

Rowland Express, 49 Rowland Road, Old Town, Barnsley S75 2PF

Chronological sequence of events for health and safety submission to License review

Wed 4 August 2021 I received information from South Yorkshire Police that they had called a Licence review following repeated sales of alcohol to children.

Thurs 5 August I conducted a health and safety inspection visit of the shop and identified a number of hazards to customers and others. Of most concern was the floor of the shop which was in a state of collapse in the off licence area and also in the entrance to stock room which was fully accessible to members of the public. If a person were to have stepped onto either of these areas of flooring they were likely to fall a distance of approximately 2 metres into the cellar area. I discussed this with a man who introduced himself as Mr Ravikumar, the husband of the business operator and I took 11 photographs during my visit.

At my request Mr Ravikumar obstructed access to the affected floor areas by customers, which he did by placing boxes of beer in the walkway. He told me that his son Navinkh Ravikumar is in effective control of the business in the absence of the proprietor and licence holder, Mrs Amutha Ravikumar. I told Navinkh Ravikumar by telephone that I expected a more permanent solution to be found and that I would return the next day.

Friday 6 August I found the shop floor to still be unsafe so I served an immediate Prohibition Notice **Appendix 1** in which I prohibited '*use of areas of the shop with rotten floor*'. While on site I discussed my concerns with Navinkh Ravikumar. Some attempt had been made to tape off the affected areas but not in a way that was likely to be effective at preventing access to the affected areas as there were gaps, particularly at low level that might permit a child to enter the danger area. I assessed that the condition was such that two of the licensing objectives had not been met: public safety and the protection of children from harm.

While I was at the shop a builder/joiner arrived and I left so that Navinkh could assess the extent of the damage and potential repair with his contractor.

Thursday 12 August I visited the shop with my colleague James Gardham and James and I took further photographs, including some that I took from within the cellar area. There confirmed that the area of flooring below the off license sales area was largely unsupported and could fall at any time.

I had been unable to contact Navinkh Ravikumar by telephone, telephone calls having been rejected so I rang Mrs Ravikumar, the business owner who was currently in Sri Lanka and who told me that she was fully aware of the situation. She confirmed that I needed to speak with Navinkh and she agreed to ask him to ring me.

A few minutes later Navinkh rang me and we discussed the serious nature of the flooring collapse and the unsafe access to the cellar, albeit that the hatch and floor in the stock room had been renewed.

Navinkh informed me that the builder had delayed repair to the shop floor until the pipework to the fridge was removed as this was possibly the source of moisture that had caused rotting of some of the floor timbers. I reminded Mr Ravikumar of the public safety concerns that I had witnessed and emphasised the need to protect customers, children and others from harm.

Friday 13 September Navinkh Ravikumar rang me to update me and to tell me that he had drawn up a plan of action as I suggested and has also arranged for the freezer and fridge to be removed with

all of the stock from the affected area of flooring. He told me that the leak appeared to be from the fridge drain.

I visited by agreement and took further photographs of the area where the flooring was being removed from the off license area by a contractor and was to be replaced with new supporting timbers. I expressed concern about the safety of customers during this operation and I was told that the shop was closed during the work.

I was handed an action plan **Appendix 2** by Navinkh Ravikumar which he agreed to email. I agreed to allow the business three weeks until after August bank holiday to complete the works.

Thursday 2 September I spoke on the telephone with Navinkh Ravikumar. He told me that his father had been taken into hospital today and was potentially very ill.

Friday 3 September I returned to Rowland Express, Navinkh Ravikumar was present and the shop was open for business. The cellar access hatch was removed and a fridge engineer was using the opening to access the cellar area. I pointed out to Mr Ravikumar that this exposed children and customers to danger and he immediately instructed people to block off the affected areas. There was no floor covering to the former off license area and we discussed the standard of floor covering required throughout the shop to ensure that customers do not trip on the loose and uneven areas that remain. I advised that the shop should be closed if this is the only way to protect the public and he agreed that this will be done if necessary. The shop remained open for the duration of my visit and I took further photographs of the damaged floor covering and the open trap door.

I have suggested that a door to the stock room and re-siting of the electricity distribution board would both reduce risks of falls by customers into the cellar and I understand that these are being considered as possible controls.

Mr Navinkh Ravikumar told me that his father is still very ill in hospital and that his mother was preparing to return to Barnsley, flights and Covid controls permitting.

Stephen Butler

Environmental Health Officer

7 September 2021