

Meeting Commenced: 10.25am
Meeting Adjourned: 10.38am
Meeting Reconvened: 10.50am
Meeting Concluded: 10.55am

GENERAL LICENSING SUB-COMMITTEE

4 September 2014

Present: Councillors Pegg, J Khan and Hezelgrave

01/14 Appointment of Chair

Resolved to appoint Councillor J Khan as Chair of the General Licensing Sub Committee.

02/14 Apologies

Apologies were received from Councillor B Jackson, Councillor J Khan substituted for her.

03/14 Late Items to be Introduced by the Chair

There were no late items.

04/14 Declarations of Interest

There were no declarations of interest.

05/14 Application for the Transfer of a Premises Licence at Baltikum, 8A Becket Street, Derby DE11HT

The Sub-Committee was required to consider an application for the transfer of the premises licence for Baltikum, 8A Becket Street, Derby, DE1 1HT from Baltikum, 8A Becket Street, Derby, DE1 1HT to Miss Ilona Dalisankaite of 12 Tintagel Close, Derby, DE23 8EH.

The application for the transfer of the premises license had been completed in the name of Mr Redas Norgalia, who even though he was the sole director of Baltikum Ltd, the application in order to be in accordance with sections 44 (3) and 44 (4) b of the Licensing Act 2003 would have to be made to transfer the licence by the licence holder Baltikum Ltd in the name of Baltikum Ltd. This application made in the name of Mr Redas Norgalia was therefore invalid.

Decision

In making its decision, the Sub-Committee had regard to the Derby City Council Licensing Policy, the guidance issued under section 182 of the Licensing Act 2003

and the Human Rights Act 1998, and had carefully considered all the evidence presented to it.

The Sub-Committee made the decision to promote the four licensing objectives:

- (a) Prevention of crime and disorder;
- (b) Public Safety;
- (c) Prevention of Public Nuisance;
- (d) Protection of Children from harm.

Resolved to reject the application for the transfer of the premises licence for Baltikum, 8A Becket Street, Derby DE1 1HT from Baltikum Ltd. to Miss. Ilona Dalisanskaite.

Reasons

Having taken into account the Licensing Act 2003 and in particular the crime prevention objective, the guidance issued under section 182 of the Licensing Act 2003, the Council's licensing policy and the Human Rights Act 1998, the Sub Committee sought to balance the interests of the applicant against the representations made by the Police.

Fundamentally, the sub-committee took the view, on advice, that the application was invalid, and rejected it in its entirety in accordance with sections 44(3) and 44(4)(b), because there was no valid consent to the transfer application by Baltikum Ltd, the premises licence holder.

All parties were made aware of the right to appeal the decision.

MINUTES END