

Our Ref: WDLBPREM0024
Your Ref:
Date:
If telephoning please ask for: Peter Clyde - Direct Line
E-Mail Address: peter.clyde@west-dunbarton.gov.uk

The Clerk
West Dunbartonshire Licensing Board
c/o West Dunbartonshire Council
16 Church Street
Dumbarton
G82 1QL

Dear Clerk,

LICENSING (SCOTLAND) ACT 2005: SECTION 36
PREMISES LICENCE REVIEW APPLICATION
PREMISES: The Railway Inn
PREMISES LICENCE HOLDER: Robert O'Donnell
DESIGNATED PREMISES MANAGER: N/A

In terms of section 36 of the Licensing (Scotland) Act 2005 (the 2005 Act) the Licensing Standards Officer hereby makes application to the Licensing Board for a review of the premises licence in respect of the premises known as WDLBPREM0024 The Railway Inn 109 Dumbarton Road Bowling G60 5BQ

The Licensing Standards Officer makes this application in terms of Section 36(3)(a) of the 2005 Act that one or more of the conditions to which the premises licence is subject has been breached; namely;

Premises Licence Mandatory Condition 10 – *Payment of Annual or Recurring Fees.*

In support of this application, the following information is provided for consideration.

The 2005 Act requires that the annual fee be paid to the licensing authority before the 1 October each year. Failure to do so is a breach of the aforementioned mandatory condition.

The Premises Licence holder was notified of the need to pay the annual fee by letter on the 14 August 2023. On 25 October 2023 a reminder letter was sent to both the Premises Licence Holder and also to the premises, for the attention of the Designated Premises Manager (DPM). This letter detailed that the annual fee had not been paid

by the due date and encouraged the Licence Holder/DPM to make contact with the Licensing Section to rectify this matter. No contact was forthcoming.

Given that the annual fee had not been paid, and that no contact had been made with the Licensing Section, a compliance notice was issued under Section 14 of the 2005 Act on 16 January 2024. This notice required that the annual fee should be paid not later than the 30 January 2024.

This notice was not complied with.

Section 14 of the 2005 Act states that if a compliance notice is not complied with, that the Officer should make a premises licence review application in respect of the licence. This is the basis for this request.

The Licensing Standards Officer requests that the Licensing Board consider the aforementioned grounds for review and take such steps as it considers necessary or appropriate for the purposes of the Licensing Objectives under the terms of Section 39(2) of the 2005 Act.

Yours sincerely,

Lawrence Knighton

Licensing Standards Officer