

Date 10th October 2016
Enquiries to 01224 557047
Our Ref 20161142
Email: grampian.phalcohollicensing@nhs.net

Ms Ruth O'Hare
Solicitor
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6, Level 1 South,
Marischal College, Broad Street
Aberdeen AB10 1AB

Dear Ms O'Hare

**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 04:00 on Friday/Saturday and Saturday/Sunday.

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.

Following detailed consideration of evidence from the Health Board and Police, the board accepted that **extensions** of hours for the sale of alcohol could have detrimental effects to health. Granting this extension will set a negative precedent for Aberdeen city that will impact on its citizens, visitors and the range of services all aiming to support those enjoying the night time economy.

Impact on support services

The proposed extension to the terminal hour means that patrons would be leaving the premises during a period that support services have started to stand down. Street Pastors, Police Scotland, the Scottish Ambulance Service, Taxi Marshalls etc, all contribute to the safety of those enjoying the late night economy. We believe that the actions of these agencies reduce the number of people who are admitted to hospital having experienced harm as a result of alcohol. This health harm may be due to the acute effects of alcohol intoxication on the individual or injury sustained as a result of an encounter with someone else who was under the influence of alcohol. In granting the extension to the terminal hour, we feel that patrons will be exposed to an additional health risk that could be avoided.

I am aware that similar extensions have been granted in other areas of Scotland but would point out that anecdotal reports of the effect of these measures in other areas cannot be generalised to the night time economy in Aberdeen city centre. The only way to avoid misrepresenting the effect of extended opening hours is to consider available evidence systematically and transparently.

A systematic review into the effect of extending opening hours on alcohol consumption and alcohol related harms was conducted by Hahn et al. Extending opening for a period of 2 or more hours is associated with increased levels of alcohol harm. There was insufficient evidence to determine whether extending sales by 1 hour increased alcohol consumption and associated harms. The finding of insufficient evidence is not equivalent to a finding of no harmful effect. The small number of studies that did consider shorter extensions to opening times included evidence from Scotland. Harmful effects were demonstrated although there was variation in terms of who was affected, how they were affected and the extent to which they were affected¹.

¹ Hahn, Robert A., et al. "Effectiveness of policies restricting hours of alcohol sales in preventing excessive alcohol consumption and related harms." *American journal of preventive medicine* 39.6 (2010): 590-604.

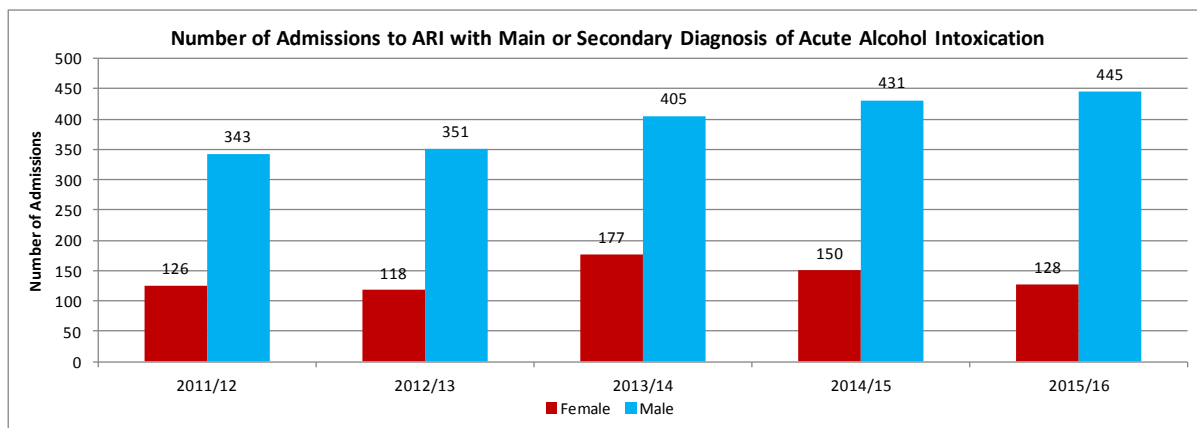
A systematic review to consider the impact of opening times on violent crime was completed by Fitterer et al. They identified that modest policy changes including a 1 hour change to opening times can have a significant impact on instances of violent crime². There was no evidence to suggest that people spaced their drinks out, consuming less and so were less likely to be harmed.

Admissions to Aberdeen Royal Infirmary with acute alcohol intoxication

Presentations to the emergency departments at Aberdeen Royal Infirmary increase significantly on Friday and Saturday evenings. Not all patients suffering ill health as a result of alcohol will be intoxicated. Not all patients who present to the emergency department will be admitted to hospital.

Since 2011/12 the number of men admitted to Aberdeen Royal Infirmary as a result of being acutely intoxicated with alcohol has increased year on year and in 2015/16 was 30% higher than 2011/12.

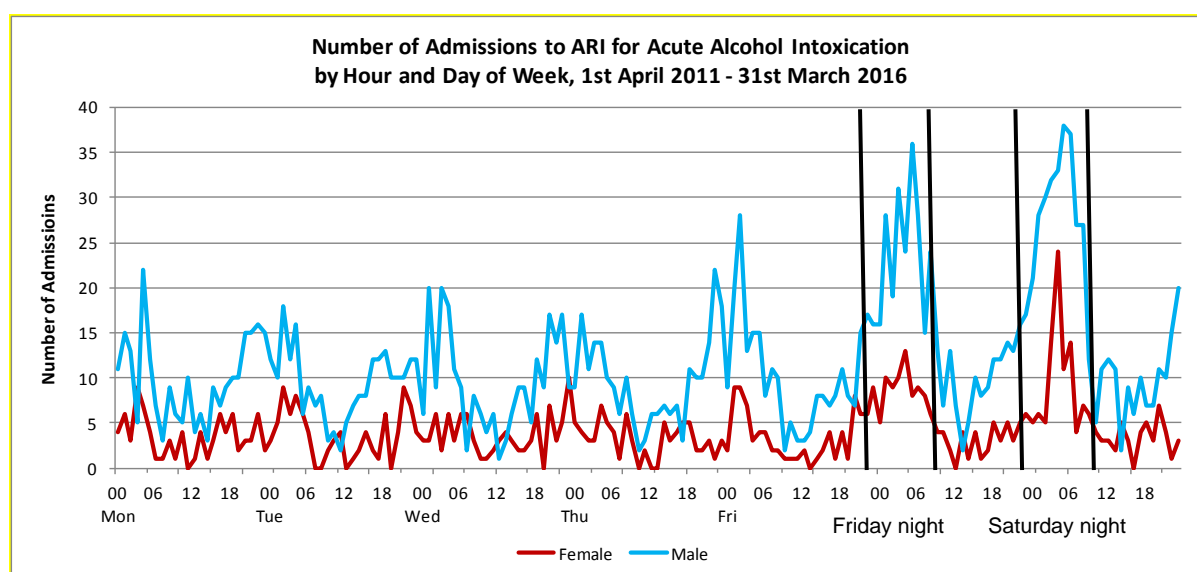
Graph 1: Number of admissions to ARI by year



The average age of a man admitted to the ARI with acute alcohol intoxication was 48. The year on year increase is most evident in those over 35 years of age.

² Fitterer, Jessica L., Trisalyn A. Nelson, and Timothy Stockwell. "A review of existing studies reporting the negative effects of alcohol access and positive effects of alcohol control policies on interpersonal violence." *Frontiers in public health* 3 (2015).

Graph 2: Number of admission to ARI by hour and day of week



A small proportion of the people who present acutely intoxicated to the emergency department have to be admitted for ongoing care. The above data is taken from the electronic patient record which tracks patients admissions through the hospital. It shows a step change in admission activity after 10 pm on a Friday and Saturday night. It clearly shows that this peak of activity continues well past 3 am until around 7am. We do not believe that an extension to the terminal hour would result in a reduction to admissions. In the event that individuals admitted due to alcohol intoxication are more staggered, we would anticipate the activity shown above to extend to 8 or 9 am. In most wards this would place an additional burden at a time that nursing shifts change over and food and medication are given to patients and is not consistent with the objective of protecting and improving health.

Consumption of alcohol at home

Monitoring and Evaluating Scotland's Alcohol Strategy³ (MESAS) described a fall in the number of on-trade premises in England, Wales and Scotland since 2005. It identified a change in consumer preference from on-sales to off-sales. In 2015, 72% of all alcohol bought in Scotland was bought from an off-sales premises.

At a Scottish Alcohol Research Network (SARN) event on the 27th of September 2016, the Student Presidents for Education and Welfare and Sport and Physical Activity spoke about their work to reduce harmful alcohol consumption amongst students at Robert Gordon University. They described the lead up to a night out on the town and the important role that off-sales purchase and pre-loading of alcohol at home played before people had gone to the pub or club.

³ <http://www.healthscotland.com/scotlands-health/evaluation/planning/MESAS/Publications.aspx>

Pre-loading of alcohol is certainly not a phenomenon that is unique or isolated to the student population. Evidence from MESAS indicates that this behaviour is widespread and routine. Arguably a regulated on-trade premises such as a night club is a safer environment to drink than home, however we do not feel that the proposal to extend the opening hours until 4.00am reverses the trend in pre-loading. It provides no incentive to leave home for an organised venue earlier. The overall effect is to increase the availability of alcohol to consumers on a night out.

The UK Chief Medical Officer addressed the health risks of single occasion drinking episodes in the Low Risk Drinking Guidelines⁴, published in August 2016. A section of the guidance relates directly to “single occasion drinking episodes” and recommends:

- **Limiting the total amount of alcohol drunk on any single occasion**
- Drinking more slowly
- **Drinking with food**, and
- Alternating with water.

A person is advised to drink a maximum 14 units a week spread over three or four days. The guidance is clear that regularly exceeding this increases the risk of a range of health problems (including cancers of the mouth, throat and breast). This increases incrementally in tandem with the amount of alcohol consumed on a regular basis. I see no evidence from the operating plan submitted that people would be supported to drink in a manner that is low risk.

I would request that the application for an extension to the terminal hour of this premises is not granted and that the terminal hours of 03:00 hours as stated in the Statement of Licensing Policy is adhered to.

I would also strongly oppose any trial operational period because the full range of harmful effects of increased consumption as a result of extending the terminal hour will not be seen in the short term, taking months or years to manifest.

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

Yours sincerely

Dr Tara Shivaji
Consultant in Public Health

pp Heather Wilson
Health Improvement Officer (Alcohol & Drugs)

⁴ <https://www.gov.uk/government/publications/alcohol-consumption-advice-on-low-risk-drinking>

