

## Appendix C

**From:** Licensing Shared Email  
**Sent:** 01 December 2020 08:39  
**To:** Robson, Debra  
**Subject:** FW: Delaneys

**From:** Janet May  
**Sent:** 30 November 2020 18:48  
**To:** Belinda Delaney  
**Cc:** Licensing Shared Email  
**Subject:** Re: Delaneys

You fitted out the kitchen and myself and my husband came down on more than a few occasions. I even came in after it was all over to insist the unfairness of the late hours. you ignored my comments and invited me to look at the new kitchen, don't you remember? I contacted my landlord about it, I am sure I might have the texts on my old phone.

We also had to request the man working down there to leave on the Sundays  
I did not take this forward to the Council but was very close.

The noise I have had to endure over the last 6 weeks has had me at breaking point. I really do not think you have the slightest idea how stressful and disruptive this has been.

I had to work from home in the sweltering heat with the windows closed all through the summer as I had to work in the bedroom but at least you left in the afternoon . Admittedly having to work from home had not helped but I just can't concentrate.now we do not even get any break on a Sunday.

Every single word I have spoken is the gospel truth and no exaggeration.

I am sorry, the work was alot longer than 2 and a half weeks and I have the photos and recordings which are dated and timed to prove it.

You have just pushed us to the limit. The noise and disruption has made me ill and if I was unreasonable I would not have tried to accept it until now, but the thought of you banging about until all hours is too much to bear. My husband gets up at 4.30 am.

I am very sorry but I do not have any intention to pay towards sound proofing.

I am in the middle of very unpleasant emergency dental work which is going to cost me every penny I have.

I am willing to let you listen to the recordings which I did in case there was any doubt in my statement.

Please be assured this was not aimed towards anyone in particular but it is a demonstration of how loud just one conversation can be heard with

The windows tightly shut outside that back door.Even with the door shut I can even grasp most of the conversation. However,I appreciate your business is inside and I have to be fair about that.You say you tried to keep it down after I went down one Saturday, the workmen turned the volume up even louder out of spite, and absolutely no attempt was made on the 2/3 weeks that followed to keep it down. Every Sunday .. it has had me out of my mind - I mean this sincerely and honestly.

Before all this started we told Sonny how noisy it was, but like I say we tried to get on with it with the comfort at least we had the evenings and Sundays to ourselves. This is not aimed at any individuals, I am not that type of person otherwise we would have made complaints before, but I have had to obtain proof for our own protection in case you say I am lying.

This is nothing personal but the noise which will be 7 days a week until late right under our bedroom really is too much to bear and I have had to object for reasons I have mentioned.

Even yesterday (Sunday)you are still drilling and sanding 6 weeks later. If the shoe was on the other foot you would not put with the half of it I am sure.

You say why didn't I approach you with concerns , we did on several occasions during the kitchen fit... but you didn't take any notice, if you put your hand on your heart and be honest you know I am speaking the absolute truth.

Fortunately I have proof that the work continued longer than you say -7 days a week-I had a feeling I may have to produce such evidence. You may have some understanding if you were witness it. I am prepared to share all I have with the Council with my permission for you to view and listen.

It is all dated and timed

As for the way forward, I have provided an honest account which I would swear an oath to, whilst it is your word against ours over the kitchen fitting hours (unless I still have the texts about it at the time, maybe there is a way of retrieving the information?) I do have the evidence on this occasion to prove what I have stated and I will leave all I have provided in the professional hands to decide what they deem as fair and reasonable.

Kind regards

Sent from Yahoo Mail for iPhone

On Monday, November 30, 2020, 5:24 pm, Belinda Delaney

wrote:

Dear Janet and Anthony

I hope you are both well.

I am writing in response to your email to the licensing department dated 26<sup>th</sup> October, which has been forwarded to me.

I was surprised reading through your letter, the level of suffering that you claim you have endured for the last 14 years, living in Flat 1, 77 Castle Road, which really does concern me.

I took on the lease at 77b Castle Road 15 years ago.

In July 2010, we attended the Southsea food festival as a business. This meant that we had to come to the premises at 6am on the Saturday and Sunday Morning to collect equipment, to attend the show. On our return at around 5pm you appeared at the back door to the café. I had never met you before, and I was shocked by you aggressively shouting at us for waking you both up, because your bedroom was located over the kitchen. A fact, that I was completely unaware of, prior to meeting you. We of course, apologised, but having the floors above me, I had no reason to think that there would be a bedroom there.

We have over the course of 15 years carried out some painting and maintenance, which is to be expected and is perfectly reasonable, everyone has to maintain a property and decorate. Then approx 5 years ago in the summer, I had some tiling, new worktops and a new sink put in, which was over the course of two weekends not before 10am or after

4.30pm. I did speak to you prior to this, and let you know we were going to do some work which was going to be noisy intermittently, as I knew you had hit the roof on the occasion before. You did however still come down and complain whilst the work was being carried out.

I find your account of things exaggerated and rather unfair, (working till 10pm for 3 weeks banging is one of them).

I would like to point out that up until June (2020) this year we opened on

**Monday to Saturday 9.30am till 3pm.**

**Closed every Sunday and All Bank Holiday Mondays.**

**10 day close down over Christmas and New Year.**

**We have opened for 8 Castle Road events, when we open 8am for these.**

This year, having been hit by the Covid 19 Pandemic, we have all had to make huge sacrifices adjustments, but luckily to date we have all remained safe and well, thousands have not been so lucky. I note that you say, you have had to work from home since the lockdown, so you would have also had the benefit from the 6 weeks, that I had to close the door on my business and fear losing it, along with the concerns for all of the staff. Up until this point I understand that you both worked full time, so I am confused about why say you only get some relief from us in the evenings, when you are both out all day and we generally cross paths (so to speak) when we closing up and you coming in after work, around 3/4pm with the exception of a Saturday.

I would like to think that if all of this had been going on as you say, you might have approached me and spoken to me about your concerns with noise. In fact the last time I saw you and we spoke to each other, it was in the latter part of the summer. You very kindly gave me some of your courgettes and Tomato plants in return for a few pots. I had no reason to believe you were upset by the things that you have noted in your letter. I understand you had become very friendly with Sonny, one of our employees at delaneys, spending time together and inviting him for drinks. He is generally a bit noisy and the only smoker so I would have thought if this had been an issue for you, you might have raised that with him directly.

With the effects of the First Lockdown and then the rather unexpected recent road closure, my business lost most of its passing trade overnight. I have had to diversify to help my business, and staff and had to do something quickly to survive. I decided to do the renovation and the application for a licence is not to make yours or anyone else's life a misery it is simply a nice addition to the business we have. Pie and vinyl and The Parade Tearooms have

both obtained licences in recent years and I don't see why my application should be considered any different to theirs, or indeed selfish. I applied for the full licence on advice from the Council, as this is the normal thing to do. I do not intend to be open all hours or become a rowdy bar, just a nice relaxed breakfast lunch and early supper stop, serving good food in lovely surroundings and a beer or wine with lunch or when we open for supper at the weekend.

You moved into residence in a Road, which has a very eclectic mix of businesses, shops, bars, restaurants and residents.

I did post letters through the door, for all of the residents of the flats above delaneys, to inform you of our renovations, and made an apology in advance inviting you all to lunch. We managed to complete all of the work in just two weeks and three days however, as a result of your appalling outburst to the workmen, who was very apologetic to you (for the noise caused by one of the contractors that had come to fit the floor), we just stopped getting on with it quickly in a bid not to upset you any further. So now the cost and the time to finish the little fiddly bits have just gone on.

I do sympathise and can only apologize that you have had to put up with work noise however, if you lived over the road, for an example they have been renovating that house for the last year so our short 2.5 weeks was a very quick turnaround. I am afraid because of the pandemic which is not my doing, you are at home/working from home ordinarily you would have been at work.

After reading your email I did write to the Environmental Department to ask if they could offer any advice on soundproofing between the two areas. I have unfortunately not had a reply from them, but I have sought other advice and this can be done, I think it would be an option and I believe this is in the region of £1,000 to do this if you would like to discuss this further and exploring the possibility of sharing the cost three ways with yourselves the Landlord and myself I would be really happy to get together to try and resolve any noise issues.

Please do not see this letter as a hope that you will retract your objection as I do not expect you to do that, but as a channel to move forward in an amicable way.

Kind Regards

Belinda Delaney