

Date 28th February 2017
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Our Ref 2017018
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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
Soul (Ground Floor), Langstane Kirk, 333 Union Street, Aberdeen, AB11 6BS**

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:

- Amend the on sales terminal hour on Sundays - Thursday to 01:00
- Amend the on sales terminal hour on Fridays and Saturdays to 02:00
- Amend opening time on Sundays to 11:00

The Aberdeen City Licensing Board Statement of Licensing Policy, 2013-2016 states at Section 20.7, paragraph 4:

“Premises in the City that provide significant entertainment (to the satisfaction of the Board) may apply and be granted later hours..” “The Board regards significant entertainment to be entertainment which is of such a nature to be the principal attraction for patrons to attend the premises and where alcohol is served to patrons only as an ancillary accompaniment to their attendance and/or participation in the entertainment provided. The Board considers in these cases that the entertainment is the principal reason for patrons attending the licensed premises and that the consumption of alcohol would therefore be ancillary to such entertainment.”

The Aberdeen City Licensing Board Statement of Licensing policy, 2013 – 2016 states at Section 20.3, paragraph 1:

“The Board will deem up to a maximum of 14 hours continuous trading in any 24 hour period to be reasonable. This is in accordance with the aforementioned Government Guidance which further states that any application for licensed hours for more than 14 hours should require further consideration to the effect of granting extra operating hours.”

By varying trading times on a Friday and Saturday evening until 02:00 Soul will be trading for 15 hours on each of these days. The Board has already stated that the “14 hour maximum trading period is not exceeded in order to help reduce alcohol related crime and health harms.”

Since 1997, a five fold increase in the rates of hospital stays as a result of the harmful use of alcohol has been recorded for Aberdeen City Council residents. This category includes conditions such as alcohol induced irritation of the stomach, chronic disease of the heart muscle due to alcohol, mental and behavioural disorder that occur as a result of alcohol (such as depression, anxiety etc). Over this time period, there has been a steady increase in the number of admissions due to alcoholic liver disease.

The Scottish Public Health Observatory (ScotPHO) Health & Wellbeing Profiles for Aberdeen City identify Alcohol related hospital stays as being “statistically significantly “worse” than the National average¹.

I am not aware that this application has identified sufficient activity that would indicate “significant entertainment” and does not comply with the maximum continuous trading of 14 hours. When consideration is also given to the harmful use of alcohol for Aberdeen City Council residents I would therefore request that this application is not 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 submits this letter of objection as the granting of the application 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 & Drug

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

