

Dear Mr David Farrell,

I write in response to your representations sent to Shropshire council. I have also copied in Ross O'Neil so the council can see my response to you.

I would like the information to be submitted to the committee for consideration prior to the hearing.

Firstly I would like to quell any fears regarding public safety.

With regard to your own property, I would like to remind you of my visit in May of this year from Neal Wynn of Shropshire fire and safety.

He suggested we have a connected fire alarm. This is something I suggested to you but you refused. Due to the fact that I was moving to number 4 Delphside these actions were also considered no longer necessary.

However the advice given from Neal Wynn for fire board in number 4 means there is indeed at least a full hour burn time between the buildings in line with fire regulations.

Also in line with Neals advice, was an emergency procedure for the cafe, for immediate evacuation from the premises and a call to the fire service in the unlikely event of a fire.

With regard to the door leading directly onto Delphside you are well aware that it is used by a limited amount of vehicles as it doesn't actually lead anywhere except back onto the high street after going around the memorial gardens. However as the local council are now in charge of the area outside the café I am in discussions to add a hand rail. This is primarily for the older people using the café in the daytime but it will also be a good extra safety feature for anyone leaving the premises. We will also add signage asking people to leave both carefully and quietly. I'm pleased to be able to say we have not had any incidents over the last 3-4 years.

Moving onto Public Nuisance.

You have mentioned that there is excessive noise from the café causing you to have to vacate the area of your office/bedroom.

As the café opens at 9am in the commercial centre of the town it would not be classed as early. I cannot deny that people talk, the odd dog barks on occasion as dogs do, there is indeed an extractor fan in the toilet. These I feel are just part of a cafe environment. With 2 brick walls between the 2 properties I am surprised that much sound travels between us.

However in order to make the chances of that happening as low as possible I have covered a vent in the kitchen and put insulation between the walls to make the chances of noise as low as possible. I will also be placing a cover above the 2 walls where I have put the insulation and adding another dividing wall.

The attached plan also demonstrates that it is primarily my kitchen that is adjacent to your property. Not the area for the consumption of alcohol.

You mention the need to wear earplugs to sleep when the café is open.

The noise act 1996 relates to the designated night hours in the UK from 11pm to 7am.

As I am open from 9am and will be closed well before 11pm I will not be in any infringement of this act. I would imagine the Duke public house on the other side of your Bed and Breakfast is open till 11pm and potentially beyond.

I do not know how it affects you.

With regard to the pavement license.

I have also had a meeting with Rob Bowland, the environmental protection officer for Shropshire council and have agreed the outside seating area shall be cleared of any furniture by 8pm to reduce the possibility of outside noise.

We will also be following all the guidance and requests from PC2705 Steven Mellor ,
to include CCTV, a clear policy for zero tolerance on under age drinking, drugs and anti spiking.
We will promote this along with information for respecting noise levels on leaving and taxi number
services for those we feel may need them.

I am sure all the measures I have in place will minimise noise for all
concerned.

Yours sincerely Mike Atherton.

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