alcohol consumption is associated with many other neuropsychiatric conditions, such as depression or anxiety disorders (Kessler, 2004; Boden and Fergusson, 2011) but the complexity of the pathways of these associations currently prevents their inclusion in the estimates of alcohol-attributable disease burden (Rehm et al., 2010a).

**Gastrointestinal diseases:** liver cirrhosis (Rehm et al., 2010b) and pancreatitis (both acute and chronic; Irving et al., 2009) are causally related to alcohol consumption. Higher levels of alcohol consumption create an exponential increase in risk. The impact of alcohol is so important that for both disease categories there are subcategories which are labelled as “alcoholic” or “alcohol-induced” in the ICD.

**Cancers:** alcohol consumption has been identified as carcinogenic for the following cancer categories (International Agency for Research on Cancer, 2012) cancer of the mouth, nasopharynx, other pharynx and oropharynx, laryngeal cancer, oesophageal cancer, colon and rectum cancer, liver cancer and female breast cancer. In addition, alcohol consumption is likely to cause pancreatic cancer. The higher the consumption, the greater the risk for these cancers, with consumption as low as one drink per day causing significantly increased risk for some cancers, such as female breast cancer (Seitz et al., Rehm & Shield, 2013; Nelson et al., 2013).

**Intentional injuries:** alcohol consumption, especially heavy drinking, has been causally linked to suicide and violence (Cherpitel, 2013; Macdonald et al., 2013).

**Unintentional injuries:** almost all categories of unintentional injuries are impacted by alcohol consumption. The effect is strongly linked to the alcohol concentration in the blood and the resulting effects on psychomotor abilities. Higher levels of alcohol consumption create an exponential increase in risk (Taylor et al., 2010).

**Cardiovascular diseases (CVD):** the relationship between alcohol consumption and cardiovascular diseases is complex. The beneficial cardioprotective effect of relatively low levels of drinking for **ischaemic heart disease and ischaemic stroke** disappears with heavy drinking occasions. Moreover, alcohol consumption has detrimental effects on hypertension, atrial fibrillation and haemorrhagic stroke, regardless of the drinking pattern (Roerecke & Rehm, 2012).

**Fetal alcohol syndrome (FAS) and preterm birth complications:** alcohol consumption by an expectant mother may cause these conditions that are detrimental to the health of a newborn infant (Foltran et al., 2011).

**Diabetes mellitus:** a dual relationship exists, whereby a low risk pattern of drinking may be beneficial while heavy drinking is detrimental (Baliunas et al., 2009).

**Infectious diseases:** harmful use of alcohol weakens the immune system thus enabling development of pneumonia and tuberculosis. This effect is markedly more pronounced when associated with heavy drinking and there may be a threshold effect, meaning that disease symptoms manifest mainly if a person drinks above a certain level of heavy drinking (Lonnroth et al., 2008).

<sup>8</sup> [http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763\\_eng.pdf?ua=1](http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763_eng.pdf?ua=1)

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF A PREMISES LICENCE

**PREMISES:** LIDL, LANG STRACHT

### DESCRIPTION

- Increase the capacity for the display of alcohol to allow for theme weeks such as Italian week, French week etc.
- Outwith theme weeks the display area would be used to merchandise premium wines

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian

### LICENSING POLICY STATEMENT

Extract from paragraph 9.8 Overprovision Off Sales

OFF SALES:

The Board realised that the terms of section 7 of the 2005 Act did not support calculating overprovision to cover its entire area. The Board therefore decided to exclude two localities namely a) the Anguston locality (as identified by the Board) and b) the Kirkhill locality (as identified by the Board).

**Having excluded these two localities, the Board identified the rest of its area as a locality which has overprovision of off sales premises.** The Board, having regard to the number and capacity of liquor licensed premises in this locality and, with the supporting evidence provided by consultees, adopted this locality as having an overprovision of liquor licensed premises for off sales.

The Board realised that there were premises which sold alcohol for off consumption only and other premises which sold alcohol for both off and on consumption. It decided to restrict overprovision to premises that sold alcohol for off consumption only which, according to the information from the Health Board, is where the source of cheap alcohol lies.

The Board also realised that this figure was likely to change in future should any off sales premises close by way of surrender or revocation. The Board was also aware from the Health Board's advice that described their evidence as "the tip of the iceberg" and that there was a lot of under-reporting. The Board therefore considered that this would not automatically lead to a successful application for a new licence on the basis that an existing licence had been surrendered or revoked. Should that occur the Board may consider carrying out a further overprovision assessment before determining such future application.

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Date 18<sup>th</sup> September 2015  
Enquiries to 01224 557047  
Our Ref 20151114  
Email: [grampian.healthprotection@nhs.net](mailto:grampian.healthprotection@nhs.net)

Eric Anderson  
Solicitor  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Business Hub 6, Level 1 South,  
Marischal College, Broad Street  
Aberdeen AB10 1AB

Dear Mr Anderson

**Licensing (Scotland) Act 2005 – Application for a Variation of Premises Licence  
Lidl UK, Lang Stracht, Aberdeen, AB15 6HY**

I refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following objection under the licensing objective:

**Protecting and Improving Public Health.**

The applicant seeks to increase the capacity of the premises off-sales display at Lang Stracht, Aberdeen from 30.46m<sup>2</sup> to 36.58m<sup>2</sup> by introducing an end of aisle alcohol display area.

This objection will focus on the following points:

1. Increase in capacity
2. Hospital admission rates for wholly attributable alcohol- related conditions.
3. Comparison of alcohol related death rates.
4. Referrals to Integrated Alcohol Service, Aberdeen
5. Appendix 2 – major disease and injury categories causally linked to alcohol

There is a strong relationship between the availability of alcohol leading to over consumption resulting in health harm. The World Health Organisation has reported on major disease and injury categories causally impacted by alcohol consumption. These are presented in appendix 2. The World Cancer Report cites alcohol as a considerable contributor in preventable illness and disease<sup>1</sup>.

---

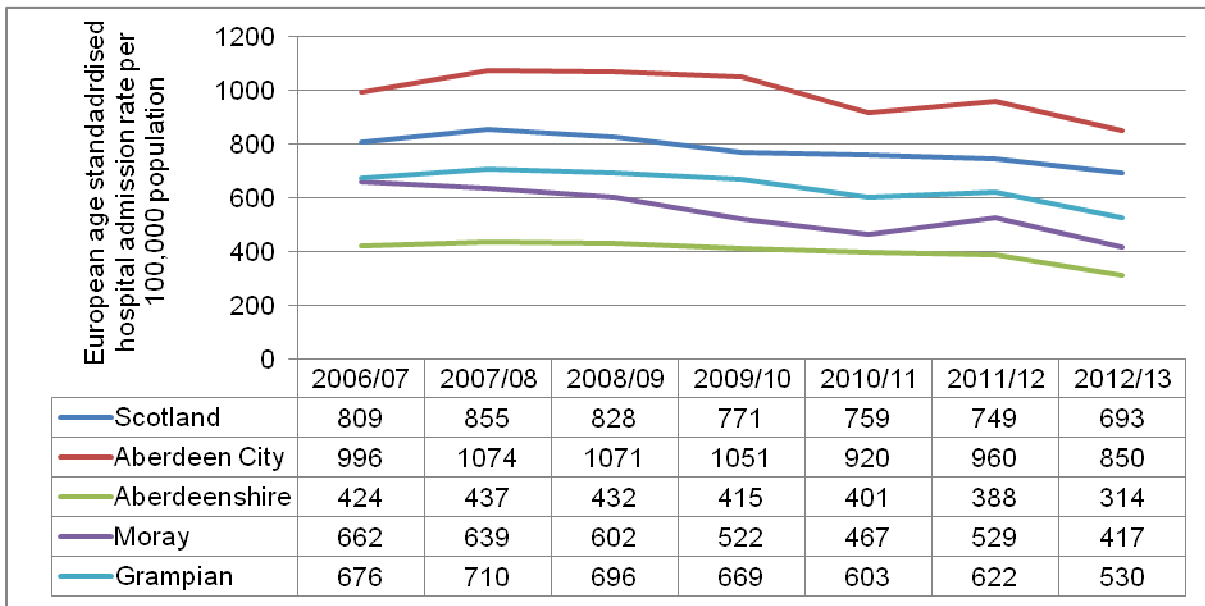
<sup>1</sup> <http://www.iarc.fr/en/publications/books/wcr/wcr-order.php>

## 1. Increase in capacity

I have a specific concern about the request to increase the alcohol display area by approximately 20% as this is likely to mean an increase in stock held and therefore in alcohol promoted, sold and ultimately consumed. There is also the added factor of positioning to be considered. The Institute of Alcohol Studies has advised that *“it is likely that the placement and positioning of alcohol products within stores, such as front of store and end of aisle promotions in supermarkets and shops encourages people to buy more alcohol than they intended to”*<sup>2</sup>. A research paper published in 2014 also identified the end of aisle area as a prime spot which led to increased sales and consumption<sup>3</sup>.

## 2. Hospital admission rates for wholly attributable alcohol- related conditions.

Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City’s admission rate remains significantly higher than Aberdeenshire or Moray.



Aberdeen City has one of the highest wholly-attributable alcohol-related admission rates in Scotland. In 2012/13, over 2,000 patients experienced nearly 3,000 hospital admissions with a wholly attributable alcohol-related condition (some were admitted more than once). The vast majority (88%) were unscheduled. When an estimate of partially-attributable alcohol-related admissions is taken into account, the total number of alcohol-related admissions in Grampian rises to around 7,000 per year.

<sup>2</sup> <http://www.ias.org.uk/Alcohol-knowledge-centre/Marketing/Factsheets/What-is-Alcohol-Marketing-The-Four-Ps.aspx>

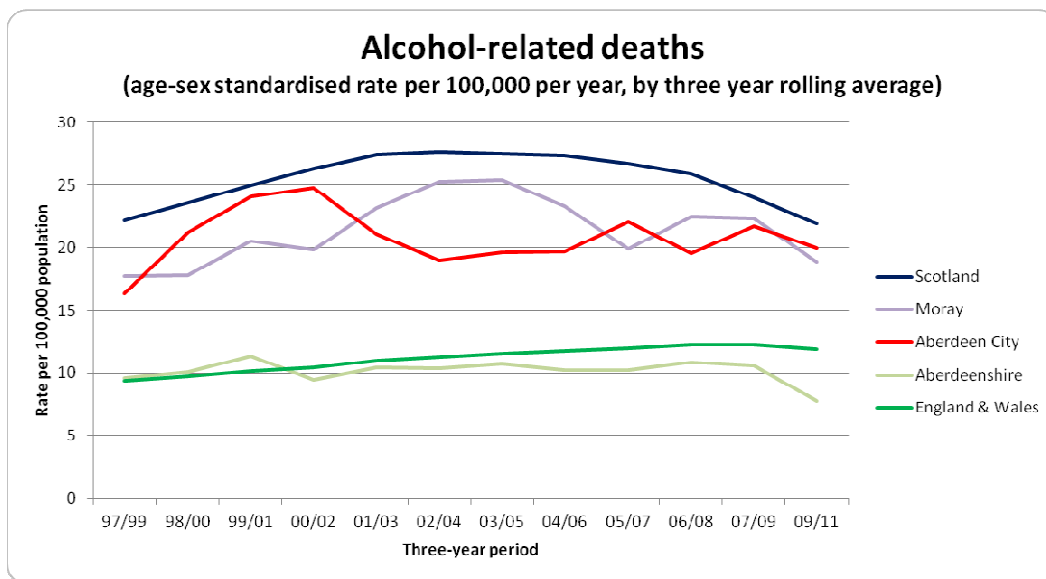
<sup>3</sup> <http://www.sciencedirect.com/science/article/pii/S0277953614001361>



Information from the Scottish Public Health Observatory (ScotPHO) can be broken down to post code sector. This postcode sector includes the data zones of Hazelhead (27.8% pop), **Summerhill (68.2% pop)**, Braeside (1.1% pop) and **Mastrick (1.8% pop)**. Two of the four datazones representing 70% of the local population record alcohol related or attributable hospital patient admissions to be **more than 5% worse than the Scottish average** and are coded Red in the most recent edition of the Traffic Lights Health & Wellbeing Profiles (2012)<sup>4</sup>.

### 3. Comparison of alcohol related death rates.

The graph below illustrates death rates as reported by ScotPHO<sup>5</sup> using GROS data (General Register Office for Scotland). Aberdeen City's rate has remained essentially stable, in contrast to Scotland's falling rate.



The chart above illustrates the three year rolling average for alcohol related deaths with the most recent period shown being 2009 - 2011.

#### Alcohol related deaths 2011 - 2014<sup>6</sup>

Year	Aberdeen	Abnshire	Moray	Scotland
2011	33	22	19	1247
2012	38	25	21	1080
2013	42	23	22	1100
2014	51	27	14	1152

<sup>4</sup> <http://www.nhsgrampian.org/grampianfoi/files/TrafficLights2012AberdeenCity.pdf>

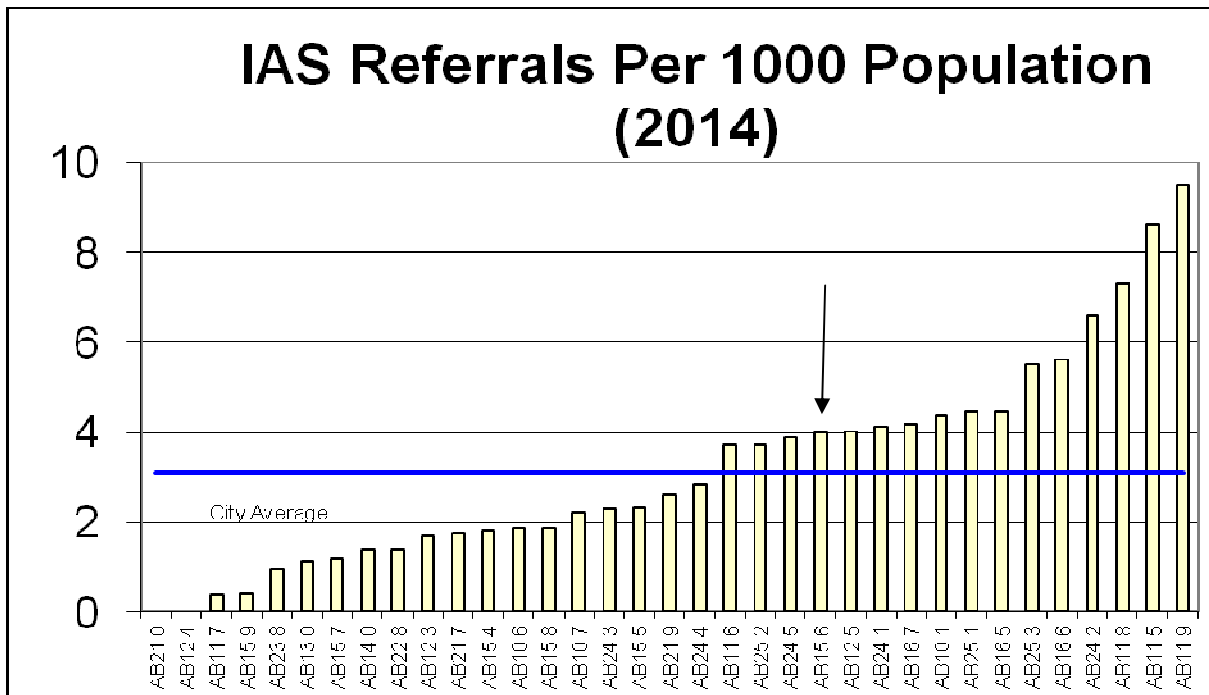
<sup>5</sup> <http://www.scotpho.org.uk/>

<sup>6</sup> <http://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-related-deaths/tables>

In Scotland, alcohol-related death rates have fallen by 35% since 2003 but remain 1.4 times higher than in 1981. Alcohol related death in Scotland is still among the highest in Western and Central Europe. Similarly, the alcohol-related new patient (hospitalisation) rate fell by 25% since 2007/8, however, the rate was still 1.3 times higher in 2013/14 than in 1991/92<sup>7</sup>.

#### 4. Referrals to the Integrated Alcohol Service, Aberdeen

Referrals from the AB16 6 post code zone to the Integrated Alcohol Service at Cornhill Hospital are above the city average as the graph below illustrates. This graph covers the period from 1<sup>st</sup> January 2014 – 31 December 2014.



In a recent study of alcohol pricing and purchasing behaviour of patients with alcohol related conditions it emerged that the majority of their alcohol purchases were made from corner shops and **not** supermarkets<sup>8</sup>. Although this study was completed in Glasgow we see no reason to doubt similar preferences would not be evident in Aberdeen residents.

<sup>7</sup> <http://www.healthscotland.com/documents/24485.aspx>

<sup>8</sup> [http://alcoholresearchuk.org/downloads/finalReports/FinalReport\\_0128.pdf](http://alcoholresearchuk.org/downloads/finalReports/FinalReport_0128.pdf)

Even small reductions in the availability of alcohol can contribute to health gain and reduce violence and harm to the population generally, as well as to the drinker themselves. We would suggest that this store retain its existing capacity in an effort to reduce the potential harm to the local community and approval to increase overall alcohol display is not granted.

For these reasons, and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, the Public Health Directorate of NHS Grampian objects to the application as the granting of it would be inconsistent with one or more of the licensing objectives, namely Protecting and Improving Public Health.

Yours sincerely

Chris Littlejohn  
Consultant in Public Health

pp Heather Wilson  
Health Improvement Officer (Alcohol & Drugs)

**Box 3. Major disease and injury categories causally impacted by alcohol consumption.**  
(Excerpt from “World Health Organisation - Global status report on alcohol and health 2014”)<sup>9</sup>

**Green:** Overall beneficial effects from low-risk patterns of drinking, while heavy drinking is detrimental

**Red:** 100% alcohol- attributable

**Neuropsychiatric conditions:** **alcohol use disorders** (AUDs see Box 4) are the most important neuropsychiatric conditions caused by alcohol consumption. Epilepsy is another disease causally impacted by alcohol, over and above withdrawal-induced seizures (Samokhvalov et al., 2010b). Alcohol consumption is associated with many other neuropsychiatric conditions, such as depression or anxiety disorders (Kessler, 2004; Boden and Fergusson, 2011) but the complexity of the pathways of these associations currently prevents their inclusion in the estimates of alcohol-attributable disease burden (Rehm et al., 2010a).

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<sup>9</sup> [http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763\\_eng.pdf?ua=1](http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763_eng.pdf?ua=1)



**ABERDEEN**  
**CITY COUNCIL**

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10 September 2015

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## **LICENSING (SCOTLAND) ACT 2005 DISPLAY OF SITE NOTICES**

MILL OF MUNDURNO  
MURCAR, BRIDGE OF DON

I attended the location at 15.15 on Thursday 10 September 2015 to check on the display of the relevant site notice.

The premises is reached by way of a long driveway, to the left of which in front of the premises there is substantial building work in progress.

No notices were on display along the drive, in the external courtyard/car park, on any external windows or in entrance area of the premises or the attached hotel.

I can only conclude that the relevant notice was not on display.

**David McKane**

Enforcement Officer  
Litigation and Licensing

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Our Ref.  
Your Ref.  
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Email dmckane@aberdeencity.gov.uk  
Direct Dial 01224 522879  
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18 September 2015

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## LICENSING (SCOTLAND) ACT 2005 DISPLAY OF SITE NOTICES

MILL OF MUNDURNO  
MURCAR, BRIDGE OF DON

I attended the location at 09.45 on Friday 18 September 2015 to check on the display of the relevant site notice.

The premises is reached by way of a long driveway, to the left of which in front of the premises there is substantial building work in progress.

No notices were on display at any of the 2 lamp-post at the entrance to the drive, nor on any of the numerous fence posts at either side of the drive entrance. Neither were any on display along the drive.

I can only conclude that the relevant notice was not on display.

**David Mckane**

Enforcement Officer  
Litigation and Licensing

ANGELA SCOTT  
CHIEF EXECUTIVE AND INTERIM DIRECTOR OF CORPORATE GOVERNANCE



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## Jacqui Wallace

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**From:** Sue McCourt [REDACTED] on behalf of Michelle Hazlewood  
**Sent:** 21 September 2015 16:44  
**To:** Jacqui Wallace  
**Subject:** Mill of Mundurno  
**Attachments:** GoogleEarth\_Image.jpg.jpg; image3.JPG.JPG

Dear Jacqui

Further to your email of 18<sup>th</sup> September regarding the Enforcement Officers visit to the premises I note your comments and that the matter will be placed before the Board for their consideration as to the effectiveness of the display of notices.

We can confirm that notices were displayed at the entrance to the Mill, and since 21<sup>st</sup> September a notice has been displayed on the Table Table sign on the B999.

Previously a notice had been displayed on the road as, the B999 has no public footpath and being a very busy road, the Manager was concerned for the safety of himself and his staff in displaying of the notice and whether it would have actually been visible to those persons using the road in view of its 60 mph speed limit.

For your purposes please find attached Goggle Image illustrating the location of the notice display point and a photograph of the Notice on the Table Table sign,

Yours faithfully

### Michelle Hazlewood

Partner  
Sent by Sue McCourt



[Omega Court](#) | [372-374 Cemetery Road](#) | [Sheffield](#) | [S11 8FT](#)

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Eye alt 1875 ft

Notices

Notices from 21st September

A90

B999

Denmore Rd

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57°12'10.25"N 2°05'25.23"W elev 135 ft

2001

Imagery Date: 4/20/2008



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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** MILL OF MUNDURNO, BRIDGE OF DON

### DESCRIPTION

- Expansion of premises with creation of an annexe with 124 additional bedrooms
- Reconfiguration of ground floor area including an expansion of the existing restaurant area

### OBJECTIONS/REPRESENTATIONS

- None

### LICENSING POLICY STATEMENT

- None

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