

# Public Document Pack



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

Town House,  
ABERDEEN 27 November 2015

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in Committee Room 2 - Town House on **TUESDAY, 8 DECEMBER 2015 at 10.30 am.**

**FRASER BELL**  
CLERK TO THE LICENSING BOARD

### **B U S I N E S S**

- 1 List of Applications (Pages 5 - 14)
  - 1.1 Application for Premises Licence - B & M Stores, Unit 5B Kittybrewster Retail Park, Bedford Road, Aberdeen (Pages 15 - 26)
  - 1.2 Application for Provisional Premises Licence - Aberdeen Airport Petrol Filling Station, Argyll Road (Pages 27 - 38)
  - 1.3 Application for Provisional Premises Licence - Hotel Premises, Farburn Terrace, Dyce (Pages 39 - 42)
  - 1.4 Application for Provisional Premises Licence - The Co-operative Food, North Deeside Road, Peterculter (Pages 43 - 54)
  - 1.5 Application for Provisional Premises Licence - The Mask above Magma, 52 Bridge Street (Pages 55 - 56)
  - 1.6 Application for Variation of Premises Licence - Almondine, 43 Thistle Street (Pages 57 - 58)

- 1.7 Application for Variation of Premises Licence - Angus and Ale, 55 Schoolhill (Pages 59 - 62)
- 1.8 Application for Variation of Premises Licence - Belmont Cinema, 49 Belmont Street (Pages 63 - 66)
- 1.9 Application for Variation of Premises Licence - Co-operative Group Limited, Springfield Road (Pages 67 - 74)
- 1.10 Application for Variation of Premises Licence - Holiday Inn Express, Aberdeen Airport, 2-3 International Gate (Pages 75 - 76)
- 1.11 Application for Variation of Premises Licence - Jewel in the Crown, Upper Ground Floor, 145 Crown Street (Pages 77 - 84)
- 1.12 Application for Variation of Premises Licence - Lidl, 739 King Street (Pages 85 - 92)
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- 1.14 Application for Variation of a Premises Licence - The Adelphi Kitchen, 28 Adelphi (Pages 97 - 100)
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- 1.16 Application for Variation of Premises Licence - Mill of Mundurno, Murcar, Bridge of Don (Pages 109 - 110)
- 1.17 Application for Occasional Licence - Walk up Bar 1, Festive Village, Union Terrace, Aberdeen
- 1.18 Application for Occasional Licence - Walk up Bar 2, Festive Village, Union Terrace, Aberdeen
- 1.19 Application for Personal Licence - AC4141 (Pages 111 - 112)
- 2 Application for Personal Licence Review Hearing - AC0838 (Pages 113 - 114)

Should you require any further information about this agenda, please contact Arlene Dunbar, e-mail [ardunbar@aberdeencity.gov.uk](mailto:ardunbar@aberdeencity.gov.uk) or tel. 01224 523411 or Jacqui Wallace, e-mail [jwallace@aberdeencity.gov.uk](mailto:jwallace@aberdeencity.gov.uk) or tel. 01224 522985

## ABERDEEN CITY LICENSING BOARD

Meeting 8 December 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	<p>B &amp; M STORES            UNIT 5B            KITYBREWSTER RETAIL PARK            BEDFORD ROAD            ABERDEEN            AB24 3LJ</p>	<p>EV RETAIL LIMITED            C/O JOELSON WILSON LLP            30 PORTLAND PLACE            LONDON            W1B 1LZ</p>	<p>4 September 2015</p>	<p>Off-Consumption Monday to Sunday 10:00 to 22:00 with recorded music. Retail sales including furnishing, home goods, DIY, hardware, pre-packed foods, clothing etc.</p>

**ABERDEEN CITY LICENSING BOARD**

**Meeting 8 December 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	ABERDEEN AIRPORT PETROL FILLING STATION ARGYLL ROAD ABERDEEN AB21 0LU	CERTAS ENERGY UK LTD C/O HARPER MACLEOD LLP SOLICITORS THE CA'D'ORO 45 GORDON STREET GLASGOW G1 3PE	2 October 2015	Off-Consumption Monday to Sunday 10:00 to 22:00.
	HOTEL PREMISES FARBURN TERRACE DYCE ABERDEEN AB21 7DT	FARBURN DYCE LIMITED C/O HILL BROWN SOLICITORS 3 NEWTON PLACE GLASGOW G3 7PU	22 October 2015	Hotel premises; on and off consumption and offering accommodation, conference facilities, restaurant facilities, bar meals, receptions, club meetings, recorded music, live performances, Film, televised sports, Children and Young persons of any ages will be permitted in all public areas and bedrooms at all times when the premises are all for business. Non-resident children and young persons require to be accompanied by an adult.

**ABERDEEN CITY LICENSING BOARD**

**Meeting 8 December 2015 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen, AB10 1AB**

**Licensing (Scotland) Act 2005**

<b>Provisional(s)</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
<b>4</b>	<b>THE CO-OPERATIVE FOOD NORTH DEESIDE ROAD PETERCULTER ABERDEEN AB14 0UL</b>	<b>12 October 2015</b>	<b>Off-Consumption Monday to Sunday 10:00 to 22:00 with recorded music.</b>
	<b>CO-OPERATIVE GROUP FOOD LIMITED C/O HILL BROWN SOLICITORS 3 NEWTON PLACE GLASGOW G3 7PU</b>		
	<b>THE MASK ABOVE MAGMA 52 BRIDGE STREET ABERDEEN AB11 6JN</b>	<b>26 August 2015</b>	<b>On-Consumption Sunday to Thursdays 12:00 to 02:00 and Friday and Saturday 13:00 to 03:00. Offering conference facilities; bar meals; receptions; recorded music, live performances; dance facilities; televised sports; and adult entertainment.</b>
	<b>RENTINCOME LTD C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG</b>		

**ABERDEEN CITY LICENSING BOARD**

**Meeting 8 December 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>
6	ALMONDINE 43 THISTLE STREET ABERDEEN AB10 1UY	ALMONDINE C/O THE COMMERCIAL LAW PRACTICE SOLICITORS COMMERCIAL HOUSE 2 RUBISLAW TERRACE ABERDEEN AB10 1XE	7 October 2015	Expanding premises into the adjoining property with resultant increase in capacity from 16 to 28 persons and amended layout. Amended to premises address as contained in the licence to 39-43 Thistle Street.
	ANGUS AND ALE 55 SCHOOLHILL ABERDEEN AB10 1JT	MARK JAMES CAVANAGH C/O PETERKINS SOLICITORS 100 UNION STREET ABERDEEN AB10 1QR	8 October 2015	Amendment to the terms under which children are permitted entry to the premises to "Children and young persons permitted access to the premises at the discretion of the management until 21:00. After 21:00 children and young persons will only be admitted if accompanied by an adult. Currently the terms are "if accompanied by an adult"
8	BELMONT CINEMA 49 BELMONT STREET ABERDEEN AB10 1JS	BELMONT FILMHOUSE LIMITED C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	20 August 2015	Amendment to a local condition to allow the sale of alcohol from the box office; variation to layout plan; formation of additional sales point; Change of name to "Belmont Filmhouse".

**ABERDEEN CITY LICENSING BOARD**

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**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
9 CO-OPERATIVE GROUP LIMITED SPRINGFIELD ROAD ABERDEEN AB15 7SE	CO-OPERATIVE GROUP FOOD LIMITED C/O THO & J W BARTY SOLICITORS 61 HIGH STREET DUNBLANE PERTHSHIRE FK15 0EH	24 August 2015	Amendment to the alcohol display area and increase in capacity to 23.68sqm
HOLIDAY INN EXPRESS ABERDEEN AIRPORT 2-3 INTERNATIONAL GATE DYCE ABERDEEN AB21 0BE	DOMINVS PROJECT COMPANY LTD C/O BURNES PAULL LLP SOLICITORS UNION PLAZA 1 UNION WYND ABERDEEN AB10 1DQ	11 August 2015	Amend Q5(a) of the Operating plan - restaurant facilities - deleting 06:30 and replace with 05:00 so that it reads "breakfasts served from 05:00 daily to hotel residents and non-residents".
11 JEWEL IN THE CROWN UPPER GROUND FLOOR 145 CROWN STREET ABERDEEN AB11 6HP	SYED FAROOQ AHMED C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	21 August 2015	To open the restaurant for the sale of teas, coffees, breakfast and snacks from 08:00 (no alcohol sales at this time); Add outdoor drinking and televised sports as activities; To permit ancillary food take away; increase in capacity due to outdoor area.

**ABERDEEN CITY LICENSING BOARD**

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**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
12 LIDL UK GMBH 739 KING STREET ABERDEEN AB24 1XZ	LIDL UK GMBH C/O LIDL UK GMBH LICENSING DEPARTMENT LOCKING CASTLE BUSINESS PARK WEST WICK WESTON SUPER MARE BS24 7TG	17 September 2015	Inclusion of recorded music; increase in capacity from 32.4m2 to 38.5m2 to coincide with "theme weeks"
SKENE HOUSE 66-84 ROSEMOUNT VIADUCT ABERDEEN AB25 1NU	SKENE INVESTMENTS (ABERDEEN) LIMITED C/O LEDINGHAM CHALMERS LLP SOLICITORS JOHNSTONE HOUSE 52-54 ROSE STREET ABERDEEN AB10 1HA	29 July 2015	Addition of off-consumption for residents only; addition of the following activities: receptions including weddings, birthdays, retirements etc., recorded music, live performances and dance facilities.
14 THE ADELPHI KITCHEN 28 ADELPHI ABERDEEN AB11 5BL	BEETROOT RESTAURANTS LIMITED C/O JAMES & GEORGE COLLIE SOLICITORS 1 EAST CRAIBSTONE STREET ABERDEEN AB11 6YQ	15 September 2015	Addition of Off-consumption 12:00 - 22:00 Monday to Sunday; amend Q(5) of operating plan to include live performances and the provision of takeaway facilities between 12:00 -22:00.



**ABERDEEN CITY LICENSING BOARD**

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**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
15 THE PRIORY 27 BELMONT STREET ABERDEEN AB10 1JS	THE EPIC GROUP (SCOTLAND) LTD C/O INN BUSINESS SCOTLAND FORSYTH HOUSE LOMOND COURT CASTLE BUSINESS PARK STIRLING FK9 4TU	1 September 2015	Amend core hours for on sales to 21:00 to 03:00 on Sundays to Thursdays and from 21:00 to 04:00 on Fridays and Saturdays.
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**

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**Licensing (Scotland) Act 2005**

<b>Occasional(s)</b>	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
17	WALK UP BAR 1 FESTIVE VILLAGE UNION TERRACE ABERDEEN	ALAN JOHN (JUNIOR) CODONA C/O LEDINGHAM CHALMERS LLP SOLICITORS JOHNSTONE HOUSE 52-54 ROSE STREET ABERDEEN AB10 1HA	18 November 2015	Start date of event: 31/12/2015 End Date of Event: 01/01/2016 The Bar Is Based Very Much On Bars Available At Other Festive Villages And Outlets Including Edinburgh. There Will Be A Mixture Of Mulled Wine, Cider, Beer And Wine For Sale In The Bar And Customers Will Be Entitled To Consume The Drinks Within Union Terrace. There Will Be Stewards At Either End Of Union Terrace To Ensure That No-one Leaves The Designated Festive Village With Drinks. Children and young persons will not be permitted entry to the function.

**ABERDEEN CITY LICENSING BOARD**

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**Licensing (Scotland) Act 2005**

<b>Occasional(s)</b>	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
18	WALK UP BAR 2 FESTIVE VILLAGE SLIP ROAD UNION TERRACE ABERDEEN	ALAN JOHN (JUNIOR) CODONA C/O LEDINGHAM CHALMERS LLP SOLICITORS JOHNSTONE HOUSE 52-54 ROSE STREET ABERDEEN AB10 1HA	18 November 2015	Start date of event: 31/12/2015 End Date of Event: 01/01/2016 The Bar Is Based Very Much On Bars Available At Other Festive Villages And Outlets Including Edinburgh. There Will Be A Mixture Of Mulled Wine, Beer, Cider And Wine For Sale In The Bar And Customers Will Be Entitled To Consume The Drinks Within Union Terrace. There Will Be Stewards At Either End Of Union Terrace To Ensure That No-one Leaves The Designated Festive Village With Drinks. Children and young persons will not be permitted entry to the function.

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**ABERDEEN CITY LICENSING BOARD**

**Meeting 8 December 2015 at 10:30am in Committee Room 2, Town House, Broad Street, Aberdeen, AB10 1AB**

**Licensing (Scotland) Act 2005**

**Personal Licence(s)**

**Applicant**

**Date Received**

**Comments**

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19 GRANT BRUCE

15 May 2015

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PREMISES LICENCE

**PREMISES:** B & M STORES, UNIT 5B KITTYBREWSTER RETAIL PARK, BEDFORD ROAD

### DESCRIPTION

- Off consumption Monday to Sunday 10:00 – 22:00
- Retail sales including furnishings, home goods, DIY, hardware, pre-packed foods, clothing etc.
- Recorded music
- 30.2sqm capacity

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian
- Froghall, Sunnybank & Powis Community Council

### 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)

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Date 16<sup>th</sup> November 2015  
Enquiries to 01224 557047  
Our Ref 20151143  
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  
B & M Stores, Unit 5B, Kittybrewster, Bedford Road, Aberdeen, AB24 3LJ**

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 add an off sale facility to the store within the Kittybrewster Retail Development. The off-sales capacity display area will be 30.2m<sup>2</sup> which will make this store the biggest outlet in the immediate area.

This objection will focus on the following points:

1. Availability of alcohol
2. Hospital admission rates for wholly attributable alcohol- related conditions.
3. Comparison of alcohol related death rates.
4. Scottish Public Health Observatory data
5. Referrals to the Integrated Alcohol Service
6. Appendix 2 – major disease and injury categories causally linked to alcohol

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>

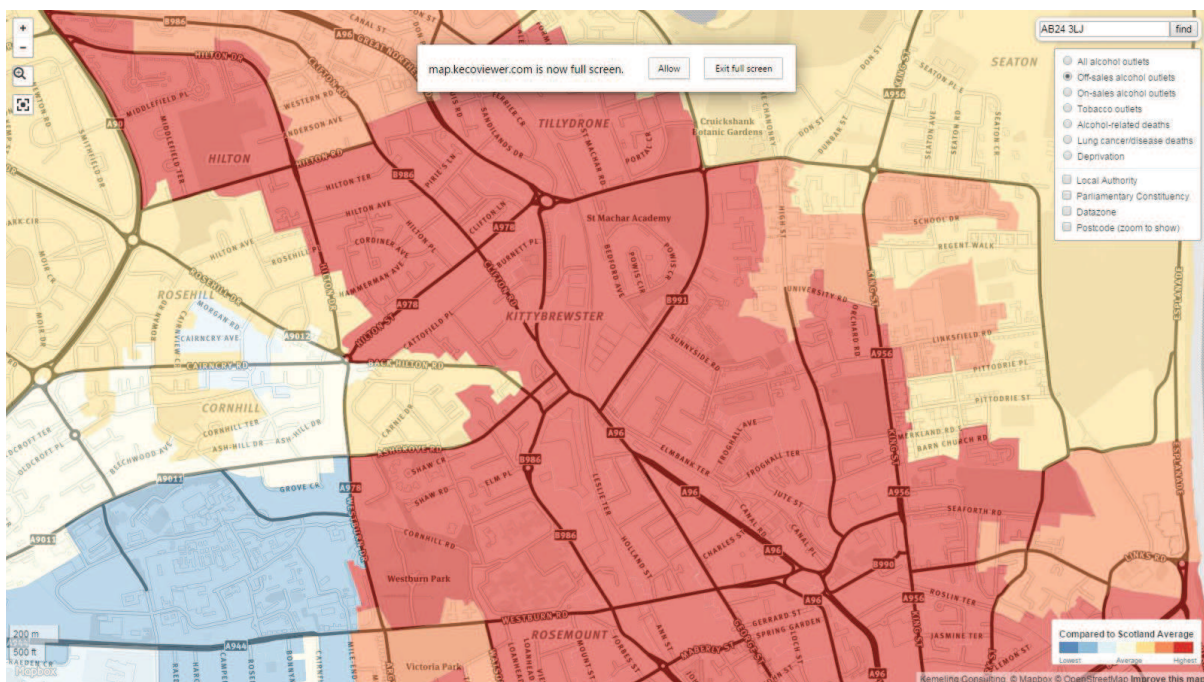
## 1. Availability of alcohol.

There is a strong relationship between the availability of alcohol leading to overconsumption resulting in health harm. I have a specific concern about the request to increase the availability of alcohol in this area as this is highly likely to mean an increase in alcohol promoted and sold. There are already a range of stores in this locality selling alcohol within a very short distance.

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

Address	Capacity	Location from B & M Stores	Walking Time from B & M Stores
Discount UK, Unit 4, Kittybrewster, Bedford Road	12.100m2	Same site	
Bedford Stores, 46 Bedford Road	5m2	Within sight – immediately across the road	2 minutes
Adies, 62/64 Bedford Road,	8.67m2	Across the road	3 minutes
Keystore, 18 Bedford Avenue	23.06m2	Around the corner	4 minutes

The Cresh<sup>2</sup> data for this post code area identifies high levels of off sales provision when compared to the Scottish average and is shown in the map below. The red areas indicate those above the Scottish Average.

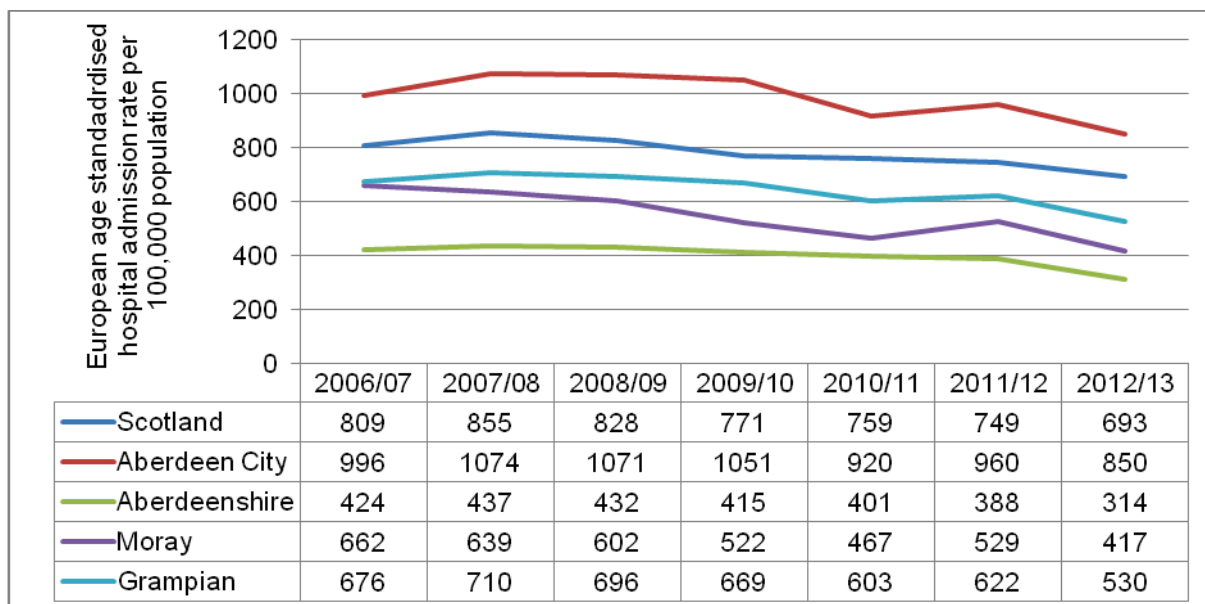


<sup>2</sup> [www.cresh.org.uk/webmap](http://www.cresh.org.uk/webmap)



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

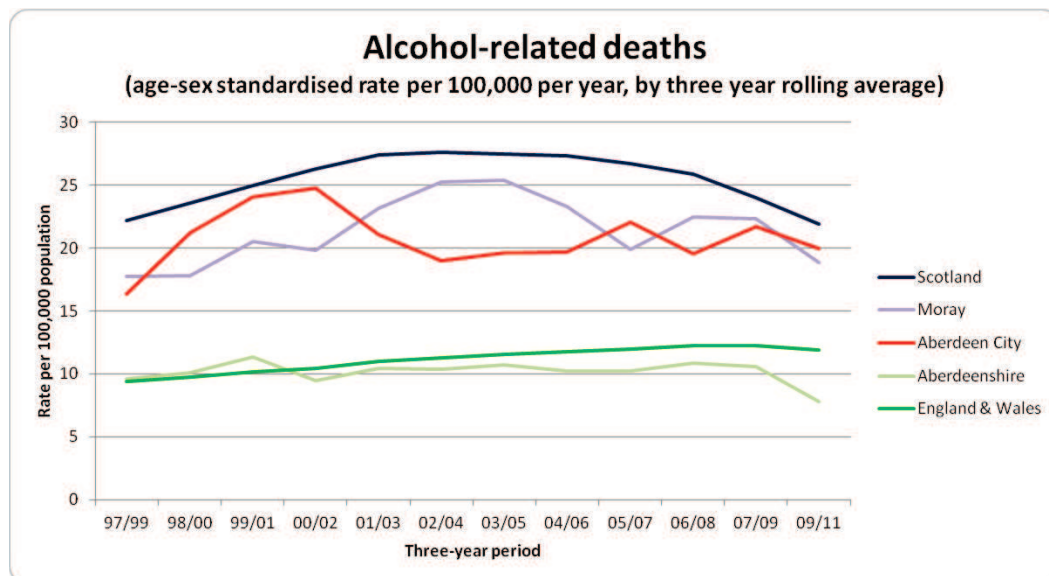
Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City's admission rate remains significantly higher than 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>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 - 2014<sup>4</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>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>

#### 4. Scottish Public Health Observatory Data

Information from the Scottish Public Health Observatory (ScotPHO) can be broken down to post code sector. This postcode sector includes the data zones of Froghall, Powis & Sunnybank (77.1%), Hanover (2.9%), Seaton (8.7%), George Street (5%), Ashgrove (1.7%), Old Aberdeen (2.9%) and Tillydrone (1.6%). **All seven of these 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>6</sup>. Four of the seven data zones (coloured red in this letter) record alcohol related deaths to be **more than 5% worse than the Scottish average.**

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)

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<sup>6</sup> <http://www.nhsgrampian.org/grampianfoi/files/TrafficLights2012AberdeenCity.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>7</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>7</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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## Arlene Dunbar

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**From:** ALBERT CRAIG [REDACTED]  
**Sent:** 16 November 2015 20:57  
**To:** Licensing  
**Subject:** B&M stores Bedford road

As a community council we wish to object to the granting of an off-sales at Unit 5B Kittybrewster Retail Park, B&M stores.

For the following reasons:-

- 1 There is over provision of premises selling alcohol in the surrounding area.

Premises in close proximity to B&M stores selling alcohol  
Key Stores Bedford Avenue (approx 50 meters)  
Adies Bedford Road (approx 50 Meters)  
Discount UK Kittybrewster Retail Park (two units up in same retail park)  
Sainsburys Berryden Road (approx 500 meters)  
Kitty Brewster Bar Great Northern Road (approx 400 meters)  
Northern Hotel Great Northern Road (approx 500 meters)

- 2 There are two school located within less than 400 meter from the premises, St Machar Academy and Sunnybank School.

- 3 Tillydrone is among one of the highest alcohol related admittances to NHS Grampian.

Albert Craig  
Planning Officer  
Froghall, Sunnybank and Powis Community Council

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISES:** ABERDEEN AIRPORT FILLING STATION

### DESCRIPTION

- Off consumption Monday to Sunday 10:00 – 22:00

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian
- Dyce & Stoneywood Community Council
- Aberdeen City Council Special Licensing Objections Sub Committee

### 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)

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Date 16<sup>th</sup> November 2015  
Enquiries to 01224 557047  
Our Ref 20151143  
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  
Aberdeen Airport Petrol Filling Station, Argyll Road, Aberdeen, AB21 0LU**

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 add an off sale facility to the general convenience store element of the Aberdeen Airport Petrol Filling Station. The off-sales capacity display area will be 9.515m<sup>2</sup>.

This objection will focus on the following points:

1. 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>.

---

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

## 1. Availability of alcohol.

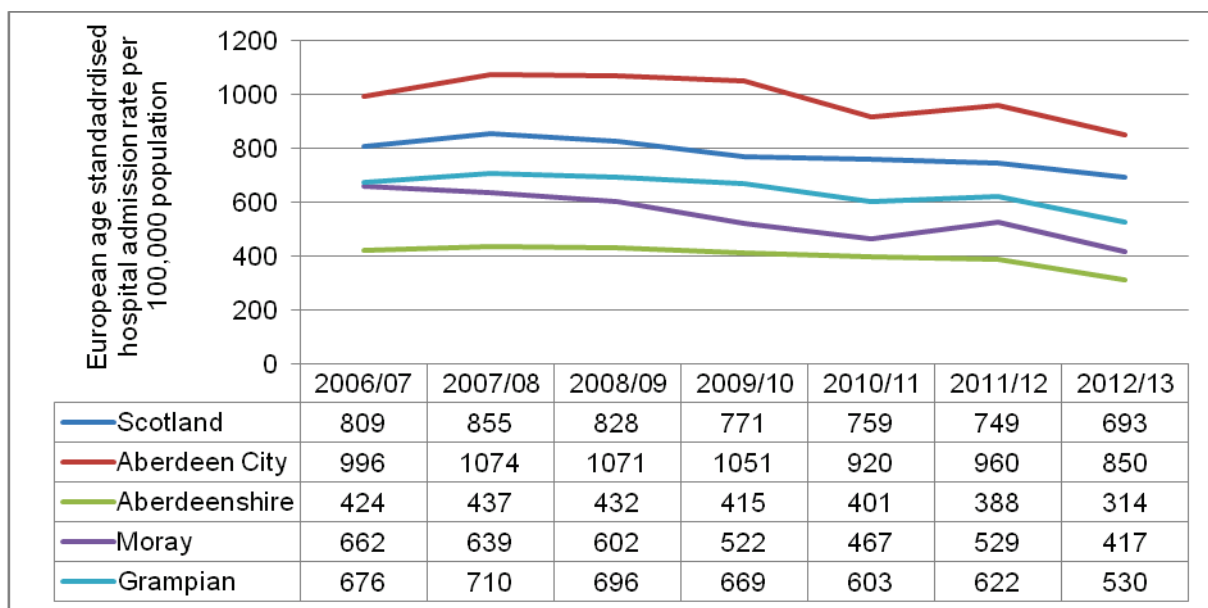
Licensing laws in Scotland prohibit the sale of alcohol from garage forecourts, but with a significant exemption, namely if it can be demonstrated that the local community is (or likely to become) reliant on the premises as a principal source of either fuel or groceries. This is intended to avoid unfairly disadvantaging local residents who would otherwise have to travel longer distances to purchase their goods. This petrol filling station is positioned in an industrial estate, close to Aberdeen Airport, in an area with an abundance of hotel, office and warehouse accommodation but no houses that I am aware of. I am sure it would receive a great deal of “passing trade” but I would question whether we have persons resident in this locality who are utterly reliant on these premises.

Passing trade purchases could impact on the health of the citizens of Aberdeen and the surrounding area. The Health Board views on any increase in availability of alcohol are well known to the Licensing Board and can be found in the Statement of Licensing Policy, paragraph 27.4

*“The Health Board states that increased access and availability to alcohol through **increased numbers of premises** and /or opening hours or decreased pricing is linked to increased consumption, which in turn potentially leads to increased harm. The Board acknowledges this statement and recognises that the Health Board is in the best position to advise on the detrimental effects of alcohol on health.*

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

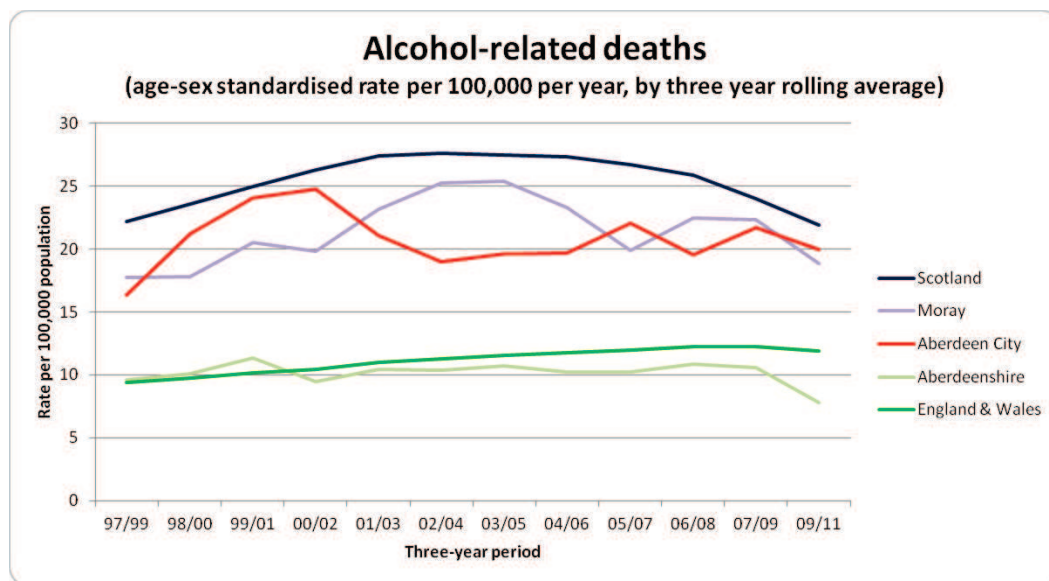
Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City’s admission rate remains significantly higher than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

<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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## Arlene Dunbar

---

**From:** Harrison, Dr William T. A. [REDACTED]  
**Sent:** 04 November 2015 21:03  
**To:** Licensing  
**Subject:** Objection to licensing application

Hello,

I am writing on behalf of Dyce and Stoneywood Community Council re the application by Aberdeen Airport Petrol Station (Argyll Road) Aberdeen for an off-sales licence.

We object to this application for two reasons:

- 1) It will endanger public safety in terms of encouraging drinking and driving. This petrol station only caters to drivers arriving at, or departing from, Aberdeen Airport and there are no local residents who would be "materially disadvantaged or inconvenienced were that shop not to provide those retail facilities."
- 2) It will lead to antisocial behavior and crime and disorder in the vicinity of the petrol station and at the terminal at Aberdeen Airport.

Best regards,  
Bill Harrison (Secretary)

[REDACTED]

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**ABERDEEN**  
**CITY COUNCIL**

Our Ref.  
Your Ref.  
Contact Garry Watson  
Email [gawatson@aberdeencity.gov.uk](mailto:gawatson@aberdeencity.gov.uk)  
Direct Dial 01224 523057  
Direct Fax 01224 522965

13 November 2015

Clerk to the Licensing Board  
Aberdeen City Council  
Aberdeen  
AB10 1AB

Democratic Services  
**Corporate Governance**  
Aberdeen City Council  
1<sup>st</sup> Floor  
Town House  
Broad Street  
Aberdeen AB10 1AQ

Tel 01224 522000  
Minicom 01224 522381  
DX 529451, Aberdeen 9  
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Dear Sir

**Licensing (Scotland) Act 2005 - Section 22**  
**Representations to the Board**  
**Premises - Aberdeen Airport Petrol Filling Station, Argyll Road, Aberdeen**  
**Application for Off Sales Licence**

At the Special Licensing Objections Sub Committee meeting on 12 November 2015, the Sub Committee resolved to make representations to the Licensing Board in relation to the above application. Accordingly, it is requested that this letter be put before the Board when it considers the above application.

It is the view of the Sub Committee that the premises in question may constitute Excluded Premises under section 123 of the Licensing (Scotland) Act 2005. As the Board will be aware, premises used as a garage or which form part of premises which are used as a garage will be an excluded premises unless section 123(5) is satisfied.

Section 123(5) is satisfied if persons resident in the locality are reliant on the premises to a significant extent as a principal source of petrol or derv or groceries. In the decision of Tesco Stores Ltd v Falkirk Council Licensing Board, unreported February 17, 2012, the Sheriff Principal commented that it must be considered whether residents "would properly consider themselves materially disadvantaged or inconvenienced were those shop premises not to provide the retail facilities which they do." The Sheriff Principal also commented that in relation to fuel "it is a pertinent question to ask how it could it be said that they 'would properly consider themselves materially disadvantaged or inconvenienced' were there to be other garage premises retailing fuel nearby."

RICHARD ELLIS  
INTERIM DIRECTOR OF CORPORATE GOVERNANCE



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scotland



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The Sub Committee understands that the premises are within a commercial area which only constitutes commercial units, the airport and hotels.

The Sub-Committee noted that an objection to the application had been lodged with the Licensing Board by Dyce and Stoneywood Community Council.

Accordingly, it is considered by the Sub Committee that, in determining whether the application should be granted, the following questions ought to be considered carefully:

1. Can customers of airport hotels be properly considered "persons resident in the locality"?
2. If customers of airport hotels are considered "persons resident in the locality", can customers of a hotel be deemed materially disadvantaged or inconvenienced by not having access to groceries at the premises?
3. If section 125(5) of the Licensing (Scotland) Act 2005 is deemed to be satisfied, given the transient nature of the clientele of the premises and having regard to the location and character of the premises, should the application be refused under section 23(d)?

The Sub Committee appreciates that the Board is best placed to determine what factors should be considered and therefore requests that this application is included in the forthcoming agenda. At the same time, it is requested that the Board considers the above questions when determining the application as this will alleviate any concerns that the Sub Committee may have.

Yours faithfully

A large black rectangular redaction box covers the signature area. A small, thin, dark mark resembling a pen stroke is visible above the top right corner of the redaction box.

**Councillor Andrew Finlayson**

Chairperson – Special Licensing Objections Sub-Committee

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISES:** HOTEL PREMISES, FARBURN TERRACE, DYCE, ABERDEEN

### DESCRIPTION

- Hotel
- Alcohol to be sold for consumption on the premises 10:00 to 00:00 daily (Note Restaurant and Function Suite terminal hours shall be 01:00)
- Offering accommodation, conference facilities, restaurant, bar meals, receptions, club meetings, recorded music, live performances, films, televised sports;
- Non-resident children require to be accompanied by an adult

### OBJECTIONS/REPRESENTATIONS

- Police

### 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.

The following conditions may also 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.

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**NOT PROTECTIVELY MARKED**

18 November 2015

Our Ref:  
AD/DCU/SID46415/0538/15

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  
FARBURN DYCE LIMITED, 82 WEST NILE STREET, GLASGOW, G1 2QH  
HOTEL PREMISES, FARBURN TERRACE, DYCE, ABERDEEN, AB21 7DT**

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) and (iii) of the same Act, I make the following representation on behalf of the Chief Constable.

The applicant has requested 'on sales' hours of 1000 to 0100 on Monday to Sunday.

In respect of the proposed terminal hour of 0100 hours every night of the week, the Aberdeen City Licensing Board Statement of Licensing Policy 2013-2016 at 20.3 states that the Board will not normally grant hours outwith the city centre beyond 0000 hours.

**NOT PROTECTIVELY MARKED**

**NOT PROTECTIVELY MARKED**

If the hours requested are granted, this would likely set a precedent which other premises outwith the city centre, whose terminal hour is midnight, would be likely to seek to follow.

It should be noted that similar premises in the area enjoy operating hours until midnight.

In terms of Section 22(1)(b)(ii) of the Licensing (Scotland) Act 2005, the Chief Constable is of the opinion that the application and accompanying Operating Plan in its current form should be modified to reflect a terminal hour of 0000 Monday to Sunday.

The Chief Constable has no objection to a terminal hour of 0100 hours for a function suite within the premises.

The applicant has indicated that children and young persons of any age will be allowed entry to all public areas of the hotel at all times including areas where alcohol is to be sold for consumption on the premises.

In terms of Section 22(1)(b)(ii) of the Licensing (Scotland) Act 2005, the Chief Constable is of the opinion that the Operating Plan in its current form, at question 6(b) should be amended to state that children and young persons will be allowed entry to the premises only when accompanied by a person aged 18 years or over, when resident within the premises, or visiting the facilities offered.

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

Yours faithfully

Jackie Craig  
T/Chief Inspector

**NOT PROTECTIVELY MARKED**



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE  
**PREMISES:** THE CO-OPERATIVE FOOD, NORTH DEESIDE 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
- Capacity 32.05sqm

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian
- Objections x 2

### 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)

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Date 16<sup>th</sup> November 2015  
Enquiries to 01224 557047  
Our Ref 20151144  
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  
The Co-operative Food, North Deeside Road, Peterculter, Aberdeen, AB14 0UL**

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 new build store occupying the ground floor of a housing development.

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.

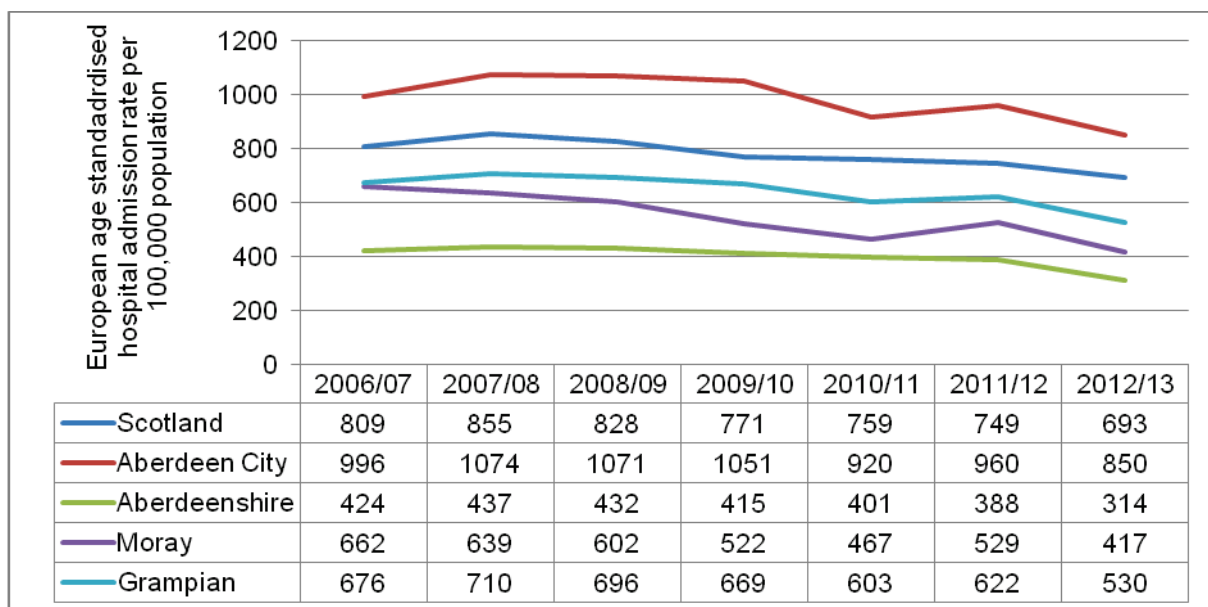
Within just a few minutes walk there is a supermarket across the road from this new site, a small convenience store on the same side of the road and at either end of the village there are off sales premises available. Reading from the Aberdeen Licensing Board Statement of Licensing Policy 2013 – 2016 it identifies that:

*“The Health Board states that increased access and availability to alcohol through increased numbers of premises and /or opening hours or decreased pricing is linked to increased consumption, which in turn potentially leads to increased harm. The board acknowledges this statement and recognises that the Health Board is in the best position to advise on the detrimental effects of alcohol on health.*

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 an alcohol license for this new store is not granted.

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

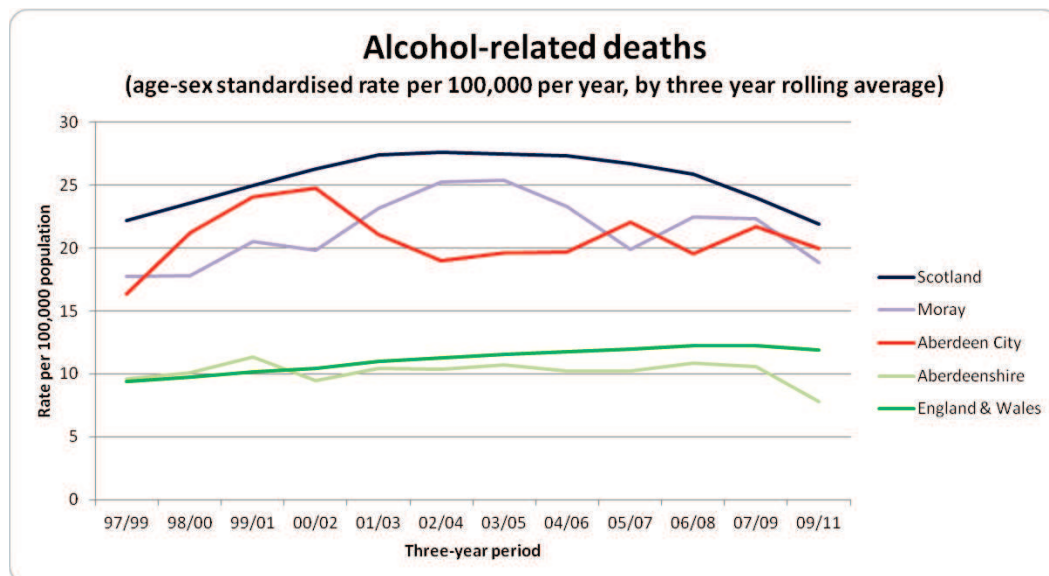
Trends in wholly-attributable alcohol-related hospital admissions in Grampian have been generally consistent with those seen nationally. Following a decade of rising admission rates, there has been a reduction in recent years. However, Aberdeen City’s admission rate remains significantly higher than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

<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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Ref: AC869  
Our Ref: AAJ/IG

Barry Wink & Susan Yule



Dear Sir/Madam,

In response to the premise licence applied by The Co-Operative Food Group Ltd for North Deeside Road, Peterculter we only have a few concerns.

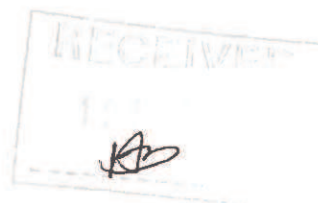
As our Living Room and Bedroom are directly adjacent to the building we have some concerns of noise levels coming from the building.

On that same note this maybe disruptive if the opening times are very early. Currently our nearest Co-Op is only 4 miles away and opens from 7am.

We look forward to hearing from you.



Yours sincerely  
Barry & Susan



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Ref: AC 869

8th November, 2015

Dear Sirs,

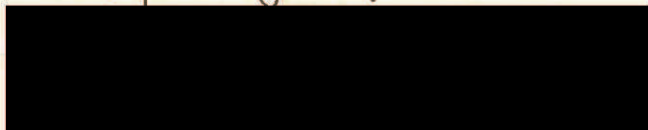
The Co-operative Food Premises  
North Deeside Road, Peterculter

I refer to the above in respect of an  
off sales alcohol licence:

- 1) nearby business premises selling  
alcohol already number three
- 2) it will be detrimental to the post;  
office's business which the village can  
ill afford to lose
- 3) pub business is already negatively  
affected by people choosing to  
purchase liquor from food stores
- 4) there are two pubs in the  
immediate

Should a licence be granted,  
I would hope that the evening  
hours proposed would be reduced.

Yours faithfully,

A solid black rectangular redaction box covering the signature area.

RECEIVED  
17/1/25  
NW

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE

**PREMISE:** THE MASK ABOVE MAGMA 52 BRIDGE STREET

### DESCRIPTION

- Alcohol to be sold for consumption on the premises
- Licensed Hours Sunday to Thursday 12:00 – 02:00 and Friday and Saturdays 13:00 to 03:00
- Conference facilities, bar meals, receptions, recorded music, live performances, dance facilities, televised sports, adult entertainment
- Capacity: 324 persons (124 VIP area, 200 night club)

### OBJECTIONS/REPRESENTATIONS

- None

### 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.

#### Adult Entertainment

A register of performers must be maintained and kept up to date. The register will (a) include (i) the name, address, date and place of birth, nationality and a current passport sized photograph (ii) in the case of foreign nationals, the passport number and country of origin and (b) be made available for inspection by the Police and/or the Licensing Standards Officers.

#### Door Supervisors

It is a condition that the licence holder will ensure that from 23:00 onwards they shall employ or use suitably licensed door supervisors at or near the entrance to, or within the premises, to maintain order and/or security and prevent patrons breaching the licensing objectives.

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.

Radio Link

It is a condition that the licence holder is a member of the local Radiolink Scheme.

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PREMISES LICENCE

**PREMISES:** ALMONDINE, 43 THISTLE STREET, ABERDEEN

### DESCRIPTION

- Expanding the premises into the adjoining property
- Increase in capacity from 16 to 28 persons
- Amendment to premises address as contained in the licence to 39 -43 Thistle Street

### OBJECTIONS/REPRESENTATIONS

- None

### LICENSING POLICY STATEMENT

N/A

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PREMISES LICENCE

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

### DESCRIPTION

- Amendment to the terms under which Children are permitted entry to the premises to “at the discretion of the management until 21:00; after 21:00 children and young persons must be accompanied by an adult”. (currently the terms are if accompanied by an adult)

### OBJECTIONS/REPRESENTATIONS

- Aberdeen City Council Special Licensing Objection Sub Committee

### LICENSING POLICY STATEMENT

#### 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.

28.4 -the following are some examples of control measures are given to assist applicants.

- 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.



# ABERDEEN CITY COUNCIL

Our Ref.  
Your Ref.  
Contact Garry Watson  
Email gawatson@aberdeencity.gov.uk  
Direct Dial 01224 523057  
Direct Fax 01224 522965

13 November 2015

Clerk to the Licensing Board  
Aberdeen City Council  
Aberdeen  
AB10 1AB

Democratic Services  
**Corporate Governance**  
Aberdeen City Council  
1<sup>st</sup> Floor  
Town House  
Broad Street  
Aberdeen AB10 1AQ

Tel 01224 522000  
Minicom 01224 522381  
DX 529451, Aberdeen 9  
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

Dear Sir

**Licensing (Scotland) Act 2005  
Representations to the Board  
Premises - Angus and Ale, 55 Schoolhill, Aberdeen  
Application for Variation (Major)**

At the Special Licensing Objections Sub Committee meeting on 12 November 2015, the Sub Committee resolved to make representations to the Licensing Board in relation to the above application. Accordingly, it is requested that this letter be put before the Board when it considers the above application.

The application is to vary the term that "children and young persons permitted access to the premises if accompanied by an adult" to "children and young persons permitted to access to the premises at the discretion of management."

The Sub Committee understands that the Premises Licence for the above premises was granted on 6 October 2015 and the licence commenced on 28 October 2015. Accordingly, the Sub Committee is concerned that an application for variation is sought at this early date especially given that the variation may be inconsistent with the objective of protecting children from harm.

Clearly, the current term was put in place for a reason. Accordingly, it is considered by the Sub Committee that, when determining the application, the applicants should be asked to provide an explanation of what circumstances have changed which demonstrate that the requested variation is consistent with the objective of protecting children from harm.

RICHARD ELLIS  
INTERIM DIRECTOR OF CORPORATE GOVERNANCE



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scotland



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The Sub Committee appreciates that the Board is best placed to determine what factors should be considered and what conditions, if any, should be attached and therefore requests that this application be included in the forthcoming agenda. At the same time, it is requested that the Board considers the above issue when determining the application as this will alleviate any concerns that the Sub Committee may have.

Yours faithfully

A large black rectangular redaction box covers the signature of the councillor.

**Councillor Andrew Finlayson**  
Chairperson – Special Licensing Objections Sub-Committee

## LICENSING BOARD INFORMATION SHEET

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

**PREMISES:** BELMONT CINEMA, 49 BELMONT STREET

### DESCRIPTION

- Amendment to local condition to allow the sale of alcohol from the box office;
- Formation of additional sales point
- Change of name to Belmont Filmhouse

### OBJECTIONS/REPRESENTATIONS

- Environmental Health

### LICENSING POLICY STATEMENT

N/A

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# MEMO

Environmental Health and Trading Standards  
**Communities, Housing and Infrastructure**  
3<sup>rd</sup> Floor, Marischal College



To	Arlene Dunbar, Legal & Democratic Services	
From	Raymond Morrison Senior Authorised Officer	
Email	Commercial@aberdeencity.gov.uk	Date 26/1/ 2015
Tel.	Ext. No 2168	Our Ref. RAM
Fax.	01224 523887	Your Ref.

**Licensing (Scotland) Act 2005**  
**Application for Variation of Premises Licence**  
**Belmont Cinema Belmont Street, Aberdeen**

I refer to the above and comment as follows.

The application is for the creation of a bar servery area within the existing pay point to service a new proposed licenced area adjacent to the shop and entrance to the screens.

The submitted plan lacks detail and the proposed area does not show whether there are any wash up or personal hygiene facilities to allow the service of alcohol.

Therefore with this in mind I cannot support the application.

Raymond Morrison  
Senior Authorised Officer

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF A PREMISES LICENCE  
**PREMISES:** CO-OPERATIVE GROUP LIMITED, SPRINGFIELD ROAD

### DESCRIPTION

- Amendment to alcohol display area and increase in capacity to 23.68sqm

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian

### LICENSING POLICY STATEMENT

N/A

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Date 16<sup>th</sup> November 2015  
Enquiries to 01224 557047  
Our Ref 20151145  
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  
The Co-operative Food, Springfield Road, Aberdeen, AB15 7SE**

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 change the layout of the premises by replacing the current fridges and introducing a free standing display of beer which will result in an increase to the off-sales capacity of the store from 17.244m<sup>2</sup> to 20.45m<sup>2</sup>

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

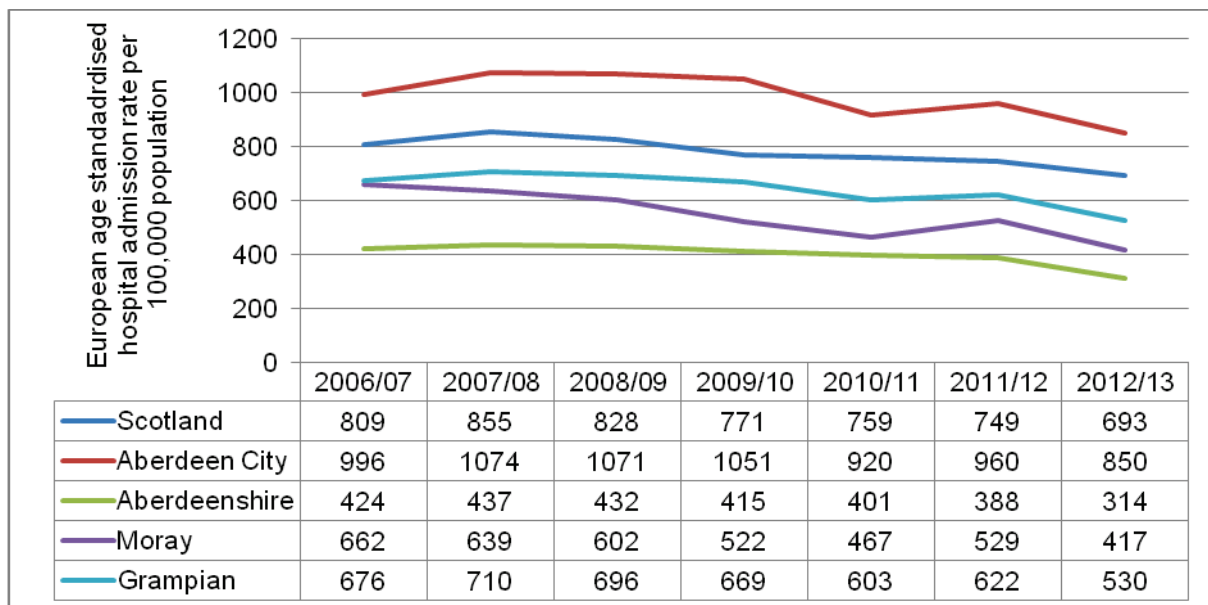
## 1. Increase in availability of alcohol.

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>.

I would suggest that the change to the layout is kept as closely as possible to the original capacity of the store which is noted as 17.244m<sup>2</sup>. I can appreciate the increase in capacity that has resulted from the change of the fridge display space and do not object to this amendment. However, the increase that results from a free standing beer display would pose a situation which I feel could be avoided.

## 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.

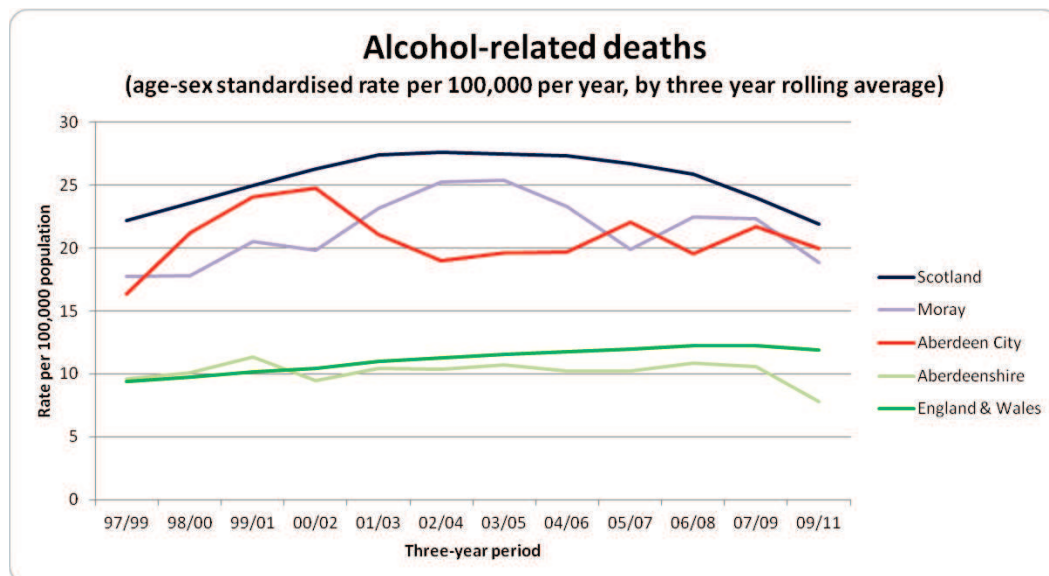


Aberdeen City has one of the highest wholly-attributable alcohol-related admission rates in Scotland. In 2012/13, over 2,000 patients experienced nearly 3,000 hospital admissions with a wholly attributable alcohol-related condition (some were admitted more than once). The vast majority (88%) were unscheduled. 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>1</sup> <http://www.iarc.fr/en/publications/books/wcr/wcr-order.php>

### 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>.

<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>

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 free standing beer display should not 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

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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**LICENSING BOARD INFORMATION SHEET**

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

**PREMISES:** HOLIDAY INN EXPRESS, ABERDEEN AIRPORT, 2-3 INTERNATIONAL GATE,  
DYCE

**DESCRIPTION**

- Amend Q5(a) of operating plan – restaurant facilities to permit breakfasts from 0500 hours daily to hotel residents and non-residents

**OBJECTIONS/REPRESENTATIONS**

- None

**LICENSING POLICY STATEMENT**

N/A

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## LICENSING BOARD INFORMATION SHEET

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

**PREMISES:** JEWEL IN THE CROWN, UPPER GROUND FLOOR, 145 CROWN STREET

### DESCRIPTION

- Open the restaurant for the sale of teas, coffees, breakfast and snacks from 08:00
- Add out door drinking facilities and televised sports as activities in the operating plan
- To permit ancillary food take away

### OBJECTIONS/REPRESENTATIONS

- Police
- LSO
- Environmental Health

### LICENSING POLICY STATEMENT

#### Paragraph 19.2 – outside seating areas

The Board will expect any licence holder who intends to provide outside seating, tables, or other outside facilities to hold a licence which includes the outside area and to have the necessary planning permission. Where the premises do not currently include such an outside area the Board will expect licence holders to vary the licence. Applicants, who propose to provide outdoor areas, should ensure that their use will not cause disturbance or nuisance to the occupiers of other premises in the vicinity. The Board may impose where necessary local conditions such as the provision of CCTV camera(s) to assist in the management and control of such areas and in support of the licensing objectives. These areas should be shown on the layout plan.

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6 November 2015

Your Ref:

Our Ref: AD/DASU/SID46183/0518/15

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

Dear Sir

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
JEWEL IN THE CROWN, 145 CROWN STREET, ABERDEEN, AB11 6HP**

The variations requested consist of the following amendments to the operating plan at Questions 5 and 7, namely:

1. Question 5a) - Include teas, coffees and breakfasts from 0800 hours to 1200 hours
2. Question 5b) - Include ancillary take-away food
3. Question 5d) - Include outside eating and drinking
4. Question 7 - Increase capacity by 22 to 72

Accordingly, there are changes to the layout plan to show reconfiguration of premises to include the outside eating and drinking area to be brought within the delineated 'red-line' area.

In terms of Section 29(5) these requests can be considered as variations.

In respect of points 1, 2 and 4, I have no adverse comment to make.

In terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, the Chief Constable is of the opinion that the variation in its current form should be modified to reflect the residential nature of Crown Street and as such operate the outside eating and drinking area with a terminal hour of 2200 hours daily.

**NOT PROTECTIVELY MARKED**

The Chief Constable's position regarding this modification has been discussed with the applicant's agent, who has indicated that her client is likely to be agreeable to this and the required amendment to the Operating Plan.

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

Yours faithfully

Jackie Craig  
T/Chief Inspector

# MEMO

Environmental Health and Trading Standards  
**Communities, Housing and Infrastructure**  
3<sup>rd</sup> Floor, Marischal College



**ABERDEEN**  
CITY COUNCIL

To	Eric Anderson, Team Leader, Legal & Democratic Services		
From	Diane Sande, Licensing Standards Officer		
Email	Commercial@aberdeencity.gov.uk	Date	12 November 2015
Tel.	Ext. No 2541	Our Ref.	DBS
Fax.	01224 523887	Your Ref.	

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

### **Application for Variation of Premises Licence**

**Jewel In The Crown Upper Ground Floor, 145 Crown Street, Aberdeen, AB11 6HP**

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

With regard to the provision of ancillary food take away and also the opening of the restaurant for the sale of teas, coffees, breakfasts and snacks from 8 am to 12 noon, I have no comment – however, if granted, I suggest that the applicant will need to amend the current children and young persons access terms to include these access terms (currently the access states that children and young persons have to be accompanied and for the purpose of having a meal or to attend a function).

Regarding the external area, if the Board are minded to grant this part of the application, I would recommend that a Local condition is attached to the licence – limiting the terminal hour of the external area to 22:00 and that no amplified music is played within the external area

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

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## Arlene Dunbar

---

**Subject:** FW: Jewel in the Crown -application for variation of licence

**From:** Andrew Gilchrist

**Sent:** 26 November 2015 08:42

**To:** Arlene Dunbar

**Subject:** RE: Jewel in the Crown -application for variation of licence

Hi Arlene.

I recommend that, should this application be granted, suitable conditions are attached, namely-

1. No amplified music is operated in the external area

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## LICENSING BOARD INFORMATION SHEET

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

**PREMISES:** LIDL, 739 KING STREET

### 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 international wines
- Capacity increasing from 32.4sqm to 38.52 sqm

### OBJECTIONS/REPRESENTATIONS

- NHS Grampian

### LICENSING POLICY STATEMENT

N/A

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Date 16<sup>th</sup> November 2015  
Enquiries to 01224 557047  
Our Ref 20151153  
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, King Street, Aberdeen, AB24 1XZ**

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 King Street, Aberdeen from 32.4m<sup>2</sup> to 38.52m<sup>2</sup> by introducing an end of aisle alcohol display area to allow for the display of “themed weeks” produce from areas such as France and Italy. Out with the “themed weeks” this extended area would be used to merchandise premium international wines.

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. Scottish Public Health Observatory data
5. Referrals to the Integrated Alcohol Service
6. 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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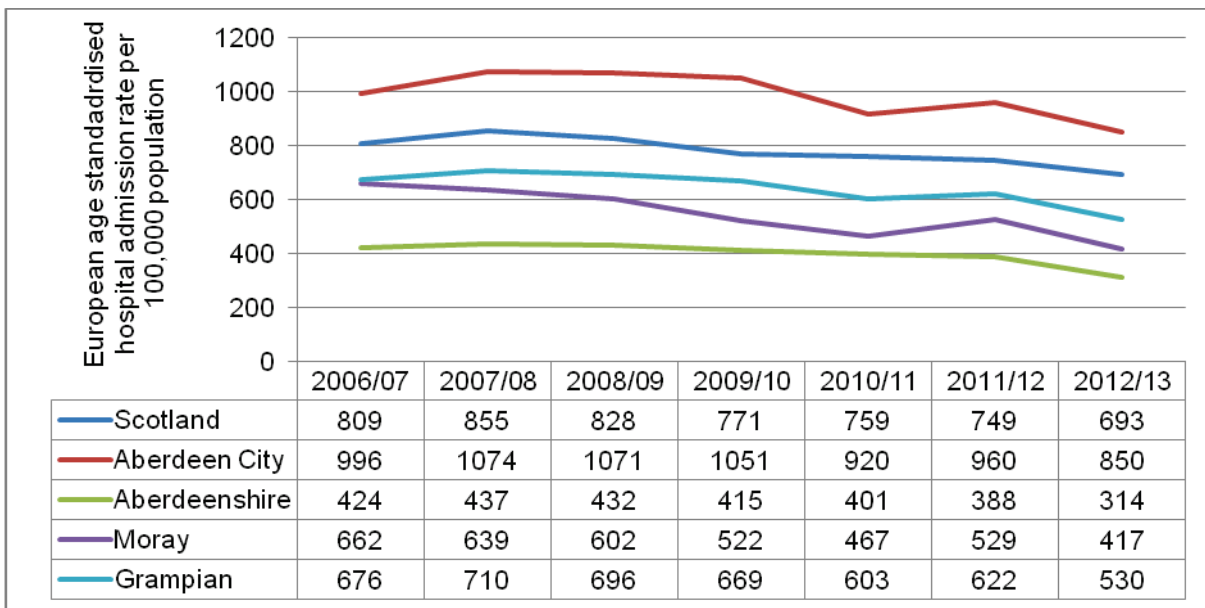
<sup>1</sup> <http://www.iarc.fr/en/publications/books/wcr/wcr-order.php>

## 1. Increase in capacity

I have a specific concern about the request to increase the alcohol display area by 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.



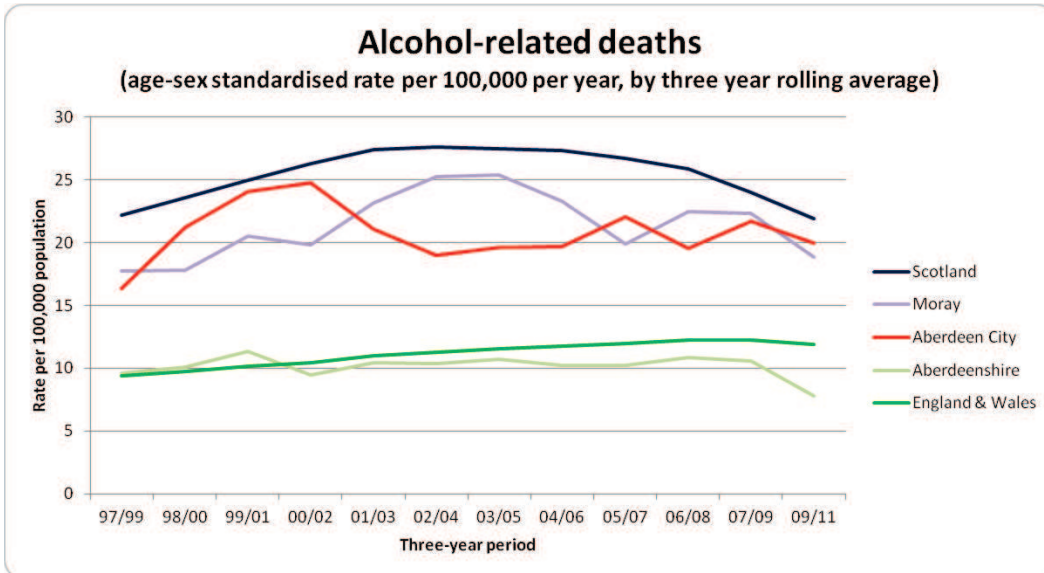
Aberdeen City has one of the highest wholly-attributable alcohol-related admission rates in Scotland. In 2012/13, over 2,000 patients experienced nearly 3,000 hospital admissions with a wholly attributable alcohol-related condition (some were admitted more than once). The vast majority (88%) were unscheduled. 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.

<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>

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

The graph below illustrates death rates as reported by ScotPHO<sup>4</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>5</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>6</sup>.

<sup>4</sup> <http://www.scotpho.org.uk/>

<sup>5</sup> <http://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-related-deaths/tables>

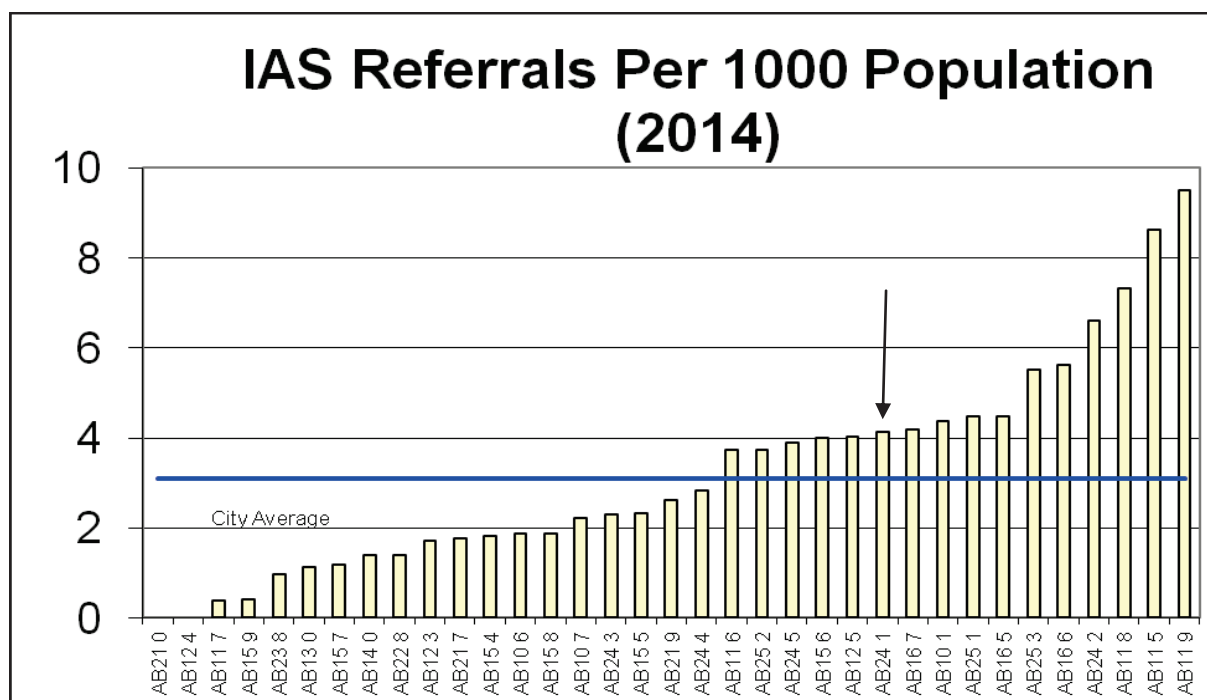
<sup>6</sup> <http://www.healthscotland.com/documents/24485.aspx>

#### 4. Scottish Public Health Observatory Data

Information from the Scottish Public Health Observatory (ScotPHO) can be broken down to post code sector. This postcode sector includes the data zones of Seaton (40.9%) and Old Aberdeen (59.1%). Both data zones record alcohol 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>7</sup>. Alcohol related deaths for the Old Aberdeen (59.1%) population are also **more than 5% worse than the Scottish average**.

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

Referrals from the AB24 1 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.



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.

<sup>7</sup> <http://www.nhsgrampian.org/grampianfoi/files/TrafficLights2012AberdeenCity.pdf>



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>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)

## LICENSING BOARD INFORMATION SHEET

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

**PREMISES:** SKENE HOUSE, 66-84 ROSEMOUNT VIADUCT

### DESCRIPTION

- Addition of Off-Consumption for residents only
- Addition of the following activities: receptions including weddings, birthdays and retirements etc., recorded music live performances and dance facilities

### OBJECTIONS/REPRESENTATIONS

- Environmental Health

### LICENSING POLICY STATEMENT

N/A

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## Arlene Dunbar

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**From:** Arlene Dunbar  
**Sent:** 26 November 2015 08:52  
**To:** 'Graham Cooper'  
**Cc:** Carolyn Harrison; Raymond Morrison  
**Subject:** Application for Variation of Premises Licence - Skene House  
**Attachments:** Skene House - Citation.pdf

Graham,

Please find attached the citation for the above application for Board meeting on the 8 December 2015.

I have also received the following comments from environmental health "This application appears to indicate that it is for two different premises i.e. 82 and 96 Rosemount Viaduct and although it speaks about off sales it then goes on to talk about wedding and birthday parties . There is no Plan and it is difficult to see where these functions will be carried out and if there are suitable personal hygiene facilities or wash up facilities"

I should be grateful if you could clarify the position.

Regards

Arlene Dunbar

Registered Paralegal | Team 3 | Litigation and Licensing | Legal and Democratic Services | Corporate Governance | Aberdeen City Council | Business Hub 6 | Level 1 South | Marischal College | Broad Street | Aberdeen | AB10 1AB | Tel 01224 523411 | Fax 01224 522937 [jardunbar@aberdeencity.gov.uk](mailto:ardunbar@aberdeencity.gov.uk)

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## LICENSING BOARD INFORMATION SHEET

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

**PREMISES:** THE ADELPHI KITCHEN, 28 ADELPHI

### DESCRIPTION

- Addition of Off-consumption 12:00 to 22:00 Monday to Sunday
- Amendment to Q5 of the operating plan in include live performances as an activity
- Provision of takeaway facilities between 12:00 – 22:00

### OBJECTIONS/REPRESENTATIONS

- Objection x 1

### LICENSING POLICY STATEMENT

- N/A

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17<sup>th</sup> November 2015  
Aberdeen Licensing Board,

This objection is in reference to the application for variation of premises licence (major) of The Adelphi Kitchen, 28 Adelphi, Aberdeen, AB11 5BL (ref AC0217). The objection, which will be elaborated on below, is made of the grounds that the application:

"Addition of off-consumption 12:00 – 22:00 Monday to Sunday; amend Q5 of operation plan to include live performances and the provision of takeaway facilities between 12:00 – 22:00"

is inconsistent with one or more of the licensing objectives as found in the Licensing (Scotland) Act 2005.

**Preventing public nuisance and protecting public health.**

a) Noise

Despite the city centre location, Adelphi is largely a residential road and nearby properties are especially sensitive to noise disturbance. Noise disturbance is particularly noticeable in the evenings and weekends when the majority of local residents are at home.

My property is directly above The Adelphi Kitchen and live performances would create a major disturbance to me personally due to the noise. Voices and background music currently travels from The Adelphi Kitchen to my property, on occasion causing headaches. Live performances will be louder than the current noise level so will cause a worse nuisance. The level of noise generated by the patrons will also intensify because of the sound and excitement of the live performance. As the Adelphi Kitchen spans two blocks of flats it also directly below another property that would be affected in the same way. I believe this property is currently vacant and for sale so the owner may not have made an objection.

People come and go from The Adelphi Kitchen throughout the evening. Patrons also enter and exit to smoke outside. Every time the door opens the noise from the performance will spill out on to the street, affecting more residents.

Traffic and pedestrian movements from the takeaway facilities will also create increased noise and disturbance.

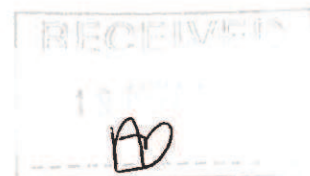
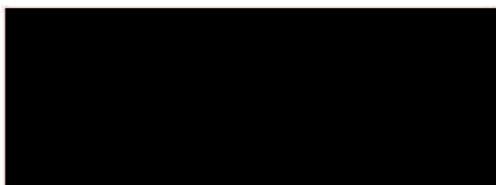
b) Traffic

Adelphi is a narrow cobbled road with only one entry and exit and very limited parking for nearby residents. It is common for all parking spaces to be fully utilised on evenings Monday – Saturday and all day Sunday. The road is already subject to blockages because drivers cannot know that parking is full until they enter Adelphi. I have witnessed cars reversing on to Union Street because they have been unable to turn on Adelphi or there is another car trying to leave which blocks their path. I fear additional traffic will pose a safety risk as well as nuisance to residents wishing to park.

If only minimal additional traffic and pedestrian movements will be created by the addition of off-consumption, I am happy for The Adelphi Kitchen to be granted this variation.

I however ask that the Licensing Board fully consider the ramifications of live performances to the local residences, in particular my own as it is directly above The Adelphi Kitchen. If the variation is granted I hope it will be dependant on extensive sound proofing and restriction of hours. Duration of performances, frequency of performances and time of day of performances should all be considered. I accept there is a difference between the inconvenience of a live performance once a fortnight for a few hours versus all evening until 10pm or multiple times a week.

Kind regards,



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LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PREMISES LICENCE
PREMISES: THE PRIORY, 27 BELMONT STREET

DESCRIPTION

- Amend core hours for on sales to 21:00 to 03:00 on Sundays to Thursday and from 21:00 to 04:00 on Fridays and Saturdays

OBJECTIONS/REPRESENTATIONS

- Police
NHS

LICENSING POLICY STATEMENT

Paragraph 20 Hours of Trading – General & Extended
20.3 .....
The Board will not normally grant hours beyond 00:00 hours outwith the city centre. The Board will not normally grant hours beyond 02:00 hours within the city centre on weekdays and 03:00 hours on Fridays and Saturdays. Function rooms, for private functions only, wherever located, will normally have a terminal hour of 01:00 hours. Any private functions taking place after 00:00 hours may only do so in purpose built function suites. Applicants wishing to trade before 10:00 hours and beyond 01:00 hours will have to show that they have taken account of all the factors at 20.10.
20.10 The Board believes that there may be merit in promoting the licensing objectives whereby applicants give consideration to the principle of winding down periods at the end of the night. By gradually increasing the lighting and winding down entertainment such as loud music before ending the sale of alcohol and the end of trading hours, thereby creating a calmer ambience, patrons leaving the premises may be inclined to behave less boisterously after they have left the premises. In addition patrons may be inclined to leave the premises in small groups on a gradual basis rather than all at once.

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13 November 2015

Your Ref:

Our Ref: AD/DASU/SID46176/9898/15

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



Sir Stephen House QPM  
Chief Constable

Aberdeen City Division  
Queen Street  
Aberdeen  
AB10 1ZA

01224 306472

Dear Sir

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
THE PRIORY, 27 BELMONT STREET, ABERDEEN, AB10 1JS**

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 amending the premises' core hours to 2100 hours until 0300 hours Sunday to Thursday inclusive, and 2100 hours until 0400 hours on Friday and Saturday.

In terms of Section 29(5) this request can be considered a variation.

In terms of Section 22(1)(a) of the same Act, and in support of the Preventing Crime and Disorder and the Preventing Public Nuisance licensing objectives, I make the following objection on behalf of the Chief Constable regarding the application.

Currently the premises operates with core on-sales hours of 1400 hours to 0200 hours, Sunday to Thursday inclusive, and 1500 hours until 0300 hours on Friday and Saturday. It is also noted that the applicant premises are situated within the Belmont Street Locality, which is an area of overprovision, as defined within the Aberdeen City Licensing Board Statement of Licensing Policy November 2013 - November 2016.

Aberdeen City Licensing Board Statement of Licensing Policy states at point 20.3, "The Board will not normally grant hours beyond 02:00 hours within the

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city centre on weekdays and 03:00 hours on Fridays and Saturdays". At point 20.4, the policy continues, stating, "The Board further considers that it would be extremely difficult for any applicant to justify the sale of alcohol prior to 10:00 hours and after 03:00 hours unless there are exceptional circumstances... The Board considers therefore that there should be a presumption against the supply of alcohol and the granting therefore of any extended hours after 0300".

The application form submitted by the applicant details no rationale whatsoever for the proposed variation to trading hours, and demonstrates no exceptional circumstances in relation to the application.

The Chief Constable notes that implicit in the application is a reduction in the overall number of trading hours; however notwithstanding this reduction, the premises seeks to trade out-with the recognised trading hours for this type of premises in Aberdeen City Centre. Were the Board to grant this application, it would set a precedent for other similar premises to seek similar variations to their own trading hours.

Currently within Aberdeen City Centre, late opening premises, including the applicant premises, close at 0300 hours on Friday and Saturday, except when a General Extension of one hour is granted by the Board by virtue of Section 67 of the Licensing (Scotland) Act 2005; or an extended hours application to cater for a special occasion or an event of local or national significance is applied for and granted.

A number of establishments continue to offer food until 0400 hours under the terms of the Civic Government (Scotland) Act 1982. This status quo allows for patrons to egress licensed premises, purchase food should they desire, and make their way out of the city centre via late night buses, taxis or on foot. Key to the transition from night-time economy to daytime economy, this allows the city centre to "reset" itself for the new day.

If granted, given that the applicant premises has a capacity of 943, this could conceivably result in nearly a thousand patrons seeking the facilities of food outlets and transport after 0400 hours on Saturday and Sunday mornings, and 0300 hours all other days of the week. This is an hour later than all other similar licensed premises, and an hour after the main dispersal from the city centre has begun. Should this application be granted, and other premises follow suit, having seen a precedent set, the established end time to the night-time economy will be materially altered.

Police Scotland regularly deploys in excess of 30 additional officers on Fridays and Saturday nights to police the City Centre and wider night time economy. Generally the Police patrols cease around 0400 hours when the streets are quieter. Any change to the operating hours for the applicant, or any similar premises, to beyond this time would impact upon the deployment of Police resources which will in turn have logistical and financial implications.

Similar demands are placed on various partners, including the Scottish Ambulance Service, Street Pastors who volunteer their services on Fridays and Saturdays in support of revellers having a safe and enjoyable city centre

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experience, Taxi Marshalls, who typically work until 0400 hours at weekends and late night bus services, whose final bus leaves before the proposed 0400 hours terminal hour.

The lack of public transport and facilities after 0400 hours increases the risk to a significant number of patrons who are vulnerable through intoxication of becoming either a perpetrator or victim of crime, or victim of misadventure either of their own making, or of others.

Alcohol fuelled violence and disorder continues to be a problem in Aberdeen city centre, particularly in the late evening and the early hours and is, on almost every occasion, directly associated with persons who are under the influence of alcohol and who have come from licensed premises. Key to this application is the fact that despite it being a comparatively small area of the city centre, Belmont Street has the second highest incidences of antisocial behaviour, violence and disorder within Aberdeen City Centre after Union Street.

The Chief Constable recommends that the grant of the licence be refused in terms of Section 23(5)(c) of the Licensing Act (Scotland) Act 2005 as if granted, for the reasons stated above, it will be inconsistent with the licensing objectives of Preventing Crime and Disorder and Preventing Public Nuisance.

This objection is submitted for your attention in considering this application.

Yours faithfully

Jackie Craig  
T/Chief Inspector

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Date 16<sup>th</sup> November 2015  
Enquiries to 01224 557047  
Our Ref 20151134  
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  
The Priory, 27 Belmont Street, Aberdeen, AB10 1JS**

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 extend the terminal hour of the premises to 03:00 Sunday to Thursday and 04:00 on Friday and Saturdays.

The Aberdeen City Licensing Board Statement of Licensing Policy 2013 – 2016, paragraph 20.4 states that:

*“The board further considers that it would be extremely difficult for any applicant to justify the sale of alcohol prior to 10.00 hours and after 03:00 hours unless there are exceptional circumstances. The Board considers there is sufficient evidence from the Health Board and Police Scotland to suggest that such extensions of hours for the sale of alcohol could have detrimental effects on both the health of the City’s population and levels of criminal and violent offending, particularly in the City Centre. ... The board considers therefore that there should be a presumption against the supply of alcohol and the granting therefore of any extended hours after 03:00 and before 1000.”*

The premises operate as a nightclub with no activities detailed with regard to restaurant facilities or bar meals. I can see no evidence of exceptional circumstances stated in the paperwork that would indicate this should be considered as a special case. The variation to the operating plan indicates that continuous trading will be well within the maximum limit

of 14 hours which the board accepts as reasonable as the premises opening time will be restricted to 21:00 on each day. However the board has already accepted that **extensions** of hours for the sale of alcohol could have detrimental effects to health.

Aberdeen City already has a higher incidence of wholly attributable alcohol related hospital admissions when compared to Aberdeenshire, Moray and the rest of Scotland. Alcohol related deaths are slightly lower than the Scottish average but are still higher than, Moray, Aberdeenshire or England & Wales. 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. I would request that the granting of an extension to the terminal hour of this premises is not granted and that the terminal hours of 03:00 and 02:00 as stated in the Statement of Licensing Policy are adhered to.

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)

## LICENSING BOARD INFORMATION SHEET

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

**PREMISES:** MILL OF MUNDURNO, BRIDGE OF DON

### DESCRIPTION

- Expansion of premises with 22 additional bedrooms
- Allow non-residents entry from 06:30 hours to facilitate the provision of breakfasts (currently 07:00 hours)

### OBJECTIONS/REPRESENTATIONS

- None

### LICENSING POLICY STATEMENT

N/A

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