

# Supplementary Policy 3: Overprovision (DRAFT)

[This Policy has been amended in full following the Board's review of the data presented to them]

## General

### Assessing Overprovision

#### 3.1 The Licensing (Scotland) Act 2005 and Statutory Guidance

Section 7 of the Licensing (Scotland) Act 2005 requires the Board to include in its Statement of Licensing Policy, a statement as to the extent to which the Board considers there to be overprovision of licensed premises generally, or licensed premises of a particular description, in any locality within the Board's area

In determining whether there is overprovision the Board **must**:

- Have regard to the number and capacity of licensed premises within the locality (*members clubs and occasional licences are excluded*).
- Consider the licensed hours of premises in the locality.
- Consult with:
  - The Chief Constable.
  - The relevant Health Board.
  - Such persons as appear to the Board to be representative of the interest of (i) holders of premises licences within the locality and (ii) persons resident in the locality.
  - Such other persons as the Board thinks fit.
- Consider such other matters as the Board thinks fit.

#### 3.2 The Board **must also** comply with the terms of the **Statutory Guidance** when considering overprovision.

The **Statutory Guidance** provides that:

- Licensing Boards have two separate but directly linked, responsibilities in relation to overprovision:
  - Each Board is required to include a statement as to overprovision in its authority area within their Statement of Licensing Policy s.7 of the 2005 Act).
  - Each Board also needs to consider overprovision when determining a premises licence or variation application.
- Indicates that an overprovision assessment must be evidence based.

#### 3.3 It is a matter for each Licensing Board to determine what their overprovision policy will be and how the evidence it has gathered will be interpreted and weighted.

Licensing Board's **must**:

- Be mindful of all **five Licensing Objectives** in considering evidence.
- Ensure the approach to gathering evidence is robust, all relevant evidence is taken into account.
- Ensure the rationale for regarding / disregarding evidence is clearly set out.
- Consult widely on a draft overprovision assessment and carefully consider
- The views of consultees before finalising the Statement of Licensing Policy.

3.4 The purpose of the overprovision assessment is to:

Enable Boards to take account of changes since the publication of the previous Statement of Licensing Policy.
Improve public and trade confidence in the licensing system by setting out clearly the grounds on which overprovision should be determined.
Recognise that halting the growth of licensed premises in localities is not intended to restrict trade but may be required to preserve public order, protect the amenity of local communities and mitigate the adverse health effects of increased alcohol consumption.
Provide potential entrants to the market with a clear signal that they may incur abortive costs if they intend to apply for a licence in a locality in which a Board has declared to have reached overprovision.

3.5 It is for each Board to determine the localities within its area for the purposes of the 2005 Act.

3.6 The Board **must** set out the reason for their decision making in arriving at their locality choices.

3.7 Boards **can consider other matters** such as: -

- The ability for stock to be resupplied quickly, for example, a premises may have a small sales capacity but be capable of significant sales volumes due to the amount of stock held within the premises.
- Equalities Issues – the proximity of specific types of premises such as facilities for vulnerable adults with problematic alcohol use, mental health services; hospitals; schools / nurseries; sports facilities; gambling facilities; concerns regarding people visiting the locality from other areas.
- The stark inequality when it comes to alcohol harm and the growing awareness that harmful drinking and alcohol dependence is much greater for those who experience deprivation than those who do not.
- It can often be individuals other than the drinkers themselves who feel the effects of alcohol use, including children, family, friends, colleagues and those working in frontline services.

Taking account of evidence on equalities and inequalities, the Board can meaningfully consider how different communities are impacted differently by alcohol and use this to formulate their policy.

3.8 The **Statutory Guidance** indicates that a Board should take into account a number of underlying principles in approaching the development of their Statement of Overprovision and these are:

- **The use of alcohol harm / potential for harm information to identify localities**

and then proceed to consider the number, type and capacity of premises in those areas.

- **Consideration of the cumulative effect / impact of premises** rather than the actions of a single operator.
- **To demonstrate a ‘dependable causal link’, the proof of the link must be on the balance of probabilities** i.e. based on the evidence of harm in a locality it is more likely than not that alcohol availability is a cause or that increasing the availability of alcohol in that area will increase harm, weighing up the potential benefits against the potential harms.
- **There is no simple numerical formula for pinpointing the threshold been adequate provision and overprovision.** Determining overprovision involves the application of reason and judgement in the interests of the community:
  - o If the Board considers that there is a potential/reasonable basis for, concluding there will be a risk of adverse impact on the objectives should more licences be granted then it is entitled to come to the view that there is a state of overprovision.
  - o Does aggregate information and evidence from a number of sources demonstrate a link between the availability of alcohol in an area and alcohol related harm.

## Purpose

- 3.9 The purpose of an overprovision assessment is to provide potential entrants to the market with a clear signal that they may incur costs if they intend to apply for a licence in any locality which the Board has declared to have reached overprovision. It is also designed to improve public and trade confidence in the licensing system by setting out clearly the grounds on which overprovision should be determined. Overprovision should not restrict trade, however, restricting trade within a locality may be required to preserve public order, protect the amenity of local communities and mitigate the adverse health effects of increased alcohol consumption resulting from growing outlet density.
- 3.10 The Scottish Government Statutory Guidance to Licensing Authorities in relation to overprovision makes it clear that if there is to be finding of overprovision there **must be robust and reliable evidence** which indicates that:
1. **A saturation point has been reached or is close to being reached and**
  2. **A causal link must be identified between that evidence and the operation of licensed premises in that locality.**

## Consultation

- 3.11 In considering whether there is overprovision the Board must consult the Chief Constable and NHS Grampian; such persons as appear to the Board to be representative of the interests of holders of premises licences in respect of premises within the locality; persons resident in the locality; and such other persons as the Board thinks fit. As with the remainder the Board’s Policy Statement the overprovision assessment must also seek to promote the Licensing Objectives.

## Assessment

## Evidence Considered

3.12 I In preparing this draft Overprovision Statement the Board considered the following evidence:

### *Setting of localities and the formation of the draft policy.*

Profile – Aberdeenshire
Settlement Information (incl. Population) – Aberdeenshire
Engage Consultation Results.
Evidence provided by Partners including Police Scotland, LSO's <sup>27</sup> , Aberdeenshire IJB <sup>28</sup> , ADP <sup>29</sup> , NHS <sup>30</sup> Grampian and members of the public.
Number and Capacity of Licensed Premises – Aberdeenshire
Aberdeenshire Licensing Board Statistics
National Average of Licensed Premises
Data from the Scottish Index of Multiple Deprivation 2020 (V2) ('SIMD')
AFS <sup>31</sup> & CRESH <sup>32</sup> : Alcohol Outlet Availability and Harm in Aberdeenshire 2018.
PHS <sup>33</sup> : Dashboard Information for Aberdeenshire 2010/11 to 2020/21.
PHS: Monitoring and Evaluating Alcohol Strategy 2022.
SHAAP <sup>34</sup> : Alcohol Harms in Scotland 2021.
The Scottish Health Survey 2021.
The Scottish Schools Adolescent Lifestyle and Substance Use Survey ('SALUS').
NRS <sup>35</sup> : Alcohol Specific Deaths 2021.
Case Law relating to the issue of Overprovision.
Overprovision Statements within Scotland.

### *Analysis of Evidence used in formulating the Draft Policy*

**Appendix 1** to this Supplementary Policy Statement summarises the evidence used in formulating the Board's draft Overprovision Policy. The full statistical analysis and scoring matrix used can be found here<sup>36</sup>

### *Formulation of the Final Policy*

The Board consulted on this Overprovision Statement during the period [Date] to [Date] and also considered the following additional evidence prior to finalisation:

Engage Consultation Results
Additional evidence provided by partners including [X]

The Board considered all of the evidence put before it in formulating this policy. Given the duty to promote the five licensing objectives, the evidence presented was considered against each of the objectives.

### *Ongoing Considerations*

The Board considers it essential to monitor the effectiveness of this policy and to this end, they intend to work with partner agencies to develop an alcohol profile for Aberdeenshire

<sup>27</sup> LSO – Aberdeenshire Licensing Standard's Officers.

<sup>28</sup> IJB – Aberdeenshire Integration Joint Board.

<sup>29</sup> ADP – Aberdeenshire Alcohol and Drug Partnership.

<sup>30</sup> NHS – National Health Service.

<sup>31</sup> AFS – Alcohol Focus Scotland.

<sup>32</sup> CRESH – Centre for Research on Environment, Society and Health.

<sup>33</sup> PHS – Public Health Scotland.

<sup>34</sup> SHAAP – Scottish Health Action on Alcohol Problems.

<sup>35</sup> NRS – National Records of Scotland.

<sup>36</sup> To be inserted when published for the purpose of the consultation exercise.

which will be used to analyse any trends and assist with future policy decisions.

## Localities

### Consideration


3.13 The Board's Overprovision Statement for 2018-2023 based its localities based on Council Wards.

The Board reviewed the statistical information available at the outset of the review and determined that a more focused set of localities was needed in order to better assess the impact of alcohol related harm and overprovision within Aberdeenshire.


The Board considered settlements to be more beneficial in terms of defining localities for the purposes of overprovision. The Board consulted on this proposal through an engagement exercise.

A full summary of the Factors considered by the Board is set out in **Appendix 1**.

### Key Factors Identified

	'Settlement' provided a better footing than wards and enhanced the analysis of the statistical information available, such as the information found within the Scottish Index of Multiple Deprivation ('SIMD')
	Moving to settlements would assist partner agencies in highlighting areas of concern through direct statistics rather than data being diluted as a result of being compared over too large a geographical area.
	there was overwhelming support for this move (91.3%) including support from Police Scotland and the Licensing Standard's Officers ('LSO'S).
	The Board should consider the 'cumulative impact' of premises selling alcohol rather than focusing on the 'individual impact' of a premises.
	The Board should focus on communities which are at the greatest risk of harm when it comes to the sale and consumption of alcohol.


### Findings

	<p>"Localities" for the purpose of considering overprovision has been set as "<b>settlements</b>" within Aberdeenshire</p> <p><b>Reasoning:</b> Having considered the data available and the results of the engage exercise, as summarised in <b>Appendix 1</b>, settlements provide clearer, more accurate and more reliable evidence to enable the Board to demonstrate a clear causal link between licensed premises and a concern for one or more of the Licensing Objectives at a sufficiently local level to be able to determine whether there is overprovision within any of those localities.</p>
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## Duty 1: Analysis of Overprovision Within Aberdeenshire

### Considerations

3.14 The Board considered the following factors in considering whether there are any localities within Aberdeenshire that are overprovided for:

	<b>Availability of Alcohol.</b>
	<b>Risk of Potential Harm.</b>
	<b>Evidence of Harm.</b>


The key factors, conclusions and findings are listed below. A summary of the analysis made can be found within **Appendix 1**.

### **Availability of Alcohol**

3.15 In considering the availability of alcohol, the Board took account of:

- (i) The number of premises in Aberdeenshire.
- (ii) The type of premises within Aberdeenshire.
- (iii) The capacity of premises within Aberdeenshire (including hours).

### **Key Factors Identified**

	The number of on-sales only premises has declined since the last review but the number of off-sale only premises has increased as has the number of variation applications seeking to increase the size of existing alcohol display areas within Aberdeenshire.
	The average capacity of alcohol display areas within off sale premises in Aberdeenshire is 36m <sup>2</sup> .
	The majority of licensed premises are located within North Aberdeenshire.
	There is a large variety of premises found in Aberdeenshire many of which off sale of alcohol as an addition to that of their primary business, many of which help sustain the tourist industry within Aberdeenshire

### **Conclusion**

... The Board considered the following localities had a higher-than-average availability of alcohol in terms of Aberdeenshire:

Settlement	Level	
Ballater		<b>High.</b>
Banchory		
Banff		
Fraserburgh		
Braemar		<b>Higher than average.</b>
Huntly		
Inverurie		
Laurencekirk		
Peterhead		
Westhill		

### **Risk of Potential Harm**

3.16 In considering the potential risk for harm, the Board took account of:


- (i) Areas of deprivation.
  - (a) Multiple deprivation.

- (b) Income deprivation.
- (c) Consideration of all the above in relation to the five Licensing Objectives.


(ii) Breakdown of population.

### Key Factors Identified

#### 3.17 Areas of Deprivation

	The localities of Banff, Fraserburgh and Peterhead meet all of the criteria for multiple deprivation.
	The localities of Banff and Fraserburgh meet all of the criteria for Income Deprivation.

#### 3.18 Breakdown of Population

	Prevalence of harmful drinking twice as high for men than women nationally in 2021.
	In 2021 the age group drinking the most on a weekly basis nationally was 45 - 74.
	In 2021 in Aberdeenshire harmful drinking among men was 24% and among women 14%

### Conclusion

#### 3.19 Areas of Deprivation

The Board found that the following settlements had a higher-than-average risk potential when it comes to the sale and consumption of alcohol:


Settlement	Level
Banff	<b>High.</b>
Fraserburgh	
Peterhead	<b>Higher than average.</b>

#### 3.20 Breakdown of Population


The Board found that the breakdown above has remained relatively consistent in terms of Aberdeenshire and identified no special cases to date requiring further analysis in terms of increased risk.

### Evidence of Harm

3.21 The Board took account of the harm associated with the Licensing Objectives:

	<b>Preventing Crime and Disorder</b>
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- Deprivation as a result of crime.
- Violence in licensed premises data statistics from Police Scotland.

	<b>Securing Public Safety</b>
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- No evidence presented to the Board.

	<b>Preventing Public Nuisance</b>
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- No evidence presented to the Board.







	<b>Protecting and Improving Public Health</b>
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- Aberdeenshire wide statistics.
- Health deprivation including statistics in respect of alcohol-related hospitalisations.

	<b>Protecting Children and Young Persons from Harm</b>
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- No evidence presented to the Board.

### **Key Factors Identified**

		There are areas with higher crime rates in Aberdeenshire some of which may be attributed to the consumption of alcohol.
		The majority of issues raised by Police Scotland indicate off-sales to be the problem.
		No reviews have been sought in terms of this Licensing Objective,
		No reviews have been sought in terms of this Licensing Objective.
		1 review has been sought in terms of this Licensing Objective.
		Health statistics for Aberdeenshire are generally positive
		There are areas with higher alcohol-related hospitalisation rates within Aberdeenshire.
		No reviews have been sought in terms of this Licensing Objective.
		No reviews have been sought in terms of this Licensing Objective.

### **Conclusion**

3.22 The Board found that the following settlements had a higher-than-average risk potential when it comes to the sale and consumption of alcohol:

Settlement	Level	
Fraserburgh		<b>High.</b>
Peterhead		
Banff		<b>Higher than average.</b>
Inverurie		
Macduff		

### **Development of Scoring Matrix**

3.23 The Board, using the data and evidence received, developed a scoring matrix which set




scores based on potential risk, availability and evidence of harm, taking into account the Licensing Objectives to reach its findings.

Details of the scoring method used can be accessed via this [link](#)<sup>37</sup>.



## Findings

3.24 Having had regard to all of the information submitted, the views expressed through the engage exercise, the numbers and capacities of licensed premises in Aberdeenshire the Board has found as follows:



### *In respect of On-Sales Premises*

	<p>Placing a limit on the number of <b>on sale</b> premises at this point in time would not serve to promote any of the licensing objectives.</p> <p>Finding: <b>NO OVERPROVISION of On Sale Premises</b></p>
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### *In respect of Off-Sales Premises*

Level of Overprovision	Localities	
	<p>Having regard to all of the evidence submitted to date, and, having considered the number and capacity of off sale premises in Aberdeenshire, the Board has concluded for the purposes of this draft Policy Statement that there is sufficient evidence to demonstrate a causal link between the operation of off sale premises and alcohol related harm in these localities when considered against the licensing objectives</p> <p>Finding: <b>OVERPROVISION of off sale premises in these localities</b></p>	<ul style="list-style-type: none"> <li>• Banff</li> <li>• Fraserburgh</li> <li>• Peterhead</li> </ul>
	<p>Having regard to all of the evidence submitted to date, and, having considered the number and capacity of off sale premises in Aberdeenshire, the Board has concluded for the purposes of this draft Policy Statement that while there is insufficient evidence to demonstrate a causal link between the operation of off sale premises and alcohol related harm in these localities when considered against the licensing objectives, there is sufficient evidence of harm to cause the Board to be concerned that there is potential for these localities to become overprovided.</p> <p>Finding: <b>WATCHING BRIEF</b> on the number of off sale premises in these localities, particularly where there are applications which apply for, or variations to increase, a capacity of alcohol above 36m<sup>2</sup></p>	<ul style="list-style-type: none"> <li>• Huntly</li> <li>• Inverurie</li> <li>• Macduff</li> </ul>
	<p>Having regard to all of the evidence submitted to date, and, having considered the number and capacity of</p>	<ul style="list-style-type: none"> <li>• Banchory</li> <li>• Ellon</li> </ul>

<sup>37</sup> Link to be published once documents uploaded to website.

Level of Overprovision		Localities
	<p>off sale premises in Aberdeenshire, the Board has concluded for the purposes of this draft Policy Statement that, while there is insufficient evidence to indicate a causal link between the operation of off sale premises and alcohol related harm in these localities when considered against the licensing objectives, the scoring matrix has highlighted some areas of harm, specific to each locality that require to be monitored throughout the lifetime of the policy to monitor any potential escalation of the prevalent harm identified.</p> <p>Finding <b>CONCERN NOTED</b>. Off Sales in these settlements to be monitored, noting where there are applications which apply for, or variations to increase, a capacity of alcohol above 36m<sup>2</sup></p>	<ul style="list-style-type: none"> <li>• Fyvie</li> <li>• New Deer</li> <li>• St. Cyrus</li> <li>• Tarves</li> </ul>
	<p>Having regard to all of the evidence submitted to date, and, having considered the number and capacity of off sale premises in Aberdeenshire, the Board has concluded for the purposes of this draft Policy Statement that there no evidence to indicate a causal link between the operation off sale premises and alcohol related harm in these localities when considered against the licensing objectives.</p> <p>Placing a limit on the number of <b>off sale</b> premises at this point in time would not serve to promote any of the licensing objectives.</p> <p>Finding: <b>NO OVERPROVISION of Off Sale Premises</b> in these localities.</p>	<ul style="list-style-type: none"> <li>• All other Settlements in Aberdeenshire</li> </ul>

**Consideration of Overprovision in Determining Applications for Premises Licences, Provisional Premises Licences or Variation of Premises Licences**

**Rebuttable Presumption**

3.25 The effect of this overprovision assessment is as follows:

**Localities of Banff, Fraserburgh and Peterhead**

1. To create, in the above localities, a rebuttable presumption against the grant of an applications for premises licences, provisional premises licences or variation of premises licences in relation to off sales (in terms of the grounds of refusal set out in section 23(5)(e) of section 30(5)(d) of the Act.

**Localities of Huntly, Inverurie and Macduff**

2. To create, in the above localities, a rebuttable presumption against the grant of an applications for premises licences, provisional premises licences or variation of premises licences in relation to off sales (in terms of the grounds of refusal set out in section 23(5)(e) of section 30(5)(d) of the Act where (a) the grant of the application would result in the premises having an off sales capacity in excess of 36 square metres, or (b) in the case of licensed premises with existing off sales capacity in excess of 36 square metres, the grant of any variation sought would result in an increase in that off sales capacity.

	<b>Localities of Banchory, Ellon, Fyvie, New Deer, St. Cyrus and Tarves</b>
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3. The Board will consider any evidence of harm specific to the relevant localities identified above, in determining any applications for premises licences in relation to off sales where (a) the grant of the application would result in the premises having an off sales capacity in excess of 36 square metres, or (b) in the case of licensed premises with existing off sales capacity in excess of 36 square metres, the grant of any variation sought would result in an increase in that off sales capacity


3.26 Each such application will still require to be determined on its own merits and the Board reserves the right to grant such applications where it considers that the licensing objectives would not be undermined by the specific proposals set out in the application, or that those objectives would not be undermined if the applicant's operating plan were to be modified or the grant of the licence made subject to the appropriate conditions, and that no ground of refusal other than overprovision would apply.

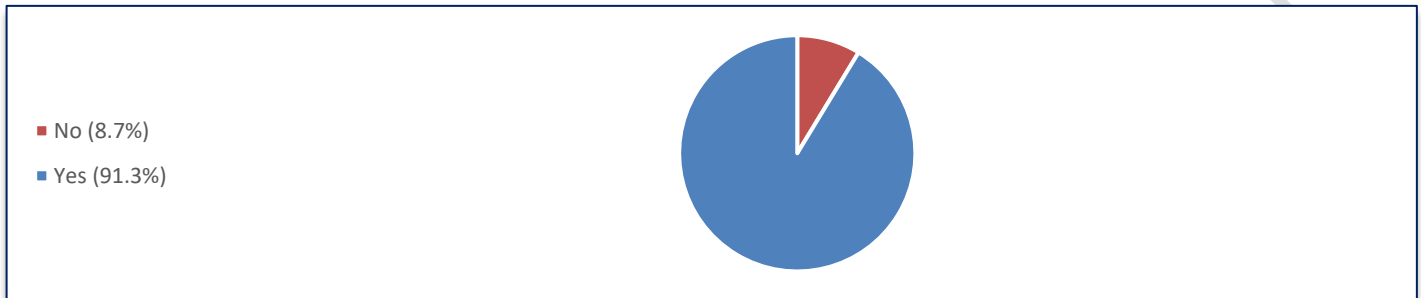
**However, it will be for the applicant to demonstrate to the Board, by providing robust and reliable evidence, that the grant of the application would not undermine the licensing objectives or that the benefits in granting the application outweigh the Board's overprovision policy.**

It should be noted also that one of the aims of the Board's overprovision policy is to promote the licensing objective of protecting and improving public health. To that end, the policy aims to reduce the number of premises with large-scale off sale display areas and not simply to prevent their further proliferation in the Board's area. The Board large-scale off sale display areas to be above 36 square metres in size. Consequently, in the event of an existing licence for a larger capacity off sale premises ceasing to have effect, this will not necessarily mean that there is capacity for a new licence for a large capacity off sale premises either at or in the vicinity of the former licensed premises or elsewhere in the Board's area.


## Appendix 1: Summary of Evidence Used to Determine Draft Overprovision Policy for Aberdeenshire

### Setting of Localities – Council Wards or Settlements?

	The Board has to determine “localities” that will be considered for overprovision of alcohol. Currently this is done by Council Ward Area. The Board is considering whether this should be looked at a more focused level, settlement?
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Alongside these responses the Board also considered the views of the IJB and AADP, both of which, were on similar terms and recommended that the Board consider the following points when looking at localities and assessing overprovision within Aberdeenshire:

	The Board should consider the ‘cumulative impact’ of premises selling alcohol rather than focusing on the ‘individual impact’ of a premises.
	The Board should focus on communities which are at the greatest risk of harm when it comes to the sale and consumption of alcohol.

The Board considered these to be key factors in terms of their initial wish to move to a more focused set of localities based on ‘Settlement’.

No alternative suggestions were received from any respondents in terms of the consultation and with this in mind the Board made the decision [28<sup>th</sup> April 2023] that the localities for the purpose of this Policy Statement would be based on ‘Settlement’.

A recording of the discussions and decision made can be found on the Council’s website via this [link](#)<sup>38</sup>.

 **Localities to be based on Settlements found within Aberdeenshire.**

### Consideration of Overprovision

#### (i) Settlements within Aberdeenshire

There are 62 towns and settlements with a population of 500 or more people in Aberdeenshire<sup>39</sup>.

As a starting point the Board considered the 20 largest settlements by way of population due to their size, nature and standing within the area.

These are listed in the table below:

Position	Settlement	Population
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<sup>38</sup> Insert link to decision.

<sup>39</sup> Figures taken from the National Records of Scotland – Statistics 2020 – [taken from Council website](#).

1	Peterhead	19,060
2	Inverurie	14,660
3	Fraserburgh	12,570
4	Westhill	12,110
5	Stonehaven	11,150
6	Ellon	10,070
7	Portlethen	8,940
8	Banchory	7,440
9	Kintore	4,700
10	Turriff	4,700
11	Huntly	4,550
12	Banff	4,000
13	Kemnay	3,890
14	Macduff	3,830
15	Laurencekirk	3,140
16	Oldmeldrum	3,120
17	Blackburn	3,050
18	Newtonhill	3,010
19	Aboyne	2,920
20	Mintlaw	2,800

The Board thereafter considered other settlements within Aberdeenshire which met specific triggers in terms of availability of alcohol and matters relating to the Licensing Objectives.

 **20 Settlements were initially considered.**

**(ii) Suggested Settlements**


The Board did not receive any suggestions in terms of potential localities from respondents to their consultation nor from their partner agencies.

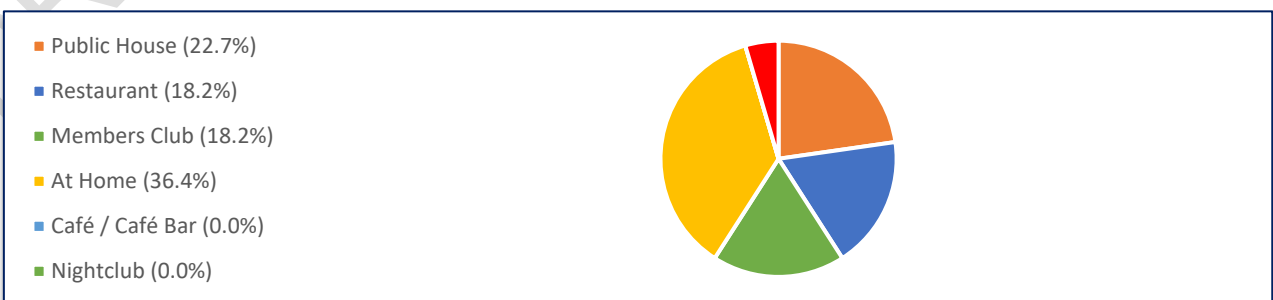
 **No suggestions received.**

**(iii) Drinking habits in Aberdeenshire**

**Where do people tend to drink?**

The majority of respondents stated that they regularly drank alcohol at home (36.4%) followed by public houses (22.7%), restaurants and members clubs (18.2% each) and 4.5% indicated that they did not drink alcohol at all:


 **Where do you drink alcohol on a regular basis?**



These results echo the findings of various national studies such as Public Health Scotland's Monitoring and Evaluating Alcohol Strategy – Monitoring Report 2022 ('MESAS 2022')<sup>40</sup> which indicate that most alcohol is sold within the off-sales setting, specific sales data relating

<sup>40</sup> MESAS – Public Health Scotland's Monitoring and Evaluating Alcohol Strategy – Monitoring Report 2022 – [Link](#)


to Aberdeenshire is not available:

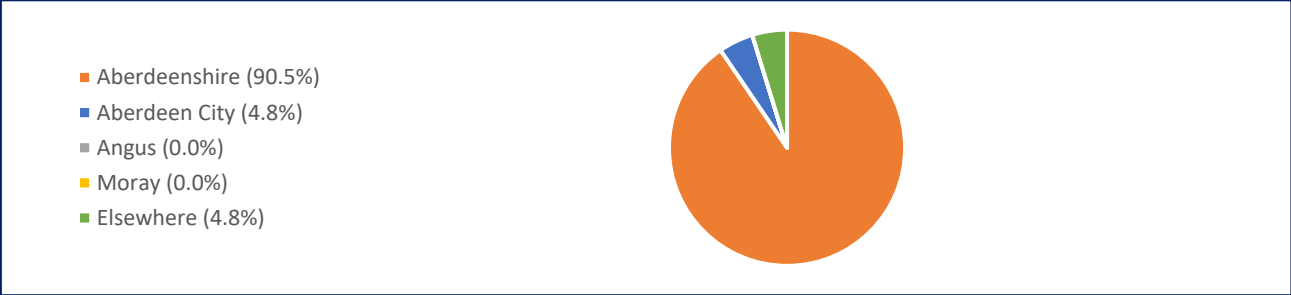
	Year	% of sales through off-sales premises
	2019	73%
	2020	90%
	2021	85%

The COVID-19 pandemic will of course have had an impact on the figures above as this restricted the operation of on-sales premises as these closed or operated on restricted hours during periods of lockdown.


**Where are people buying their alcohol from and how regularly?**

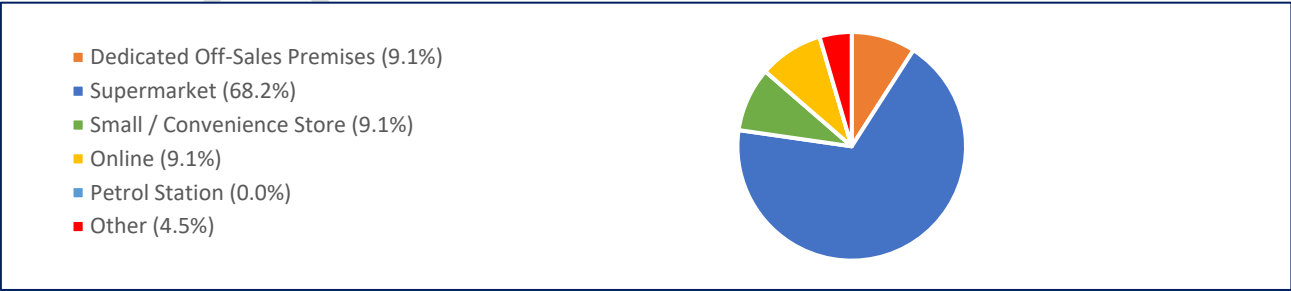
The majority of people purchasing alcohol bought this within Aberdeenshire (90.5%), followed by Aberdeen (4.8%) and 4.8% indicated that they did not buy alcohol at all.

 If you are an Aberdeenshire resident, do you usually buy your alcohol from off-sales premises in ...




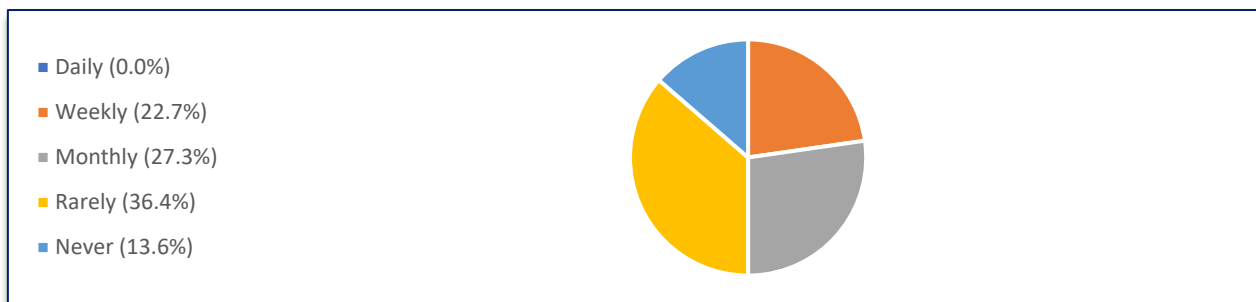
Those purchasing alcohol from off-sales premises indicated that they mainly purchased these from supermarkets (68.2%), followed by dedicated off-sales premises, small / convenience stores and online (9.1% each) and 4.5% indicated that they did not buy alcohol at all:

 If you buy alcohol for consumption at home or out with an on-sales premises, where do you buy it from?

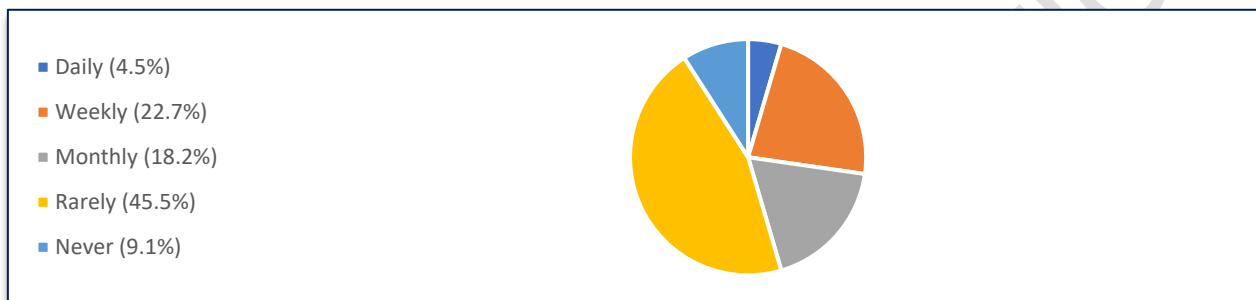


Those purchasing alcohol tend to purchase off-sales rarely (36.4%), followed by monthly (27.3%) and weekly (22.7%), never (13.6%) and on-sales rarely (45.5%), followed by weekly (22.7%), monthly (18.2%), daily (4.5%) and never (9.1%):

 How often do you usually buy alcohol in an off-sales premises?



**?** How often do you usually buy alcohol in an on-sales premises?



This indicates that people are buying alcohol more regularly in on-sales premises but does not factor into account the volume of those sales.

### How much are people drinking?

The following tables shows the average amount of weekly units consumed based on the responses received from those who indicated that they drank alcohol:

How much alcohol do you consume in an average week at home? <sup>41</sup>		
	MEAN average	7.4 units
	MEDIAN average	7.3 units
	MODE average	10.0 units
	MID-RANGE average	7.8 units

How much alcohol do you consume in an average week within on-sales premises? <sup>42</sup>		
	MEAN average	5.2 units
	MEDIAN average	5.0 units
	MODE average	10.0 units
	MID-RANGE average	5.5 units

- People would seem to be drinking more at home than within licensed on-sales premises.
- People would seem to be drinking around 12-13 units per week based on the combined MEAN averages above which is just below the Chief Medical Officer's (CMO's) safe drinking guidelines of 14 units per week.
- The figures echo the finding nationally when it comes to self-reported drinking levels such as those within in MESAS 2022 (12.1 units per week) and the SHS 2021<sup>43</sup> (11.3 units per week).

The figures above are based on self-reported figures and the Board are aware that when

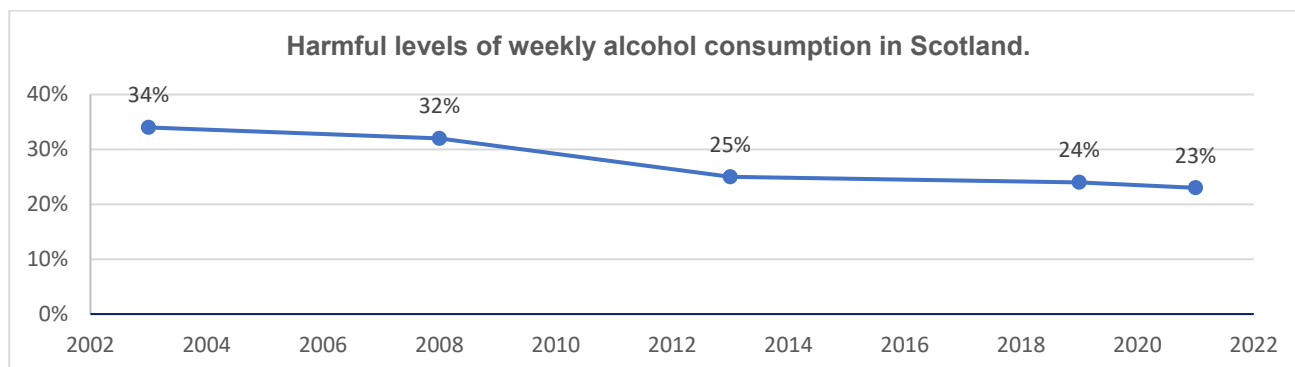
<sup>41</sup> Results of Engage Consultation – 12 responses.

<sup>42</sup> Results of Engage Consultation – 15 responses.

<sup>43</sup> The Scottish Health Survey 2021: Summary Report [-link](#)

these figures are compared against alcohol sales figures there is often a large discrepancy<sup>44</sup>.

Alcohol Focus Scotland used the data within the Scottish Health Survey 2019 ('SHS 2019) to assess the percentage of men and women within Aberdeenshire who continue to drink at levels which are harmful and hazardous to their health, reporting 24% of men and 14% of women do so, no up to date figures have been found in this regard but again these levels would seem to echo the national position in terms of the data published within the SHS 2021:



The fall in drinking levels nationally are also echoed in the sales figures compiled by the Scottish Health Action on Alcohol Problems Organisation ('SHAAP'):


Year	Pure alcohol sales in Scotland	Trend
2019	45.1 million litres	Base
2020	43.5 million litres	-
2021	42.0 million litres	-

The Board is encouraged by the trends seen in the statistics which suggest that harmful drinking is on the decline nationally.

SHAAP and MESAS 2022 also considered the differing levels of consumption nationally based on deprivation level and found the following:

Level	1 Most Deprived	2	3	4	5 Least Deprived
Harmful	20%	19%	20%	25%	29%
Moderate	56%	63%	64%	63%	59%
Non-Drinking	24%	18%	16%	13%	12%


MESAS 2022 on further analysis of the data confirmed that although less people within the most deprived areas drank to a harmful level where they did this was often largely in excess of those within the other levels stated.

	<b>Most people are buying their alcohol from Aberdeenshire.</b>
	<b>Most people are drinking regularly at home.</b>
	<b>People are drinking more units of alcohol within an off-sales setting.</b>
	<b>Self-reported drinking levels would seem to be below the current CMO guideline of 14 units per week.</b>
	<b>Drinking levels seem to echo the position nationally.</b>
	<b>Concerns regarding the level of drinking within deprived areas.</b>

#### (iv) Views on Overprovision within Aberdeenshire

<sup>44</sup> Example: SHAPP report that the national weekly consumption based on sales amounted to 18.1 units per week and the MESAS 2022 report stated that the self-reported weekly consumption stood at 12.1 units for the same year.







	Is there overprovision within Aberdeenshire?
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The Board found that a large majority of the respondents (90.9%) felt that there was no overprovision of premises within Aberdeenshire.


The respondents who believed there to be overprovision in Aberdeenshire had a connection to South Aberdeenshire and indicated that this related in the main to off-sales premises.

Their comments have been summarised below:


	Most corner shops and small retailers sell alcohol, this is seen by children and young persons on a daily basis effectively advertising alcohol as a good thing and is often sold at a lower price than this would be within an on-sales premises.
	Petrol stations should not be able to sell alcohol due to connection this has with drink driving.





Relevant Licensing Objectives:	
	Protecting Children and Young Persons from Harm
	Preventing Crime and Disorder
	Securing Public Safety

The IJB and AADP in their separate responses also indicated that they believed there to be overprovision within Aberdeenshire stating the following:

	IJB	There is currently enough off-sales licences.
	AADP	There are enough off-sales licences.
		There are enough alcohol outlets in Aberdeenshire.

The IJB did not provided any statistical information or reasoning in terms of their view, but the AADP stated the following reasons:

	Alcohol consumption is a significant driver of ill-health in Aberdeenshire has been a public health challenge for decades.
	Alcohol-related deaths in Aberdeenshire have doubled since 2021 from 15 cases to 30 cases in 2021 (National Record of Statistics).
	The rate of general acute admissions to hospital for cirrhosis of the liver has doubled in Aberdeenshire since 2011/12 (Public Health Statistics).
	The rate of alcohol-related ambulance call outs has increased since 2020 and represents 5.5% of all call outs (Scottish Ambulance Service Statistics).
	Police Scotland's data shows a clear connection between the purchase of alcohol from off-sales premises, consumption and incidents of violence, disorder and anti-social behaviour.
	Community safety is directly impacted on by alcohol consumption within on-sales premises.
	The results of their own survey indicate that alcohol causes harm in our communities (84%) and that there are enough off-sales licences in force (66%) and overall alcohol outlets (52%) within Aberdeenshire.

Relevant Licensing Objectives:	
	Promoting and Improving Public Health.
	Protecting Children and Young Persons from Harm
	Preventing Crime and Disorder
	Securing Public Safety

The Board took into account the comments which were received.


The Board acknowledges that they are able to regulate the availability of alcohol through its policy and the decisions it makes.

The marketing and pricing of alcohol is largely a matter for Central Government.

The Board however will continue to limit the use of end of aisle displays for promoting the sale of alcohol within its policy<sup>45</sup> and takes encouragement from the fact that that marketing of alcohol within Scotland is to be reviewed<sup>46</sup> and that Minimum Unit Pricing in Scotland seems to be having a positive impact when it comes to reducing alcohol-related hospitalisations (-4.1%) and alcohol-related deaths (-13.4%) nationally<sup>47</sup>.

... The Board would comment that there are petrol stations within Aberdeenshire who sell alcohol on an off-sales only basis as part of the larger retail side of their business as covered within the Board’s policy<sup>48</sup> and there has been no evidence found to suggest that the sale of alcohol from these premises has led to an increase in incidents of drinking driving within Aberdeenshire or even nationally.

... The reasons raised by the AADP in their response will be considered later in this Statement in terms of the Board’s analysis of the harm within Aberdeenshire.

	<b>General view is that there is no overprovision within Aberdeenshire.</b>
	<b>The majority of those who believe there to be overprovision within Aberdeenshire believe this to relate to off-sales.</b>
	<b>There is evidence of alcohol-related harm within Aberdeenshire.</b>


**(v) Consideration of Potential Risk**

***Areas of Deprivation within Aberdeenshire***

Aberdeenshire is a relatively affluent area and experiences low levels of deprivation<sup>49</sup> there are however settlements and areas within Aberdeenshire who do suffer from deprivation of one form or another.





Studies such as that carried out by the Scottish Health Action on Alcohol Problems (‘SHAAP’) in 2021, show that both alcohol-related hospitalisations and deaths are more likely in areas which suffer from deprivation than those that do not<sup>50</sup>.

In line with the comments received by the AADP and IJB the Board analysed the data contained within the Scottish Index of Multiple Deprivation 2020 (V2) (‘SIMD 2020’) to identify any settlements which may have a higher risk potential when it comes to the harm caused by the sale and consumption of alcohol.


	<b>SIMD 2020</b> – The Scottish Index of Multiple Deprivation provides a relative measure of derivation based on 7 indicators – income, employment, health, education, access, housing and crime.
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In terms of the measures identified above the Board considered the following as being relevant: (i) multiple deprivation, (ii) income deprivation, (iii) health deprivation and (iv) deprivation as a result of crime.


<sup>45</sup> **INSERT LINK TO SECTION WITHIN THE POLICY.**  
<sup>46</sup> Example – Scottish Government – Restricting Alcohol Advertising and Promotion: Consultation - [Link](#)  
<sup>47</sup> Study – Evaluating the impact of alcohol minimum unit pricing on deaths and hospitalisations in Scotland: a controlled interrupted time series study – published in The Lancet – Vol. 401, Issue 10385 – 22 April 2023 - [Link](#)  
<sup>48</sup> **INSERT LINK TO SECTION WITHIN THE POLICY – SUPPLEMENTARY POLICY 8.**  
<sup>49</sup> Aberdeenshire - 29th of all local authority areas in terms of areas of deprivation – [taken from the SIMD 2020 \(V2\) results.](#)  
<sup>50</sup> Alcohol-related deaths were 5.6 x more likely and hospitalisations were 8.0 x more likely - SHAAP – [Alcohol Harms in Scotland \(2021\)](#)

Relevant Licensing Objectives	
	Protecting and Improving Public Health
	Preventing Crime and Disorder
	Securing Public Safety
	Preventing Public Nuisance

## Multiple Deprivation

	<b>Multiple deprivation:</b> This covers all 7 indicators referenced above.
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The Board considered the following criteria when assessing this factor:

	A	Whether the Settlement had a SIMD data zone within the top third most deprived areas within Scotland (Ranked 2,326 or less) and the % of its data zones which met this criteria.
	B	Whether the Settlement had a SIMD data zone within the top 10 most deprived in Aberdeenshire for this category and the number of data zones included.
	C	Whether the settlement appeared in the top 5 most deprived areas within Aberdeenshire based on the MEAN average of all of its data zones.

The Board found the following:

Key	New Settlement Identified.		
Settlement	Criteria A Applies	Criteria B Applies	Criteria C Applies
Aboyne	No	No	No
Banchory	No	No	No
Banff	Yes	Yes	Yes
Blackburn	No	No	No
Crimond	Yes	No	No
Ellon	No	No	No
Fraserburgh	Yes	Yes	Yes
Huntly	Yes	No	No
Inverurie	Yes	No	No
Kemnay	No	No	No
Kintore	No	No	No
Laurencekirk	No	No	No
Macduff	No	No	Yes
Mintlaw	Yes	No	No
New Pitsligo	No	No	Yes
Newtonhill	No	No	No
Oldmeldrum	No	No	No
Peterhead	Yes	Yes	Yes
Pittulie	Yes	No	No
Portlethen	No	No	No
Rosehearty	Yes	No	No
Sandhaven	Yes	No	No
Stonehaven	No	No	No
Turriff	No	No	No
Westhill	No	No	No

The following settlements which are located within North Aberdeenshire met all the categories listed above: Banff, Fraserburgh and Peterhead.

Full details of the Board's findings can be accessed via this [link](#)<sup>51</sup>.

## Income Deprivation

<sup>51</sup> [INSERT LINK ONCE AVAILABLE](#)



**Income deprivation:** 'A measure of the percentage of population (adults and their dependents) in receipt of Income Support, Employment and Support Allowance, Job Seekers Allowance, Guaranteed Pension Credits, Child and Working Tax Credits, or Universal Credit (excluding those in the category 'working with no requirements', or in Tax Credit Families on Low Income'.<sup>52</sup>

The Board considered the following criteria when assessing this factor:

	A	Whether the Settlement had a SIMD data zone where 10% or more of its population experienced income deprivation and the % of its data zones which met this criteria.
	B	Whether the Settlement had a SIMD data zone within the top 10 most deprived in Aberdeenshire for this category and the number of data zones included.
	C	Whether the settlement appeared in the top 5 most deprived areas within Aberdeenshire based on the MEAN average of all of its data zones.

They found the following:

Key	New Settlement Identified.		
Settlement	Criteria A Applies	Criteria B Applies	Criteria C Applies
Aberchirder	Yes	No	No
Aboyne	No	No	No
Banchory	No	No	No
Banff	Yes	Yes	Yes
Blackburn	No	No	No
Crimond	No	No	No
Cruden Bay	Yes	No	No
Ellon	Yes	No	No
Fraserburgh	Yes	Yes	Yes
Fyvie	Yes	No	No
Gardenstown	Yes	No	No
Huntly	Yes	No	Yes
Inverbervie	Yes	No	No
Inverurie	Yes	No	No
Kemnay	Yes	No	No
Kintore	No	No	No
Laurencekirk	Yes	No	No
Longside	Yes	No	No
Macduff	Yes	No	Yes
Mintlaw	Yes	No	Yes
New Deer	Yes	No	No
New Pitsligo	Yes	No	No
Newtonhill	No	No	No
Oldmeldrum	No	No	No
Peterhead	Yes	Yes	No
Pittulie	No	No	No
Portlethen	No	No	No
Portsoy	Yes	No	No
Rosehearty	Yes	No	No
Sandhaven	No	No	No
St. Cyrus	Yes	No	No
Stonehaven	Yes	No	No
Strichen	Yes	No	No
Turriff	Yes	No	No
Westhill	No	No	No

The following settlements which are located within North Aberdeenshire met all the categories listed above: Banff and Fraserburgh.

### Health Deprivation

<sup>52</sup> Definition of 'Income Deprivation' taken from the SIMD 2020 (V2).



**Health deprivation:** 'A measure of the general health of an area based on the standardised ratio based on comparative illness factors, hospital stays related to alcohol use, hospital stays related to drug use, standardised mortality ratio, proportion of population being prescribed drugs for anxiety or psychosis, proportion of live singleton births of low weight and emergency stays in hospital.'<sup>53</sup>

The Board considered the statistics for health deprivation under 'Evidence of Harm' as the statistics in terms of alcohol-related hospitalisations fell more neatly into this category and their consideration of the Licensing Objective: Protecting and Improving Public Health.

Settlement
Aberchirder
Aboyne
Ballater
Banchory
Banff
Blackburn
Crimond
Cruden Bay
Ellon
Fraserburgh
Fyvie
Gardenstown
Huntly
Inverbervie
Inverurie
Kemnay
Kintore
Laurencekirk
Longside
Macduff
Methlick
Mintlaw
New Deer
New Leeds
New Pitsligo
Newtonhill
Oldmeldrum
Peterhead
Pittulie
Portlethen
Portsoy
Rosehearty
Sandhaven
St. Cyrus
Stonehaven
Strichen
Tarves
Turriff
Westhill
Whitehills

### **Deprivation as a result of crime**



**Deprivation as a result of crime:** A measure which looks at the rates of crime per SIMD data zone.

The Board considered the statistics for crime deprivation under 'Evidence of Harm' as the statistics as these fell more neatly into this category and their consideration of the Licensing Objective: 'Preventing Crime and Disorder'.

They found that the following Settlements had an increased potential in terms of risk of harm when it came to the criteria above.

<sup>53</sup> Definition of 'Health Deprivation' created from the factors stated within the SIMD 2020 (V2).

Key	New Settlement Identified.
Settlement	
Aberchirder	
Aboyne	
Ballater	
Banchory	
Banff	
Blackburn	
Crimond	
Cruden Bay	
Ellon	
Fraserburgh	
Fyvie	
Gardenstown	
Huntly	
Inverbervie	
Inverurie	
Kemnay	
Kintore	
Laurencekirk	
Longside	
Macduff	
Methlick	
Mintlaw	
New Deer	
New Leeds	
New Pitsligo	
Newtonhill	
Oldmeldrum	
Peterhead	
Pittulie	
Portlethen	
Portsoy	
Rosehearty	
Sandhaven	
St. Cyrus	
Stonehaven	
Strichen	
Tarves	
Tipperty	
Turriff	
Westhill	
Whitehills	

### ***Breakdown of Population***

The statistics within the SHS 2021 relating to harmful drinking levels show that the prevalence of harmful drinking was twice as high for men than women in 2021 nationally and that the age group which drank the most on a weekly basis were those aged 45 to 74.

The Board was unable to find any statistics in this regard when it came to harmful drinking within Aberdeenshire other than those stated by Alcohol Focus Scotland which showed that harmful drinking among men was 24% and 14% among women in 2021.

The Board considered the breakdown of population within Aberdeenshire using the statistics for Aberdeenshire and the town profiles published on the Council's website and found that the breakdown remained relatively consistent in terms of the whole of Aberdeenshire with no special cases requiring further analysis in terms of increased risk.

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### **Conclusion**





**The Board on analysing the data above found that the following settlements had a higher-than-average risk potential when it came to the sale and consumption of alcohol:**

Settlement	Level
Banff	High
Fraserburgh	High
Peterhead	Higher Than Average





## (vi) Availability of Alcohol

### Number of Premises

There are 630 licensed premises within Aberdeenshire<sup>54</sup> and the table below provides a breakdown of these by type and who this has changed since the Board's last policy review:

Type of premises	Current	Last Review	Comparison	
 On sales	147	179	- 32	- 17.9%
 Off-sales	206	201	+ 5	+ 2.49%
 Premises selling both.	277	256	+ 21	+ 8.20%
 Overall	630	636	- 6	- 0.09%

Broken down by area within Aberdeenshire<sup>55</sup>:

Type of premises	North	Central	South
 On sales	56	42	49
 Off-sales	84	70	52
 Premises selling both.	84	92	101
 Overall	224	204	202

As can be seen from the first table above there has been a small decrease in the overall number of premises within Aberdeenshire since the last review in 2018.

This decrease is due to a larger fall in the number of on-sales only premises which is perhaps reflective of the impact which the COVID-19 pandemic had on the on-sales trade and the data showing the majority of alcohol within Scotland is purchased within the off-sales setting.

The Board considered all settlements who had already been identified alongside any settlements who had 5 or more premises located within their boundary these included:


Key	New Settlement Identified.
-----	----------------------------

Settlement
Aberchirder
Aboyne
Alford
Ballater
Balmedie
Banchory
Banff
Blackburn
Braemar
Crimond
Cruden Bay
Ellon
Fraserburgh


<sup>54</sup> Statistics correct as at 15<sup>th</sup> of June 2023 – Taken from Aberdeenshire Licensing Board Statistics.

<sup>55</sup> This is based on the old Divisional Board areas which used to operate within Aberdeenshire.

Fyvie
Gardenstown
Huntly
Insch
Inverbervie
Inverurie
Kemnay
Kintore
Laurencekirk
Longside
Macduff
Methlick
Mintlaw
New Deer
New Leeds
New Pitsligo
Newmachar
Newtonhill
Oldmeldrum
Peterhead
Pittulie
Portlethen
Portsoy
Rosehearty
Sandhaven
St. Cyrus
Stonehaven
Strichen
Tarland
Tarves
Tipperty
Turriff
Westhill
Whitehills

	<b>The number of on-sales only premises have declined.</b>
	<b>The majority of premises within Aberdeenshire are found within North Aberdeenshire.</b>

The Board considered the following criteria when assessing this factor:

	The number of off-sales only premises.
	The number of premises selling both.
	The number of on-sales only premises.
	Whether the number of premises had increased since the last review.

Scores were then assigned to each of the categories weighted in terms of off-sales premises given the data presented in terms of drinking habits and evidence of harm.

Full details of the Board's findings can be accessed via this [link](#)<sup>56</sup>.

### **Density of Premises**

The Board was unable to find up to date statistics in terms of the national average when it comes to the density of premises.

The Board understand that at the time of the last review the national averages were as follows:

Scotland	On Sales	Off Sales	Overall Premises
Per 10,000 people (aged 18+)	26.5	11.6	38.1


<sup>56</sup> [INSERT LINK ONCE AVAILABLE](#)






In order to provide a snapshot of the where we stand in terms of where Aberdeenshire stands in terms of this marker this was compared to the settlements identified.

This was not a direct comparison as the Board were only able to compare this using the age data available to them meaning that their figures required to be worked out on the basis of population aged 16+ and not 18 as stated above.

The Board considered the following criteria when assessing this factor:

	The density of premises within settlements compared to the national average for Scotland.
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The analysis in this regard was useful in terms of providing a snapshot of the position but there are a number of factors which could of course lead to there being a higher density than others for example:

	Lower rate of population.	This tends to increase the multiplier which then elevates the final density.
	Heightened levels of tourism and a smaller local population.	Braemar and Ballater sit at the top of the league when it comes to density of premises within Aberdeenshire.
	Rurality and a small local population.	Gardenstown has one off-sales premises yet exceeds the national average in terms of density.


Full details of the Board's findings can be accessed via this [link](#)<sup>57</sup>.

### **Capacity and Opening Hours**

The Board looked at the capacity and opening hours of premises throughout Aberdeenshire and took this into account when assessing overprovision within the Settlements which had been identified from other data.

The Board found that the MEAN average off-sales capacity for Aberdeenshire was 36m<sup>2</sup>.

The Board considered the following criteria when assessing this factor:

	The percentage of maximum off-sales hours within each Settlement.
	The m2 of alcohol per person within each settlement.

Full details of the Board's findings can be accessed via this [link](#)<sup>58</sup>.

## **Conclusion**

The Board on analysing the data above found that the following settlements had a higher-than-average rating when it came to the availability of alcohol:

Settlement	Level
Ballater	High
Banchory	
Banff	
Fraserburgh	
Braemar	Higher Than Average

<sup>57</sup> INSERT LINK ONCE AVAILABLE

<sup>58</sup> INSERT LINK ONCE AVAILABLE

Huntly		
Inverurie		
Laurencekirk		
Peterhead		
Westhill		

## (v) Consideration of Harm

The Board considered the evidence presented to them in respect of harm within Aberdeenshire based on the Licensing Objectives.


### Preventing Crime and Disorder

	<b>Preventing Crime and Disorder</b>
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#### *Deprivation as a result of Crime*

The Board considered the data within the SIMD 2020 (V2) in respect of crime rates in respect of Aberdeenshire and this led to the identification of some other settlements which required to be included within the assessment due to a potential increase in their risk factor (see previous section above).

The Board considered the following criteria when assessing this factor:

	A	Whether the Settlement had a SIMD data zone with a crime rate of 70%+ of the National Average and the number of data zones which met that criteria.
	B	Whether the Settlement had a SIMD data zone within the top 10 most deprived in Aberdeenshire for this category and the number of data zones included.
	C	Whether the settlement appeared in the top 5 most deprived areas within Aberdeenshire based on the MEAN average of all of its data zones.

Their findings were as follows:

Settlement	Criteria A Applies	Criteria B Applies	Criteria C Applies
Aberchirder	Yes	No	No
Aboyne	No	No	No
Alford	No	No	No
Ballater	No	No	No
Balmedie	No	No	No
Banchory	Yes	No	No
Banff	Yes	No	Yes
Blackburn	No	No	No
Braemar	No	No	No
Crimond	No	No	No
Cruden Bay	No	No	No
Ellon	Yes	No	No
Fraserburgh	Yes	Yes	Yes
Fyvie	No	No	No
Gardenstown	No	No	No
Huntly	Yes	No	Yes
Insch	No	No	No
Inverbervie	No	No	No
Inverurie	Yes	Yes	No
Kemnay	No	No	No
Kintore	No	No	No
Laurencekirk	No	No	No
Longside	No	No	No
Macduff	Yes	No	Yes
Methlick	No	No	No
Mintlaw	Yes	No	No
New Deer	No	No	No

New Leeds	No	No	No
New Pitsligo	No	No	No
Newmachar	No	No	No
Newtonhill	No	No	No
Oldmeldrum	No	No	No
Peterhead	Yes	Yes	Yes
Pittulie	No	No	No
Portlethen	No	No	No
Portsoy	No	No	No
Rosehearty	No	No	No
Sandhaven	No	No	No
St. Cyrus	No	No	No
Stonehaven	Yes	Yes	No
Strichen	No	No	No
Tarland	No	No	No
Tarves	No	No	No
Tipperty	Yes	No	No
Turriff	Yes	No	No
Westhill	No	No	No
Whitehills	No	No	No

The following settlements which are located within North Aberdeenshire met all the categories listed above: Fraserburgh and Peterhead.

Full details of the Board's findings can be accessed via this [link](#)<sup>59</sup>.

Although these statistics were helpful in terms of looking at deprivation levels in each of this settlements it is clear than not all crime is related to alcohol but as stated by Police Scotland and the AADP this can play a part in offending behaviour.

### **Police Scotland and Consultation Information**

Police Scotland presented the following statistics to the Board in respect of alcohol-related crime:

#### **Violence in licensed premises<sup>60</sup>:**

Financial Year	Total Sum of Charges	Trend <sup>61</sup>
2017 / 2018	1072	Base
2018 / 2019	1067	-
2019 / 2020	1141	+
2020 / 2021	804	-
2021 / 2022	902	+

Area	17 / 18	18 / 19	19 / 20	20 / 21	21 / 22	Total	MEAN AV
B&B	302	273	254	188	251	1,298	259.6
B	275	256	250	205	184	1,170	234.0
F	100	105	126	81	101	513	102.6
G	180	202	267	165	160	974	194.8
K&M	112	118	117	74	98	519	103.8
M	103	113	127	91	108	542	108.4

*If comparing the position over the period of the current policy (2017/18 to 2021/22):*

Area	2017/18	2021/22	Trend
B&B	302	251	-16.9%
B	275	184	- 18.6%
F	100	101	+ 1.0%
G	180	160	- 11.1%
K&M	112	98	- 22.5%

<sup>59</sup> INSERT LINK ONCE AVAILABLE


<sup>60</sup> The data shows the figures of reported instances of violence directly related to licensed premises excluding instances of violence reported elsewhere but where those may have been in a licensed premises prior to the incident. The total sum of charges stated refers to the number of individual charges relating to the violence and not the number of incidents where violence has occurred. A single incident may result in a person(s) being charged with multiple offences.

<sup>61</sup> Trend – This shows the position on a year-to-year basis.

Although there has been a reduction in these numbers over the last two financial years, the impact of the COVID-19 pandemic and the restrictions which were in place need to also be considered in terms of these.

The figures above are limited in scope when it comes to analysing the impact which the sale and consumption of alcohol has had on the incidents in question as these only confirm that the incident took place within a licensed premises and not that the perpetrators had in fact consumed alcohol. Police Scotland have stated that an overwhelming majority of these incidents will be alcohol-related, but no direct evidence has been provided in this regard, thought it has been assumed that this is likely to have been the case in most instances.


The Board considered the following criteria when assessing this factor:

	Location of the settlement and the number of incidents within that area and any increasing trends over the last year.
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Full details of the Board's findings can be accessed via this [link](#)<sup>62</sup>.

*Alcohol related anti-social behaviour:*

The engage consultation asked the following question relating to antisocial behaviour:

	Are you affected by antisocial behaviour or noise from licensed premises where you live?
--	--



Police Scotland have provided the following figures related to the instances of alcohol-related anti-social behaviour reported in respect of Aberdeenshire:

Year	ASB Youth Calls	Trend	ASB Non-Youth Calls	Trend	Total ASB Calls	Trend
2017 / 2018	8	Base	253	Base	261	Base
2018 / 2019	6	-	285	+	291	+
2019 / 2020	6	=	252	-	258	-
2020 / 2021	7	+	160	-	167	-
2021 / 2022	10	+	185	+	195	+

If comparing the position over the period of the current policy (2017/18 to 2021/22):

Type	2017/18	2021/22	Trend
ASB Youth Calls	8	10	+ 20.0%
ASB Non-Youth Calls	253	185	- 26.9%
ASB – Total Calls	261	195	- 25.3%

Police Scotland have stated that these figures are likely to have been under recorded due to the fact that the 'alcohol' tag in respect of an incident is based on the quality of information

<sup>62</sup> [INSERT LINK ONCE AVAILABLE](#)

provided to the call handler during the reporting process. It is also of course possible that cases may be over reported unless further measures have been put in place which prevent this from being the case for example an assumption that the perpetrators have been drinking when this may not be the case.

Unfortunately, the statistics provided by Police Scotland do not provide an age breakdown in terms of the categories listed which makes it difficult to fully assess the issue and whether we are looking at the issue of underage drinking as being a major factor in terms of these incidents.

Police Scotland have indicated that in the majority of these cases the source of the alcohol is from off-sales premises, but no direct evidence has been provided in this regard.

*Use of drugs within licensed premises*

Police Scotland in their consultation response highlighted that there is evidence that the use of illicit drugs within licensed premiss is growing. The use of cocaine when mixed with alcohol is recognised as a contributor to violent behaviour and may lead to incidents such as those mentioned previously.

It is for this reason we have considered in part the issue of drug hospitalisations within the health statistics and would advise that the suggestions made by Police Scotland in terms of potential conditions which could be applied to help address this situation will be considered as part of the full policy review.

No direct statistics were provided in respect of this factor.



*Theft of alcohol from premises*


Police Scotland also indicated that there is growing concern about the amount of alcohol which is being stolen from off-sales premises and the fact that this crime is generally committed by children and young persons from a poorer demographic and there is strong link between this activity and alcohol abuse, underage drinking as well as antisocial behaviour.

This issued and the suggestions put forward by Police Scotland will be considered as part of the full policy review and we would indicate that local conditions are already in place which state that all alcohol that is not on display should be secured in a lock fast store with the location being shown on the layout plan with a view to preventing such incidents taking place from stores.

No direct statistics were provided in respect of this factor.

**Balance of Concerns**

	Aberdeenshire is relatively low when it comes to crime,		Higher proportion of violent incidents within licensed premises occur in Banff & Buchan when compared to other areas which cannot be explained when the number of premises is considered as a factor.
	100% of respondents in terms of the consultation stated they had not experienced anti-social behaviour as a result of a licensed premises.		Rising number of violent incidents within licensed premises in Formartine (+1.0%) and Marr (+4.9%) since 2017/18.
	Decline in the amount of alcohol related anti-social behaviour calls when compared to 2017/18 (-25.3%).		20.0% rise in alcohol related anti-social behaviour youth calls from 2017/18, although these remain low.
	0 Licensing reviews have been requested by Police Scotland based on this Licensing Objective.		

	<b>There are areas with higher crime rates in Aberdeenshire some of which may be attributed to the consumption of alcohol.</b>
	<b>The majority of issues raised by Police Scotland indicate off-sales to be the problem.</b>
	<b>No reviews have been sought in terms of this Licensing Objective,</b>


### Securing Public Safety


	Securing Public Safety
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The Board appreciated that there is a large cross over when it comes to this Licensing Objective and Preventing Crime and Disorder.


The Board received no data relating to this Licensing Objectives despite their efforts.

#### Balance of Concerns

	0 Licensing reviews have been requested by Police Scotland based on this Licensing Objective.		
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	<b>No evidence presented to the Board.</b>
	<b>No reviews have been sought in terms of this Licensing Objective,</b>



### Preventing Public Nuisance


	Preventing Public Nuisance
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The Board appreciated that there is a large cross over when it comes to this Licensing Objective and Preventing Crime and Disorder.

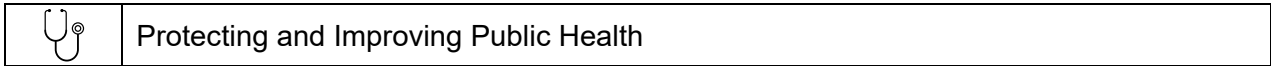
The Board received no data relating to this Licensing Objectives despite their efforts.

The Board has had one review in respect of this Licensing Objective over the term of its previous policy this though is not substantial given the number of licensed premises which operate within Aberdeenshire.

	1 Licensing review has been undertaken in terms of this Licensing Objective which is extremely small given the number of licensed premises within Aberdeenshire.		
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	<b>No evidence presented to the Board.</b>
	<b>1 review has been sought in terms of this Licensing Objective,</b>

## Protecting and Improving Public Health

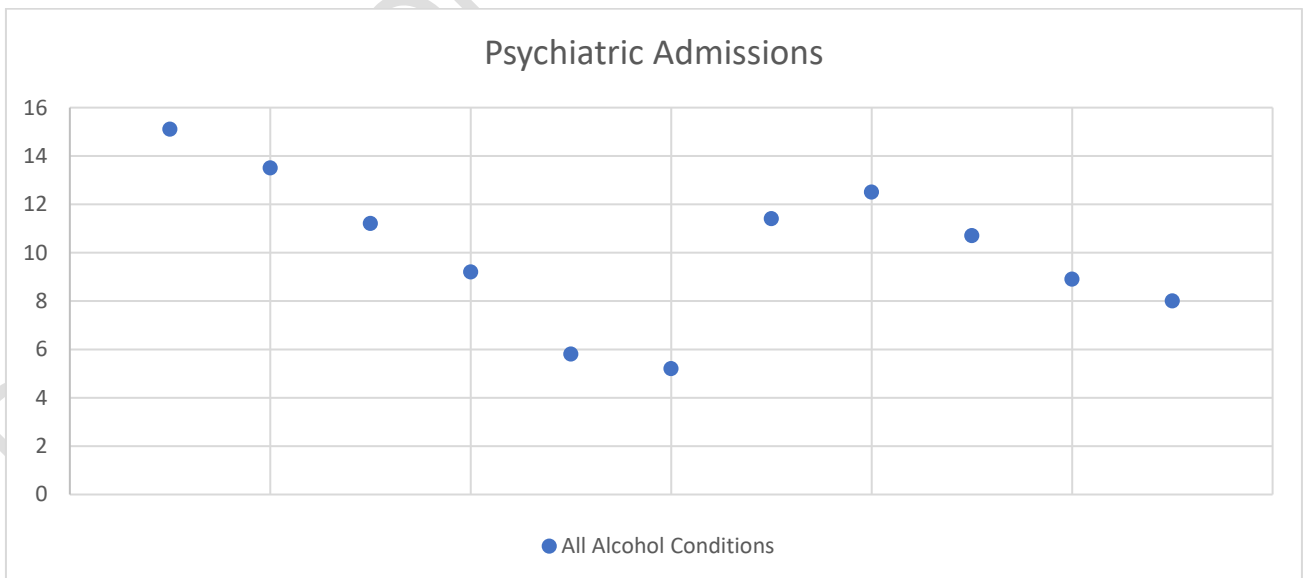
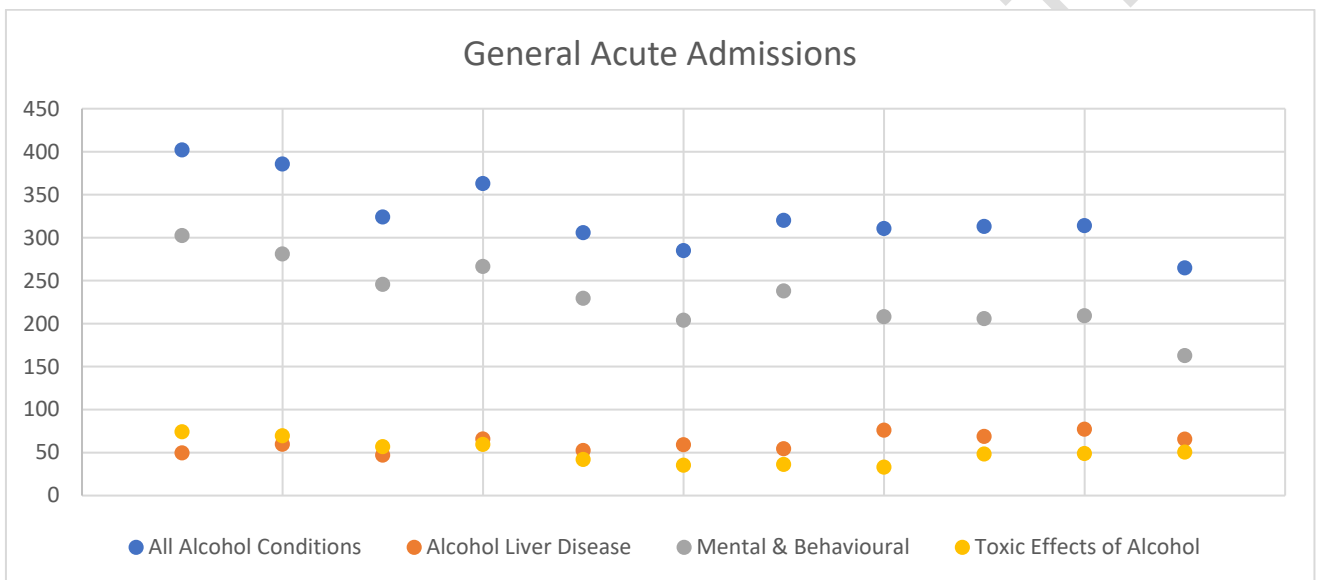


### Aberdeenshire Wide Statistics

The statistics for Aberdeenshire when it comes to alcohol-related disease or hospitalisation are generally positive as can be seen from the tables below which show the statistics for the area as stated on the Public Health Scotland Dashboard<sup>63</sup>:

#### Alcohol related hospitalisations in Aberdeenshire

Stays<sup>64</sup> per 100,000 population using EASR<sup>65</sup> - 2010/11 to 2020/21



*In terms of the statistics Aberdeenshire ranks as follows when compared to the other local authority areas within Scotland based on the 2020/21 statistics (1<sup>st</sup> = Highest and 32<sup>nd</sup> = Lowest):*

#### General Acute<sup>66</sup>

<sup>63</sup> Public Health Scotland – Dashboard Information for Aberdeenshire - [Link](#)

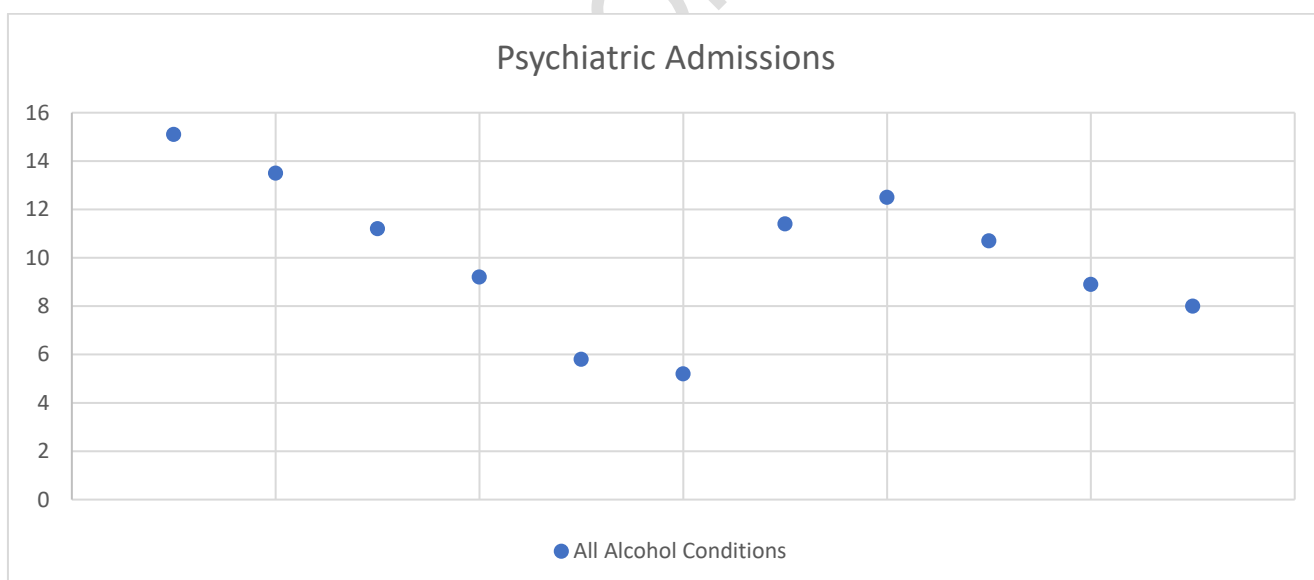
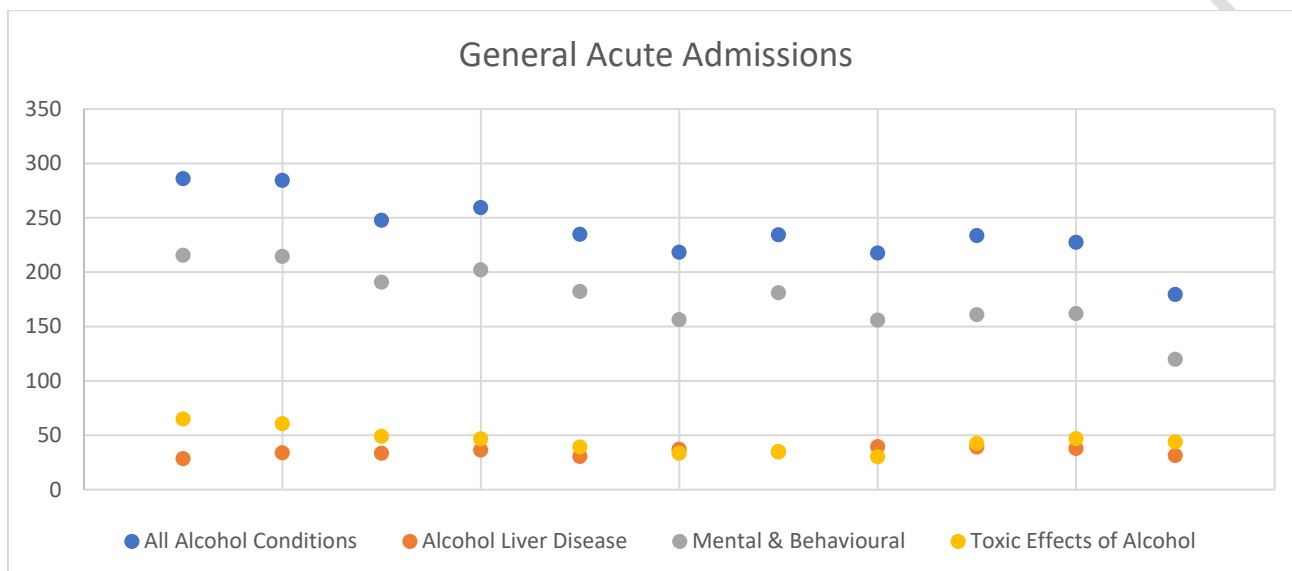
<sup>64</sup> Stays - These are distinct alcohol-related hospital admissions which occur within a year and a person could potentially have more than one stay in a year.

<sup>65</sup> EASR - European Age-Sex Standardised Ratio.

<sup>66</sup> General Acute - Admissions to general acute hospital (these are facilities in which patients receive care under specialities other than mental health, maternity, neonatal and geriatric long stays).

All Alcohol Conditions <sup>67</sup>	32nd
Alcohol Liver Disease <sup>68</sup>	29th
Mental & Behavioural <sup>69</sup>	32nd
Toxic Effects of Alcohol <sup>70</sup>	14th
Psychiatric	
All Alcohol Conditions <sup>71</sup>	28th

Patients<sup>72</sup> per 100,000 population using EASR – 2010/11 to 2020/21



*In terms of the statistics Aberdeenshire ranks as follows when compared to the other local authority areas within Scotland based on the 2020/21 statistics (1<sup>st</sup> = Highest and 32<sup>nd</sup> = Lowest).:*

General Acute	
All Alcohol Conditions	32nd
Alcohol Liver Disease	31st
Mental & Behavioural	32nd
Toxic Effects of Alcohol	14th

<sup>67</sup> All Alcohol Conditions - Covers: Alcohol Liver Disease (ALD – Cirrhosis and Unspecified), Mental Health & Behavioural Conditions (M&B - Acute Intoxication, Alcohol Dependence Syndrome, Harmful Use & Withdrawal State) and Toxic Effects of Alcohol.

<sup>68</sup> Alcohol Liver Disease – Covers: – Cirrhosis and Unspecified Conditions.

<sup>69</sup> Mental & Behavioural – Covers: Acute intoxication, Alcohol Dependence Syndrome, Harmful Use and Withdrawal.

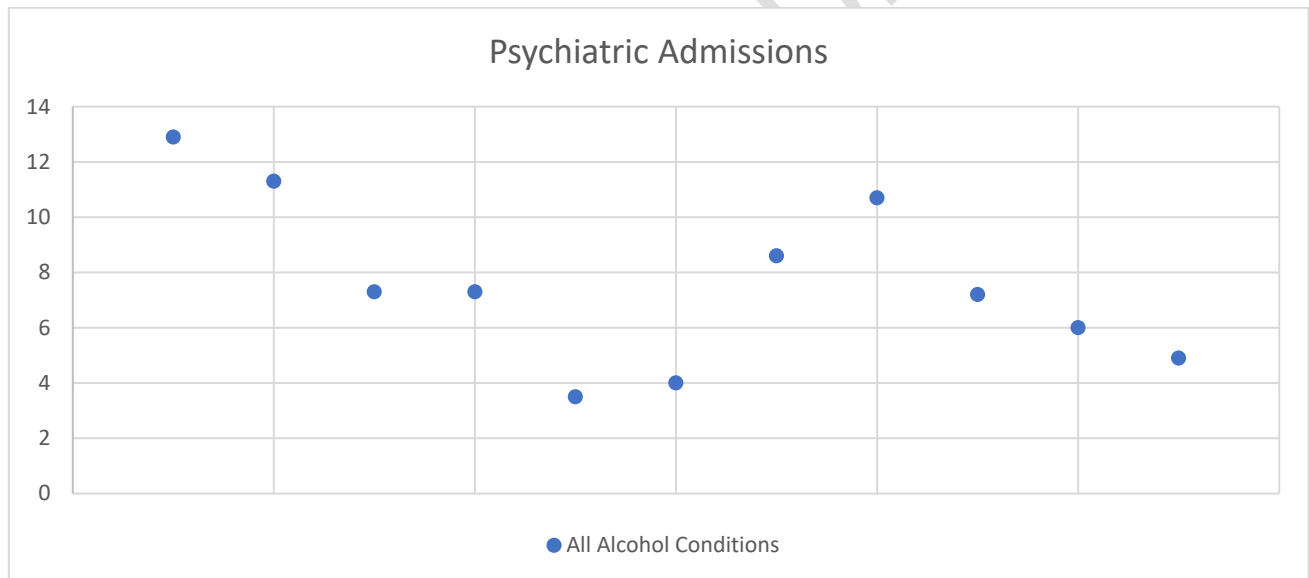
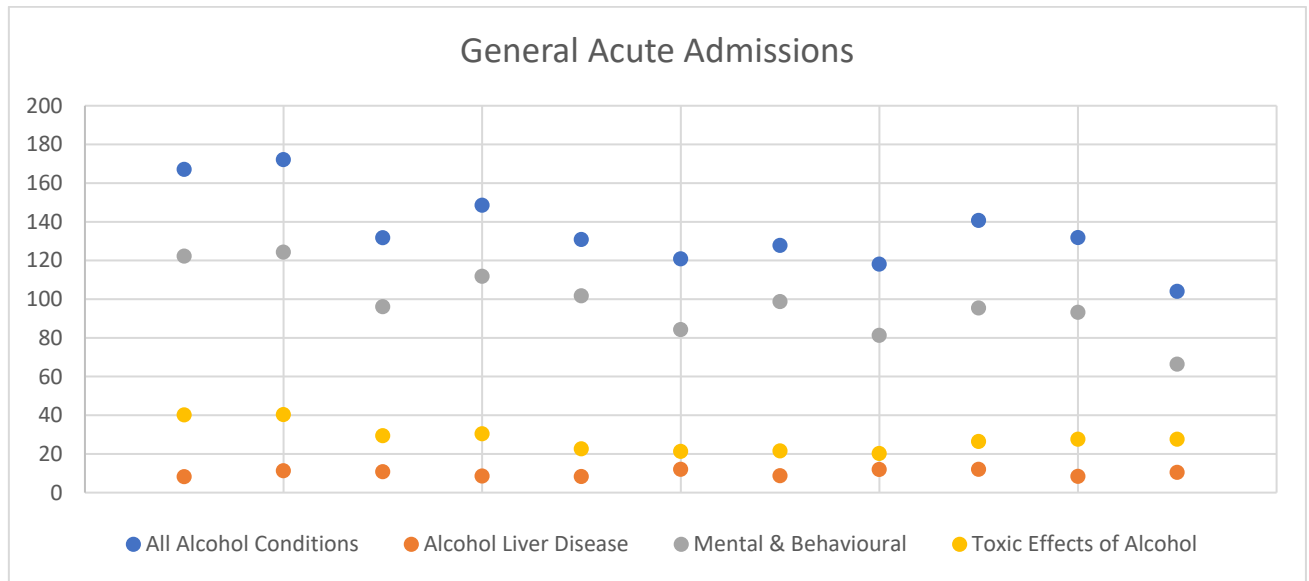
<sup>70</sup> Toxic Effects of Alcohol – Covers: Alcohol Poisoning.

<sup>71</sup> Psychiatric - Admissions to psychiatric hospital (these are used for treatment for alcohol-related mental health conditions).

<sup>72</sup> Patients - The number of people who have had at least one alcohol-related hospital admission during a particular year.



***New Patients<sup>73</sup> per 100,000 population using EASR – 2010/11 to 2020/21***



*In terms of the statistics Aberdeenshire ranks as follows when compared to the other local authority areas within Scotland based on the 2020/21 statistics (1<sup>st</sup> = Highest and 32<sup>nd</sup> = Lowest):*

<b>General Acute</b>	
All Alcohol Conditions	32nd
Alcohol Liver Disease	26th
Mental & Behavioural	32nd
Toxic Effects of Alcohol	11th
<b>Psychiatric</b>	
All Alcohol Conditions	28th

If the position for each of these categories is compared over the following periods: (a) 10-year period (2010/22 to 2020/21) and (b) the period of the current policy (2017/18 and 2020/21) the trends are as follows:

**General Acute Admissions**

<sup>73</sup> New Patients - The number of people each year who have an alcohol-related admission that have not had an alcohol-related admission in the past 10 years.

Category	(a)	2010/11	2020/21	Trend	(b)	2017/18	2020/21	Trend
<b>All Alcohol Conditions</b>								
Stays	(a)	401.8	264.7	- 34.1%	(b)	310.4	264.7	- 14.7%
Patients		285.9	179.4	- 37.3%		217.4	179.4	- 17.5%
New Patients		167.1	104.0	- 37.8%		118.1	104.0	- 11.9%
<b>Alcohol Liver Disease</b>								
Stays	(a)	49.4	65.5	+ 32.6%	(b)	75.9	65.5	- 13.7%
Patients		28.3	31.3	+ 10.6%		39.4	31.3	- 20.6%
New Patients		8.2	10.4	+ 26.8%		11.9	10.4	- 12.6%
<b>Mental &amp; Behavioural</b>								
Stays	(a)	302.2	162.7	- 46.2%	(b)	207.9	162.7	- 11.7%
Patients		215.4	119.7	- 44.4%		155.8	119.7	- 23.2%
New Patients		122.2	66.4	- 45.7%		81.3	66.4	- 18.3%
<b>Toxic Effects of Alcohol</b>								
Stays	(a)	79.0	50.4	- 36.2%	(b)	32.9	50.4	+ 53.2%
Patients		64.9	43.8	- 32.5%		30.1	43.8	+ 45.5%
New Patients		40.1	27.6	- 31.2%		20.2	27.6	+ 36.6%

<b>Psychiatric Admissions</b>								
Category	(a)	2010/11	2020/21	Trend	(b)	2017/18	2020/21	Trend
<b>All Alcohol Conditions</b>								
Stays	(a)	17.6	9.1	- 34.1%	(b)	13.3	9.1	- 48.3%
Patients		15.1	8.0	- 47.0%		12.5	8.0	- 36.0%
New Patients		12.9	4.9	- 62.0%		10.7	4.9	- 44.2%

The statistics for Alcohol Liver Disease are of particular interest as this echoes the points made by the AADP in their response which point to a large increase in cirrhosis admissions over the last 10 years which of course would fall within this category.

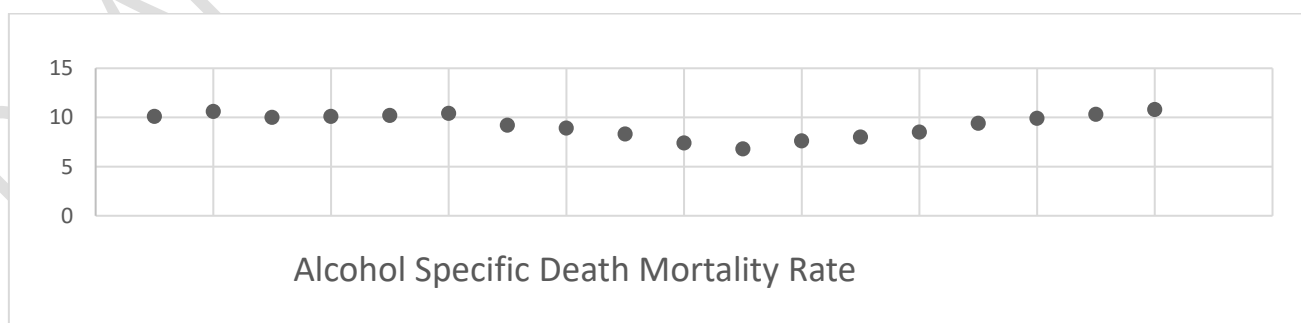
Although the AADP did not pick up on the statistics relating to Toxic Effects of Alcohol these again show a sizeable increase over the last 4 years although the numbers are significantly lower than they were in 2010/11.

#### *Alcohol related ambulance call-outs in Aberdeenshire*

The AADP as part of their response provided statistics from the Scottish Ambulance Service which showed that the number of ambulance call-outs in Aberdeenshire which were related to alcohol stood at 5.5% over the last year which seems to be on the increase.

#### *Alcohol specific death mortality rate in Aberdeenshire*

The following table shows the alcohol specific death rate based on the EASR for Aberdeenshire:



In terms of the statistics Aberdeenshire ranks as follows when compared to the other local authority areas within Scotland based on the statistics for the 2017/2021 period:

Alcohol Specific Deaths	
Deaths	31st



The trend in respect of alcohol specific deaths in Aberdeenshire is as follows:

	2000/2004	2016/2020	Trend
Alcohol Specific Deaths	10.1	10.8	+ 7.0%

The AADP in their response noted that there was a sizeable increase in the number of alcohol specific deaths from 2011 to 2021 with this doubling from 15 to 30 deaths which is of course a matter for concern as this is a sizeable increase despite are low position when compared to the rest of Scotland where the trend seems to suggest that such deaths are reducing.

The statistics for Aberdeenshire when it comes to alcohol-related disease or hospitalisation are generally positive as can be seen from the tables below which show the statistics for the area as stated on the Public Health Scotland Dashboard<sup>74</sup>:


### Balance of Concerns

	Aberdeenshire is relatively low in terms of its overall position when it comes to alcohol related hospitalisations and alcohol related deaths.		Rising trend in terms of alcohol liver disease in terms of the last 10 years a point which was also made by the AADP in their consultation response when looking specifically at cirrhosis.
	The statistics in terms of the following factors have declined when compared over a 10 year and 4-year period: Psychiatric Admissions (Both Periods) and General Acute Admissions: All Conditions, Mental & Behavioural.		Rising trend in terms of the number of hospitalisations relating to toxic effects of alcohol over the last 4 years, although these are down when compared to the position 10 years ago.
	The level of ambulance call-outs relating to alcohol remains fairly low at 5.5% of all calls.		A rise in the number of alcohol related deaths when compared to previous periods, this has doubled since 2011/15. There is an increasing amount of ambulance call-outs relating to alcohol.

### Health Deprivation

The Board considered the data within the SIMD 2020 (V2) in respect of alcohol-related hospitalisations and drug-related hospitalisations in terms of the settlements which had been identified from the data above.

The Board considered the following criteria when assessing this factor:

	A	Whether the Settlement had a SIMD data zone with an alcohol-related hospitalisation rate of 70%+ of the National Average and the number of data zones which met that criteria.
	B	Whether the Settlement had a SIMD data zone within the top 10 most deprived in Aberdeenshire for this category and the number of data zones included.
	C	Whether the settlement appeared in the top 5 most deprived areas within Aberdeenshire based on the MEAN average of all of its data zones.
	D	Whether the Settlement had a SIMD Data Zone with an alcohol-related hospitalisation rate AND drug-related hospitalisation rate of more than 70% of the National Average due to connection made by Police Scotland.
	E	Whether the MEAN alcohol-related hospitalisation rate had increased since 2016 taking into account changes in population.

Their findings were as follows:


Settlement	Criteria A Applies	Criteria B Applies	Criteria C Applies	Criteria D Applies	Criteria E Applies
Aberchirder	No	No	No	No	No
Aboyne	No	No	No	No	No
Alford	No	No	No	No	Yes

<sup>74</sup> Public Health Scotland – Dashboard Information for Aberdeenshire - [Link](#)


Ballater	Yes	No	No	No	Yes
Balmedie	No	No	No	No	No
Banchory	Yes	No	No	No	Yes
Banff	Yes	Yes	Yes	No	Yes
Blackburn	No	No	No	No	Yes
Braemar	No	No	No	No	Yes
Crimond	No	No	No	No	No
Cruden Bay	No	No	No	No	No
Ellon	Yes	Yes	No	No	Yes
Fraserburgh	Yes	Yes	Yes	Yes	Yes
Fyvie	Yes	No	No	No	Yes
Gardenstown	No	No	No	No	No
Huntly	Yes	No	Yes	Yes	No
Insch	No	No	No	No	No
Inverbervie	No	No	No	No	No
Inverurie	Yes	Yes	No	Yes	Yes
Kemnay	Yes	No	No	Yes	No
Kintore	Yes	No	No	No	Yes
Laurencekirk	No	No	No	No	Yes
Longside	No	No	No	No	Yes
Macduff	Yes	Yes	Yes	Yes	Yes
Methlick	Yes	No	No	No	Yes
Mintlaw	Yes	No	No	No	Yes
New Deer	Yes	No	No	No	Yes
New Leeds	Yes	No	No	No	Yes
New Pitsligo	Yes	No	No	No	No
Newmachar	No	No	No	No	Yes
Newtonhill	No	No	No	No	Yes
Oldmeldrum	No	No	No	No	Yes
Peterhead	Yes	Yes	Yes	Yes	Yes
Pittulie	No	No	No	No	No
Portlethen	No	No	No	No	Yes
Portsoy	Yes	Yes	No	Yes	Yes
Rosehearty	No	No	No	No	No
Sandhaven	No	No	No	No	No
St. Cyrus	Yes	No	No	No	Yes
Stonehaven	Yes	No	No	No	No
Strichen	No	No	No	No	Yes
Tarland	No	No	No	No	Yes
Tarves	Yes	No	No	No	Yes
Tipperty	No	No	No	No	Yes
Turriff	Yes	No	No	Yes	No
Westhill	Yes	No	No	No	Yes
Whitehills	Yes	No	No	No	Yes

The following settlements which are located within North Aberdeenshire met all the categories listed above: Fraserburgh and Peterhead.

Full details of the Board's findings can be accessed via this [link](#)<sup>75</sup>.

	<b>Health statistics for Aberdeenshire are generally positive.</b>
	<b>There are areas with higher alcohol-related hospitalisation rates within Aberdeenshire.</b>
	<b>No reviews have been sought in terms of this Licensing Objective,</b>



## Protecting Children and Young Persons from Harm


	Protecting Children and Young Persons from Harm
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<sup>75</sup> [INSERT LINK ONCE AVAILABLE](#)

The Board received no data relating to this Licensing Objectives despite their efforts.

### Balance of Concerns

	0 Licensing reviews have been requested by Police Scotland based on this Licensing Objective.		
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	<b>No evidence presented to the Board.</b>
	<b>No reviews have been sought in terms of this Licensing Objective,</b>

### Conclusion

The Board found that alcohol-related harm within Aberdeenshire remained low but on analysing the data above found that the following settlements had a higher-than-average level of harm for the area.


Settlement	Level
Fraserburgh	High
Peterhead	
Banff	Higher Than Average
Inverurie	
Macduff	

### Scoring Matrix and Findings


The Board using the information which it received developed its own scoring matrix which provided scores based on potential risk, availability and evidence of harm taking into account the Licensing Objectives.


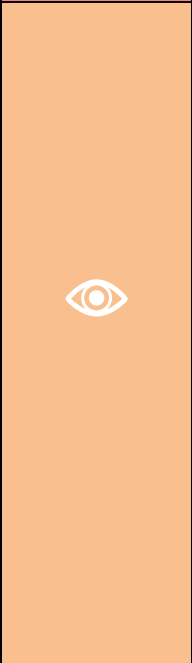
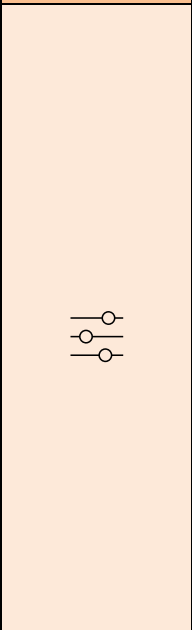

The Board found that the following levels had been reached:

#### On Sales:

	Placing a limit on the number of <b>on sale</b> premises at this point in time would not serve to promote any of the licensing objectives.  Finding: <b>NO OVERPROVISION of On Sale Premises</b>
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#### Off Sales:

Level of Overprovision	Localities
	<p>Having regard to all of the evidence submitted to date, and, having considered the number and capacity of off sale premises in Aberdeenshire, the Board has concluded for the purposes of this draft Policy Statement that there is sufficient evidence to demonstrate a causal link between the operation of off sale premises and alcohol related harm in these localities when considered against the licensing objectives</p> <ul style="list-style-type: none"> <li>• Banff</li> <li>• Fraserburgh</li> <li>• Peterhead</li> </ul>

Level of Overprovision	Localities
 <p>Finding: <b>OVERPROVISION</b> of off sale premises in these localities</p>	
 <p>Having regard to all of the evidence submitted to date, and, having considered the number and capacity of off sale premises in Aberdeenshire, the Board has concluded for the purposes of this draft Policy Statement that while there is insufficient evidence to demonstrate a causal link between the operation of off sale premises and alcohol related harm in these localities when considered against the licensing objectives, there is sufficient evidence of harm to cause the Board to be concerned that there is potential for these localities to become overprovided.</p> <p>Finding: <b>WATCHING BRIEF</b> on the number of off sale premises in these localities, particularly where there are applications which apply for, or variations to increase, a capacity of alcohol above 36m<sup>2</sup></p>	<ul style="list-style-type: none"> <li>• Huntly</li> <li>• Inverurie</li> <li>• Macduff</li> </ul>
 <p>Having regard to all of the evidence submitted to date, and, having considered the number and capacity of off sale premises in Aberdeenshire, the Board has concluded for the purposes of this draft Policy Statement that, while there is insufficient evidence to indicate a causal link between the operation of off sale premises and alcohol related harm in these localities when considered against the licensing objectives, the scoring matrix has highlighted some areas of harm that require to be monitored throughout the lifetime of the policy.</p> <p>Finding <b>CONCERN NOTED</b>. Off Sales in these settlements to be monitored, noting where there are applications which apply for, or variations to increase, a capacity of alcohol above 36m<sup>2</sup></p>	<ul style="list-style-type: none"> <li>• Banchory</li> <li>• Ellon</li> <li>• Fyvie</li> <li>• New Deer</li> <li>• St. Cyrus</li> <li>• Tarves</li> </ul>
 <p>Having regard to all of the evidence submitted to date, and, having considered the number and capacity of off sale premises in Aberdeenshire, the Board has concluded for the purposes of this draft Policy Statement that there no evidence to indicate a causal link between the operation off sale premises and alcohol related harm in these localities when considered against the licensing objectives. Placing a limit on the number of <b>off sale</b> premises at this point in time would not serve to promote any of the licensing objectives.</p> <p>Finding: <b>NO OVERPROVISION</b> of Off Sale Premises in these localities.</p>	<ul style="list-style-type: none"> <li>• All other Settlements in Aberdeenshire</li> </ul>