

Notice of Meeting



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Supplemental Items for the Licensing Sub-Committee

**Wednesday, 17 January, 2024 at 10.00
am**

In the Council Chamber, Council Offices,
Market Street, Newbury

Link to the Livestream - <https://www.youtube.com/watch?v=sOn4SGXEDaw>

Members Interests

Note: If you consider you may have an interest in any Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: 9 January 2024

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

If you require further information about this Agenda, or to inspect any background documents mentioned in the reports, please contact Ben Ryan (Democratic Services Officer).via email benjamin.ryan1@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



To: Councillors Phil Barnett, Nigel Foot and Stephanie Steevenson

Substitute: Councillor Owen Jeffery

Agenda

Part I

Page No.

- (1) **Application No. 22979 - Reloaded Nightclub, 7 Wharf Street, Newbury, RG14 5AN** 3 - 34
- Proposal:** An application for a premises licence to be granted under the Licensing Act 2003
- Location:** Reloaded Nightclub, 7 Wharf Street, Newbury, RG14 5AN
- Applicant:** Reloaded Nightclub Limited

Sarah Clarke.

Sarah Clarke
Service Director: Strategy and Governance

If you require this information in a different format or translation, please contact Ben Ryan on telephone (01635) 503973.



Licensing Sub-Committee Report

Reloaded Nightclub, 7 Wharf Street, Newbury RG14 5AN(Application Number 22979)

Type of Application:	New Premise Licence
Parish/ Town Council:	NEWBURY TOWN COUNCIL
Ward Members:	Councillor Martin Colston, Councillor Louise Sturgess
Case Officer:	Riley Timney, Licensing Officer
Portfolio Holder:	Councillor Lee Dillon
Service Director:	Clare Lawrence

1. Purpose of the Report

- 1.1. To set out the background information pertaining to this Licensing Application.

2. Recommendation to Licensing Sub-Committee

- 2.1. Options available to Members are to:-

- (a) Grant the application for a premises licence subject to such conditions as are consistent with the operating schedule accompanying the application and to decide whether to modify any of those conditions to such extent as is considered appropriate for the promotion of the licensing objectives and subject to any mandatory condition.
- (b) Refuse to specify a person in the licence as the Designated Premises Supervisor.
- (c) Exclude from the licence any of the licensable activities to which the application relates.
- (d) Reject the application for a premises licence.

Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.

3. Introduction and Background

- 3.1. On 03 November 2023, an application was received by the Council on behalf of Reloaded Nightclub Limited, 62 Bartholomew Street, Newbury, RG14 7BE, for a new premises licence for Reloaded Nightclub, 7 Wharf Street, Newbury, RG14 5AN.
- 3.2. The application was validated on the 03rd November 2023 and the consultation process begun on 04th November 2023 and ran until 01st December 2023.
- 3.3. Members of the Licensing Sub-Committee are asked to determine the application as the Licensing Authority has received representations stating that the grant of this application would

undermine the prevention of crime and disorder, the prevention of public nuisance, public safety and/or the protection of children from harm licensing objectives.

- 3.4. The Licensing Authority may only consider aspects relevant to the application that have been raised in these representations.
- 3.5. Members of the Licensing Sub-Committee are requested to determine the application having regard to the operating schedule, representations received, the Councils Statement of Licensing Policy, revised guidance issued under Section 182 of the Licensing Act 2003 and the four licensing objectives.
- 3.6. An authorisation is required in respect of any premises where it is intended to conduct one or more of the licensable activities, these being:
 - (a) Sale of alcohol
 - (b) Supply of alcohol (in respect of a club)
 - (c) Regulated Entertainment
 - (d) Provision of Late Night Refreshment

An appropriate authorisation is either, a premises licence, a club premises certificate, or a Temporary Event Notice.

- 3.7. Licence holders are required, when offering any licensable activity, to ensure that they promote the licensing objectives at all times. The operating schedule of the application contains detail of all the activities applied for and the control measures that the applicant will have in place in order to promote these objectives. Such measures will, where appropriate be converted into enforceable conditions on any licence issued.

The four licensing objectives are:

- (a) Prevention of crime and disorder
- (b) Prevention of public nuisance
- (c) Public Safety
- (d) Protection of children from harm.

No licensing objective carries any more weight than any other and these are the only factors in which licensing can have regard in determining an application.

- 3.8. Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Licensing Act 2003 requires that these applications should be determined by the Licensing Authority's Licensing Committee. The Licensing Act 2003 allows for applications such as this one to be delegated to a Sub-Committee. In accordance with those rules, the Scheme of Delegation set out in the Council's Constitution states that the Licensing Sub-Committee has responsibility for dealing with this application.

4. Summary of Application sought.

- 4.1. The Licensing Authority received an application on 03rd November 2023 from Reloaded Nightclub Limited. Reloaded Nightclub Limited seeking a new premises licence under the Licensing Act 2003, in relation to Reloaded Nightclub, 7 Wharf Street, Newbury, West Berkshire, RG14 5AN. This application has been recorded under reference number **22979** dated 03rd November 2023. A copy of the application is attached as **Appendix 1** and Plan of the premises as **Appendix 2**. The details of the Designated Premises Supervisor are attached as **Appendix 3**.

4.2. The application seeks a premises licence to permit the following licensable activities:-

Supply of Alcohol:

Sunday – Thursday 1000hrs – 0230hrs – for consumption On the premises.

Friday – Saturday 1000hrs – 0400hrs – for consumption On the premises.

Late Night Refreshment:

Sunday – Thursday 2300hrs – 0230hrs – Indoors Only

Friday – Saturday 2300hrs – 0400hrs – Indoors Only

5. Background information

- 5.1. Number 7-9 Wharf Street is a premises which is situated in the centre of Newbury. It has previously been a licensed premises, however it currently does not have a premises licence. Wharf Street contains another licensed premises, along with retail units on the ground floor level. Above several of the retail units on Wharf Street are residential properties in the form of flats/apartments. To the rear of the premises is The Kennet & Avon Canal. Reloaded Nightclub Limited are a private limited company, and have a sole director currently, Sonja Wall.
- 5.2. The application is requested by the applicant to licence the venue for the sale of alcohol and Late Night Refreshment.
- 5.3. The applicant has provided additional conditions to the mandatory conditions in their application for a premises licence.

6. Consultation

- 6.1. The 28-day consultation period ran from 04th November 2023 to the 01st December 2023. Responsible Authorities, Ward Members and Newbury Town Council were advised by email on the 04th November 2023. The application has been advertised in accordance with the regulations, with the required blue notices being placed at the premises, which were checked by an officer from the Public Protection Partnership. An advertisement for this application was also placed in the Newbury Weekly News.
- 6.2. A total of four representations were received from members of the public, however one representation did not meet the criteria set out in the Revised guidance issued under section 182 of the Licensing Act 2003, to be deemed a relevant representation. The three valid representations, received from members of the public are attached at **Appendix 4**. Representations from Responsible Authorities were also received and these are set out below and attached at **Appendix 5**.

7. Responses Received

Fire Authority – Objection received.

The Chief Officer of Police Thames Valley – Objection received & withdrawn following further conditions agreed with applicant.

Environmental Health – Objection received & additional conditions recommended. – Objection withdrawn following agreement of conditions with applicant.

The Local Enforcement Agency for the Health and Safety at work etc. Act 1974 – None received.

Trading Standards – None received.

Children’s Safeguarding Board – None received.

Public Health – No Objection – Comments were received but clarified that NO OBJECTION.

Home Office Immigration – None Received

Planning – None Received

The Licensing Authority – None Received

Thames Valley Police suggested that additional conditions are attached as part of the operating schedule for Reloaded Nightclub. These are attached as **Appendix 6**.

Environmental Health suggested that additional conditions are attached as part of the operating schedule for Reloaded Nightclub. These are attached as **Appendix 7**.

8. Summary of Relevant Representations

- 8.1. Four representations have been received from members of the public. Three valid representations were determined by the Licensing team. The three valid representations were objecting to the application, believing that the granting of the licence would undermine the licensing objectives.

9. Further Information

- 9.1. This application was brought before members of the Licensing Sub-Committee on Wednesday 3rd January 2024. Further documentation was provided to the Licensing Authority on Tuesday 2nd January 2024 by the applicant, namely, a Fire Risk Assessment and a Noise Management Plan. These are attached as **Appendix 8** and **Appendix 9** respectively.
- 9.2. In line with The Licensing Act 2003 (Hearings) Regulations, Regulation 18, the documentation was provided by the applicant in support of their application. This was accepted with the consent of all parties at the hearing, as per the regulation.
- 9.3. Following an adjournment for all parties to review the documents, a request for a further document, which was referred to in the Fire Risk Assessment, was requested by the Fire Authority. This document is referred to in the Fire Risk Assessment as an attachment that explains how the fire tests were conducted by an approved SGS lab.
- 9.4. The applicant was unable to provide this document at the time of the request, and a further adjournment was agreed for 30 minutes to allow the applicant to try to obtain the requested document.
- 9.5. Due to the applicant being unable to obtain the document, the applicant’s solicitor requested an additional adjournment for a week. An adjournment was agreed for the meeting, and an adjourned hearing date was agreed by all parties for the Wednesday 17th January 2024.

10. Options

- 10.1. The Home Office’s Revised Guidance issued under section 182 of the Licensing Act 2003 (December 2023) must be taken into account when determining this Application.

- 10.2. Members are asked to consider, after taking the representations both oral and written into account, and having due regard to the licensing objectives, whether the application for the Premises Licence should be granted or rejected. Members will need to give reasons for their decision.
- 10.3. If members are minded to approve the application they need to consider any additional conditions, other than those contained in the operating schedule, and any relevant mandatory conditions in ss19-21 of the Licensing Act 2003. Modification of conditions includes adding, omitting or altering a condition.
- 10.4. If members are minded to include any additional conditions they will need to provide their reasons for doing so in the decision notice.

Background Papers: Relevant Legislation

- (1) The Licensing Act 2003
- (2) Appropriate Regulations including but not limited to The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, The Licensing Act 2003 (Hearings) Regulations 2005 and The Licensing Act 2003 (Hearings) (Amendment) Regulations 2005
- (3) Statutory Revised Guidance issued under section 182 of the Licensing Act 2003
- (4) The Council's Statement of Licensing Policy Licensing Act 2003
- (5) The Council's Constitution

11. Appendices

- Appendix 1 – Application
- Appendix 2 – Plan
- Appendix 3 – Designated Premises Supervisor details
- Appendix 4 – Representations objecting to the application
- Appendix 5 – Representations from Responsible Authorities
- Appendix 6 – Recommended additional conditions from Thames Valley Police
- Appendix 7 – Recommended additional conditions from Environmental Health
- Appendix 8 – Fire Risk Assessment
- Appendix 9 – Noise Management Plan

Person to Contact: Riley Timney
Email: Riley.Timney1@westberks.gov.uk

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Fire Risk Assessment

28 December 2023





Introduction to Fire Risk Assessment

This document suggests information that should be contained in a fire risk assessment record. When completed in accordance with all suggestions it may serve as a record of a fire risk assessment as required by The Regulatory Reform (Fire Safety) Order 2005.

It is a requirement for all employers to: -

- Carry out a fire risk assessment of the premises taking into consideration all employees and all other people who may be affected by a fire in the premises and to make adequate provision for any disabled people with special needs who use or may be present in the premises.
- Identify the significant findings of the risk assessment and the details of anyone who might be especially at risk in case of fire. If five or more people are employed, or the premises is subject to a License it is a requirement that these significant findings are recorded; (however it is recommended that a written record is produced on all occasions to assist with the process of on-going reviews).
- Provide and maintain such fire precautions as are necessary to safeguard those who use the workplace.
- Provide information, instruction and training to employees about fire precautions in the workplace.

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Fire Risk Assessment

Business Details:

Business Name	Reloaded Nightclub Limited
Business Address	7-9 Wharf Street Newbury RG14 5AN
Responsible Person for Fire Safety	Sonja Wall
Fire Risk Assessor	Andre van der Merwe
Credentials	Adv Dip Fire Technology - AIFSM
Date of Fire Risk Assessment	28 December 2023
Date of Pervious Fire Risk Assessment	N/A
Date for Review	28 December 2024

This fire risk assessment should be reviewed by a competent person by the date indicated above or at such earlier time as there is reason to suspect that it is no longer valid, or if there has been a significant change in the matters to which it relates, or if a fire occurs.

The purpose of this report is to provide an assessment of the risk to life from fire in these premises, and, where appropriate, to make recommendations to ensure compliance with fire safety legislation. The report does not address the risk to property or business continuity from fire.

Assessors Signature:



Date: 28 December 2023

*Atlas Safety Management
Ltd are an Affiliate
Member of The Institute
of Fire Engineers*



The Premises:

Details of Construction	This is a two-floor brick and mortar building with a pitched tiled roof.
Use of Premises	The premises will be used as a nightclub.
Number of Floors	2

Approximate Floor Areas:

M ² Per Floor	185 m ²
M ² Ground Floor	185 m ²
M ² Gross for Premises	370 m ²

Occupants

Approx. Max Occupants	250
Approx. Employees	TBC
Approx. Residents	N/A
Approx. Visitors	180

Times of Use

Days the Premise is in Use	Monday to Saturday
Associated times of Occupation	TBA

Occupants at Risk from Fire

Sleeping Occupants	0
Disabled Occupants	Unknown
Occupants in Remote Areas	0
Young Persons	0
Others	0

Previous Fire Loss	None
Other relevant Information	None

Fire Hazards – Elimination and Control:

Electrical Sources of Ignition

Are measures taken to prevent electrical fires?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Fixed Electrical Inspection in date?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Portable appliance testing carried out and in date?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Suitable limitation of trailing leads?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments and Hazards Observed

The electrical contractor did issue a valid EICR and portable electrical appliances have been PAT tested. No further action required.

Smoking

Are measures taken to prevent fires as a result of smoking?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is Smoking prohibited on the premises?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is Smoking prohibited in appropriate areas?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Has a designated smoking area been provided?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

Comments and Hazards Observed

A no smoking policy in the building is enforced with visible notices and signs displayed prohibiting smoking. No further action required.

Arson

Have all reasonable steps been taken to prevent arson?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are combustibles stored near the building?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A
Are combustible materials stored near perimeter fencing?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

Comments and Hazards Observed

There is no reason to believe that arson is a risk to this building. All reasonable steps are taken. No further action required.

Portable Heaters and Heating Installations

Are the use of portable heaters avoided where possible?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are radiant bar or LPG heaters used in the premises?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A
Have measures been taken to reduce the risk of ignition of combustible materials?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are fixed heating systems subject to regular maintenance?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Gas test and inspection in date?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

Comments and Hazards Observed

There will be no use of portable heaters on the premises. No further action required.

Cooking

Have measures been taken to prevent fires as a result of cooking?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Is the extraction unit serviced in line with regulatory and manufacturers guidance?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Are filters changed and ductwork cleaned regularly?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Is suitable extinguishing media available?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

Comments and Hazards Observed

At the time of the assessment, it was confirmed by the owner that the kitchen will not be used at all, the nightclub will not be providing food. Based on this information provided no further action is required.

Lightning

Do the premises have a lightning protection system in place?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
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Comments and Hazards Observed

Not observed at the time of this assessment.

Housekeeping

Is the standard of housekeeping adequate?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Combustibles kept clear of ignition sources?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is there an accumulation of waste or combustible materials?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A
Are all hazardous materials stored appropriately?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

Comments and Hazards Observed

There is no accumulation of combustible material near any ignition sources. There are good housekeeping practices maintained. No further action required.

Furniture and Furnishings

Are all furniture and furnishings fire resistant?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are furniture and furnishings kept clear of ignition sources?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments and Hazards Observed

At the time of the assessment, it was observed that the furniture and finishes used in the nightclub are of suitable fire resistance characteristics. The current layout and location of the furniture and finishes are kept clear ignition sources in all areas.

In the areas where the decorative ceiling and wall linings are in use it can be confirmed that these decorative items have been treated with a fire-retardant product, as per attached statement of performance. It was confirmed by the responsible person of the property that the product was applied.

There is also another attachment to this FRA that will explain fire tests conducted by approved SGS lab.

Hazards Introduced by Outside Contractors and Building Work

Are fire safety conditions imposed on outside contractors?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is there control over works carried out on the premises (including Hot works Permits)?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Are contractors inducted prior to works commencing?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Do contractors produce risk assessments for their works?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments and Hazards Observed

For any future repairs or renovations, the owner will ensure that when contractors come on to his site, they shall be properly managed, by means of checking that they have risk assessments in place for the type of work etc. No hot works will be allowed on the premises unless under a permit to works system that is to be controlled.

Dangerous Substances

Are the general fire precautions adequate to address the hazards associated with dangerous substances used or stored within the premises?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Are there adequate storage facilities for flammable substances?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Where required have explosive atmospheres been risk assessed through a DSEAR risk assessment?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

Comments and Hazards Observed

Not applicable.

Other Significant Fire Hazards That Warrant Consideration Including Process Hazards That Impact on General Fire Precautions.

Hazards

Nil.

Comments and Deficiencies Observed

Nothing to report.

Fire Protection Measures:

Mean of Escape from Fire

Is it considered that the premises are provided with reasonable means of escape in case of fire?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Adequate design of escape routes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Adequate provision of exits?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Exits easily and immediately openable where necessary?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Fire exits open in direction of escape where necessary?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Avoidance of sliding or revolving doors as fire exits where necessary?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Satisfactory means for securing exits?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Reasonable distances of travel: Where there is a single direction of travel?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Reasonable distances of travel: Where there are alternative means of escape?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Suitable protection of escape routes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Suitable fire precautions for all inner rooms?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Escape routes unobstructed?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
It is considered that the premises are provided with reasonable arrangements for means of escape for disabled people.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Can the fire service easily access the building?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments and Deficiencies Observed

At the time of the assessment the current location and the number of emergency exit doors and routes are deemed adequate. There is more than one escape route provided on first floor and ground floor.

The maximum travel distance from the top floor to the nearest fire exit doors located on ground level is less than 40 meters in both directions as well as on ground level.

The minimum width of the escape route from the first floor is greater than 1,050mm and free of any combustible material.

The first floor will be used to go to facilities such as toilets for male and female and a small 46m² VIP bar and lounge that will have at most 30 guests at a time.

The fire exit doors are adequately designed and open in direction of travel, being a double exit door. The escape routes are unobstructed and suitable for the type of occupancy.

Measures to Limit Fire Spread and Development

Is compartmentation adequate?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are there reasonable limitations of linings that might promote fire spread?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
As far as can reasonably be ascertained, fire dampers are provided as necessary to protect critical means of escape against passage of fire, smoke and combustion products in the early stages of a fire?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are fire door adequately located?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are fire doors in good condition free from damage and hung properly?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Do fire doors have all appropriate door furniture present?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments and Hazards Observed

The current location of fire doors is adequate and is ensuring adequate compartmentation. It was noted at the time that the gaps are within tolerance of 4 mm all around. No further action required.

Emergency Escape Lighting

Is an emergency lighting system in place?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Does it cover all main fire escape routes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is the system fully functioning with no faults indicated?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is it tested frequently and recorded as required?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments and Hazards Observed

At the time of the assessment, the areas identified where the emergency lights are located does cover all the main fire escape routes.

Fire Safety Signs and Notices

Are directional fire exit signs displayed	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Do they cover all areas?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Do final exits have the correct signage displayed above them?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are fire action notices displayed throughout the building?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are all other fire safety signs in place, and correct?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

Comments and Hazards Observed

At the time of the assessment the fire exit signs were observed above each fire exit door. Directional signage for fire exits along passageways, it is visible. No further actions required.

Means of Giving Warning in the Event of a Fire

Reasonable manually operated fire alarm system provided?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is automatic detection provided throughout the whole building?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is automatic detection only provided in parts of the building?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A
Is the detection system adequate for the occupancy and fire risk?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Type of Alarm System Installed	

Comments and Hazards Observed

At the time of the assessment, it was identified that the current fire alarm system includes the fire call points as well as smoke detectors. This will be deemed as being satisfactory for the type of occupancy and fire risk.

Fire Extinguishing Media

Are fire extinguishers provided in the premises?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are they located correctly?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are they the correct type for the hazards identified?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are they serviced on a regular basis?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments and Hazards Observed

No further action required.

Automatic Fire Extinguishing Systems

Are the premises equipped with automatic an automatic extinguishing system?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Is the system suitable for the hazards present?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Is the system inspected and serviced as required?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

Comments and Hazards Observed

Not a requirement for this type of premises. No further action required.

Management of Fire Safety:

Procedures and Arrangements

The person responsible for managing fire safety is:	Sonja Wall
Are there adequate numbers of Fire Marshals/Wardens (how many)	Yes
Are Fire safety Arrangements recorded?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Fire Procedures

Are procedures in the event of fire appropriate and properly documented?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are there suitable arrangements for summoning the fire and rescue service?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are there suitable arrangements to meet the fire and rescue service on arrival and provide relevant information, including that relating to hazards to fire-fighters?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are there suitable arrangements for ensuring that the premises have been evacuated?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is there a suitable fire assembly point(s)?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are there adequate procedures for evacuation of any disabled people who are likely to be present?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are nominated persons trained to assist with the evacuation of people with disabilities?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are Fire Marshals/Wardens trained in the use of Fire Extinguishing Media?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are written Personal Emergency Evacuation Plan (PEEP) or General Emergency Evacuation Plans (GEEP) in place and are they regularly reviewed?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments

The owner ensures that there is documented fire procedure in place and that all staff will be trained on this procedure.

Training and Drills

Are all staff provided with fire safety information, instruction, and training at the point of induction?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Is training refreshed at regular interval (annually)?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are Fire Drills carried out at least twice a year?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are the results of the fire drills recorded?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are the findings of each drill discussed with fire wardens and members of staff?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments and Deficiencies Observed

It will be recorded and be available for verification.

Testing and Maintenance

Adequate maintenance of the building?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Weekly Testing and periodic servicing of fire detection and alarm system?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Monthly and annual testing routines for emergency lighting?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Annual maintenance of fire extinguishing appliances?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Periodic Inspections of all external escape routes?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are any rising mains inspected at least 6 monthly?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Are sprinkler systems installed and inspected weekly?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Are routine checks carried out on all final exit doors and their fastening?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are annual inspections and tests carried out on lightning protection systems?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Are suitable systems in place for reporting and subsequent restoration of safety measures that have fallen below standard?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments and Hazards Observed

It will be recorded on all weekly testing and periodic servicing of fire detection and alarm system. The monthly and annual testing routines for emergency lighting as well as annual maintenance of fire extinguishing appliances. The periodic inspections of all external escape routes.

Record Keeping

Fire Drill Reports	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Fire Training	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Fire Alarm Testing	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Emergency Lighting Testing	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Emergency routes	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Fire Doors	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

Comments and Hazards Observed

The records on fire drill reports, Fire Training, Fire Alarm Testing, Emergency Lighting Testing, Emergency routes and Fire Doors will be available to verify for future assessments.

RISK ASSESSMENT

The following simple fire risk level estimator is based on a commonly used health and safety risk level estimator.

Likelihood of fire	Potential consequences of fire		
	Slight harm	Moderate harm	Extreme harm
Low	Trivial risk	Tolerable risk	Moderate risk
Medium	Tolerable risk	Moderate risk	Substantial risk
High	Moderate risk	Substantial risk	Intolerable risk

Taking into account the fire prevention measures observed at the time of this risk assessment, it is considered that the hazard from fire (likelihood of fire) at these premises is:

Low Medium High

In this context, a definition of the above terms is as follows:

Low Unusually low likelihood of fire as a result of negligible potential sources of ignition.

Medium Normal fire hazards (e.g., potential ignition sources) for this type of occupancy, with fire hazards generally subject to appropriate controls (other than minor shortcomings).

High Lack of adequate controls applied to one or more significant fire hazards, such as to result in significant increase in likelihood of fire.

Taking into account the nature of the premises and the occupants, as well as the fire protection and procedural arrangements observed at the time of this fire risk assessment, it is considered that the consequences for life safety in the event of fire would be:

Slight Harm Moderate Harm Extreme Harm

In this context, a definition of the above terms is as follows:

Slight harm Outbreak of fire unlikely to result in serious injury or death of any occupant (other than an occupant sleeping in a room in which a fire occurs).

Moderate harm Outbreak of fire could foreseeably result in injury (including serious injury) of one or more occupants, but it is unlikely to involve multiple fatalities.

Extreme harm Significant potential for serious injury or death of one or more occupants.

Accordingly, it is considered that the risk to life from fire at these premises is:

Trivial Tolerable Moderate Substantial Intolerable

A suitable risk-based control plan should involve effort and urgency that is proportional to risk. The following risk-based control plan is based on one that has been advocated for general health and safety risks:

Risk level	Action and Timescale
Trivial	No action is required, and no detailed records need be kept.
Tolerable	No major additional fire precautions required. However, there might be a need for reasonably practicable improvements that involve minor or limited cost.
Moderate	It is essential that efforts are made to reduce the risk. Risk reduction measures, which should take cost into account, should be implemented within a defined time period. Where moderate risk is associated with consequences that constitute extreme harm, further assessment might be required to establish more precisely the likelihood of harm as a basis for determining the priority for improved control measures.
Substantial	Considerable resources might have to be allocated to reduce the risk. If the premises are unoccupied, it should not be occupied until the risk has been reduced. If the premises are occupied, urgent action should be taken.
Intolerable	Premises (or relevant area) should not be occupied until the risk is reduced.

(Note that, although the purpose of this section is to place the fire risk in context, the above approach to fire risk assessment is subjective and for guidance only. All hazards and deficiencies identified in this report should be addressed by implementing all recommendations contained in the following action plan. The fire risk assessment should be reviewed regularly.)

ACTION PLAN

It is considered that the following recommendations should be implemented in order to reduce fire risk to, or maintain it at, the following level:

Trivial Tolerable

Definition of Priorities (where applicable)

Priority	Definition	Timescales
1 - High	Issues of severe life safety concern that require urgent management actions	Within 30 days or sooner
2 - Medium	Issues of moderate life safety concern that require management actions long-term or ongoing requirements	Within 3 – 6 Months
3 - Low	Issues identified that do not require urgent management actions	No Specific Timescale

Item	Observation	Priority	Action by who	Date Completed
1	For any future repairs or renovations once the nightclub is fully operational. It is proposed that the owner must ensure that when contractors come on to his site should be properly managed, by means of checking that they have risk assessments in place for the type of work etc. This will reduce the risk of accidental fires started by contractor's activities.	1	Sonja Wall	
2	It is recommended that the owner ensures that there is documented fire procedure in place and that he trains all his staff on this procedure. He also needs to ensure that he has enough persons trained as fire marshals to enforce the emergency plan when needed in case of an emergency.	1	Sonja Wall	
3	It will be required that all staff be trained in fire safety and that regular fire drill be conducted. These fire drills must also be recorded, and the results be discussed with employees.	1	Sonja Wall	
4	The records on fire drill reports, Fire Training, Fire Alarm Testing, Emergency Lighting Testing, Emergency routes and Fire Doors must be available to verify for future assessments.	1	Sonja Wall	

Noise Management Plan for Reloaded

7-9 Wharf Street, Newbury RG14 5AN

This noise management plan has been composed to manage the level of noise which can potentially impact the surrounding residents. All possible efforts will be carried out at all times to reduce the impact of noise and disturbance associated with the above mentioned premises.

<u>Source</u>	<u>Solution</u>	<u>Additional Comments</u>
<p>Inside music noise; playing of music, DJ</p>	<ul style="list-style-type: none"> ● All 3 windows will permanently be shut. ● All sets of doors closest to the residential flats will be closed at all times. ● No entry/exit will be permitted via the doors closest to the residential flats. ● Bass control; this will be monitored and kept at an acceptable level. ● No speakers in the upstairs area. ● Brand new equipment has been purchased. Due to the quality of the equipment, the volume of music will be played at a lower level. ● No subwoofers on the premises. 	<ul style="list-style-type: none"> ● No music will be played outside of the premises at any time. ● All staff have previous experience working in the hospitality industry. ● A manager is in place who has a vast range of experience of working/running similar venues. ● Sonja Wall has a consultant working alongside her who has over 23 years of experience managing/owning bars, nightclubs, restaurants and hotels and has also obtained a premises licence for a significant amount of time. ● The DJ's have a number of years

	<ul style="list-style-type: none"> ● ‘Cooling down period’ of 30 minutes before close every night where music is turned down to a very minimal volume. ● Digital sound level monitor has been purchased to monitor and maintain sound levels. This will be used each night to check the levels and a record will be kept. ● The direction of the speakers is not pointed towards the residential flats. This will remain the same at all times. ● A member of staff will stand outside the premises each night after 23:00 hours to listen to music levels and monitor this. ● All staff will be briefed/trained on noise management. This noise management plan will be given to all employees and also be available at the venue at all times. 	<p>experience DJing in bars and nightclubs.</p> <ul style="list-style-type: none"> ● Staff will ensure any litter is cleared if left by any customers.
Deliveries and Collections	<ul style="list-style-type: none"> ● Deliveries and/or collections will only take place during the hours of 08:00 and 18:00. 	

<p>Refuse and recycling bins, bottles and stores, barrels</p>	<ul style="list-style-type: none"> ● Any rubbish or recycling such as glass bottles will not be placed into receptacles outside the premises between the hours of 23:00 and 07:00 	
<p>Smoking areas</p>	<ul style="list-style-type: none"> ● No smoking inside the premises; signs will be displayed. ● Only available smoking area is outside the front of the premises. Licensed door staff will be outside to manage this area to ensure noise is kept to a minimum. This will not be in the area outside or close to the residential flats. 	
<p>Customer noise</p>	<ul style="list-style-type: none"> ● No drinks will be permitted outside the venue. ● Clear and precise signage is displayed at the exit of the premises reminding customers to respect surrounding residents and to please leave quietly. Door staff and Reloaded staff members will also be reminding customers to leave quietly. ● A member of the door staff will be inside the venue ensuring everyone 	

	<ul style="list-style-type: none"> ● leaves appropriately. Another member of the door staff will be manning the exit door to ensure customers leave the premises appropriately. Another member of the door staff will be manning the fire exit area/area outside of the residential flats to ensure customers leave the premises appropriately. All of these members of door staff will remain until all customers have vacated the premises. ● A '3 strike rule' will be implemented by all door staff and Reloaded staff to unruly customers. If customers continue to create unnecessary noise during opening hours they will be asked to leave/escorted from the premises. ● 24 hour CCTV has been installed in and around the premises which covers all internal areas, excluding the toilets, all external doors and the outside area of the premises. Management can access this system 	
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	<p>at any time. Recordings are kept for a minimum of 31 days with a time and date stamping.</p> <ul style="list-style-type: none"> ● Door staff will manage customers awaiting entry into the premises to ensure noise is kept to a minimum and they are not obstructing other members of the public from walking/driving up and down Wharf Street. ● No customer will be permitted to leave the premises with drinking receptacles. ● No entry will be permitted 2 hours prior to closure of the premises. 	
Complaints	<ul style="list-style-type: none"> ● Any complaints will be recorded. ● A contact name/number of a responsible member of staff can be provided to neighbours if they have any concerns they wish to communicate. ● A meeting can be arranged if necessary. ● If an authority such as West Berkshire Council needs to be informed this will be carried out. ● A polite and 	

	responsible approach will be maintained at all times when dealing with any complaints.	

The focus of this venue is to offer something different to Newbury. The word 'Nightclub' may have aroused concern but please be assured that this venue is solely for customers of the age of 25 and over. The dress code is smart/casual, no trainers, hoodies/hats or sports wear. It will be a sophisticated bar for a more mature crowd who are looking for somewhere to enjoy a drink/food within a stylish establishment with the opportunity to have a dance.

Benjamin Ryan

From: Martin Colston
Sent: 08 January 2024 11:27
To: Benjamin Ryan
Cc: Phil Barnett; Louise Sturgess
Subject: Input to licensing meeting for Reloaded Nightclub

Hi Ben,

At the licensing sub committee meeting last week I agreed to provide my input to the follow-up meeting in advance. Here it is.

I am providing input as ward member for Newbury Central. While I am supportive of local businesses providing employment and entertainment, and making use of existing buildings, I am concerned about the potential impact on the residents in the adjacent block of flats. My thoughts are as follows:

1. I note the concerns of the letting agent and the potential impact on the future attractiveness of the flats due to noise
2. I note the objection from resident James Anfield, and the intrusiveness of the noise from the sound check. I would like to know how loud that sound check was and how it compares to the maximum levels planned.
3. I note the objection from resident Tobias McDonald. He also mentions the sound check, and notes that the proposed opening hours are longer than other similar establishments in the town centre, and that opening to 2.30am during the week is too late.
4. I note the concerns of Kate Powell, the Senior Environmental Health Officer who also suggests shorter opening hours during the week
5. I was pleased to see the Noise Management report. The fact there will be no sub-woofers is good, as are the plans to have a digital sound monitor inside, for staff to monitor the noise outside from 11pm onwards, and for the sound to be turned right down during the latter stages of each shift.

I would like to understand how often staff will monitor the noise outside after 11pm, and how they will assess whether its acceptable or not.

I would like a commitment to survey the residents of the adjacent block of flats after the first 2 weeks of operation to determine the noise impact on residents, and a commitment to take appropriate action to mitigate any unacceptable noise disturbance

Finally, I would like the opening hours during the week (Sunday to Thursday inclusive) to be limited to midnight rather than 2:30 / 4:00am.

All the best,

Martin

possible I would like to speak regarding the complaints and in support of the recommendations made by the Senior Environmental Health Officer to reduce the opening hours and limit the volume of the music. And recommend that an acoustics report be carried out and any required sound proofing and mitigation be completed before the club opens.

All the best,

Martin

Cllr Martin Colston

Liberal Democrat representing Newbury Central
Executive Portfolio: Regeneration, Growth & Strategy Development
Champion for Cycling

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