

Time commenced : 10:00am
Time adjourned : 10:08am
Time recommenced : 10:14am
Time adjourned : 10:17am
Time recommenced : 10:22am
Time finished : 10:24am

**GENERAL LICENSING SUB COMMITTEE
20 MAY 2008**

Present: Councillors Baxter, Berry and Skelton

83/07 Appointment of Chair

Resolved to appoint Councillor Berry as Chair of the Sub-Committee.

84/07 Apologies

There were no apologies received.

85/07 Late Items Introduced by the Chair

There were no late items.

86/07 Declarations of Interest

There were no declarations of interest.

**87/07 Application for a Variation of Premises Licence at
The Duke of York, 7 Burton Road, Derby, DE1
1TH**

The Sub-Committee has convened to consider an application for the variation of the Premises Licence for The Duke of York, 7 Burton Road, Derby.

The application for the variation was signed and dated 4 April 2008. It was signed by the designated premises supervisor and stated to be on behalf of Punch Taverns plc, who were the premises licence holders.

By virtue of s34 of the Licensing Act 2003, only the premises licence holder or its duly authorised agent may make an application to vary the premises licence.

Enquiries made by the police when they received the application had revealed that the premises licence holder was not aware of it. This resulted in an email being received from the solicitors who act for the premises licence holder dated 30 April 2008 confirming that they were unaware of the application.

The Sub-Committee therefore questioned whether the application had been validly made.

Counsel for the premises licence holder made some enquiries and conceded that the application had not been authorised at the time by the premises licence holder, although the designated premises supervisor had genuinely believed that it was.

The Sub-Committee considered that the application was fatally flawed and so declined to let it proceed further.

MINUTES END