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Our Ref 20171007
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Ms Arlene Dunbar
Acting Team Lead
Legal and Democratic Services
Corporate Governance
Aberdeen City Council
Business Hub 6, Level 1 South,
Marischal College, Broad Street
Aberdeen AB10 1AB

Dear Ms Dunbar

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

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 Shell Wellington Petrol Filling Station. The off-sales capacity display area will be 4m².

This objection will focus on the following points:

1. Availability of alcohol
2. Scottish Health Observatory Data
3. 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 disease¹.

¹ <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 on a major city access road, alongside an industrial estate, in an area with an abundance of hotel, office and warehouse accommodation. Housing is close by but access would involve crossing this extremely busy road. I am sure these premises will 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.

Alcohol can be purchased from stores operating on Wellington Road, (Tesco & Lidl) or from the Sainsbury store in the Charleston area of Cove. I appreciate that these stores are a good walking distance from this petrol station. However, I am not aware of any persons in the locality who would consider themselves materially disadvantaged or inconvenienced if alcohol was not available from the petrol station. The petrol station has been in place for some considerable time without a licence to sell alcohol.

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. Scottish Public Health Observatory Data

The Scottish Public Health Observatory (ScotPHO) Health & Wellbeing Profiles for Aberdeen City² identify Alcohol related hospital stays as being “statistically significantly worse” than the National average.

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.

NHS Grampian are of the opinion that any action to limit the availability of alcohol will impact positively on the health and wellbeing of the Aberdeen City population.

1 <https://scotpho.nhs.uk/scotpho/homeAction.do>

The licensing act does not give clear direction in the area of petrol stations and it is perhaps unfair for Licensing Boards to make decisions on these types of applications without clear guidance from the Scottish Government. However, NHS Grampian is of the view that the granting of a license for this petrol station will only contribute to health harm for the local population.

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)

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”)³

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).

³ http://apps.who.int/iris/bitstream/10665/112736/1/9789240692763_eng.pdf?ua=1