

## **Presentation to Edinburgh Licensing Forum by Stephen Hajducki on behalf of NTCBCC**

Edinburgh is a thriving centre of the arts but is also unique in the UK by having a very large residential population in the city centre. This keeps it alive, safe (compare with the desolate streets of night-time Birmingham, or the violent crime rate of central Glasgow), and boosts the local economy by supporting shops and businesses.

However, residents often feel they live under siege from ever increasing numbers and ever extending hours of operation of leisure facilities, pubs and restaurants, and extra “festivals”, run with little regard or concern for residents’ amenity.

Noise pollution – especially from neighbouring premises including late-night pubs and discos – is a huge concern. It is the biggest topic of complaint to the council. Studies show that it leads to physical and emotional health problems – stress, migraines, heart disease, blood pressure, anxiety, mental fatigue. Not just disturbed sleep, but even just sitting quietly trying to read or work is made impossible by a constant bass thud from neighbouring property. The effects have been identified as manifesting in forms as varied as aggression, domestic violence, and increased traffic accidents.

In trying to protect our environment, one of our few lines of defence is the Licensing Board’s condition requiring amplified music to be inaudible in neighbouring residential property. This is perfectly clear and easy to determine and enforce – you either hear it, or you don’t. The proposed new wording – shall not be an audible nuisance – is far too subjective. Why should residents have someone else’s musical taste imposed on them anyway? What is Nuisance? Noise is unwanted sound, so by definition is a nuisance.

Who will decide? Will it be lawyers? If so, the first thing they will note that the new policy breaches Article 1 of the Human Rights Protocol, which entitles every person to the peaceful enjoyment of their property. At a time when the EU is looking at tighter noise standards, it is bizarre that the Council, who have a duty to protect their citizens, are even thinking of making it worse.

It has been suggested that the inaudibility clause is not conducive to a flourishing music scene in the city. We consider that this is completely unsubstantiated. Edinburgh has always had, from the time of Robert Burns onwards, a lively music scene, and there are many suitable venues away from housing. I also note, significantly, that the speakers at the presentation are entirely from the venue operators and promoters, and there are no actual musicians (who it is claimed to benefit) present.

We have no issue with supporting live music; we are not against music in pubs, not even amplified music, but want operators to do it responsibly and not at the expense of our amenity and our health. [Norma Hart mentioned that a recent UoE survey identified 267 music venues within the city, but that complaints had only concentrated on 18 of these – ie 6% – so these are the rogue operators we want to bring into line.] If a venue owner wants to put on amplified music, fine – but let them soundproof their premises. The “agent of change” question was raised in the presentation [ie that if a block of flats is built near an existing music venue the developers should pay for soundproofing, whereas if an operator wants to open up a new venue near existing housing he should pay] and that’s in line with what The Music Venue Trust (an organisation of venue owners and operators) states on its website. That would be contrary to this new proposal.

Cllr Hart talked about the boost to the economy and jobs which the industry brings. Tourism and leisure, of which the music industry is part, is certainly a major player in the city’s economy. But it’s not as big as the residential sector. Tourists stay briefly and then move on; residents day in, day out, spend money in the city’s shops, small businesses and pubs; on maintaining buildings, supporting public transport, and much else besides. That is what keeps the city afloat. Drive those residents away and you will be left with the same barren crime-ridden streets as too many other cities.