

Points of note from the response to the Certas Energy Report

Shell Station: Argyll Road, Aberdeen Airport

The wording of the executive summary on page 2 of the report under the heading Key Research Objective quotes the interpretation of *“the Opinion of the Inner House of the Court of Session in BP Oil UK Limited v City of Glasgow Licensing Board and City of Edinburgh Licensing Board (5th April 2011) whether a **recognisable** number of persons in the locality see and treat the said premises as the principal source from which they, in ordinary course, purchase groceries or fuel and who would properly consider themselves materially disadvantaged or inconvenienced were these retail facilities to **no longer be provided from said premises.**”*

- This study was carried out at the Shell service station on Argyll Road over a period of 10 days with 915 customers selected for interview.
- A subgroup within this research has formed the “population of interest” and is defined as participants who live within the **locality** of the premises and use the garage as their principal source for purchasing Fuel or Groceries. **This figure represents 2.8% of the entire customer population selected for interview and in comparison to other stations researched, is considered low.**
- Initially respondents were categorised as “living within the locality” if they chose options 1 – 3 which identified areas under 1.5 miles. However as this was not identifying sufficient numbers of people the local responses were boosted in 4 of the 12 shifts by individuals who coded as living under 10 miles from the station. Geocoding confirmed that on average these individuals lived 2.95 or 2.7 miles from the station. These are consistent with distances travelled by customers to large supermarkets and indicates the exercising of choice. We are aware of other providers of fuel and groceries within Map 2 illustrated on page 6 of the report.
- A locality is a term usually given to identify small neighbourhood areas. From this report you can clearly see that the Shell Petrol Station in Bucksburn (trades on a 24 hour basis) is situated within the 1.5 mile radius and although not marked on Map 1 the Asda Service Station would also sit within this 1.5 mile boundary line. We are assuming that the term “locality” refers to those living less than 1.5 miles from the service station. A 10 mile distance would not, in our opinion, be associated with the term locality. Perhaps this needs to be defined further.
- Further analysis of the 72 respondents living under 10 miles from the station identified that 69 respondents (96%) always travelled by vehicle with only 2 respondents (3%) advising that they always travelled on foot. Only 9 respondents (28%) identified the service station as their principal source of groceries with 26 respondents (39%) identifying the service station as their principal source of fuel.

- When looking at the population of interest (defined area of 2.7 – 2.95 miles from the service station) with a base of 29 participants
 - only 12 respondents (40%) identified this Service Station as their principal source of **either** fuel or groceries.
 - 26 respondents (62%) stated that they used the station as their principal source of fuel with 15 (26%) stating they would be materially disadvantaged if the premises could no longer provide them with fuel.
 - when asked “*Would you have an alternative fuel source you could use*” only 1 respondent (7%) said no.
 - **Five respondents felt they would be materially disadvantaged if the service station could no longer provide groceries but also indicated that they would have an alternative grocery source.**
 - **Only 1 of the 5 respondents (20%) advised that the alternative grocery source would cause them to be disadvantaged or inconvenienced.**
 - Only 4 respondents felt they would be materially disadvantaged or inconvenienced if the premises could no longer provide them with either.

This summary is our interpretation of the research and has been used to confirm our decision that a recognisable number of persons will **not** be materially disadvantaged by the refusal of this liquor license. The questions asked do not focus on the provision of alcohol. We do not feel that the petrol station is being identified as a principal source of either groceries or fuel for the majority of patrons using this facility. The distance identified as “living within the locality “ has been changed to suit the results of the survey. The service station already provides fuel and groceries and the supply of alcohol has not been included in any of the survey questions. All responses are based on current provision and provide no supporting evidence that alcohol should be sold at the premises. Our letter of objection dated 16th November 2015 still applies.

