

APPENDIX 3

REPRESENTATION AGAINST THE APPLICATION FOR A PREMISES LICENCE.

FERHAM SUPERMARKET, 192 FERHAM ROAD, ROTHERHAM,

S61 1DZ.

I am the Senior Licensing Enforcement Officer employed by Rotherham Metropolitan Borough Council.

On behalf of Rotherham Council carrying out its functions as a Responsible Authority I wish to make a representation in respect of an application for a premises licence for an off sales premises located at 192 Ferham Road, Rotherham, S61 1DZ.

The grounds of the representation are based on the prevention of crime and disorder and the protection of children from harm.

The applicant Ave Ferham Supermarket Ltd submitted an application for a premises licence for a shop unit which is currently trading as a local convenience store.

The applicant has stated the premises will be open daily for customers to purchase goods and alcoholic beverages and has requested the sale of alcohol for consumption off the premises Monday to Sunday 08.00am until 23.00.

The proposed opening hours of the premises are Monday to Sunday 08.00am until 23.00.

192 Ferham Road previously had a premises licence for the sale of alcohol for consumption off the premises. The premises licence was held at the time by Mr Halo Omid and was revoked at a meeting of the Licensing Sub-Committee on 8th July 2019. The premises licence holder was made aware of the decision to revoke the premises licence on 31st July 2019.

Licensing Officers visited 192 Ferham Road on 9th October 2020 having become aware that the premises may be selling alcohol without a premises licence.

During the visit Licensing Officers spoke with Mr Amanj Jawad, Mr Jawad stated he was the Manager of the premises and ran the business on behalf of the business owner Mr Halo Omid as he no longer attended the premises. Mr Jawad stated he could not recall how long he had been the manager for but stated he had managed the premises throughout this current year.

The premises were heavily stocked with alcoholic products and when questioned Mr Jawad stated alcohol sales made up a large percentage of the business sales. Mr Jawad accepted that alcohol had been sold on the day of the visit and on all days prior to this. Mr Jawad was questioned as to why alcohol was on display and being sold in a premise which does not have the authority under a premises licence to do so. It was stated that he had not been aware of the premises licence revocation and

believed the premises to have a licence but accepted he had not checked this with Mr Omid or seen a copy of the premises licence.

Mr Jawad could not produce a challenge register when requested and stated if someone looked underage staff would ask for identification to verify their age. It was accepted by Mr Jawad that this request would not be recorded, and he could not evidence that age verification challenges were taking place.

During the visit a second member of staff was working and was asked whether he had been trained in the responsible sale of alcohol. It was stated by this member of staff that he had received no training and was unsure of what action to take if he believed a customer to be under the age of 18.

The premises had no staff training register and Mr Jawad accepted he had not trained staff members, nor had he raised this as a concern with Mr Omid.

Mr Jawad was advised during the licensing visit that the premises did not have the permissions under a premises licence to display or sell alcohol for consumption off the premises. Subsequently the alcohol was removed from sale voluntarily by Mr Jawad.

On 13th October 2020 Ave Ferham Supermarket Ltd submitted an application for a premises licence at 192 Ferham Road. The owner of Ave Ferham Supermarket Ltd is Mr Jawad, Mr Jawad also put himself on the application as the proposed Designated Premises Supervisor.

Mr Jawad put forward several conditions to be attached to the licence should it be granted.

Mr Jawad proposed that all staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with training records kept for inspection. Mr Jawad has been the manager of the premises throughout 2020 and failed to implement training for a new staff member or raise this as a concern with Mr Omid.

Mr Jawad has proposed that CCTV will be in use at the premises, and that it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Additionally Mr Jawad has proposed the CCTV will be retained for 31 days, continually recording when licensable activity is taking place and shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.

During the consultation period Licensing Officers visited the premises speaking with Mr Jawad. Mr Jawad was asked to show officers the CCTV system and explain how it worked. Although a monitor was installed Mr Jawad stated there was no hard drive

to store and retrieve recordings and accepted that he did not know how to work the system nor did any other staff member.

Mr Jawad has also proposed conditions regarding incident and challenge registers. Whilst the premises were managed by Mr Jawad throughout this year no registers were implemented or used.

As part of the consultation process licensing officers discussed the application for a premises licence with Mr Jawad. Licensing Officers are concerned that during these discussions Mr Jawad stated he did not fully know or understand the conditions that had been proposed and did not understand how to run a licensed premise. Mr Jawad stated he had employed the services of a licensing consultant to write the application and he had not understood what the conditions required.

Mr Jawad has proposed a condition regarding verifying the age of a customer stating anyone who appears to be under the age of 25 will be challenged to provide ID. Adding that should the customer be unable to provide identification then no sale will be made.

Officers of South Yorkshire Police carried out two test purchases at the premises during 2020 – both whilst Mr Jawad was the manager of the premises.

The first test purchase was on 17th January 2020, a 15 year old and 16 year old entered the premises. The 16 year old purchased a bottle of pink WKD, there was no challenge regarding her age and the sale was made.

The second test purchase was on 27th August 2020, a 17 year old entered the premises and purchased a bottle of orange VK. The member of staff working at the time asked for ID, however having been told by the 17 year old that she did not have any the staff member allowed the sale.

On both occasions the premises did not have a premises licence to authorise the sale of alcohol.

I will be able to deliver evidence at a Licensing Hearing if required.



Keeley Ladlow

Senior Licensing Enforcement Officer

Rotherham MBC

