

For the attention of Karen

29/05/2017

Dear Sir/Madam

I wish to object to the current application put forward by the Abergeldie Bar, 504 Holburn Street, Aberdeen AB107LY.

The applicant being Spirit Pub Company (leased) Ltd

Details of their application are as follows:- Change to operating plan to allow children and young persons access to premises if consuming a meal or attending a function.

The grounds of my application are based upon how these changes will continue to affect my environment and living conditions. Elements of health and safety breaches will continue to be a hazard to myself, my family and patrons should the application be granted.

Previously the Abergeldie Bar held an open day to promote their services and the use of the beer garden to families in the area.

The open day times were 12/1 o'clock till 6pm (this is the time that patrons used the beer garden)

There was a DJ with professional equipment that I feel is too loud for the size of the gardens.

Given that despite my television and radio being on . I could hear the music in my living room with the doors closed.

There used to be thick growth of shrubs and trees that acted in part as a sound barrier, but this was thinned out and mostly removed just before the Open Day taking place.

Other than the extreme noise the day was pretty uneventful until children used my garden as a dumping ground for fruit shoot bottles and food.

I could hear people running through the garden and along the side of my house. I thought it may be an isolated incident and ignored it.

However it continued repeatedly and I went to my back door to find children excitedly running around my back garden.

I asked the children to please stop running around and not to play in my garden . I politely encouraged them to return to the beer garden where adult supervision should be in place.

Throughout the day children continued frequenting my garden and running around chasing each other.

On two occasions that day, teenagers were seen climbing up onto the stone dyke, crossing through my garden, along the side of the house and exiting to the main street to travel up Margaret place towards the flats at the end of the street.

One of the teenagers returned using my garden to cut through and access entry to the beer garden again.

The usual way to gain entry and to leave would be by using the open iron gate at the side of the Abergeldie Bars door facing Holburn street.

Alternatively by accessing the side entrance door within the Bar that leads into a pathway to the beer garden.

That pathway leads along past my back garden to their beer garden.

As you walk along the paved pathway you pass a short wall made from stones with soil.

At the top of the wall are posts bedded into the ground where wooden panels were previously intact.

Only the first two panels of fencing are intact. This is due to strong winds that took down most of the existing wooden fence and left the panels broken and laying across the pathway between my garden and the bars pathway.

At the time of this incident, the panels were tidied up after I brought it to the landlady's attention within one week of part of the fencing coming down.

At the time I reported it to the landlady she assured me the fence would be replaced before the open day and not to be concerned.

As the date of the Open Day drew nearer, no repairs or replacements were carried out.

My gardener has said that the posts for the missing panels are rotten and that if anyone were to pull themselves up from the pathway or lean on it from my side of the garden, it would give way and cause potential serious harm.

I am unable to have my sister's dog in the area of my garden. I can't let my brother's grandchildren into my back garden without supervision despite them being 8 years old.

If the changes were made to their license I would have several issues to contend with.

The noise of a DJ would cause me stress as it lasts up to 6 hours at a time.

The on going issue with people using my back garden as a dumping ground will only continue and children will still have access to my garden .

I enjoyed sitting in my garden in peace without disturbances.

I moved here because it was a peaceful area despite living next door to a public house.

These disturbances would spoil my time in my garden.

I don't want to sit in my back garden and see children on a bouncy castle, or hear that level of noise, my privacy being taken away would distress me further .

I rely on carers to help me with personal care and it is not their job to pick up rubbish from my garden.

When I am sitting outside . On occasion patrons have become a bit loud and as time wears on the language turns to swearing and loud debates about football. On top of this some people try to engage me in conversation.

I ask that my issues be taken into consideration when you meet to consider the changes to the landlords application to amend the hours that children may be present on the premises.

Kind regards