



Directorate/Division: Economy and Place
 Team: Environmental Health & Trading Standards
 Please ask for: Licensing
 Direct line: 01432 261761
 Email: licensing@herefordshire.gov.uk
 Date: 5 October 2021

Samman Rassual

XXXX
XXXX
XXXX

Dear Mr Rassual

LICENSING ACT 2003 – UNAUTHORISED LICENSABLE ACTIVITY

Magazin Timisoara, 22 Commercial Road, Hereford. HR1 2BD

I refer to the premises licence issued in respect of the above premises.

A premise licence is issued authorising the use of the premises for certain licensable activities, the times of operating and the conditions that are to be complied with.

I am in receipt of a complaint that members of the public are unable to see into the shop and that the windows are obstructed.

As you should be aware your licence has a condition whereby it states the following;

The premises licence holder will ensure that there is an unobstructed view at all times into the licensable area of the premises. In respect of any street facing the windows, any obstruction will be restricted to the top 25% of the window and the bottom 25% of the window in each case. (Window refers to the whole area covered by glass). This will mean that at least 50% of all windows and 100% of all doors looking into the premises from Commercial Road are clear of obstruction. No obstruction includes any permanent or temporary signage placed on glass surfaces of doors and windows, as well as any other item within the shop which obstructs the view through the window.

It is alleged that the windows either side of the door are obstructed with stickers and/or produce.

It is an offence under Section 136 of the Licensing Act 2003 for a premise to carry on any licensable activity on or from any premises otherwise than and in accordance with an authorisation (a premises licence). Any person found guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or both.

I must advise you that the non-compliance of the condition means the licence is invalid. The authority will tolerate a continual breach of this condition.

I must advise you that if the condition is not complied with within 7 days of the date of this letter, then the authority would have no alternative but to consider further action. This could include a further review of the licence with a view to revocation, an objection to the variation recently submitted or alternatively a prosecution through the court for breach of the licence.

I hope that neither action will be necessary and that you will comply with the terms of the licence.

Yours faithfully,

**LICENSING TECHNICAL OFFICER ENVIRONMENTAL
HEALTH & TRADING STANDARDS
HEREFORDSHIRE COUNCIL**

Cc West Mercia Police