



Northamptonshire County Council

By Hand

Mr Cyril Ebulubu
90 Streambank Road
Northampton
NN3 8YG

Please ask for: Ian Grieve
Tel: 01604 797104
Our Ref: 00100738
Your Ref:
Date: 15 May 2012

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

FPS3

Dear Sirs

REGULATORY REFORM (FIRE SAFETY) ORDER 2005
Atlantix Bar and Club 94 Bridge Street Northampton NN1 1PD

The Northamptonshire Fire and Rescue Authority is the enforcing authority under Article 25 of the above legislation.

Following a fire safety audit of the above premises by me on 11 May 2012, I confirm that the matters and steps specified on the attached Schedule need to be carried out to remedy your failure to comply with the above legislation.

The attached Enforcement Notice is a legal requirement against which you have a right of appeal to a Magistrates' Court. Your attention is drawn to the notes that accompany this Notice.

If you are in any doubt as to the obligations placed upon you, or there is any relevant matter upon which you require clarification, you may write to me direct at the address below, or alternatively telephone your enquiry to the inspector named.

Yours faithfully

I Grieve
Ian Grieve
Fire Protection Officer

Enc: Enforcement Notice
Schedule to Enforcement Notice
Notes and Standard Terms and Definitions



Northamptonshire Fire and Rescue Service
Walker House, 3 Pondwood Close, Moulton Park,
Northampton, NN3 6RT
w. www.northamptonshire.gov.uk
f. 01604 797140



**Northamptonshire
County Council**

**NORTHAMPTONSHIRE FIRE AND RESCUE SERVICE
ENFORCEMENT NOTICE**

NOTICE REQUIRING STEPS TO BE TAKEN UNDER ARTICLE 30 OF THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Name: **Mr Cyril Ebulubu**
Premises: **Atlantix Bar and Club**
Address: **94 Bridge Street Northampton NN1 1PD**

I Fire Protection Officer Ian Grieve on behalf of the Northamptonshire Fire and Rescue Authority, hereby give you notice that the Fire and Rescue Authority is of the opinion that, as a person being under an obligation to do so, you have failed to comply with the requirements placed upon you by The Regulatory Reform (Fire Safety) Order 2005 in respect of the above named premises and the persons who may be on the premises or who may be affected by a fire on the premises.

The provisions of the Regulatory Reform (Fire Safety) Order 2005 which have not been complied with are:-

Article 9, 11, 13, 15, 17, 21

The matters which, in the opinion of the Fire and Rescue Authority, result in the failure to comply with the aforementioned provisions of the Regulatory Reform (Fire Safety) Order 2005 are specified in the Schedule to this notice.

The Fire and Rescue Authority is further of the opinion that the steps identified in the schedule to this notice must be taken to remedy the specified failure(s) to comply with The Regulatory Reform (Fire Safety) Order 2005.

Unless the steps identified in the Schedule to this notice have been complied with by 15 August 2012 you will be regarded as not being in compliance with this notice and the Fire and Rescue Authority may consider a prosecution against you. You may, however, apply for an extension to this time limit (see notes).

You have the right to appeal against this notice (see notes), by way of complaint for an order, to the Clerk to the Court of the Magistrates' Court acting for the petty sessions area in which your premises are located. If you wish to bring an appeal, you must do so within 21 days of the date this notice is served on you. The Magistrates' Courts Act 1980 will apply to the proceedings. The bringing of an appeal shall have the effect of suspending the operation of this Enforcement Notice until the appeal is finally disposed of or, if the appeal is withdrawn, until the withdrawal of the appeal.

Date 16/5/2012 Signed I Grieve
(On behalf of and duly authorised by the Fire and Rescue Authority)

**SCHEDULE REFERRED TO IN ENFORCEMENT NOTICE NO 360
REQUIRING STEPS TO BE TAKEN UNDER ARTICLE 30 OF THE REGULATORY REFORM
(FIRE SAFETY) ORDER 2005 ISSUED BY THE NORTHAMPTONSHIRE FIRE AND RESCUE
AUTHORITY ON 15 May 2012**

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

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the Fire and Rescue Authority, need to be taken in order to comply with the Regulatory Reform (Fire Safety) Order 2005.

Note: Notwithstanding any consultation undertaken by the Fire and Rescue Authority, **before** you make any alterations to the premises, **you** may need to apply for approval from either the Local Authority Building Control or an Approved Inspector and/or the approval of any other bodies having a statutory interest in the workplace.

Please be advised that matters detailed under the "**Suggested remedy**" heading(s) are only one method of achieving compliance. If you wish to use a different method to remedy the specified matters you are advised to contact the Fire and Rescue Authority with details of your proposals before commencing work.

SCHEDULE

RISK ASSESSMENT

Deficiency from Article 9 (1)

A Fire Safety Risk Assessment has not been carried out.

Suggested Remedy

A suitable and sufficient fire safety risk assessment should be undertaken and should be made available on the premises. The assessment should cover all significant risks, which may affect any person who may be affected by fire, and should include the means of access and egress from the premises. The assessment should be reviewed at regular intervals, and when a significant change is made.

FIRE SAFETY ARRANGEMENTS

Deficiency from Article 11 (2)

The fire safety arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures have not been recorded where appropriate:

Suggested Remedy

The responsible person must record fire safety arrangements with regards to the nature of his activities and the size of his undertaking, for effective planning, organisation, control, monitoring and review of the preventative and protective measures, where;

- a) he employs five or more employee;
- b) a licence under an enactment is in force in relation to the premises; or
- c) an alterations notice requiring this is in force in relation to the premises.

FIREFIGHTING

Deficiency from Article 13(3) (b)

Inadequate number of competent persons has been nominated to implement fire-fighting measures.

Suggested Remedy

Sufficient number of competent persons is to be nominated to implement fire fighting measures.

PROCEDURES FOR SERIOUS AND IMMINENT DANGER AND FOR DANGER AREAS

Deficiency from Article 15 (1) (a)

Appropriate procedures and safety drills, which are to be followed in the event of serious and imminent danger to persons, are not established.

Suggested Remedy

Suitable and sufficient procedures and safety drills are to be implemented and followed in the event of serious and imminent danger to persons.

MAINTENANCE

Deficiency from Article 17(1)

The manual fire fighting equipment is inadequately maintained.

Suggested Remedy

The manual fire fighting equipment is to be suitably and sufficiently maintained in an efficient state, in efficient working order and good repair. Records should be kept showing testing and maintenance details.

Deficiency from Article 17(1)

The fire alarm system is inadequately maintained.

Suggested Remedy

The fire alarm is to be suitably and sufficiently maintained in an efficient state, in efficient working order and good repair. Records should be kept showing the testing of fire warning systems, including weekly tests and the periodic maintenance by a competent person.

Deficiency from Article 17(1)

The emergency lighting is inadequately maintained.

Suggested Remedy

The emergency lighting is to be suitably and sufficiently maintained in an efficient state, in efficient working order and good repair. Records should be kept showing the testing of emergency lighting, including monthly tests and the annual maintenance by a competent person.

TRAINING

Deficiency from Article 21(2)

The safety training provided to employees is inadequate.

Suggested Remedy:

The responsible person must ensure that the safety training provided -

- a) includes suitable and sufficient instruction and training on the appropriate precautions and actions to be taken by the employee in order to safeguard himself and other relevant persons on the premises,
- b) be repeated regularly,
- c) be adapted to take account of any new or changed risks to the safety of employees concerned,
- d) be provided in a manner appropriate to the risk identified by the risk assessment and
- e) take place during working hours.

**NOTES TO ACCOMPANY ENFORCEMENT NOTICE
SERVED UNDER ARTICLE 30 OF
THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005**

- 1 Application to premises. The Regulatory Reform (Fire Safety) Order 2005, subject to paragraphs 6 (1) (a) to (g) below, applies to any premises.
- 2 The Order does not apply in relation to:-
 - (a) domestic premises;
Note: Where the premises are, or consist of, a house in multiple occupation this Order applies in relation to those parts of the premises which are not domestic premises;
 - (b) an offshore installation within the meaning of regulation 3 of the Offshore Installation and Pipeline Works (Management and Administration) Regulations 1995;
 - (c) a ship, in respect of the normal ship-board activities of a ship's crew which are carried out solely by the crew under the direction of the master;
 - (d) fields, woods or other land forming part of an agricultural or forestry undertaking but which is not inside a building and is situated away from the undertaking's main buildings;
 - (e) an aircraft, locomotive or rolling stock, trailer or semi-trailer used as a means of transport or a vehicle for which a licence is in force under the Vehicle Excise and Registration Act 1994 or a vehicle exempted from duty under that Act;
 - (f) a mine within the meaning of section 180 of the Mines and Quarries Act 1954, other than any building on the surface at a mine, and
 - (g) a borehole site to which the Borehole Sites and Regulations 1995 apply.
- 3 You may appeal (under Article 35 of the Order) against an enforcement notice served (under Article 30 of the Order). The appeal is made, within 21 days from the day on which the notice is served, to the magistrates' court for the area in which your premises is situated and may be brought on the grounds that you think that:-
 - (a) the service of an enforcement notice was based on an error of fact;
 - (b) the service of the enforcement notice was wrong in law, and
 - (c) the Fire and Rescue Authority erred in the exercise of their discretion in serving the enforcement notice.

Without prejudice to the breadth of the grounds of appeal set out in paragraphs (a) to (c) above, examples of situations in which an appeal may lie are where:-

 - (a) You dispute any of the facts in the notice which detail the steps which have to be taken in order to comply any provision of the Order.
 - (b) You think that an unreasonable time period has been set for the taking of the steps set out in the notice.
- 4 The Fire and Rescue Authority may grant, at their discretion, an extension (or further extension) of time specified for the steps to be taken if an appeal against the notice is not pending. Application for an extension of time should be addressed to:- The Chief Officer Northamptonshire Fire and Rescue Service, Moulton Way, Northampton, NN3 6XJ.

- 5 Failure to comply with any requirement imposed by an enforcement notice served under Article 30 of the Order within the time specified in the notice (or such further time as the Fire and Rescue Authority may, at their discretion, grant) is a criminal offence under Article 32(d) of the Order. A person guilty of such an offence shall be liable,
- (a) on summary conviction to a fine not exceeding the statutory maximum; or
 - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years, or both.
- 6 In any proceedings for an offence referred to above, where the commission by any person of an offence under the Order, is due to the act or default of some other person, that person is guilty of the offence, and a person may be charged with and convicted of the offence whether or not proceedings are taken against the first mentioned person.
- 7 Nothing in the Order operates so as to afford an employer a defence in any criminal proceedings for a contravention of those provisions by reason of any act or default of an employee or person nominated to implement measures for fire-fighting and procedures for serious and imminent danger and for danger areas, and appointed to assist him/her in undertaking such preventive and protective measures as necessary.
- 8 Subject to Note 9, in any proceedings for an offence under the Order, except for a failure to comply with Articles 8 (1) (Duty to take general fire precautions) or 12 (Elimination or reduction of risks from dangerous substances), it is a defence for the person charged to prove that he/she took all reasonable precautions and exercised due diligence to avoid the commission of such an offence.
- 9 If you are the responsible person you are under an obligation to comply with the provisions of the Order or of any regulations made under it. If you have failed to comply and you and the Fire and Rescue Authority cannot agree on the measures which are necessary to remedy the failure(s). Under Article 36 of the Order you and the Fire and Rescue Authority may agree to refer the question, as to what measures are necessary to remedy the failure(s), to the Secretary of State for a determination.
- 10 It should be noted that in order to satisfy the Environment and Safety Information Act 1988 the Fire and Rescue Authority is obliged to enter details of any enforcement notice into a register to which the public have access. If you feel that any such entry would disclose secret or confidential trade or manufacturing information then you should appeal in writing to the Authority within a period of fourteen days following the service of the notice.
- 11 To assist with administration procedures, it would be helpful if you could quote the reference number (at the top of this notice) when dealing with the Fire and Rescue Authority.

STANDARD TERMS AND DEFINITIONS

FIRE RESISTING (FIRE RESISTANCE): The ability of a component or construction of a building to satisfy, for a stated period of time, some or all of the appropriate criteria specified in the relevant British Standard.

INTUMESCENT SEALS: A strip of material placed along the door edges (excluding the bottom edge), or frame, that will react to heat by expanding to form a seal to the passage of hot gases and flame.

SMOKE SEAL: A flexible strip of material (often used in conjunction with an intumescent strip) placed along the door edges or frame to limit the spread of cold smoke during the early stages of a fire.

SELF-CLOSING DEVICE: A device which is capable of closing the door from any angle and against any latch fitted to the door. Rising butt hinges are not considered to be satisfactory devices.

AUTOMATIC DOOR RELEASE: A device, linked to (or operated by the sound of) the fire alarm system, that when fitted to a fire resisting self closing door, enables it to be held open during normal working conditions.

EMERGENCY ESCAPE LIGHTING: That part of the emergency lighting system provided for use when the electricity supply to the normal lighting fails so as to ensure that the means of escape can be safely and effectively used at all times.

RISK ASSESSMENT: An organised appraisal of your activities and premises to enable you to identify potential fire hazards, and to decide who (including employees and visitors) might be in danger in the event of fire, and their location. You will then evaluate the risks arising from the hazards and decide whether the existing fire precautions are adequate, or whether more needs to be done. It will be necessary for you to record your significant findings (if you have five or more employees), and to review and revise when necessary.



Northamptonshire County Council

Electronic Delivery

Mrs Juliet Drummond
144 Cheveral Avenue
Coventry
CV6 3HB

Please ask for: Ian Grieve
Tel: 01604 797104
Our Ref: 00100738
Your Ref:
Date: 15 May 2012

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

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Dear Sirs

REGULATORY REFORM (FIRE SAFETY) ORDER 2005
Atlantix Bar and Club 94 Bridge Street Northampton NN1 1PD

The Northamptonshire Fire and Rescue Authority is the enforcing authority under Article 25 of the above legislation.

Following a fire safety audit of the above premises by me on 11 May 2012, I confirm that the matters and steps specified on the attached Schedule need to be carried out to remedy your failure to comply with the above legislation.

The attached Enforcement Notice is a legal requirement against which you have a right of appeal to a Magistrates' Court. Your attention is drawn to the notes that accompany this Notice.

If you are in any doubt as to the obligations placed upon you, or there is any relevant matter upon which you require clarification, you may write to me direct at the address below, or alternatively telephone your enquiry to the inspector named.

Yours faithfully


Ian Grieve
Fire Protection Officer

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Notes and Standard Terms and Definitions



Northamptonshire Fire and Rescue Service
Walker House, 3 Pondwood Close, Moulton Park,
Northampton, NN3 6RT
w. www.northamptonshire.gov.uk
f. 01604 797140



**Northamptonshire
County Council**

**NORTHAMPTONSHIRE FIRE AND RESCUE SERVICE
ENFORCEMENT NOTICE**

NOTICE REQUIRING STEPS TO BE TAKEN UNDER ARTICLE 30 OF THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Name: **Mrs Juliet Drummond**
Premises: **Atlantix Bar and Club**
Address: **94 Bridge Street Northampton NN1 1PD**

I Fire Protection Officer Ian Grieve on behalf of the Northamptonshire Fire and Rescue Authority, hereby give you notice that the Fire and Rescue Authority is of the opinion that, as a person being under an obligation to do so, you have failed to comply with the requirements placed upon you by The Regulatory Reform (Fire Safety) Order 2005 in respect of the above named premises and the persons who may be on the premises or who may be affected by a fire on the premises.

The provisions of the Regulatory Reform (Fire Safety) Order 2005 which have not been complied with are:-

Article 9, 11, 13, 15, 17, 21

The matters which, in the opinion of the Fire and Rescue Authority, result in the failure to comply with the aforementioned provisions of the Regulatory Reform (Fire Safety) Order 2005 are specified in the Schedule to this notice.

The Fire and Rescue Authority is further of the opinion that the steps identified in the schedule to this notice must be taken to remedy the specified failure(s) to comply with The Regulatory Reform (Fire Safety) Order 2005.

Unless the steps identified in the Schedule to this notice have been complied with by 15 August 2012 you will be regarded as not being in compliance with this notice and the Fire and Rescue Authority may consider a prosecution against you. You may, however, apply for an extension to this time limit (see notes).

You have the right to appeal against this notice (see notes), by way of complaint for an order, to the Clerk to the Court of the Magistrates' Court acting for the petty sessions area in which your premises are located. If you wish to bring an appeal, you must do so within 21 days of the date this notice is served on you. The Magistrates' Courts Act 1980 will apply to the proceedings. The bringing of an appeal shall have the effect of suspending the operation of this Enforcement Notice until the appeal is finally disposed of or, if the appeal is withdrawn, until the withdrawal of the appeal.

Date 15 May 2012 Signed I Grieve
(On behalf of and duly authorised by the Fire and Rescue Authority)

**SCHEDULE REFERRED TO IN ENFORCEMENT NOTICE NO 361
REQUIRING STEPS TO BE TAKEN UNDER ARTICLE 30 OF THE REGULATORY REFORM
(FIRE SAFETY) ORDER 2005 ISSUED BY THE NORTHAMPTONSHIRE FIRE AND RESCUE
AUTHORITY ON 15 May 2012**

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

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the Fire and Rescue Authority, need to be taken in order to comply with the Regulatory Reform (Fire Safety) Order 2005.

Note: Notwithstanding any consultation undertaken by the Fire and Rescue Authority, **before** you make any alterations to the premises, **you** may need to apply for approval from either the Local Authority Building Control or an Approved Inspector and/or the approval of any other bodies having a statutory interest in the workplace.

Please be advised that matters detailed under the "**Suggested remedy**" heading(s) are only one method of achieving compliance. If you wish to use a different method to remedy the specified matters you are advised to contact the Fire and Rescue Authority with details of your proposals before commencing work.

SCHEDULE

RISK ASSESSMENT

Deficiency from Article 9 (1)

A Fire Safety Risk Assessment has not been carried out.

Suggested Remedy

A suitable and sufficient fire safety risk assessment should be undertaken and should be made available on the premises. The assessment should cover all significant risks, which may affect any person who may be affected by fire, and should include the means of access and egress from the premises. The assessment should be reviewed at regular intervals, and when a significant change is made.

FIRE SAFETY ARRANGEMENTS

Deficiency from Article 11 (2)

The fire safety arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures have not been recorded where appropriate:

Suggested Remedy

The responsible person must record fire safety arrangements with regards to the nature of his activities and the size of his undertaking, for effective planning, organisation, control, monitoring and review of the preventative and protective measures, where;

- a) he employs five or more employee;
- b) a licence under an enactment is in force in relation to the premises; or
- c) an alterations notice requiring this is in force in relation to the premises.

Deficiency from Article 13(3) (b)

Inadequate number of competent persons has been nominated to implement fire-fighting measures.

Suggested Remedy

Sufficient number of competent persons is to be nominated to implement fire fighting measures.

PROCEDURES FOR SERIOUS AND IMMINENT DANGER AND FOR DANGER AREAS

Deficiency from Article 15 (1) (a)

Appropriate procedures and safety drills, which are to be followed in the event of serious and imminent danger to persons, are not established.

Suggested Remedy

Suitable and sufficient procedures and safety drills are to be implemented and followed in the event of serious and imminent danger to persons.

MAINTENANCE

Deficiency from Article 17(1)

The manual fire fighting equipment is inadequately maintained.

Suggested Remedy

The manual fire fighting equipment is to be suitably and sufficiently maintained in an efficient state, in efficient working order and good repair. Records should be kept showing testing and maintenance details.

Deficiency from Article 17(1)

The fire alarm system is inadequately maintained.

Suggested Remedy

The fire alarm is to be suitably and sufficiently maintained in an efficient state, in efficient working order and good repair. Records should be kept showing the testing of fire warning systems, including weekly tests and the periodic maintenance by a competent person.

Deficiency from Article 17(1)

The emergency lighting is inadequately maintained.

Suggested Remedy

The emergency lighting is to be suitably and sufficiently maintained in an efficient state, in efficient working order and good repair. Records should be kept showing the testing of emergency lighting, including monthly tests and the annual maintenance by a competent person.

TRAINING

Deficiency from Article 21(2)

The safety training provided to employees is inadequate.

Suggested Remedy:

The responsible person must ensure that the safety training provided -

- a) includes suitable and sufficient instruction and training on the appropriate precautions and actions to be taken by the employee in order to safeguard himself and other relevant persons on the premises,
- b) be repeated regularly,
- c) be adapted to take account of any new or changed risks to the safety of employees concerned,
- d) be provided in a manner appropriate to the risk identified by the risk assessment and
- e) take place during working hours.

**NOTES TO ACCOMPANY ENFORCEMENT NOTICE
SERVED UNDER ARTICLE 30 OF
THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005**

1 Application to premises. The Regulatory Reform (Fire Safety) Order 2005, subject to paragraphs 6 (1) (a) to (g) below, applies to any premises.

2 The Order does not apply in relation to:-

- (a) domestic premises;
Note: Where the premises are, or consist of, a house in multiple occupation this Order applies in relation to those parts of the premises which are not domestic premises;
- (b) an offshore installation within the meaning of regulation 3 of the Offshore Installation and Pipeline Works (Management and Administration) Regulations 1995;
- (c) a ship, in respect of the normal ship-board activities of a ship's crew which are carried out solely by the crew under the direction of the master;
- (d) fields, woods or other land forming part of an agricultural or forestry undertaking but which is not inside a building and is situated away from the undertaking's main buildings;
- (e) an aircraft, locomotive or rolling stock, trailer or semi-trailer used as a means of transport or a vehicle for which a licence is in force under the Vehicle Excise and Registration Act 1994 or a vehicle exempted from duty under that Act;
- (f) a mine within the meaning of section 180 of the Mines and Quarries Act 1954, other than any building on the surface at a mine, and
- (g) a borehole site to which the Borehole Sites and Regulations 1995 apply.

3 You may appeal (under Article 35 of the Order) against an enforcement notice served (under Article 30 of the Order). The appeal is made, within 21 days from the day on which the notice is served, to the magistrates' court for the area in which your premises is situated and may be brought on the grounds that you think that:-

- (a) the service of an enforcement notice was based on an error of fact;
- (b) the service of the enforcement notice was wrong in law, and
- (c) the Fire and Rescue Authority erred in the exercise of their discretion in serving the enforcement notice.

Without prejudice to the breadth of the grounds of appeal set out in paragraphs (a) to (c) above, examples of situations in which an appeal may lie are where:-

- (a) You dispute any of the facts in the notice which detail the steps which have to be taken in order to comply any provision of the Order.
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4 The Fire and Rescue Authority may grant, at their discretion, an extension (or further extension) of time specified for the steps to be taken if an appeal against the notice is not pending. Application for an extension of time should be addressed to:- The Chief Officer Northamptonshire Fire and Rescue Service, Moulton Way, Northampton, NN3 6XJ.

- 5 Failure to comply with any requirement imposed by an enforcement notice served under Article 30 of the Order within the time specified in the notice (or such further time as the Fire and Rescue Authority may, at their discretion, grant) is a criminal offence under Article 32(d) of the Order. A person guilty of such an offence shall be liable,
- (a) on summary conviction to a fine not exceeding the statutory maximum; or
 - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years, or both.
- 6 In any proceedings for an offence referred to above, where the commission by any person of an offence under the Order, is due to the act or default of some other person, that person is guilty of the offence, and a person may be charged with and convicted of the offence whether or not proceedings are taken against the first mentioned person.
- 7 Nothing in the Order operates so as to afford an employer a defence in any criminal proceedings for a contravention of those provisions by reason of any act or default of an employee or person nominated to implement measures for fire-fighting and procedures for serious and imminent danger and for danger areas, and appointed to assist him/her in undertaking such preventive and protective measures as necessary.
- 8 Subject to Note 9, in any proceedings for an offence under the Order, except for a failure to comply with Articles 8 (1) (Duty to take general fire precautions) or 12 (Elimination or reduction of risks from dangerous substances), it is a defence for the person charged to prove that he/she took all reasonable precautions and exercised due diligence to avoid the commission of such an offence.
- 9 If you are the responsible person you are under an obligation to comply with the provisions of the Order or of any regulations made under it. If you have failed to comply and you and the Fire and Rescue Authority cannot agree on the measures which are necessary to remedy the failures(s). Under Article 36 of the Order you and the Fire and Rescue Authority may agree to refer the question, as to what measures are necessary to remedy the failure(s), to the Secretary of State for a determination.
- 10 It should be noted that in order to satisfy the Environment and Safety Information Act 1988 the Fire and Rescue Authority is obliged to enter details of any enforcement notice into a register to which the public have access. If you feel that any such entry would disclose secret or confidential trade or manufacturing information then you should appeal in writing to the Authority within a period of fourteen days following the service of the notice.
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RISK ASSESSMENT: An organised appraisal of your activities and premises to enable you to identify potential fire hazards, and to decide who (including employees and visitors) might be in danger in the event of fire, and their location. You will then evaluate the risks arising from the hazards and decide whether the existing fire precautions are adequate, or whether more needs to be done. It will be necessary for you to record your significant findings (if you have five or more employees), and to review and revise when necessary.

Ian Grieve

From: Ian Grieve
Sent: 14 May 2012 07:52
To: jools1234@hotmail.co.uk
Subject: Atlantix Bar and Club 94 Bridge Street Northampton

For Juliet Drummond

Dear Juliet,

Following our meeting at the request of PC David Bryan from Northamptonshire Police on 29 March 2012, I have been telephoning you on 07874 264694 without success.

On this date we discussed our concerns of the occupancy of the premises with a planned events at the premises. These were the Tall Paul and Pigpipe events. This was due to you letting the club to a person to run it in your absence. He had taken on the events for Atmosphere, which had recently closed. Our concerns were the numbers of people that were potentially going to be in your premises. Atmosphere had an occupancy of 650.

I asked about the fire risk assessment for the premises and the associated documentation. You stated that since your partner Chris has left you were unaware of this. I said that I would contact you with a view to conducting a fire safety inspection of the premises.

I have now met your new Partner in business Mr Cyril Ebulubu on Friday 11 May 2012 and there are a number of concerns about fire safety in the premises. Due to the deficiencies I am looking to issue an enforcement notice for these deficiencies and would like to meet with you please.

Please contact me as soon as you can to arrange a time and date we can meet.

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



Police Constable David Bryan
Licensing Officer
Northamptonshire Police
Fish Street
Northampton

Please ask for: Ian Grieve
Tel: 01604 797104
Our Ref: 00100738
Your Ref:
Date: 29 May 2012

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

FPS22

Dear Sir

Licensing Act 2003
Atlantix Bar and Club 94 Bridge Street Northampton NN1 1PD

Please find a statement of evidence from Fire Protection Officer Ian Grieve and supporting evidence in respect of the objection to a 'TENS' application in June 2012 for the above premises on the grounds of Public Safety.

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

Yours faithfully

Fire Protection Officer

Philip Bayliss

From: Bryan David [david.bryan@northants.pnn.police.uk]
Sent: 14 June 2012 12:59
To: Philip Bayliss; Louise Faulkner; igrieve@northantsfire.org.uk
Subject: Review Flux, Northampton.

Dear Mr Bayliss,

I act on behalf of the Chief Officer of Police Mr Lee, in relation to the Review application made by Mr Grieve on behalf of Northants Fire Service I too would like to make representation's.

I was with Mr Grieve when we conducted a joint visit at the premises at the end of March 2012, I was concerned by the management of the premises and the apparent lack of knowledge surrounding a proposed event to held there, not only would this event have attracted more patrons that the premises can cater for, it was also advertised as concluding at 04:00am the premises is only licensed until 03:00am.

In addition Northants Police with the support of Northants Fire Service objected to a T.E.N. at the premises for Saturday the 9th of June 2012, this was upheld at a hearing before the Licensing Sub Committee. Police Officers visited the premises at 03:20am to find music still being played and customers still on the premises, although the premises should close at 03:00am.

It would be more appropriate to make representations at a Review Hearing rather than a prosecution under these circumstances.

Regards

David Bryan Constable 113 | Licensing Officer | Northamptonshire Police

☎ Telephone 101 Ext 8634 | 📠 Facsimile 01604 632645 |

✉ Email david.bryan@northants.police.uk

📍 Address First Floor, 14 Fish Street, Northampton. NN1 2AA

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14/06/2012

