



## Northamptonshire County Council

To Whom it may Concern

Please ask for: Ian Grieve  
Tel: 01604 797104  
Our Ref: 00100738  
Your Ref:  
Date: 13 May 2012

If you have any difficulty in obtaining the above telephone number please ring (01604) 797000 or email [enquiries@northantsfire.org.uk](mailto:enquiries@northantsfire.org.uk).

FPS22

Dear Sir

**Licensing Act 2003**

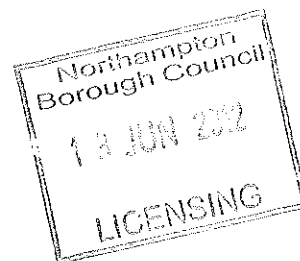
**Atlantix Bar and Club 94 Bridge Street Northampton NN1 1PD**

Please find enclosed a copy of Review of the Premises Licence a copy of the application and supporting evidence.

Any enquires concerning these matters may be addressed to the inspector named at the address below.

Yours faithfully

  
Ian Grieve  
Fire Protection Officer



Northamptonshire Fire and Rescue Service  
Walker House, 3 Pondwood Close, Moulton Park,  
Northampton, NN3 6RT  
w. [www.northamptonshire.gov.uk](http://www.northamptonshire.gov.uk)  
f. 01604 797140



**Northamptonshire  
County Council**



**Application for the review of a premises licence or club  
premises certificate under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Fire Protection Officer Ian Grieve

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the  
review of a club premises certificate under section 87 of the Licensing Act 2003  
for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Atlantix bar and Club formerly Flux Night Club 94 Bridge Street	
<b>Post town</b> Northampton	<b>Post code (if known)</b> NN1 1PD

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Juliet Drummond
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<b>Number of premises licence or club premises certificate (if known)</b>
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**Part 2 - Applicant details**

I am

**Please tick yes**

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises ☐
  - b) a body representing persons living in the vicinity of the premises ☐
  - c) a person involved in business in the vicinity of the premises ☐
  - d) a body representing persons involved in business in the vicinity of the premises ☐
- 2) a responsible authority (please complete (C) below) ☒

- 3) a member of the club to which this application relates (please complete (A) ☐  
below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

**Please tick**

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title  
(for example, Rev)

**Surname**

**First names**

**Please tick yes**

I am 18 years old or over

☐

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

**Name and address**

**Telephone number (if any)**

**E-mail address (optional)**

### (C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Northamptonshire Fire and Rescue Service  
Fire Service headquarters  
Moulton Way  
Northampton

Telephone number (if any)

01604 797000

E-mail address (optional)

igrieve@northantsfire.org.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

☐  
☒  
☐  
☐

**Please state the ground(s) for review (please read guidance note 1)**

1. The grounds for this review are for the Licensing Objective 'public safety'.

2. On 2 December 2011 Fire Officers visited the premises and met with one of the two partners, Mr Chris Going. The Officers calculated the occupancy of the premises and found that there was no fire safety documents available on site. An email was forwarded to Mr Going and his partner, Juliet Drummond highlighting the deficiencies.

3. A generic letter sent to the premises on 20 December 2011, along with other licensed premises in Northampton by Group Manager Fox, highlighting the needs for fire risk assessment and conforming to the fire safety legislation.

4. On 29 March 2012 at the request of Northamptonshire Police, Constable David Bryan and Fire Protection Officer Ian Grieve met with Juliet Drummond at the premises. There were concerns about advertised events whereby the occupancy of the premises may be exceeded. She was asked for the fire risk assessment and stated that since her business partner left at short notice she was unaware if one had been completed. This along with other issues raised concerns about fire safety in the premises. It was agreed Ian Grieve would telephone her to make an appointment for a full inspection of the premises.

5. It transpired that Juliet Drummond had cancelled the events highlighted at 4 above.

6. Attempts to contact Juliet Drummond proved difficult and it transpired she had changed her telephone and telephone number.

7. On 11 May 2012 Fire Protection Officers gained access to the club and met with Mr Cyril Ebulubu. he stated he was the manager of the premises. They had changed the name of the premises from Flux to Atlantix Bar and Club. It was advertised outside the premises that the opening night for the new premises was 11 May 2012, included a barbeque and was open until 4am. Mr Ebulubu stated that the fire alarm and emergency lighting in the premises had been tested and in good working order. Similarly the fire extinguishers had been maintained. When asked to test the emergency lighting Mr Ebulubu did not know how to test it. he had to be shown the use of a key, which he did not possess, and how to test the emergency lighting. When asked to test the fire alarm he did not have a key to activate the manual call points. He did not know the location of the fire alarm control panel, once indicating the intruder alarm and the electrical consumer units were the fire panel. We searched the basement, first floor and found fire alarm control panel in a cupboard behind the bar on the ground floor. Clearly it had not been tested. When activated the fire alarm sounded throughout the premises. The fire extinguishers had last been maintained 08 or 09 and not within the last 12 months. There was no fire risk assessment for the premises and no emergency plan. When asked about staff training he stated there were three new bar staff and 4 door staff. He would train them prior to opening. It was pointed out that without the emergency detailing what people should do, there was nothing to train the staff on. The rear gate to the enclosed area of the premises where the barbeque would take was inwards opening, which could cause problems in an emergency to escape safely from the premises.

8. It was clear that the management of the premises were prepared to open for business not knowing whether the fire alarm and emergency lighting worked or not. There was no emergency plan in place and no staff training. This could have placed the safety of the public at risk in the event of fire.

9. Subsequently the Fire Authority issued Enforcement Notices to both Juliet Drummond and Cyril Ebulubu to remedy the deficiencies highlighted. Both of these people were fully aware of their responsibilities and obligations under the fire safety legislation.

10. On 25 May 2012 the premises were again visited and both Juliet Drummond and Cyril Ebulubu were present. the enforcement notices were explained to them. Cyril Ebulubu stated he was now testing the fire alarm and emergency lighting and had completed staff training. But there was no fire risk assessment or emergency plan in place.

11. The Fire Authority is of the opinion that the lack of fire safety management in these premises has placed members of the public at risk from a fire on these premises and brings the matter before the Licensing Committee for their attention.

**Please provide as much information as possible to support the application**  
(please read guidance note 2)

**Please tick yes**

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day Month Year

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**If you have made representations before relating to this premises please state what they were and when you made them**



Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent**  
(See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

*I. Gieve*

Date

8 June 2012

Capacity

Fire Protection Officer

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Statement of : Ian Johnston GrieveAge if under 18 : Over 18(if over 18 insert 'over 18') Occupation : Fire Protection Officer

This statement (consisting of 6 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature : I GrieveDate : 12/6/12

States: I am a Fire Protection Officer employed by Northamptonshire Fire and Rescue Service since September 2003. I have attended numerous courses at the National Fire College at Moreton in the Marsh, Fire Protection Association, Association of Building Engineers and Regional Fire and Rescue Service Fire Safety Courses. I have also attended a number of seminars in Fire Safety. I am accredited with the Institute of Fire Engineers to audit life safety risk assessments. I have completed a BTEC level 5 in Building Regulations and British Standard 9999.

On 1 December 2011 at 300pm I visited Flux Night Club at 94 Bridge Street Northampton in company with Watch manager Ken Bennett. The object of this prearranged visit was to ascertain the occupancy figures for the means of escape in the premises following a serious incident at a night club in Northampton. This was part of the strategy of Northamptonshire Fire and Rescue Service, in conjunction with Northamptonshire Police and Northampton Borough Council Licensing. I met with Mr Chris Going one of the partners in the business. The other partner being Juliet Drummond of 144 Cheveral Avenue Coventry, who was not present at this meeting. The occupancy of the premises was calculated by working out the floor space factors in conjunction with the available escape width capacity under the provisions of guidance in Approved Document B of Building Regulations, as accepted way of calculating the occupancy of premises. The maximum occupancy for these premises was assessed at 245 persons, limited due to the floor space factors.

Mr Going was unawares whether or not a fire risk assessment and emergency plan had been prepared for the premises. I reminded him of his obligation to complete a fire risk assessment and emergency plan for these premises; also that the fire alarm and emergency lighting should be tested and maintained; there should staff training and fire fighting equipment should be provided. The single final fire exit out onto Bridge Street was inwards opening, the drapes covered the exit. This door was to be kept clear of the

Signature : I GrieveSignature witnessed by : [Signature]

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drapes and provided with an illuminated exit sign. I forwarded this information to both Juliet Drummond and Chris Going by email. I also provided Mr Going with a copy of the 'short guide to making your premises safe from fire', and I referred him to the CLG website and guidance document 'small and medium places of assembly'. In the email I included a pro forma fire risk assessment and a copy of a worked example to assist them in completing a fire risk assessment and emergency plan for the premises.

On 20 December 2011, a letter was sent to licensed premises in Northamptonshire by Group manager Baz Fox to remind all responsible persons of their obligations under the Regulatory Reform (Fire Safety) Order 2005, to complete a fire risk assessment and to assess the occupancy figures for their premises.

On 29 March 2012, in company with Police Constable David Bryan I again visited the premises of Flux Night Club 94 Bridge Street Northampton where we met with Juliet Drummond of 144 Cheval Avenue Coventry. This was in respect of concerns over the occupancy of the premises and how they would be used following nationally advertised events at these premises. These being the 'tallpaul' and 'pigpipe' events advertised. It was known that these events had been advertised and coaches were being laid on in Birmingham, Luton, Nottingham and Leicester. The concerns were that the maximum occupancy for the club had been assessed at 245 persons. It transpired that Juliet Drummond had sublet the premises to a manager to run in her absence. She had no knowledge about these events and would cancel them. I asked for the fire risk assessment for the premises. She stated that since her business partner had left at short notice she was unaware if a fire risk assessment had been completed. She stated that she ran two other licensed premises in Coventry and was aware of what was required. I said that I would telephone her with a view to conducting a full fire safety inspection of the premises due to the manner in which the premises were managed in respect of fire safety. Juliet Drummond did in fact cancel the events thus negating my immediate concerns.

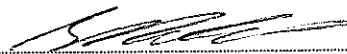
I telephoned Juliet Drummond on a number of occasions and left messages on the answerphone to contact me to arrange a fire safety inspection.

On Friday 11 May 2012 at 10am, in company with Fire Protection Officer Scott Richards we were in Bridge Street Northampton. Outside the front doors of the Atlantix night club we saw a lady waiting at the doors. We parked our marked Fire Service car and approached the lady. We ascertained that she was indeed waiting for the Manager to attend the premises. Outside the Club were posters advertising the opening night and barbeque for 'Atlantix club and bar, opening until 4am. At 1015 the same day two males arrived at the premises. They opened up the premises. We walked inside and introduced ourselves.

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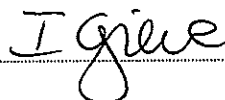


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A man said the owner would be at the premises shortly and provided no further information. At 1030 am the same day, a man I now know to be Mr Cyril Ebulubu arrived and he immediately recognised me. I could not place Mr Ebulubu initially and then I recalled that I had met him at his restaurant Com-Chop on Kettering Road Northampton. I asked what involvement he had in these premises and he replied that he was part of the partnership with Juliet Drummond. When asked who the designated premises supervisor (DPS) was, he replied, "Juliet". He explained that he was managing the premises for the opening night as 'Atlantix'. We sat down inside the club. I asked if there were a fire risk assessment completed for the premises and he replied "No". I asked if there were a written emergency plan in place for the premises and he replied, "No". I explained that there needed to be an emergency plan in place for the premises to be able to train staff on what to do if the fire alarm sounds or what to do if they discover a fire. I asked if the staff had received any training in fire safety. He stated that they were all new staff coming in about 12midday to be trained. I asked how they could be trained if there was no emergency plan. He made no reply. Mr Ebulubu stated that there were to be 3 bar staff and four door employed. I asked him what the occupancy was for the premises and he replied "250". I said that I was pleased he knew the occupancy because it was us who had calculated it. We then discussed the event which was taking place tonight .i.e. the opening night and barbeque for Atlantix. We spoke about the occupancy being inside the premises but they had a large outside area where the barbeque was taking place. This area where the barbeque was taking place was outside, totally enclosed and controlled by an inwards opening door. We discussed the fact if he has 250 persons inside the premises and perhaps 100 at the barbeque. What would happen if it rained and where would the people at the barbeque go? He replied "inside".

I explained the means of escape and floor space only allowed a maximum number of 250 inside the premises. He would potentially have 350 in the premises and the means of escape could only facilitate 250. I explained that we have concerns over the fire safety management of the premises, overcrowding compromising the means of escape. I asked Mr Ebulubu if the fire alarm worked. He replied "yes". I said to him "How do you know?" He replied "I've tested it". I asked if he had any records of the testing and maintenance of the fire alarm to which he replied "No". I then asked about the emergency lighting. Mr Ebulubu stated that he had tested the emergency lighting and it was ok. I asked about the maintenance of the fire fighting equipment and he replied it had been done. Fire Protection Officer Scott Richards asked Mr Ebulubu to test the emergency lighting as there was no LED showing the battery was being charged on a maintained final exit sign. Mr Ebulubu did not know how to test the emergency lighting and had no key to access and test the emergency lighting. This was established when he sent one of his colleagues up a ladder to test the emergency lighting. Once there the man asked him what to do. Mr Ebulubu could not tell him how to test the emergency lighting. It was Fire protection officer Scott Richards who explained how to test the emergency lighting with a key. Fire Protection Officer Scott

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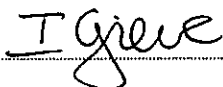
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Richards produced his own test key and switched on the emergency lighting units in the premises. This was to satisfy ourselves the emergency lighting worked prior to the opening of the premises. Three emergency lighting units had been painted on the inside of the glass lens with blue paint, thereby reducing their effectiveness and one unit did not work. There were no records available of the testing or maintenance of the emergency lighting in the premises. Fire protection Officer Scott Richards then asked about the fire fighting equipment because they were dated 09 and 08. Indicating their last scheduled maintenance was in these years. Mr Ebulubu made no reply. We asked for the fire alarm to be tested. It took 10 minutes for Mr Ebulubu and his colleagues to identify the fire alarm control panel in the premises. Initially it was stated that the intruder alarm and the electrical consumer units were the fire panel. We searched the ground floor, went into the basement and up to the first floor to identify the location. The fire alarm control panel was located behind the bar, in a cupboard by one of his colleagues. We again asked for it to be tested but it was found that there was no key to test the manual call point on the fire alarm system. We were asked to wait whilst they located a key which was not found. They activated the fire alarm by activating the call point breaking the glass and the fire alarm sounded. They were then unable to reset the fire alarm and the manual call point. But they were able to silence the alarm. I explained there was no fire risk assessment, emergency plan, no maintenance or testing of the fire alarm and the emergency lighting, staff training and maintenance of the fire fighting equipment. The fire safety arrangements were not satisfactory. I explained that I would be issuing an enforcement notice for all these deficiencies to both Mr Ebulubu and Juliet Drummond. We then left the premises at 1135am.

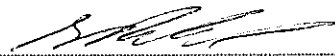
I had previously met Mr Cyril Ebulubu on 7 September 2011 at the restaurant/take away at Com – Chop 37 Kettering Road Northampton. This was in response to a complaint about the means of escape from the first floor of these premises. I provided him with a copy 'short guide to making your premises safe from fire'; I referred him to the CLG website and guidance documents. I explained the deficiencies and how he could rectify them. I sent him an email identifying all the matters we had discussed at his premises.

On Monday 14 May 2012 I sent an email to Juliet Drummond about my concerns for fire safety in the premises. At 0820 the same day, I received a telephone call from Juliet Drummond. I explained that I had been trying to contact her on the telephone but there was no reply. She stated she had changed her telephone and apologised. I explained that I had visited the premises on Friday and met with Mr Cyril Ebulubu. I asked what the relationship was/she explained that she is the leaseholder and current DPS (designated premises supervisor). Cyril was looking after the premises for her as the manager. She would like to pass it on but she tied by the lease. I explained my concerns about the lack of fire safety and that I wanted to meet with her. She asked if I could do it on the telephone. I explained the premises were

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opening Friday night with new staff who had not been trained in fire safety. There was no fire risk assessment, emergency plan. Fire safety management of the premises was a concern. She agreed and that she has premises in Coventry which she has to concentrate on. I said that we had previously met with Police Constable David Bryan and that I had concerns with the occupancy in the premises. She agreed and that she had cancelled the previous events. I said that there were no records of the fire extinguishers being maintained, nor the fire alarm and emergency lighting. There were no records of testing either. I explained that I would issue an enforcement notice to her and Cyril Ebulubu for the deficiencies and explained the notice. She said that she would accept electronic service by email. I thanked her and concluded the call.

On 17 May 2012 at 0742 I sent a copy of an enforcement notice to Juliet Drummond via email.

On Wednesday 23 May 2012, I sent a copy of an enforcement notice to Mr Cyril Ebulubu via email. At 1150 the same day I had delivered a copy of enforcement notice to Mr Cyril Ebulubu and posted it through the door of Atlantix bar and club at 94 Bridge street Northampton.

At 1110am on Friday 25 May 2012, Fire protection Officer Scott Richards and myself, were on duty in uniform walking along Bridge Street Northampton. Outside the Atlantix bar and club we saw Mr Cyril Ebulubu waiting to park his car at the premises. I asked if he had a few minutes for us and replied that he had. He went to park his car and we went into the club. I there saw Juliet Drummond talking to an environmental Health Officer. We waited for their conversation to conclude and went back into the club with Mr Cyril Ebulubu. The Environmental health Officer left and we were joined by Juliet Drummond. I said I wished to talk to him about the enforcement notice that had been served electronically. He stated he had not received it but agreed he had received a hard copy posted through the door of the club. Mr Cyril Ebulubu stated he had started testing the fire alarm and the emergency lighting producing records of this and some staff training. He stated he arranged for Smiths Fire to maintain the fire alarm and emergency lighting which was booked for Tuesday. I said that these were positive moves. I went through the enforcement notices, the same for both Cyril Ebulubu and Juliet Drummond. I explained the deficiencies and how they may be remedied. I also explained the right to appeal to a magistrates Court within 21 days. I explained the reasons for the issue of the enforcement notices to both. In December 2011 I met with the business partner of Juliet Drummond and assessed the occupancy of the premises. There were a number of fire safety deficiencies which were emailed to her. In March 2012 in company with Police Constable David Bryan, I visited the premises and met with her. There were concerns over planned events which potentially would exceed the occupancy for the premises. I said that fortunately she had cancelled the

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events of concern. I had been trying to contact her by telephone and had left messages. She had changed her phone and I resorted to the email address, to which she responded. I had served the enforcement notice electronically and she agreed that she had received the email. In respect of Mr Cyril Ebulubu he had taken on the management of the premises under a new name advertising a barbeque and being open till 4am. At this time he had no knowledge the fire alarm or emergency lighting were working; he had not considered the occupancy of the premises in the light of the total numbers of people; outside at the barbeque and inside the club; totally new staff were being employed without any knowledge of the emergency plan and staff training; there was no fire risk assessment; no emergency plan and no fire safety arrangements to protect persons frequenting the premises from fire. I had met with him previously at his restaurant following a complaint and made him aware of his responsibilities for fire safety, confirming these in writing via email.


I confirmed the address for Juliet Drummond was now 3 Lisbon Way Coventry CV3 2AQ and for Cyril Ebulubu was 19 Streambank Road Northampton NN3 8YG.

I explained that the Police had objected to the TENS applications for June 2012 on the grounds of Public safety and that I would be attending the hearing to provide the evidence for this matter. Juliet Drummond stated that she had been refused TENS applications for her premises in Coventry due to incidents. I explained that in the nicest possible way I was explaining the course of action and I did not wish to solicit any replies from either person. We thanked them and left the premises.

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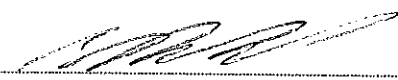
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**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)


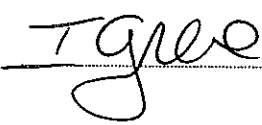
Statement of : Scott RichardsAge if under 18 : Over 18(if over 18 insert 'over 18') Occupation : Fire Protection Officer

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Signature : Date : 12-6-12

States: I am a Fire Protection Officer employed by Northamptonshire Fire and Rescue Service since September 2003. I have attended numerous courses at the National Fire College at Moreton in the Marsh, Fire Protection Association, Association of Building Engineers and Regional Fire and Rescue Service Fire Safety Courses. I have also attended a number of seminars in Fire Safety. I have also attended internal Fire safety Training Days with my employer on a monthly basis. I am accredited with the Institute of Fire Engineers as a 'fire risk auditor'.

On Friday 11 May 2012 at 10am, in company with Fire Protection Officer Ian Grieve we were in Bridge Street Northampton. Outside the front doors of the Flux night club we saw a lady waiting at the doors. We parked our marked Fire Service car and approached the lady. We ascertained that she was indeed waiting for the Manager to attend the premises. Outside the Club were posters advertising the opening night and barbeque for 'Atlantix club and bar, opening until 4am. At 1015 the same day two males arrived at the premises. They opened up the premises. We walked inside and introduced ourselves. A man said the owner would be at the premises shortly and provided no further information. At 1030am the same day, a man I now know to be Mr Cyril Ebulubu arrived and he immediately recognised Fire Protection Officer Ian Grieve. I Fire Protection Officer Ian Grieve asked him what involvement he had in these premises and he replied that he was part of the partnership with Juliet Drummond. When asked who the designated premises supervisor (DPS) was, he replied, "Juliet". He explained that he was managing the premises for the opening night as 'Atlantix'. We sat down inside the club. Fire Protection Officer Ian Grieve asked if there were a fire risk assessment completed for the premises and he replied "No". Fire Protection Officer Ian Grieve asked if there were a written emergency plan in place for the premises and he replied, "No". Fire Protection Officer Ian Grieve explained that there needed to be an emergency plan in place for the premises to be able to train staff on what to do if the fire alarm sounds or what to do if they discover a fire. Fire Protection Officer Ian Grieve asked if the staff had received any training in fire

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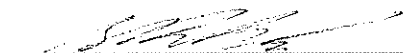


safety. He stated that they were all new staff coming in about 12midday to be trained. Fire Protection Officer Ian Grieve asked how they could be trained if there was no emergency plan. He made no reply. Mr Ebulubu stated that there were to be 3 bar staff and four door employed. Fire Protection Officer Ian Grieve asked him what the occupancy was for the premises and he replied "250". Fire Protection Officer Ian Grieve said that he was pleased he knew the occupancy because it was us who had calculated it. We then discussed the event which was taking place tonight .i.e. the opening night and barbeque for Atlantix. We spoke about the occupancy being inside the premises but they had a large outside area where the barbeque was taking place. This area where the barbeque was taking place was outside, totally enclosed and controlled by an inwards opening door. We discussed the fact if he has 250 persons inside the premises and perhaps 100 at the barbeque. What would happen if it rained and where would the people at the barbeque go? He replied "inside".

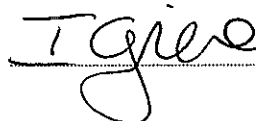
Fire Protection Officer Ian Grieve explained the means of escape and floor space only allowed a maximum number of 250 inside the premises. He would potentially have 350 in the premises and the means of escape could only facilitate 250.

Fire Protection Officer Ian Grieve explained that we have concerns over the fire safety management of the premises, overcrowding compromising the means of escape. Fire Protection Officer Ian Grieve asked Mr Ebulubu if the fire alarm worked. He replied "yes". Fire Protection Officer Ian Grieve said to him "How do you know?" He replied "I've tested it". Fire Protection Officer Ian Grieve asked if he had any records of the testing and maintenance of the fire alarm to which he replied "No". He was then asked about the emergency lighting. Mr Ebulubu stated that he had tested the emergency lighting and it was ok. Fire Protection Officer Ian Grieve asked about the maintenance of the fire fighting equipment and he replied it had been done. I asked Mr Ebulubu to test the emergency lighting as there was no LED showing the battery was being charged on a maintained final exit sign. Mr Ebulubu did not know how to test the emergency lighting and had no key to access and test the emergency lighting. This was established when he sent one of his colleagues up a ladder to test the emergency lighting. Once there the man asked him what to do. Mr Ebulubu could not tell him how to test the emergency lighting. I explained how to test the emergency lighting with a key. I produced my own test key and switched on the emergency lighting units in the premises. This was to satisfy ourselves the emergency lighting worked prior to the opening of the premises. Three emergency lighting units had been painted on the inside of the glass lens with blue paint, thereby reducing their effectiveness and one unit did not work. There were no records available of the testing or maintenance of the emergency lighting in the premises. I then asked about the fire fighting equipment because they were dated 09 and 08. Indicating their last scheduled maintenance was in these years. Mr Ebulubu made no reply. We asked for the fire alarm to be tested. We asked for the fire alarm to be tested. It took 10 minutes for Mr Ebulubu and his colleagues to identify the fire alarm control panel

Signature :



Signature witnessed by :



PTO

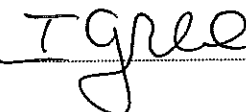
in the premises. Initially it was stated that the intruder alarm and the electrical consumer units were the fire panel. We searched the ground floor, went into the basement and up to the first floor to identify the location. The fire alarm control panel was located behind the bar, in a cupboard by one of his colleagues. We again asked for it to be tested but it was found that there was no key to test the manual call point on the fire alarm system. We were asked to wait whilst they located a key which was not found. They activated the fire alarm by activating the call point breaking the glass and the fire alarm sounded. They were then unable to reset the fire alarm and the manual call point. But they were able to silence the alarm. Fire Protection Officer Ian Grieve explained there was no fire risk assessment, emergency plan, no maintenance or testing of the fire alarm and the emergency lighting, staff training and maintenance of the fire fighting equipment. The fire safety arrangements were not satisfactory. Fire Protection Officer Ian Grieve explained that I would be issuing an enforcement notice for all these deficiencies to both Mr Ebulubu and Juliet Drummond. We then left the premises at 1135am.

At 1110am on Friday 25 May 2012, Fire Protection Officer Ian Grieve and myself, were on duty in uniform walking along Bridge Street Northampton. Outside the Atlantix bar and club we saw Mr Cyril Ebulubu waiting to park his car at the premises. Fire Protection Officer Ian Grieve asked if he had a few minutes for us and replied that he had. He went to park his car and we went into the club. Fire Protection Officer Ian Grieve saw Juliet Drummond talking to an environmental Health Officer. We waited for their conversation to conclude and went back into the club with Mr Cyril Ebulubu. The Environmental health Officer left and we were joined by Juliet Drummond. Fire Protection Officer Ian Grieve said that he wished to talk to him about the enforcement notice that had been served electronically. Juliet Drummond made unsolicited comments that she had been refused TENS Notices for premises in Coventry due to incidents. Mr Cyril Ebulubu stated he had started testing the fire alarm and the emergency lighting producing records of this and some staff training. He stated he arranged for Smiths Fire to maintain the fire alarm and emergency lighting which was booked for Tuesday. Fire Protection Officer Ian Grieve said that these were positive moves. I went through the enforcement notices, the same for both Cyril Ebulubu and Juliet Drummond. I explained the deficiencies and how they may be remedied. Fire Protection Officer Ian Grieve also explained the right to appeal to a magistrates Court within 21 days. Fire Protection Officer Ian Grieve explained the reasons for the issue of the enforcement notices to both. In December 2011 I met with the business partner of Juliet Drummond and assessed the occupancy of the premises. There were a number of fire safety deficiencies which were emailed to her. In March 2012 in company with Police Constable David Bryan, Fire Protection Officer Ian Grieve visited the premises and met with her. There were concerns over planned events which potentially would exceed the occupancy for the

Signature :



Signature witnessed by :



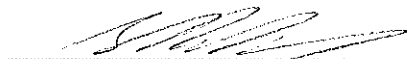
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premises. Fire Protection Officer Ian Grieve said that fortunately she had cancelled the events of concern. Fire Protection Officer Ian Grieve had been trying to contact her by telephone and had left messages. She had changed her phone and I resorted to the email address, to which she responded. Fire Protection Officer Ian Grieve had served the enforcement notice electronically and she agreed that she had received the email. In respect of Mr Cyril Ebulubu he had taken on the management of the premises under a new name advertising a barbeque and being open till 4am. At this time he had no knowledge the fire alarm or emergency lighting were working; he had not considered the occupancy of the premises in the light of the total numbers of people; outside at the barbeque and inside the club; totally new staff were being employed without any knowledge of the emergency plan and staff training; there was no fire risk assessment; no emergency plan and no fire safety arrangements to protect persons frequenting the premises from fire. Fire Protection Officer Ian Grieve had met with him previously at his restaurant following a complaint and made him aware of his responsibilities for fire safety, confirming these in writing via email.

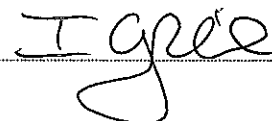
Fire Protection Officer Ian Grieve confirmed the address for Juliet Drummond was now 3 Lisbon Way Coventry CV3 2AQ and for Cyril Ebulubu was 19 Streambank Road Northampton NN3 8YG.

Fire Protection Officer Ian Grieve explained that the Police had objected to the TENS applications for June 2012 on the grounds of Public safety and that Fire Protection Officer Ian Grieve would be attending the hearing to provide the evidence for this matter. Juliet Drummond stated that she had been refused TENS applications for her premises in Coventry due to incidents. Fire Protection Officer Ian Grieve explained that in the nicest possible way I was explaining the course of action and I did not wish to solicit any replies from either person. We thanked them and left the premises.

Signature :



Signature witnessed by :



PTO

## Ian Grieve

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**From:** Ian Grieve  
**Sent:** 02 December 2011 10:05  
**To:** 'jools1234@hotmail.co.uk'; 'chris.going@sky.com'  
**Subject:** Occupancy Calculation and Fire Safety Audit of Flux Bar/Night Club 94 Bridge Street Northampton  
**Attachments:** FB140a Fire Risk Assessment Proforma( blank ).doc; FB140b Fire Risk Assessment Office ( worked example ).doc

Dear Juliet and Chris,

Following my visit to the above premises on 1 December 2011 and our meeting:

### 1. Fire Safety

Chris was unaware whether a fire risk assessment and emergency plan had been prepared for the premises. I remind you of your obligations to complete a fire risk assessment for the premises; emergency plan; maintenance and testing of the fire alarm and emergency lighting; staff training and the provision of fire fighting equipment. I would also ask you to consider the single exit onto Bridge Street is covered by heavy duty drapes. This door must be kept clear of the drapes and also provided with an illuminated exit sign.

### 2. Occupancy of the premises

Utilising guidance from Approved Document B of the Building Regulations I have calculated the maximum occupancy of the premises.

There are currently 4 x designated exits from the premises. The two nearest the DJ Booth fall within 45 degrees of each other and both are therefore counted as one exit. This is because a fire in the DJ Booth would mean these two exits could not be used. We are allowed to discount the largest exit due to fire.

This leaves two fire exits with a total capacity of 361 persons. One exit at 301 persons and the single inwards opening door leading onto Bridge Street 60 persons making the total of 361 persons. Therefore the maximum exit capacity is 361 persons.

The floor space factors equate to 93m <sup>2</sup> at 0.5m per person	= 185 persons
The crush bar is	= 46 persons
The seating area at 1m <sup>2</sup> per person	= 14 persons

This provides a total floor space occupancy of =245

Therefore the **maximum occupancy of these premises** is restricted by the floor space factors (the number of people who can fit in the available floor space) is **245 persons**.

Regards  
Ian Grieve  
Fire Protection Officer

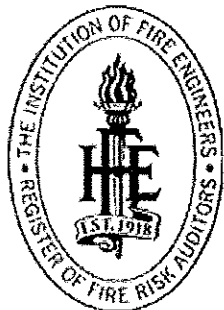
Northamptonshire Fire And Rescue Service  
Walker House  
3 Pondwood Close

Moulton Park  
Northampton  
NN3 6RT

Tel – 01604 797104

Fax – 01604 797140

Email – [igrieve@northantsfire.org.uk](mailto:igrieve@northantsfire.org.uk)





Northamptonshire County Council

Flux Bar/Nightclub  
94 Bridge Street

Northampton  
NN1 1PD

Please ask for: Baz Fox

Tel: 01604 797155

Our Ref: 00100738

Date: 20/12/2011

If you have any difficulty in obtaining the above telephone number please ring (01604) 797000 or email

[enquiries@northantsfire.org.uk](mailto:enquiries@northantsfire.org.uk)

In light of the recent tragic events in Northamptonshire the following information is given to the Responsible person for the premises.

**REGULATORY REFORM (FIRE SAFETY) ORDER 2005 (F.S.O)**

**Fire Risk assessment**

It is the responsibility of the Responsible person to ensure that a Fire Risk Assessment is conducted for the premises.

That assessment must record the significant findings and the actions necessary to rectify those findings.

The assessment for the premises must identify the persons at risk within the premises and therefore should also include the numbers of persons expected to resort in the premises, usually referred to as the 'occupancy figure' or 'occupant capacity'.

**Occupancy figure/occupancy capacity**

It is the responsibility of the Responsible person to ensure this occupancy figure is relevant to the premises and the management arrangements employed are sufficient to ensure the occupancy figure is not exceeded.

This will require calculating the floor space area of the premises and importantly the number, size and location of the emergency exits to ascertain the maximum numbers of persons that should be allowed in the premises as a whole, and include restrictions to certain areas of the premises.

Further specialist advice on how to calculate this figure should be sought from a competent person or information can be found in the Communities and Local Government (CLG) guidance document 'Small and medium places of assembly' and 'Large places of assembly' that can be purchased from your local book store or downloaded free from [www.communities.gov.uk/fire/firesafety/firesafetylaw](http://www.communities.gov.uk/fire/firesafety/firesafetylaw)

Cont/d.



Northamptonshire Fire and Rescue Service  
Headlands  
Kettering  
Northamptonshire  
NN15 6BH  
w. [www.northamptonshire.gov.uk](http://www.northamptonshire.gov.uk)  
f. 01604 797170



## **NOTE FOR CASE**

**Name:**

**Address:** Flux Bar and Club 94 Bridge Street Northampton  
NN1 1PD

**Premises ID:** 00100738

**Date:** 29 March 2012

**Officer:** Ian Grieve

1. At the request of PC Dave Bryan I attended the premises with him and met Juliet Drummond of 144 Cheveral Avenue Coventry. PC Bryan had concerns about the occupancy of the premises with forthcoming nationally advertised events. These being the 'tailpaul' and 'pigpipe' events to be held at the premises. It was known these events had been advertised and coaches were being lain on at Birmingham, Luton, Nottingham and Leicester. The concerns were that the occupancy for the Club was 250 maximum, for safe escape in accordance with current guidance.

2. It transpired she had sublet the premises to a manager to run in her absence. She was in the dark about these events and stated she would cancel them. I asked for the fire risk assessment, she stated that since her business partner had left at short notice she was unaware if one had been completed. She stated she ran two other licensed premises in Coventry and was aware of what was required. I said I would telephone her with a view to conducting a full fire safety inspections due to the manner in which the premise were being managed and my concerns.

Ian Grieve

## **NOTE FOR CASE**

**Name:**

**Address:** Atlantix Bar and Club 94 Bridge Street Northampton  
NN1 1PD

**Premises ID:** 00100738

**Date:** 18 April 2012

**Officer:** Ian grieve

1. the events that were of concern re the potential numbers of person s had been cancelled and did not take place.