

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING SUB-COMMITTEE

Minutes of the Meeting held on 20 April 2026 at 10.00 am

Present: Cllr A Chapmanlaw, Cllr D A Flagg and Cllr L Williams

8. Election of Chair

RESOLVED that Cllr D Flagg be elected Chair of the Sub-Committee for the duration of the meeting.

Voting: Unanimous

9. Apologies

There were no apologies received.

10. Declarations of Interests

There were no declarations of interest.

11. Protocol for Public Speaking at Licensing Hearings

The protocol for public speaking was noted.

12. Application for a premises Licence at Seafront Mini Market, 18 Westover Road, Bournemouth, BH1 2BY

With the agreement of all parties, the Sub-Committee decided to have this item adjourned until 29 April 2026.

13. Greek Corner Kostas, 735-737 Christchurch Road, Bournemouth, BH7 6AQ

Present:

From BCP Council:

Tania Jardim – Licensing Officer

Andy McDiarmid – Legal Advisor to the Sub-Committee

Christiane Tan – Clerk to the Sub-Committee

Claire Johnston – Democratic Services

The Chair made introductions and explained the procedure for the hearing which was agreed by all parties.

The Licensing Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The Sub-Committee was asked to consider an application for a premises licence for Kostas Grill House Limited, 735-737 Christchurch Road,

Bournemouth, BH7 6AQ, to permit recorded music (indoors only) Monday to Sunday from 12:00 to 22:00 and the supply of alcohol (on sales only) Monday to Sunday from 11:00 to 23:00. In response to the application two representations had been received, from Environmental Health and one Other Person, on the grounds that to grant the application would undermine the prevention of public nuisance licensing objective.

The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in written submissions:

- Fatmir Bezati, Director and applicant
- Rodion Gulakov, Designated Premises Supervisor
- Andrew Wemyss, Environmental Health Officer

The Other Person did not attend so their representation was considered based on their written submission.

The Sub-Committee asked various questions of all parties present and were grateful for the responses received. All parties had the opportunity to ask questions. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the hearing, the Legal Advisor advised all parties of the right of appeal.

RESOLVED that the application for a premises licence made by Kostas Grill House Limited for a new premises licence at Greek Corner Kostas, 735-737 Christchurch Road, Bournemouth, BH7 6AQ to permit recorded music (indoors only) Monday to Sunday from 12:00 to 22:00 hours and the supply of alcohol (on sales only) Monday to Sunday from 11:00 to 23:00 hours, be REFUSED. The Sub-Committee recognised that the applicant made amendments to the premise to mitigate the noise impact, however it did not satisfy the members that granting the license would not undermine the Prevention of Public Nuisance licensing objective.

Reasons for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted before the hearing and contained in the report for Agenda Item 6, the supplementary documents, and the verbal submissions made at the hearing by Rodion Gulakov, the Designated Premises Supervisor on behalf of the Applicant, Kostas Grill House Limited, and Andrew Wemyss, Environmental Health Officer. In the absence of the Other Person, the Sub Committee wished to confirm that they had read the objection included in Appendix 3 of the report and in the supplementary documents concerning disturbances allegedly caused by the premises including loud music, noise from activities within the premises and noise from patrons outside said to have occurred on occasion, late into the evening.

The Sub-Committee was mindful that the Licensing Authority should look to Environmental Health as a main source of advice on public nuisance. The Sub-Committee noted the concerns raised by Mr Wemyss regarding noise complaints received from various residents above the restaurant since September 2025. Mr Wemyss raised concerns about the structure of the building and noise transfer. Whilst acknowledging that a significant amount of work had been done and that some speakers had been removed, Mr Wemyss stated that there were still regular occasions where noise from music or customers, or both, could clearly be heard in the flats above the restaurant and therefore Environmental Health believed that it was necessary for a professional acoustic survey to identify weak spots and recommend actions for improvement. Mr Wemyss stated that the amendments that the applicant had made to the premises were not sufficient to give full approval from Environmental Health. Members noted the concern expressed that a premises licence, if granted, could result in greater problems for the residents above the restaurant.

The Sub-Committee acknowledged that the applicant believed that they have served the community since taking ownership since May 2025, and that the applicant stated that they are eager to accept the responsibilities that come with a granted license. The applicant stated that they currently did not have an alcohol licence, but they allowed customers to bring their own alcoholic beverages onto the premise. The applicant also stated that they knew the Other Person who objected, however clarified that there were no ill intentions towards this person. The applicant asked for permission to read a statement to respond to the Other Person, however this request was rejected by the Sub-Committee as the statement had not been submitted in writing prior to the meeting.

The Sub-Committee also recognised that the applicant had made adjustments to the premise to reduce the noise impact after a visit from the Environmental Health Officer, namely insulating the ceiling and reducing the speakers to a single unit. Despite this, the Sub-Committee believed that more work is required to be done in order to fully protect the residents living above the restaurant.

In conclusion, the Sub-Committee was not satisfied that the premises would be able to operate without undermining the prevention of public nuisance licensing objective and therefore, the Sub-Committee agreed to refuse the application.

In making this decision the Sub-Committee have had regard to the Licensing Act 2003 and associated Regulations, the Bournemouth, Christchurch and Poole Council Statement of Licensing Policy, the Secretary of States's revised statutory guidance under Section 182 of the Licensing Act 2003 and the licensing objectives, also set out in the Licensing Act 2003.

All parties to the application have the right to appeal to the Dorset Magistrate's Court within the period of twenty-one days beginning with the

day on which the applicant is notified by the Licensing Authority of this decision in writing.

14. The Guildhall Tavern, 15-17 Market Street, Poole, BH15 1NB

Present:

From BCP Council:

Sarah Rogers – Principal Licensing Officer

Andy McDiarmid – Legal Advisor to the Sub-Committee

Christiane Tan – Clerk to the Sub-Committee

Claire Johnston – Democratic Services

The Chair made introductions and explained the procedure for the hearing which was agreed by all parties. No objectors were present.

The Licensing Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

The Sub-Committee was asked to consider an application to vary the premises licence for The Guildhall Tavern, 15-17 Market Street, Poole, 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. Specific details in relation to the requested variation were set out in the report. In response to the application eight representations had been received from Other Persons on the grounds that to grant the application would undermine the prevention of crime and disorder and the prevention of public nuisance licensing objectives. Four representations had subsequently been withdrawn following a response by the applicant to the concerns raised and a meeting with the others persons hosted by the applicant on 30 March 2026 resulting in additional conditions being offered.

The following persons attended the hearing and addressed the Sub-Committee to expand on the points made in written submissions:

- Allen Saunders, the applicant

Other person(s) did not attend so their representations were considered based on their written submissions.

The Sub-Committee asked various questions of all parties present and were grateful for the responses received. All parties had the opportunity to ask questions. All parties were invited to sum up before the Sub-Committee retired to make its decision. Before concluding the hearing, the Legal Advisor advised all parties of the right of appeal.

RESOLVED that the application by the Guildhall Poole Limited to vary the premises licence for The Guildhall Tavern, 15-17 Market Street, Poole, to request the inclusion of the garden dining area within the approved licensed area to allow the sale of alcohol in the garden

between April and September, between 12:00 hours to 22:30 hours Monday to Saturday and between 12:00 hours and 18:00 hours on Sunday, and music to be played there in accordance with the details specified in the application and the Licensing Officer's report, be GRANTED subject also to the conditions agreed following mediation, as offered by the Applicant as set out below:-

- 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 regards 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".**

Reasons for Decision:

The Sub-Committee gave detailed consideration to all of the information which had been submitted in writing before the hearing and contained in the report for Agenda Item 7, including one outstanding objection, and the verbal submissions made at the hearing by Allen Saunders, Director on behalf of the Applicant, The Guildhall Poole Limited. In the absence of the other persons, the Sub-Committee wished to confirm that they had read the remaining objection included in Appendix 4 of the report.

The Sub-Committee noted that the restaurant has been hosting alfresco dining in the extended garden for the past 5 years with no complaints from residents nor police. The applicant clarified that the live music licence is solely to provide ambient background music that is restricted to 10 occasions a year and ends at 22:30 hours, as opposed to the restaurants nearby that play live music regularly on weekends. The applicant also stated that the request of the licence is to permit employees to take the card machine into the garden dining area, since the customers are currently only allowed to make payments inside the existing licensed premises.

The Sub-Committee noted that there was mediation between the applicant, the objectors, and the Principal Licensing Officer where 10 conditions were proposed and accepted by the applicant. Included in the conditions was a noise management plan. This agreement to conditions resulted in six objectors withdrawing representation.

The Sub-Committee was satisfied that if the premises operated in accordance with the conditions offered in the operating schedule of the application and the conditions agreed through mediation with the Principal Licensing Officer, that the premises should not undermine the licensing objectives and as such the application should be granted.

It was noted however that a review of the premises licence may be sought at any time by a Responsible Authority or any other person should future issues arise that may undermine the licensing objectives.

In making this decision the Sub-Committee have had regard to the Licensing Act 2003 and associated Regulations, the Bournemouth, Christchurch and Poole Council Statement of Licensing Policy, the Secretary of States's revised statutory guidance under Section 182 of the Licensing Act 2003 and the licensing objectives, also set out in the Licensing Act 2003.

There is no right of appeal to this matter.

Footnote

It is noted that the application to vary this premises licence included the playing of music up to 22:30 hours as outlined in the application.

As the decision of the Licensing Sub-Committee has been to grant the variation for the inclusion of the garden dining area within the approved licensed area to allow the sale of alcohol in the garden between April and September, between 12:00 hours to 22:30 hours Monday to Saturday and between 12:00 hours and 18:00 hours on Sunday, the amendment to the Licensing Act 2003, brought about by the introduction of the Live Music Act 2012, exempts the playing of music from being a licensable activity as it applies to this variation.

The meeting ended at 11.07 am

CHAIRMAN

This page is intentionally left blank