

We have had nothing but support from the community - that being the neighbours and local businesses who we believe we had/have a good relationship with. We take complaints of this nature very seriously, however at the same time we do not quite understand some of the content of them given the precautions we have taken to mitigate such issues. We often see our closest neighbours and are on first name basis with several of them, neither myself or the staff have ever had a negative interaction with anyone about the yard operating where it is so it is hard to reconcile that anecdotal experience with these objections.

We would welcome a visit by the EHO to our site and/or the neighbours residence to verify the complaints and if deemed necessary, work with them to mitigate the issue.

Objection 1 - "It is operating in a residential area and in the past has played very loud music outside until very late in the evening."

Objection 2 - "operating Thursdays to Sundays until 11pm each night"

I believe the basis to both of these objections is that they think that we will be playing music/operating in the yard after 10PM, we have only applied to be able to use the outdoor area for drinking and background music until 10PM which is the same as how we operated for 3 months last summer (June-September) without a single complaint (Noise or otherwise). We have a very robust noise pollution testing system and complaints procedure (See Below), this complaints procedure has never been put into effect due to no close resident ever actually approaching us in person or via online message to address their problem. The only interaction we have had with the neighbours directly next to the yard on Hutcheon Street and the residential flats behind our building on Charles Street is their regular attendance throughout the summer at our bar. On our last weekend of operation last year (17th-19th) of September, we were granted and operated the same licensing hours as we are applying for now (10PM Outside, Midnight Inside) successfully without a single complaint. All three days were very busy which evidences that our noise testing procedures work and the licensing hours we are asking for are not a major concern to our neighbours.

"While last year they had the same licence to operate until 11pm they were consistently playing music beyond this. Sometimes even until 2 am despite the police being called on them"

Objection 2 states that we had a license until 11PM and consistently played music beyond this. This is abjectly false as we had a license until 10PM the entire summer bar the last weekend and all music ceased at 9.55PM. Last orders (outside) were and will be called at 9.30PM to ensure every patron is out by 10PM and we never utilised the 15 minutes 'Drinking Up' time that we are entitled to. The assertion that we would be playing music until 2am, a full 4 hours after our license finished is completely ridiculous as we took our exclusive exception to the usual music condition very seriously.

"lots of shouting along with a consistent base with travels very far."

Objection 1 mentions patrons shouting when entering/exiting the area. This was already addressed when the Butchers Arms objected to our initial license back in June 2021, which I would not be surprised if they are trying to do again. After discussion with the LSO we agreed to print off large posters placing them around the area asking patrons to be quiet when entering and leaving the yard. We also had a member of security or 'check-in' staff permanently based at the entrance to keep patrons quiet and remind them to be respectful to our neighbours. Our clientele last year were a mix between young professionals 21-35 years old and older nearby residents and there was not a single

incident of violence or forced ejection from the site for intoxication. This can be backed up by our security company, Granite Elite.

“The outdoor space and indoor space they operate in is approximately 15 metres away from my property which is far to close to be having loud music.”

Every 30 minutes during service either the licensee or the organiser undertakes a ‘Noise Check’ around the site to ensure the volume does not exceed the tester levels we took prior to opening. Before opening to the public we measured the decibel level at a variety of times inside the bar, in the yard area and also at the closest residences which are in our access lane, we will do this again before reopening this summer. The ambient noise of the traffic on Hutcheon Street exceeds the noise we are generating from people/music. Right in front of the residences is a busy crossroads which maintains a constant 70Db (+/-5) ambience, our readings taken directly in front of our speakers in the yard maintain a 60-70Db (+/2) range which is the same sound levels generated by normal conversation or up to a vacuum cleaner (App.1). Bare this in mind with the fact that the nearest residence is 32m away from the speaker, the sound level will then drop due to attenuation by 24Db meaning the nearest resident would hear the sound at a maximum of 45.92DB or something akin to the sound of light rain. The speakers cannot exceed this level as they are fitted with a limiter.

I can compile a full time stamped list of decibel readings for the entire 3 months we were open last summer if required for evidence.

Final Thoughts:

If either of these residents would like to meet with us before we open and discuss their issues, review our noise control processes and/or allow noise readings to be taken from their residencies we would be more than happy with this.

The Bike Yard has employed 15 bar staff, an event manager and a social media marketing manager already for it's run this summer. We have also helped new eco startup business ‘Two Raccoons Wine LTd’ to grow from a DIY brew in their flat to now a 20000L wine operation which has been awarded multiple funding grants from the Scottish government and Aberdeen council. This eco business would not have been able to get started without us providing their business free accommodation within the garage area at our site. Additionally, a market operators license has been applied for which will allow us to host and promote locally sourced food vendors and crafts people.

We believe that The Bike Yard is an important project for Aberdeen in a time where the city should be pushing entrepreneurship and especially businesses like ours which promote the growth of culture – specifically music and art. It is our hope that we will be allowed to continue with this after such a successful operation last summer during a very hard time to operate a business.



Know Your Noise



180 — Rocket Launch



170

160 — Shotgun blast

150 — Fighter jet launch

140 — Fireworks

PEAK SOUND PRESSURE

140 dB(C) ELV

137 dB(C) Upper EAV

135 dB(C) Lower EAV

130

130 — Live Rock Band

120 — Jack Hammer

130 dB(A) Threshold of pain

120

110 — Riveter



110 — Chain saw

100 — Handheld drill

90 — Sander

90 — Welder

EXPOSURE VALUES

87 dB(A) ELV

85 dB(A) Upper EAV

80 dB(A) Lower EAV

80

80 — Heavy Traffic /

Noisy restaurant

70 — Toilet flushing /

Vacuum cleaner

60 — Normal conversation

50 — Quiet Office

40 — Light rain

30 — Whisper

20

10 — Rustling Leaves

0 — Healthy normal

hearing threshold

0

Decibel levels dB(A)

Key:

EAV = Exposure Action Value

ELV = Exposure Limit Value

dB(A) = 'A' weighted decibels

(to replicate human hearing)

dB(C) = peak weighted decibels for

peak sound pressure



**DIRECTLY BENEATH RESIDENCES
6PM SATURDAY (10TH)**



