

# EAST LoTHIAN COUNCIL

## LICENSING STANDARDS

From: K. Harling  
Licensing Standards Officer

To: C. Grilli  
Clerk to the Licensing Board

Date: 14<sup>th</sup> November 2022

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Subject: LICENSING (SCOTLAND) ACT 2005  
PREMISES LICENCE- NON PAYMENT OF ANNUAL FEES  
STODOLA, 109 HIGH STREET, MUSSELBURGH, EAST LoTHIAN EH21 7DA

### Licensing Standards Officer's Report

MJJ Foods Ltd was granted a Full Premises Licence in respect of the above supermarket in February 2021.

On 21<sup>st</sup> July 2020 the Clerk to the East Lothian Licensing Board wrote to all Premises Licence Holders advising of the Annual Fee due in respect of their licence, requesting payment by 1st October 2020. It was intimated at this time that payment was a mandatory condition of the Premises Licence, in terms of Section 27(1) of the Licensing (Scotland) Act 2005 and failure to pay may be treated as a breach of Premises Licence. Details of payment method were included in this letter.

On 20<sup>th</sup> September 2022 the Clerk to the Board sent additional letters of reminder to the premises address and licensing agent. No response was received.

On 28<sup>th</sup> October 2022 the Licensing Standards Officer called the mobile number belonging to company director of MJJ Foods Ltd, Jaroslaw Wiatrowski, in relation to the supermarket and left a message asking that contact be made with the Licensing Office concerning payment of the annual fee.

On 2<sup>nd</sup> November 2022 the Licensing Standards Officer visit team the premises and hand delivered another copy of the reminder letter to staff and asked that it be passed to management and the premises licence holder.

On Tuesday 8<sup>th</sup> November, the Depute Clerk to the Board sent a letter to the licensee with a further reminder that they had not paid their mandatory annual fee and since this was a breach of a condition of their Premises Licence they would require to make payment of the outstanding fee and also appear at the Licensing Board on 24<sup>th</sup> November 2022 to explain the reason for the stated breach of licence.

By the time of preparation for the Licensing Board meeting, on 24<sup>th</sup> November 2022, payment of the mandatory annual fee had still not been made.

Since 2021 the premises licence annual fee has been paid on the following dates:

- 06/10/2021 (late payment)

K. Harling  
Licensing Standards Officer