

Our Ref: WDLBPREM/0097
Your Ref:
Date: 14 February 2023
E-Mail Address: Lawrence.knighton@west-dunbarton.gov.uk

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

Dear Sir,

**LICENSING (SCOTLAND) ACT 2005 (“the 2005 Act”): SECTION 36
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**

In terms of section 36 of the Licensing (Scotland) Act 2005 I hereby make application to the Licensing Board for a review of the premises licence in respect of the premises known as 6/8 Webster Street, Whitecreek, Clydebank.

This application is made in terms of Section 36(3)(a) in that one or more of the conditions to which the premises licence is subject has been breached and that the notice issued pursuant to this breach has not been complied with; namely;

Para 10 of Schedule 3 to the 2005 Act – *Payment of Annual or Recurring Fees* – the licence holder has failed to pay the annual fee for 2022 – 2023

By way of background, this condition requires the holder of a premises licence (whether it be in effect or suspended) to make payment of an annual fee to the Licensing Board. For these particular premises the annual fee is £220.

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.

The Premises Licence holder was notified of the need to pay the annual fee by letter on the 15 August 2022. On 14 October 2022 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 Team 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 Office, a compliance notice was issued under Section 14 of the 2005 Act on 14th December 2022. This notice was sent to the registered office of the licence holder and copied to the premises. This notice specified that the annual fee should be paid not later than 13th January 2023. A total amount of £660 is outstanding.

This notice has not been complied with as of today's date.

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

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.

I request that the Licensing Board consider the aforementioned grounds for review under Section 39(2) of the 2005 Act and take such steps as it consider necessary or appropriate for the purposes of the Licensing Objectives of the 2005 Act.

Yours faithfully,



Lawrence Knighton

Licensing Standards Officer

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Section 14 Notice