

# LICENSING SUB-COMMITTEE



Report subject	<b>The Guildhall Tavern, 15-17 Market Street, Poole, BH15 1NB</b>
Meeting date	20 April 2026
Status	Public Report
Executive summary	<p>The Guildhall Poole Limited have made application to vary the premises licence for The Guildhall Tavern, 15-17 Market Street, Poole.</p> <p>The application is to request the inclusion of the garden dining area within the approved licensed area to allow the sale of alcohol and music to be played there.</p> <p>Specifically, the applicant would like to be able to provide al fresco dining and drinks in the garden for up to 30 guests between April and September on Monday to Saturday - 12:00 to 22:30 and on Sunday - 12:00 to 18:00.</p> <p>Sales of alcohol can take place inside the premises, which is currently licensed, but a sale cannot be made in the garden area. As the licence permits on and off sales, the off-sale element is currently relied on to provide alcohol outside. If the application is granted alcohol sales will also be able to take place in the garden.</p> <p>The application also seeks to provide music in the outside dining area on Monday to Saturday from 12:00 to 22:30 and on Sundays from 12:00 to 18:00.</p> <p>Background music, if kept at a level where people can speak comfortably without raising their voices, is not licensable.</p> <p>The Live Music Act 2012 provided deregulatory changes resulting in no licence being required for recorded music or unamplified live music between the hours of 08:00 and 23:00 on any premises and for amplified live music only on premises authorised to sell alcohol on those premises.</p> <p>The outside dining area of the premises are not currently within the licensed area therefore amplified live music in the garden dining area of these premises does not fall within the exemption, until such time as it is included within the licensed area.</p> <p>The application states that live music (amplified or acoustic) in the garden will only occur outside of the licence required hours i.e. on Friday evenings between 17:00 and 22:30, Saturdays between 12:00 and 22.30hrs, Sundays from 12:00 until 18:00 and Bank</p>

	Holidays from 12:00 until 22:30, and only in the months April-September.
<b>Recommendations</b>	<p><b>It is RECOMMENDED that:</b></p> <p><b>Members are asked to decide whether to:-</b></p> <ul style="list-style-type: none"> <li><b>a) Grant the application for variation as made;</b></li> <li><b>b) Refuse the application, or part of, for variation to the premises licence;</b></li> <li><b>c) Grant the application, or part of, subject to additional conditions.</b></li> </ul> <p><b>Members of the licensing sub-committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak.</b></p> <p><b>Members must give full reasons for their decision.</b></p>
Reason for recommendations	<p>The licensing authority has received 4 representations from other persons against the application on the grounds that to grant the application would undermine the prevention of crime and disorder and prevention of public nuisance licensing objectives.</p> <p>The licensing authority may only consider aspects relevant to the application that have been raised in the representations.</p> <p>Where representations have been received from an other person, and the concerns have not been resolved through mediation between all parties, the scheme of delegation, set out in the council's constitution states that the application should be dealt with by the licensing sub-committee.</p>

Portfolio Holder(s):	Councillor Kieron Wilson – Housing and Regulatory Services
Corporate Director	Laura Ambler - Wellbeing
Report Authors	Sarah Rogers – Principal Licensing Officer
Wards	Poole Town
Classification	For Decision

## Background

1. An application to vary the premises licence, under Section 34 of the Licensing Act 2003, was made by The Guildhall Poole Limited on 25 February 2026. A copy of the application is attached at Appendix 1.
2. A plan showing the location of the premises is attached at Appendix 2.
3. The premises have held a legacy Borough of Poole premises licence since October 2005, when the licence was converted from the previous justices' liquor licence under the 1964 Licensing Act.
4. The current premises licence holders, The Guildhall Poole Limited, transferred onto the licence in February 2022 and have held it since. A copy of the current premises licence is attached at Appendix 3.

## Consultation

5. The application was served on all responsible authorities and the applicant confirmed that the statutory notices were displayed on the premises and published in the local newspaper.
6. Eight representations were received however, following a response from the applicant to the concerns raised, one of the representations was withdrawn. A copy of the representations and the applicant's response is attached at Appendix 4.
7. A meeting was hosted by the applicants at the premises on Monday 30 March 2026 where those persons who had made a representation were invited to discuss their concerns openly. The Principal Licensing Officer attended to provide advice and guidance to all parties throughout the meeting.
8. Considering the concerns raised at the meeting the addition of further conditions have been offered by the applicant and sent to all those who have made a representation –
  1. The outside garden area shall only be used for regulated entertainment between the months of April and September inclusive in any year on a maximum of 10 occasions only within that period. Notice of the occasions shall be provided to the Licensing Authority within 5 working days and a record of such occasions kept by the premises licence holder.

2. There shall be a noise management plan which shall include consideration to
  - The location of the premises and use of the external areas with particular regard to smoking and regulated entertainment.
  - Hours of operation
  - Customer profile
  - Nature of activities to be provided – temporary or permanent
  - Number of people attending the premises
  - Winding down period between the end of the licensable activities and closure of the premises
  - Any light pollution
3. A direct telephone number for the manager at the premises shall be available at all times the premises is open to residents in the vicinity.
4. No food or alcohol shall be served in the external garden area after 22.30 hours.
5. Live and recorded music shall cease in the external garden area at 22:30 hours.
6. There shall be no access to, or egress from, the restaurant or external garden area via the external gate in the garden area unless in the event of an emergency or disabled access.
7. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or to make a telephone call, shall not be permitted to take drinks or glass containers with them.
8. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
9. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of patrons. To replace current condition 2.10 “All windows and doors shall remain closed whilst the premises is trading”.
10. All audio from the external music system shall be played at background level only at any time there is not a performance of live or recorded music taking place. To replace current condition “Recorded music shall be kept at a low level to ensure customers dining are able to hold conversations”.
9. Following this meeting 3 further representations were withdrawn.
10. No representations were received from any of the responsible authorities.

### **Options Appraisal**

11. Before making a decision, members are asked to consider the following matters:-
  - The representations made by other persons.
  - The submissions made by or on behalf of the applicant.
  - The additional conditions offered by the applicant by way of mediation.

- The licensing objectives relevant to this application, namely the prevention of crime and disorder and the prevention of public nuisance.
- The Licensing Act 2003, Regulations and Guidance.
- BCP Council's Statement of Licensing Policy:
  - Section 2 deals with the licensing objectives of the prevention of crime and disorder (paragraphs 2.1 to 2.6) and public nuisance (paragraphs 2.20 to 2.26).
  - Section 16 contains information at paragraph 16.42 to 16.44 regarding beer gardens.
- Paragraph 1.18 of the Guidance states "When making licensing decisions, all licensing authorities should consider the need to promote growth and deliver economic benefits."

### **Summary of financial implications**

12. An appeal may be made against the decision of members by the applicant or any person making a representation to the Magistrates' Court which could have a financial impact on the council.

### **Summary of legal implications**

13. If members decide to refuse the application or attach conditions to the licence which the applicant does not agree to, the applicant may appeal to the Magistrates' Court within a period of 21 days beginning with the day that the applicant is notified, in writing, of the decision.

### **Summary of human resources implications**

14. There are no human resources implications.

### **Summary of sustainability impact**

15. There are no sustainability impact implications.

### **Summary of public health implications**

16. There are no public health implications.

### **Summary of equality implications**

17. There are no equality implications.

### **Summary of risk assessment**

18. There is no requirement for a risk assessment.

### **Background papers**

BCP Council – Statement of Licensing Policy

Hearing Regulations

Revised Guidance issued under Section 182 of the Licensing Act (February 2026)

## **Appendices**

1 – Copy Variation Application

2 – Location Plan

3 – Copy Current Premises Licence

4 - Representations