



Economy and Corporate Directorate

Director: Richard Ball

Randjar Mohammed Ismail

XXXXX
XXXXX
XXXXX

Your Ref:

Our Ref: EB/PR00414

Please ask for: Licensing

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3rd October 2019

Dear Mr Ismail

LICENSING ACT 2003 – UNAUTHORISED LICENSABLE ACTIVITY

RAZI MINI MARKET, 100 WIDEMARSH STREET, HEREFORD. HR4 9HG

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.

On 1st October 2019 at 11:20am, a representative from West Mercia Police visited your premises and found numerous breaches of the licence yet again.

Your licence is issued with a condition on it which reads:

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 the 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. (Widow refers to the whole of the area covered by glass). This will mean that at least 50% of all windows and 100% of all doors looking into the premises from Widemarsh Street 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.

Following the visit on 1st October 2019, the bottom half of the window still covers 40% which is a breach of the above condition and the door was completely covered with a poster.

It is also noted that the premises still does not have any age verification signs.

Therefore you are also in breach of the below condition (in particular the wording in bold):

*The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the Police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council. **Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any sale area advertising the scheme operated***

During the visit on 1st October 2019, it was also established the staff had not been trained and there were not any training records available to be produced on the premises.

You are in breach of condition:

All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB level 1 or any equivalent training course within 1 month of commencing employment at the premises. Where there are existing staff this training shall be completed within 3 months of the date that this condition first appears on the licence. Refresher training will be conducted at 6 monthly intervals. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

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.

The continual breach of the law in relation to the licence does cause me some serious concerns and I am at the point now where, after having been given at least 2 previous warnings from the Licensing Authority and West Mercia Police, I have to consider what steps need to be taken to promote the licensing objectives. I am now leaning towards launching a review against the premises and asking the Licensing Committee to consider whether:

- a) Randjar Ismail remains a suitable person to be the designated premises supervisor
- b) Whether the premises should continue to be licensed
- c) Whether the licence for the premises should be revoked.

As an alternative we could take more formal enforcement action and pursue the matter of unauthorised licensable activities through the court.

I must also advise you now that the Licensing Authority will make unannounced visits to the vicinity of your premises to ensure compliance with the law.

Yours faithfully,

EMMA BOWELL
LICENSING TECHNICAL OFFICER
ENVIRONMENTAL HEALTH & TRADING STANDARDS
HEREFORDSHIRE COUNCIL

Cc West Mercia Police