

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: PROVISIONAL PREMISES LICENCE
PREMISES: Co-Operative Group Food Ltd, 122-124 Broomhill Road

DESCRIPTION

- Convenience Store
- Alcohol to be sold for consumption off the premises
- Licensed Hours 10:00 to 22:00 Monday to Sunday
- Other activities: recorded music during and outwith core hours; the sale of groceries, non- food items and other household goods and the provision of ancillary services within and outwith core hours.
- Capacity 32.05m²
- The application was refused by the Board on 20 January 2015. The applicant appealed the decision in the Sheriff Court and the Sheriff remitted the application back to the Board to consider afresh.

OBJECTIONS/REPRESENTATIONS

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

LICENSING POLICY STATEMENT

Paragraph 6.5 – Conditions Attaching to Licences

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

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

CCTV

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

NOTE:

Applicant has accepted the imposition of the CCTV Condition

Paragraph 9.8 Overprovision Off Sales

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

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

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

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

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