

LICENSING SUB-COMMITTEE



Report subject	Chaplin's 529 - 533 Christchurch Road Bournemouth, BH1 4AG
Meeting date	3 March 2026
Status	Public Report
Executive summary	<p>To consider an application made by 'any other person', Miss Pearl Montgomery for the review of the premises licence.</p> <p>Miss Montgomery believes the premises are not upholding the prevention of crime and disorder and the prevention of public nuisance licensing objectives.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members consider the following options: -</p> <ul style="list-style-type: none">(a) Modify the conditions of the licence; and/or(b) Exclude a licensable activity from the scope of the licence; and/or(c) Remove the Designated Premises Supervisor; and/or(d) Suspend the licence for a period not exceeding three months; or(e) Revoke the licence; or(f) Leave the licence in its current state. <p>Members are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</p>
Reason for recommendations	<p>Where a review application by a responsible authority, or any other person, has been received the scheme of delegation set out in the Council's Constitution states that these applications should be dealt with by the Sub-Committee.</p> <p>The Licensing Authority may only consider aspects relevant to the application that have been raised in the application.</p>

Portfolio Holder(s):	Cllr Kieron Wilson – Portfolio Holder for Housing, and Regulatory Services.
Corporate Director	Laura Ambler - Corporate Director of Wellbeing
Report Authors	Tania Jardim – Licensing Officer
Wards	Boscombe West
Classification	For Decision

Background

1. A local resident, Ms Pearl Montgomery has on 9 January 2026 submitted an application for a review of the premises licence under section 51 of the Licensing Act 2003.
2. The application relates to the prevention of crime and disorder and the prevention of public nuisance licensing objectives.
3. The review has been requested by Miss Montgomery who lives next door to the premises and who feels that the way the premises operate causes ongoing public nuisance. They report that the music played from inside the premises travels through the shared wall and causes vibration and disturbance late at night, making it difficult to sleep, it is alleged that this is due to no soundproofing to the party wall. In addition, people are allowed to stand outside at the front smoking, talking and waiting for taxis which creates further disturbances.
4. A copy of the review application is attached at Appendix 1.
5. The premises have had the benefit of a premises licence since 24 November 2005 following conversion from the old Justices Licence and was transferred to the current licence holder, C B Brasserie Ltd in July 2011. A copy of the current premises licence is attached at Appendix 2.
6. A plan showing the location of the premises is attached at Appendix 3.

Complaint history for reference

7. There are three recorded complaints related to noise from this venue. These were in 2022, 2023 and most recently in 2025. The two most recent complaints are referred to within the review application.

Consultation

8. A copy of the review application was served on all responsible authorities and the licence holder on 12 January 2026.
9. A Licensing Officer sent the premises licence holder an electronic copy of the site notice, to be printed on blue paper and displayed at the premises and subsequently received confirmation that this had been completed. Two further notices were placed in the main public noticeboards of the council offices in

Bourne Avenue and St Stephen's Road. A notice was also published on the council's website.

10. A total of 182 expressions in support for the premises were received. These are shown at Appendix 4. Some of these expressions of support do not relate to the licensing objectives, namely the prevention of crime and disorder and the prevention of public nuisance. Due to the volume of correspondence received, it has not been possible to remove every representation that does not fall strictly within the scope of the Licensing Act 2003, therefore, we note that general comments, such as praise for the premises, staff, economic benefits or other matters not connected to the licensing objectives, cannot be taken into account.
11. Miss Montgomery has submitted various evidence in support of their review application, which is attached at Appendix 5. This includes audio recordings and video footage which will be presented at the hearing. Due to the possibility of individuals being identified, the video footage will be shared in closed session. Miss Montgomery has advised that further information is awaited from the Environmental Health Department and this will be provided at a later date, prior to the hearing and will be published as Supplementary Evidence.
12. No comments in support of the review were received from the Responsible Authorities, however, Environmental Health have submitted a response outlining their current position. This is attached at Appendix 6

Options Appraisal

13. Before making a decision, Members are asked to consider the following matters: -
 - The submissions made by or made on behalf of the applicant.
 - The representations made by Other Persons.
 - The response from Environmental Health.
 - The relevant licensing objectives, namely the prevention of crime and disorder and the prevention of public nuisance.
 - The Licensing Act 2003, Regulations, Guidance and the Council's Statement of Licensing Policy.
 - BCP Council's Statement of Licensing Policy, specifically Section 10, which addresses the licensing objective of preventing crime and disorder, Section 12, which relates to the licensing objective of preventing public nuisance and Section 27 which deals with a Licensing Review and its determination.
 - Revised Guidance issued under Section 182 of the Licensing Act 2003 updated and published on 26 November 2025. This guidance is provided to licensing authorities in relation to carrying out their function under the 2003 Act. The updates relate to clarifying licensing authority discretion (case-by-case decisions) at paragraph 1.18.

Summary of financial implications

14. An appeal may be made against the decision of Members by the applicant, the premises licence holder or anyone who made a representation to the Magistrates' Court which could have a financial impact on the Council.

Summary of legal implications

15. If Members decide on an option available to them which the applicant, the premises licence holder or anyone who made a representation do not agree to, they may appeal to the Magistrates' Court within a period of 21 days beginning with the day that they are notified, in writing, of the decision.

Summary of human resources implications

16. There are no human resource implications.

Summary of sustainability impact

17. There are no sustainability impacts.

Summary of public health implications

18. There are no public health implications.

Summary of equality implications

19. There are no equality implications.

Summary of risk assessment

20. There are no risk assessment implications.

Background papers

BCP Council – Statement of Licensing Policy

[Statement-of-licensing-policy.pdf](#)

Hearing Regulations

[The Licensing Act 2003 \(Hearings\) Regulations 2005](#)

Revised Guidance issued under Section 182 of the Licensing Act 2003 (November 2025)

[Revised guidance issued under section 182 of the Licensing Act 2003 \(November 2025\) \(accessible version\) - GOV.UK](#)

Appendices

- 1 – Copy Review Application.
- 2 – Copy of the premises licence and approved plans.
- 3 – Premises location plan.
- 4 – Supplementary Evidence in support of the application.
- 5 – Copy representations from other persons.
- 6 – Copy response form the Environmental Health Department.