

WEST MIDLANDS FIRE SERVICE

Vij Randeniya OBE MA BA(Hons) MIFireE
A/Chief Fire Officer

Fire Service Headquarters
99 Vauxhall Road Birmingham B7 4HW

Station Commander Nigel Sowden
Oldbury Fire Safety Centre, Old Park Lane, Oldbury, West Midlands,
B69 4PU

Date 27 January 2009
Your Ref
Our Ref STEVEJAMES1.JAN/FIRESAFE/GH/DJ
Tel No 0121 544 7209
Mobile No 07870 993191
Please ask for Graham Hickman
E-Mail graham.hickman@wmfs.net

LEGAL & PROPERTY SERVICES
20 JAN 2009
File No.
Marked To.....

Dear Sir

Licensing Act 2003

Review of Premises Licence – Steve James Snooker, High Oak, Pensnett

I am in receipt of an application from West Midlands Police to review the premises licence which is in force with regards to the above named property. I wish to inform you that this Authority formally wishes to make representations regarding this review, the reasons for which are outlined below.

Following receipt of the application from the Police, this authority carried out an inspection of the above premises. Ineffective fire safety management and poor maintenance of fire preventative and protection measures were apparent. The deficiencies will be dealt with by this authority using its primary legislation, the Regulatory Reform (Fire Safety) Order 2005 (copy of work schedule attached).

This authority is of the opinion that the licensing objective Public Safety has not been adequately promoted and that the public have been placed at increased risk due to this lack of fire safety management.

This Authority submits these representations so that the licensing committee can take these matters into account when determining which course of action it may wish to take in dealing with the review.

Dudley Metropolitan Borough Legal and Property Services
Licensing Office
5 Ednam Road
DUDLEY
West Midlands DY1 1HF

Should you require any further information regarding this matter please contact me at the address given above

Yours faithfully

A handwritten signature in black ink, appearing to read 'G. Hickman', written over a horizontal line.

Graham Hickman
Fire Safety Inspector

Dudley Metropolitan Borough Legal and Property Services
Licensing Office
5 Ednam Road
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Dear Sir

The Regulatory Reform (Fire Safety) Order 2005
Steve James Snooker Club, 5A High Oak, Pensnett

Following an audit of the fire safety arrangements at the above premises on 22 January 2009, I confirm that the deficiencies specified in the attached schedule were identified and the actions required need to be addressed to help you comply with the Order.

You must take suitable measures to effectively address the deficiencies identified in the schedule. *Where you are in any doubt as to the suitability of the measures you intend to take you are advised to seek approval, prior to commencing works, by contacting the officer named in this notification on the telephone number above.*

You should note that failure to comply with the above legislation may result in the issue of an Enforcement Notice.

This letter is issued without prejudice to any legal action which may subsequently be taken regarding the failures to comply with the Order.

A further visit will be made after the 27 March 2009 to ensure that the deficiencies identified have been remedied to the satisfaction of this Authority.

Mr Steve James
Steve James Snooker Club
5A High Oak
Pensnett
Brierley Hill
West Midlands
DY5 4LA

If you require any further information, do not hesitate to contact me on the telephone number given above.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Graham Hickman', with a long horizontal flourish extending to the right.

Graham Hickman
Fire Safety Inspector

Mr Steve James
Steve James Snooker Club
5A High Oak
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Schedule of steps to be taken under The Regulatory Reform (Fire Safety) Order 2005 issued by the West Midlands Fire and Rescue Authority

Where appropriate, a plan may form part of this Schedule to illustrate the steps that, in the opinion of the Fire and Rescue Authority, need to be taken to assist you to achieve compliance with the above Order.

Note: Notwithstanding any consultation undertaken by the Fire and Rescue Authority, before you make any alterations to the premises, you must apply for Local Authority Building Control department approval / Approved Inspector approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.

Any reference to the Order in this schedule is a reference to the Regulatory Reform (Fire Safety) Order 2005.

In order to comply with this notice you should remedy the deficiencies identified below by effecting suitable measures to address the actions required.

Article 8 – Duty to take general fire precautions

Failure to take general fire precautions to ensure the premises are safe for 'relevant persons' who are not your employees.

[Article 8 (1)(b) reference Article 4(1)]

- *Electrical socket outlet damaged giving access to bare wires. Switched electrical socket outlet suspended above snooker table and used as junction box.*
- *Misuse of block and multi-socket adaptors.*
- *There should be sufficient, correctly installed and rated electrical power sockets within the premises, so as to preclude the use of long trailing flexes to portable electrical appliances and/or multi-socket adaptors. Where equipment is suspended, safety chains or other non-combustible means of support should be provided.*

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- *All electrical installations should be regularly inspected by a competent electrical engineer appointed by you, or on your behalf, in accordance with the Electricity at Work Regulations 1989 (EAW Regulations) including portable electrical equipment.*
- *Upholstered seating, floor and wall coverings are in poor condition which would contribute to the spread of fire and smoke.*
- *Wall coverings which are torn/damaged or hanging from the wall to be removed and/or replaced.*
- *Floor coverings which present a trip hazard around emergency exits to be either taped down with high visibility tape or removed/replaced.*
- *Upholstered seating, carpets and other textile floor coverings and underlay should be resistant to ignition.*
- *Specification for the fire performance and testing of furniture and furnishings can be found in the following standards:*
 - *Ignitability of upholstered furniture (including composites of cover material and infill) and loose covers: BS 5852.*
 - *Resistance to ignition of upholstered furniture for non-domestic use: BS 7176.*
 - *Assessment and labeling of textile floor coverings: BS 5287.*
- *No portable liquefied petroleum gas (LPG) heater should be in the premises when members of the public are present.*
- *However, if through the Risk Assessment heating of this type is identified to be used. It must be safe guarded from the public being able to gain access to the controls and valves. The public must also be prevented from moving the heater around the premises.*

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Action required

The Responsible Person must take such general fire precaution measures, as defined in Article 4 of the Order, as may reasonably be required to ensure the premises are safe for 'relevant persons' who are not his employees. With regard to the deficiencies identified, in particular, take;

From Article 4 (1):-

- (a) Measures to reduce the risk of fire on the premises and the risk of the spread of fire on the premises
- (b) Measures in relation to the means of escape from the premises

(Part 2, of the relevant HM Government Fire Safety Risk Assessment Guidance Booklet refers)

Article 9 – Risk Assessment

Failure to make a suitable and sufficient risk assessment.
[Article 9 (1)]

Action required

The Responsible Person must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions which need to be taken to comply with the requirements and prohibitions imposed by or under the Order.

The Responsible Person may appoint one or more competent persons to assist in making the Risk Assessment.

(Part 1, Steps 1 to 5 of the relevant HM Government Fire Safety Risk Assessment Guidance Booklet refers)

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Article 14 - Emergency routes and exits

Failure to ensure that routes to emergency exits from premises and the exits themselves are kept clear at all times.

[Article 14 (1)]

- *Electric cable belonging to adjoining external car wash company preventing use of rear fire exit.*

Action required

The Responsible Person must ensure, where necessary in order to safeguard the safety of relevant persons, that routes to emergency exits from premises and the exits themselves are kept clear at all times.

(Part 2, Section 4 of the relevant HM Government Fire Safety Risk Assessment Guidance Booklet refers)

Article 14 - Emergency routes and exits

Failure to ensure that emergency doors are not locked or fastened so that they cannot be easily and immediately opened in an emergency.

[Article 14 (2) (f)]

- *Several emergency exits fitted with shoot bolts. These must be unlocked when the premises is open for business.*

Action required

To ensure, where necessary to safeguard the safety of relevant persons, emergency doors are not locked or fastened so that they cannot be easily and immediately opened by any person who may require to use them in an emergency.

(Part 2, Section 4 of the relevant HM Government Fire Safety Risk Assessment Guidance Booklet refers)

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Article 17 - Maintenance

Failure to ensure that the premises and/or any facilities, equipment and devices provided in connection with general fire precautions, are suitably maintained.

[Article 17 (1) subject to 17 (2), (3) and (6)]

- *An inspection and maintenance program of the emergency lighting and fire alarm system must be implemented in accordance with the frequency detailed in the relevant standards.*
- *Fire Alarm BS 5839 Part 1 2002 – Weekly Test Annual Service.*
- *Emergency Lighting BS 5266 Part 1 2005 – Monthly Test Annual Service.*
- *All information regarding results of test and any maintenance to be recorded in a Log Book.*

Action required

The Responsible Person must ensure that, where necessary in order to safeguard the safety of relevant persons, the premises and any facilities, equipment and devices provided in respect of the premises under the Order, (or under any other enactment, where they are provided in connection with general fire precautions), are subject to a suitable system of maintenance and are maintained in an efficient state, in efficient working order and in good repair.

(Part 2, Section 8, Appendix A and Appendix B of the relevant HM Government Fire Safety Risk Assessment Guidance Booklet refer)

Mr Steve James
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Mr Jarnail Singh
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