

BARNSELY METROPOLITAN BOROUGH COUNCIL

**Report of the Assistant
Director, Regulatory Services
to the Statutory Licensing
Regulatory Board Sub-
Committee
9th September 2010**

**LICENSING ACT 2003
APPLICATION TO REVIEW A PREMISES LICENCE
CITRUS ROOMS, 6 EASTGATE, BARNSELY, S70 2EX**

1. Background

- 1.1 On the 15th July 2010, Fire Officer Kevin Logan, on behalf of the Chief Fire Officer Mark Smitherman of South Yorkshire Fire and Rescue Service, made an application as a Responsible Authority under the provisions of the Licensing Act 2003 for a review of the premises licence for Citrus Rooms, Eastgate, Barnsley.

A copy of this application is attached as Appendix 1.

- 1.2 Members are requested to determine the application to review the premises licence.
- 1.3 Citrus Rooms, formally known as the Student Union Bar, operates as a bar/nightclub venue and is centrally located within Barnsley Town Centre.

2. Existing Licence

- 2.1 The existing premises licence became effective, following a transitional variation application, on the 24th November 2005. A copy of the licence is attached as Appendix 2.
- 2.2 The premises licence is held by Citrus Trading Limited, 6B Eastgate, Barnsley and Stacey William Ryder is specified as the Designated Premises Supervisor (DPS) for the premises.
- 2.3 The licence includes the following licensable activities and opening times:

a) Live Music (indoors only)

Seven days a week from 10.00 until 05.00 (the following morning)

b) Recorded Music (indoors only)

Seven days a week 10.00 until 06.00 (the following morning)

c) Facility for Making Music (indoors only)

Seven days a week 10.00 until 06.00 (the following morning)

d) Facilities for Dancing (indoors only)

Seven days a week 10.00 until 06.00 (the following morning)

e) Late Night Refreshments (indoors only)

Seven days a week 23.00 until 05.00 (the following morning)

f) Sale of Alcohol (on the premises)

Seven days a week 10.00 until 06.00 (the following morning)

g) Opening Times

Seven days a week 09.00 until 07.00 (the following morning)

2.4 The current licence also contains the following embedded restrictions:

- The maximum permitted number for the premises is: Ground Floor 300 & First Floor 60
- The conditions from the previous Public Entertainment Licence for this premises remain in force as embedded restrictions & a copy of Barnsley Metropolitan Borough Council Standard Conditions are attached.

In addition the following non standard conditions also remain in force:

- The joint fire escape through back yard shall be kept free of debris at all material times;
- Doors & windows to be kept closed whilst entertainment is taking place, except for access and egress;
- Under arrangements for preventing noise nuisance device to be provided for limitation of amplified sound (decibal limiter)
- Entertainment to take place inside the premises only.

3 The Application for a review of the Premises Licence

3.1 On the 15th July 2010, Fire Officer Kevin Logan, on behalf of the Chief Fire Officer Mark Smitherman of South Yorkshire Fire and Rescue Service, made an application as a Responsible Authority under the provisions of the Licensing Act 2003 for a review of the premises licence. The application is made on the following grounds:

- Public Safety

Full details relating to this review application are contained within Appendix 1.

4 Responsible Authorities

4.1 Further comments have been received from Stephen Butler, Senior Environmental Health Officer (Health and Safety) in support of South Yorkshire Fire and Rescue Services' application for review.

4.2 The full details and evidence relating to comments made are contained within Appendix 3 of this report.

5 Interested Parties

5.1 An interested party is defined as:

- (a) a person living in the vicinity of the premises,
- (b) a body representing persons who live in that vicinity,
- (c) a person involved in a business in that vicinity,

- (d) a body representing persons involved in such businesses.
 - (e) a member of the Licensing Authority
- 5.2 With reference to 6.1 (d), a representation has been received from the Jed Nuttall, Company Secretary acting on behalf of Citrus Trading Limited. A copy of this representation along with supporting information is attached at Appendix 4.

6 Options available to Members

- 6.1 In determining this application for a review of the premises licence Section 52 of the Licensing Act 2003 provides that the authority must, having regard to the application and any relevant representations, take such steps mentioned below as it considers necessary for the promotion of the licensing objectives. The steps are:
- (a) to modify the conditions of the licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the designated premises supervisor;
 - (d) to suspend the licence for a period not exceeding three months;
 - (e) to revoke the licence;

7. Compatibility with the European Convention on Human Rights

The decision of the Board will amount to a determination of the Council and the rights of the applicant. Therefore, as far as it is possible to do so, the board must comply with the requirements of Article 6 (the right to a fair trial). This means the applicant should be afforded the right to make oral representations at the meeting.

If Members determine to refuse the application, it is necessary for the reasons to be clearly stated.

8. Financial Implications

Not applicable.

9. List of Appendices

Appendix 1 – South Yorkshire Fire and Rescue Review application

Appendix 2 – Citrus Rooms Premises Licence

Appendix 3 – Health and Safety Comments

Appendix 4 – Citrus Trading Limited Representation

South Yorkshire Fire and Rescue Service

Barnsley District Community Safety Office, Barnsley Fire Station, Broadway, Barnsley S70 6RA.
Telephone: ~~01226 282222~~ 0114 2532871 Fax: 01226 247712

Mark Smitherman
Chief Fire Officer and Chief Executive



UCERSY



With the Compliments of
The Chief Fire Officer



**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 Chief Fire Officer Mark Smitherman

(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

Postal address of premises or, if none, ordnance survey map reference or description Citrus Rooms, 6 Eastgate, Barnsley	
Post town Barnsley	Post code (if known) S70 2EX

Name of premises licence holder or club holding club premises certificate (if known) Mr Jeremy Nuttal

Number of premises licence or club premises certificate (if known)

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

I am 18 years old or over

Please tick yes

☐

**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

Mark Smitherman, Chief Fire Officer,
South Yorkshire Fire and Rescue,
197 Eyre St,
Sheffield,
S1 3FG

Telephone number (if any)

0114 2727202

E-mail address (optional)

cmellors@syfire.gov.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. Duty to take General Fire Precautions

(Article 8 of the Regulatory Reform (Fire Safety) Order 2005)

1.1 Failure

To take such general fire precautions as will ensure the safety of employees and non employees.

Legislation Applicable

Article 8 (1) (a) of the Regulatory Reform (Fire Safety) Order 2005 supported by Article 4, which determines what is meant by general fire precautions.

1.2 Suggested action to remedy failure and Fire Safety Risk Assessment Guide reference

In this Order "general fire precautions" in relation to premises means,

- (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;
- (c) Measures for securing that, at all material times, the means of escape can be safely and effectively used;
- (d) Measures in relation to the means for fighting fires on the premises;
- (e) Measures in relation to the means for detecting fire on the premises and giving warning in case of fire on the premises; and
- (f) (Measures in relation to the arrangements for action to be taken in the event of fire on the premises, including—
- (g) Measures relating to the instruction and training of employees; and
- (h) Measures to mitigate the effects of the fire.

(Part 2 of the Guide refers)

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

SYFR carried out a fire safety audit on the Citrus Rooms on the 12/01/10. The Fire Safety at the Property had been neglected and deteriorated to a seriously poor standard. The Premises were then issued with an Enforcement Notice listing all work required to ensure the Fire Safety Standards. Details are available.

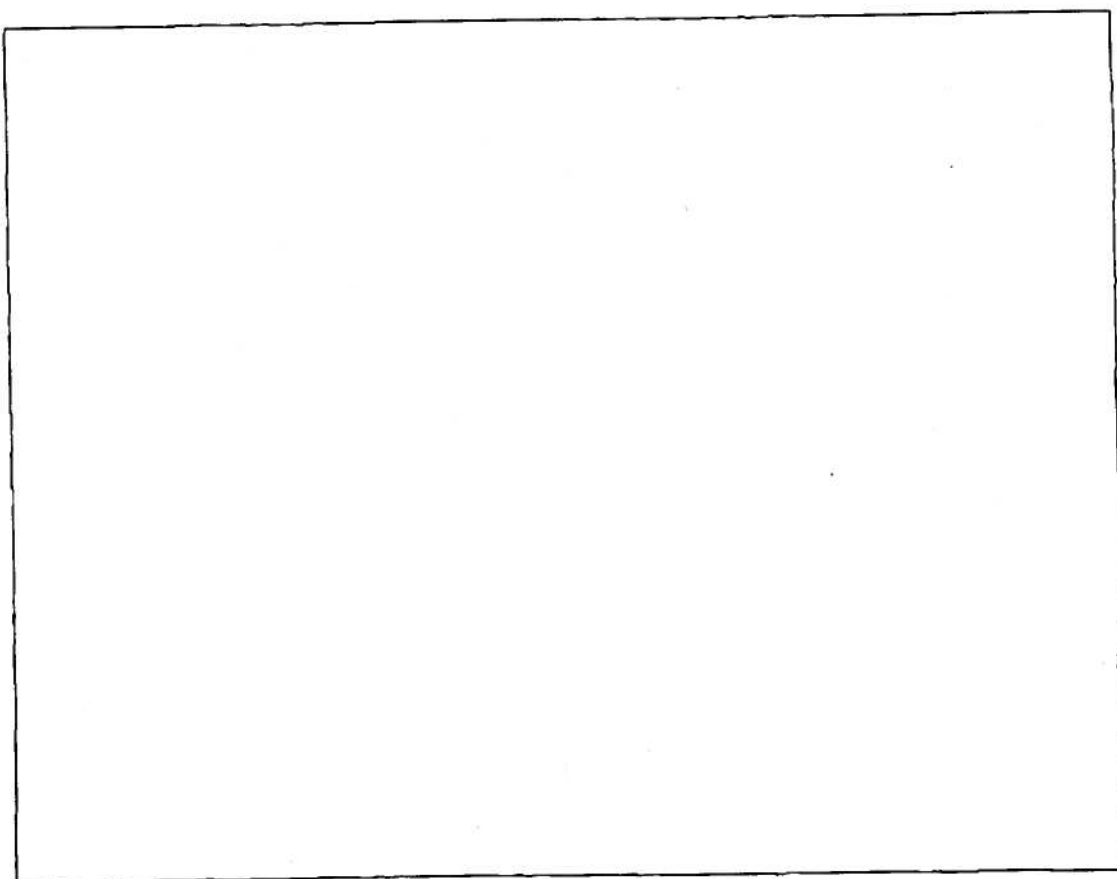
SYFR have been attempting to work with the Citrus Rooms and have extended the Enforcement Notice, twice. The Premises are still well below the acceptable standard required.

SYFR have no confidence in the management in charge of the premises and have begun action to prosecute.

Statements are available of all findings and action taken, by SYFR and SYPolice. (Which include Locked Fire Exits whilst Open to the Public, Faulty Fire Alarm and Emergency Lighting).

Photographs are available of Fire Safety Issues.

Contemporaneous Notes are also available.



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

--	--	--	--	--	--	--	--

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

M. Smith

Date

12/7/10

Capacity Chief Fire 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.

Regulatory Services

Assistant Director: Ken Eastwood, BSc (Hons), MCIEH
PO Box 602, Barnsley, S70 9FB

My Ref: 003782/Premises Your Ref: Date: 25th January 2010

Enquiries To: regulatoryservices@barnsley.gov.uk Tel: (01226) 772468 Fax: (01226) 775699

J Nuttall
Citrus Trading Limited
6B Eastgate
Barnsley
South Yorkshire
S70 2EP

Dear Sir/Madam,

Licensing Act 2003, Sections 42 and 37
Application to Transfer a Premises Licence and Specify DPS
The Citrus Rooms, 6B Eastgate, Barnsley, South Yorkshire, S70 2EP

With regard to the above, I enclose the Premises Licence and Premises Licence Summary.

The premises licence became effective on 24th November 2005.

Under the provisions of the Licensing Act 2003 you may, in certain circumstances, have a right of appeal against some or all of the Licensing Authority's decisions made in respect to your application. Appeals should be made to the Magistrates' Court for the area in which the premises are situated, within twenty one days of receiving the premises licence.

If you need advice on the appeal procedure, you should contact the court, but please note court staff cannot give you legal advice. If you need legal advice, for example about the likely success of an appeal, you should contact a solicitor or a Citizens Advice Bureau immediately.

If you consider there is a mistake in the premises licence or the premises licence summary, the Licensing Authority will correct anything which it accepts as being a clerical mistake. If you believe there is such a clerical mistake, please contact us. This does not affect your right to appeal.

The premises licence will last indefinitely unless it is surrendered or revoked, but will lapse in the event of the death of the holder of the premises licence or upon the licence holder becoming mentally incapable or financially insolvent.

An annual fee is payable on the anniversary of the grant of the licence, unless the premises are a school or community building, e.g. village hall. We will send you a reminder for the payment of the annual fee and advise you of what sum is then payable. The fees are set by Government and may be subject to change.

Finally, there are specific provisions in section 57 of the Licensing Act 2003 concerning the requirements for keeping, displaying and producing the premises licence and premises licence summary whenever the premises are used for any licensable activity authorised by the licence. A brief summary of these requirements is set out below for your convenience:

Premises Licence

The holder of the premises licence must ensure that the premises licence (or a certified copy of it) is kept at the premises and is either in the custody or control of the holder of the premises licence or some other specific person who works at the premises (e.g. manager).

Premises Licence Summary

The holder of the premises licence must ensure that the premises licence summary (or a certified copy of it) is prominently displayed at the premises and, if the premises licence (or a certified copy of it) is in the custody of someone other than the holder of the premises licence, a notice must also be prominently displayed stating the position (e.g. manager) of that person.

Duty to Produce

A police constable or an authorised officer (e.g. a Council licensing officer) may require such person who has custody of the premises licence (i.e. the holder of the premises licence or such other nominated person, as referred to above) to produce the licence for examination.

Offences

The holder of a premises licence commits an offence if they fail to comply with the above requirements relating to a premises licence and / or a premises licences summary. Anyone who has custody or control of the premises licence (i.e. the holder of the premises licence or such other nominated person, as referred to above) commits an offence if they fail, without reasonable excuse, to produce the licence in accordance with a requirement under the above duty to produce. A person guilty of an offence under section 57 is liable on summary conviction to a fine.

If you have any queries on this matter please contact Licensing on 01226 772468.

Yours faithfully,

Jacqueline Dodds
Technical Clerk, Licensing



BARNSELY METROPOLITAN BOROUGH COUNCIL

PREMISES LICENCE LICENSING ACT 2003

Schedule 12 Part A
Regulation 33, 34

Premises Licence Number	003782
Date of Grant	24 th November 2005
Premises Address	The Citrus Rooms 6B Eastgate Barnsley South Yorkshire
Postcode	S70 2EP
Telephone Number	01226 208199
Activities authorised by this licence	
The sale by retail of alcohol The provision of regulated entertainment The provision of late night refreshment	
Times authorised to undertake licensable activities	
Live Music Licensed for live music indoors (see times below): Live music permitted: Seven days a week from 10:00 until 05:00 (the following morning) Recorded Music Licensed for recorded music indoors (see times below): Recorded music permitted: Seven days a week from 10:00 until 06:00 (the following morning) Facility For Making Music Licensed to provide facilities for making music indoors (see times below): Provision of facilities for making music available: Seven days a week from 10:00 until 06:00 (the following morning) Facilities For Dancing Licensed to provide facilities for dancing indoors (see times below): Provision of facilities for dancing available: Seven days a week from 10:00 until 06:00 (the following morning) Late Night Refreshments Licensed to provide late night refreshment indoors (see times below): Provision for late night refreshment available: Seven days a week from 23:00 until 05:00 (the following morning) Supply of Alcohol Supply of alcohol permitted: Seven days a week from 10:00 until 06:00 (the following morning) Licensed for the sale of alcohol for consumption on the premises.	
Conditions consistent with a former Children's Certificate under Section 168A of the Licensing Act 1964	
Not applicable	

Embedded Restrictions	
<p>The maximum permitted number for the premises is: Ground Floor 300 & First Floor 60</p> <p>The conditions from the previous Public Entertainment Licence for this premises remain in force as embedded restrictions & a copy of Barnsley Metropolitan Borough Council Standard Conditions are attached.</p> <p>In addition the following non standard conditions also remain in force:</p> <p>The joint fire escape through back yard shall be kept free of debris at all material times;</p> <p>Doors & windows to be kept closed whilst entertainment is taking place, except for access and egress;</p> <p>Under arrangements for preventing noise nuisance device to be provided for limitation of amplified sound (decibal limiter)</p> <p>Entertainment to take place inside the premises only</p>	
<p>There shall be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises of an adult nature unless they are specified below:</p> <p>None Specified</p>	
Opening Hours of the Premises	
Hours premises are open to the public: Seven days a week from 09:00 to 07:00 (the following morning)	
Whether the supplies of alcohol are for consumption on and/or off the premises	Alcohol-On The Premises
Name, (registered) address, telephone number and email(where relevant) of premise licence holder	<p>Citrus Trading Limited</p> <p>6B Eastgate</p> <p>Barnsley</p> <p>S70 2EX</p>
Registered Number of Company if Applicable	7064801
Designated Premises Supervisor	
<i>(This section will be blank if the licence does not authorise the sale of alcohol)</i>	
Name and Address of the designated premises supervisor	<p>Stacy William Rymer</p> <p>20 Garden House Close</p> <p>Monk Bretton</p> <p>Barnsley</p>
Post Code	S71 2ED
Personal Licence Number and issuing authority of the personal licence held by the designated premises supervisor	<p>037852</p> <p>Barnsley Metropolitan Borough Council</p>

REGULATORY SERVICES TEL: 01226 772468



BARNSELY METROPOLITAN BOROUGH COUNCIL

PREMISES LICENCE SUMMARY

Premises Licence No.	003782
Premises Address:	The Citrus Rooms 6B Eastgate Barnsley South Yorkshire
Postal Code	S70 2EP
Telephone Number	01226 208199
Activities authorised by this licence	
The sale by retail of alcohol	
The provision of regulated entertainment	
The provision of late night refreshment	
Times authorised to undertake licensable activities	
Live Music Licensed for live music indoors (see times below): Live music permitted: Seven days a week from 10:00 until 05:00 (the following morning)	
Recorded Music Licensed for recorded music indoors (see times below): Recorded music permitted: Seven days a week from 10:00 until 06:00 (the following morning)	
Facility For Making Music Licensed to provide facilities for making music indoors (see times below): Provision of facilities for making music available: Seven days a week from 10:00 until 06:00 (the following morning)	
Facilities For Dancing Licensed to provide facilities for dancing indoors (see times below): Provision of facilities for dancing available: Seven days a week from 10:00 until 06:00 (the following morning)	
Late Night Refreshments Licensed to provide late night refreshment indoors (see times below): Provision for late night refreshment available: Seven days a week from 23:00 until 05:00 (the following morning)	
Supply of Alcohol Supply of alcohol permitted: Seven days a week from 10:00 until 06:00 (the following morning) Licensed for the sale of alcohol for consumption on the premises.	
The opening hours of the premises	
Hours premises are open to the public: Seven days a week from 09:00 to 07:00 (the following morning)	
Where the licence authorises supplies of alcohol whether these are for consumption on and/or off premises	
Alcohol-On The Premises	
Granted on: 24 th November 2005	



BARNSELY METROPOLITAN BOROUGH COUNCIL

PREMISES LICENCE

Part B

Premises Licence Number	003782
Name, (registered) address, telephone number and email(where relevant) of premise holder	Citrus Trading Limited 6B Eastgate Barnsley S70 2EX
Registered Number of Company if Applicable	7064801
Name and Address of the designated premises supervisor	Stacy William Rymer Citrus Rooms 6B Eastgate Barnsley
Post Code	S70 2EX
Personal Licence Number and issuing authority of the personal licence held by the designated permises supervisor	037852 Barnsley Metropolitan Borough Council

REGULATORY SERVICES TEL: 01226 772468

ANNEX 1

MANDATORY CONDITIONS

LICENSING ACT 2003

Licence ref no. 003782

1. Supply of alcohol

Where this Licence authorises the supply of alcohol the following conditions will apply:

- No supply of alcohol may be made under the premises licence-
 - at a time when there is no designated premises supervisor in respect of the premises licence, or
 - at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2. Door Supervision

Where this Licence includes a condition that one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

3. Exhibition of films

Where this licence authorises the exhibition of films the following conditions will apply:

- Where any film exhibited has an age restriction classification the admission of children (any person aged under 18) must be restricted in accordance with any recommendation made by the film classification body in respect of the film.

Where the film classification body and or age restriction is not specified in respect of a film or the licensing authority has notified the holder of the licence that this condition applies to the film in question admission of children (any person aged under 18) must be restricted in accordance with any recommendation made by the licensing authority.

ANNEX 2

Conditions consistent with the Operating Schedule

Licence ref no. 003782

Not Applicable

ANNEX 3

Conditions attached after a hearing by the Licensing Authority

Licence ref no. 003782

Not Applicable

ANNEX 4

Plan of the Premises to which this Licence relates:

Plan as per appendix 1
(See attached)

APPENDIX 3

Response to License Review re: The Citrus Rooms

Following the notification of the License Review called by the SYFRS attempts have been made to carry out a health and safety inspection with the new owner of the Citrus Rooms, Citrus Trading Limited, including two abortive meetings on site and two other appointments not kept. Access to the premises has not been granted and to date safety documents have not been made available.

At the first visit on 22 June 2010 an Action List (copy attached) was left identifying the most basic safety documents that should be made available, including risk assessments. To date none of these documents have been provided for inspection or comment and both managers over this period, Nick Selway and Stacy Rymer told Mr Butler that they were not aware of any of their existence or contents.

As such an assumption has been made that they probably do not exist and as such that The Citrus Rooms is not being operated to minimum health and safety standards.

A health and safety improvement notice has now been served along with a covering letter and guidance notes (copies attached) requiring the completion of risk assessments by 22 August 2010.

A summary of the attempts made to inspect premises and documentation is summarised below:

22 June 2010 Manager Nick Selway and Director Adrian Channer seen. Mr Selway is not aware of any risk assessments, safety documentation, or maintenance records and referred me to Adrian Channer. Mr Selway has received no specific H&S training and when questioned was clearly unaware of the legal minimum requirements.

Mr Channer intervened and informed me that the previous owners had not passed on any documentation. He told me that he is currently having the premises rewired. As a substantial part of the electrical system including most of the lights were inoperative an inspection was not possible.

Mr Channer asked me to leave a list of information about what he needed to do. I wrote these down on an inspection report sheet. Mr Selway signed the inspection sheet while he attended to bailiffs who had apparently called unannounced.

6 July 2010 A callminder message left for Nick Selway requesting update on progress.

13 July 2010 An appointment made to meet Promotions Manager Stacey Rymer (as Mr Selway was in the process of leaving the company) and also Director of the company, Adrian Channer on Thurs 22 July 3pm. I spoke with both Mr Rymer and Mr Channer and informed them that I intend to look at progress on the issues written on inspection report and to continue the physical inspection begun on 22 June.

22 July 2010 Visited The Citrus Rooms as appointed but no-one present. I took 4 photographs that show the shutter down and glasses left on the tiled step.

28 July 2010 I rang Adrian Channer. He claimed that he thought that I had met with Stacy Rymer. I told him that the premises were locked and shutters down - I asked how to contact people on site. He said that that is a problem. A new appointment was made for Mon 2 Aug at 11am when both men should be present.

2 August 2010 Visited as per appointment made with Adrian Channer. Stacy Rymer seen but he was waiting to see someone from the insurance company and was not expecting me.

Mr Rymer told me that Mr Channer was 'held up in Sheffield'. He was not aware of any H&S documentation, has not seen any and has not been told about any by Mr Channer or trained in H&S.

Mr Rymer told me that he thinks that Mr Channer may be present this afternoon. I wrote on a piece of paper provided by Mr Rymer that I will visit this afternoon at 2pm and asked Mr Rymer to pass on to Mr Channer that will expect to see risk assessments and other safety documents.

2 August 2010 I visited at 2pm but premises locked and lights off. A note on the floor (presumably fallen off the door) for the 'insurance guy' asked to call Stacy on his mobile phone number. I rang this number but no reply, eventually tripped to answerphone. I rang again and left a message for Stacy asking for him or Mr Channer to ring me.

2 August 2010 I telephoned Adrian Channer. It rang out to a Vodaphone messaging service. I left a message asking Mr Channer to ring me asap as I am now considering serving an improvement notice.

3 August 2010 Spoke with Stacy Rymer on his mobile phone. I told him that I will be serving the notice by posting to both the Citrus Trading Limited registered office (address confirmed) and at the Citrus Rooms. He confirmed that there is a letter box to the right of the door.

Mr Rymer rang back and asked me to email the list of certificates to him. I emailed my inspection report and a copy of the notice with its covering letter to Mssrs Rymer and Channer. The improvement notice was served by recorded delivery and also posted by hand into the letterbox at The Citrus Rooms.

6 August 2010 I visited Citrus Rooms for 12 noon appointment made with Mr Rymer at his convenience. The shutters were down and there was no sign of activity. At 12:20 I telephoned Mr Rymer who admitted to having forgotten. I suggested that he speak with Mr Channer and arranges another appointment with me asap. I took a photo of the lowered shutter.

No further communication has been received.

Stephen Butler
9 August 2010

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West Yorkshire, WF2 9SW

HEALTH AND SAFETY INSPECTION REPORT

JOB NO.

REGULATORY SERVICES

P.O. BOX 602, BARNSELEY, S70 9FB. Telephone 01226 772468 Fax 01226 775699

INSPECTING OFFICER DETAILS	
Name	Stephen Rafter
Position	Senior EHO
Telephone	01226 772468 or 773863
Date & Time	22 June 2010
E-mail	regulatoryservices@barnsley.gov.uk

INSPECTION DETAILS	
Person Seen	Adnan Channer
Job Title	Director
Areas Inspected	None - Electrics not working at ov.
Safety Rep	None. Seen Y/N

BUSINESS DETAILS		Employees on site	In organisation
Business Name	Citrus Trading Ltd	T/A	Citrus Rooms
Address	8 Eastgate		
	Barnsley		
Telephone	077875 34692	Mobile	← Nick Selway
E-mail		Website	
			Postcode S70 2EX
			Fax

GOOD HEALTH & SAFETY PRACTICE OBSERVED

REQUIREMENTS & RECOMMENDATIONS TO IMPROVE HEALTH & SAFETY

Listed below are the findings of the inspecting officer and a timescale for completion of these actions. Legal requirements must be carried out to comply with health & safety law. Actions marked R are not specifically required by law but are advice on good practice to reduce risk.

Number	ACTION LIST If you wish to carry out alternative remedial action please discuss this with the officer.	Legal Standard Required (see Codes overleaf)	Guidance Issued or Signposted Y/N	To be completed by (date)
1	Carry out risk assessments	2	UK	7/7/10
2	Create an action plan	2	gov.uk	7/7/10
3	Carry out a noise at work assessment	11	HSE.gov.uk	1/9/10
4	Carry out a manual handling assessment, COSHH assessment and asbestos assessment	4, 12 & 19	HSE.gov.uk	1/9/10
5	Obtain statutory test certificates: gas, electric	15 & 16	WMB	7/7/10
	For advice please see WWW.HSE.GOV.UK or contact me			

Leaflet 'What to expect when a health and safety inspector calls' issued

Y/N

FURTHER ACTION BY INSPECTOR (please tick)	Improvement Notice	Prohibition Notice	Additional Letter	Further Visit	Copy to Head Office

Please sign to acknowledge receipt of this report and the guidance leaflets indicated.
A copy of this report may also be given to your employees or their representative.

Officer's Signature
Recipient's Signature

TOP - EMPLOYER'S COPY MIDDLE - OFFICE COPY BOTTOM - EMPLOYEE'S/SAFETY REP'S COPY

NOTES FOR THOSE RECEIVING A HEALTH AND SAFETY INSPECTION REPORT

The **Health and Safety Inspection Report** overleaf refers to findings of the health and safety officer during the inspection of the workplace detailed in the section headed '**Business Details**'.

Listed under the section headed **Action List** are things that you must do and some that you might find helpful.

Legal Requirements

These are actions that you must take to comply with the health and safety legislation indicated. If you fail to carry out these actions by the dates as indicated you may be subject to further legal action.

Recommendations

These are actions which are not *specifically* required by health and safety legislation but which you are advised to take to reduce risks and avoid potential problems in the future. Carrying out these actions represents good practice. You will not be subject to further action if you do not follow these recommendations.

- Please note that it remains your duty to identify, assess and control all risks to yourself, your employees and others who may be affected by your work.
- Failure of an officer to mention a hazard or identification of things that you do well does not imply full compliance with all legislation.
- Failure of the inspecting officer to refer to any specific legal requirement does not imply that the officer is of the opinion that you are complying with that legislation.
- If you wish to carry out alternative remedial measures or are in any way unclear about the requirements you are strongly advised to contact the officer using the contact details listed overleaf before taking action.
- If you are unhappy about any aspect of the inspection, you should follow the procedures in the leaflet 'What to expect when a health and safety inspector calls'.

If you need advice on any aspect of health and safety ring **HSE's Infoline**:

Tel: 0845 345 0055 Fax: 0845 408 9566 e-mail: hse.infoline@natbrit.com

or visit the following websites: www.barnsley.gov.uk/healthandsafety or www.hse.gov.uk

If you need to contact us about a specific workplace in the Barnsley area contact Regulatory Services:

Tel: 01226 772468 e-mail: regulatoryservices@barnsley.gov.uk

NOTES FOR THOSE RECEIVING A HEALTH AND SAFETY INSPECTION REPORT

1	Health and Safety at Work (etc) Act 1974
2	Management of Health and Safety at Work Regulations 1999
3	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
4	Manual Handling Operations Regulations 1992 (as amended)
5	Provision and Use of Work Equipment Regulations 1998
6	Pressure Systems Safety Regulations 2000
7	Health and Safety (Information for Employees) Regulations 1989
8	Health and Safety (First Aid) Regulations 1981
9	Workplace (Health Safety and Welfare) Regulations 1992
10	Lifting Operations and Lifting Equipment Regulations 1998
11	Control of Noise at Work Regulations 2005
12	Control of Substances Hazardous to Health Regulations 2002 (as amended)
13	Health and Safety (Display Screen) Equipment Regulations 1992
14	Personal Protective Equipment at Work Regulations 1992
15	Gas Safety (Installation and Use) Regulations 1998
16	Electricity at Work Regulations 1989
17	Employers Liability (Compulsory Insurance) Act 1969
18	Work at Height Regulations 2005
19	Control of Asbestos Regulations 2006
20	Health Act 2006
21	Smokefree Regulations 2006 and 2007
22	Byelaws made under the Local Government (Miscellaneous Provisions) Act 1982 (as amended)
R	Recommended good practice (not a legal requirement)

Premises Inspection Record

Job Number

Inspecting Officer	Steven Butler		
Date & Time	22 June 13:00	Areas Inspected	
Person(s) Seen	Nick Edwards	Safety Rep	Seen Y/N
Job Title	Gen Manager		

Trading name	Citrus	Employees on site	~15	In organisation	15
Business Name	Citrus Trading Ltd	7A Citrus Rooms			
Address					
Telephone		Mobile		Postcode	570 2EX
Email				Fax	
				Website	

H&S
RA
NAW } Mrg not aware

Training - None

Adrian Channer - a little bit irate
6 months

Mr Channer concerned - gave his history

No gas and electric cuts - with prev. owners

Rewire in progress. Kev Logan

Electrical dist board seen

NAW -

Health & Safety Inspection Sheet

Safety Management		Present?	Comments		
Safety Policy (or management arrangements if <5 emps.)					
Risk Assessments	General				
	COSHH				
	DSE				
	Manual Handling				
	Working at height				
	Workplace	safe site			
	Transport	safe vehicle safe driver			
Maint./ inspection arrangements	Other				
	Fork Lift Trucks				
	Hoists / Lifts				
	Pressure				
Other Equipment					
Consultation with employees					
Accident record / RIDDOR					
Emergency Procedures (fire, bomb etc) First Aid					
Public Risk					
Control of Contractors					
Staff Training (Induction, ssow, young persons)					
Employers Liability Insurance					
Health and Safety Law Poster					
Lone Workers / Confined Spaces					
Violence at Work					
Workplace					
Lighting (inc emergency lighting)					
Temperature / Ventilation					
Electrical (structural / PAT)					
General Condition of Premises / Space / Room					
Storage of Waste					
Welfare Facilities (toilets, rest areas)					
Fire Safety					
Work Equipment / Plant					
Type:	1	2	3	4	5
Risks					
Maintenance					
Suitability					
Training					
Guarding					
Controls					
Stability					
General					
Occupational Health Issues					
Dust					
Fumes					
Noise					
Disease					
PPE					
Asbestos					
Legionella					
Ergonomics					

Regulatory Services
Assistant Director: Ken Eastwood, BSc (Hons), MCIEH
PO Box 602 BARNSELEY S70 9FB

My Ref: RS/SRB/IN/0810

Your Ref:

Date: 3 August 2010

Enquiries To: regulatoryservices@barnsley.gov.uk

Telephone: (01226) 772468

Fax: (01226) 775699

Dear Sirs,

HEALTH AND SAFETY AT WORK ETC ACT 1974

IMPROVEMENT NOTICES RE: THE CITRUS ROOMS 6B EASTGATE BARNSELEY S70 2EP

I refer to my inspection 22 June 2010 and subsequent revisit on 2 August 2010 of The Citrus Rooms, 6B Eastgate, Barnsley S70 2EP which I understand is owned by you.

I have found it necessary to serve an improvement notice requiring you to carry out risk assessments. What you must do is detailed on the notice and should be read carefully along with the attached notes which detail how to appeal.

The notice must be complied with by 22 August 2010.

Relevant guidance relating to risk assessment can be found by visiting

www.hse.gov.uk/riskassessment

www.hse.gov.uk/business/getting-started

www.hse.gov.uk/risk/casestudies/nightclub

Please contact me using the details at the letterhead as soon as possible if you are considering alternative actions to those set out in the schedules to the notices or if you have any other concerns or are considering an appeal. You may also contact my Line Manager, Mrs Fiona Pollitt on (01226) 772476.

All enforcement action carried out by the service is in accordance with the Regulatory Services enforcement policy. Copies are available on request.

A copy of this letter and the improvement notice should be displayed on a staff notice board.

Yours faithfully

Stephen Butler

Senior Environmental Health Officer (Health & Safety)

Enclosures: Improvement notice, notes and appeal booklet
Example risk assessment for a nightclub

Citrus Trading Limited
Union Forge
39 Mowbray Street
Sheffield
S3 8EN

Copy to:

The Citrus Rooms
6B Eastgate,
Barnsley
S70 2EP

CITRUS TRADING LIMITED
CITRUS ROOMS, 6 EASTGATE, BARNSELY S70 2EX
CRN: 07064801

Licensing Department
 Barnsley MBC
 PO Box 602
 Barnsley S70 9FB



1 August 2010

Dear Sirs

Application by South Yorkshire fire and rescue ("SYFR") to review the licence at the Citrus Rooms, 6 Eastgate Barnsley, S70 2EX ("the Premises").

I should be grateful if you would accept this letter as our formal response to the Application made by SYFR for the Council to review the licence at the Premises. Attached is a bundle of documents to which we shall refer. I am the Company Secretary of Citrus Trading Limited ("the Company") and am duly authorised to make this statement on its behalf. I will say as follows:-

Respondent:

The Premises Certificate is held by Company whose registered office is at Union Forge, 39 Mowbray Street, Sheffield S3 8EN. Telephone: 0114 276 9090.

Background

I understand that the Premises were once the student union building and they were acquired by Mr Keiron Armstrong ("Mr Armstrong") in 2001. Mr Armstrong undertook a comprehensive scheme of remodelling of the Premises to include removing a large part of the first floor to create a large void. I am told by Mr Armstrong that at that time Planning Permission and Building Regulations were granted for the works for which a full 5-year NIC certificate for the electrical works and fire alarm were produced.

Mr Armstrong operated the Premises up until 1 December 2009 when a lease was granted to the Company. The Company acquired the staff from Mr Armstrong.

At the time Mr Armstrong made numerous representations regarding the running of the Premises and the documentation that was in place. The relevant ones for this matter were:-

1. That the Fire Officer had carried out a full and detailed inspection of the Premises in August 2009 (just 3 months prior to the grant of the lease) and the Fire Officer had indicated that the Premises were satisfactory. The Fire Officer gave no indication that anything required doing to the Premises.

2. That the manager and staff were fully trained in issues of public safety, Health and Safety issues and management of the Premises.

Events in December 2009

The Premises operates on just 3 nights per week, Wednesday, Friday and Saturday. As such, the Premises are not staffed full time.

On the morning of Friday 18 December 2009 the Mr Kevin Logan the Fire Officer called in at the Premises and spoke to Mr Stacey Rhymer, the manager who was at the Premises. Mr Logan carried out an inspection of the Premises and identified an area that he considered to require improved emergency lighting.

Mr Logan went on to insist that if the works were not carried out that day he would prevent the Premises opening that evening. The significance of the date is that for many it was the last working day before Christmas (commonly known as "Mad Friday"). Being forced to close that day would inevitably mean that the Premises would have been closed throughout the Christmas period.

The manager was unable to get hold of the director of the Company or I. He used his initiative and after several attempts was able to persuade an electrician to come and install an additional emergency light in the Premises to satisfy Mr Logan.

Mr Logan did not request any other works carrying out.

Inspection in January 2010.

Mr Logan visited the Premises again in January (I understand this was 12 January 2010). This was not an arranged appointment so no officer of the Company was present. Mr Logan met with Mr Rhymer and carried out a full inspection of the Premises.

Following this inspection the Fire Officer did not issue any documentation whatsoever. No list of the "items" was provided and it appears that the Fire Officer relied entirely on Mr Rhymer to recall what was said to him regarding any identified "defects".

I am informed by Mr Rhymer that his recollection of the inspection was that the Fire Officer had only made asked him to get a push bar on the rear doors and that some of the settees in the rear room made it cluttered.

The impression of Mr Rhymer from that inspection was that overall the Fire Officer did not have any undue concerns regarding the Premises.

If the Fire Officer had serious concerns then these should have been itemised and set out in writing. Not to do is unfair to the Company.

Enforcement Notice

Following the inspection of 12 January 2010 no real opportunity was given to carry out any works. The Fire Officer issued an Enforcement Notice on 20 January 2010 (Just 4 working days after the inspection).

The Fire Officer chose to invoke a Statutory Procedure rather than issue a list of items to be rectified and give the Company, as a recent new owner of the Premises, a reasonable opportunity to carry them out.

I was informed on 26 January 2010 that the Enforcement Notice had been served. I immediately contacted the SYFR and Mrs Elaine Etherington e-mailed me a copy of the enforcement notice on 27 January 2010.

The Notice was in legal format and from my reading of it I could not readily define the items that the Fire Officer considered required attention. I therefore contacted Mr Logan.

In the telephone conversation he started to go through a list of the items he had identified as requiring attention. I made notes but I wanted to ensure that the Company had an "action list" of all items that required attention so that they could be dealt with methodically.

I also recall asking him why he had not provided a written list at the inspection. Mr Logan indicated that "he thought Stacey [Mr Rhymer] would remember". I indicated that perhaps this was unfair in that the Fire Officer had identified a long list of fairly minor items such as a "loose socket on wall" and if he had itemised all this to Mr Rhymer on the inspection it would have been a lot to remember.

I requested that the Fire Officer attend a meeting on site with me and the director. The aim of this meeting was that it would enable a comprehensive list to be created to ensure that every concern of the Fire Officer was addressed.

Inspection 25 February 2010

Mr Logan and his colleague, whose name I do not recall attended a meeting at the Premises on 25 February 2010 where a full inspection of the Premises was carried out.

I made notes of the points raised and discussed. Following the meeting I typed these notes up and forwarded them by e-mail and post and asked Mr Logan to confirm that they covered all of the points that he required rectifying.

Attached to this statement at pages 1 to 3 of the schedule is a copy of the list I prepared together with my covering letter. This list is quite extensive having 31 separate items some of which were major items.

I would comment as follows:-

1. All of the items on the list have been completed but the FO has not been to inspect the premises again. At pages 4 to 7 is a further copy of the list on which I have marked the action taken.
2. Without exception **ALL** of the items identified as defects by the FO existed prior to the Company taking a lease of the Premises on 1 December 2009. The majority of these (eg 8.1 exposed timber and 4.1 - Push bar) I am informed by Mr Armstrong have been in existence since the Premises were refurbished some 9 years ago!
3. The FO carried out a full inspection in August 2009 and made no comment about these alleged defects. I am informed that the FO has carried out annual inspections before that.

The FO has stressed two points on the list that he considers to be of the greatest importance;

1. Push bar on rear door (point 4.1) This door had never had a push bar on it for 9 years (9 annual inspections by the FO):
2. "5 year fixed wiring NIC test" This is a major exercise, hence only being required once every 5 years. I am informed by Mr Armstrong that the FO visited the Premises every year. On no occasion did he require the NIC test. This will have been due from 2006. The FO chose to overlook this on 4 annual visits.

At pages 8 to 19 of the schedule is a copy of the report of the 5 year fixed wiring NIC test.

I believe that the FO has continually failed in his duty over the last 9 years by not requiring the items now identified by him to be defects to be rectified on each of his annual visits. By representing to Mr Armstrong in August 2009 that all was well he has severely prejudiced the position of the Company.

Communications with Fire Service

At page 20 is attached a copy of an e-mail I sent to the FO on 10 March 2010. In this I ask about the annual inspections and ask for copies of the report prepared of the August 2009 inspection.

The reason I ask for the "log" of the visit is that the FO has indicated to me that at the inspection in August 2009 a full inspection was not carried out all that happened was that a "log" was signed by the then operator of the premises (Mr Armstrong) confirming that all was in order.

Mr Armstrong has indicated that the FO carried out a full inspection, which to me is the more credible representation as it is the duty of the FO to inspect premises rather than rely on operators to self-certify.

I have not had a response to this e-mail.

At pages 21 to 23 is a copy of my letter of 19 April 2010 I have sent to the Chief Fire Officer complaining about the heavy-handed approach of Mr Logan.

At page 24 is a copy of my letter of 9 July 2010 again to the Chief Fire Officer chasing a response to my letter of complaint.

I am astounded not to have received a response to these letters.

Conclusion

I fail to see what SYFR are seeking to achieve by this Application save as a smokescreen to cover up the fact that they have been lax in their inspections.

The premises were not regarded as "defective" when a full inspection was carried out. The Company has paid a considerable amount of money to Mr Armstrong for the grant of a lease and the action of the SYFR will prejudice the viability of this business.

Kind regards

Yours faithfully


J Nuttall
Company Secretary.

CITRUS TRADING LIMITED

UNION FORGE, 39 MOWBRAY STREET, SHEFFIELD S3 8EN

CRN: 07064801

TEL: 0114 276 9090

**Kevin Logan Esq
Barnsley Fire Station
Broadway
Barnsley S70 6RA**

25 February 2010

By post and e-mail

Dear Mr Logan

Citrus Rooms

I refer to your visit to the premises this morning and now attach a list of items highlighted. I think this covers all of the points we discussed but would appreciate your comments on it.

As you are aware, since the service of the notice considerable steps have been taken by us to progress the issues. The electrician is yet to report but I expect this early next week with a view to them starting on upgrading the emergency lighting system immediately.

As we have discussed the company only took over the premises (1 December 2009) and I am shocked at the apparent enormity of the work that needs to be done. The vast majority of the points you have raised have been that way for a good number of years and are not recent occurrences.

Clearly someone from the previous ownership has misrepresented the state of affairs (as recently as August 2009) and your colleagues have taken those representations in good faith.

i am writing to ask for a short extension of time to allow all of the works to be completed to a satisfactory standard. I would ask for 14 days. Of course, in your inspection next week you will see that good progress will be made.

Yours sincerely

**Jed Nuttall
Citrus Trading Limited**

CITRUS ROOMS BARNSELEY
Fire Officer Requirements
25 February 2010

- 1. General**
 - 1.1. Electrical wiring – Electrician to carry out a "5-year fixed wiring test" and recommend any upgrades/ replacement required.
 - 1.2. Emergency lighting – Electrician to carry out a full report on the system and it to be upgraded particularly in certain areas such as the back of downstairs bar and upper room.
 - 1.3. Fire Alarm – Electrician to carry out a full report and to provide confirmation that when triggered the alarm silences the sound equipment.
 - 1.4. PAT Testing of all portable equipment and replacement of any that fail.
 - 1.5. General Housekeeping – several areas that still need tidying out of clutter.
- 2. Gas cylinders**
 - 2.1. Specific well ventilated storage to be provided for the propane cylinders. The store to the rear of the outside decking is to be used to store cylinders away from smoking area.
- 3. Staircases**
 - 3.1. Stairs to upper room and to the rear entrance to have paint or tape applied to the nosings in bright colour.
- 4. Rear Door**
 - 4.1. Push bar to be fitted to rear door.
- 5. Entrance area**
 - 5.1. Exposed wood to the reception desk to be plasterboarded or painted in Class "O" intumescent paint.
 - 5.2. Small store to right hand of the entrance door to be cleared of remaining clutter. In particular, the area around the post-box metal box to be kept clear of combustible material.
- 6. Cellar**
 - 6.1. Any holes to be filled with expanding foam.
 - 6.2. Clutter to be removed.
- 7. Main Room**
 - 7.1. Emergency lighting to rear of the bar to be improved (Point 2)

- 7.2. Confirmation that any paintwork is in water-based paints
- 7.3. Flight of stairs to the side Emergency Exit to have bright paint/ tape applied to the nosings.
- 7.4. Socket loose on wall
- 7.5. Break glass in glass wash area to be highlighted/ better emergency lighting in the area
- 8. **DJ area**
 - 8.1. Exposed woodwork to be painted in Class "Q" intumescent paint
- 9. **Rear Room**
 - 9.1. Emergency lighting to be improved (Point 2)
 - 9.2. The excess of furniture/ settees have been removed.
- 10. **Rear Entrance/ electrical room**
 - 10.1. Door to electrical room to be checked closing properly.
 - 10.2. Move extinguisher into electrical room (provided staff have access)
 - 10.3. Ensure any coat hanging rails are removed and this room is not used as a cloakroom.
 - 10.4. Check emergency lighting (Point 2).
- 11. **Upstairs Room**
 - 11.1. Check batteries to emergency lighting (Point 2)
 - 11.2. Co2 extinguisher to be at the DJ stand
 - 11.3. Remove locking bolt to the door to the terrace
 - 11.4. Add break glass point at exit (Point 2)
 - 11.5. Plasterboard hole in ceiling in small office
- 12. **Courtyard**
 - 12.1. Bins to be kept in locked store away from public.
- 13. **Staff Training/ Awareness**
 - 13.1. FRA to be carried out together with training of staff on signalling of alarms, exiting customers from building and summoning fire officers.

CITRUS ROOMS BARNLEY
Fire Officer Requirements
25 February 2010

1. General

- 1.1. Electrical wiring – Electrician to carry out a "5-year fixed wiring test" and recommend any upgrades/ replacement required.

Action: 5 year fixed wiring test carried out and certificate issued.

- 1.2. Emergency lighting – Electrician to carry out a full report on the system and it to be upgraded particularly in certain areas such as the back of downstairs bar and upper room

Action: Completed; See point 1.1

- 1.3. Fire Alarm – Electrician to carry out a full report and to provide confirmation that when triggered the alarm silences the sound equipment.

Action: The alarm silences the sound equipment when triggered

- 1.4. PAT Testing of all portable equipment and replacement of any that fail.

Action: Tests carried out all of fridges to downstairs bar failed. All failed items replaced with new.

- 1.5. General Housekeeping – several areas that still need tidying out of clutter.

Action: This was in course of action prior to visit. Clutter amounting to 3 skips cleared out and disposed of.

2. Gas cylinders

- 2.1. Specific well ventilated storage to be provided for the propane cylinders. The store to the rear of the outside decking is to be used to store cylinders away from smoking area.

Action: Propane gas had previously been stored in yard area for many years. A secure, lockable area has been constructed to house cylinders.

3. Staircases

- 3.1. Stairs to upper room and to the rear entrance to have paint or tape applied to the nosings in bright colour.

Action: The stairs have never previously had any bright colour on the nosings. Yellow tape has now been applied to the nosings

4. Rear Door

- 4.1. Push bar to be fitted to rear door.

Action: Push bar fitted.

5. Entrance area

- 5.1. Exposed wood to the reception desk to be plasterboarded or painted in Class "O" intumescent paint.

Action: The reception desk was constructed in 2001 with exposed woodwork. This has now been boxed in with plasterboard/ painted.

- 5.2. Small store to right hand of the entrance door to be cleared of remaining clutter. In particular, the area around the post-box metal box to be kept clear of combustible material.

Action: Clutter cleared.

6. Cellar

- 6.1. Any holes to be filled with expanding foam.

Action: Holes filled

- 6.2. Clutter to be removed.

Action: Removed

7. Main Room

- 7.1. Emergency lighting to rear of the bar to be improved (Point 2)

Action: See point 1.1 above

- 7.2. Confirmation that any paintwork is in water-based paints

Action: All repainting has been done in water based paints

- 7.3. Flight of stairs to the side Emergency Exit to have bright paint/ tape applied to the nosings.

Action: Tape applied

- 7.4. Socket loose on wall

Action: Socket refixed

- 7.5. Break glass in glass wash area to be highlighted/ better emergency lighting in the area

Action: Break glass now highlighted.

8. DJ area

- 8.1. Exposed woodwork to be painted in Class "O" intumescent paint

Action: Woodwork now boxed in.

9. Rear Room

- 9.1. Emergency lighting to be improved

Action: Point 1.1

- 9.2. The excess of furniture/ settees have been removed.

Action: All of loose furniture in rear room removed.

10. Rear Entrance/ electrical room

- 10.1. Door to electrical room to be checked closing properly.

Action: door repaired to close properly

- 10.2. Move extinguisher into electrical room (provided staff have access)

Action: Moved

- 10.3. Ensure any coat hanging rails are removed and this room is not used as a cloakroom.

Action: Rail removed

- 10.4. Check emergency lighting (Point 2).

Action: See Action on point 1.1 above

11. Upstairs Room

- 11.1. Check batteries to emergency lighting (Point 2)

Action: See Action on point 1.1 above

- 11.2. Co2 extinguisher to be at the DJ stand

Action: In place

- 11.3. Remove locking bolt to the door to the terrace

Action: removed

- 11.4. Add break glass point at exit (Point 2)

Action: See point 1.1

11.5. Plasterboard hole in ceiling in small office

Action: Now completed

12. Courtyard

12.1. Bins to be kept in locked store away from public.

Action: Access to courtyard now restricted

13. Staff Training/ Awareness

13.1. FRA to be carried out together with training of staff on signalling of alarms, exiting customers from building and summoning fire officers.

Action: Staff in process of undergoing training.

ELECSA

**PERIODIC INSPECTION REPORT FOR
AN ELECTRICAL INSTALLATION**
(Requirements for Electrical Installations - BS 7671
IEE Wiring Regulations)

DETAILS OF THE CLIENT

Name: CITRUS ROOMS

Address: 6 EASTGATE BARNLEY
S70 2FX

PURPOSE FOR WHICH THIS REPORT IS REQUIRED

This Periodic Inspection Report must be used only for reporting on the condition of an existing installation.

To assess the condition of the installation in relation to current standards.

DETAILS OF THE INSTALLATION

Occupier: CITRUS TRADING LTD

Address:

Description of Premises:

Domestic

Commercial: ☒

Industrial

Other

Estimated age of the Electrical Installation:

17

Years

Evidence of Alterations or Additions:

Yes

If "yes" estimated age:

6

Years

Date of previous inspection:

Electrical Installation Certificate No: or previous
Periodic Inspection report No:

Records of installation available:

Records held by:

EXTENT OF THE INSTALLATION AND LIMITATIONS OF THE INSPECTION AND TESTING

Extent of the Electrical Installation covered by this report:

THE WHOLE PREMISES

Agreed Limitations (including the reasons), if any, on the inspection and testing

NONE

This inspection has been carried out in accordance with BS 7671:2008, as amended. Cables concealed within trunking and conduits, or cables and conduits concealed under floors, in roof spaces and generally within the fabric of the building or under ground have not been inspected.

DECLARATION

We, being the person(s) responsible for the inspection and testing of the electrical installation (as indicated by our signature(s) below, particulars of which are described above, having exercised reasonable skill and care when carrying out the inspection and testing, hereby Certify that the information on this report, including the observations and the attached schedule, provides an accurate assessment of the condition of the electrical installation taking into account the stated extent of the installation and the limitation of the inspection and testing.

We further declare that in our judgement, the said installation was overall in fair Condition at the time of the inspection we carried out, and that it should be further inspected as recommended.

INSPECTION, TESTING AND ASSESSMENT BY:

REPORT REVIEWED AND CONFIRMED BY:

Signature:

Signature:

Name: (CAPITALS) NASTON

Name: (CAPITALS)

Date(s) of the inspection: 2/12/18

Overall assessment of the installation: Satisfactory

(Entry should read either 'Satisfactory' or 'Unsatisfactory')

SCHEDULES AND ADDITIONAL PAGES

Schedule of Items Inspected and Schedule of Items tested:
Page No. 4Additional pages, including additional source(s)
data sheets: Page No(s): 8Schedule of Circuit Details for the installation:
Page No(s):Schedule of Test Results for the installation:
Page No(s): 8

The pages identified here form an essential part of this report. The report is valid only if accompanied by all the schedules and additional pages identified above.

NEXT INSPECTION

We recommend that this installation is further inspected and tested after an interval of not more than 3 YRS

Provided that any items at F which have been attributed a Recommendation Code 1 and 2 (require urgent attention) are remedied without delay and as soon as possible respectively. Items which have been attributed a Recommendation Code 3 should be actioned as soon as practicable (see F).

DETAILS OF ELECSA APPROVED PERSON

Trading Title: ASTON ELECTRICAL SERVICES

Address: 53 high st.
Royston
Barnsley

Postcode:

Telephone number: 07962218484

Fax number:

Registration number

3 0 9 4 1

Branch number: EPP

(If applicable)

SUPPLY CHARACTERISTICS AND EARTHING ARRANGEMENTS

Tick boxes and enter details, as appropriate

System Type(s)	Number and Type of Live Conductors		Nature of Supply Parameters			Characteristics of Primary supply Overcurrent Protective Device(s)	
	AC	DC	Nominal Voltage U (V)	415	V	BS(EN) 88	SS
TN-S	✓						
TN-C-S	1-phase (2 wire)	1-phase (3 wire)	Nominal frequency f (1)	50	Hz	Type	BS88 Fuse HRC - Type gG
TN-C	2-phase (3 wire)	3-phase (3 wire)	Prospective fault current (2/3)	2.1	kA	Rated current	100 A
TT	3-phase (4 wire)	✓ 2 pole	External earth fault loop impedance Z _e (3/4)	0.15	Ω	Short-circuit capacity	40 kA
IT	3 pole	other	Number of supplies	1		(3) where more than one supply, the higher or highest value	
	Other (Please state)		NOTES: (2) by enquiry or by measurement			(4) by measurement	

PARTICULARS OF INSTALLATION AT THE ORIGIN

Tick boxes and enter details, as appropriate

Means of earthing		Details Installation Earth Electrode (where applicable)			
Distributor's facility: ✓	Type: (eg rod(s), tape etc)	Location:	Maximum Demand:	kVA/Amps	
Installation earth electrode	Electrode resistance, RA: Ω	Method of measurement:	Protective measures against electric Shock:		
Main Switch or Circuit Breaker		Earthing and Protective Bonding Conductors			
Type (BS(EN))	60947-3 Isolator	Voltage Rating	415 V	Earthing conductor	Conductor csa 10 mm ²
No of Poles	3	Rated current I _n	100 A	Conductor material	Copper Continuity check ✓ (✓)
Supply	Copper	RCD operating	N/A mA	Bonding of extraneous-conductive parts (✓)	

Position: ELECTRICIAN

(Registered Qualified Supervisor for the approved contractor at J)

Date: 24/8/10

Date: 24/6/10

OBSERVATION AND RECOMMENDATIONS FOR ACTIONS TO BE TAKEN

Referring to the attached Schedule of Inspection and Test Results and subject to the limitations:

There are no items adversely affecting electrical safety,
or

The following observations and recommendations are made. **yes**

[illegible]

NOTE: If necessary, continue on additional page(s), which must be identified by the Periodic Inspection Report serial number and page number(s).

† Where observations are made, the Inspector will have entered one of the following codes against each observation to indicate the action (if any) recommended.

1. 'requires urgent attention' or 2. 'requires improvement' or
2. 3. 'requires further investigation' or 4. 'does not comply with BS 7671:2006'

Urgent remedial work recommended for items:

Corrective action(s) recommended for items: 1,2,3, 4,5,6 & 7

SUMMARY OF THE INSPECTION

General condition of the installation:

INSTALLATION TESTS GOOD , REQUIRES POINTS ABOVE TO BE IMPROVED

Note: If necessary, continue on additional page(s) which must be identified by the Periodic Inspection Report serial number and page number(s).

conductors: material		current I _{Δn}		Gas service	n/a	Lighting
Supply conductors: cbs	25	mm ²	RCD operating time (at I _{Δn})	N/A	ms	Water service Oil service
						Structural steel Other service(s)

SCHEDULE OF ITEMS INSPECTED

PROTECTIVE MEASURES AGAINST ELECTRIC SHOCK

Basic and fault protection

N/A SELV

N/A PELV

Basic protection

✓ Insulation of live parts

✓ Barriers and enclosures

✓ Obstacles

N/A Placing out of reach

N/A Double or Reinforced insulation

Fault Protection (Automatic disconnection of supply)

✓ Presence of earthing conductors

✓ Presence of circuit protection conductors

✓ Presence of main equipotential conductors

N/A Presence of earthing arrangements for combined protective and functional purposes

N/A Presence of adequate arrangements for alternative sources(s), where applicable

N/A FELV

N/A Choice and setting of protective and monitoring devices

N/A Non-conducting location:
Absence of protective conductors

N/A Earth free equipotential bonding:
Presence of earth free equipotential bonding conductors

✓ Electrical separation
for one item of current using equipment

✓ Electrical separation
for more than one item of current using equipment

Additional protection
(For use in controlled supervised conditions only)

✓ Presence of residual current device(s)

X Presence of supplementary bonding conductors

Prevention of mutual detrimental influences

N/A Proximity of non-electrical services and other influences

N/A Segregation of band I and band II circuits or band II insulation used

N/A Segregation of safety circuits

Identification

X Presence of diagrams, instructions, circuit charts and similar information

✓ Presence of danger notices and other warning signs

✓ Labelling of protective devices, switches and terminals

✓ Identification of conductors

Cables and conductors

✓ Selection of conductors for current-carrying capacity and volt drop

✓ Erection methods

N/A Routing of cables in prescribed zones

✓ Cables incorporating earthed armour or sheath or run in an earthed wiring system or protected against nails, screws and the like

✓ Additional protection by a 30mA for cables concealed in walls (where required in premises not under the supervision of skilled or instructed persons)

✓ Connection of conductors

✓ Presence of fire barriers, suitable seals and protection against thermal effects

✓ General
Adequacy of access to switchgear and other equipment

✓ Presence and correct location of appropriate devices for isolation and switching

N/A Particular protective measures for special installations and locations

✓ Connection of single pole devices for protection or switching in phase conductors only

✓ Correct connection of accessories and equipment

N/A Presence of under voltage protective devices

N/A Selection of equipment and protective measures appropriate to external influences

N/A Selection of appropriate functional switching devices



To indicate that an inspection or test has been carried out and the result is satisfactory

To indicate that an inspection or test has been carried out and the result was unsatisfactory

N/A

N/V

To indicate that an inspection or test has not been carried out following agreed limitations of inspection or testing

To indicate the inspection or test is not applicable

To indicate that details could not be verified

SCHEDULE OF ITEMS TESTED

✓	External earth loop impedance, Z_e	✓	Basic protection against direct contact by barrier or enclosure provided during erection
✓	Installation earth electrode resistance, R_s	N/A	Insulation of non-conducting floors or walls
✓	Continuity of protective conductors	✓	Polarity
✓	Continuity of ring circuit conductors	✓	Earth fault loop impedance Z_s
✓	Insulation resistance between live conductors	N/A	Verification of phase sequence
✓	Insulation resistance between live conductors and earth	✓	Operation of residual current devices
✓	Protection by separation of circuits	✓	Functional testing of assemblies
		✓	Verification of voltage drop

TEST INSTRUMENTS USED

Earth fault loop impedance	8665110
Insulation resistance	8665110
Continuity	8665110
RCD	8665110
Other	N/A
Other	N/A

NOTES FOR RECIPIENT

THIS CERTIFICATE IS A VALUABLE DOCUMENT AND SHOULD BE RETAINED FOR FUTURE REFERENCE

This Periodic Inspection Report form is intended for the reporting on the condition of an existing electrical installation.

You should have received an original Certificate and the contractor should have retained a duplicate. If you were the person ordering this report, but not the owner of the installation, you should pass this Report, or a full copy of it, immediately to the user.

The original Report is to be retained in a safe place and be shown to any person inspecting or undertaking further work on the electrical installation in the future. If you later vacate the property, this Report will provide the new owner with the details of the condition of the electrical installation at the time the Report was issued.

The 'Extent and Limitations' box should fully identify the extent of the installation covered by this Report and any limitations on the inspection and tests. The contractor should have agreed these aspects with you and any interested parties (Licensing Authority, Insurance Company, Building Society etc) before the inspection was carried out.

The Report will usually contain a list of recommended actions necessary to bring the installation up to the current standard. For items classified as 'requires urgent attention', the safety of those using the installation may be at risk, and it is recommended that a competent person undertake the necessary remedial work without delay.

For safety reasons, the electrical installation will need to be inspected at appropriate intervals by a competent person. The maximum time interval recommended before the next inspection is stated in the Report under "Next inspection."

DISTRIBUTION BOARD DETAILS (Continued, if required)

Type of wiring	Reference method	Number of points served	Circuit conductors		Max. Disconnection time permitted (s)	Overcurrent device			I _{sc} mA	Maximum permitted Z _s Ω	Circuit impedances Ω				Insulation resistance				Polarity	Maximum measured Z _s Ω	RCD				
			Live (mm ²)	CPC (mm ²)		Type BS EN	Rating (A)	Short circuit capacity (kA)			All circuits (At least one column to be completed)	Ring final circuits only (Measured end to end)	I ₁	I ₂	I _n	R ₁ , R ₂	Z _n	Phase/Phase to N Ω			Phase/Phase to PE Ω	Neutral/Earth to N Ω	At 100 mA	At 30 mA	At 6 x 10 mA

63 Amp sockets	10	40	10	0.4	25	25	0.4	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
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DISTRIBUTION BOARD DETAILS

DB DB2	Z_s at this board (Ω): 0.24	I_n at this board (kA): 1.0	Main switch type BS EN 60898-1 BS EN reference:	125 Amps	Supply conductors: 10 mm ²	Earth: mm ²
BOOTH UPSTAIRS			Supplied from: MAINS	No. Of phases: Single	Supply protective device type: BS EN 60898 MCB Type B BS EN reference:	Rating: Amps
Distribution board location:						

TEST RESULTS

[illegible]

DISTRIBUTION BOARD DETAILS																								
DB ref.:	DB3	Z _s at this board (Ω):	0.22	I _n at this board (kA):	1.1	Main switch type	sec-2 isolator	Rating: 100 Amps	Supply conductors: 25 mm ²	Earth: 16 mm ²														
Distribution board location: UPSTAIRS		Supplied from: Main Board		No. Of phases:		Supply protective device type: BS EN 60898 MCB Type B		Rating: 63 Amps																
TEST RESULTS																								
Circuit Reference	Circuit designation	Type of wiring	Reference method	Number of points served	Circuit conductors		Disconnection time permitted (s)	Overcurrent protection			RCD	Maximum permitted Z _s Ω	Circuit impedances Ω			Insulation resistance				Polarity	Maximum measured Z _s Ω	RCD		
					Live (mm ²)	CPC (mm ²)		Type BS EN	Rating (A)	Short circuit capacity (kA)			I _{Δn} mA	Ring final circuits only (Measured end to end)	I ₁	I ₂	I ₃	R ₁ , R ₂	R ₀				Phase Phase M Ω	Phase Neutral M Ω
1A	DIMMER PACK NO. 1	A	B	1	0	4	0.4	6000 Type B	32	10		1.10			0.20		1000	1000	1000	✓	0.40		At 100 ms	At 5 x 100 ms
1Y	SPARE																							
1B	SPARE																							
2R	LIGHTS 4EM	A	B	10	1.0	1.0	0.4	6000 Type B	32	10	0.13			0.20		1000	1000	1000	✓	1.00				
2Y	HEATER NO.1 STEPS	A	B	1	0	4	0.4	6000 Type B	32	10	1.10			0.04		1000	1000	1000	✓	0.5				
3R	DIMMER NO.2	A		1	0	4	0.4	6000 Type B	32	10	1.10			0.21		1000	1000	1000	✓	0.50				
3B	SOCKETS THIS ROOM	A		0	2.5	1.5	0.4	6000 Type B	32	10	1.10			0.19	0.4	1000	1000	1000	✓	0.42				
3Y	SPARE																							
3B	1st Floor Lights	A		0	1.0	1.0	0.4	6000 Type B	32	10	0.13			0.21		1000	1000	1000	✓	1.10				
4R	SPARE																							
4B	OUTSIDE LIGHTS	A		2	1.0	1.0	0.4	6000 Type B	32	10	1.10			1.04		1000	1000	1000	✓	1.32				
4Y	SPARE																							

DISTRIBUTION BOARD DETAILS

[illegible]

DISTRIBUTION BOARD DETAILS

DB DB4	Z _s at this board (Ω): 0.23	I _n at this board (kA): 1.0	Main switch type BS EN reference:	Rating: 100 Amps	Supply conductors: 10 mm ²	Earth: 10 mm ²
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Distribution board location: CELLAR	Supplied from: Main Board	No. Of phases: Three	Supply protective device type: MCB Type B BS EN reference: BS EN 60808	Rating: 40 Amps
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CIRCUIT DETAILS

TEST RESULTS

Circuit Reference	Circuit designation	Type of wiring	Reference method	Number of points served	Cable conductors		Max. Disconnection time permitted (s)	Overcurrent device				RCD	Circuit impedances Ω				Insulation resistance				Polarity	Maximum Measured $Z_s \Omega$	RCD																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
					Live (mm ²)	CPC (mm ²)		Type BS EN	Rating (A)	Short circuit capacity (kA)	kA mA		Ring final circuits only (Measured end to end)	R_1	R_2	R_n, R_c	R_p	Phase /Phase N Ω	Phase /Neutral N Ω	Phase /Earth N Ω			Neutral /Earth N Ω	As 100 ms	At 5 x 100 ms																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
1R	RECEPTION LIGHTS	A	B	12	1.0	1.0	0.4	6000 Type B	6	10	0.12	0.12																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													

DISTRIBUTION BOARD DETAILS

[illegible]

CITRUS TRADING LIMITED
CITRUS ROOMS, 6 EASTGATE, BARNSELEY S70 2EX
CRN: 07064801

The Chief Fire Officer
South Yorkshire Fire and Rescue
197 Eyre Street
Sheffield S1 3FG

19 April 2010

Dear Sir

Citrus Rooms, 6 Eastgate, Barnsley ("the Premises")

I am writing to you in respect of recent enforcement action your organisation has taken against this company in respect of the Premises.

The Premises are a night club. Historically, I understand that it was the Student Union building but it was acquired in around 2001 by Mr Keiron Armstrong and substantial works were carried out in altering the internal layout to its present format.

On 1 December 2009 our company took a lease of the Premises from Mr Armstrong. In negotiations with Mr Armstrong prior to taking the lease we were assured by him that all of the required permissions and certificates were in place and that the Fire Officer had inspected the Premises as recently as August 2009 (just 4 months prior) and passed them for their use.

It came as a huge surprise therefore to have the Fire Officer, Mr Kevin Logan come into the Premises on Friday 18 December 2009 (Being the Friday before Christmas) and insist that further emergency lighting be installed immediately failing which we would not be allowed to open.

Our manager reacted swiftly to this demand and was able to locate a local electrician who was prepared to carry out this job on the last working day before Christmas.

This inspection was followed by a further inspection by Mr Logan who set out an extensive list of works. Mr Logan did not produce a list of the items that he considered required doing (which I find somewhat strange) so I had to produce the list and send it to Mr Logan for him to confirm that the list encompassed the items that required doing.

A copy of my list of these works is attached. You will see that it is a long list of many items. I would point out that we have moved very quickly and the majority of the items have been done and we are making good progress on the main item which is a fixed 5 year wiring inspection and any necessary work that this inspection reveals.

Jeremy Nuttall

From: Logan Kev [KLogan@syfire.org.uk]
Sent: 11 March 2010 17:11
To: Jeremy Nuttall
Cc: Hinchliffe Katrina
Subject: RE: Citrus Rooms

Hi Jed, if possible I will be in town fri morning to check on progress at the citrus rooms. I will check on the certs. Just after 9 would be good?
Regards Kev Logan

From: Jeremy Nuttall [mailto:jednuttall@hotmail.com]
Sent: 10 March 2010 06:07
To: Logan Kev
Cc: 'Adrian Channer'
Subject: Citrus Rooms

Afternoon Kevin

Just a quick note to let you know that the electrician is on with the report/ schedule of works on the 5 year fixed wiring test. Can you confirm when you will be visiting again?

The electrician has indicated that there is no evidence that the wiring has been tested at any time since 2001 (there were inspection stickers from 2001)

Can you let me know from your files:-

1. If you have in the past been supplied with any certificates and if please let me have a copy;
2. Provide a copy of the "log" that was signed by the owners of the building in August 2009 when your colleague visited.

Kind regards

Jed Nuttall

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In respect of the 5-year test we have appointed an electrician who has inspected the wiring of the Premises and indicated that there is substantial work required to bring the wiring up to a standard on which they would be prepared to produce a certificate.

Turning now to what is the thrust of our complaint which is as follows:-

1. I am informed that the last time an electrical certificate was issued on the premises was 2001. This was after the completion of substantial remodelling works by Mr Armstrong. I assume Planning Permission and Building Regulations together with Fire Officer approval were required at that point. I am somewhat surprised that your organisations did not require sight of the 5 year test in 2006 nor in the 4 annual inspections that followed it.

I would appreciate your comments on this apparent lapse.

2. The items identified by Mr Logan have not occurred in the short period from 1 December 2009 (when this company took the lease). I would say that all of them are long-standing issues. In this regard I would point out items such as woodwork not plaster-boarded that has clearly not been covered since 2001.

It appears to me that there has been a continual failure on the part of your organisation in annual inspections which has allowed the individual issues to build up.

I would appreciate your comments in respect of this point. In particular in respect of the August 2009 inspection of which I am informed by Mr Armstrong that one of your officers, Kevin (I am not sure of his surname).

3. Heavy-handed approach; This company only took over the lease on 1 December 2009. 17 days later Mr Logan was threatening to close the club if an emergency light was not fitted immediately that day.

The Enforcement notice was served within 7 weeks of that. I feel that the attitude of Mr Logan is that all of the issues are of our doing when clearly they have built up over many years and as a result of the failure on your point to monitor the situation over the past 9 years and perhaps a too-relaxed relationship with Mr Armstrong.

Again, I would appreciate your comments on this point.

To conclude, we are responsible operators and the safety of our customers is paramount. We have carried out the vast majority of the items identified and are endeavouring to resolve the remaining ones. That said, this is a new business and we had entered into the lease on representations that all was in

order and we had not budgeted for the considerable costs that we are now to incur as a result of your officers demands.

You must appreciate the commercial reality of this which is not helped by your officer threatening Court proceedings that would attract indicated fines of £20,000.00.

In the circumstances, I look forward to hearing from you in early course.

Kind regards

Yours faithfully

Jeremy Nuttall LLB
Company Secretary
Citrus Trading Limited

CITRUS TRADING LIMITED
CITRUS ROOMS, 6 EASTGATE, BARNSELY S70 2EX
CRN: 07064801

The Chief Fire Officer
South Yorkshire Fire and Rescue
197 Eyre Street
Sheffield S1 3FG

9 July 2010

By e-mail, Fax and Post

Dear Sir

Citrus Rooms, 6 Eastgate, Barnsley ("the Premises")

I refer to my letter of 19 April 2010 to which I do not appear to have received the courtesy of a response. I enclose a further copy with enclosures for your information.

Given that your organisation now appears to have issued an Application to the Council to review the licence (although I have not been served with a copy of this Application) I would now appreciate your substantive response to our complaint without further delay.

In this regard please note my direct contact details for your response are as follows:-

Ph: 0114 276 9090

Fx: 0114 2767720

E-mail Jed@Tribeka.co.uk

Kind regards

Yours faithfully

Jeremy Nuttall LLB
Company Secretary
Citrus Trading Limited

