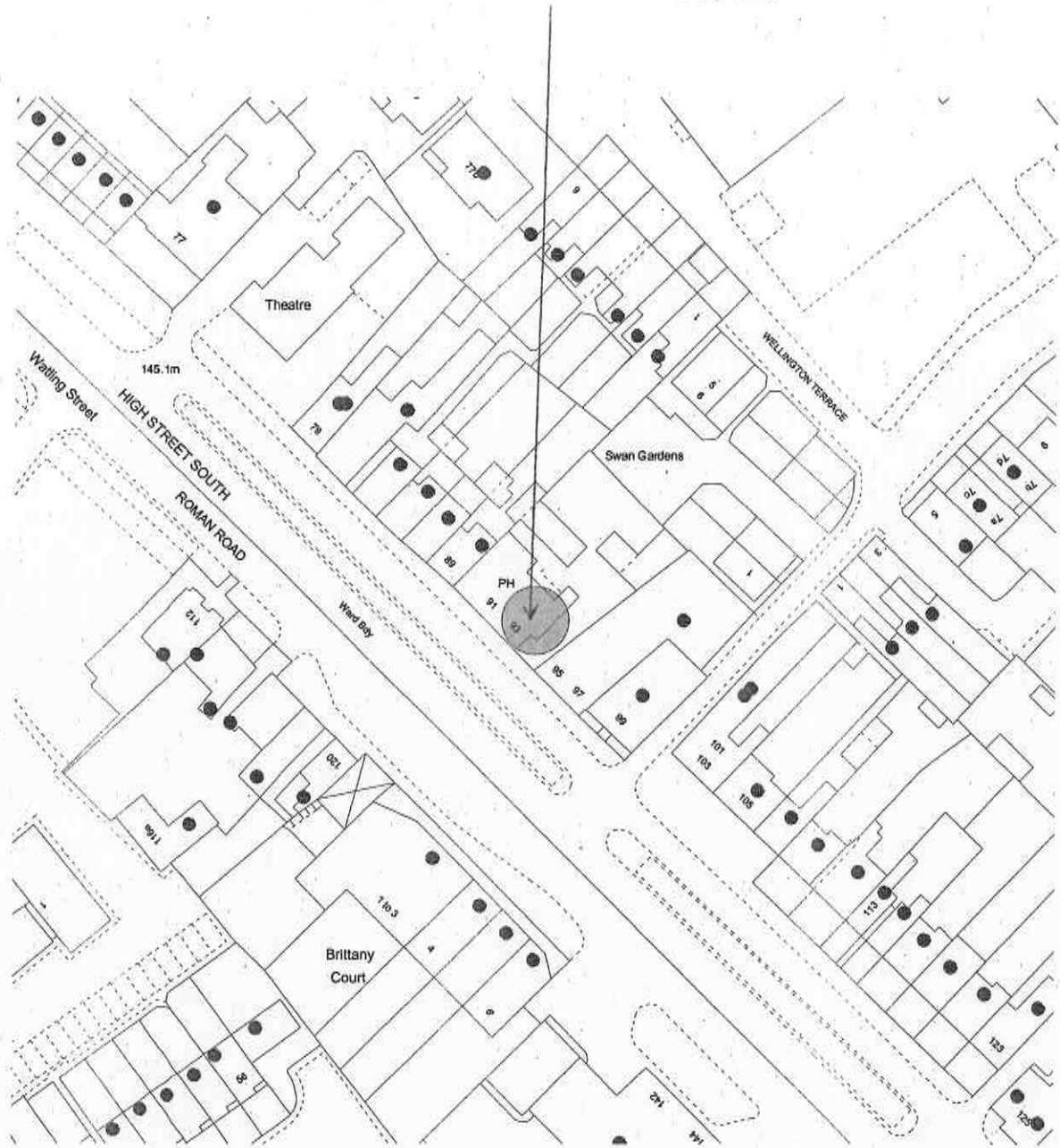


APPENDIX B

THE WHITE SWAN



Draft of proposals for agreement following a meeting at the White Swan P/H on Saturday 22nd July 2006.

Present at the meeting –

Mr Declan Duggan – Premises Licence Holder and Designated Premises Supervisor
 - Bar Manager
 - Resident
 - Resident
 Dave Hobbs - Dunstable Licensees Group Chair
 Dave McBain - SBDC Licensing Enforcement Officer

Mr Duggan has stated that he would like his garden events to continue, some of which are charity events, with the co-operation of his local residents. Local residents have explained that they do not wish to stop Mr Duggan from carrying on his business and supporting charity events. They do however want him to recognise their right to enjoyment of their own homes and gardens without serious noise intrusion.

In order to prevent sound carry as much as is possible into the garden areas of Wellington Terrace, Mr Duggan has agreed to extend the fence and sound deadening panels erected at the rear of the garden to the side directly adjacent to that area.

1. Mr Duggan has stated that he will continue to keep local residents informed of future events that will occur in the garden area.
2. Management and residents will meet to agree a maximum number of events to be held prior to the start of each season/year.
3. In future he will not book acts and performers on the scale of 'The Paul Young Road show'. Instead Acts and performers more suitable to the size and layout of the pub garden and the area beyond will be used.
4. Musical events in the garden area will finish by 2130 hours.
5. Sound levels will be continuously monitored at regular periods during the event.
6. If sound levels are considered to be too high management undertakes to reduce those levels by informing the acts to adjust their equipment.
7. Notices will be placed in and around the garden area asking customers to respect the rights of local residents.
8. Mr Duggan will provide local residents with a direct contact number for use during events should a problem arise.
9. That number will be reproduced on any information leaflets Mr Duggan sends out to local residents.
10. Residents will be able to make contact with Mr Duggan or, in his absence, the person in charge, via this number.
11. That person will have authority from Mr Duggan to liaise with residents and resolve any issues at the time.
12. Mr Duggan will inform the residents of the name of the person in charge if he is to be absent for any event.
13. All staff will be informed of the local agreement and will be made aware to direct any 'walk in' complaints to the proper person during an event.
14. Management undertakes to ensure that all staff will treat residents complaints as a priority.

All parties accept that, notwithstanding the agreed procedure, a resident has the right to contact the council's Enforcement officers should they consider this to be necessary.

All parties agree to a future process of regular contact with the intention of being able to make amicable resolution of any issues at a local level.

Annex 1 - Mandatory conditions

a) MANDATORY CONDITIONS WHERE A LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

- 1. No supply of alcohol may be made under the premises licence -
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- 2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Annex 2 – Conditions consistent with the operating schedule

a) General – all four licensing objectives (b,c,d,e,)

Good management during extended hours and licensable activities, ensuring compliance of the Licensing Act. The types of regulated entertainment proposed materially do no more than reinstate the normal pub entertainment that was previously unregulated.

No new steps have been identified by risk assessment in relation to the four licensing objectives save as below.

I have considered the terms of the Local Licensing Policy in preparing this application.

b) The prevention of crime and disorder

Under the present licensing regime the premises are already able to open until 23.00hrs. CCTV has been installed to further minimise crime and disorder. No further risks have been identified which need to be addressed.

c) Public safety

No further risks have been identified which need to be addressed.

d) The prevention of public nuisance

Steps will be taken to ensure that no public nuisance is caused by the external licensable activities, including signage reminding customers to limit noise when leaving. No further risks have been identified which need to be addressed.

d) The protection of children form harm

The restrictions set out in the licensing act 2003 will apply. No unusual or additional risks of harm to children have been identified.

Annex 3 – Conditions attached after a hearing by the licensing authority

No other conditions attached.

Annex 4 – Plans

Attached

CENTRAL BEDFORDSHIRE
07 JUL 2010
Public Protection

Wellington Terrace
Dunstable
LU5 4JB

Mr Dave Mc Bain
Environmental Health
South Beds District Council
Dunstable

05 July 2010

Dear Mr McBain

I understand that there is to be a Review of Premises licence for the White Swan public house, I would like my view to be taken into consideration at this time.

In a nutshell I would say that the noise is never controlled, the music played both inside and outside is too audible, and I have to listen every weekend night to noise into the early hours of the morning when I wish to relax and sleep, and on warm nights I am unable to have my windows open because of the disturbance

I am in agreement with my neighbours in asking that the garden be closed and locked from 11.00pm, that the pubs outside doors are always kept closed and that any music or "live events" are restricted to inside the pub. By live events I would include the showing of football matches on outside screens with the volume turned up to a loud roar which I have had to listen to during the World Cup.

Yours sincerely



CENTRAL BEDFORDSHIRE
07 JUL 2008
Public Protection

Mr Dave McBain
Environmental Health
with Bedfordshire District Council
Lunstable

number 10
Lunstable
Beeds
205 45B
5 7.10

Dear Mr McBain

I am writing with reference to the Premises Licence for the White Swan Public House.

As a next neighbour of the above mentioned I would like my view to be taken into consideration, for any years the noise created by the people in the pub garden and from live music events and this year TV coverage of football has prevented me from enjoying summer evenings in my garden with my family and friends. I have had to close windows and doors to block out the noise. I feel that live music events should be held inside not also that all people in the

garden should be made to move inside by at least 11.00 pm not now at present until 1 am or later.

Thank you for your consideration

I am
Yours Sincerely