

SHETLAND ISLANDS AREA LICENSING BOARD – MEETING 26 SEPTEMBER 2017

1. Application for Premises Licence

<u>Applicant</u>	<u>Premises</u>	<u>On-Sales/Off Sales/Both</u>
(a) Sopha Howarth Glen Orchy House 20 Knab Road Lerwick Shetland ZE1 0AX	Glen Orchy House 20 Knab Road Lerwick Shetland ZE1 0AX	On-Sales

• **Core Times**

On Sales

	Opening	Terminal
Mon	12 noon	11pm
Tue	12 noon	11pm
Wed	12 noon	11pm
Thurs	12 noon	11pm
Fri	12 noon	11pm
Sat	12 noon	11pm
Sun	12 noon	11pm

- Seasonal Variation – None
- Other Activities – None
- Children or Young Persons admitted – As this is holiday accommodation children and young persons may be on the premises accompanied by an adult.
- Capacity – 146 persons
- Premises Manager – Sopha Howarth

LSO comments:

No objections. However I would comment that, although a physical bar is not necessary, and there is no indication of one on the floor plan, if alcohol is to be displayed for the residents or non-residents, then this location showing it's dimensions should be marked on the floor plan.

Police comments:

No objections.

Building Standards comment:

Occupant capacity of areas:

- 23 - Reception (Dining Area)
- 13 - TV Lounge (Dining area)
- 61 - Dining Area
- 16 - Residents Lounge (Ground Floor)
- 33 - Residents Lounge (First Floor)
- 146 (total)

Community Council comments:

None received.

Health Board Comments:

None received.

Fire Board Comments:

No objections.

2. Application for Variation other than a Minor Variation of Premises Licence

<u>Applicant</u>	<u>Premises</u>	<u>Proposed Variation</u>																
(a) Shetland FM Limited c/o Achnacoille Forest Road Grantown on Spey PH26 3JL	Sella Ness Lodge Sella Ness Industrial Estate Sullom Voe Shetland ZE2 9QR	<p>To provide the sale of alcohol for consumption off the premises. The on sale hours remain unchanged.</p> <table><tr><th><u>Proposed Off Sale Hours</u></th><th><u>Current On Sale Hours</u></th></tr><tr><td>Monday 10am – 10pm</td><td>Monday 1pm – 12 midnight</td></tr><tr><td>Tuesday 10am – 10pm</td><td>Tuesday 1pm – 12 midnight</td></tr><tr><td>Wednesday 10am – 10pm</td><td>Wednesday 1pm – 12 midnight</td></tr><tr><td>Thursday 10am – 10pm</td><td>Thursday 1pm – 12 midnight</td></tr><tr><td>Friday 10am – 10pm</td><td>Friday 1pm – 12 midnight</td></tr><tr><td>Saturday 10am – 10pm</td><td>Saturday 1pm – 1am</td></tr><tr><td>Sunday 10am – 10pm</td><td>Sunday 1pm – 12 midnight</td></tr></table> <p>Off sale alcohol will be limited to products supplied by the Shetland Reel Distillery. It is a measure of further promoting both Shetland Reel and the wider 'Shetland' to the guests and visitors to Sella Ness Lodge.</p> <p>Products for off sale will be displayed in three locked display cabinets in the foyer area. Stock will only be accessed by a member of staff upon request from an individual wishing to make a purchase.</p> <p>The capacity of the premises is 378 people for the on sales facility. To reflect the number of actual rooms in the premises it is requested the capacity be increased to 426 people.</p> <p>Change to current licence holder's address.</p>	<u>Proposed Off Sale Hours</u>	<u>Current On Sale Hours</u>	Monday 10am – 10pm	Monday 1pm – 12 midnight	Tuesday 10am – 10pm	Tuesday 1pm – 12 midnight	Wednesday 10am – 10pm	Wednesday 1pm – 12 midnight	Thursday 10am – 10pm	Thursday 1pm – 12 midnight	Friday 10am – 10pm	Friday 1pm – 12 midnight	Saturday 10am – 10pm	Saturday 1pm – 1am	Sunday 10am – 10pm	Sunday 1pm – 12 midnight
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LSO comments:	No objections.																	
Police comments:	No objections regarding the proposed variation assuming Frank Strang and Deborah Strang remain the main Directors of Shetland FM Ltd.																	
Building Standards comment:	No objections.																	
Community Council comments:	Delting Community Council Members have looked at this application and feel that the Sella Ness Lodge is for working men and do not understand why they want to do carry outs. There are plenty of options to buy carry outs elsewhere. They have no objections to the current licence, but are objecting to the proposed variation.																	

Health Board Comments:

We note that Shetland FM Limited are applying to provide the sale of alcohol for consumption off the premises during the hours 10am – 10pm Mondays to Sundays, and to increase the capacity of their premises from 378 people to 426 people.

The Shetland Islands Area Licensing Board Statement of Licensing Policy states that the Board “welcomes the powers given to it by the Act and intends to use those powers in a socially responsible way”. As you are aware, one of the five licensing objectives is to “protect and improve public health”. Shetland Community Planning partners are also keen to reduce the burden of harm that alcohol causes in the population and to adopt a more preventative approach and have noted their commitment through Outcome C of the Local Outcome Improvement Plan (See below for details*).

The UK Chief Medical Officers’ guideline for both men and women warns that:

- The risk of developing a range of health problems (including cancers of the mouth, throat and breast) increases the more you drink on a regular basis.
- If you wish to cut down the amount you drink, a good way to help achieve this is to have several drink-free days each week.

The UK Chief Medical Officers’ Low Risk Drinking Guidelines 2016

Although the numbers are small, the north mainland of Shetland already has higher than the Scottish and Shetland average number of alcohol related deaths per year. (Centre for Research on Environment, Society and Health). This does not take into account the amount of long term societal harm that is caused by the misuse of alcohol and the associated significant costs to public services (between **£6.8 million** and **£10.8 million** per year in **Shetland alone** at 2014 prices). However we acknowledge that these are population based figures for Shetland and not specific to the Sella Ness residents.

Research tells us that increasing access to alcohol does tend to increase the level of alcohol problems within a community, and we know that alcohol misuse has a direct link to crime and disorder, public nuisance, poor health and harm to children and young people. Approximately 70% of alcohol bought in Scotland is purchased from off-sales outlets. The concern of clinicians in the NHS is about the effect that increasing the availability of alcohol has an over-consumption of alcohol and the consequent alcohol related harms in an area already vulnerable to alcohol issues. Research also suggests that off-sales outlets have the greatest potential for alcohol related harm, due in part to large volumes available and absence of control over the final recipient.

Given the clear evidence that drinking alcohol on a daily basis is harmful to health, and that increased access to alcohol leads to greater alcohol related problems, we would suggest that there should be no requirement to allow off-sales or increase the capacity of the on-sales facility and that alternative non-alcohol focused facilities should be made available.

The Health Board urges the Licensing Board to consider the public health implications of this application. We respectfully suggest that the application in its current state in no way contributes to protecting and improving public health and is therefore inconsistent with the Licensing Objectives. The NHS therefore objects to this Variation of Premises Licence request, other than to the change of current licence holder's address.

***Outcome C of Shetland's Local Outcome Improvement Plan is to reduce the harm caused by alcohol.** This was signed up to by Community Planning Partners including Shetland Islands Council, NHS Shetland, Police Scotland and Fire and Rescue Service.

The misuse of alcohol is a common factor in a number of areas that impact negatively on the quality of life of people in Shetland. Alcohol contributes to harm to people and property through vandalism, anti-social behaviour, drink-driving, violence (domestic and non-domestic) and fires (deliberate and accidental). There is a distinct overlap between mental health and substance use/misuse; ongoing audits of suicides and sudden deaths in Shetland show that alcohol is almost always a factor – either a significant quantity has been used immediately prior to death, or there has been a history of unhealthy drinking patterns. Almost 1 in 10 cases in Accident & Emergency are alcohol related, and of these, a third have mental health issues. Alcohol and drugs are the top cause for child protection referrals in Shetland.

All the above have negative impacts on individuals, families and communities in Shetland. The Shetland Partnership aims to change the culture in relation to alcohol in Shetland to reduce problem drinking.

Fire Board Comments:

No objections.