

Statement of Reasons

Relative to an Appeal

By

Mr Irfan Khan

In respect of

Garage etc, 174 Edinburgh Road, Harthill.

The Appeal proceeded on the basis of alleged material change in circumstances; namely, the suspension of an off sales licence from December, 2008 to March, 2009 and the drop in turnover of both the shop and the sale of fuel.

The parties disputed whether the loss of the licence and the drop in turnover amounted to a change in circumstances.

The Committee were of the view that this did not amount a change in circumstances. They accepted that the loss of the licence was transitory and would not have affected the hypothetical tenant.

In these circumstances, it was not necessary for the Committee to consider whether there had been any affect on the value of the Appeal Subjects.

Accordingly, the Committee dismissed the Appeal.