

Licensing Standards Officers Update Report

LICENSING (SCOTLAND) ACT 2005 “the 2005 Act”

PREMISES LICENCE REVIEW APPLICATION

PREMISES: 0097 6/8 Webster Street, Whitecreek, Clydebank, G81 1AZ

PREMISES LICENCE HOLDER: Zahib Khan, Flat 2/1 303 Paisley Road West Glasgow G51 1NB

Background

On Tuesday, 15 February 2022 the Licensing Board considered a letter and update from the Licensing Officers relating to non-payment of annual fees for these premises and decided;

“To direct that the Licensing Standards Officer provide a report to a future meeting of the Board in relation to whether these premises are no longer being used for the sale of alcohol, as per Section 28 (5) (b) of the Licensing (Scotland) Act 2005.”

As Members will be aware, a premises licence is of indefinite duration unless either: one of the events set out in Section 28 of the 2005 Act is triggered; or the Board revokes the licence by way of the review process.

Section 28(5)(b) of the 2005 Act narrates that a premises licence ceases to have effect if the licensed premises cease to be used for the sale of alcohol.

Licensing Standards Officer update

Following the recent history of non-annual fee payment the Licensing Board suspended the Premises Licence following the non-payment of the Annual Fee due by 1 October 2020 at the meeting of the Licensing Board which took place on Tuesday, 23 February 2021.

Following further non-payment of the annual fee due by October 2021 the Licensing Board decided on Tuesday, 15 February 2022 to continue the premises licence suspension and seek a report back to the Board at a later date.

The LSO is now able to update that at the current date the premises have failed to pay the annual fee due by 1 October 2022. A separate review application has been submitted in relation to this matter.

The Licence Holder has failed to make contact with the Licensing Team despite multiple requests to do so.

The premises does not appear to have traded since 2018 as no Personal Licence Holder has been named on the licence which would have prevented the sale of alcohol. Multiple visits to the premises during this time period have not shown any evidence of the premises trading. Enquiries with local residents further suggest that the premises has not traded since 2018.

This information is respectfully submitted to the Board for its consideration.

Lawrence Knighton

Licensing Standards Officer

Date: 14 February 2023

Contact :

Lawrence Knighton, Licensing Standards Officer, Regulatory Services, Council Offices, 16 Church Street, Dumbarton. G81 1TG.

E-mail : lawrence.knighton@west-dunbarton.gov.uk