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SOUTHAMPTON CITY COUNCIL  
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE  
MINUTES OF THE MEETING HELD ON 13 APRIL 2022

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Present: Councillors Noon, J Payne and Goodfellow

44. **ELECTION OF CHAIR**

**RESOLVED** that Councillor J Payne be elected as Chair for the purposes of this meeting.

45. **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

**RESOLVED** that the Sub-Committee move into private session in order to receive legal advice when determining issues. Following that private session, at which time the matter would be determined, written confirmation of the decision of the Sub-Committee would be distributed to all parties to the hearing.

46. **APPLICATION FOR VARIATION OF PREMISES LICENCE - CATTLE STEAKHOUSE, 14-15 HANOVER BUILDINGS, SOUTHAMPTON, SO14 1JX**

The hearing was held as a virtual meeting using Microsoft Teams and was streamed live online for the press and public to view via the Live Events platform.

The Sub-Committee considered very carefully the application for a variation of the premises licence at CATTLE STEAKHOUSE, 14-15 HANOVER BUILDINGS, SOUTHAMPTON, SO14 1JX in the report by the Service Director – Communities, Culture and Homes.

The hearing was held in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) and the rules of natural justice.

The Sub-Committee made its decision on the basis of all of the evidence submitted, both in writing and given orally at the Hearing, with due regard to the licensing objectives, statutory guidance, and the Council's adopted statement of Licensing Policy.

Additionally, the Human Rights Act 1998, the Crime and Disorder Act 1998 and the Equality Act 2010 were borne in mind whilst making the decision.

The Sub-Committee noted that none of the Responsible Authorities attended the Hearing, but that a representation objecting to the variation of the licence was submitted by Environmental Health. The Sub-Committee noted that no representation had been received from Hampshire Constabulary, and that it was satisfied with the application.

The Sub-Committee heard from the Applicant and one local resident making a representation objecting to the application. A total of two representations were received in writing and were fully taken into consideration.

The application for a variation to the current licence was to add Recorded and LiveMusic and increase the Supply by Retail of Alcohol from midnight to 01.00. LateNight Refreshment had not been requested as this was already 01.00. In light of all the above, the Sub-Committee:

**RESOLVED** to grant the application for a variation to the premises Licence subject to the conditions offered by the Applicant and agreed as follows:

1. A noise limiter is to be supplied and installed by a qualified audio engineer and once completed the maximum noise levels set on the system are to be verified via an onsite test in the presence of the audio engineers. Once completed a noise limiter verification certificate to the is to be sent to Licensing department of Southampton City Council for approval.
2. To provide a written Noise Management Plan to include staff training on noise limiting equipment.
3. All music to cease at 10pm at the front of the restaurant.

### **Reasons**

Legislation provides for a presumption of the granting of a variation of a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community.

The Sub-Committee noted the concerns of the resident, which included a history of complaints over the previous twelve months concerning the operation of the business and the impact felt by the resident in the residential property directly above the Applicant's premises.

Any person, who made a valid representation, may appeal to the Magistrates' Court against the decision to grant the application or against any conditions imposed.

Members of the public should be assured that where a licence is granted, an application for a review of that licence could be made where there was evidence that the objectives were not being met. Formal notification of the decision would set out that right in full.

The Sub-Committee recommends that the residents of Hanover Buildings and the Applicant keep an open dialogue in relation to resolving any future problems, should they arise.