

Dear Sir/Madam,

I write on behalf of Old Aberdeen Heritage Society to make representation regarding the application for a major variation of the Premises Licence in respect of the St Machar Bar, 97 High Street, Old Aberdeen.

We wish to make it clear at the outset that we do not wish to intimate any concern about the majority of amendments to the Operating Plan. We have no objection to the variation to the layout plan to add an upper floor tasting room and shop; nor to the earlier opening times, seasonal variations, etc.

Our sole concern relates to the proposal to add recorded and live music to the Operating Plan. In this respect, we have been advised that, as the applicant has not specified which specific areas this proposal relates to, the Board will be determining this aspect of the application on the basis of the whole premises.

The applicant seeks permission to have recorded music played both during and outwith core licensing hours, and also to stage live music performances during core licensing hours. Such permission, we understand, would, in principle, extend to all three areas of the premises; the downstairs bar, the upstairs room, and the outdoor area at the rear.

We wish to suggest that conditions be attached to the licence, if granted. It is our view that granting the application without some such conditions would be inconsistent with the Board's Licensing Policy objective of preventing public nuisance.

The premises in question are situated in a predominantly residential road in a quiet historic area a long way from the city centre, where residents have an expectation of the peaceful enjoyment of their homes. The premises are in proximity to noise-sensitive properties in the form of flats and houses, both directly adjacent and nearby, including on the other side of the narrow road. There are flats in directly adjacent properties both to the north and south of the premises.

The flat to the south extends from High Street into Blackburn Place, the very narrow close which separates this building from the St Machar Bar premises. Persistent noise emanating either from the front door, or from the side door in Blackburn Place, could be a particular source of nuisance to inhabitants, present or future, of that home.

Our concern relates to the potential for loud music to be *audible outside* the premises, to the extent that it could have a significant impact on the homes in close proximity, and also on the general ambience of this locality.

It is to be expected that music played within the bar would not normally be audible from outside. It is nevertheless the case that the door to the bar is often propped open, for extended periods, either in warm weather, or when the bar is crowded, or to allow

customers who go outside to smoke, to continue their conversations with friends still seated inside. At such times, there is clearly the potential for music being played inside to be a disturbance to the peace of neighbouring homes, as well as to the traditionally peaceful character of the area.

It is with the above in mind that we would suggest that the Board attach a condition to any grant of the Licence, that neither recorded nor live music should be audible from outside the confines of the building.

We wish to reiterate that we do not have concerns about any other aspects of this application. This representation relates solely to concerns expressed to us about the potential for the addition of recorded and/or live music to be a source of disturbance on a regular basis if permitted to be audible outside the premises.

Yours faithfully,

Ronald Leith

Chairman

Old Aberdeen Heritage Society