



LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

REVIEW OF PREMISES LICENCE
WITNESS STATEMENT OF IAN LOFTUS

I, IAN LOFTUS of 42 Stonegate, York, YO1 8AS will say as follows:

1. I refer to the recent review of premises licence served upon me by Lesley Cooke of The City of York Council dated 8th January 2008.
2. I intend to respond to the documents listed below as underlined as follows:
3. **Enforcement Notice dated 30th November 2006**
I had never seen this enforcement notice until the meeting I attended at York Fire Station on Thursday 6th December 2007. I received a copy of the enforcement notice with a photocopy of a recorded delivery note (exhibited hereto marked "IL1") sent with the review of premises licence.
4. I contacted the post office straightaway to try to determine who actually signed for this document. The post office informed me they could not tell me as their records are deleted after 12 months. I find this extremely frustrating due to the fact if I had received this document none of the current reviews and notices would have taken place.

5. Comments on the matters on the enforcement notice as follows:-
6. Emergency lighting – The lighting on the 1st floor exit externally and on the inside wall has always been a maintained system, there is also a non-maintained light between these lights that was installed before I moved to these premises, instead of removing it we kept it as an extra light. We do carry spare bulbs on the premises at all times. I now personally check all lighting throughout the building 3 to 4 times a week plus our monthly tests (exhibited hereto marked “IL2”).
7. Occupancy – The original licensing plans state that the occupancy was 147 people on 3 levels and 20 people outside. I do not have any document that has mentioned that we are only allowed 100 people in the building. If I had received any document stating this then I would have adhered to it and explained it to all duty managers and staff. There are 157 seats in the building, if everyone was seated then the building does not appear to be busy or congested by people always congregate around the bar area, as people always congregate in kitchens at parties, (exhibited hereto marked “IL27” photos of 100 capacity).
8. Fire Risk Assessment – A copy of our fire risk assessment was sent on the 2nd December 2006 together with a copy of our staff meeting notes (exhibited hereto marked “IL3” “IL4” “IL5”). I believe that the fire officers were not happy with this assessment. The risk assessment was recommended and taken from the government website.
9. Fire Alarm System – The kitchen was not in use in 2003 and when we did start using the kitchen the fire assessment requested a smoke detector. We had one installed as dated in my letter of 2nd December 2006 (exhibited hereto marked “IL6”).

10. Notes for Case for Evil Eye Lounge

The night the building was inspected being Friday 30th November (the second busiest day of the year) the door supervisor Lynn thought the capacity was 150 people (as we all did). The case notes by Alan Bell mention "Hilary was concerned that the premises had over 160 people on the premises" but Hilary's case notes state "Ground floor had 102 persons and upstairs including 1st and 2nd floor and toilets was 48 persons", the 150 (exhibited hereto marked "IL7" "IL8")

11. I wasn't working that weekend but was informed by the Duty Manager on the Friday night that the police and fire had turned up. I asked if anyone of them would speak to me over the phone and was told they would not.
12. On the Saturday night the Prohibition Notice was given to Michael Brown the DPS that evening, who signed it. He was unaware what the notice was and thought it was to state that he had made sure all exits were clear and capacity was reduced and the business can now open. Please see Michael Brown's statement attached (exhibited hereto marked "IL9").
13. I attended the premises on the Sunday when Alan Bell was present and he seemed very reluctant to talk to me so I left him to discuss most matters with Michael Brown as he was the DPS present on Saturday night.
14. I was unaware that electrical extensions were not allowed on business premises but I am very aware that the extensions I use in my office are for low voltage appliances that are all individually fused. I have telephoned the HSE, CAB and my electricians to try to find out whether extensions are dangerous and not allowed, not one person stated they cannot be used. The only relevant document I could find was The Plugs and Sockets etc. (Safety) Regulations 1994, (exhibited hereto marked "IL10"). All our plugs conform to British Standards, they are

fitted with the relevant fuses and have a valid PAT test certificate on the electrical appliances (exhibited hereto marked "IL11").

15. The office is used for kitchen staff to get changed, CCTV and paying bills. I mostly work from home and do have another office elsewhere, it is not a problem to move that office. It's a very nice room and prior to my business in the building it was used as residential accommodation whilst a business was open downstairs. There are a lot of accommodation above premises that have only one fire exit that is not as safe as our building. I feel that my business has just been picked upon.
16. I am deeply offended with the accusation of being called a liar. "At this point I lost the faith in Mr Loftus's ability to tell the truth and keep account of events" (see exhibited hereto marked "IL7"). I wasn't aware of a prohibition notice being issued and when I asked Michael Brown he didn't either, please see Michael Brown's statement (exhibited hereto marked "IL9").
17. **Enforcement Notice dated 6th November 2007**
The Fire Risk Assessment was immediately updated and a few more points added. Section 4.1 – "A Fire Safety Policy Document was not available at the time of the visit". A Fire Safety Document is always available and can be printed off from our computers at any time. We also have a Fire Safety Policy which is included in every single Staff Handbook (exhibited hereto marked "IL12")
18. I believe that all the requested measures on this Enforcement Notice have been put in place apart from the ongoing situation with the front door opening outwards in the direction of escape, please see letter to Council Planning requesting change (exhibited hereto marked "IL13").
19. Please see basement works and skylight work (exhibited hereto marked "IL25").

20. Also please see additional completed work not on the enforcement notice, (photographs exhibited hereto marked "IL13a") this list is ever increasing and ongoing. (There is also our annual building maintenance work not listed as it isn't necessarily Fire related);

1. Two new Break Glass detectors have been installed on the ground floor near exits.
2. Fire Extinguishers have been lowered and moved.
3. Top floor storeroom light wired to 3amp fused spur switch.
4. 2nd floor hall light wired to 3 amp fused spur switch.
5. Maintained emergency lights put in new office.
6. Maintained emergency light installed in bedroom.
7. Maintained emergency light installed in computer room.
8. Additional CO2 extinguisher installed in computer room.
9. Non maintained light swapped for maintained in Off-License.
10. Ice-machine moved from location in kitchen to top floor storage and wired to plug wall socket.
11. Additional lighting added to basement directed at the darkest area.
12. Replaced door in alleyway to 60 minutes and added new push bar.
13. New push bar on kitchen door.
14. Smoke detectors installed in new office.
15. Kitchen exit light changed from non maintained to maintained.
16. Non maintained light rear of the bar changed for more powerful light.
17. Window from off-license to stairwell fire boarded and filled.
18. Signage has been changed to luminous on many items / exits.
19. Four smoke detectors installed on the Top floor.
20. Non maintained Emergency light fitted on Top floor.

21. **Joint Licensing Visits 19.10.07**

I never saw this document until recently (exhibited hereto marked "IL14"). Unfortunately I was away for 3 months last year. I suggest a different address and contact details for all correspondence so all documents come directly to me. My solicitor has written to the local

authority to change my contact details with copies sent to my work and email address (exhibited hereto marked "IL14a").

22. **Staff Memo 6th December 2007**

I individually gave every member of staff a copy and spoke to them regarding the issues of fire safety (exhibited hereto marked "IL15").

23. **Learndirect Fire Safety Course**

Every single member of our business has completed a Fire Safety Certificate with a pass rate of 100%. They have to retake the test until they get 100% (exhibited hereto marked "IL16"). I have a Fire Safety Certificate from Esky (exhibited hereto marked "IL16a").

24. **Risk Assessments**

Please find copies of risk assessments dating from last year (exhibited hereto marked "IL17", "IL18", "IL19").

25. **Fire Evacuation Plans and Notice**

Please find copies of our plans that are placed on each floor next to break glass points and exit (exhibited hereto marked "IL20").

26. **Email from Building Surveyor, Dearle & Henderson**

I met with this firm who are employed by my landlord. We spoke about the current enforcement notice and all work that we have to carry out. I have found the company to be very helpful (exhibited hereto marked "IL21").

27. **Front Door Change Council Planning Letter**

In order to comply with Section (d) of Article 14 of the Regulatory Reform (Fire Safety) Order "emergency doors must open in the direction of the escape". I have sent this letter to the City of York Planning Office and am currently awaiting a for a reply back to hear their views on my

plan (exhibited hereto marked "IL13"). Currently there are 2 Euro thumb turn fire locks on the door, with a maintained fire exit light above the door (as seen in the photo in the planning letter exhibited hereto marked "IL13").

28. **Ray Burton Smoke-free Email**

I have spoken to Ray Burton regarding the bins at the rear of the premises after the date stated in the email (exhibited hereto marked "IL22"). He said it wasn't a concern for smoking enforcement but Health & Safety. I spoke to Health & Safety and they did come to see me and view the area of concern. We agreed that the best action would be to install the steel unit under the stairway and in the meantime reinforce the steps that the bins have to be dragged down each night.

29. **Fire Manager**

I have employed Zoe D'Souza as the Evil Eye Fire Manager, she is currently also the Company Secretary and is the most senior employee on my staff. Her position is to manage the training, maintenance, testing and risk assessment of the business. All correspondence as well as coming to my home address ought to be copied also to Zoe. It is Zoe's responsibility to make sure each Duty Manager completes the daily bar log (exhibited hereto marked "IL26").

30. **Photos Book A** (Exhibited hereto marked "IL28")

Photo 1,3,4	Bins removed.
Photo 2	Alleyway conforms to legal Lux Limit but we are putting in PIR spotlights as well.
Photo 6,7,11	Waste removed.
Photo 12	Crates stored in the beer garden now.
Photo 13, 14	Bins not put on cooker when mopping floor (Gas was shut off).
Photo 15,16,17	Ice machine removed from corner
Photo 19	Two wooden tables taken home.

31. **Photos Book B** (exhibited hereto marked “IL28”)

Photo 1,6	Floor above was fixed immediately, ceiling now fixed
Photo 2,3,7	Extensions being replaced with sockets
Photo 4,8,9	Doorway boarded over
Photo 5	Damaged floorboard fixed
Photo 11,13,14	Boxes stacked neater
Photo 15	Plug sockets have been installed for each fridge.

32. **Fire Testing**

All fire equipment/exits are tested as follows:-

Item	Time scale	Tester
Emergency lighting	1 month	Fire Manager/Manager
Fire extinguishers	12 months	Advance Fire Services
Fire alarm system	3 months	Advance Fire Services
Automatic fire doors	1 month	Fire Manager/Manager
Fire alarms/break glass	weekly	Fire Manager/Manager
Fire exits	daily	Fire Manager/Duty Manager

When we test the fire alarm each week we check a different break glass point. Please see copies of our test records/reports (exhibited hereto marked “IL23” and “IL24”). I have also received a letter from Mr Ken Lawn of Advance Fire confirming all the works recommended have been completed (exhibited hereto marked “IL24a”).

33. I have obtained the Fire Safety Risk Assessment: Means of Escape for Disabled People and small and medium places of assembly. I have and intend to use these information booklets to assist in the ongoing risk assessments at the Evil Eye (exhibited hereto marked “IL29” and “IL30”).

34. In the circumstances I agree to the reduction of capacity from 152 to 100 for the time being whilst the building works are carried out. Once the front door has had planning approval and the works have been completed I will apply for a variation to increase the capacity back to the original figure of 150.

35. I believe the contents of this statement to be true.

Signed.....

Dated.....
7/2/08

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-V-

THE EVIL EYE LOUNGE

EXHIBIT "IL1"

IL1

Royal Mail®
recorded

Signed for

Standard postal service with signature and barcode scanning on delivery. Ideal for items you might need to prove were received, like job applications or legal documents

Use Special Delivery for guaranteed next morning delivery with the security of barcode tracking throughout and compensation for loss or damage details of where your item is going

Name: Mr Ian Loftus

Building name or number, and street: The Evil Eye 42 Stonegate

Postcode, complete in full: YO1 1 8AS

DH 6402 6398 7GB

Reference
barcode label to top left of package

N M Hutchinson MSc; MA;BA(Hon)
Chief Fire Officer/Chief Executive

Your Reference:

My Reference:
0209579 02 hah

When telephoning please ask for:
Station Manager Calpin

Recorded Delivery

Dear Mr Loftus

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

RE: ENFORCEMENT NOTICE NYFRS.ENF.01. 30.11.06. 00234

The Evil Eye
42 Stonegate
York
YO1 8AS

The North Yorkshire Fire and Rescue Authority are the enforcing authority, under Article 30 of the above legislation.

Following a fire safety audit of the above premises by one of my inspectors on 16 November 2006 I confirm that the matters and steps specified on the attached Schedule need to be carried out to remedy your failure to comply with the above legislation.

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

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

Mr Ian Loftus
The Evil Eye
42 Stongate
York
YO1 8AS

ian@evil-eye.com

Yours faithfully

for Chief Fire Officer/Chief Executive

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

NORTH YORKSHIRE FIRE AND RESCUE AUTHORITY

SCHEDULE REFERRED TO IN ENFORCEMENT NOTICE NO
NYFRS.ENF.01.30.11.06.00234
REQUIRING STEPS TO BE TAKEN UNDER ARTICLE 30 OF THE REGULATORY
REFORM (FIRE SAFETY) ORDER 2005

Name: Mr Ian Loftus

Premises: The Evil Eye

Address: 42 Stonegate York YO1 8AS

Date November 30 2006

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the North Yorkshire Fire and Rescue Authority, need to be taken in order to comply with The Regulatory Reform (Fire Safety) Order 2005. Other equally effective measures may be utilised to remedy the failures however you should first consult the fire authority.

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

SCHEDULE

The location and details of matters which are considered to be failures to comply with The Regulatory Reform (Fire Safety) Order 2005 are detailed below. The steps, or equally effective measures considered necessary, to remedy the failures are also detailed below.

Means of Escape (Article 14)

At the time of the inspection the fire escape from the first floor was completely blocked with tables and chairs and the external escape stair was completely blocked with rubbish and storage.

You have been notified on:-

October 21 2003

June 2 2004

September 17 2004

August 22 2005

November 21 2005

November 17 2006

that all fire exits from the premises should be kept clear at all times. The basement door was wedged open and as previously discussed with yourself it is paramount for fire safety reasons that this door be kept closed at all times should you want members of the public on the upper floors.

Emergency Lighting (Article 14(2)h)

The emergency lighting on the 1st floor fire exit should be on a maintained system. This means the lighting should be on at all times. Both lights on the 1st floor exit (internally and externally) were not in operation at the time of the inspection.

Occupancy

As you are aware the Fire Authority recommended an occupancy of 100 person for the whole premises. At the time of the inspection a head count was taken and including staff this figure was nearer 150 persons. The premises does not have sufficient exits for this amount of people to escape safely in the event of fire and the duty manager was unaware of the exact occupancy figure on your licence.

Fire Risk Assessment Article 9 (1)

You were required in a letter dated November 17 2006 to provide the Fire Authority with a copy of your risk assessment, this has still not been received. The Fire Authority have serious concerns with the management of these premises with regards to overcrowding and blocked exits and under Article 9 (1) require that a copy of your Fire safety risk assessment be forwarded to the above office.

Fire Alarm System (Article 13(1)a & 13 (2)

It was noted at the time of the inspection that the Fire Alarm System has not been extended into the kitchen area which was originally requested in a report dated 21 October 2003. It is imperative that this work be carried out should you still require members of the public to be on the upper floors.

NORTH YORKSHIRE FIRE AND RESCUE AUTHORITY

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

Name: Mr Ian Loftus

Premises: The Evil Eye

Address: 42 Stonegate York YO1 8AS

Enforcement Notice Number NYFRS.ENF.01. 30.11.06. 00234

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

The matters which, in the opinion of the North Yorkshire Fire and Rescue Authority, constitute the failure(s) to comply with articles 14 , 14(2)h articles 9(1) and article 13(1)a 13 (2 of The Regulatory Reform (Fire Safety) Order 2005 are specified in the schedule to this notice.

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

Unless the failures identified in the notice have been rectified with in the given time limit, you will be deemed not to have complied with this notice and the North Yorkshire Fire and Rescue Authority may consider a prosecution against you. You may, however, apply for an extension to this time limit. (See notes).

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

Date: Signed:

.....
(On behalf of and duly authorised by the North Yorkshire Fire and Rescue Authority)

NORTH YORKSHIRE FIRE AND RESCUE AUTHORITY

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

1	Application to premises. The Regulatory Reform (Fire Safety) Order 2005, subject to paragraphs 6 (1) (a) to (g) below, applies to any premises
2	<p>The Order does not apply in relation to –</p> <ul style="list-style-type: none">a) domestic premises <p>Note: Where the premises are, or consist of, a house in multiple occupation this Order applies in relation to those parts of the premises which are not domestic premises;</p> <ul style="list-style-type: none">b) an offshore installation within the meaning of regulation 3 of the Offshore Installation and Pipeline Works (Management and Administration) Regulations 1995;c) a ship, in respect of the normal ship-board activities of a ship's crew which are carried out solely by the crew under the direction of the master;d) fields, woods or other land forming part of an agricultural or forestry undertaking but which is not inside a building and is situated away from the undertaking's main buildings;e) an aircraft, locomotive or rolling stock, trailer or semi-trailer used as a means of transport or a vehicle for which a licence is in force under the Vehicle Excise and Registration Act 1994 or a vehicle exempted from duty under that Act;f) a mine within the meaning of section 180 of the Mines and Quarries Act 1954, other than any building on the surface at a mine, andg) a borehole site to which the Borehole Sites and Regulations 1995 apply
3	<p>You may appeal (under Article 35 of the Order) against an enforcement notice served (under Article 30 of the Order). The appeal is made, within 21 days from the day on which the notice is served, to the magistrates' court for the area in which your premises is situated and may be brought on the grounds that you think that</p> <ul style="list-style-type: none">a) the service of an enforcement notice was based on an error of fact;b) the service of the enforcement notice was wrong in law, andc) the North Yorkshire Fire and Rescue Authority erred in the exercise of their discretion in serving the enforcement notice. <p>Without prejudice to the breadth of the grounds of appeal set out in paragraphs (a) to (c) above, examples of situations in which an appeal may lie are where,</p> <ul style="list-style-type: none">a) You dispute any of the facts in the notice which detail the steps which have to be taken in order to comply with any provision of the Order.b) You think that an unreasonable time period has been set for the taking of the steps set out in the notice.

4	The North Yorkshire Fire and Rescue Authority may grant, at their discretion, an extension (or further extension) of time specified for the steps to be taken if an appeal against the notice is not pending. Application for an extension of time should be addressed to: - The Chief Officer, North Yorkshire Fire and Rescue Authority, Thurston Road, Northallerton DL6 2ND.
5	<p>Failure to comply with the enforcement notice served under Article 30 of the Order within the time specified in the notice (or such further time as the North Yorkshire Fire and Rescue Authority may, at their discretion, grant) is a criminal offence under Article 32(d) of the Order. A person guilty of such an offence shall be liable,</p> <p>a) on summary conviction to a fine not exceeding the statutory maximum; or b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years, or both.</p>
6	In any proceedings for an offence referred to above, where the commission by any person of an offence under the Order, is due to the act or default of some other person, that person is guilty of the offence, and a person may be charged with and convicted of the offence whether or not proceedings are taken against the first mentioned person
7	Nothing in the Order operates so as to afford an employer a defence in any criminal proceedings for a contravention of those provisions by reason of any act or default of an employee or person nominated to implement measures for fire-fighting and procedures for serious and imminent danger and for danger areas, and appointed to assist him/her in undertaking such preventive and protective measures as necessary.
8	Subject to Note 9, in any proceedings for an offence under the Order, except for a failure to comply with articles 8 (1) (Duty to take general fire precautions) or 12 (Elimination or reduction of risks from dangerous substances), it is a defence for the person charged to prove that he/she took all reasonable precautions and exercised due diligence to avoid the commission of such an offence
9	If you are the responsible person you are under an obligation to comply with the provisions of the Order or of any regulations made under it. If you have failed to comply and you and the North Yorkshire Fire and Rescue Authority cannot agree on the measures which are necessary to remedy the failures(s), under article 36 of the Order you and the North Yorkshire Fire and Rescue Authority may agree to refer the question, as to what measures are necessary to remedy the failure(s), to the Secretary of State for a determination.
10	It should be noted that in order to satisfy the "Environment and Safety Information Act 1988" the North Yorkshire Fire and Rescue Authority is obliged to enter details of any enforcement notice into a register to which the public have access. If you feel that any such entry would disclose secret or confidential trade or manufacturing information then you should appeal in writing to the Authority within a period of fourteen days following the service of the notice.
11	To assist with administration procedures, it would be helpful if you could quote the reference number (at the top of the notice) when dealing with the North Yorkshire Fire and Rescue Authority.

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NORTH YORKSHIRE FIRE AND RESCUE SERVICE

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THE EVIL EYE LOUNGE

EXHIBIT "IL2"

Emergency Lights Checklist

Basement

1. Bottom of Stairs - Non Maintained

Ground Floor

1. Front Alleyway - Maintained
2. Middle Alleyway - Maintained
3. Rear Alleyway - Maintained
4. Bottom Fire Escape - Maintained
5. Above Off-License Door - Maintained
6. Middle Off-license - Maintained
7. Above Side Entrance - Maintained
8. Above Right Bar - Non Maintained
9. Central Bar - Non Maintained
10. Above Left Bar - Non Maintained
11. Rear Ceiling - Non Maintained
12. Above Rear Fire Door - Maintained

First Floor

1. Stairwell from Ground - Maintained
2. Landing to Ground - Maintained
3. Bedroom Exit - Maintained
4. PC Room Middle - Non Maintained
5. PC Room Rear Exit - Maintained
6. PC Room Rear - Non Maintained
7. 1st Floor Fire Escape - Maintained

Second Floor

1. New Office - Maintained
2. Stairwell - Non Maintained
3. Toilets - Non Maintained
4. Kitchen Entrance - Maintained
5. Kitchen Rear Exit - Maintained
6. Kitchen Rear lobby - Non Maintained
7. 2nd Floor Fire Escape - Maintained

Emergency Lights Testing Instructions

To check the lights you need to turn the mains electric off in the following areas.

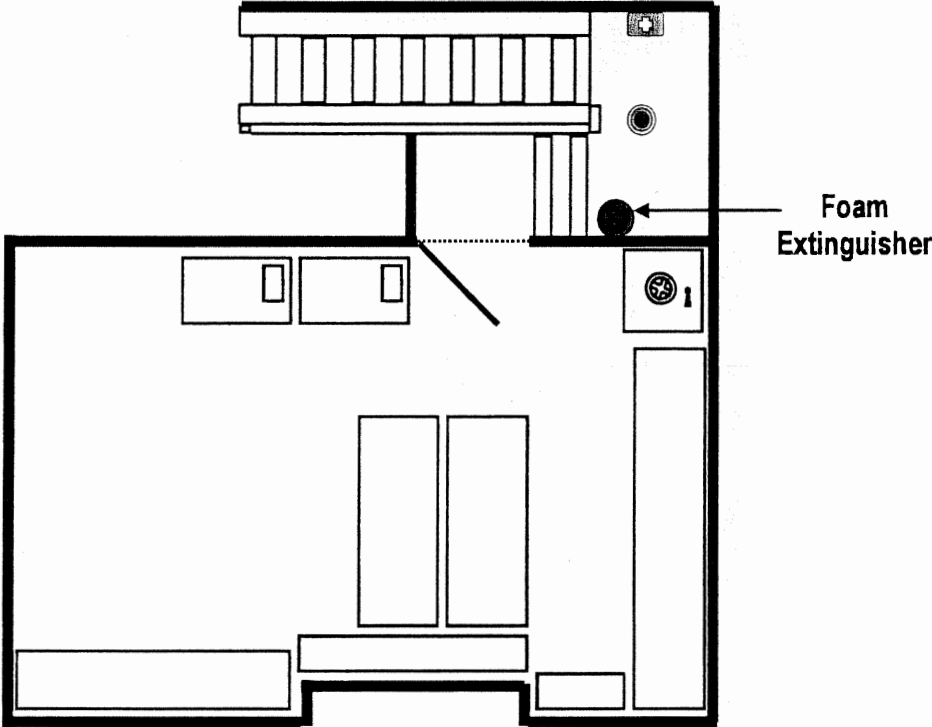
1. Behind the bar right hand side cupboard Fuse Box, turn off the far right trip switch marked "Lights".
2. Off-license main Fuse Box, second trip switch along marked "Upstairs Lights".




Once turned off, walk around the entire building with the checklist and note any faults on the record sheet.

We carry spare bulbs in the bulb cupboard in the 3rd Floor storeroom, if there aren't any left then go directly to Barnitts and purchase what you need.

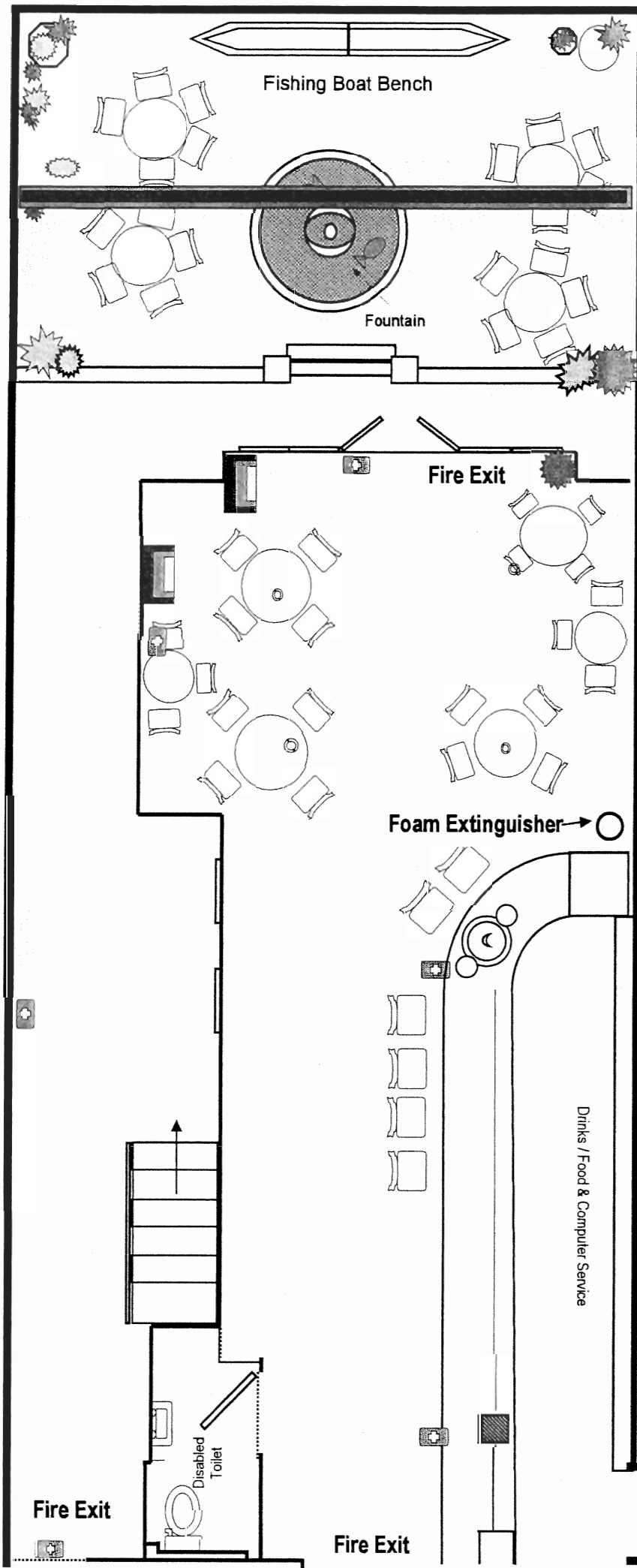
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|----------------|---|--|
| Maintained | - | A light that remains on all the time |
| Non Maintained | - | A light that only comes on when the powers off |

EVIL EYE LOUNGE - BASEMENT PLAN



-  Emergency lighting
-  Smoke detector
-  Break Glass Panel

Scale 1cm Approx. 1' 10.5" (57cm)



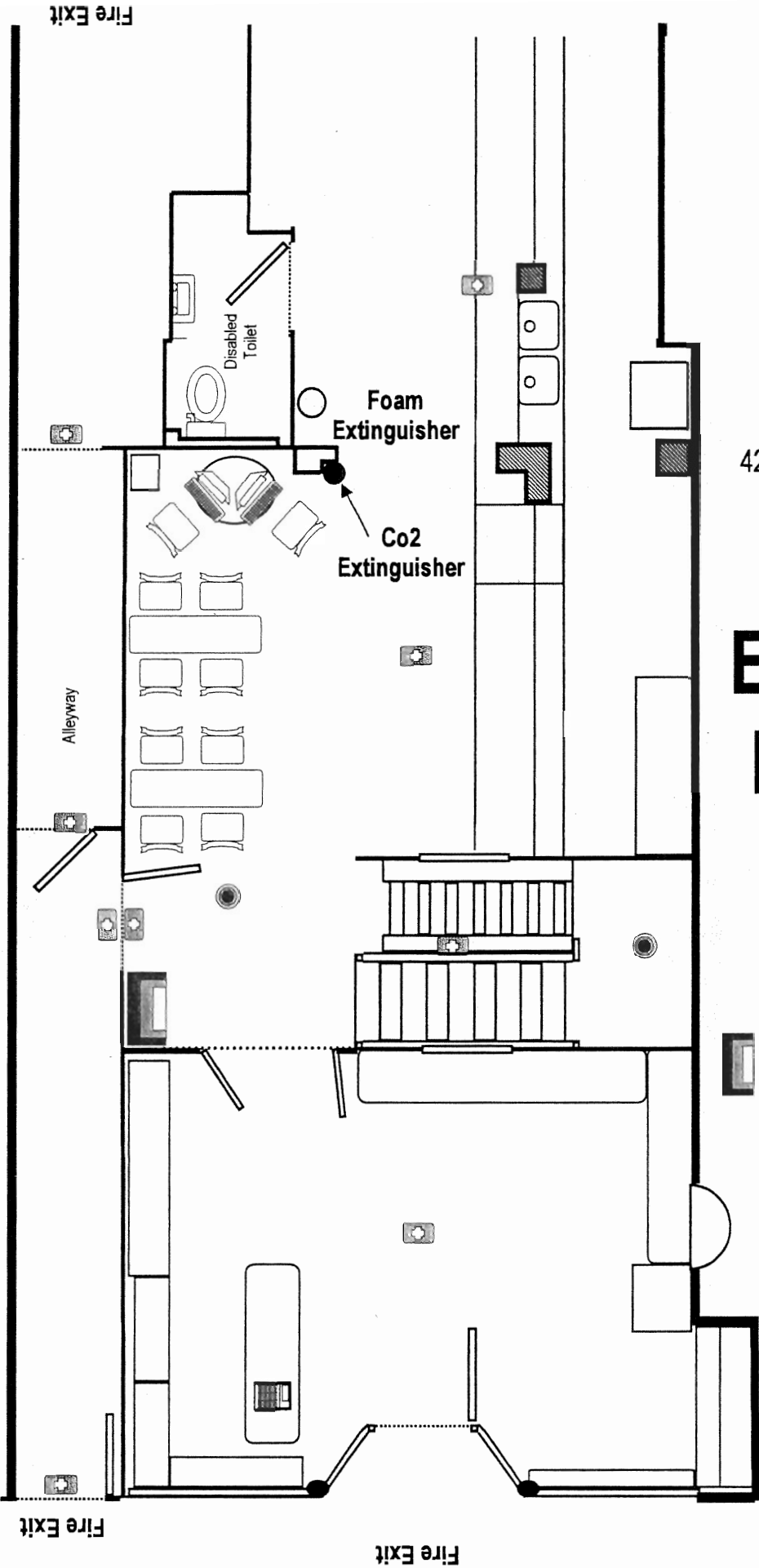
EVIL EYE LOUNGE

GROUND FLOOR PLAN

42 STONEGATE, YORK

FIRE ESCAPE ROUTE

Break Glass Point



**EVIL EYE
LOUNGE**

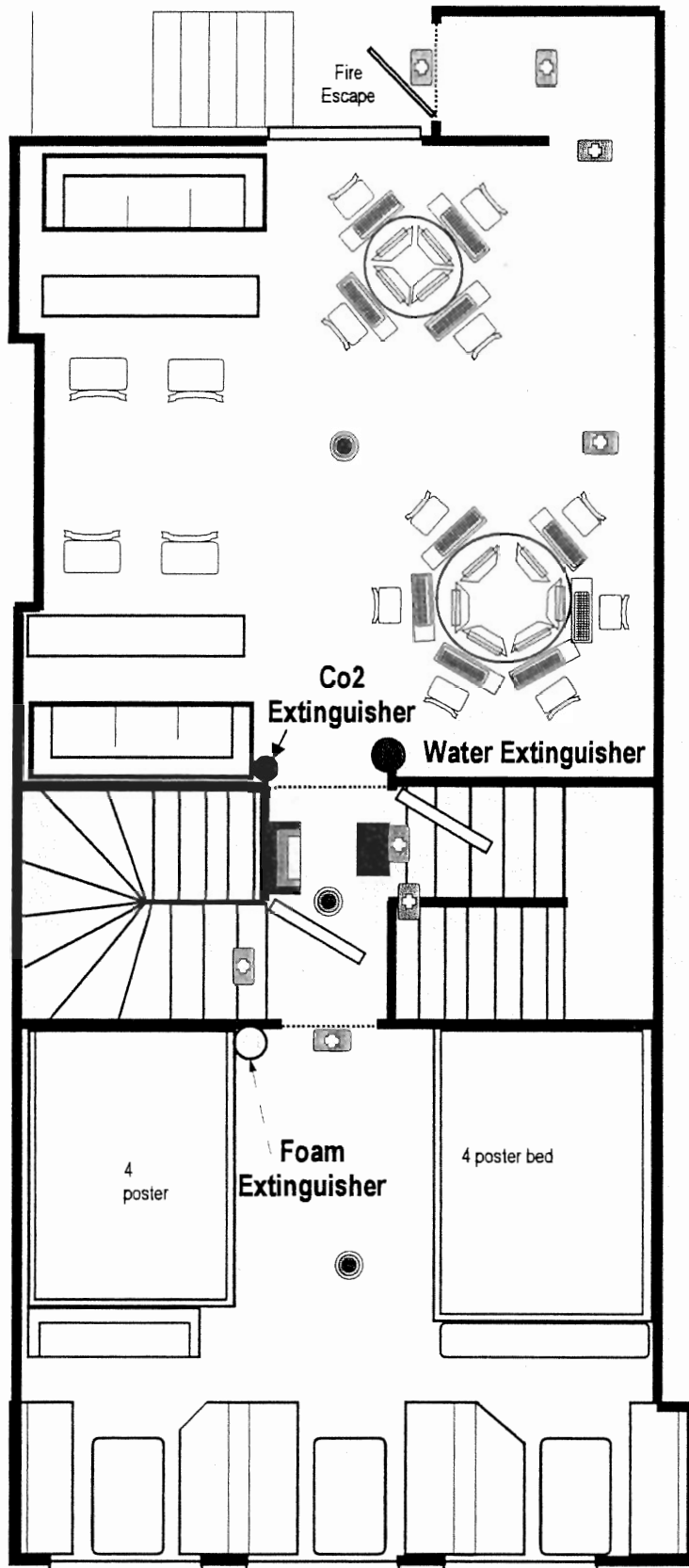
**GROUND
FLOOR
PLAN**

42 STONEGATE, YORK

**FIRE
ESCAPE
ROUTE**

**Break Glass
Point**

EVIL EYE LOUNGE - FIRST FLOOR PLAN

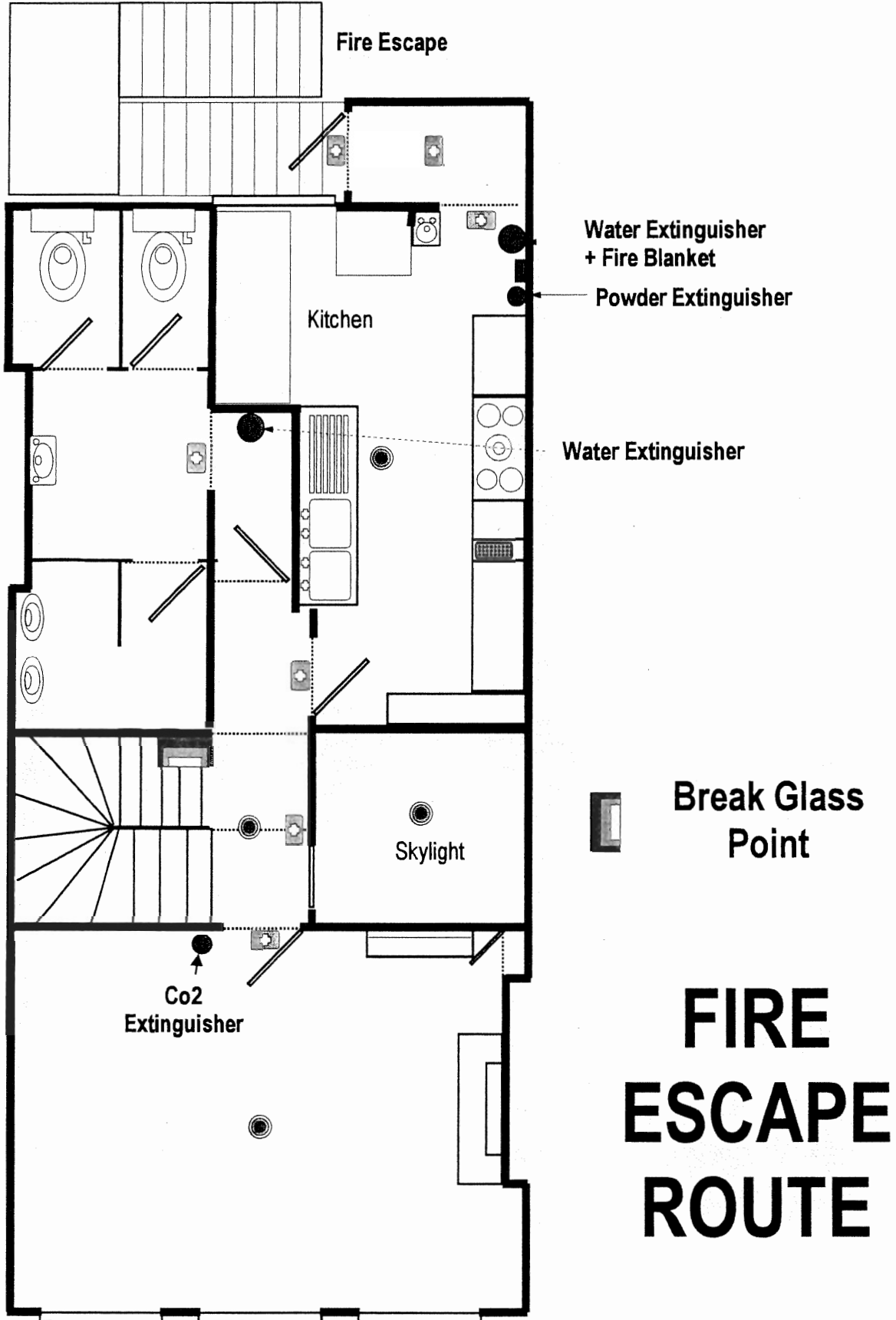


FIRE ESCAPE ROUTE

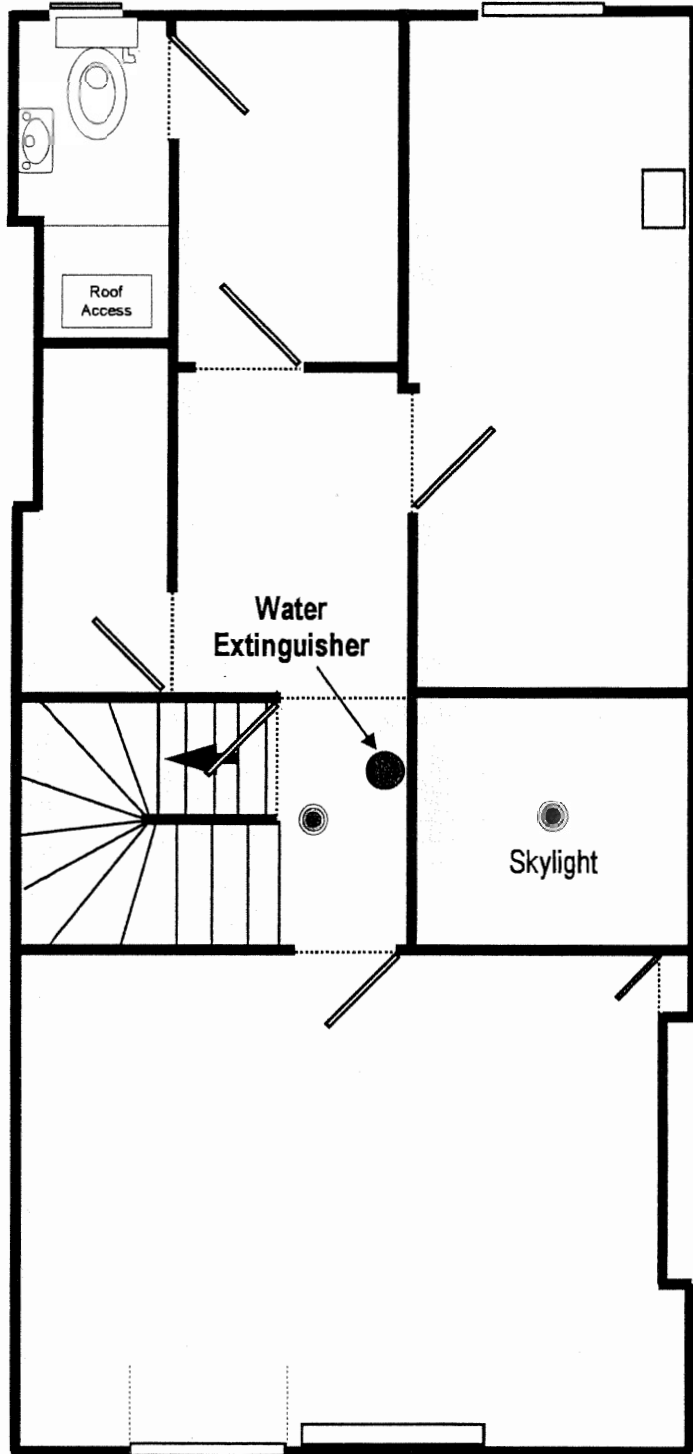


Break Glass Point

EVIL EYE LOUNGE - SECOND FLOOR PLAN



EVIL EYE LOUNGE - THIRD FLOOR PLAN



**FIRE
ESCAPE
ROUTE**

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

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THE EVIL EYE LOUNGE

EXHIBIT "IL3"

IL3

**Risk Assessment Form
Completed In Accordance With
The Fire Precautions (Workplace) Regulations 1997 (As Amended)**

EVIL EYE LOUNGE

42 STONEGATE, YORK, YO1 8AS

FIRE RISK ASSESMENT UPDATED ON 1st OCTOBER 2006

<ul style="list-style-type: none"> Is there a system for controlling the amounts of combustible materials and flammable liquids and gases that are kept in the workplace? 	<p>There is a gas shut off point in the kitchen. This is checked daily by the kitchen supervisor and turned off at the close of day.</p>
<ul style="list-style-type: none"> Are all combustible materials and flammable liquids and gases stored safely? 	<p>Yes; Post mix gases stored safely in the basement away from fire risk.</p>
<ul style="list-style-type: none"> Are all items of portable electrical equipment inspected regularly and fitted with the correct rated fuses? 	<p>Yes. These are checked daily by the computer technician or day time manager.</p>
<ul style="list-style-type: none"> Is the wiring of the electrical installation inspected periodically by a competent person? 	<p>Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990)</p>
<ul style="list-style-type: none"> Is the use of extension leads and multi-point adapters kept to a minimum? 	<p>These are kept to a minimum.</p>
<ul style="list-style-type: none"> Are flexes run in safe places where they will not be damaged? 	<p>These are all covered and secured.</p>
<ul style="list-style-type: none"> Is the upholstery of furniture in good condition? 	<p>Generally yes. However some damaged furniture has been removed recently and this is under review (22/11/06)</p>
<ul style="list-style-type: none"> Is the workplace free from rubbish and combustible waste materials? 	<p>All stored outside in provided bins.</p>
<ul style="list-style-type: none"> Is there a designated smoking area provided with adequate ashtrays? 	<p>Customers are permitted to smoke throughout the downstairs bar area and in the middle floor 'bedroom'. The rest of the building is non smoking, inclusive of the computer room, beds and toilets. These sections are closely supervised.</p>
<ul style="list-style-type: none"> Have suitable measures been taken to protect against arson? See <u>Arson prevention check list</u> 	<p>Building is secure at close of business with no access to rear.</p>
<ul style="list-style-type: none"> Have measures been taken to ensure that smoke and flames cannot spread from one compartment to another? 	<p>Fire doors are installed at required points and automatically closing doors installed on first floor landing.</p>

<ul style="list-style-type: none"> • Is there a sufficient number of exits of suitable width for the people present? 	Yes in accordance to the capacity of each room.
<ul style="list-style-type: none"> • Do the exits lead to a place of safety? 	All fire exits lead to escape point at the front of the building.
<ul style="list-style-type: none"> • Are gangways and escape routes free from obstruction? 	Staff are instructed to keep fire exits totally clear at all times. This is inspected closely by the duty manager.
<ul style="list-style-type: none"> • Are the escape routes free from tripping hazards? 	As above.
<ul style="list-style-type: none"> • Are steps and stairs in a good state of repair? 	Structurally sound.
<ul style="list-style-type: none"> • Are final exits always unlocked when the premises are in use? 	All fire doors are "push bar" opening which are never locked.
<ul style="list-style-type: none"> • Are the self closers on fire doors operating correctly? 	Tested regularly and all fully active.
<ul style="list-style-type: none"> • Do the doors on escape routes open in the direction of travel? 	Yes.
<ul style="list-style-type: none"> • Are escape routes clearly and correctly signed? 	Yes.
<ul style="list-style-type: none"> • Are escape routes adequately lit? 	Emergency lighting is fitted throughout.
<ul style="list-style-type: none"> • Has consideration been given to all cost-effective measures that could be taken to prevent the occurrence of arson? 	As building is deemed as secure at close of business. No further action is considered necessary until next review.
<ul style="list-style-type: none"> • Have staff been trained in how to call the fire brigade, the use of the fire extinguishers and basic fire prevention? Enter into Fire Safety Log 	At bi-annual staff training seminars staff are instructed in the use of extinguishers and walked through fire escape procedure. New staff are also instructed in this on their first
<ul style="list-style-type: none"> • Where escape lighting is installed is it in working order and maintained regularly? Enter into Fire Safety Log 	Yes. See fire safety log.
<ul style="list-style-type: none"> • Is the fire alarm system in working order? 	Yes. Checked weekly.
<ul style="list-style-type: none"> • Can the fire alarm be raised without placing anyone in danger? 	Alarm points are situated throughout the building.
<ul style="list-style-type: none"> • Are the fire alarm call points clearly visible and unobstructed? 	All points are visible and sign posted in public areas.

<ul style="list-style-type: none"> • Is an adequate number of suitable fire extinguishers provided? 	Yes. These are situated at the access points of each room.
<ul style="list-style-type: none"> • Are fire extinguishers and fire blankets located suitably and ready for use? 	Yes, as above.
<ul style="list-style-type: none"> • Are the fire extinguishers serviced annually by a competent person or company? Enter into Fire Safety Log 	Yes.
<ul style="list-style-type: none"> • Is any fixed firefighting installation or automatic fire detection system in working order Enter into Fire Safety Log 	Emergency lighting and fire doors come into operation when alarm is triggered.
<ul style="list-style-type: none"> • If you employ five or more people have you recorded the findings of the fire risk assessment? 	Yes and under review (22/11/06)
<ul style="list-style-type: none"> • Have you told your staff or their representatives about your findings? 	Yes.
<ul style="list-style-type: none"> • If you have prepared a formal report has it been shown to your staff? 	This will be enacted in the near future.
<ul style="list-style-type: none"> • Are fire action notices displayed prominently throughout the premises? 	Displayed on each floor.
<ul style="list-style-type: none"> • Has a procedure been established to review the fire risk assessment periodically? 	Yes at bi-annual review and discretion of the manager.

NOTES:

Fire Risk Assessment

Evil Eye Lounge, 42 Stonegate, York, YO1 8AS.

Last updated: 7th February 2007

Section 1 - Significant finding on premises.

Risk: **Danger of fire through discarded cigarette ends.**

Action: Ashtrays provided in smoking areas, to be emptied regularly. No flammable materials to be used in seating areas. Smoking not permitted in the building whatsoever.

Assessment: At next review, and at bar managers discretion.

Risk: **Danger of fire through discarded cigarette ends in waste bins.**

Action: Have informed Smoking Enforcement Officer and the HSE, at present can only monitor bins closely. Plans are in place to build a steel bin holder.

Assessment: At next review, and at bar managers discretion.

Risk: **Danger of fire through irresponsible use of liquor.**

Action: Staff informed to prevent customers from lighting alcoholic drinks – no naked flames allowed in the bar whatsoever.

Assessment: At next review.

Risk: **Danger of fire through electrical appliance fault.**

Action: Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990). Standard practice to disconnect plugs from appliances as close of business. There are no sources of fuel to be kept near any plug sockets or near appliances that may heat up in any form. There are no heaters used in plug sockets in the building.

Assessment: At next review.

Risk: **Danger of fire through overloading of electrical sockets.**

Action: Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990). There are no sources of fuel to be kept near any plug sockets or near appliances that may heat up in any form. If an adaptor is used then only low voltage electrical items are used, and adaptor is to be mounted on the wall.

Assessment: At next review.

Risk: **Danger of fire in basement.**

Action: Fire doors to be kept closed at all times and stairwells to be kept clear of stock. Postmix gas canisters to be inspected daily and changed only by trained duty supervisor. There are no electrical sockets at floor level.

Assessment: At next review.

Risk: **Danger of fire in kitchen.**

Action: Kitchen to be always staffed when open, gas supply is shut off when the kitchen is closed and cut off point tested daily by kitchen supervisor. Fire blanket, Powder and CO2 Extinguisher provided. Passageway to fire exit to be clear of debris. Fire door always closed.

Assessment: At next review and at kitchen manager's discretion.

Risk: **Danger of fire in Kitchen through Deep Fat Fryer.**

Action: Kitchen to be always staffed when open. Fire blanket, Powder Extinguisher provided. Fire door always closed. Oil temperature closely monitored, no liquids are kept near the fryers. Kitchen supervisor double checks the fryers are turned off each day and that they are always turned off at the wall socket. The metal lids are placed over each night.

Assessment: At next review and at kitchen manager's discretion.

Risk: **Danger of fire in Computer Room .**

Action: Each morning cleaners clean computers and area. No dirt, dust or materials are kept any where new computers. All computers are switched off at the end of the night. Any machine faults are fixed immediately by a computer technician. Computer technician to ensure computers are correctly wired and conform to correct voltage.

Assessment: At next review and at computer technicians discretion.

Risk: **Danger of fire on 3rd Floor Storage Area .**

Action: Access to this storage/office level is to be kept to a minimum. Less than 5 minutes in each hour. There is no over loading of electrical sockets. All stock is to be kept neat and tidy, General housekeeping duties are closely monitored by Manager/ Duty Manager.

Assessment: At next review and at Managers discretion.

Section 2: Means of Escape.

Basement

1. Staircase leads to ground floor. Protected by 2 fire doors. Fire Action Plan situated on wall.

Ground Floor

1. Pressure opening fire escape doors positioned at rear of bar area leading into beer garden. Access to front of premises provided through alleyway, to be lit with emergency lighting and protected by fire door. This passage-way is kept clear at all times . Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.
2. Front escape provided directly through front door of off-licence, 2 thumb turn locks provided on the door, escape route is lit with emergency lighting.
3. Side entrance fire door which leads into the escape passage outlined in 1. above. Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.

First Floor

1. Main escape route is provided by stairwell of premises. This is protected by two automatically closing fire doors, which activate automatically by relayed smoke detectors. Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.
2. Alternative escape route provided at rear of the building, through a fire door lit with emergency lighting giving access to exterior stairwell. This leads to ground floor passage.

Second Floor

1. Central stairway provides the main route of escape, through automatically closing fire door giving access to first floor. Call Point and Fire Action Plan situated next to exit.
2. Alternative escape through kitchen fire exit leading to rear external fire escape . Lit with emergency lighting and protected by fire door.

Third Floor

1. Central stairway provides the main route of escape, through fire door giving access to second floor. Call Point and Fire Action Plan situated next to exit. Also roof hatch is available in toilet that leads to neighbouring roof.

Section 3 – Fire procedure.

New staff

1. Must take Fire Safety course and achieve a 100% pass rating. Obtain a certificate.
2. Manually taken around the building and instructed on escape procedure and safety equipment.
3. Shown how to operate alarm system and shut off gas /electrics.
4. This is to be reviewed every staff meeting, usually every 1/2 months.

Alarm Sounding

Upon sounding of alarm Duty manager is to marshal customers towards fire escapes from top floors , and assemble them in front of premises on Stonegate.

Where possible make sure all doors are closed behind.

Staff are required to guide customers through fire exit doors on ground floor.

The fire is to be located, and if considered to be manageable extinguished using the appropriate extinguishers.

Fire brigade are to be called immediately by Manager/Duty Manager or Senior staff.

Duty manager must check that all staff and customers are out the building and safe.

Do not enter the building until informed it is safe to do so by the Manager, Duty Manager or Fire Brigade.

Upon discovery of a fire sound alarm

Follow above procedure

Section 4 – Fire Testing.

All fire equipment/exits are tested as follows :-

Item		Time Scale		Tester
Emergency Lighting	-	1 month	-	Fire Manager/ Manager
Fire Extinguishers	-	12 months	-	Advance Fire Services
Fire Alarm System	-	3 months	-	Advance Fire Services
Automatic Fire Doors	-	1 month	-	Fire Manager/ Manager
Fire Alarms/Break Glass	-	Weekly	-	Fire Manager/ Manager
Fire Exits	-	Daily	-	Fire Manager/ Duty Manager

Section 5 – Fire Test Sheets & Reports.

Overleaf are examples of our test sheets and logs, please check Fire Folder for completed forms.

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NORTH YORKSHIRE FIRE AND RESCUE SERVICE

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THE EVIL EYE LOUNGE

EXHIBIT "IL4"

IL4

Fire risk assessment for Evil Eye Lounge, 42 Stonegate, York YO1 8AS.

Last updated: 19th November 2006

Section 1 - Significant finding on premises

Risk: Danger of fire through discarded cigarette ends.

Action: Ashtrays provided in smoking areas, to be emptied regularly. No flammable materials to be used in seating areas. Curtains to be always hung back.. Smoking not permitted in beds, or in internet lounge.

Assessment: At next review, and at bar managers discretion.

Risk: Danger of fire through electrical fire.

Action: Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990). Internet manager to ensure computers are correctly wired and conform to correct voltage. Standard practice to disconnect plugs from appliances as close of business, see general risk assessment for extended detail.

Assessment: At next review.

Risk: Danger of fire through irresponsible use of liquor.

Action: Staff informed to prevent customers from lighting alcoholic drinks – no naked flames behind the bar or on bar counter.

Assessment: At next review.

Risk: Danger of fire in basement.

Action: Fire door installed and stairwells to be kept clear of stock. No smoking in basement. Postmix gas canisters to be inspected daily and changed only by trained duty supervisor.

Assessment: At next review.

Risk: Danger of fire in kitchen.

Action: Kitchen to be always staffed when open, gas supply cut off point tested daily by kitchen supervisor. Fire blanket provided. Passageway to fire exit to be clear of debris – and extinguisher positioned at hand. Gas supply to be disconnected at cut off point at close of day.

Assessment: At next review and at kitchen manager's discretion.

Section 2: Means of Escape.

Ground Floor

Pressure opening fire escape doors positioned at rear of bar area leading into beer garden. Access to front of premises provided through alleyway, to be lit with emergency lighting and protected by fire door. This passageway is to be kept clear with all empty boxes broken down and stacked out of the way. Escape signs positioned on wall.

Alternative escape provided directly through front door of off-licence, and also side door which leads into the escape passage outlined above.

First Floor

Main escape route is provided by stairwell of premises. This is protected by two automatically closing fire doors, which activate automatically upon the sounding of the alarm.

Alternative escape route provided at rear of the building, through a fire door giving access to exterior stairwell. This leads to ground floor passage.

Second Floor

Central stairway provides the main route of escape, through automatically closing fire door giving access to first floor. Alternative escape through kitchen fire exit leading to rear external fire escape.

Section 3 – Fire procedure.

New staff instructed on escape procedure during their first shift. This is to be reviewed at each staff meeting, usually every four months.

Upon sounding of alarm emergency lighting comes on. Duty manager is to marshal customers towards fire escapes from top floors, and assemble them in front of premises on Stonegate.

Staff are required to guide customers into external escape passage on ground floor.

The fire is to be located, and if considered to be manageable extinguished using the appropriate extinguishers. These are located at the entrance to each part of the building.

Fire brigade are to be called immediately by off licence staff.

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NORTH YORKSHIRE FIRE AND RESCUE SERVICE

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THE EVIL EYE LOUNGE

EXHIBIT "IL5"

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STAFF MEMO—November 30th 2006

Fire Safety

It is imperative that all staff are strict on our fire policies at all times. There are many hazards within a building of this nature. Be alert.

1. Fire exits must be kept clear on all floors. Duty managers must fill out the fire exit check sheet when they come on duty. Which means first thing in the morning and when the shift changes at six o'clock.
2. Any broken furniture must be placed at the rear of the beer garden or in the office. If it cannot be fixed then dispose of the broken item.
3. Waste and boxes are to be broken down and compacted as best as possible. No waste is to be left on fire escapes or blocking the alleyway. Bin bags are to be put in the wheelie bins, if you can't lift them please ask a stronger member of staff to do it..
4. In the computer room the chairs get moved around continually, whenever you pass the room push the chairs under the tables and move them back so they do not block the exits. Customers do tend to move the larger chairs with the arms next to the computers, make sure they don't and they are kept around the 2 tables.
5. Crates are to be put out in the alleyway when the business closes on Tuesday and Thursday nights so they can be collected Wednesday and Friday mornings. That way there will be very little build up and enough space to stack them away. If we do have too many crates then place them in the beer garden down the side of the wall.
6. Duty manager must make daily checks on the fire alarm system to make sure it is fully operational.
7. **The basement door must be closed at all times**, it is a fire door. Once you have brought stock up or down close it straight away. No boxes must be left on the stairs, place them in the basement ready for unpacking. Customers can see down the stairway and it looks a mess, they can all see your bags, coats and our stock.
8. Do not wedge the side entrance door open, again it is a fire door.
9. Fire Alarm tests must be carried out every Thursday morning and logged in the Fire Alarm Test Book.
10. Make sure you are aware of the fire extinguisher locations and how to operate all extinguishers. You must all know what each one is for and how it should be used.
11. **Candles must be kept on the ground floor in view of the bar.** There are no candles to be lit on the other floors.
12. Smoking is not allowed in the bedroom, computer room or 2nd floor. I know its hard to monitor all the time, but please point out to customers that they must only smoke downstairs. Make sure there are ashtrays on all tables downstairs at all times and change them as frequently as possible.

All staff need to attend the next monthly staff meeting, Mike is arranging the date, possibly next Monday morning. Make sure you can attend and let us know if you can't so we can arrange a different day.

Any staff wanting to do a fire safety course please contact Ian or Steve.

Tills & Cash

1. All cigarette orders are to be put on the EPOS system when the order arrives—the EPOS update that is printed out must be attached to the Booker invoice so we know it has gone on computer.
2. The process of updating the Epos is very simple and all off-licence / managerial staff must know how to do it, please ask Dave or Ian to be shown.

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NORTH YORKSHIRE FIRE AND RESCUE SERVICE

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THE EVIL EYE LOUNGE

EXHIBIT "IL6"

forever changes

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evil eye lounge

2nd December 2006,

To Joe Calpin, North Yorkshire Fire & Rescue,

I received your letter after getting back from holiday and was not happy with what had gone on that week. I have met with the other 2 licensees and gone over all aspects of our fire assessments. Staff memos have been sent out and our next staff meeting has been arranged to go over the point once again. I have attached a copy of our fire risk assessment and some forms that correspond to fire. If you would like to attend our staff meeting and perhaps even give a talk then please let me know, we have done this with the police & a security service before and it proved very beneficial.

I have contacted advance fire and arranged for them to meet and put in an additional smoke detector in the kitchen, not too sure if you needed a break glass in the kitchen as there is one on the other side of the kitchen door?

I am following up the occupancy with the police licensing and my solicitor as to exact numbers in each room. I have a total figure of 130 inside and 20 outside on my approved licensing plans. It is very rare that we have that many people in unless it's a weekend, we do have licensed door staff with clickers on Friday & Saturdays. At the time of your inspection I believe that a large number of students were in the building on graduation day between 8.30pm and 9.30pm, and the duty manager asked a large group to leave.

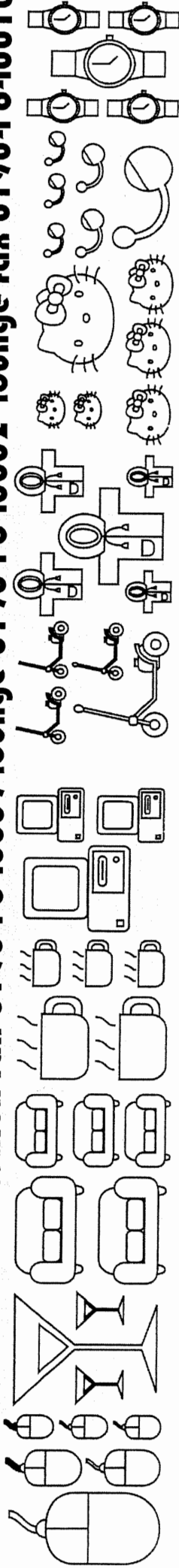
The first floor computer room fire exit we have always had 1 un-maintained (internal) and 2 maintained (internal & external) lights on that fire door, please can you let me know if you require both internal lights to be lit?

I will be out of the country until 11th December, if you need to contact me in the mean time please can you email me at - foreverchanges@yahoo.com or contact Steve Atkinson / Michael Brown on 01904 640002.

Yours faithfully,

Ian loftus

**forever changes ltd - 42-48 stonegate - york - north yorkshire - yo1 8as foreverchanges@yahoo.com
fashion 01904 640001 fashion fax 01904 640009 lounge 01904 640002 lounge fax 01904 640010**



FIRE ALARM SYSTEM TESTING

The call points and the operation of the system, including the sounders are tested **WEEKLY** using a different call point in rotation for each successive test.

- Call Point 1 - Side Entrance Door
- Call Point 2 - Rear Entrance to beer garden (back left)
- Call Point 3 - 1st Floor Landing
- Call Point 4 - 2nd Floor Landing / Stairwell
- Call Point 5 - Rear Bar Left hand side middle

To check the call points, unscrew the case screw with a posi-drive screwdriver, remove the glass and the fire alarm will sound. If for any reason you need to replace the glass there are spare ones kept on top of the main fire panel. Make sure you let all staff you are testing the system.

To reset the system screw the break glass panel back on and press system reset on the main panel.

If you find any faults then please inform the Fire Manager and Advance Fire Services immediately.

In addition, a **QUARTERLY** inspection of the whole system, including any automatic fire detection and automatic releases shall be carried out in accordance with the relevant British Standard by Advance Fire Services.

In addition, a **MONTHLY** inspection of the emergency lighting system shall be carried out in accordance with the relevant British Standard by our Fire Manager/ Manager.

In addition, an **ANNUAL** inspection of the fire equipment and extinguishers shall be carried out in accordance with the relevant British Standard by Advance Fire Services

Advance Fire Services, 21-23 Lawrence Street, York, YO10 3BP
Tel: 01904 634036 Fax: 01904 634036
Contact - Ken Lawn

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NORTH YORKSHIRE FIRE AND RESCUE SERVICE

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THE EVIL EYE LOUNGE

EXHIBIT "IL7"

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Note for Case for Evil Eye Lounge, 42 Stonegate, York, YO1 8AS

The following note for case is prepared by SM Alan Bell to provide a chronological record of my involvement with the ongoing enforcement of Fire Safety measures at the above address.

Saturday 1st December 2007

Whilst working at York Fire Safety office on Saturday 1st December I was approached by Hilary Hustwick, who asked for my views and advice on how to progress with a fire safety visit she had made to the Evil Eye Lounge bar the preceding evening, as part of a joint licensing inspection with NYP and COY licensing officer.

Hilary was concerned that the premises had over 160 people on the premises when she was under the impression that we (NYFRS) had restricted the premises to 100 by an Enforcement Notice that had been issued in November 2007 by SM Calpin

On checking the file, Hilary was correct and an Enforcement Notice had been issued in November 2006 by SM Calpin that effectively restricted the capacity to 100 persons for the Evil Eye.

After speaking with AM Bitcon I agreed with Hilary Hustwick to visit the Evil Eye again at approximately 2300 on Saturday evening of 1st December 2007.

At approximately 2145 I was called to a house fire in Snainton and did not expect to return to York on time for the meeting with Hilary so informed Hilary to request another Fire Safety Enforcement officer to attend and to ask for this via Control.

Hilary did this and arranged with Roy Ashman to meet at York FS office at approximately 2230, along with a member of NYP Licensing team.

Because I completed my tasks at Snainton sooner than expected I returned to the York FS office at approx 2300, with the FS file for the Evil eye and accompanied Hilary Hustwick, Roy Ashman and two members of NYP to the Evil Eye.

On arrival, both myself and Hilary did a head count of the upper floors and checked the means of escape. The capacity was found to be acceptable but the means of escape was impassable without great care through the kitchen area. The external means of escape was heavily congested with waste materials that were considered to be easily combustible. These included waste bags of rubbish, wheelie bins, cardboard boxes, wooden chairs and other items best described as commercial waste.

In my opinion the means of escape was not readily accessible or easy to use by anyone, but it was especially hazardous to untrained members of the public who would very probably be intoxicated due to the nature of the business carried out at the premises. Due to the low level of lighting on the external stair it was difficult to see most of the objects without paying close attention and would have presented significant trip hazards and a source of combustible materials for an accidental or deliberate fire.

Following some discussion between myself, Hilary, Roy Ashman and AM Bitcon (via telephone) it was decided the best course of action was to prohibit/restrict the use of the premises in such a way that the maximum occupancy would be 100, the waste would need to be removed before re-opening and the unauthorized method of securing the front door would have to be removed.

Continued....

Throughout the visit I was led to believe the responsible person at the premises was Michael Brown who described himself as the manager. We kept Mr. Brown fully informed and told him we were going back to the office to prepare a Prohibition Notice and would bring it back within 30 minutes and in any case before 0130.

I, Hilary and Roy returned to the York office to prepare a Prohibition Notice, where we were joined by AM Bitcon who agreed the notice and signed it.

Sunday 2nd December (early hours)

Myself and Roy Ashman returned to the Evil Eye where we sat down with Michael Brown and issued the Prohibition Notice. We discussed the implications of the notice and informed Mr. Brown that a further visit would be made during Sunday daytime to ensure the requirements of the notice had been adhered to, should he re-open the bar. Mr. Brown signed a copy of the Prohibition Notice and was issued with a copy for his own records.

Sunday 2nd December (approximately 1600 hours)

I visited the Evil Eye bar and carried out an inspection of the full means of escape to check that all reasonable obstructions had been removed and the conditions of the Prohibition Notice had been satisfied and confirmed they had been.

During the visit I spoke again with Mr. Brown and another gentleman who was described to me by Mr. Brown as "the other manager" (I now know this other gentleman to be the owner, Mr. Ian Loftus)

I explained to Mr. Brown and the "other manager" again the full implications of non-compliance with the Prohibition Notice and that a further visit would be made to determine what measures would be necessary to achieve a satisfactory standard of general fire safety precautions at the premises.

Wednesday 5th December

Following discussions with Jim Bowes and Hilary Hustwick, with regard to the FS measures now required at the Evil Eye, I went to York FS office at approximately 1530 hours.

I agreed to visit the Evil Eye again with both Jim and Hilary and on arrival was told we could inspect the property unaccompanied. On the top floor I discovered the upper floor was being used as an office and not simply storage. I also discovered what I considered to be an excessive fire loading. This was evident in the form of four fridges / freezers that were plugged in to the mains via no less than 2 extension leads and with all four appliances plugged in to a single extension reel (fully unwound).

I also discovered in the office at least two adaptors that had 6 plugs in one and 5 plugs in another. When I asked to speak with the owner (Mr. Loftus) I was surprised to see it was the same person I had spoken with on Sunday about Fire Safety measures.

When I started to query Mr. Loftus over his recollection of discussions that took place between myself and Mr. Loftus on the Sunday, Mr. Loftus claimed he know nothing about a Prohibition Notice and that Mr. Brown knew nothing either. I explained that I had spoken to them both about this issue and discussed in some depth both matters on the previous Sunday.

Continued....

At this point I lost faith in Mr. Loftus's ability to tell the truth and keep account of events. I asked Mr. Loftus if we could go somewhere more private where I issued a standard legal caution from the NYF&RS caution card. I asked Mr. Loftus to confirm that he understood the caution and repeated the caution in plain English, once again, from the card. I explained that Mr. Loftus would be well advised to seek the advice of a solicitor. I made notes of the meeting and asked Mr. Loftus to agree and sign my pocket notebook. Throughout this meeting I was accompanied by Hilary Hustwick.

Before leaving the Evil Eye I arranged with Mr. Loftus to attend the York FS office at 0930 the following morning to issue Mr. Loftus a copy of the Prohibition Notice and a revised Enforcement Notice. This was believed necessary as there was some doubt about the integrity of the existing notice due to material alterations at the premises, a change of use of the premises and the lack of a defined completion date.

Thursday 6th December (approx 0930 – 1030)

Mr. Loftus attended York FS office, as arranged, where we were accompanied by Hilary Hustwick.

I started the meeting by explaining to Mr. Loftus that I was going to re-issue the standard caution and the plain English caution which I again read from the NYF&RS card. I explained again to Mr. Loftus that he would be well advised to seek the legal advice of a solicitor, especially if he considered the actions of the Fire Authority to be unreasonable or over-zealous.

I re-iterated the conditions of the Prohibition Notice and asked Mr. Loftus to sign the acknowledgment receipt.

I issued the Enforcement Notice, having first discussed the full detail of the notice and the actions necessary to comply with the notice.

I explained that if Mr. Loftus was able to demonstrate a willingness to comply with the requirements of the notice that the Fire Authority would consider extending the deadline beyond 1st April 2008.

Mr. Loftus raised queries on the front door and alternative solutions to gain compliance to which I informed Mr. Loftus that the Fire Authority would consider any solution if it is submitted in writing and with sufficient time to look at. I also informed Mr. Loftus he should consult with Building Control if he needed to carry out any structural alterations to the property. I also told Mr. Loftus that copies of each notice would be forwarded to the building owners by recorded delivery.

At the end of the meeting I asked Mr. Loftus to sign my notebook in agreement at what had been done and said at the meeting.

Station Manager Alan Bell – BSc, Dip (Phys), GFireE

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

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THE EVIL EYE LOUNGE

EXHIBIT "IL8"

IL8

NOTE FOR CASE – EVIL EYE 42 STONEGATE YORK YO1 8AS

Date:- 1 December 2007

Name of Officer:- Miss Hilary Hustwick

On the 30th November 2007 at 22:25pm I attended the above premises with PC Mick Wilkinson Police Licensing Officer and Nigel Woodhead Enforcement Officer, Licensing Dept City of York Council.

After introducing ourselves to the member of door staff I asked her what her occupancy was at present she answered ' I think maybe 120 people' I then asked her if she knew what her occupancy for the premises was and she replied '150 I think' After informing her that it was 100 people myself and PC Wilkinson entered the premises to carry out a count using clicker counters. Ground floor had 102 persons and upstairs including 1st and 2nd floor and toilets was 48 persons

After meeting back on the ground floor it was found that the member of door staff was still letting people in, and had to be asked by myself to stop letting anymore persons into the premises until we had it to a safe capacity.

AT 22:35 I telephoned Group manager Graham Buckle to ask for further advice he informed me to reduce the capacity to 100 people and clear the external means of escape before leaving the premises.

After discussions with the duty Manager Jonathan Smales he agreed to ask the members of the public on the first and second floor to vacate the building.

I used the clickers to count people out.

I informed Jonathan that there was already an enforcement noticed served on the premises for over occupancy and blocking of means of escape, and had been also told 4 weeks ago by Station Manager Calpin about the same issues and clearly had total disregard for the safety of the public in the premises with regards to fire.

Once the occupancy was brought down to 80 persons we informed Jonathan that he could now start letting member of the public back into the premises as long as he did not go over 100 persons and that was to include staff.

I informed the member of door staff that in future it would be a good idea to use a clicker counter so that she has an exact record of how many she is letting into the premises, she replied 'she had one upstairs and would start using now'.

Once leaving the premise I telephone Group Manager Graham Buckle at 23:02 to update him with the outcome of the visit.

Signed

Date 1 December 2007

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL9"

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

**REVIEW OF PREMISES LICENCE
WITNESS STATEMENT OF MICHAEL BROWN**


I, MICHAEL BROWN, DPS of 42 Stonegate, York, YO1 8AS will state as follows:

1. On the evening of Saturday 1st December 2007 I was the DPS in the Evil Eye Lounge. I was working that evening when the fire officers came around. They checked all exits were clear and the capacity was below 100 persons. They asked me to remove all combustible material and any waste from underneath the fire escapes and alleyway. They then came back at around 1.00am and sat me down and talked me through a document to say that the jobs were completed. I was very tired as I had been working a very long shift and it was late at night. I then signed the document to acknowledge that the work they had requested was completed to their satisfaction and that we could re-open on Sunday morning.
2. The following day, Sunday 2nd December 2007, I was working from 4.00pm until close of business. I spoke to the same fire officer who had attended the previous night and who once again checked to see that the fire exits were clear. There were no complaints.

3. That afternoon when Ian Loftus asked me where the Prohibition Notice was I said I hadn't seen it. I was unaware that the document I had signed on the previous night was a Prohibition Notice. On Thursday of that week I came across the Notice that I had signed and gave it to Ian Loftus.

4. Also the Note for Case Evil Eye Lounge document is incorrect. "During the visit I spoke again with Mr Brown and another gentleman who was described to me by Mr Brown as "the other manager" (I know now this other gentleman to be the owner, Mr Ian Loftus)". When I was talking about the "other manager" when speaking to the Fire Officer I was talking about Jonathan Smales the other Duty Manager who was present on the Friday night inspection, not the owner Ian Loftus. I made this clear during my interview with the fire inspectors on Saturday night that it was Jonathan Smales I was referring to.

5. I believe the contents of this statement are true.

Signed.....

Dated.....08/02/2008.....

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL10"

1110

STATUTORY INSTRUMENTS

1994 No. 1768

CONSUMER PROTECTION

The Plugs and Sockets etc. (Safety) Regulations 1994

Made 5th July 1994

Laid before Parliament 6th July 1994

*Coming into force in accordance with
regulation 1(2), (3) and (4)*

Whereas the Secretary of State has, in accordance with section 11(5) of the Consumer Protection Act 1987^[1] consulted such organisations as appear to him to be representative of interests substantially affected by these Regulations, such other persons as he considers appropriate and the Health and Safety Commission:

Now, therefore, the Secretary of State in exercise of the powers conferred on him by section 11 of the said Act read with article 6 of the Consumer Protection Act (Commencement No. 1) Order 1987^[2] hereby makes the following Regulations:-

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Plugs and Sockets etc. (Safety) Regulations 1994.

(2) These Regulations shall, except as provided by paragraphs (3) and (4) below, come into force on 3rd August 1994.

- (3) Part II of these Regulations shall come into force-
- (a) on 1st February 1995 in relation to the supply, offer for supply, agreement to supply, exposure for supply or possession for supply of any appliance to which that Part applies by a manufacturer in or importer into the United Kingdom, or in the case of appliances manufactured in or imported into the United Kingdom on behalf of another person, by that other person; and
 - (b) on 1st February 1996 in all other cases.

(4) Regulation 2(1) shall come into force on 1st February 1995.

Revocation

2.—(1) The Electrical Appliances (Colour Code) Regulations 1969^[3], the Electrical Appliances (Colour Code) Regulations (Northern Ireland) 1970^[4], the Electrical Appliances (Colour Code) (Amendment) Regulations 1970^[5], the Electrical Appliances (Colour Code) (Amendment) Regulations (Northern Ireland) 1970^[6], the Electrical Appliances (Colour Code) (Amendment) Regulations 1977^[7] and the Electrical Appliances (Colour Code) (Amendment) Regulations (Northern Ireland) 1977^[8] are hereby revoked.

(2) The Plugs and Sockets etc. (Safety) Regulations 1987^[9] are hereby revoked.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires—
"adaptor" means a device which may be engaged with a socket, being a device which is designed—
(a) to enable a plug having pins, or other forms of contact, of different dimensions or configuration to those of the socket to be engaged with the socket;
(b) to enable more than one plug to be engaged with the socket; or
(c) to be used for both of the purposes mentioned in sub-paragraphs (a) and (b) above;

"appliance" means an appliance to which Part II of these Regulations applies by virtue of regulation 11(1) below;

"appliance coupler" means a device designed to connect a flexible cable or cord to electrical equipment and consisting of—

- (a) a connector which is integral with, or intended to be attached to, the flexible cable or cord; and
- (b) an inlet which is incorporated in or fixed to the electrical equipment, or intended to be fixed to it;

"BS 546" means the British Standard Specification for two-pole and earthing-pin plugs, socket-outlets and socket-outlet adaptors BS 546: 1950 published by the British Standards Institution on 16th March 1950, including Supplement No. 1 (1960) published on 30th December 1960 and Supplement No. 2 (1987) published on 23rd December 1987, incorporating Amendment No. 1 issued in December 1953 and as amended by Amendment No. 2 published on 28th November 1961, Amendment Slips 3 and 4 published on 16th May 1969 and 29th July 1977 respectively, and Amendments No. 5, 6 and 7 published on 31st August 1982, 23rd December 1987 and 31st January 1989 respectively;

"BS 646" means the British Standard Specification for cartridge fuse-links (rated up to 5 amperes) for AC and DC service BS 646: 1958 published by the British Standards Institution on 31st January 1958, as amended by Amendment No. 1 published on 31st January 1991;

"BS 1362" means the British Standard Specification for general purpose fuse links for domestic and similar purposes (primarily for use in plugs) BS 1362: 1973 published on 28th February 1973, as amended by Amendments No. 1 and 2 published on 29th June 1984 and 30th April 1991 respectively^[10];

"BS 1363" means the British Standard Specification for 13 amp fused plugs and switched and unswitched socket-outlets BS 1363: 1984 published by the British Standards Institution on 31st August 1984, as amended by Amendments No. 1, 2, 3, 4, 5 and 6 published on 30th April 1985, 31st December 1985, 31st July 1987, 23rd December 1987, 30th June 1989 and 28th February 1990 respectively^[11];

"BS 3535: Part 1" means the British Standard Specification of general requirements for isolating transformers and safety isolating transformers BS 3535: Part 1: 1990 published by the British Standards Institution on 31st August 1990^[12];

"BS 4573" means the British Standard Specification for two-pin reversible plugs and shaver socket-outlets BS 4573: 1970 published by the British Standards Institution on 19th March 1970, as amended by Amendments No.

1 and 2 published on 31st October 1983 and 29th April 1988 respectively [13] ;

"BS 5733" means the British Standard Specification of general requirements for electrical accessories BS 5733: 1979 published by the British Standards Institution on 30th April 1979, as amended by Amendments No. 1, 2 and 3 published on 31st July 1981, 29th April 1983 and 30th June 1986 respectively^[14] ;

"BS EN 50075" means the British Standard Specification for flat non-wirable two-pole plugs, 2.5 amp/250 volt, with cord, for the connection of class II equipment for household and similar purposes BS EN 50075: 1991 published by the British Standards Institution on 20th December 1991^[15] ;

"cable connector" means a device designed to join flexible cables or cords in such a way that the cables or cords can be joined and separated without the use of a tool;

"cartridge" means a container which totally encloses a fuse element, consists of insulating material, is tubular in form and the ends of which are enclosed by metallic caps;

"cartridge fuse link" means a cartridge containing a fuse element;

"the Commission" means the Commission of the European Communities;

"conversion plug" means a device which may be engaged with a socket conforming to BS 1363 and which is designed to enable a non-UK plug to be engaged with such a socket;

"the Low Voltage Directive" means Council Directive 73/23/EEC on the harmonisation of the laws of the member States of the European Economic Community relating to electrical equipment designed for use within certain voltage limits as amended by Council Directive 93/68/EEC^{[16][17]} ;

"electrical device" means a device to which Part I of these Regulations applies by virtue of regulation 4(1) below;

"fuse element" means that part of a fuse designed to melt when an excessive current flows into an electrical circuit;

"fuse link" means that part of a fuse including the fuse element which requires replacement by a new fuse link after the fuse element has melted and before the fuse can be put back into service;

"IEC 884-1" means the International Electrotechnical Commission standard for plugs and socket-outlets for household and similar purposes IEC 884-1 (1987) published by the International Electrotechnical Commission in 1987 as amended by Amendments No. 1 and 2 published in June 1988 and November 1991 respectively;

"luminaire" means apparatus which distributes, filters or transforms the light transmitted from one or more lamps and which includes all the parts necessary for supporting, fixing and protecting the lamps, together with the means for connecting them to the supply, but not the lamps themselves;

"member State" means a member State of the European Economic Community or another State within the European Economic Area;

"non-UK plug" means any plug which is not suitable without adaptation or modification for connection to a mains socket in the United Kingdom;

"notified body" means any person notified to the Commission and member States in accordance with the procedure in Article 11 of the Low Voltage Directive in its unamended form as being competent to establish marks and certificates in accordance with the provisions of Article 10 of that Directive in its unamended form and any person appointed pursuant to regulation 7 below;

"plug" means a device other than a cable connector or an appliance coupler,

which may be engaged with a socket and which is designed for the purposes of connecting to a socket any electrical equipment to which the device is attached by means of a flexible cable or cord;

"plug transformer" means an electrical transformer which carries three pins substantially rectangular in form and which is designed for engagement with a socket made to the dimensions specified in BS 1363;

"portable multiple socket outlet" means electrical equipment which comprises two or more sockets designed and made to dimensions other than those specified in BS 1363, which is designed to be connected to a socket conforming to BS 1363 by means of a flexible cable or cord and a plug, and which may be used without being mounted onto a fixed surface or structure;

"rcd plug" means a plug which carries three pins substantially rectangular in form, is designed to be engaged with a socket made to the dimensions specified in BS 1363, and which incorporates an auxiliary sensing circuit which will automatically disconnect the main circuit at a predetermined current;

"round-pin plug" means a plug carrying pins substantially cylindrical in form;

"socket" means a device other than a cable connector, with which a plug may be engaged for the purpose of connecting to an electrical circuit, whether or not by means of a switch, electrical equipment to which a plug is attached;

"standard plug" means a plug which carries three pins substantially rectangular in form and is designed for engagement with a socket made to the dimensions specified in BS 1363.

(2) In these Regulations-

(a) where any standard is mentioned, that reference is a reference to that standard as it has effect on the date on which these Regulations are made (including any amendment or revision made or taking effect on or before that date), provided that where any such standard has been amended or revised after that date, whether or not such amendment or revision involves the publication of separate parts on different dates, and the amendment or revision has been approved by the Secretary of State, that reference is to be construed at any time after the amendment or revision as a reference to that standard as so amended or revised or, as appropriate, to the relevant part of that standard as so amended or revised;

(b) where any standard mentioned in these Regulations specifies relevant requirements by reference to another standard, that reference is to be construed as a reference to that other standard as it has effect on the date on which these Regulations are made (including any amendment or revision to that other standard made or taking effect on or before that date), provided that where any such other standard has been amended or revised after that date and the amendment or revision has been approved by the Secretary of State, that reference is to be construed at any time after the amendment or revision as a reference to that other standard as so amended or revised.

(3) Where there is a requirement in any provision of these Regulations that an electrical device shall conform to a British Standard, including where conformity is required for approval by a notified body, such requirement shall be satisfied if the electrical device conforms to any standard or specification recognised for use in a member State, provided that conformity to such a standard or specification provides a level of safety equivalent to that which would be provided by conformity to the relevant British Standard, and any reference to such a requirement shall be construed accordingly.

Statutory Instrument 1994 No. 1768

The Plugs and Sockets etc. (Safety) Regulations 1994 - *continued*

[back to previous page](#)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations re-enact with modifications the provisions of the Plugs and Sockets etc. (Safety) Regulations 1987 (S.I. 1987/603) and make provision for the first time for certain requirements to be satisfied in relation to appliances.

Part I of these Regulations applies to electric plugs, sockets and adaptors ordinarily intended for domestic use at a voltage of not less than 200 volts and to fuse links suitable for use with such plugs and adaptors with the exception of certain electrical devices listed in Schedule 1. Part I does not apply to plugs or sockets constructed internally in equipment where the plug cannot be engaged with or disengaged from the socket without something first being done to the equipment which requires the use of a tool or to the extent that it is not practicable to conform to a British Standard listed in Schedule 2 or a standard or specification recognised for use in a member State of the EC or other State in the European Economic Area which provides a level of safety equivalent to that which would be provided by conformity to the relevant British Standard (regulation 4).

Part II of these Regulations applies to certain appliances ordinarily intended for domestic use which are designed to operate at a voltage of not less than 200 volts and a maximum rated input of not more than 13 amps.

Standard three pin plugs are required to contain or be accompanied by a fuse link conforming to BS 1362 (regulation 6(2)) and to be approved by a notified body (regulation 8). Other electrical devices specified in column 2 of Schedule 2 to these Regulations are required to conform to the appropriate British Standard or to a standard or specification recognised for use in a member State of the EC or other State in the European Economic Area which provides a level of safety equivalent to that which would be provided by conformity to that British Standard (regulation 10).

These Regulations provide that notified bodies are to be those persons notified to the Commission of the European Communities, member States of the EC and other States within the European Economic Area in accordance with the procedure laid down in Article 11 of the Low Voltage Directive (Council Directive 73/23/EEC (OJ No. L77, 26.03.73, p. 29) before amendment by Council Directive 93/68/EEC (OJ No. L220, 30.8.93, p.1) for the purposes of Article 10 of that Directive and persons

appointed by the Secretary of State. Approvals have to be given subject to a condition requiring the applicant to give notice of any changes to the plugs submitted for approval and may be cancelled. Approvals may be given subject to conditions and conditions may be imposed, varied and withdrawn during the currency of the approval. Provision is made for an applicant for approval to make representations to any United Kingdom notified body before such a body refuses approval, imposes a condition, makes a restrictive variation of a condition or cancels an approval (regulations 8 and 9).

Provision is also made for certain information to be given in relation to standard plugs and conversion plugs (regulation 13).

The Regulations prohibit persons from supplying, offering to supply, agreeing to supply, exposing for supply or possessing for supply any electrical device to which Part I applies but which does not comply with the requirements of that Part (regulation 5).

Part II provides that appliances to which it applies must be correctly fitted with a standard plug which is of a type approved by a notified body and which is fitted with a fuse link conforming to British Standard 1362 and rated in accordance with the appliance manufacturer's instructions. In the absence of such instructions, the fuse link may be rated in accordance with Table 2 of British Standard 1363: 1984 or rated in accordance with any standard or specification recognised for use in a member State of the EC or other State of the European Economic Area which provides a level of safety equivalent to that which would be provided by conformity to Table 2 of that British Standard (regulation 12).

The requirement to fit a fused standard plug does not apply to appliances which are correctly fitted with a non-UK plug complying with the safety provisions of the International Electrotechnical Commission standard IEC 884-1 (1987) and fitted with a conversion plug of a type approved for use with such a non-UK plug which encloses the fitted non-UK plug and can only be removed by the use of a tool. Requirements similar to those governing the approval of standard plugs apply to the approval of conversion plugs (regulation 12).

Part II prohibits persons from supplying, offering to supply, agreeing to supply, exposing for supply or possessing for supply any appliance to which that Part applies but which does not comply with its requirements. However, it does not prohibit any person from possessing for supply an appliance at any time before it is first supplied, offered for supply or exposed for supply in the UK, or before it is first agreed to supply in the UK, which has been imported into the UK and which does not comply with the requirements of Part II (regulation 12).

These Regulations revoke the Electrical Appliances (Colour Code) Regulations 1969 (S.I. 1969/310), the Electrical Appliances (Colour Code) Regulations (Northern Ireland) 1970 (S.R. 1970 No. 31), the Electrical Appliances (Colour Code) (Amendment) Regulations 1970 (S.I. 1970/811), the Electrical Appliances (Colour Code) (Amendment) Regulations (Northern Ireland) 1970 (S.R. 1970 No. 180), the Electrical

Appliances (Colour Code) (Amendment) Regulations 1977
(S.I. 1977/931) and the Electrical Appliances (Colour Code)
(Amendment) Regulations (Northern Ireland) 1977 (S.R. 1977 No. 301).

Copies of the British Standards referred to in the Regulations and of IEC
884-1 (1987) may be obtained from any of the sales outlets operated by
the British Standards Institution (BSI) or by post from the BSI at Linford
Wood, Milton Keynes, MK14 6LE.

A Compliance Cost Assessment is available, copies of which have been
placed in the libraries of both Houses of Parliament. Copies are also
available from the Consumer Affairs Division of the Department of
Trade and Industry, Room 303, 10—18 Victoria Street, London, SW1H
0NN.

ISBN 0 11 044768 9

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*Prepared 20th September
2000*

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-V-

THE EVIL EYE LOUNGE

EXHIBIT "IL11"

1111
PAT TEST PASS
CERTIFICATE

PETER WRIGHT
ELECTRICIAN
HEWORTH
YORK
07930
874023

DATE 17/8/07
PROPERTY EVIL EYE LOUNGE. STONEGATE
RETEST DATE 16/8/08

The above mentioned property has today been successfully
PAT tested .

Signed 
Print name PETER WRIGHT

Peter John Wright
Electrical Contractor *est ; 1987*
9 Pottery Lane
Heworth
York
YO31 8SR
Tel ; 01904 423043
Mob ; 07930 874023
e-mail ; wrightvbigdog@aol.com

The Evil Eye Lounge / Internet Café
Stonegate
York

3 - July - 2006

Re ; Electrical Inspection.

The above mentioned property having been inspected , and is up to the standard of 16th Edition I.E.E. regulations. A re-test is recommended in 12 months.

A handwritten signature in black ink, appearing to read 'Peter Wright', written in a cursive style.

Peter Wright

Peter John Wright
Electrical Contractor *est ; 1987*
9 Pottery Lane
Heworth
York
YO31 8SR
Tel ; 01904 423043
Mob ; 07930 874023
e-mail ; wrightybigdog@aol.com

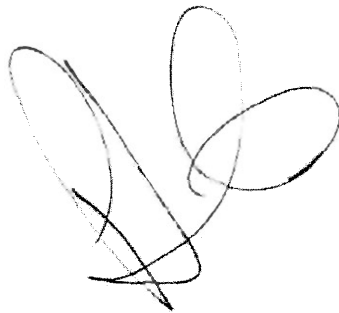
The Evil Eye Lounge
Stonegate
York

14-June-2006

P.A.T. (portable appliance test)

Carried out and passed on this day 14-06-2006 . Valid for one year only re-test 13-06-2007.

Peter Wright

A handwritten signature in black ink, consisting of several overlapping loops and a final downward stroke, positioned below the printed name 'Peter Wright'.

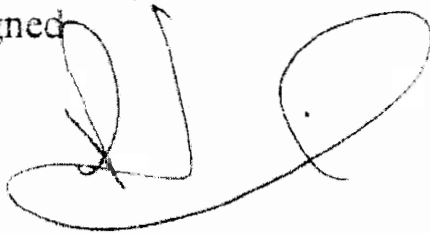
Portable Appliance Test (P.A.T.)
Certificate

This certificate confirms that a P.A.T. test was carried out.
On all the portable electrical equipment at the property
mentioned below

...EVIL EYE LUNGE. STONEGATE. YORK.....
on30- JUNE - 2005.....

For the purpose of insurance by Peter Wright electrical
contractor. This certificate is valid for twelve months.

Signed



Peter Wright
Electrical Contractor
9 Pottery Lane
Heworth
York
YO31 8SR
01904 423043
07930 874023

e-mail ; wrightybigdog@aol.com

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL12"

FOREVER CHANGES LTD t/a



Version Jan. 2008

EMPLOYMENT HANDBOOK

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Company No. 03087535

Registered Address – 42 Stonegate, York, North Yorkshire, YO1 8AS

1. INTRODUCTION

The purpose of Forever Changes Ltd's Employment Handbook is to set out, explain and help you understand the terms and conditions of employment, which apply to you during your employment with us. The Employment Contract and Handbook that you have received comprise your Contract of Employment with us, subject to any amendment that, from time to time, we may make.

Accordingly we reserve the right to amend the terms and conditions of employment of all employees and also to vary them in respect of individual employees. Any amendments will be notified to you in writing. You will be given not less than one month's written notice of any significant changes that may be given by way of an individual notice or general notice to all employees. Such changes will be deemed accepted unless you notify us of any objection in writing within 14 days of receipt.

In general, the Terms and Conditions of Employment contained in the Handbook apply to all employees. However, where there is any difference between the Terms and Conditions specified in your offer letter and the Handbook, the Terms and Conditions contained in your offer letter apply in respect of your employment with us.

If you are unsure about anything mentioned in either the Handbook or your offer letter concerning your Contract of Employment, please contact Ian Loftus.

We are consistently revising its Terms and Conditions of Employment to compare them with best practice in similar organisations when appropriate changes may be made to reflect such best practice. You are therefore required to read and observe all instructions applicable to you and all appropriate circulars issued by us.

We strive to be an equal opportunity Employer, irrespective of race, colour, creed, ethnic or national origins, gender, marital status, sexuality, disability or age.

2. JOB REQUIREMENTS

Co-operation

All employees are expected to display a high standard of teamwork. They should co-operate in undertaking the work of absent colleagues. Accordingly you may from time to time be required to take such other duties and/or hours of work as may reasonably be required to ensure our business needs are met. This will ensure that the most efficient use of available resources to meet business needs.

Flexibility

The Company reserves the right to assign you to duties of a different nature either additional to, or instead of those specified without further remuneration (unless otherwise agreed).

However you will not be assigned duties or perform services which you cannot reasonably perform, or which are inconsistent with, the position you hold.

Duties

You are required to work to the best of your ability and to use your best endeavours to promote develop and expand the business and its interest generally.

You will act at all times with consideration for the needs of the customers and your colleagues and comply with our rules, procedures and policies

During working hours, you must devote the whole of your time and attention and ability to your duties.

You shall comply with all lawful and reasonable directions given to you and at all times keep your immediate superior promptly and fully informed (in writing if so requested) of your conduct and or that of your fellow colleagues in the business, and provide such explanations as your immediate superior may require.

Punctuality

It is your responsibility to ensure that you are available to begin work at the appropriate time. If you find you are unable to present yourself on time you should, whenever possible, telephone the Manager and advise him/her accordingly. Persistent poor punctuality places a burden on colleagues may inconvenience customers and will be treated as a disciplinary offence.

3. WAGES

Review Provision

It is our policy to reward effort where it is being demonstrated. Your wage is therefore reviewed annually or periodically, entirely at our absolute discretion. It does not follow that employees can expect an increase every year, as many factors need to be considered (individual appraisals, team and business performance, and other competitive industry sectors). We will also take into account your conduct, responsibilities and general performance during the year.

Deduction out of Wages

We reserve the right to deduct out of wage overpayments to you, however occasioned and financial losses caused by you through *reckless or negligent behaviour*. We set out below a non-exhaustive list of examples where deductions from wages will occur and may be deducted from any payment of salary or any other sums payable to you by the Company, in accordance with the Employment Rights Act 1996.

Overpayment of wages

Overpayment of expenses

Over entitlement of holiday

Reckless damage to machinery, uniforms, vehicles and stock

Advances of pay

4. CONFLICT OF INTEREST

Additional Employment

During your employment with us you must not, without Ian Loftus and or the managers personal agreement, be involved either directly or indirectly in any other business or undertaking or any other regular work.

5. HOLIDAY

Priority of Requests

It is necessary for us to maintain a satisfactory level of service and therefore it may be necessary to revise holiday arrangements. Where conflicts of holiday interests exist, negotiation between affected staff and the Manager should resolve the situation. Where this fails to find an amicable solution the resolution will then be on the basis of the individual having the earliest approval taking priority. It is, therefore, in your own interests to give the maximum possible notice, we may deny you holiday if less than 4 weeks notice is given.

Please note no holiday may be taken during the 6 weeks leading up to Christmas.

Changes in Approved Holidays

The Manager will check holidays taken against holidays approved and a very serious view will be taken of any discrepancies. If, for any reason you are unable to take holidays for which approval has already been obtained, the Manager should be notified.

Approved holidays cancelled by us

In exceptional circumstances, to meet urgent commitments, we may request a cancellation of holidays previously approved. Where these holidays have involved a payment by you, we will refund any payments made on receipt of paid invoices. Arrangements will be made for your leave to be taken at another time or provide recompense to you for this.

Special Leave

Special leave will be considered for particular circumstances such as death of a spouse, or spouse equivalent, parent, family member and for someone who had a special relationship with you. Each case should be brought to the immediate attention of the Manager who will discuss this with you to agree the special leave required. Situations other than those specified will be reviewed as each case arises.

Jury Service

If you are called for jury service, you must let the Manager know as soon as possible, and produce the summons. You will not be entitled to paid leave for jury service. However, you can claim back any loss of salary and or transport costs direct from the court service.

If on any day during the period of your jury service you are released early you must make every effort to attend work on that day. If in doubt you should speak to the Manager.

Religious Holidays (other than statutory public holidays)

We will endeavour to allow time off to observe religious holidays but such holidays will count against your holiday entitlement. Please inform the Manager as far in advance as possible.

House Removal

Paid leave of absence will not be granted for moving house, routine maintenance of your home or deliveries of furniture. In these situations holiday entitlement should be used if available.

6. SICKNESS

Self-Certification Procedure

On return to work you should comply with the following: -

Any absence under 4 days, you must simply submit a Self-Certification Form to the Manager explaining the cause of your sickness absence. This form is available from the Manager.

If the absence lasts for 4 days or more (including weekends) you should also submit a Doctor's Certificate to the Manager.

It is your responsibility to keep us informed about your progress and your likely date of return. If your certificated sickness occurs during your holiday it will count as sick leave and not holiday, subject to the approval of Ian Loftus and or the manager.

If you are in any doubt about our sickness procedure or what you should do upon your return to work, please contact the Manager.

Statutory Sick Pay

We pay Statutory Sick Pay (SSP) in accordance with the Government's Statutory Sick Pay Scheme. To obtain Statutory Sick Pay please follow the following procedures.

We will normally pay you Statutory Sick Pay when you have been off work for 4 days or more (including weekends) providing you provide a certificate from your GP.

For the first 28 weeks Statutory Sick Pay will be normally paid to you by us, thereafter any sickness benefit entitlement will be paid directly to you by the DSS. You should, however, notify the Manager of any payments received from the DSS. It is essential that if you are entitled to State Sickness or Injury Benefit you should claim it. It is also important to note that if you are a claimant you may be required to produce to the DSS your Certificate of Pay and Tax deducted (Form P60) which is issued at the end of the year by Payroll. Therefore the certificate should be retained in case it is required in connection with a claim.

There are certain circumstances where a person may not be eligible for Statutory Sick Pay. If this should happen to you, we will tell you why and will provide you with the requisite form, on which to claim State Benefit – but you must still follow the Self-Certification procedure.

We reserve the right not to make sick pay payments if it has reason to believe that the illness had not occurred or that failure to notify us of sickness absence, within the procedures and time-scale for doing so had taken place.

Health Care Appointments during Office Hours

If it is necessary for you to visit a Medical Practitioner or to be absent for good reason during normal working hours, you should first obtain permission from the Manager in advance. You should minimise the time off required by arranging appointments around your working hours whenever possible.

Long Term Sickness

Our efficiency depends upon you regularly attending work. Your long term or persistent absence, therefore, jeopardises our efficiency. In such circumstances, subject to us making such investigations as we think fit, this may result in your employment with us coming to an end. We reserve the right to require you to have a medical examination or counselling from a Doctor of our own choice at our expense.

You will not be permitted to return to work until your Doctor has accepted that you are fit to return to work. When you inform us you are fit to return we reserve the right to require you to attend a medical examination by our Doctor prior to you being permitted to restart work.

In order for the appointed medical consultant to carry out the report he will require your medical records. Therefore, by signing the contract of employment you also give authority to allow the administrator to request your medical records from your GP or hospital to send to the expert at the Employers expense.

If you are unable to work for more than 6 months in any 12-month period your contract of employment may be deemed to have been frustrated and you may be advised that your employment has been terminated. This is at the complete discretion of Ian Loftus and or Ian Loftus Ian Loftus.

Accident at Work

Absences resulting from accidents at work are treated as illness absence and our normal rules will apply to such absences.

If you suffer an accident at work you (or someone on your behalf) must report that fact to the Manager's soon as is practicable after the event. All accidents should be reported however trivial. The accident will be recorded in our Accident Book.

Accident due to Third Party

In the event that you are incapable of attending work by reason of injury sustained wholly or partly as a result of actionable negligence, nuisance or breach of any statutory duty on the part of any third party all payments made to you by us whether of wages or sick pay shall to the extent that compensation is recoverable from that third party constitute loans by us to you (notwithstanding this is an interim measure, income tax has been deducted from payments as if they were emoluments of employment) and shall be repaid when and to the extent that you recover compensation for loss of earnings from that third party by action or otherwise. The payments of wages are at the discretion of Ian Loftus.

FOREVER CHANGES LTD.

SICKNESS

SELF-CERTIFICATION ABSENCE FORM

Note: Any absences of less than 4 days simply submit this form to the manager.

If the absence lasts for 4 days or more (including weekends) you should also complete submit a Doctors Certificate to the Manager.

This form is available from the Manager.

Name:

From: Dates of Sickness
(Inc. non working days)

To:

----- am/pm

----- am/pm

----- day

----- day

----- date

----- date

Details of Sickness or Injury

Employee's signature..... Dated.....

Employer's signature..... Dated.....

7. MATERNITY LEAVE

Maternity Leave Policy

All female employees are entitled to at least 18 weeks Maternity Leave or until the birth of her child if later, regardless of length of service.

If you have been continuously employed for at least 1 year at the beginning of the eleventh week before the expected week of confinement you have the additional right to return to work in the job in which you were employed, before the end of your Maternity Leave, at any time during the period beginning with the end of the 18-week maternity leave period and ending 29 weeks after the beginning of the week in which childbirth occurred.

These rights are exercisable provided you give the required notice.

You must give us at least 21 days notice of the date on which you intend the Maternity Leave to begin. The leave period must be no earlier than the beginning of the 11th week before the expected week of childbirth. This should be in writing and sent to the Manager.

You must produce, if requested by us, a Certificate from a Registered Medical Practitioner or a Registered Midwife stating the expected week of childbirth.

You must also provide us with at least 7 days notice if you wish to return before the end of the 14 weeks Maternity Leave period. If notice is not given we are entitled to postpone the return date to ensure 7 days notice.

Maternity Procedure

We recognise that orderly arrangements are covered during the period of Maternity Leave and extended leave is important for ensuring smooth transitions at each stage. Accordingly, prior to commencement of Maternity Leave you will be informed of the arrangements for covering your work and also for providing with opportunities to remain in contact whilst you are on leave. As far as possible, such arrangement will be finalised in consultation with you.

You have a right to return to work in your old job, and we will avoid putting you in a position of potential redundancy whilst on Maternity Leave. However, in accordance with statutory requirements, where job losses are unavoidable, you will be given equal consideration with any other employee of the same standing for any suitable alternative employment that may arise.

The opportunities for flexible working will depend on the needs of the business, but we recognise that many women will be interested in reducing their working hours for a while after their return from Maternity Leave. We will make every effort to accommodate requests for part-time working, provided the duties can be effectively carried out on such a basis.

We will not reject any request for flexible working without first considering whether arrangements can be made to accommodate them. Any employee who changes working pattern will be offered appropriately adjusted contracts of employment containing their new terms and conditions. Continuity of employment and all related rights will be preserved.

All the above are subject to the requirements of current legislation. If legislation has altered any of the above, such legislation will take precedence over these rules.

8. PARENTAL LEAVE

All employees with at least one year's continuous employment that has, or expects to have responsibility for a child is entitled to unpaid parental leave in respect of children born or adopted after 15th December 1999.

The period of parental leave is 13 weeks for each child.

The period of leave must be exercised before the child's fifth birthday.

Employees who care to use their entitlement must:

- (a) Provide evidence of parental responsibility;
- (b) Give a minimum of four weeks notice in writing to the Manager of their expected leave dates;
- (c) Take no more than four weeks leave in any one year; and
- (d) Take no more than two weeks continuous leave at any one time.

9. TRAINING AND DEVELOPMENT

General

The policy of Forever Changes Ltd. Is to promote from within wherever possible and to provide the best types of training appropriate to your position.

The type of training undertaken will vary according to the nature of the job you are performing and could be in one, or several, of the following forms:

- i) 'In-company training' led by management or outside speakers and the continuous on-the job training given by your manager or other experienced members of staff.
- ii) Sponsorship by the Company for evening classes or correspondence courses provided the course(s) is relevant to the employment and the decision to sponsor is at the total discretion of Ian Loftus and or the manager.

Promotion and Transfer

Promotion can result from developing skills, experience and through training during the course of employment.

In accordance with the policy of promotion from within and the development of staff the Management will be pleased to discuss your progress in the Company at any time and you should feel free to approach him on this subject.

RANDOM SEARCHES

General

From time to time we will conduct random spot searches of your personal property whilst you are on the Employers premises.

The searches will always take place in your presence,

The searches may take place at anytime during your employment and also occasionally when you are about to leave the premises.

Either Ian Loftus and or the manager or an appointed Manager may conduct the search.

If you wish to be searched by a person of the same sex please request and we will oblige.

We also reserve the right to invite the Police to obtain a warrant to search our premises and/or people suspected of possession of drugs or who are committing any other criminal act.

If you refuse to permit the search to take place, your refusal will normally be treated as gross misconduct and action will be taken against you within our disciplinary procedure.

10. DISCIPLINARY RULES

Disciplinary Matters

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance.

If your standard of work or conduct falls and, after warnings, remains below the level which is acceptable you may be dismissed.

Summary dismissal without notice will take place if an act of gross misconduct is committed. Gross misconduct is any deliberate act by an employee that is detrimental to the good conduct of our business. Examples of misconduct and gross misconduct are listed below.

Examples of Misconduct

The following is a non-exhaustive list of examples of offences that amount to misconduct falling short of gross misconduct:-

- Unauthorised, negligent, reckless use of our equipment
- Unauthorised absence from work
- Non-compliance with health and safety procedures
- Unacceptable performance
- Disruptive behaviour
- Unauthorised use of telephones and computer
- Poor punctuality
- Poor attitude towards management
- Bullying
- Unauthorised entrance/use of business premises

Examples of Gross Misconduct

The following is a non-exhaustive list of examples of offences that amount to gross misconduct

- Fraud or dishonesty
- Theft of stock which includes snacks, drinks or stationery
- Serious insubordination
- Violent, abusive or intimidating conduct towards a colleague or customer
- Deliberate damage to our property
- Sexual, racial or other harassment
- Unauthorised use or disclosure of confidential information
- Attending work under the influence of alcohol or non-medically prescribed drugs
- Reckless or serious misuse of our equipment
- Any criminal or civil offence which we deem sufficiently serious to amount to gross misconduct
- Any action likely to bring the business into disrepute
- Failure to disclose correct information on your Application Form
- Knowingly acting in a way that will endanger him/herself or any colleague

Disciplinary Procedure

Precautionary suspension – in cases, which appear to involve serious misconduct, a period of suspension should be considered while the case is being investigated. You will be told clearly that you are suspended, and that it will be for as short a period as possible. You will be suspended on normal pay and must as soon as possible be informed in writing of the reason for suspension. Please note that such precautionary suspension is not disciplinary action.

Investigation – when a disciplinary matter arises, the Manager will normally be instructed to investigate the facts of any incident, by taking written statements from witnesses. You will be informed that your conduct or behaviour is in question and of the allegations surrounding any incident. If you are to be interviewed during the investigation, you will be advised that this is purely for investigation purposes and not as a disciplinary hearing and you will be given the opportunity to be accompanied by another work colleague and/or a Union Representative.

Following the investigation, if no disciplinary action is necessary, you will be advised in writing as soon as possible.

Disciplinary Hearing – following the investigation, Ian Loftus will hold a Disciplinary Hearing, having given you a minimum of 5 days notice unless shorter notice is agreed. You will be required in writing to attend the Hearing and will be informed of the allegations to be considered. All available documentation including all witness statements relative to the matter should be circulated with the notice of the Hearing.

If the allegations are considered to be unfounded you will be advised in writing as soon as possible.

If action is to be taken against you, you will be informed of your right of appeal.

Right of Appeal – you have a right of appeal against disciplinary action. An appeal against disciplinary action must be notified in writing to Ian Loftus within 10 working days from the date of the written notification of the decision.

As the Company is relatively small we will not be able thereafter to provide a differently constituted committee so Ian Loftus and or the manager plus one or more work colleagues will hear the Appeal. You will have the right to be accompanied by another work colleague and/or a Union Representative and to make submissions for consideration. The committee will give a written decision within 10 working days.

You have no right of appeal beyond this, but may have recourse to an Industrial Tribunal.

Disciplinary Warnings

Oral warning – this may be appropriate for a relatively minor act of misconduct, but which nevertheless warrants formal action. You will be told that your conduct is unacceptable and that an oral warning will be recorded. You should be told that this is the first action within the disciplinary procedure and that if your conduct does not improve, or if there is any further incident of misconduct, whether or not of a similar type to that at present being considered, further action will be taken within the terms of the Disciplinary Procedure.

A note of the oral warning will be kept, but will be disregarded for disciplinary purposes after the expiry of the period stated in the warning (maximum 26 weeks), subject to satisfactory conduct and behaviour.

Written warning – if the offence is a more serious one, or if a further offence occurs, a written warning will be given to you within 4 working days of consideration of the offence. This will give details of the complaint and the consequences of further misconduct. It will warn that further action will be considered if there is no satisfactory improvement. You have a right of appeal.

A copy of this written warning will be kept, but will be disregarded for disciplinary purposes after the expiry of the period stated in the warning (maximum 26 weeks), subject to satisfactory conduct and behaviour.

Final written warning – if there is still a failure to improve and conduct and behaviour is still unsatisfactory, or if the conduct is sufficiently serious to justify a combined first and final written warning, a final written warning or combined final written warning will normally be given to you within 4 working days of consideration of the offence. This will give details of the complaint, will warn that dismissal may result if further grounds for action under the Disciplinary Procedure arise.

A copy of this formal written warning will be kept, but will normally be disregarded for disciplinary purposes after the expiry of the period stated in the warning (maximum 52 weeks), subject to satisfactory conduct and behaviour.

Dismissal – if further investigation indicates that the conduct or behaviour is still unsatisfactory and the employee is failing to reach a satisfactory standard after receipt of a final written warning, a further Disciplinary Hearing will be held, at which dismissal with notice may be one of the possible outcomes. In the case of gross misconduct, dismissal without notice will normally result. Dismissal without notice (summary dismissal) may apply regardless of any or the absence of written warning. You will receive written notification of the decision within 4 working days.

You have a right of appeal against such a decision.

11. GRIEVANCE PROCEDURE

In the first instance your immediate superior who will attempt to deal with the matter after making such consultations as are necessary will deal with all grievance procedures. A working colleague at any grievance hearing may accompany you.

If the matter is not resolved to your satisfaction within a reasonable time, you can raise it with Ian Loftus and or the manager. Within 4 working days of the receipt of a complaint, the committee dealing with the grievance will arrange a meeting to investigate the matter. A work colleague at any grievance hearing may accompany you.

A decision will be given within 10 working days unless extended by mutual consent. If you remain dissatisfied with the decision, you may within 4 days of that decision request that there be a Grievance Appeal Hearing before an appeal committee at which you will have the right to be accompanied and to make submissions for consideration. The appeal committee will give a decision within 10 working days unless extended by mutual consent.

The appeal committee decision is final and the grievance procedure is exhausted following this stage.

12. CONFIDENTIAL INFORMATION

Duty of Confidentiality

You shall not, during or after your employment, disclose confidential information belonging to us. You have a personal responsibility to protect and maintain confidentiality of both business, personal and client information. You must not, except as authorised or required by law or your duties, reveal any confidential information relating to the business. This obligation will continue after the termination of your employment unless and until any such information comes into the public domain, other than through any breach of this provision by you.

Publicity

Only authorised spokespersons are permitted to make statements in public or to the media. You should refer anyone seeking information to Ian Loftus and or Ian Loftus Ian Loftus.

13. HEALTH & SAFETY

Health and Safety at Work Policy – General Statement

We will observe the Health & Safety at Work Act 1974 and all relevant regulations and Codes of Practice made under it from time to time. We will take into account any recommendations made by the Health & Safety Executive with regard to health and safety issues and where appropriate will liaise with the Health & Safety Executive on particular Health and Safety issues that are of particular relevance to our business.

This commitment to Health and Safety is a Management responsibility equivalent to that of any other Management functions. It will be the duty of Ian Loftus to ensure the policy is upheld at all times and to provide the necessary funds and resources required.

We are responsible for:-

- Assessing the risk to the health and safety of Employees and others that may be affected and identifying what measures are needed to comply with its Health and Safety obligations.
- Providing and maintaining locations, equipment, protective clothing and systems of work that are safe and without risk to health.
- Ensuring that all necessary safety devices are installed and maintained on equipment. Providing information, instruction, training and supervision in safe working methods and procedures.
- Providing and maintaining a healthy and safe place of work and providing a means of access there from.
- Promoting the co-operation of employees to ensure safe and healthy conditions and systems of work by discussion and effective joint consultation.
- Establishing emergency procedures as required.
- Monitoring and reviewing the management of Health and Safety at work.
- Keeping the Safety Policy under review and making any revision it deems necessary from time to time.

All such revisions will be brought to the attention of employees.

The above Policy needs the full co-operation of all employees who are expected to give all possible assistance aimed at its successful implementation, to take reasonable care for their own safety and that of others. In order to achieve this end, every employee must:-

Comply with any safety instructions and directions issued by us.

Take reasonable care for their health and safety and the health and safety of other persons who may be affected by their acts or omissions at work, by observing safety rules that are applicable to them.

Co-operate with us to ensure that the aims of the Health and Safety Policy Statements are achieved and any duty or requirement imposed on us by or under the relevant statutory provisions is complied with.

Report and co-operate in the investigation of all accidents or incidents that have led to or may lead to injury.

Use equipment or protective clothing provided in accordance with the training you have received.

Report any potential risk or hazard or malfunction of equipment to the appropriate Authority.

Any failure by an employee to comply with any aspect of our Health and Safety Procedures, Rules or Duties specifically assigned to the employee with regard to Health and Safety will be regarded by us as misconduct, which will be dealt with under the terms of our Disciplinary procedures.

At present Ian Loftus has overall and final responsibility for giving effect to this Health and Safety Policy. He is also responsible for ensuring there is consultation on Health and Safety matters with staff, either through representatives or recognised Trade Unions or through representatives of other groups of employees, as appropriate, in order to maintain Health and Safety at work.

Accidents

The first aid box is clearly marked, all accidents however, trivial must be noted in the accident book. The accident book is kept above the glasswash sink, make sure it is always kept there.

In the absence of a first aider the Management will be responsible for co-ordinating appropriate action.

Certain accidents or diseases affecting the staff must be reported to the inspecting authority.

The person responsible for the reporting of accidents is the injured party or the first aider.

General Fire Safety

All employees must be fully conversant with the In the Event of a Fire and the procedures recommended by the Fire Officer in case of fire, the location and escape routes and the location of use of fire fighting equipment.

All staff must complete a basic fire safety course from learn direct. Please see the manager if you haven't yet done so. Please read Section 17 – Fire Risk Assessment Carefully, and also Page 57.

Training

No employee is to operate any equipment without instruction in both the proper use of the equipment and the safety precautions. If there are any difficulties with safe working practices employees are to contact their immediate superior to resolve them.

14. BULLYING POLICY

POLICY

Employees have the right to be treated with dignity and respect. Bullying is harmful; it causes distress and can lead to accidents, illness and poor performance. Bullying is defined as any unsolicited or unwelcome act that humiliates, intimidates or undermines the individual involved. No form of bullying will be condoned at work, or outside work if it has a bearing on the working relationship. The company welcomes the support of the recognised trade union(s) in seeking to eradicate bullying.

The aim of this procedure is to protect employees from bullying and to enable them, if necessary, to make a complaint or assist in an investigation without fear of reprisal.

When appropriate, every effort will be made to resolve the situation informally. Some incidents, however, by virtue of their serious nature will need to be dealt with immediately under the formal procedure.

Disciplinary action, including dismissal, will be taken against those failing to fulfil their responsibilities under this policy.

Examples of Bullying

1. Employees who are bullied often feel vulnerable and isolated and believe it is best not to complain, as their complaints will not be taken seriously.
2. If an employee feels bullied, the matter must be taken seriously. The employee must decide whether to ask for confidential counselling, and whether to proceed with a formal complaint. Examples of bullying behaviour include:
 - (a) Derogatory remarks
 - (b) Insensitive jokes or pranks
 - (c) Insulting or aggressive behaviour
 - (d) Ignoring or excluding an individual
 - (e) Setting unrealistic deadlines
 - (f) Public criticism
 - (g) Substituting responsible tasks with menial or trivial ones
 - (h) Withholding necessary information
 - (i) Constantly undervaluing effort.

This list is not exhaustive. The actions listed above must be viewed in terms of the distress they cause the individual. It is the perceptions of the recipient that determine whether any action or statement can be viewed as bullying.

3. Any manager who receives a complaint of bullying, or is witness to bullying, must investigate the complaint or incident and ensure that the problem is resolved as quickly as possible.
4. All managers have a duty to establish and maintain a working environment free from bullying.
5. All employees must comply with this policy and take steps to ensure that bullying does not occur.
6. Any employee who feels bullied should feel confident that complaints would be taken seriously and dealt with in confidence.

7. Any employee who receives a complaint of bullying must respect confidentiality and should encourage the person being bullied to consider using the complaints procedure.

Complaints Procedure

1. Any complaint should be made to a Coordinator and/or manager.
2. Complaints will be viewed seriously and treated confidentially.
3. Care will be taken during an investigation to treat all employees involved with consideration.
4. Once the investigation is completed, the manager who has conducted it will decide, on the strength of the findings, the appropriate action to be taken. This may include disciplinary action.
5. The complaints procedure can be informal or formal. The employee must decide which procedure to use.

Informal Procedure

1. Employees should keep a written record of any incidents of bullying, including the date, time, nature of incident, the names of those involved and the names of any witnesses.
2. The personnel department will give confidential support and advice.
3. If possible, the person who is bullying should be told by the individual who is being bullied that the behaviour is offensive and unwanted, and must stop. A colleague or personnel manager can act as a witness when this statement is made. Alternatively, an appropriate line manager can speak to the alleged bully.
4. Whenever possible, any complaint of bullying should be made in the first instance to the immediate line manager or supervisor.

Formal Procedure

1. Where informal methods fail, or the employee chooses not to use them or considers that the problem is sufficiently serious, a formal complaint can be made. The complaint should be made in writing, describing the incident(s) as fully as possible (see point 13). This complaint should be given to the personnel manager.
2. A manager will be appointed to investigate the complaint, and will interview the person against whom the allegations are made, the complainant and any relevant witnesses. These interviews will be conducted in confidence. A colleague or trade union representative can accompany all parties to these proceedings.
3. The investigation should be concluded within four weeks of the complaint being received. If this time limit is exceeded, the complainant should be advised of this and given a date when the investigation will end.
4. The investigating manager must keep a detailed written record of the investigation and the findings. The investigating manager must tell the complainant and the person(s) against whom the allegation has been made of the findings and these findings must also be given in writing.
5. If the complainant is dissatisfied with the outcome, or with the way in which the complaint was handled, then a written request for reconsideration should be made to administrator within seven days of receiving the investigating manager's decision.
6. If disciplinary action is justified, a disciplinary hearing will be arranged within 10 working days of either the decision of the investigating manager, or if the matter was referred for reconsideration the decision of administrator.

7. The employee against whom the allegation has been made will have the right to be accompanied at this hearing by a work colleague or trade union representative, and will have the opportunity to challenge the evidence and to state his or her case. The hearing will be conducted in accordance with the company disciplinary procedure.
8. Any disciplinary action taken will reflect the severity of the offence and may include the transfer of the employee accused of bullying, on a temporary or permanent basis, or dismissal. The employee may appeal against the penalty in accordance with the company's appeals procedure.

General Considerations

1. The appropriate line manager must ensure that any employee who makes a complaint of bullying is not victimised.
2. Any complaints found to be false and malicious will result in disciplinary action being taken against the complainant.

15. VEHICLES & EXPENSES

Road Traffic Incidents

1. If you have an incident involving a vehicle, you must make a full, honest and written report of the incident, whether or not personal injury or vehicle damage occurs.
2. All driving accidents will be investigated and if an investigation shows you to be at fault, you will be subject to disciplinary action. An excessive number of accidents will result in dismissal.

Driving Licence

1. You must produce your driving licence at the commencement of employment, or before permission to use a Company vehicle is first given. Thereafter, your driving licence must be produced at regular intervals, as notified by us.

Any type of driving conviction or summons, which may lead to, your conviction, is to be reported **immediately** to your supervisor/manager.

Rules for the use of Company Pool Vehicles

1. Driving licence and authority to drive company pool vehicle.
 - 1.1 You must be in possession of a current driving licence and our authority **must** be given to drive.

You **must** produce your driving licence for scrutiny by the Manager, prior to driving any of our vehicles.

It is your responsibility if you drive one of our vehicles to advise us **immediately** of any endorsement or disqualification.

IF YOU ARE DISQUALIFIED FROM DRIVING THEN YOU MUST NOT DRIVE ANY COMPANY VEHICLE UNDER ANY CIRCUMSTANCES.

It is your responsibility to see that it is not used by anyone other than authorised Company employees.

Fixtures, Fittings and Modifications.

No fixtures such as aerials, roof racks, towing apparatus, stickers may be attached to any of our vehicles **without prior written permission**.

No change or alterations may be made to the mechanical or structural specification of the vehicle, from as delivered to us.

3. Cleaning and Maintenance

Any maintenance, cleaning, repair work, or replacement of parts, including tyres, **must** be reported to the Manager as soon as practicable.

Fuel Etc

Before you use one of our vehicles and on its return you are responsible for ensuring that the oil and water levels, topping up of the battery, brake and clutch fluid and tyre pressures are in the correct state and that the tread of **all** tyres confirms to the minimum legal requirements.

Traffic Offences

You are personally responsible for the payment of all fines incurred for traffic offences and these amounts may not be reclaimed from expenses. Any sums we have to pay for offences you committed will be deducted from your salary.

Private Vehicle Use

If you use your own private vehicle for business use, you must have minimum third party insurance cover for that purpose. It is your responsibility to ensure that your vehicle is insured at all times, and is roadworthy.

Providing the above is complied with, you will then receive reimbursement of business petrol usage providing petrol receipts are provided.

Unless contrary arrangements exist in writing between ourselves and yourself, we will only reimburse you for petrol and oil used on our business. Claims must be submitted immediately.

Fines

We **cannot under** any circumstances accept responsibility for parking or other fines incurred by you.

Insurance

Damage or injury

If you are the driver of any of our vehicles and it is involved in an accident which causes damage to property or another vehicle, or injury to any person or animal, you are required to give your name and address, the name and address of the owner, registration number of the vehicle and the name of the insurance company to any

person have reasonable grounds for requiring such information.

IT IS IMPORTANT THAT YOU GIVE NO FURTHER INFORMATION.

If for some reason it is not possible to give this information at the time of the accident, the matter must be reported to the police as soon as possible but **within twenty four hours of the occurrence**

In addition in the case of an accident involving injury to another person or to notifiable animals, you are responsible for notifying the police of the occupancy, and **must** produce your insurance certificate to the police constable attending the accident, or any other person having reasonable grounds for seeing it. The accident **must** be reported to a police station or to a police constable **within 24 hours**. If you are not able to produce the certificate, you **must** in any event, produce it in person within **five** days after the accident to such police station as you may specify at the time of reporting the accident in the first place.

Loss

In the case of loss of one of our vehicles, the police and ourselves **must** be informed **immediately**. Full details of the contents of the vehicle **must** also be given. If any contents are stolen from one of our vehicles the police and ourselves should be notified immediately.

You should note particularly that **only** our property is insured by us and you should make your own arrangements to cover personal effects.

All of our vehicles should be kept locked when not in use and the contents should be stored out of sight, preferably in the boot if it is a car. If the vehicle is stolen we are required to prove to the insurance company that there has been no negligence and therefore we must hold you responsible in the event of such negligence.

Accident Procedure

It is a condition of the insurance policy that the insurers are notified of **all** accidents, even if apparently of no consequence. You **must** therefore as soon as possible after the accident, get from us an accident report form, which **must** be completed and returned to us **within 24 hours**. All the information required on the form **must** be completed. You should note, that whenever possible the following particulars should appear in the form.

1. The name and address of the third party driver and the name and address of his/her insurers.
2. The names and addresses of all passengers in both our vehicle and the third party's vehicle.
3. Names and addressees of all witnesses. It will be of considerable assistance if statements can be obtained from **11** witnesses at the time of the accident.
4. Particulars of the police attending, ie name, number and division.

A detailed sketch plan must be provided showing the relative position of the vehicle before and after the accident, together with details of the roads in the vicinity, eg whether they are minor or major roads and as many relevant measurements as possible.

If our vehicle is undriveable, contact us immediately so we can arrange via the insurance company adequate arrangements for the vehicle to be towed to a garage.

**UNDER NO CIRCUMSTANCES MAY REPAIRS BE PUT IN HAND
UNTIL THE INSURANCE COMPANY HAS GIVEN ITS AGREEMENT**

You should not **under any circumstances** express any opinion one way or the other on the degree of responsibility for the accident. **Only exchange particulars mentioned in 1 above and nothing more.**

Please note also that no statement should be made to the police without written permission from us. This is particularly important in cases involving death or injury and leading to an inquest or enquiry, as you will have to be legally represented and would not wish to prejudice your position in any way.

Road Fund Licence

The road fund licence for such vehicles will automatically be renewed when due, but in the event that the new licence is not displayed on the vehicle when you attend to drive it, we should be notified immediately.

Permitted Use

Subject to the restrictions already stipulated, our vehicles may **only** be used for our authorised business, unless previous arrangements for private, domestic or social use have been agreed with us in advance.

Personal Liability for Damage to Company Vehicles

Where any damage to one of our vehicles is due to your negligence or lack of care, we reserve the right to insist on your rectifying the damage at your own expense, or paying the excess part of any claim on to the insurers.

Repeated instances may result in disciplinary action being taken.

WORKING TIME REGULATIONS 1998

DECLARATION AND AGREEMENT FOR ALL STAFF

I,

Being employed as

At

Have been made aware of my rights as an employee under the provisions of the Working Time Regulations 1998.

It is agreed between the Employer and the employee that paragraph 4(1) of Part 2 of the Working Time Regulations 1998 will not apply.

For information, this paragraph of the Regulations reads:

“A workers’ time, including overtime, shall not exceed 48 hours for each 7 day period”.

This agreement to dis-apply paragraph 4(1) of part 2 of the Working Time Regulations 1998 may be terminated by either part following one months’ notice in writing.

Employee:

Date:

Employer:

Date:

Section 1 - Significant finding on premises.

Risk: **Danger of fire through discarded cigarette ends.**

Action: Ashtrays provided in smoking areas, to be emptied regularly. No flammable materials to be used in seating areas. Smoking not permitted in the building whatsoever.

Assessment: At next review, and at bar managers discretion.

Risk: **Danger of fire through discarded cigarette ends in waste bins.**

Action: Have informed Smoking Enforcement Officer and the HSE, at present can only monitor bins closely. Plans are in place to build a steel bin holder.

Assessment: At next review, and at bar managers discretion.

Risk: **Danger of fire through irresponsible use of liquor.**

Action: Staff informed to prevent customers from lighting alcoholic drinks – no naked flames allowed in the bar whatsoever.

Assessment: At next review.

Risk: **Danger of fire through electrical appliance fault.**

Action: Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990). Standard practice to disconnect plugs from appliances as close of business. There are no sources of fuel to be kept near any plug sockets or near appliances that may heat up in any form. There are no heaters used in plug sockets in the building.

Assessment: At next review.

Risk: **Danger of fire through overloading of electrical sockets.**

Action: Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990). There are no sources of fuel to be kept near any plug sockets or near appliances that may heat up in any form. If an adaptor is used then only low voltage electrical items are used, and adaptor is to be mounted on the wall.

Assessment: At next review.

Risk: **Danger of fire in basement.**

Action: Fire doors to be kept closed at all times and stairwells to be kept clear of stock. Postmix gas canisters to be inspected daily and changed only by trained duty supervisor. There are no electrical sockets at floor level.

Assessment: At next review.

Risk: **Danger of fire in kitchen.**

Action: Kitchen to be always staffed when open, gas supply is shut off when the kitchen is closed and cut off point tested daily by kitchen supervisor. Fire blanket, Powder and CO2 Extinguisher provided. Passageway to fire exit to be clear of debris. Fire door always closed.

Assessment: At next review and at kitchen manager's discretion.

Risk: Danger of fire in Kitchen through Deep Fat Fryer.

Action: Kitchen to be always staffed when open. Fire blanket, Powder Extinguisher provided. Fire door always closed. Oil temperature closely monitored, no liquids are kept near the fryers. Kitchen supervisor double checks the fryers are turned off each day and that they are always turned off at the wall socket. The metal lids are placed over each night.

Assessment: At next review and at kitchen manager's discretion.

Risk: Danger of fire in Computer Room .

Action: Each morning cleaners clean computers and area. No dirt, dust or materials are kept any where new computers. All computers are switched off at the end of the night. Any machine faults are fixed immediately by a computer technician. Computer technician to ensure computers are correctly wired and conform to correct voltage.

Assessment: At next review and at computer technicians discretion.

Risk: Danger of fire on 3rd Floor Storage Area .

Action: Access to this storage/office level is to be kept to a minimum. Less than 5 minutes in each hour. There is no over loading of electrical sockets. All stock is to be kept neat and tidy, general housekeeping duties are closely monitored by Manager/ Duty Manager.

Assessment: At next review and at Managers discretion.

Section 2: Means of Escape.

Basement

1. Staircase leads to ground floor. Protected by 2 fire doors. Fire Action Plan situated on wall.

Ground Floor

1. Pressure opening fire escape doors positioned at rear of bar area leading into beer garden. Access to front of premises provided through alleyway, to be lit with emergency lighting and protected by fire door. This passageway is kept clear at all times . Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.

2. Front escape provided directly through front door of off-licence, 2 thumb turn locks provided on the door, escape route is lit with emergency lighting.

3. Side entrance fire door which leads into the escape passage outlined in 1. above. Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.

First Floor

1. Main escape route is provided by stairwell of premises. This is protected by two automatically closing fire doors, which activate automatically by relayed smoke detectors. Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.

2. Alternative escape route provided at rear of the building, through a fire door lit with emergency lighting giving access to exterior stairwell. This leads to ground floor passage.

Second Floor

1. Central stairway provides the main route of escape, through automatically closing fire door giving access to first floor. Call Point and Fire Action Plan situated next to exit.

2. Alternative escape through kitchen fire exit leading to rear external fire escape . Lit with emergency lighting and protected by fire door.

Third Floor

1. Central stairway provides the main route of escape, through fire door giving access to second floor. Call Point and Fire Action Plan situated next to exit. Also roof hatch is available in toilet that leads to neighbouring roof.

Section 3 – Fire procedure.

New staff

Must take Fire Safety course and achieve a 100% pass rating. Obtain a certificate. Manually taken around the building and instructed on escape procedure and safety equipment.

Shown how to operate alarm system and shut off gas /electrics.

This is to be reviewed every staff meeting, usually every 1/2 months.

Alarm Sounding

Upon sounding of alarm Duty manager is to marshal customers towards fire escapes from top floors , and assemble them in front of premises on Stonegate.

Where possible make sure all doors are closed behind.

Staff are required to guide customers through fire exit doors on ground floor.

The fire is to be located, and if considered to be manageable extinguished using the appropriate extinguishers.

Fire brigade are to be called immediately by Manager/Duty Manager or Senior staff.

Duty manager must check that all staff and customers are out the building and safe.

Do not enter the building until informed it is safe to do so by the Manager, Duty Manager or Fire Brigade.

Upon discovery of a fire sound alarm

Follow above procedure

Section 4 – Fire Testing.

All fire equipment/exits are tested as follows :-

Item		Time Scale		Tester
Emergency Lighting	-	1 month	-	Fire Manager/Manager
Fire Extinguishers	-	12 months	-	Advance Fire Services
Fire Alarm System	-	3 months	-	Advance Fire Services
Automatic Fire Doors	-	3 months	-	Advance Fire Services
Fire Alarms/Break Glass	-	Weekly	-	Fire Manager/Manager
Fire Exits	-	Daily	-	Fire Manager/Duty Manager

Fire Safety

It is imperative that all staff are strict on our fire policies at all times. There are many hazards within a building of this nature. Be alert.

Fire exits must be kept clear on all floors.

Any broken furniture must be placed at the rear of the beer garden or in the office. If it cannot be fixed then dispose of the broken item.

Waste and boxes are to be broken down and compacted as best as possible. No waste is to be left on fire escapes or blocking the alleyway. Bin bags are to be put in the wheelie bins, if you can't lift them please ask a stronger member of staff to do it..

In the computer room the chairs get moved around continually, whenever you pass the room push the chairs under the tables and move them back so they do not block the exits. Customers do tend to move the larger chairs with the arms next to the computers, make sure they don't and they are kept around the 2 tables.

Crates are to be put out last thing at night in the alleyway when the business closes on Tuesday and Thursday nights so they can be collected Wednesday and Friday mornings. That way there will be very little build up and enough space to stack them away. All empty crates are to be placed in the beer garden down the side of the wall.

Duty manager/Fire Manager must make daily checks on the fire alarm system to make sure it is fully operational. Also the Fire Escapes/Exits must be checked twice a day and all findings reported in the log books.

The basement door must be closed at all times, it is a fire door. Once you have brought stock up or down close it straight away. No boxes must be left on the stairs, place them in the basement ready for unpacking. All catches / hooks / wedges and means of pinning fire doors back have been destroyed / removed, if you door see any report them to the manager immediately.

Do not wedge the side entrance door open, again it is a fire door.

Fire Alarm tests must be carried out every Thursday morning and logged in the Fire Alarm Test Book.

Make sure you are aware of the fire extinguisher locations and how to operate all extinguishers. You must all know what each one is for and how it should be used.

Smoking is not allowed in anywhere on the premises.

18. Evil Eye Lounge Staff Training

Day jobs

The primary and main objective is to get the building operating and clean for 10.00am not to begin your back bar prep. – the customer sees the front of the bar first.

Front of house:

- Turn on lights and make sure they all work, change bulbs if necessary, check the wattage room chart next to the glasswash area.
- Bring the bins in from outside
- Turn on the computers
- Turn on the webcam (Start Media Encoder on all webcams)
- Turn on the music, make sure the volume levels are appropriate throughout the building with the Internet lounge being quieter than the rest of the building. The music played should be heard in the background and appropriate for the daytime. Customers should not have to strain to hear themselves speak.
- Menus must be washed down and thoroughly dried otherwise they will stay sticky. We are a restaurant as well, dirty menus does not give a good impression of the hygiene of the establishment.
- Put out condiment trays. These must be kept clean throughout the day, with the condiment trays being stocked with soy Sauce, salt, pepper, both white and brown sugars, and a copy of the bar / food menus. Make sure salt & pepper pots are clean and full.
- Check the toilets are sanitary and have enough toilet roll to last through the day. The toilets need checking throughout the day, not just at the start.
- Sweep the alleyway and outside if necessary. Make sure there is no glass within the alleyway.
- Check plant pots are clear of cigarette ends and that plants are satisfactorily watered. If the plants need repotting or look bad please remove them and let the manager know so as we can replace them.

All staff are responsible for making sure the building remains clean throughout the course of the day. Because we have relatively little table space, it is crucial that plates and empties are removed from the tables as soon as they are vacated.

Setting up the bar

The main service area in the daytime is in the central bar. This must be stocked with the following to ensure efficient service:

- Two full Ice stations, complemented with full store 'n' pours, marry the juices from the store 'n' pours, refresh the half & half.
- A reasonable amount of fruit ready to be served – do not leave more fruit than is required out, as it will spoil. Keep as much as you can refrigerated until it becomes busier. Always rotate the stock using the oldest first.
- A full Ghirardelli Chocolate pump. Reheat empty pots and marry them up. 20 seconds in a microwave thins the chocolate out.
- Chocolate sprinkles ready at hand.
- Bottle cap catchers are clean and emptied.
- A full set of knives, bar spoons, Tabasco sauce, Worcestershire sauce, salt, muddling sticks and strainers for each service station.
- Two full straw dispensers complete with beverage napkins and cocktail sticks. Make sure the dispensers are cleaned and hygienic.
- Two cocktail shakers per service station. Any more will get in the way.
- Two blenders. Cleaned. Do not use the blenders if the clutches are worn down, make sure they are replaced as this will damage the machine.

Keep on top of these during the course of the day, wash out blenders as soon as they have been used and keep the sink clear of fruit and debris that causes it to block up.

Glass washer

Before turning the machine on, check that the detergent (yellow) and rinse-aid (blue) are full enough so that the ends of the pipes are inside the fluid. If they are not, replace them with a new container and leave the remaining residue from the previous canister by the bar to top up with later on. Make sure that the cleaning liquid does not come into contact with your skin. Now inspect the inside of the machine and remove any bits, spoons, etc so that the inside is completely clean. The filter can now be positioned inside the machine, at an L shape – with the gauze, spring and plug positioned appropriately. Once inserted, turn the plug clockwise until it is secure. The door may now be shut and the machine turned on. Do not close the door with your feet, you are responsible for any damage done in this way.

The glass washer is not powerful enough to remove the residue of heavily soiled cups and glasses, these must be hand rinsed before being positioned face down in the machine ready for washing.

The machine should be drained and cleaned before the start of the night shift otherwise the glasses will start to come out stained later on. If washing up liquid is required to hand wash some receptacles, make sure they are thoroughly rinsed otherwise the machine will foam up and create a terrible mess.

Glass trays should be stacked in the shelf and given enough time to cool before being put out along the bar. If there are more than one tray to be stacked, work from the top down, with the freshest tray being positioned underneath those that have already had a chance to dry, otherwise they will keep being rained upon and stay wet.

Coffee machine

The coffee machine takes about five minutes to warm up before it is ready for use. To turn it on, switch the mains button and then turn on the switch on the left hand base. While it heats up, check that there is some ground coffee ready for service in the grinder. The coffee should be ground on the 4 setting, as this is optimal for how we serve our coffee. If more requires grinding, turn the right hand side knob 90 degrees to the right and more will be produced. Coffee is now ready for serving.

To set up the machine, place the three grills in their appropriate positions and place the filters inside the handles. The espresso handle (one spout) takes the more undulated filter, while the normal handles (two spouts) take the standard flat filter. Make sure the steamer is clean at the start of the day – the end can be easily removed and soaked in soda to remove any residue inside.

Coffee is served in two sizes, normal and large. The key difference here is between the strength that the coffee will be served at – for a normal cup one pull of the lever will deliver enough, for a larger cup two pulls should be made. Sometimes customers will request a weaker, or stronger, cup of coffee – just use more or less ground coffee as required. No more than 2 pulls of coffee should be used.

For instructions on how to make our varying types and sizes of coffee see the hot drinks section on the specs list.

To steam milk, place the steamer in the pot and turn until it is almost at full strength. If froth is required (and it almost always is) gently raise the pot over and under the top of the milk at a slight angle. This will also release the trapped air, making the process far less noisy. Try to keep one hand on the control so as not to overheat the milk. The milk is ready to serve when the base of the jug is just about too hot to comfortably touch. Do not boil or burn the milk, if your hand is kept on the side of the milk jug then you can feel the temperature increasing.

The hot water comes out fairly rapidly, so be gentle when turning it on. After use, make sure that it is turned off as when low on hot water the machine takes a little while to warm some more, it may appear to be off but can suddenly restart and cause a flood or scolding. Do not submerge the hot water outlet as it will spray scolding water on you.

It is important that the machine is kept clean otherwise it will start to block up and the handles may start to pop off. Water needs to be run through the handles (the 'K' button), until it is clear. The handles should then be immersed in soda at the end of the shift, the steamer wiped clean and the plates thoroughly rinsed.

It is useful to use the hot water left in the tank to top up the mop bucket at the end of the shift. Once this is done, the machine may be turned off at the base and mains.

Remember our coffee machine is the main focal point on the bar and the first thing a customer notices. Do not put clothes over the top, keep hanging jugs to a minimum and keep the body of the machine gleaming.

Daytime prep

It is expected that the bar will be fully restocked and prepped for the night shift by 6pm at the very latest. There is no reason that these tasks should not be completed by midday unless we are abnormally busy or short staffed.

- Collect change order from Post Office
- Marry up and restock spirits
- Marry up fruit juices & clean empty pourers
- Clean all freepourers
- Restock wines, including the display shelves
- Clean out and rotate fruit fridges
- Prep all fruit for evening on all stations
- Clean glass on all fridges
- Restock Snacks
- Bag up some ice and freeze for the weekend
- Each station needs to be fully prepped with the correct store & pours
- Half & Half must be prepped in an empty carton and labelled
- Sours must be made and ready for each station
- Restock all stations pour & stores
- Clean & refill sugar pots
- Refill all beer fridges
- Reorder glassware into correct locations

By the end of the day shift (6pm) , the bar should be fully stocked, clean and tidy.

If there has been a delivery in the morning this is to be moved downstairs immediately. Keep some cases of beer up so as to save time later on, but don't save too much otherwise the bar becomes overcrowded with stock and trip hazards. Stock should never be stored in the basement stairwell, because this is classed as a fire exit and it is also easy to steal as the door is never locked.

Turn on the air conditioning to an appropriate temperature. Remember that while you are moving about and staying active, customers are sat down and will feel the temperature more than you do. Most of the time 25 degrees is fine for the daytime, but use your common sense as appropriate to the season. It does not work effectively when the patio doors are open.

Once the bar is set up, the beer fridges should all be filled up as soon as possible. We don't sell much beer before noon, and the fridges should cool them within half an hour to drinking temperature. Still keep a layer of cold ones on top. The large display beer fridge needs to be stocked with the labels facing the front; however it should mainly be used to stock those drinks that we don't keep in the chest loading fridges (Katy cider, Terrier, Erdinger, Duvel, Liefmans etc)

All the bottles along the speed rails and back row should be married up. The pour spouts from the empty bottles should be immersed in soda water for a couple of hours to clean away stickiness. The top station (colloquially known as 'alpha') should be stocked with the new unopened bottles, as this is rarely used to serve drinks before the evening shift. Once the spouts are clean, they may then be used on the bottles on this service station.

When restocking the bar with spirits along the back wall, only those that we use regularly in cocktails should be opened with a pour spout (eg. Havana 3yr, but not Havana 7yr). If you are unsure what bottles need pour spouts, check with the duty manager before throwing away the cap. Malts and premium bourbons should never have a pour spout.

The wine fridge also needs restocking each day, wines that have been opened should be capped with a plastic cork (the real ones don't fit) and kept at the front ready for use. The same applies for house champagne.

Fruit should be rotated so that the newest is stored at the rear of the main fruit fridge, whereas the oldest should be moved into the milk fridge for immediate use. It is important that we use fruit that is already prepped from the previous day as soon as possible because once cut it will start to go rank after a day or so.

Sufficient amounts of fruit should be cut and stored in the bottom of the large beer fridge. Use your common sense to determine how much needs to be prepped, as a rough rule of thumb during a normal weekday the amounts should read something like this:

Limes: One and a half trays min., put the limes in the chopper so that they are cut from the top to the bottom – otherwise they look scruffy, and are cut to inappropriate sizes for putting in beer bottles.

Lemons: One full tray, cut as above.

Oranges: Need to be hand cut. Chop them into attractive crescent shapes and try to limit the amount of rind hanging off the sides. One tub should be enough.

Strawberries: Remove the tops from approximately eight packets. We should have enough done to supply three service stations each night. When removing try not to waste too much.

Mint: Four bags split into two containers are usually enough to last one full day. Try to keep some stems for decoration.

Other berries should just be kept in the packaging that they arrive in as we use them less. There is no need to put raspberries into larger pieces of Tupperware.

Other stuff: Kiwi, cucumber and celery do not require any special prep. Using kiwi's – cut them in half and squeeze the skin so that all the fruit comes out. Keep a piece for garnish.

Mango should be cut and kept in a sealed Tupperware container as our need for this fruit is erratic. Mango puree should not be substituted for fresh as it contains sugar.

Bananas need to be kept in their special round container. Use the oldest first, and avoid using bunches which are not ripe.

For weekends, the same principles apply but the quantity of fruit that is prepared should be doubled

Table Service

During the dayshift a great deal of our trade is now concerned with people coming in to eat. Wherever possible we should try and serve drinks to people once they are sat down, and set up a tab for their table. It is absolutely crucial that the tables are kept as clean as

possible – if you say to a group to take a seat and every table is dirty then they will go elsewhere. People take hygiene very seriously when they go out to eat, if the bar is a state they will not come back. We have an excellent product to sell – but sloppy service ruins it.

It is not difficult to do this, keep a ready stock of fresh ashtrays at the centre and end of the bar, and also a cloth and spray for the tables. When tables are vacated straighten the chairs and make sure that each has a complement of menus, white and brown sugars, salt and pepper, and soy sauce ready for the next group.

When groups are ready to pay, it is good practice to deliver a bill to their table. It says at the bottom of each receipt 'service not included'. Most people should tip if the service has been up to standard. Take your bill over with a few sweets on.

Remember

- Greet people as they enter
- Ask them if they require a table
- Take their drinks over to them
- Put them on a tab unless they wish to pay
- Ask them if they require food, and help them with their order
- Make sure the order goes to the kitchen
- Watch their drinks and when their almost empty offer them another drink
- Once they've eaten, ask them if they enjoyed their food
- Clear their plates and ask if would like a coffee or anything else
- Take them their bill on a plate with sweets
- Take their payment and say thanks

Whenever you can take the customers order and offer them a seat , then take their drinks over. They don't have to wait and you don't have to rush.

Other day jobs

There should be a change order that needs collecting each day. The post office has this ready by 10am, so try and collect it as soon as possible. It is important that you are witnessed by another member of staff when counting the notes to be changed out of the safe. Queue up in the line and ask at the counter for the change order for 'Forever Changes'. Remember to take a plain bag with you to carry it back in order to minimize the risk of being robbed on Stonegate.

The snacks need to be rotated and replenished; these are stored against the walls on the basement stairwell. Again rotate them.

Plants should be watered at least twice a week and cigarette ends etc removed from them. This is another overlooked job that customers do tend to notice.

Clean the glass doors to be display beer fridge and wine fridge. Use window cleaner for this and scrub it with old newspaper until dry.

The fruit and milk fridges usually need to be cleaned out each morning as they tend to get mucky over the course of a night shift. This takes two minutes and should be done while rotating the fruit and milk.

Try and keep on top of washing up during the daytimes, it is unsightly to see a tray overflowing with dirty cups and glasses as you walk into the bar.

Beer Garden

Outside is open usually from March until November depending on the weather. We need to sweep down the decking and if necessary spray it over with a hose. When this is open these tables are to be treated as an extension of the inside seating area – tables must be kept as clean as possible and properly provided with menus and condiments.

The fountain should be mucked out and hosed down as necessary.

To use the awning firstly ensure that it is not going to be obstructed by any branches, and that the canvas is straight and properly in place. Check with a supervisor beforehand if you are unsure. Then turn the handle in the required direction until taught or retracted. If the fabric goes saggy then you are turning it the wrong way. The fabric needs washing down at least twice a year, use soapy water and a brush, and then hose down.

The heat lamps use a lot of power, if the garden is empty then turn them off. They also can set fire to the fabric if the awning is shut and slightly touching them.

Remember that the beer garden is a fire exit and no waste / boxes are to be put out there. Again the customers can see into the beer garden all year so always make it look good.

The garden will be used all the time from July 1st as our smoking area, make sure that ashtrays are provided and people smoke outside when the doors are open.

Tools & Maintenance

It's okay for staff to fix things as long as they know what they are doing and are going to make a good job of it. Glue doesn't replace screws. Tools must be kept stored in the office, including drill parts Alan keys and screwdrivers. Do not attempt to do any work involving ladders or unfamiliar equipment on your own or if you are untrained.

Evening Shift

The night shift is when we make the most of our takings. For this reason speed of service is crucial, of which more will be explained in the bartending section. This is a rundown of what is expected from staff during an evening shift.

As stated by 6pm at the latest the bar should be entirely stocked, including beer and wine fridges, prepped fruit and a full back row of spirits. Most evenings the entire bar needs to be open by 7pm, unless it is extremely quiet or we are short staffed.

Organization is crucial to making an evening shift run smoothly. Staff are expected to either serve drinks or bar back, and only very rarely should there be any overlap here. Each service station needs to be fully complemented with enough fruit, juices and tools (strainers, bar spoons, jiggers etc) to allow drinks to be made effectively.

Bar backing – A rough guide.

New starters and part time staff start out as bar backs, responsible for the following on a night shift:

- Keeping the front of house clean. This in particular concerns tables when food is still being served, wipe down tables and keep ashtrays fresh.
- Collecting and washing glasses. Give them a chance to dry out first, and stock them along the bar equally so that each service station has enough to operate.
- Restocking beer fridges before they run out, keeping the coldest on top of the freshest.
- Keeping the bar stocked with fruit and juices as they run out.
- Collecting extra stock from the basement as required.
- Being on the look out for underage or difficult customers. You can ID anyone who you believe may be underage even if they already have a drink. If there is any problem with customers inform the duty manager immediately.
- Changing glass washer water when necessary.
- Emptying bins and taking the rubbish outside. Bin bags are to be put in the wheelie bins; if they overflow then it must be stored out of the way as the alleyway is a main fire escape. The same is true for boxes – break them down as far as possible and stack them away from the escape routes.

You may also be required at the supervisors' discretion to serve special drinks or shot offers to tables. Be sure that you have a witnessed cash float before doing this, and are familiar with how to use the tills.

On quieter nights it is good to try and get some practice at serving. Again check with your supervisor before doing this, and remember that your usual duties have to be done.

General Service rules for all staff

Our reputation has always been that we are a chilled out, friendly bar with personable staff. Our clientele reflects this, but the same cannot be said for all of our customers as there will always be a very small proportion who will be rude, surly or aggressive. It is imperative that we do not lower ourselves to such a level when dealing with these people, and that we understand that all customers have to be treated and served in a diligent and courteous manner. You cannot discriminate against people who you do not like – and likewise people cannot do so against you.

As a member of staff you are entitled to serve alcoholic beverages and in due accord should be aware of responsibility that this entails:

- **It is an offence to supply alcohol to anyone under the age of eighteen;** for which you will receive a hefty fine if you are caught doing so (£1500). We do receive visits from trading standards, and at time of press have a decent reputation for enforcing refusals. A good proportion of our clientele are young adults and students, who it worth remembering are barely old enough to buy alcohol. If you have any doubt, ask for ID – we accept Portman, Driving Licence and Passports. Never accept student cards as ID. If someone in a group has no ID but the rest of them do, it makes no difference – you have to make sure that the individual concerned leaves the premises, with or without their friends. As a good rule of thumb ID anyone who looks under 21.

If you refuse service to someone who has no ID then we need to keep a record of the refusal. This is done on the bar tills by pressing the underage button, then entering the food service menu and 'adding a note to the meal' – which in this case should be a brief description of the people involved. Put this through as a sale and place the receipt in the till drawer.

- **It is an offence to freepour spirits & mixers.** Ignore anything you may have heard over what entails a cocktail and the legality of it – as far as we're concerned it's rubbish. 25ml is the standard single serving of any spirit that is 20% alcohol or above and it must be measured in a jigger. Legally this entails vodka, gin, rum, tequila and whisky but in terms of your employment this extends to any spirit that we serve. Anything below 20% should be served as 50ml standard (Baileys etc – if in doubt check the bottle). If you are caught breaking this you will be terribly fined and we may very well be shut down. For this reason if you are caught you will be dismissed for gross misconduct. It really is that serious.
- **The responsible service of alcohol must be upheld.** You are breaking the law if you serve someone who is intoxicated, and for whom further consumption will make them a danger to themselves and others. Remember that alcohol is poisonous and can kill. Our range of spirits is extensive, and a lot of people come here to drink Absinthe believing wrongly that it will send them on some kind of magical hallucinogenic trip. These people are wrong, and will just end up drunk – no more than one serving of a spirit over 60% per customer unless you are sure they know what they are doing. Recommend a cocktail that includes Absinthe if you have any doubt about the persons logic – this dilutes the spirit and tastes far better.

You have the right to refuse service provided you have a valid reason. Beware of what you say as you may be misinterpreted as discriminating someone. This is an extreme option and should only need to be done very rarely. If a customer is flagrantly abusive, either towards you, a colleague, or other customers then the option is there. However you must be sure that you do not inflame the situation – you should inform the supervisor and request that they explain the refusal of service to the customer. If door staff are present they will remove the troublemaker. Whatever you do, do not retaliate – you are not paid to be a vigilante.

Closing down checklist: upstairs

- Top room computer to be turned off
- All tables cleared and wiped
- Windows shut
- Fans turned off (switch to the left of the doorways)
- Kitchen and Internet lounge fire escapes are properly secured
- Stairwell light turned off (switch on the low left to the top room doorway)
- Computers are all shut down
- Beds are made
- Toilets checked, toilet roll replaced
- Ice machine is on/working

Closing down checklist: downstairs

- Stations are thoroughly cleaned and dried
- Store 'n' pours are stored/married up
- Coffee machine cleaned and wiped down
- All fridge lights turned off
- Ashtrays and glasses put away
- Condiment trays stocked in the window ledge
- Glasswash area wiped down and sink emptied
- Floor swept and mopped
- Turn off air conditioning
- Switch off lights at the plugs
- Spare cases of beer etc neatly stacked
- All tables wiped down

The Canopy

The canopy is easy to wind in and out but you must remember that if the heaters are turned on and the canopy is wound up it will catch fire, which is undesirable. In strong winds it needs to be fully wound up otherwise there is a risk of it blowing apart. If you turn the handle and there is resistance it means that you are turning it the wrong way – remember the left = loose and right = tight. The canopy must only cover 50% of the garden, smoking regulations!

Wages

You will usually be paid by 3pm on a Friday afternoon, and you can collect your pay packet from the office. Collection must be witnessed and countersigned. Any inaccuracies or queries have to be raised immediately, and remember to check the contents as soon as you open the envelope.

19.

Bartending

Product knowledge & up-selling

It is expected that by the time you have started to work on the bar serving drinks that you will have absorbed a decent knowledge of the spirits that we sell. This is in order to help you up-sell drinks. The easiest way of doing this is ask every person who requests a spirit and mixer whether or not they want a double. On the house spirits this saves them the price of a mixer (40p) and surprisingly a decent proportion of people will say yes. Likewise with wines, always ask whether they want a large or standard glass. It is also worth asking the customer what specific spirit they want in their drink – a generic gin and tonic is made with crap house gin, when for only a little more they can have a branded one. People will tend to go for the spirits they have heard of unless you recommend something more obscure (and often better and more expensive). Some suggestions:

Vodka –	Stolichnya (£2) Zubrowka (£2) Belvedere (£3)
Gin-	Henricks (£2.50 serve with cucumber) Blackwoods (£2.50)
Rum –	Havana 3yr (£2) Goslings (£3)
Tequila –	Jose Curervo (£2) Herradura (£2.50/£4)
JD –	Premium range of JD's or Blantons (£3) Van Winkle (£3.50)

Baileys – Jago Vodka Liqueur
Jamesons – Premium Malts

You will be frequently asked to explain what the difference is between 'evil' and 'premium' cocktails. Premium is essentially the use of branded spirits in the drink rather than the cheapest money can buy, and sometimes it makes a real difference to the quality that they receive. You are actually doing a favour by encouraging the customer to buy a premium martini because the evil ones taste pretty rank.

Only spirits up to the value of £2.50 are to be used in premium cocktails and in the same quantity as the evil ones. If using premium spirits above £2.50 then the cocktail will be charged higher again using the super button. The super button adds a straight £2.00 to each cocktail.

Example :

Classic Martini	Evil	using house vodka	2 x £1.60	£4.00
		Press normal martini button		
Classic Martini	Premium	using stoli	2 x £2.00	£5.00
		Press premium then martini button		
Classic Martini	Super	using belvedere	2 x £3.00	£7.00
		Press premium then martini then super button		

We sell a selection of specialized spirits that are pretty rare to find in most places. People do come in and ask about these spirits so it's good practice to have an idea about what you are selling. If you can chat away with an enthusiast, there's a decent chance of getting a tip out of too, so don't be shy, give it a try!

Absinthe

Absinthe is a distilled, highly alcoholic spirit. It is often referred to as the 'Green Fairy' because of its colouring, and is a concentrated anise-flavoured spirit. Due to its high proof and concentration of oils, it is typically drunk with 3/5 parts water which causes the drink to turn cloudy. A tea spoon of brown sugar is then roasted over a flame until it starts to boil, and then mixed in. Absinthe originated in Switzerland as a tonic, but is best known for its popularity in 19th and 20th century France, and for being the drink of choice for the bohemian artist set. This association, and the alleged concentration of psychoactive ingredients within the wormwood that comprises the key ingredient for the drink, led to absinth being banned in a number of European countries and the USA.

Poteen

Similar to absinthe in regards to its high alcohol content, irish poteen has a distinctive grainy flavour with an aftertaste that becomes increasingly sweet. It is believed by the Irish to cure wounds, as the alcohol content is so high that it has disinfecting properties. Poteen was outlawed in 1760, and was only recently re-legalised.

As with Absinthe you must be very careful when selling these products. Each time a shot is sold, it is advisable to ascertain whether the customer has tried the drink before, and knows

what to expect from it. Offer a glass of water, and make sure that under no circumstances the customer attempts to light the spirit.

Use your common sense when selling these products – and remember your responsibility for the customer. As a rule of thumb, the majority of people who drink these are out on a big session and the concentrated spirit can send them over the edge into drunkenness. Tell them to be careful with spirits for the next few hours and only sell them one shot. On the otherhand some customers will be veteran absinthe drinkers and expect to cook sugar and mix it in. If you are sure they know what they are doing, then you can allow them to do it themselves at the bar providing that they are supervised while doing so.

Malts (Barley)

Try to align the malts from lightest to peatiest on the shelves (left to right)

Scotland is divided into six whisky-producing regions; Speyside, Lowlands, Highlands, Campbeltown, Islands and Islay. Although each whisky is unique, the malts produced in each region have some common characteristics which separate them from whiskies from other regions. These differences are the result of several factors as for example the use of different raw materials, climate variations and different production techniques.

Islay

Islay is a small island west of the Scottish mainland and is the home of many well-known malt whiskies. Although a few milder versions exists, Islay whisky in general is smoky, peaty and salty and has quite a bit of tang and tar thrown into the mix. The island once had 23 distilleries operating at the same time but the number of active distilleries is now down to seven.

Lowlands

As the name suggests, the Lowlands is a flat region without mountains. It is also the southernmost part of Scotland. Whisky from the Lowlands is smooth and slightly fiery. It is also very light in salt, peat and smoke as opposed to many other whiskies. Any Lowland whisky is a fine aperitif, recommend Auchentoshan.

Speyside

Speyside is the undisputed centre for whisky in Scotland when it comes to the number of distilleries. The region has received its name from the river Spey which cuts through the area. Many of the distilleries use water straight from the river Spey in their production process.

Speyside is geographically part of the Highlands but is considered a separate region because of its size and the different characteristics of Speyside whisky as opposed to other Highland whisky. A Speyside malt is a good choice to recommend to someone who is quite new to whisky with its rich flavour, complexity and relatively mild character. Balvenie, Glenmorangie, and Highland Park are good examples of this.

Highlands

The Highlands is the largest of the whisky producing regions in Scotland. The whisky is

often powerful, has a rich flavour and is quite smoky although slightly less so than whisky from the Islands. Compared to the Lowlands, Highland whiskies often taste very different from each other. This is partly due to the size of the region which allows for greater differences in the microclimate, but variations in raw materials and production techniques also play an important part. The word 'glen' is commonly used in the name of both Highland and Speyside distilleries and means 'valley'.

Campbeltown

The region Campbeltown was once a flourishing whisky region and the city of Campbeltown was considered to be the whisky capital of Scotland. In 1886 there were no less than 21 distilleries in and surrounding the city. Today only three distilleries remain. Campbeltown is still referred to as a separate whisky producing region, but today the reason is mostly historical. Springbank hales from here, the only distillery in Scotland to still do 100% of its own malting.

Islands

It is not uncommon for this region to be confused with Islay but Islands is in fact a separate production region which consists of the islands Mull, Orkney, Jura, Arran, Shetlands and Skye. It is a source of constant debate whether Orkney belongs to the Islands or in fact should be counted as part of the Highlands region. Whisky from the Islands may be described as a milder version of Islay whisky and is often appreciated by those who have enjoyed whisky for a few years. The well-known whisky Talisker is produced on the beautiful Island of Skye. The Blackwood Distillery is the most recent addition to Scotland's family of distilleries and is currently being built on one of the Shetland Islands.

Bourbons (Maize, Rye & Wheat)

Alongside the range of Scottish malt whiskys we also stock a decent selection of premium American bourbons. We sell bottles of these in the off licence and it is not infrequent for people to try a shot in the bar before deciding whether they want to buy a bottle for themselves. As such it is good practice to have an idea what you are talking about with these.

Whiskey came to the American continent with the Irish and Scottish immigrants. As they settled in their new homeland, they were forced to adapt in many ways including the use of new raw materials. Over the years a new kind of whiskey gradually evolved.

Today there are few if any similarities left between American whiskey and its cousins the Scottish and Irish whiskies. For example, no smoke is used to dry the corn, rye or wheat, which are used in American whiskey. Because of this, American whiskey often has a fuller, stronger and sweeter taste than its European counterparts.

American whiskey is commonly divided into six categories; Bourbon, Tennessee, Rye, Wheat, Corn and Blended whiskey. The categories are mainly motivated by differences in the type and amount of grains used during the mashing but there are also differences in e.g. storage time. The key things to know are here below:

Because of the fact that almost all Bourbon is made in Kentucky many people believe this is a requirement, but in fact Bourbon may be produced in any state. The only prerequisites are that it must be made in the US, contain at least 51 percent corn and that it must be stored for at least two years in new, charred oak barrels. Lastly, the raw spirit may not be distilled to more than 80 percent alcohol by volume.

A few common Bourbon whiskeys are:

- Jim Beam
- Van Winkle
- Buffalo Trace
- Blanton's
- Maker's Mark
- Woodford Reserve
- Wild Turkey

Tennessee

Tennessee whiskey is closely related to Bourbon but there are a few differences; Tennessee whiskey must be produced in the state of Tennessee and is always filtered through sugar-maple charcoal. The filtering process usually takes 10 days to complete. Tennessee whiskey was recognised as a separate style by US government officials in 1941.

There are only two active Tennessee Whiskey brands:

- Jack Daniel's
- George Dickel

Rye and Wheat Whiskey

Only a small amount of Rye whisky is bottled as Straight Rye Whisky –most of it is used in blending to add character to other whiskies. To be called a Rye whiskey, the spirit must be made from at least 51 percent rye, distilled at less than 80 percent and stored in new, charred oak barrels for at least two years. Rye whiskey is slightly more powerful and bitter than Bourbon. Most current Rye whiskies are made in Indiana and Kentucky. Wheat whiskey must be made from at least 51 percent of wheat and is quite uncommon.

Examples of Rye Whiskey:

- Wild Turkey Straight Rye Whiskey
- Van Winkle Family Reserve Rye 13 Year
- Canadian Club

Beers and cider

The key thing about beer is that it is served cold. It's that simple, so make sure the beer fridges are loaded with the coldest at the top and that fridge doors are kept shut. If you go to serve a beer and it is not cold to the touch, then don't sell it – any customer worth their salt will complain. Offer customers a glass with the more specialist beers, as a rule any beer larger than a 330ml bottle should go in a glass (Duvel, Liefmans, Terrier, Ghost, Erdinger, Warsteiner etc) .

As with spirits you are expected to try and up sell beers where appropriate. A common occurrence is being asked what beers we sell – either offer them a menu or make a recommendation. If they are eating thai food you may as well offer them Singha – it adds a little more authenticity.

Cider is the boom market at the moment, we offer Katy, Magners and Kopparberg Pear cider. Even though it's absurd, people do actually drink these with ice so make them the offer (they are spending £3+) just try to smother your giggles.

Tourists provide a lot of our customer especially during the summer, and a lot of them tip well and can be rather pleasant. Remember that they are new to the ways of the Evil Eye Lounge – to many people it isn't obvious where the Internet is controlled from so be nice and polite to them. Tourists often go for local beers and things they haven't tried before, in particular absinthe. The same rules apply as outlined above – make sure they know the strength and warn them of the potential consequences.

All beers in the off-license are available to drink in by hitting the bar beer button followed by the beer search button, this will give you the bar prices 9/10 times. There is a bar beer price sheet hanging next to the glass wash area.

So if a group of Aussies come in asking for Aussie beer offer them a choice of the seven beers we have, if it's too busy then this may not be possible.

Cocktails: Technique

Units, Measures and Free-pouring

A standard measure of spirits of 20% a.b.v. and over is served here in 25ml units. Anything weaker than this (Baileys etc) has to be legally served as a double (50ml) serving. If you are in doubt, read the label or ask your supervisor.

One 25ml measure of a 40% spirit is one unit of alcohol, and so therefore the strongest cocktail that we currently serve is the Long Island Ice Teas (5x half measure of 37.5% spirit). This works out as about the same as a pint of premium lager. Other cocktails we sell have may have stronger ingredients, but at a lesser quantity.

There are two rules for free pouring. Firstly, it has to be extensively practiced before you start doing it. Secondly, when you can do it under no circumstances are you to freepour spirit/mixers. **Only free pour cocktails.**

Free pouring is a personal technique; the best way is to practice a single measure repeatedly until you can do it by sight. Remember to hold the bottle vertical with you index finger on the spout. A commonly used tip here is to 'count' while you pour for instance one 25ml measure would be 'bubble...one...two...three' until you can synchronize your mental counting for the amount of alcohol you are pouring. Once this is done you should be able to move on quite easily to double and half measures by altering your count accordingly.

It's absolutely crucial that your free-pouring is accurate because otherwise you will be wasting stock or underselling the product. Tests will be sprung but it's good practice to keep your hand in by checking yourself regularly.

Mixing a Cocktail

The most frequently used methods are the following:

- **Shaking:** When shaking a cocktail, hold the shaker in both hands, one hand on the top and the other supporting the base of the shaker, and shake vigorously. When water has begun condensing on the outside of the shaker, the cocktail is sufficiently chilled, and the cocktail should immediately be pored or strained into the glass as required. In general, shaking creates a colder cocktail than stirring does, and is

common for most of our cocktails. Do not shake after putting in carbonated (fizzy) ingredients.

- **Stirring:** The cocktail is stirred with a bar spoon in a mixing glass, before being strained into a glass. As with shaking, crushed ice should not be used, and water condensing on the outside shows that the cocktail is finished. With Martinis make sure the glass you are straining into and your equipment is crystal clean.
- **Blending:** Blending is an excellent way of mixing ingredients which do not blend easily in any other way. Blend the cocktail till it has reached a smooth consistency – Daquiris should have the texture of a slush puppy – you can tell it is ok by looking while the mix is blending, as you should just be able to see the spokes of the blender. You only need to use a little ice in most blended drinks (bar Daquiris) and be careful not to make too much by overdoing it on milk/sours etc.
- **Building:** When building a cocktail, the ingredients are poured into the glass in which the cocktail will be served. These are generally layered drinks, and the easiest to make. For instance Evil Sunrise is the most common one of these that we sell, but it is common for most of our built drinks to be shaken towards the end of making them (Key West Cooler, Long Islands etc).
- **Floating:** The purpose of floating is to keep each ingredients in the drink in separate layers that do not mix with the others. This will create a drink with separate layers, and this is why floating often is referred to as layering. The easiest way to float one liquor on top of another is to use a spoon, holding it over or in the glass and slowly trickle the ingredient over the back of the spoon. Done well these can look great especially in our shooters.
- **Muddling** is a simple mashing technique for grinding herbs, such as mint, smooth in the bottom of a glass. Muddles drinks always include some form of sweetener (gomme/sugar) and a mix of ingredients. With most of these drinks muddling is easier once the drink has been partially diluted with sours or juice as required.

Each cocktail has a garnish that should be added to the drink – check the specs for full details. The prettier your cocktails look the more appreciative your customers will be, and so your tip jar gets heavier.

Our cocktails are pretty complicated to the uninitiated so the sooner you learn the specifications for each drink the faster and better you will become. Until you have learned them, you must use the spec folders when making cocktails. Once you have a good understanding of what you are doing, here are a few tips:

- **Keep your head up.** Do your best to make sure you serve people in the correct order, and if you are in doubt ask them who is next rather than just serving the person nearest. Acknowledge the customer and who is next; it makes their wait for a drink far more bearable.
- **Remember faces:** You served that guy at the side two coronas half an hour ago, but he's going to be waiting ten minutes while you make 14 Evil Smoothies – serve him quickly and send him on his way.
- **Make your drinks logically** – Get blended drinks on the go first, and muddle or pour while they are being processed. Open beers before starting cocktails, they get drank quicker and we'll sell more.
- **Multi-serving** is the next step: Start with a couple of groups and try to make their drinks all at the same time. Remember what you are making, and try not to get

confused – again if in doubt interact with the customer. They would rather repeat themselves than be served a wrong or rubbish drink.

- **Friends** - Do not serve your mates ahead of the customers – you'd hate that to happen to you. They get the same measures as everyone else.

Remember the key thing when we are busy is speed – after you have got your head around how to make the drinks, think of ways you can make them faster. If you are confident enough on your pouring then use more than one bottle at once. Flair can speed you up but is more likely to slow you down, so use it logically. If people want juggling they go the circus, our customers want booze – now!

To stay endearing to your work colleagues try to work the bar as tidily as possible. Blenders, shakers, spoons and measures should be rinsed out in the sink and replaced ready for use as quickly as you can. Turn the tap on when you put a used blender in the sink and get it rinsing.

The bar top is always going to get sticky due to the ingredients we use, and it is the bartender's job to keep the surface wiped down and dry. Ashtrays should be emptied regularly and crap thrown in the bin. Place a serviette over the ashtray when collecting it so as ash doesn't go in the fruit or ice. Menus need replacing in the dispenser when they have been read, and should be kept dry. Wipe and wipe that surface.

There is no room in this bar for bartender fascism. If the barbacks are busy and you have nobody to serve, then tidy your station, put out glasses and restock your fridges. Don't hang about chatting, chat while you do your work.

Rota, breaks and time off

The Rota (Harry Houdini) should always be hanging behind the tapas sign apart from on Thursday when we need it for calculating wages. It is there to record exactly who worked what when – if people finished early or late, then it has to be recorded. Likewise if you are late, you will not be paid from the start of your shift.

Timekeeping has recently become a major problem – like any other job consistently poor timing will result in disciplinary action being taken.

Swapping shifts is generally possible most of the time, but please let the bar manager know what you are doing in advance. Each shift needs experienced staff capable of making drinks quickly as much as it needs a key-holder.

You are entitled to a half hour break for each 8 hours worked. Remember most businesses have an unpaid hour break we have always had a paid half hour break. If you are doing a double shift straight through you will get two half hour breaks, each to be taken at an appropriate time. If you need a longer rest, you must be rota'd to restart at a later time e.g. 7pm/8pm. Breaks may only be forfeited for an earlier leaving time at the duty managers consent and under special circumstances – they should not be considered as a half hour paid for nothing.

Food: Please make an effort to have breakfast before work, or at least bring it in with you. If you want to eat here before work then arrive early, and likewise for lunch breaks order your food in advance. Under no circumstances should staff be eating food from outside visible to customers who are dining here (i.e. Pizza Hut & McDonalds boxes on the bar). Wolf down a sandwich when we are quiet, but otherwise do so out of sight.

Smoking: Until the ban comes into force (1st July), smoking is permitted in the downstairs bar area and the bedroom (not in bed), apart from those areas we are a no smoking building. Staff may take occasional cigarette breaks where appropriate (approx. 1 every 2 hours, a normal business is 1 every 4 hours), but again please be considerate towards customers, and especially don't smoke by a dining table. The off-licence is strictly non smoking. Wash your hands after smoking, it's a filthy habit.

Drinking: There are not a lot of jobs in the world which allow you to have a drink while you're doing it. This privilege relies upon your acting responsibility to stay effective at your job. All cash transactions on the bar should be witnessed for staff drinks, remember to use the off-licence prices on the tills (product search). Being drunk at work is gross misconduct and we will not tolerate it.

Holiday: Under the terms of your contract you are expected to work a set number of shifts per year, for which you receive an according amount of holiday (2 days per month for full-time and pro-rotata for part-time). Time off can usually be arranged pretty efficiently as long as there is enough notice given – four weeks is expected. If you have shorter notice we will try and sort it for you, but under no guarantee. Staff are expected to be reciprocal in regards to this, helping cover shifts for each other in order to maintain this flexibility.

20.

OFF-LICENSE

The off-licence has become one of the most important parts of the business, at certain times of the year it turns over more money than the bar. It is the latest off-licence in the centre of town closing at 11.00pm seven days a week. The store opens at 10.00am every day – make sure you open straight up, do not restock as it should have been done the night before.

The store is the hub of the business, it is the main entrance and attracts the majority of the customers, it controls the internet, top-up, printing, faxing and off-sales.

Restocking Times

2.00pm-2.30pm	Saturday
5.00pm-6.00pm	Seven days a week
11.00pm-11.30pm	Seven days a week

During the restock times lists are made and stock is brought up from the basement and from the store next door if possible. It's important that the shelves are full and faced up because it looks tidy and better, also you can tell if a customer has shoplifted something.

Try to stock rotate as much as possible, beers tend to have a 3-6 month date on them.

There are stock shelf plans on the off-licence computer. Always best to restock the cigarettes throughout the day so you have more time doing the beer restock, just be aware when leaving the cupboard unlocked.

Faxing

The fax prices are on the laminates in front and behind the counter. The amount is charged per page. To use the fax make sure the handset is down, place all fax pages face down in

the front top slot. Enter the number including all country codes and press start. The machine will dial and automatically send the fax. Do not press the start button again as that will turn the machine into receive mode. If the fax fails then try it once more this time dial the number whilst listening on the handset, wait until you get a fax tone then press start.

Phone Top-up

The customer must have a phone card (we do have some in stock in the drawers behind the counter or on the counter). Press top-up on the PDQ, swipe the phone card, select method of payment, enter amount and follow the on screen instructions. If paying by card take their card at the same time as the phone card. Check the PDQ receipt, sign it, circle the amount, write top-up on it and ring it through the till as a top-up. Make sure you enter all the top-up details into the top-up book, this is very important as if we end up missing a payment in the book we pay VAT 17.5% on the transaction and will lose over 10% of the money taken.

Security

There are 2 cameras in the store and a curved security mirror. The main shoplifters shelf is the spirits shelf – mainly the bourbons. Make sure this shelf is always monitored; the other area is the corner next to the meads. Shoplifters 9 times out of 10 look like thieves, they have hats, baggy coats, tattoos, stubble, smell and act suspicious. One thing we know from our store is people generally know what they want and what to look for, shoplifters don't they go straight to the most hidden area / the one with the most resalable stock and look at you and wait for the moment you glance away.

If you are suspicious then ask them if they need help, stand right next to them and try to get another member of staff's attention. If they are a shoplifter known to you ask them to leave, do not give them a reason, just say "please can you leave this shop, thanks" . The less said the better as they will know you are onto them.

Doors

On the weekend the shop acts as an alleyway to the bar, the flow of traffic can be non-stop. Make sure the front door is always wedged open. The only time it is to be shut is when it is very cold. An open door is more inviting than a closed one. The front door has been kicked down in the past, it is steel reinforced with 2 five lever door locks, bars and 2 bolts. The inner door has one five lever door lock. Make sure that all locks and bolts are secured when locking the shop. The keys must be placed on the key hook behind the bar. Make sure you don't take them home or misplace them.

Closing the Shop

- All fridge lights must be turned off.
- Blinds must be neatly rolled down
- The EPOS must be left on otherwise the bar EPOS won't work
- Shutdown the internet cafe software
- Shut off the off-license computer
- Lock all doors and bolt
- Lock cabinets
- Lock inside door
- Place keys behind bar in cupboard

Stock

It's a good idea to learn as much as you can about the stock so you can advise customers what to purchase. Cases of beer are available at discounted rates, most beers are available to order, and deliveries come Wednesday and Fridays so make sure you get the orders into Steve.

For beer case prices (all prices) please look at file \\Eviloffice\Monster (G)\Evil Eye\EVILEYPRICESHEET.xls

Prices are continually changing so always check these spreadsheets.

Evil Eye Lounge Pricing Margins

Whilst working within the business they may be some price discrepancies, by looking out our pricing formulas it may help you spot them and let a manager know. Also there will always be new products arriving that will need pricing, please note you may only price and work new product prices if you are requested to do so.

Every business has different margins, the following only relate to our business and must be kept strictly confidential.

Off-license

Spirits / Wines Example	Cost Ex. Vat £5.35	Add 55% £8.29	Round Up £8.50
Beer Bottle	Cost Ex. Vat	Add 64%	Round Up
Beer Case Price	Case Cost Ex. Vat	Add 55%	Round to nearest .25
Miniatures	Cost Ex. Vat 85p	Add 74% £1.4875	Round Up £1.50
Cigarettes	Recommended RRP + 3/5p		
Snacks	RRP + 5/10p		
Soft Drinks	Cans 60p	Bottles from 99p +	

Bar

Spirit Shots Example	Bottle Cost £8.99	Divide by shots bottle £0.32107 (28)	Multiply x4 £1.28	Round Up £1.50
Spirit Bottle	Shot Price £1.50	x Shots in Bottle £42.00 (28)	Less 14% £37.80	Round Up £38.00
Beer Bottle Price	Retail Price	Bar Price + £1.25	see spreadsheets	
Wine Bottles	From wine bought in off-license	Retail Price + £5.00 corkage		
Bottle Quantities	Bottle Size 50cl	Divided by 25ml 20 shots		

70cl	28 shots
75cl	30 shots
1 Ltr	40 shots

Drinking Off-license Alcohol on the premises

Customers may buy and bring drinks into the bar to drink if they pay the bar prices only, all other purchases must be left in the off-license or kept behind the bar until they leave.

Wines

All off-license wines have a £5 corkage charge if brought in .

Champagne

Off-license champagne is not chilled and not available to drink in the bar.

Beers

All beers have there own prices based on the pricing above. To sell an off-license beer at bar pirce make sure the bar price button is pressed first on the Epos tills. You may find some prices may not be on the system use the pricing above to work out the bar price.

Spirits

A bottle of spirit works out to be very expensive if drunk in the off-license. To work it out use the pricing formula above or press spirit bottle button in the bar spirit menu of the EPOS till.

Staff Consumption

We do allow staff to purchase beer in the off-license for their own personal consumption. Staff are not allowed to purchase discounted alcohol for anyone but themselves. The few cases in which staff may purchase discounted alcohol is when they have consent from the manager, usually special occasions. Consent must be sought or the matter will be treated as gross misconduct.

When the off-license is closed there is to be no discounted alcohol sales.

21. EVIL EYE INTERNET CAFÉ

How it operates

The café is controlled from the off-license therefore only when the off-license is open. This is important as the off-license staff must have all machines and the door open by 10.00am. The internet provides us with our greatest yearly profit so we must maintain it and look after it well. We are busiest during the daytime and mainly at the start of the week.

Important: The EPOS till in the off-license must be the first machine turned on, this is our server and main hub for all the PC's to connect to. Nothing will work unless this is on first. Always seat people who look suspicious (e.g. middle age nervous men) in seats that are not hidden, they tend to look at porn, monitor their screens frequently.

Internet Customer Service

Always welcome the customer and lift your head up, ask them if they have been here before if not explain how the pricing & café works, do not expect them to know how it works, every

café is different. Then ask the customer if they would like a drink, over half of customers asked say yes, its far better to get one sent up and for them not have to go to the bar whilst their internet time is running. Put the drink onto their tab and get a member of bar staff to serve them. On a night time this may be hard to do unless its quiet. Always try your best to help people as they will come back.

Staff PC Privileges

PC's can be used by staff whilst on there breaks or when not working for free. If there are paying customers waiting then we will require the PC for the customer first. Do not use PC's during working hours, this will be treated as misconduct.

HOW TO USE WI-FI

User instructions for laptops

Most Wi-Fi enabled laptops automatically detect our Evilwireless network.

Manually setting your connection

The following conditions must be met for you to connect to Evil Wireless.

Network settings

Open the *control panel*.

Select *network connections*.

Select your Wi-Fi (wireless network) connection.

(If it doesn't say *Evilwireless* under network

please view your wireless connections

and connect to *Evilwireless* first)

You will be asked for a NETWORK KEY please

let our staff enter the key.

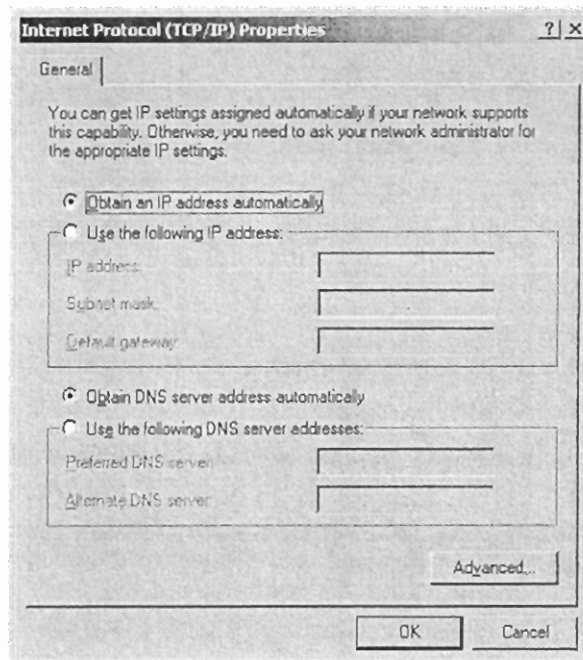
Right click the connection and select properties.

The network properties window should open up.

Scroll down until you see the Internet protocol (TCP/IP).

Select this and click on the *properties* button.

The following screen on your right will be displayed.



These are the settings that must be set.

If you have any other settings in these fields please make sure you copy them before you select *automatic*.

Press *Okay* and open Internet Explorer.

In the menu click *Tools* and select *Internet Options* and *Connections*.

Check the connection is set to *never dial a connection*.

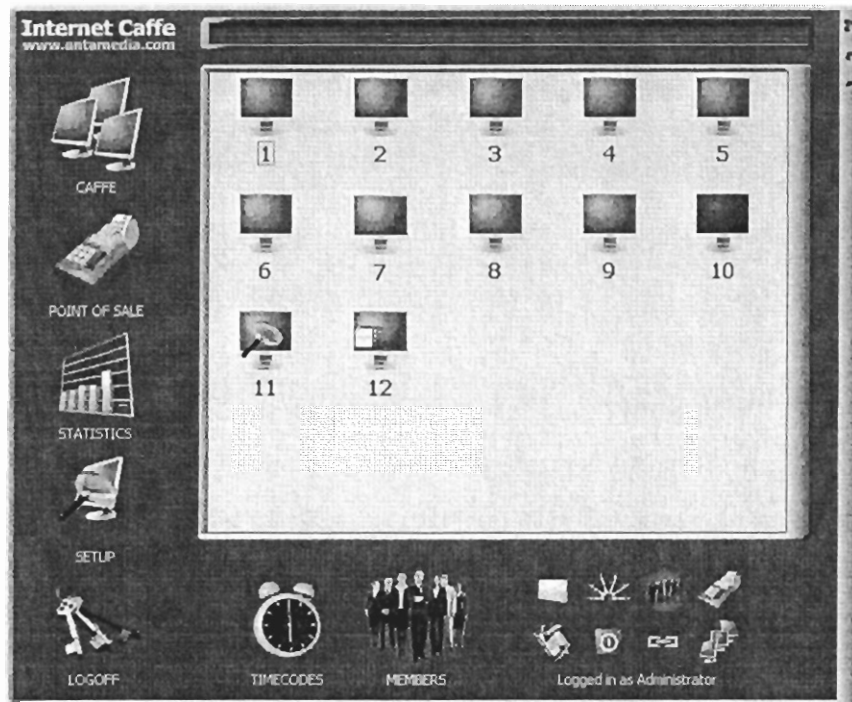
Now click *LAN settings* and make sure *Automatically detect Settings* is the only boxed ticked.

You should now have a connection to our Evil Internet Service.

NOTE: Many laptops have a button on them that turns their wireless on, they may not be aware of this. If all else fails then use one of the cables in the PC room to connect to their Ethernet port.

GUIDE TO INTERNET CAFFE SOFTWARE

1. Turn on the Touchscreen in the off-licence. The power button for this is a small white square in the mid bottom right of the underside of the screen.
2. Turn on plugs for PCs. These are the 4 plugs near the big table, the 2 plugs near the small table, any sockets with plugs in them in the PC rooms' fire exit mini room and the 2 plugs downstairs near PCs 11 and 12.
3. Turn on all the PCs upstairs and make sure they **ALL** go to the black Evil Eye Lounge screen with username and password boxes.
4. Eventually you will see a grey box asking for a username and password. Click on the drop down and select **Administrator** and click login.
5. You will then see a screen similar to the following:



What the icons mean

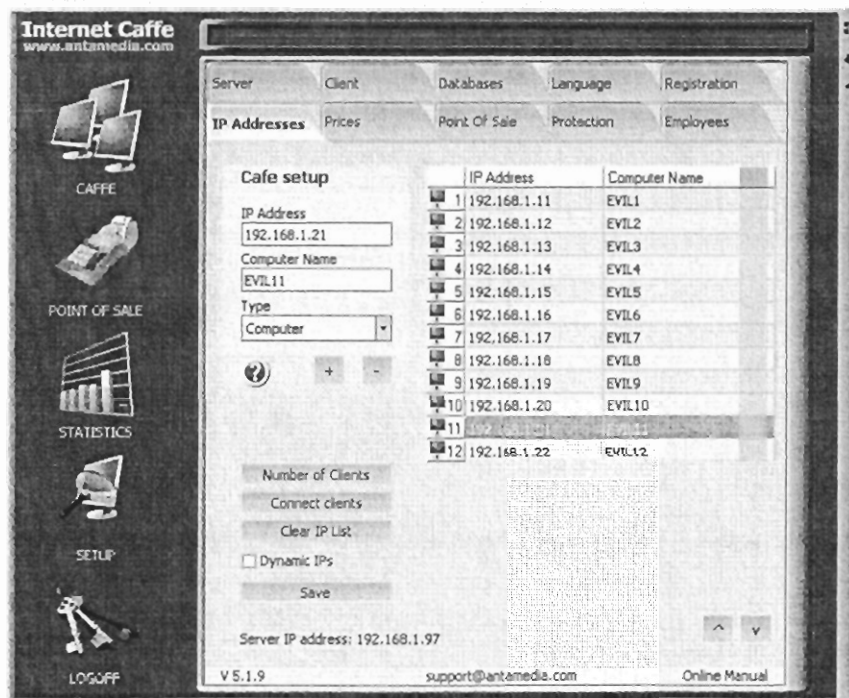
- **BLUE SCREEN** (numbers 1 – 9) – These are ready to put customers on and working fine.

- **BLUE SCREEN WITH BLUE & WHITE BOX** (number 12) – This PC has a customer on it. Double click these every now and then and then click on Show Desktop just to check that the customer is not looking at anything dodgy (porn etc) If they are follow instructions under the Send Customer A Message section of this document.
- **BLACK SCREEN** (number 10) – You will get this screen if a staff member is on the PC and has closed the Internet Caffe software or if the computer is not yet connected to the off-licence PC. Try clicking the re-connect button (the grey chain in the bottom right) If this doesn't work and a member of staff is not on the machine then check the PC is on and the software is running. To start the software go to the machine's start menu and click on Client. If this doesn't work or if the software was already running read the Putting PCs In The Correct Order section of this document.
- **BLUE SCREEN WITH MAGNIFYING GLASS** (number 11) – This means a member of staff has logged in to the PC and hasn't closed the Caffe software. If a staff member is not on this machine either go to the PC and click on Protect Client Computer or double click the PC on the off-licence PC and click STOP.

Putting PCs In The Correct Order

Every now and then the software goes wrong and puts all the computers on the off-licence screen in the wrong order. Eg. You open number 5 for a customer but it actually opens number 9 upstairs.

To fix this click on the **SETUP** button down the left hand side and you should get a screen like this:



If not, click on the tab at the top that says **IP Addresses**.

Check that computer names in the list are in the right order (1 at the top, 12 at the bottom) If they're not, select the one you want to move in the list and use the small arrows in the bottom right to move up or down. Do this with all of them until they are right.

If you have extra numbers in this list (it has more than 12 computers) then click the Number Of Clients button, type 12 and click Save.

Now click the **CAFFE** button on the left and that should have fixed any problems. **If not then call Dave: 07720062104 or Ian:07751 851143**

Send Customer A Message

Occasionally we get customers looking at porn sites or sites that some people would consider offensive. Check what customers are looking at every now and then by double clicking PCs that have the Blue Screen With A White And Blue Box and click the Show Desktop button.

If you find a customer viewing offensive content, click the **white envelope** button in the right hand corner. This opens the message box. **MAKE SURE YOU SELECT THE COMPUTER YOU WANT TO SEND THE MESSAGE TO FROM THE LIST OTHERWISE IT GOES TO ALL THE PCS!!**

Send the customer **ONE** polite warning message. If they do not stop viewing the site straight away, lock the computer by clicking the **STOP** button.

Shutting Down The PCs At The End Of The Night

1. Once all the customers are off the PCs click on the blue square that looks like a **POWER BUTTON**.
2. You will be asked to confirm that you want to shut down all the client computers. Click Yes.
3. Once all the screens go black go round all the computers to make sure they have shut down properly. If they haven't, click on the Start button and Turn Off Computer.
4. You can the turn off the plugs mentioned in the first section of this document.

Problems Not Mentioned In This Document

If you encounter a problem not covered in this document and you don't know what to do, **DO NOT** guess or ask any other staff except Dave, Ian or Steve. If Dave is not in, call him on 07720062104.

Using The Photo Printer

Get Printer Ready To Print

- Turn on the printer.
- Open the front panel of the printer (pull the small lip in the middle/front of the printer)
- Open the where it says Open & Slide Up.
- Put one piece of photo paper from the cupboard under the photo printer in the back panel.

If Printing From Mobile Phone, CD, Internet Etc

Getting The Image Onto The Photo Printer PC

- If the customer wants to print a photo from their phone and has Bluetooth...follow the Bluetooth guide to get the phone connected to the PC and send it to evilPhotoPC. The file is saved in: My Documents -> Bluetooth -> Bip -> DCIM
- If the customer wants to print an image from the internet, an email, a CD or anything else you must first save the image to the photo printer pc.

Printing The Photo Once Image Is On The Photo Printer PC


- Go to the Bluetooth folder above or the folder you saved the image in.
- Double click the image
- Once preview has opened click the print button at the bottom of the window and follow the print guide through.

MAKE SURE WHEN IT GETS TO THE SELECT PRINTER PART OF THE GUIDE YOU SELECT EPSON PICTURE MATE 500

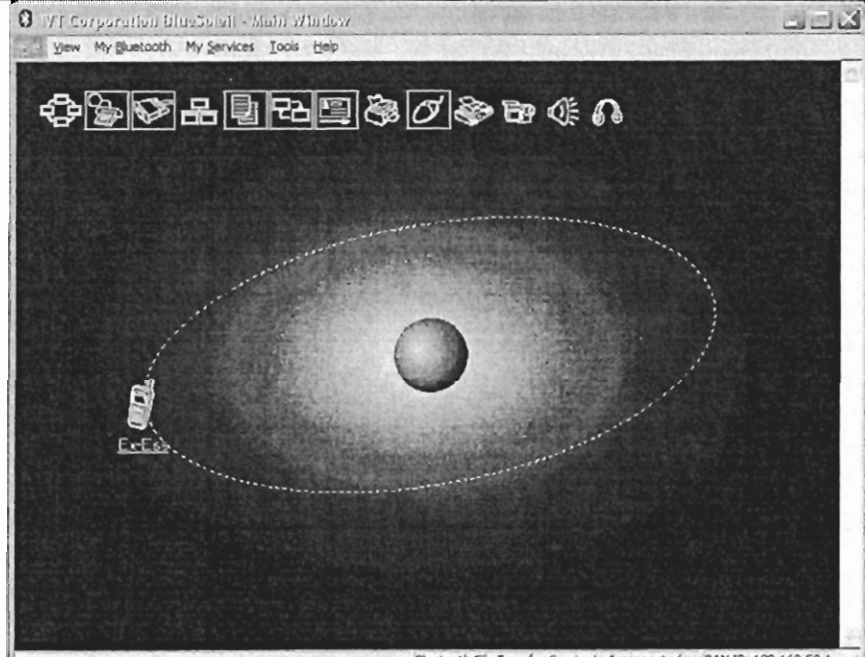
If Printing From A Memory Card From A Camera Etc

- Open the panel on the right of the printer where it says Open
- Locate the correct slot for the card you've been given and push the card in
- The printer will then show thumbnails of the images on the card.
- Simply select the ones you want to print and print them!

Bluetooth



Double click this icon in the bottom right of the screen. If this icon is not there then open start menu and select BlueSoleil. The icon should then appear so double click it. This then opens the following window.....



Enable bluetooth on the phone / device

Press F5 to refresh the devices available with bluetooth.

The phone / device should appear on the white ring.

Right click the phone / device and select **Pair Device**.
Enter a **number passkey** of your choice. (recommended 1234)

Click OK

The phone / device will then be asked to accept and enter the passkey. Enter **THE SAME PASSKEY** as you did on the PC.

If successful the phone on the white ring shown above will have a red tick next to it.

You can then right click this phone and Refresh Services. This will highlight the services this phone / device can use via Bluetooth.

Select the service you want and the rest is pretty self explanatory!

EVIL EYE LOUNGE KITCHEN

CODES OF PRACTICE

FOR ALL STAFF & DUTY MANAGERS

This short code is designed to keep you and your customers safe at The Evil Eye Lounge and help you understand your legal obligations under the Health & Safety at Work etc Act (1974) so far as is reasonably practical. It provides guidelines on the legislation which relates to food hygiene. It should be read in conjunction with the Evil Eye Employment Handbook and our Staff Information pack.

The Evil Eye Lounge has an obligation to provide and maintain as far as is reasonably practicable a safe and healthy facility. However as a participating member of staff you also have a duty to take reasonable care of your own and your customer's safety not to put anyone else at risk by what you do or fail to do. You must also be aware that it is an offence to misuse or interfere with any safety equipment, such as fire extinguishers.

This code emphasises good and safe working practices, designed to maintain a safe working environment and to reduce the risk of accident and injury to you and your colleagues. It also seeks to eliminate the risk of food poisoning to kitchen users and Staff.

The supervision of cleaning will be the responsibility of the duty manager who will delegate responsibility to other staff according to the orderly duties rota. On departure duty managers will sign cleaning schedule to confirm that cleaning tasks have been completed to the required standard. This applies to the whole building and not just the kitchen.

All cleaning records will be kept on site for a period of 12 months for inspection if necessary.

General Kitchen Conduct and Safety

- Please adhere to all cleaning rotas and any other notices particularly those on the refrigerators.
- Please adhere to all colour coding for specific areas.
- There is to be no running, or horseplay in the kitchen or dining area during the preparation of meals.
- No one with bare feet is permitted in the kitchen/dining area.
- On busy periods staff are asked not to walk through the food preparation area unless they are on orderly duty (i.e. getting ice from ice machine).

- All dropped food, spilled liquids and grease must be cleaned up immediately to prevent the risk of slipping.
- Dirty washing-up must never be left undone.
- Please put dirty tea-towels into receptacle provided.
- Oven and refrigerator doors must not be left open - they are a hazard.
- Cleaning materials and detergents should be kept in their original container whenever possible.
- Broken glass, crockery and other sharp waste must not be disposed of in a plastic waste bag. Protruding sharp materials can easily injure. All sharp waste should be wrapped in paper or be put into a container kept especially for such waste. All can lids must be placed inside the empty can before disposal.
- Empty boxes and containers must not be left on the floor where they can be tripped over.
- Fire doors must never be wedged open. Their function is to prevent the spread of flame and smoke in case of fire
- Knives must not be stored loose in a drawer but in a knife storage receptacle. They are a hazard when mixed with other small equipment.
- Use knives sensibly, cut away from the body, carry them with the point down and keep handles clean and dry.
- Food must not be left exposed to the atmosphere. All food should be covered to prevent contamination by bacteria, insects and foreign bodies.
- Cooked food and uncooked food must not be stored together. Raw foods are often contaminated with germs and cross-contamination can occur if they are brought into contact with cooked items.

Food Hygiene

All staff must have a basic food hygiene certificate in order to work in the kitchen, courses will be organised by the management when first employed.

Freezer & Chiller temperatures must be taken at the start of each day and written on the temperature checklist on the freezer door.

All raw and cooked meats are to be kept separate, as well as dairy, fish and vegetables.

All foods in the dry store are to be kept away from the ice machine. No fresh produce is to be stored in this area.

All open foods are to be stored in sealed containers. Day dot stickers need to be stuck on all foods coming into the kitchen for storage. Remember the date on the stickers is the date the product needs to be thrown out.

Personal Hygiene

Hands must be thoroughly washed before handling food. It is especially important that hands and nails are washed well after visiting the toilet, smoking, handling rubbish or dirty dishes and scratching your head or blowing your nose.

Always use the wash hand basin not the food or washing up sinks.

Tie long hair back or wear a hat. Remove jewellery and make sure you wear your kitchen clothing whilst in the kitchen and on the premises only.

General Safety

Equipment should be turned off after use i.e. cookers, food mixers, grill, deep fat fryers.

Do not place boiling liquids on high shelves.

Close oven doors immediately after inserting or removing food.

Never handle electrical appliances or remove plugs with wet hands. If you find any worn cables, loose or broken plugs, or anything else which seems to be faulty with an electrical appliance do NOT use it. Report it to a member of management for repair.

Do not let electrical leads trail across floors, passageways or hot surfaces.

All storage areas for food produce will be maintained in a clean, dry condition. Stock items will be stored neatly and off the floor to facilitate cleaning and pest control.

There will be no items of food left in any storage area passed the manufacturers "use by" date.

Defrosted products must be consumed within 24 hours of the completion of the defrost process.

All frozen foods will be defrosted in a refrigerator on a tray and placed on a shelf below any other produce to avoid dripping and cross-contamination.

All staff are to be vigilant and report any sign of infestation immediately.

Food Deliveries for self caterers

All deliveries of chilled or frozen foods will be placed into appropriate storage immediately after delivery to eliminate the risk of a rise in temperature and contamination

Waste Management

All bins in the area, in particular those in the kitchen must be emptied at least once a day. And finally all emptied at the end of the day.

All waste is to be put inside the wheelie bins and the lids kept shut at all times.

All cardboard boxes are to be flattened and left down the sides of the bins to provide more space in the bins.

There is no rubbish to be left on the fire escape or blocking the fire exits at any times.

Normally rubbish is collected Monday to Saturday mornings about 8.30am. It will be a day later following a Bank Holiday.

Sanitary towels must be disposed of in the bins provided in the 2 far cubicles of the toilets.

Storage of Cleaning Materials

Chemicals must never be stored in food storage area

These are all kept underneath the dish wash sink. There should always be plenty of appropriate cleaning materials available.

Chemicals will only be stored or dispensed in containers specifically marked for that purpose or use and correctly labelled with contents.

Cleaning products must not be used for a purpose not specified in the cleaning schedule.

Reporting Illness

Any Food handler suffering from diarrhoea or vomiting should visit a Doctor immediately and the management must be informed as soon as possible. Under no circumstances should a person with a bowel infection handle food until they have been cleared to do so, this will normally be 48 hours after cessation of symptoms.

Group Leaders must sign an agreement to declare illnesses of this nature.

All hand injuries must be covered by a totally waterproof blue adhesive dressing and fingers with a plastic finger or plastic gloves whilst preparing food. Anyone with septic cuts, sores, boils, or discharges from the ear or nose must not, under any circumstances be in a food preparation area or handle food.

Food Allergies

There are an increasing number of people who suffer from some form of food allergy. The most common allergy that has had widest publicity and which could have a fatal result is the allergy to nuts, particularly peanuts.

Please draw to the attention of clients any recipe that contains a food product they may be allergic to.

HEATING AND HOT WATER SYSTEMS

All these systems are on separate fused switches. The one in the main toilet next to the entrance to the men's urinals and the other on the right hand side of the water heater in the kitchen.

You should however have enough hot water for use in the kitchen and the ablutions.

We would appreciate it if you didn't touch the switches.

If for any reason the hot water is not working please inform the duty manager straight away.

BUILDING SECURITY

When the kitchen is not occupied - all doors must be closed.

There is a coding system for the office door. The code should be known to all staff..

The kitchen door leading outside is a fire door and should only be used in case of fire. As this door is very noisy to close it is advisable that everyone is encouraged not to slam it.

FIRST AID

Please make a record of anyone you have administered first aid to and pass the record to us.

There are first aid kits in the following areas: -

Office

Above the freezer in the kitchen

Next to the safe behind the bar.

Please tell the duty manager when you have used any first aid supplies.

Please report all illnesses (also refer to Hygiene notes re- specific illnesses relating to kitchen hygiene).

ACCIDENTS

All accidents must be recorded in our Accident / Incident Books. These are located in the off-license or above the dishwash sink behind the bar.

EMERGENCY SITUATIONS

Assess for Risks and Dangers.

- The casualty should be dealt with, only if safe to do so.
- The rest of the group must be safe guarded. You are still responsible for their welfare and safety and also your own.
- Seek help concerning decisions on whether to evacuate casualty.
- Inform the duty manager of your actions.

NEVER ASSUME A FATALITY

ALCOHOL

The Management respectfully requests that the consumption of alcohol during working hours does not interfere with your level and quality of work and that it doesn't damage the reputation of business.

Accidents resulting from the effects of alcohol are numerous. The dangers associated with the use of the outdoors should not be added to by excess drinking.

Please remember that this is a quiet tourist town with local residents living close by and to respect the peace and quiet.

The management reserves the right to ask people to leave if they do not adhere to these guidelines.

FIRE INSTRUCTIONS FOR MEMBERS OF STAFF

The duty manager will act as the fire officer. In so far as the following duties do not endanger one's own safety he/she shall:

- Post assistants to supervise the evacuation of the building and to stop all re-entry into the building.
- Ascertain that the public fire service has been called. Telephone 999.

- Administer a roll call at the Assembly Point by the Entrance to establish the names of any missing staff.
- All staff must ensure that all fire fighting equipment is readily available and serviceable and that escape routes are kept permanently clear of obstructions.
- You should check that you are familiar with the operation of all fire fighting appliances and the fire alarm systems.
- Any incidence of fire must be reported to the management.
- All fire doors must be kept closed at all times.

N.B. AN UP TO DATE ROOM PLAN AND FIRE INSTRUCTIONS IS AVAILABLE TO ALL STAFF AND A COPY DISPLAYED IN THE OFFICE AND ON ALL FLOORS.

IN CASE OF FIRE

RAISE THE ALARM immediately warning all persons in all parts of the building.

CLEAR all floors from top to bottom, asking people to leave their belonging, drinks.

ATTEMPT TO EXTINGUISH THE FIRE with appliances available but do not put yourself at risk.

** Extinguishers are placed as follows**

Entrance to Off-license	-	CO2
Middle of bar	-	CO2
End of bar	-	FOAM
Basement steps	-	FOAM
First Floor Bedroom	-	CO2 / WATER
First Floor PC room	-	FOAM
Second Floor Office	-	WATER
Second Floor Toilets	-	WATER
Second Floor Kitchen	-	CO2 / POWDER / FIRE BLANKET
Third Floor Storage	-	WATER

LEAVE THE BUILDING by the shortest safe route

DO NOT RE-ENTER THE BUILDING

DO NOT STOP to collect personal belongings

ASSEMBLE AT THE ENTRANCE

REMEMBER - PEOPLE ARE MORE IMPORTANT THAN PROPERTY

22.

COCKTAIL SPECIFICATIONS

AMARETTO & CHERRY SOUR P £4.50	Muddle 4 Pieces Lemon /Sours Fill Glass with Ice Add 2 Shots Amaretto Sours, Cherry juice & Shake Dash Bitters on Top	MUDDLE SHAKE	Straw Cherries
APPLE STRUDEL P £4.50	1.5 Bison Vodka 1 Apple Schnapps Pump Cider Apple Ice & Apple Juice Dash Elderflower cordial	BUILD SHAKE	16oz Straw Lime Apple
BASIL ROYALE E £5.00/P £5.50	1 Shot House vodka 1 Shot Grand Marnier 1 Shot Chambord Muddle 3 Strawberries + Bunch of Basil + Dash Sours Shake with Spirits & Cranberry Juice	MUDDLE SHAKE STRAIN	Martini Pepper Rim Straw / Basil lime
BLOODY MARY E £4.00/P £5.00	2.5 Shots House Vodka & Ice 1 teaspoon of evil Mix Small amount fresh Basil Tabasco Worcester Sauce	BUILD SHAKE	16oz Pepper Rim Stick of Celery Cherry Tomato
BOHEMIAN MARTINI £6.00	$\frac{3}{4}$ Bohemian Absinthe $\frac{3}{4}$ Plymouth Gin Dash martini Dash Maraschino	STIR STRAIN	Martini Twist or Cherry
BOSTON BREEZE P £4.50	1½ shots Jim Beam Fill Glass with ice Shaken with mint leaves & apple juice Float Apricot brandy on Top	BUILD SHAKE	16oz STRAW LEMON
BRAMBLE E £4.00 P £5.00	1 shot of Gin Dash lemon Juice (or squeeze lemons) 1 shot of crème de mure Shake with 3 blackberries Top with soda	SHAKE STRAIN	9oz STRAW LIME WEDGE
BRAZILLIAN MONK P £4.50	25ml Frangelico $\frac{3}{4}$ Shot Kahlua $\frac{3}{4}$ Shot Crème de Cacao 1 Shot of Chocolate Half & Half	BLEND	Pina Colada Straw Chocolate
CAIPIRACA P £4.00	Muddle Full Lime / Sours Teaspoon Brown Sugar Fill with Normal Ice Then add 50ml Sake 25ml Cointreau Top up with Soda Crushed Ice on Top	MUDDLE SHAKE	14oz Straw Crushed Ice

CAIPIRINHA CLASSIC P £4.00	Muddle Full Lime / Sours Teaspoon Brown Sugar Fill with Normal Ice Add 2 Shots Cachaca Top up with Soda Crushed Ice on Top	MUDDLE SHAKE	14oz Straw Crushed Ice
CAIPIRINHA FRUITY P £5.00	Muddle Full Lime / Sours Half Teaspoon of Sugar 4 pcs. Of Fruit (see list) Fill with Normal Ice Add 1.5 Shots Cachaca Half Shot of Fruit Liq. Top up with Soda Crushed Ice on Top	MUDDLE SHAKE	14oz Fruit Straw Crushed Ice
CAIPIROSCA CLASSIC E £4.00/ P £5.00	Muddle Full Lime / Sours Teaspoon Brown Sugar Fill with Crushed Ice Add 2.5 Shots Vodka Top up with Soda Crushed Ice on Top	MUDDLE SHAKE	14oz Straw Crushed Ice
CAIPIROSCA FRUITY E £4.50/P £5.00	Muddle Full Lime / Sours Half Spoon Brown Sugar 4 pcs. Of Fruit (see list) Fill with Crushed Ice Add 50ml House Vodka Half Shot Fruit Liq. Top up with Soda Crushed Ice on Top	MUDDLE SHAKE	14oz Fruit Straw Crushed Ice
CARIBBEAN PUNCH E £5.00/ P £6.00	1 Shot Wray & Nephews ¾ shot Dark rum ¾ shot White Rum ½ shot Galliano ½ shot Amaretto Glass of Ice + Dash Pineapple juice Squeeze lime juice / Dash Bitters Pour Grenadine through after	SHAKE	16oz Straw Cherry Orange Lime
CHERRY MARTINI E £4.50 P £5.00	Muddle ¾ cherries add 1.5 shots vodka 1 shot maraschino liquor (not SHIT Booker cherry juice!!!) Shake & strain into chilled glass	SHAKE STRAIN	Martini STRAW SINGLE CHERRY
CHOCOLATE MARTINI E £4.50/P £5.00	25ml vodka 25ml White Crème de Cacao 25ml frangelico Shake above with ice & Strain Serve with Chocolate Shavings	SHAKE STRAIN	Martini Straw Chocolate
COSMOPOLITAN E £4.00/P £5.00	Juice of 2 Lime Wedges 50ml Vodka Dash of Orange Bitters ½ Shot Cointreau 50ml Cranberry Ice + Shake and strain	SHAKE STRAIN	Martini Orange Wedge Short Straw Orange Flame

CONSTANTINE P £5.00	Muddle 2 strawberries / 4 lemon wedges With dash sours then add 1 shot House vodka 1 shot chambord 1 shot limoncello Apple juice Shake and serve	MUDDLE SHAKE	16oz STRAW
CUBBANITO E £4.00/P £5.00	2.5 Shots White Rum Fill Glass with ice Fill with Bloody Mary Mix	SHAKE	16oz Celery Stick Cherry Tomato Lime Straw
CUBA LIBRE E £4.00/ P £5.00	2 Shots Rum Over Crushed Limes Dash Lime Juice / Sours Coke (Good with a dash orange Juice)	MUDDLE STIR	Pina Colada Lime Straw
CUCUMBER FRESCA P £5.00	Muddle Cucumber with 2 lemon wedges 1.5 Shots Pimms 1 shot of Hendricks Shake with Ice (Optional Bitters/Sours)	MUDDLE SHAKE	14oz Straw
DAIQUIRI'S (various fruits) E £4.00/P £5.00	4 Chunks of Fruit Scoop of crushed ice 50ml White Rum 25ml Fruit Liqueur Dash Sours	BLEND	16oz Piece of Fruit Straw
DAME JUDI P £4.50	25ml Vodka ¾ Frangelico ¾ Chambord 50ml Half and Half Shake with Ice Strain into Martini Glass	SHAKE STRAIN	Martini Straw Cherry
DICK TURPIN P £5.00	25ml Vodka ¾ Frangelico ¾ Cinnamon Schnapps Juice of Wedge of Lime Fill Glass with Ice Fill with Apple Juice	SHAKE	14oz Lime Wedge Straw
DRUNK MONK P £6.00	Fill Glass of Crushed Ice 25ml House Absinthe 25ml Benedictine Squeeze 2 lime wedges Dash Bitters Top up with Ginger Ale	BUILD	Martini Lime Wedge Short Straw
EVIL PEAR P £4.50	2 Shots of Sake 1 Shot Xante Dash Elderflower Cordial Shake with Ice & Strain	SHAKE STRAIN	Martini Black Pepper Rim

EVIL EYE COOLER P £4.50	1.5 Shots Jack Daniels 25ml Amaretto Pineapple juice Shake and pour over Glass of Ice Top up with cranberry	SHAKE	16oz Orange Slice Cherry Straw
EVIL SMOOTHIE P £4.50	25ml Vodka 25ml Baileys 25ml Crème de Banan ½ Banana 1 Pump Chocolate Dash of Half/Half & Blend	BLEND	Pina Colada Squirty Cream Powdered Choc. Cherry Straw
EVIL SUNRISE Or SEX ON THE BEACH E £4.00/P £4.50	Fill Glass with Ice 1.5 Shots Vodka 25ml Peach Schnapps 75ml Orange Juice Top up with Cranberry Pouring down side of Glass to float on O.J. Dash of Grenadine Last	BUILD	Pina Colada Orange Slice Cherry Straw
FIRESTARTER 60% £6.00 90% £12.00	2 Shots 60% Poteen Evil Eye Spice Mix Shake with Ice	SHAKE	16oz Celery Cherry Tomato Straw
FRENCH MARTINI E £4.50/ P £5.50	1.5 Shots House Vodka 1 Shot Chambord Dash Sours Pineapple Juice Shake with Ice (Opt. shake with fruit) Strain and serve with fruit (your choice)	SHAKE STRAIN	Martini Straw 2 berries
GREEN FAIRY £6.00	¾ Bohemian Absinthe ¾ Plymouth Gin Dash Orange Bitters Dash Gomme Ice & Pomegranate Juice	SHAKE STRAIN	Pina Colada Straw Orange
HEAVEN P £4.50	¾ Shot Baileys ¾ Shot Dk Cacao ½ Shot Kahlua ½ Shot Tia Maria 1 Pump Choc. Dash H/H + Blend with Ice	BLEND	Pina Colada Squirty Cream Choc. Powder Cherry Straw
HEDGEROW BUBBLY £7	1 Hendricks Gin 1 Creme de Mure 4/5 Blackberries 3 Lemon wedges , gomme Top with Champagne	MUDDLE SHAKE STRAIN	Martini Blackberry Straw

HELLO SAILOR P £5.00	Muddle lemon / raspberries / sours Shake with 1.5 shots Sailor Jerry 1 Shot chambord Pomegranate then strain into glass	MUDDLE SHAKE STRAIN	Martini STRAW LIME
JOHN BARRY P £4.50	1.5 Shots Jamesons 1 Shot Chambord Squeeze 2/3 slices Lemon & 4 Raspberries into Shaker Add cranberry juice & ice	SHAKE STRAIN	Martini Straw 2 Raspberries
KEY WEST COOLER P £4.50	Fill glass with ice ¾ ml Absolut Mandarin ½ Shot Midori ½ Shot Peach Schnapps ½ Shot Malibu Top up with O.J. and Cranberry Shake to end	BUILD	16oz Lime wedge Straw
LONG BEACH ICED TEA E £4.50/P £5.50	½ Shot Vodka ½ Shot White Rum ½ Shot Gin ½ Shot Triple Sec ½ Shot White Tequila 75ml Sours Shake then pour over Glass filled with Ice Top up with Cranberry	SHAKE	16oz Lime Wedge Straw
LONG ISLAND ICED TEA E £4.50/P £5.50	½ Shot Vodka ½ Shot White Rum ½ Shot Gin ½ Shot Triple Sec ½ Shot White Tequila 75ml Sours Shake then pour over Glass filled with Ice Top up with Coke	SHAKE	16oz Lime Wedge Straw
LYCHEE MARTINI E £4.50/P £5.50	Stir 2 shots of House Vodka 1 Shot of Kwai Feh Dash Lychee Juice or Lychee Puree Together with Ice Pour and serve with lychee	SHAKE	Martini Straw Lychee
LYCHEE MULE P £5.50	1 Shot of Appletons V/X 1 Shot kwai Feh Dash Lychee Puree Squeeze Fresh Lime Shake with ice Top up with Fentimans & Dash Bitters	BUILD SHAKE	16oz Straw Lime/lychee
LYNCHBURG P £4.50	Add Dash Sours Muddle 6 piece lemons Top Glass with ice 1.5 Shots JD 1 Shot Cointreau Shake and Top with Lemonade	BUILD SHAKE	16oz Straw

MAI TAI E £4.50/P £5.50	Fill glass with Ice 1 Shot White Rum 1 Shot Dark Rum Half Shot Apricot Brandy Dash orgeat Top up with Sours & Pineapple Shake then add Orange Juice	SHAKE	16oz Squeeze limes Straw
MAJESTYK MELON P £4.50	Blend 25ml Vodka & 1.5 Shots Midori with Scoop normal ice Then top up with O.J. Dash of Grenadine Last	BLEND BUILD	Pina Colada Orange Slice Cherry Straw
FROZEN MARGARITA CLASSIC E £4.00/P £5.00	1½ Shots White Tequila 25ml Triple Sec Dash Sours Squeeze 2 lime wedges Dash Gomme Scoop of normal ice (Not too much Ice!)	BLEND Or SHAKE	Martini Salt Rim (wipe inside of glass rim with lime to remove salt) Lime Wedge
MANHATTAN P £5.00	2 Shots Jim Beam Dash Rosso & Splash Cherry Juice Swill with Ice in Shaker Strain into Glass Add cherry & lemon twist + Dash Bitters	BUILD STIR	8.5oz Straw Cherry / Twist
MARTINI CLASSIC (Vodka or Gin) E £4.00/P £5.00	Dash of Dry Vermouth Swill around glass and pour out Stir and Pour 2½ Shots Vodka or Gin With Ice (Strain into Glass) (No Ice should be served in Glass)	STIR	Martini Lemon Twist/Olive Short Straw
MARTINI FRUITY (Vodka or Gin) E £4.50/P £5.50	Muddle 2 Chunks of Fruit ½ Shot Fruit Liq. Stir and Pour 50ml Vodka or Gin with Ice Strain into Glass (No Ice should be served in Glass)	STIR	Martini Piece of Fruit Short Straw
MINT JULIP P £5.50	1 Sprig of Mint 1 Tspn of Vanilla Sugar Add Crushed Ice Muddle the above with Long Spoon 1.5 Shots of Woodford-Reserve Bourbon	BUILD STIR	8.5oz Mint Top Straw
MOBUCA £4.50	2 White Sambuca Muddle Limes, Sugar & Mint Ice Shake & Top with cranberry	MUDDLE SHAKE	14oz Mint Top Straw
MOJITO CLASSIC P £4.50	Muddle 1 Sprig Mint 6 Lime Wedges / Sours 1 Tspn Brown Sugar Then Add Normal Ice 2½ Havana Club White Shake the above Add crushed ice on top Top up with Soda	MUDDLE SHAKE	14oz Mint Top Straw

MOJITOS FRUITY P £5.00	Muddle 2 Chunks of Fruit 1 Sprig Mint 4 Lime Wedges / Sours 1/2 Tspn Brown Sugar Then Add Normal Ice 50ml Havana Club White ½ Shot of Fruit Liq. Add crushed Ice on top & Soda	MUDDLE SHAKE	14oz Mint Top Piece of Fruit Straw
MOJITO MANDARINE P £5.00	1.5 Shot Absolut Mandarin Half Shot Mandarin Napoleon Half Shot Havana 3yr Muddle 6 Lime Wedges + 1 Spoon Sugar & Sprig Mint + Add Dash Sours Add Normal Ice with the above & Shake Top with Crushed Ice & Soda	MUDDLE SHAKE	14oz Mint Top Straw
MOJITO FUGGLED/ HOLLYWOOD P £5.50	Make as a Normal Mojito But 50ml Appletons V/X Rum Instead of Havana Club Also use a 16oz Glass and Top up with House champagne not soda	MUDDLE SHAKE	16oz Mint Top Straw
MORNING GLORY £6.00	¼ Bohemian Absinthe 1 Shot Three Barrels Brandy ¾ Grand Marnier 4 pieces squeezed Lemon Juice Dash Gomme + Dash Bitters Over Crushed Ice	SHAKE	Martini Lemon Straw
PEAR MOJITO £4.50	Muddle 1 Sprig Mint 6 Lime Wedges / Sours 1 Tspn Brown Sugar Then Add Normal Ice 2 Xante Pear Shake the above Add crushed ice on top Top up with Soda	MUDDLE SHAKE	14oz Mint Top Straw
PERSIAN CARPET RIDE P £5.00	50ml Gin Dash Elderflower Cordial Dash Orange Bitters Pomegranate Juice, Lime, Dash Sours Shake & Top with Soda	SHAKE	16oz Straw Orange/Lime
POMEPOLITAN P £5.00	Juice of 2 Lime Wedges 50ml Absolut Citron Dash of Orange Bitters ½ Shot Cointreau 50ml Pomegranate Juice + Ice	SHAKE STRAIN	Martini Straw Orange Flame
PINA COLADA E £4.00/P £5.00	25ml White Rum 25ml Malibu 50ml Batida de Coca 50ml Pineapple Scoop Ice (If no batida then 25ml Koto Kanu & H/H)	BLEND	Pina Colada Straw

RASPBERRY MARTINI P £5.00	1.5 Shots Stoli raspberry Half Shot Chambord Half Shot framboise 4 Fresh Raspberries Mix with yoghurt / ras. puree Shake with ice and strain	SHAKE STRAIN	Martini Straw 2 Raspberries
SIBERIAN LASSI P £5.00	2 Shots Stoli 8 pieces cubed cucumber 35ml Mango Puree 50ml Apple Juice 3 spoons yoghurt dash gomme & ice	SHAKE	16oz Straw Cucumber
SPANISH SANGRIA P £7.99 JUG	Pour 250ml Orange Juice Add Big Scoop of Ice Add fresh Orange, Lemon, Lime (about 4 wedges of each) 50ml Three Barrels Brandy Dash Sours Float 250ml House Red Wine Top with Soda & lemonade	BUILD STIR	Serve in large Jug with stirrer Wine Glass
EVIL EYE SANGRIA P £7.99 JUG	Pour 250ml Orange Juice Add Big Scoop of Ice Add fresh Orange, Lemon, Lime (about 4 chunks of each) Dash Lime Cordial 50ml House White Rum Float 250ml House Red Wine Top with Soda & Lemonade	BUILD STIR	Serve in large Jug with stirrer Wine Glass
SEA BREEZE E £4.00/P £5.00	Fill with Ice 2 Shots Vodka 50ml Grapefruit 50ml Cranberry	BUILD SHAKE	16oz Straw
SIDE CAR P £5.00	1.5 shots House Cognac 1 shot cointreau Dash sours Ice and 3 lemon wedges Shake with ice & strain	SHAKE STRAIN	8.5 oz SUGAR RIMMED GLASS LEMON WEDGE
SINGAPORE SLING P £4.50	Shake 1 Shots Gin/Squeeze Lime wedge ½ Shot Cherry Brandy Dash Amaretto Dash Benedictine 50ml Pineapple Dash of Grenadine / Bitters Pour into Shaker of Ice Top up with Soda	SHAKE	16oz Orange Slice Cherry Straw
SKI BREEZE P £5.00	2½ Shots Absolut Kurrant 75ml Apple Juice Fill Glass with Ice Top up with Ginger Ale	SHAKE	16oz Straw

SLOEHITO P £4.50	Muddle lime / basil / gomme then add 2 shots sloegin Shake and strain into glass Top with Soda	MUDDLE SHAKE	14oz STRAW LIME
TEQUILA MARIA E £4.00/P £5.00	2 Shots Tequila Ice Fill Glass with Bloody Mary mix	SHAKE	16oz Celery Stick Cherry Tomato Straw
TOKYO ICED TEA E £5.00/P £6.00	½ Shot Vodka ½ Shot White Rum ½ Shot Gin ½ Shot Midori ½ Shot White Tequila 75ml Sours Shake then pour over Glass filled with Ice Top up with Lemonade	SHAKE	16oz Lime Wedge Straw
TOKYO MARY E £4.50	2.5 Shots Sake Half Shot Sherry Evil Eye Spice mix Dash Soy Sauce	SHAKE	16oz Celery Stick Cherry Tomato Straw
TOM COLLINS Can be made With fruit E £4.00/ P £5.00	2 Shots of Gin Squeeze Lemon Wedges Dash Sours Dash Gomme Shake with Ice and top with Soda	SHAKE	16 oz Straw Wedge Lime/Lemon
TUSCAN MULE P £4.00	50ml Tuaca Muddle 6 piece limes With dash sours Shake above with ice Top with Ginger Ale/Beer	SHAKE	16oz Straw
VANILLA MOJITO £4.50	Muddle 1 Sprig Mint 6 Lime Wedges / Sours 1 Tspn Brown Sugar Then Add Normal Ice 2 Shots Cariel Shake the above Add crushed ice on top Top up with Soda	MUDDLE SHAKE	14oz Mint Top Straw
VICTORIAN MOJITO £4.50	Muddle 1 Sprig Mint 6 Lime Wedges / Sours 1 Tspn Brown Sugar Then Add Normal Ice 2 Tangueray Gin Dash Elderflower Coridal Shake the above Add crushed ice on top Top up with Soda	MUDDLE SHAKE	14oz Mint Top Straw

WARSAW COOLER P £4.50	1 Shot Bison Vodka 1 Shot Chambord Dash Peach Puree Dash Gomme Squeeze 3 Pieces Lemon Shake with apple juice	SHAKE	16oz STRAW RASPBERRIES
WATERMELON SMASH P £4.50	Muddle Fresh Watermelon / Lemon Add 1.5 shot house vodka 1 Triple Sec Shake & Top with lemonade	MUDDLE SHAKE	16oz STRAW WATERMELON
WHISKY SOUR P £4.50	Muddle 2 Lime wedges / 2 lemon wedges 1 Tspn Brown Sugar 50ml Sours / Add to glass of ice 50ml Jamesons Top up with soda	MUDDLE SHAKE	14oz Straw
WHITE RUSSIAN E £4.00/P £4.50	1½ Shots Vodka 25ml Kahlua Ice Fill with Half and Half Give it a bit of a shake	SHAKE	14oz Straw
WILDE MULE P £6.00	Muddle 4 Lime Wedges 1 Tspn Brown Sugar Add to Glass of Ice 25ml House Absinthe Top up with Ginger Ale	MUDDLE SHAKE	14oz Straw
YELLOW BIRD E £4.00/P £4.50	25ml Galliano 25ml White House Rum 25ml Crème de Banan Shake with Ice Top up with Orange and Pineapple Juice	SHAKE	16oz Straw Fruit Chunk
ZHIVAGO MARTINI P £5.00	1.5 Shots Vodka Half Shot Jim Beam Half Shot Apple Schnapps Dash Gomme & Sours Shake with ice & Lime wedges Strain & serve	SHAKE STRAIN	Martini Straw Lime or Cherry

CHAMPAGNE COCKTAILS			
BELLINI (NEW) E £6.00	Shake Spoonful White Peach Puree With Dash Lemon & half shot apricot liquor / Ice Strain and Top up slowly with House Champagne	SHAKE STRAIN	Champagne Flute Straw
BLUE CHAMPAGNE E £6.00 P £7.00	1 shot Vodka 1/2 shot Cointreau 3/4 shot Blue Curacao Shake the above with ice Strain & top with champagne	SHAKE STRAIN	Martini Straw Two Cherries

CARIBBEAN E £6.00 P £7.00	1 Shot White Rum 1 Shot Crème de Banan Dash Orange Bitters Shake with ice Strain & top with champagne	SHAKE STRAIN	Straw banana
CLASSIC CHAMPAGNE COCKTAIL E £6.00	Add Sugar Cube to Glass Dash Bitters onto cube Half Shot of Three Barrels Brandy Top with House Champagne	BUILD	Champagne Flue Straw
ELDERFLOWR CHAMPAGNE P £7.00	1.5 Shots Polstar Cucumber Dash Elderflower Cordial Shake with Ice & Strain Top with champagne	SHAKE STRAIN	Champagne Flute Straw Cucumber Slice
EVIL SPRING PUNCH E £6.00 P £7.00	Add Ice & 5 raspberries to Shaker Squeeze Lemon Wedges 25ml Vodka 3/4 Shot Chambord & Shake Top with House Champagne (Slowly) Strain & serve	SHAKE STRAIN	Martini Straw Raspberries Sprig Mint
ORANGE GROVE P £7.00	1 shot absolut Mandarin Fresh Lemon juice & Gomme Dash Orange Bitters Shaken with Ice Topped with champagne	SHAKE STRAIN	Martini Straw Orange
MAJESTYK CHAMPAGNE P £7.00	Muddle Fresh Watermelon & Mint Shake with 1 shot watermelon liquor & Ice then strain Top with champagne	MUDDLE SHAKE STRAIN	Martini Straw Watermelon
MEKONG FIZZ P £7.00	1 shot Sake 1 shot Plum Wine Dash lychee puree Shake with & ice & strain	SHAKE STRAIN	Martini Straw Lychee
ROYAL YORK PUNCH P £8.00	1.5 shots Tanqueray ten year old Muddle with fresh strawberries or puree Mint & Lime, Ice, Gomme Shake & Strain Top with champagne	MUDDLE SHAKE STRAIN	Martini Straw Fresh Fruit

23.

HOT DRINKS & LASSI

Staff Drinks

Please make note that staff drink mixers, teas & coffees for free whilst at work. Hot Chocolates, Milkshakes, Smoothies etc are not included. These drinks cost 3 times more for us to purchase, a milkshake costs 78p to produce, hot chocolate 82p etc. Again taking any unauthorised drink is classed as theft and will be treated as gross misconduct.

Name	Coffee / Tea Etc.	Button	Milk and Topping
Americana	Regular—1 Pull Ground Coffee Large—2 Pulls Ground Coffee	Full 1 Full 2	White with Hot Milk Black top up with hot water
Decaff	Regular—1 Pull Decaff Coffee Large—2 Pulls Decaff Coffee	Full 1 Full 2	Can also use for Decaf Latte/Cappu etc
Cappucino	Regular—1 Pull Ground Coffee Large—2 Pulls Ground Coffee	Full 1 Full 2	Top with Frothy Milk Big Sprinkle of Chocolate
Latte	Regular—1 Pull Ground Coffee Large—2 Pulls Ground Coffee	Half 1 Half 2	Lots of White Frothy Milk
Latte Flavour	Regular—1 Pull Ground Coffee Large—2 Pulls Ground Coffee	Half 1 Half 2	Add Dash Flavour to Frothy Milk
Evil Espresso & Macchiato	Regular—1 Pull Ground Coffee Double—2 Pulls Ground Coffee	Half 1	For Macchiato add 1 dollop of Frothy Milk
Mochaccino	1 Pull Ground Coffee (Froth Milk if no Cream)	Half 1 + Froth	Spray Cream & Sprinkle Chocolate
Hot Chocolate	2 Pumps Chocolate + Milk	Froth Choc.	Spray Cream & marshmallows Then sprinkle chocolate
Oaxacan Hot Chocolate	2 Pumps Chocolate + Milk, Pinch Chilli & Cinnamon, 3/4 Drops Rose Water, Dash Vanilla Syrup—Steam Together. Top with Cream		
Black Forest	2 Pumps Chocolate + Milk, 25ml Vodka, 25ml Crème de Cacao—Steam Together. Top with cream, Pour Chambord over Cream, Sprinkle Chocolate		
Belgian	Half fill which size cup you need add milk and steam until melted With or without cream and a sprinkle		
Choc Massala	1 Pump of Ghriadelli plus half cup chai and half milk, steam With or without chocolate & a sprinkle		
Fluffy Elephant	Make a normal hot chocolate but add a large spoon of marshmallow fluff Add marshmallows, cream & sprinkle		
Candy Swamp	Make chocolate as normal then add Maltesers & Minstrels on top With or without cream & a sprinkle		
Nutjob	Make Chocolate as normal but add 2 reese peanut butter cups With or with cream & sprinkle		
Bannofee	Ghiradelli caramel sauce, blended banana & milk Steam , add squirt cream & chocolate sprinkle		
Tibetan Chai	1/3 Cup Chai + 1/3 Milk (It will Expand)	Froth	Serve in Clear Cup
Pot of Tea	Half fill teapot with water and add 1.5 teaspoons loose tea, serve with metal cylinder of milk + white cup and saucer.		
Moroccan Mint	1 Mint teabag + one sprig of fresh mint in small Moroccan teapot. Stir together. Wrap serviette around handle (HOT!!). Serve in Moroccan Glass on Saucer.		
Monks Wakeup	1/2 brandy, 1/2 Benedictine, 1/2 Galliano, 1 handle coffee + Full 1 Serve in a latte cup—with or without cream		

Special Tea's Pot / cup	2 teabags in half full pot for 1 person. Fruit tea's serve with 2 honey sticks each or milk for Twinings Tea.		
Milkshakes	Dash of syrups with half scoop ice ,milk, Add 2 dsps of Ghiradelli classic powder	Blend	Serve in 16oz Milkshake Glasses. Squirt Cream if customer requires
Frappaccino	1 Pump Chocolate, 1 Shot Espresso, 8/10 cubes ice , milk, 2 spoons Ghiradelli Classic blend and serve in latte glass with squirt cream and chocolate.		
Evil Kahuna	1 Banana, Shot espresso, ice & milk, Dash Cinnamon Syrup, Ghiradelli Classic, Blend. Top with cream and sprinkle Nutmeg / piece of banana		
Vanilla Frappe	25ml Coffee Syrup, Dash Vanilla Syrup, Milk, Ice, Ghiradelli Classic Blend and top with cream.		
Irish Coffee	25ml Jamesons, 1 pull coffee, fill 2/3 clear cup Or double above for large	Full 1 + Half 1	Top with squirt cream and sprinkle of chocolate,
Reggae Coffee	25ml Dark Rum, 25ml Tia Maria, 1 to 2 pulls coffee	Full 1	Top with squirt cream and sprinkle of chocolate
Mexican Coffee	25ml Kahlua, 25ml Gold Tequila, 1 to 2 pulls coffee	Full 1	Top with squirt cream and sprinkle of chocolate
Velvet Coffee	25ml Jamesons, 25ml Baileys, 25ml Kahlua, + as above	Full 1	Top with squirt cream & sprinkle of chocolate
Hot Toddy	25ml Jamesons, stick cloves in a slice of lemon, add a spoon of honey		Serve in Glass cup on saucer with teaspoon
Portvinstoddy	50ml Taylors or Grahams LBV port (House), 2 pieces of lemon, pinch allspice, dash gomme, hot water		Serve in a glass latte mug
Mexican Toddy	Single shot Dark Tequila, Lime Juice, Gomme, Hot water (Double tequila for large)		Serve in a glass with honey sticks
Hot Apple Pie	2 pumps of cider apple puree, dash butterscotch syrup, steam until hot		Top with squirt cream & sprinkle cinnamon
Hot Glogg	25ml Vodka, mix with 1/3 cup hot water and steam 1/3 a cup of glogg, raisins & almonds		Serve in latte cup

INDIAN LASSI RECIPES			
SWEET LASSI	4/5 Large Teaspoons Yogurt 1 Large Teaspoon of Honey 3/4 Drops of Rose Water Large Pinch of Nutmeg	Blend with 5/6 cubes of ice. Not too much as its will be too cold.	14oz
SPICY LASSI	4/5 Large Teaspoons Yogurt 1 Large Pinch Salt 1/2 Teaspoon Cumin Seeds Large Pinch Cayenne Pepper		
FRUIT LASSI	Same as a sweet Lassi , but blend with 4 chunks of fruit		

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL13"

143

Ian Loftus
Forever Changes Ltd
42 Stonegate,
York YO1 8AS

24th January 2008,

Mr. Gareth Arnold,
Planning Department,
City of York Council,
9 St Leonard's Place,
York YO1 7ET

To Gareth Arnold, City of York Council,

I am the business owner of the Evil Eye Lounge at 42 Stonegate. The building operates as an internet café, restaurant, bar and off-license.

Our front door is our main means of escape during a fire and I need to make the door open outwards in the direction of escape to comply with Article 14 of the Regulatory Reform (Fire Safety) Order section (d) "emergency doors must open in the direction of escape;" .

I have spoke to Building Control, Highways and a Traffic Engineer at the council and they have concluded that as long as the door doesn't open into the street the door can open outwards, they have passed your name on as the person to speak to for advice. The best and easiest way of complying with the regulations without making any structural changes is to divide our front door into 2 opening doors with push bar fire exit levers on the inside.

The door will stay open from 10.00am until 11.00pm every day whilst the retail store is open and then be closed only to be used as a means of escape in an emergency.

The existing door was put there in the eighties by Athena and has undergone a few transformations , it has been knocked down and kicked in on 4 occasions since I have been in the premises over the last 11 years. The frame was damaged badly last year and steel reinforced, it actually could do with upgrading and replacing, this plan is the ideal time to change it.

Please view the photos of the existing door on the next page and also my drawings of the replacement. I have also included a picture of the door opposite that used to be the Snappy Snaps shop, this premises has always had narrow double doors that have never looked out of place on Stonegate.

Any advice and ideas you have will be very much appreciated, please let me know if you wish to visit the premises. I look forward to hearing from you soon.

Its usually best to contact me on my mobile 07751 851143.

Yours sincerely,

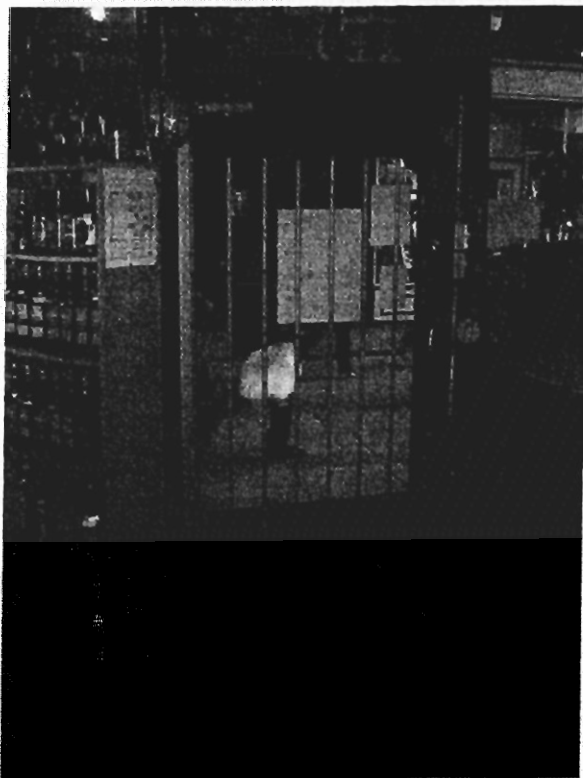
Ian Loftus
Evil Eye Lounge



External view of front door



Current Fire lock on front door, there are 2 of these



Internal view of current door



Door of Snappy Snaps shop straight opposite our premises

Fire Exit

EVIL EYE LOUNGE

GROUND FLOOR PLAN

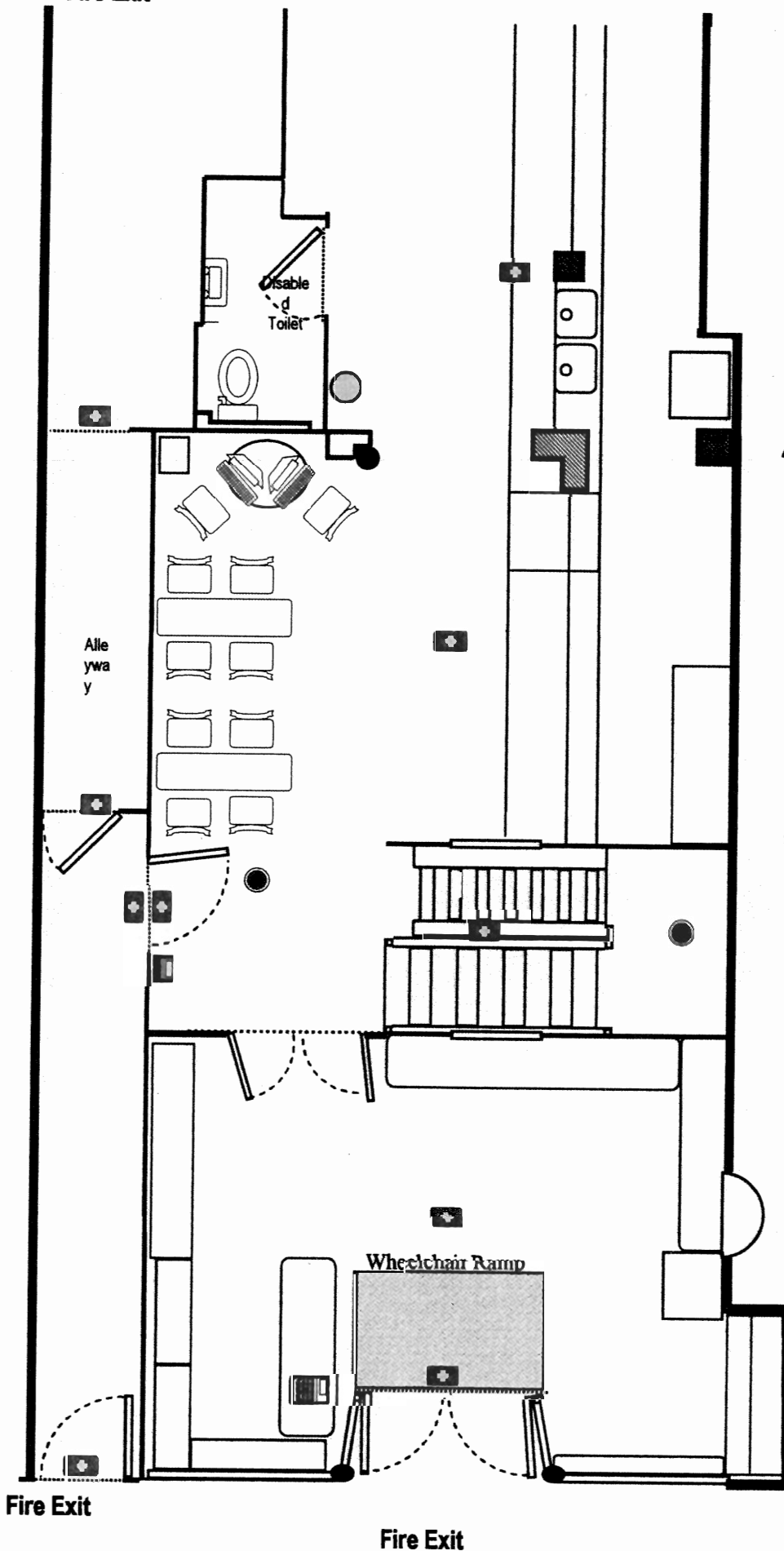
42 STONEGATE, YORK

FIRE EXIT

DOUBLE DOOR PLAN

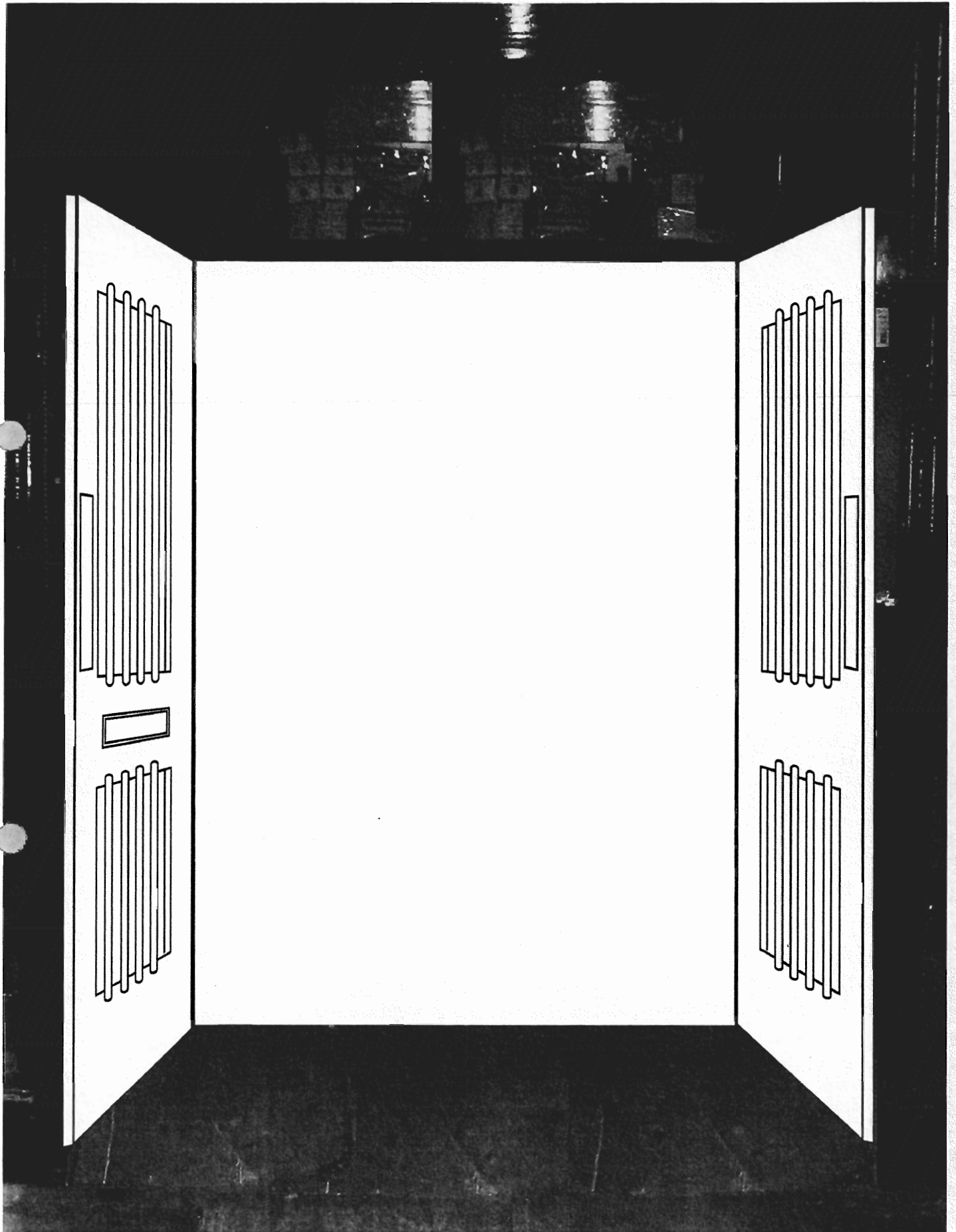
2 x Standard Double Doors
880mm x 1960mm

with Push Bars



Fire Exit

Fire Exit



Proposed idea of having 2 standard double doors that are always open whilst the retail business is open,
Each door would measure 88cm x 196cm and have fire exit push bars attached

Fire Exit

EVIL EYE LOUNGE

GROUND FLOOR PLAN

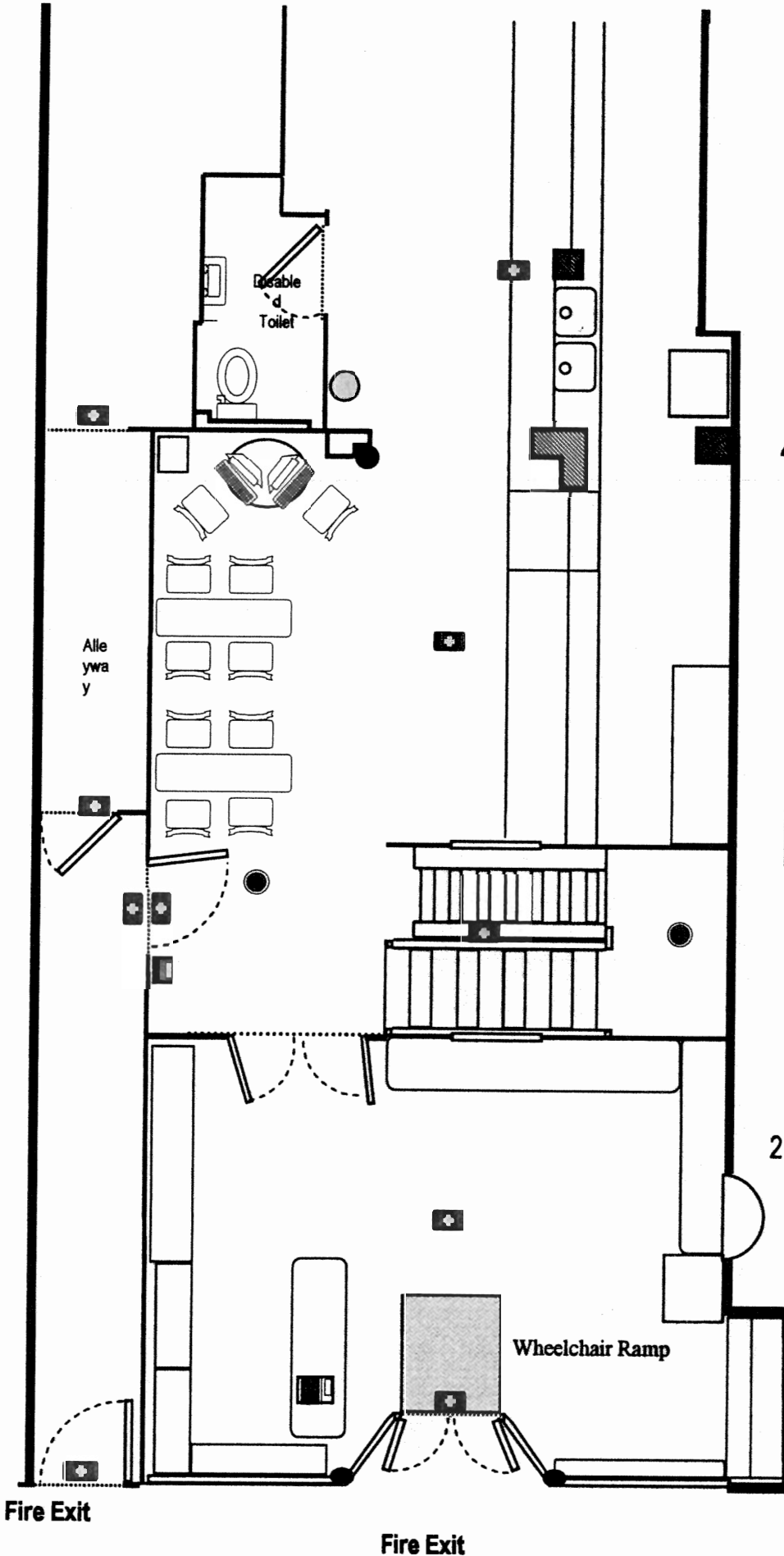
42 STONEGATE, YORK

FIRE EXIT

DOUBLE DOOR PLAN

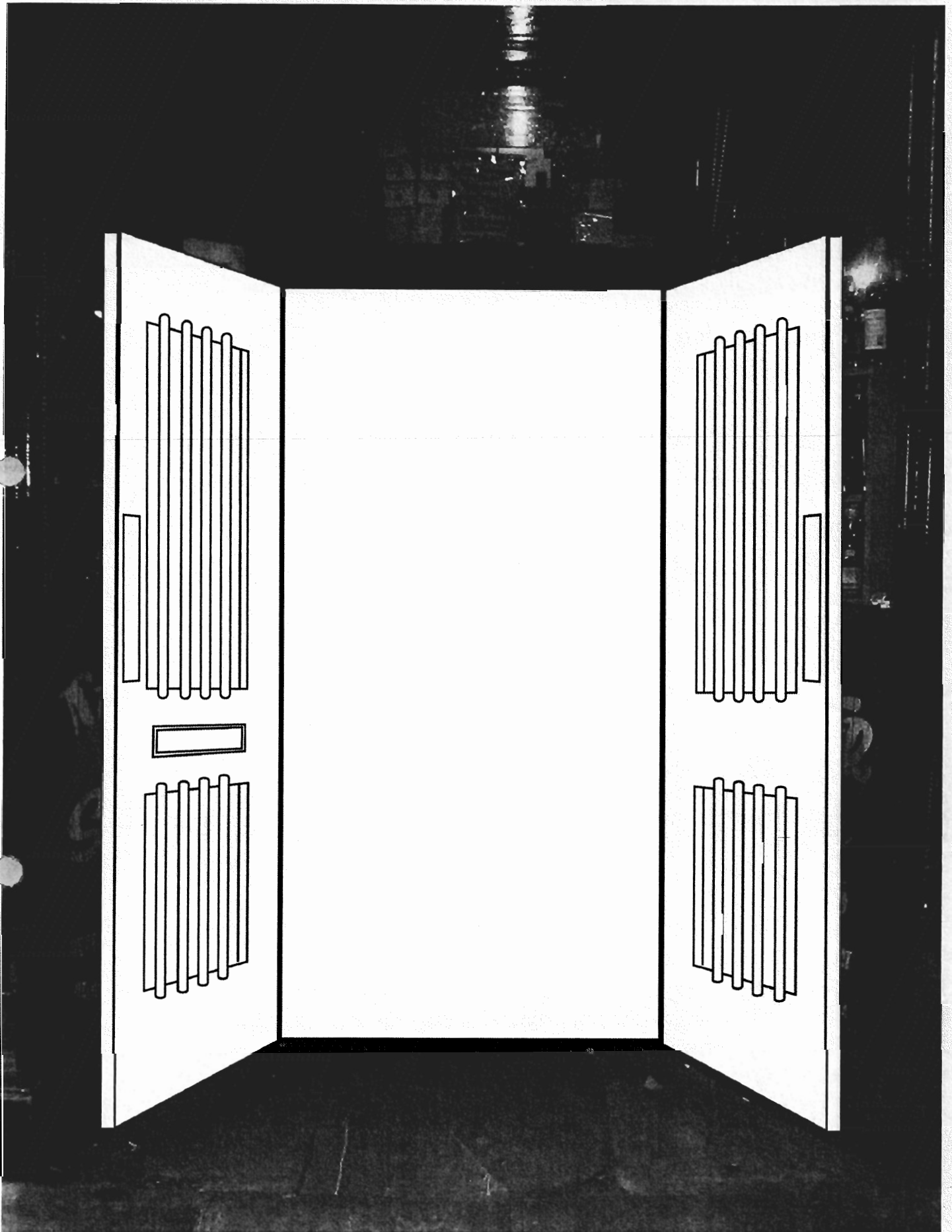
2 x Narrow Double Doors
500mm x 1960mm

with Push Bars



Fire Exit

Fire Exit



Proposed idea of having 2 small double doors that are always open whilst the retail business is open,
Each door would measure 50cm x 196cm and have fire exit push bars attached



Fire action

If you discover a fire



Sound the alarm.

Operate the nearest alarm call point.



Call the Fire Brigade.

Dial 999



**Leave the building
by the nearest exit.**



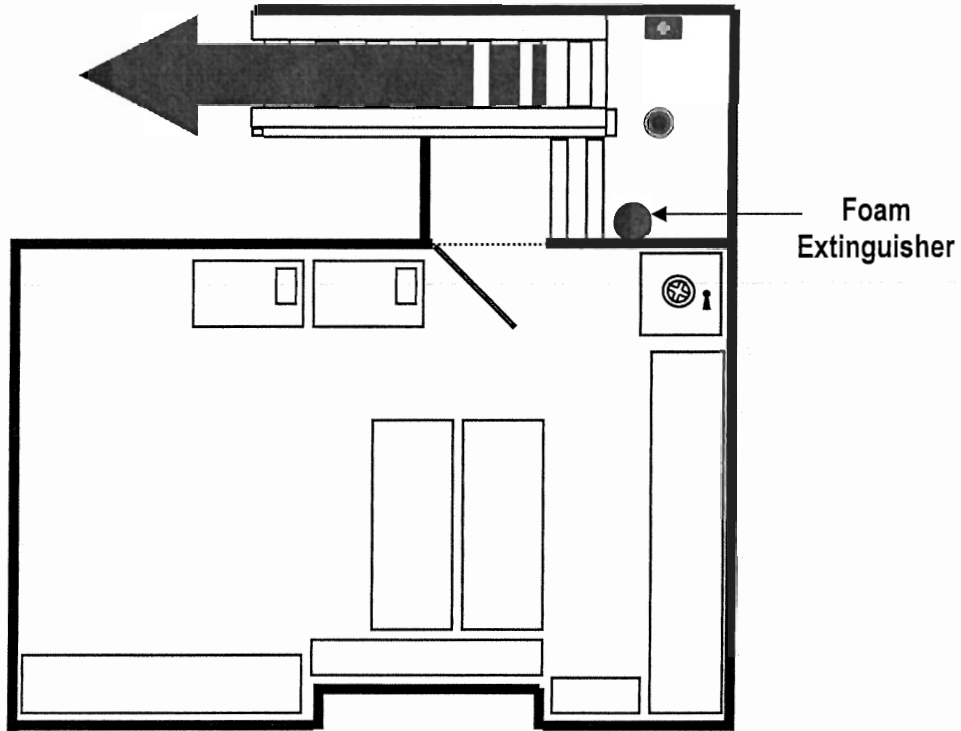
**Report to the assembly point :
Outside the front on Stonegate**



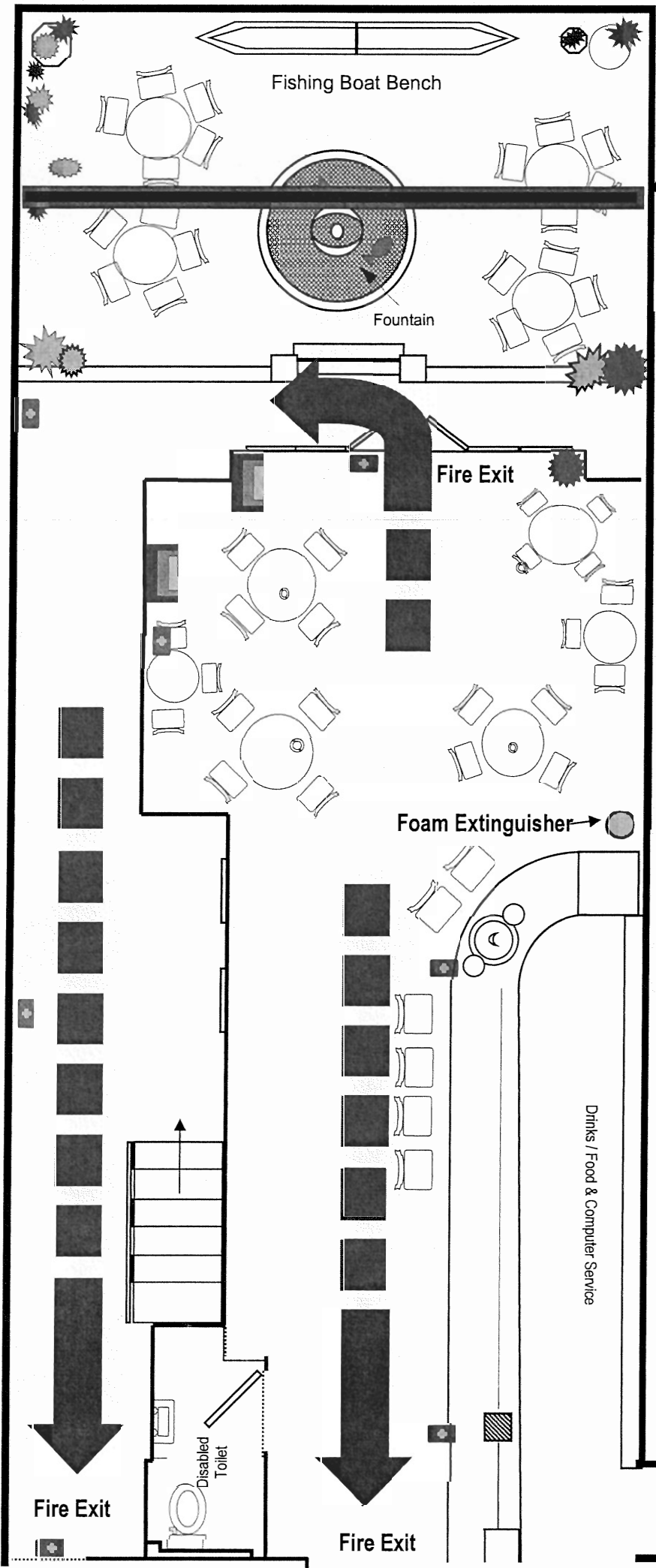
DO NOT collect personal belongings.

**DO NOT enter the building unless
instructed to do so.**

EVIL EYE LOUNGE - BASEMENT PLAN



**FIRE
ESCAPE
ROUTE**



EVIL EYE LOUNGE

GROUND FLOOR PLAN

42 STONEGATE, YORK

FIRE ESCAPE ROUTE

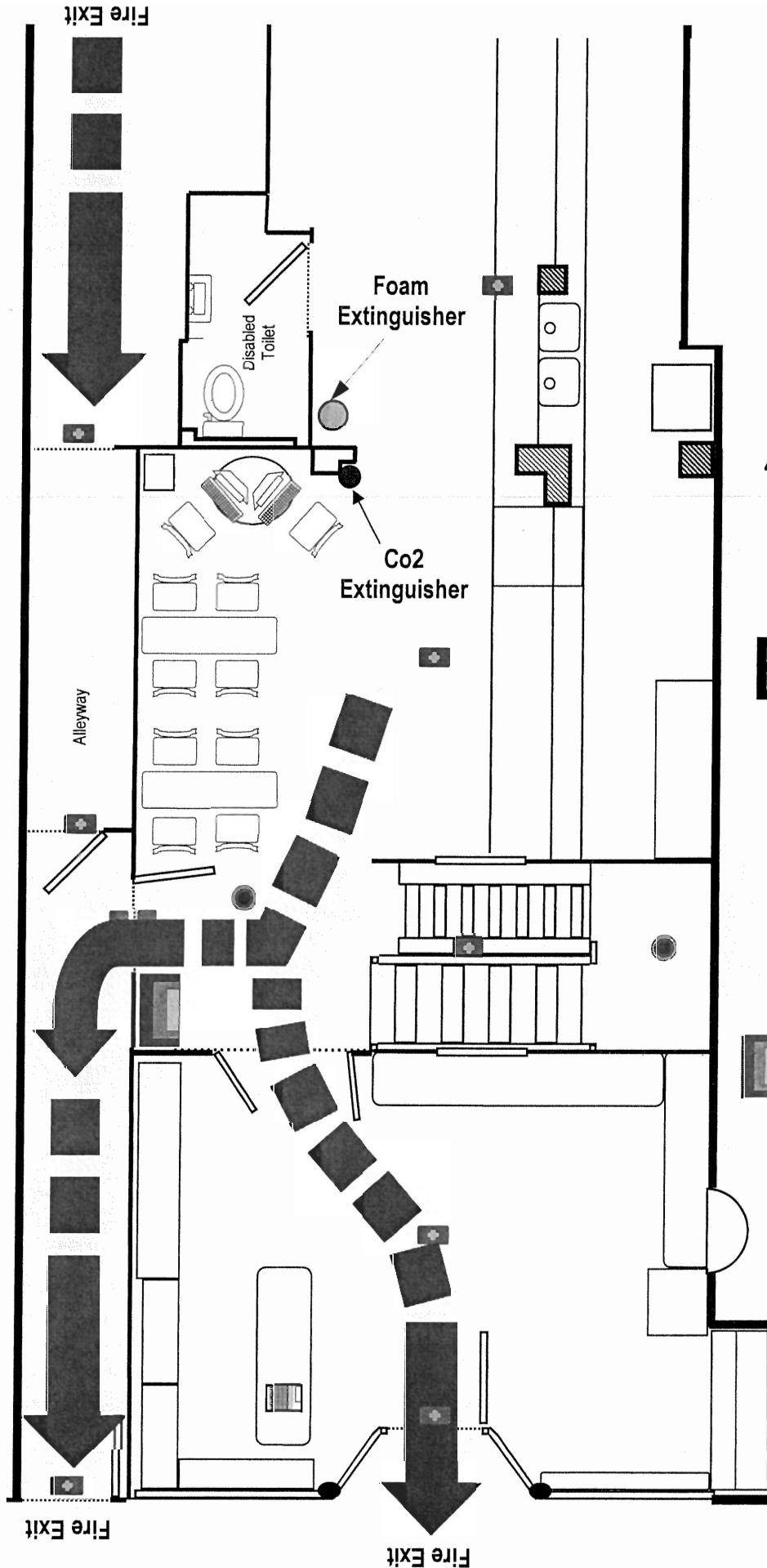
Break Glass Point

EVIL EYE LOUNGE

GROUND FLOOR PLAN

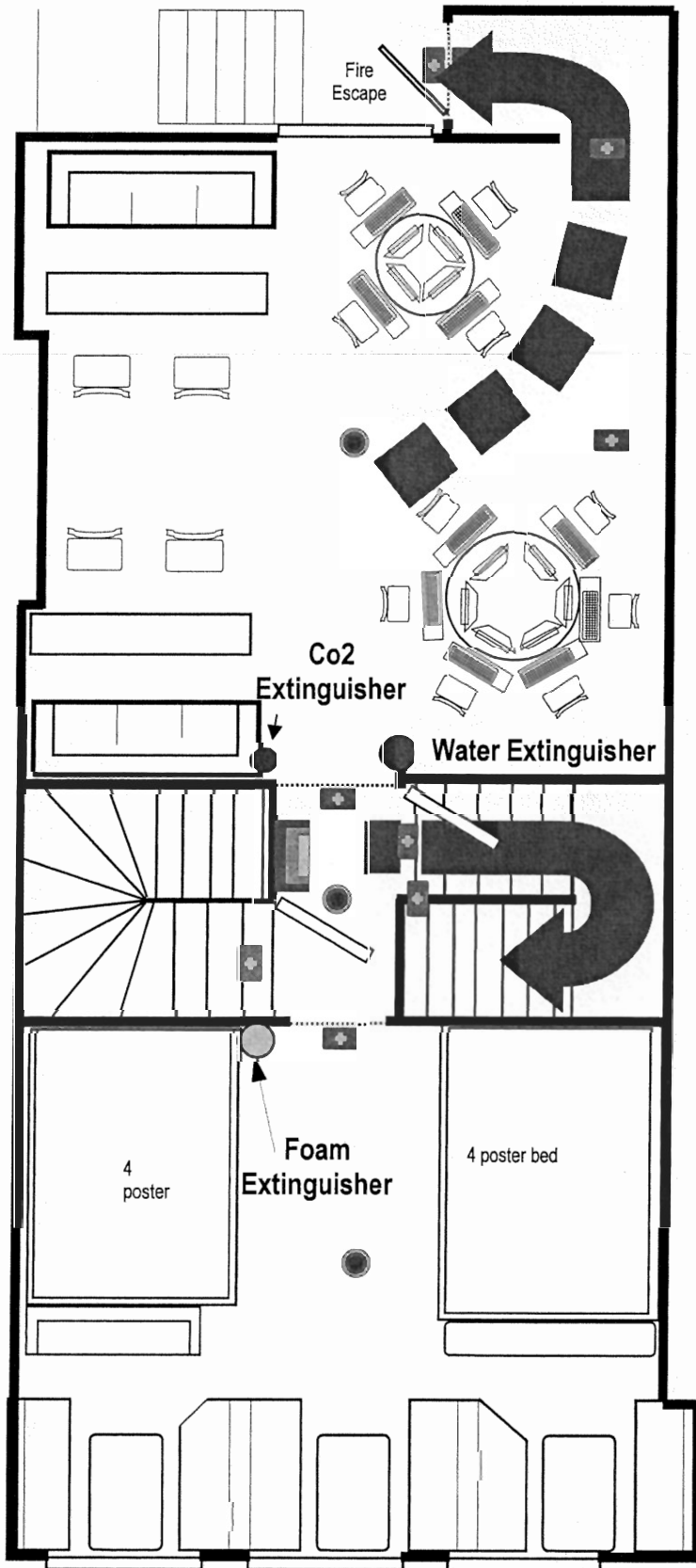
42 STONEGATE, YORK

FIRE ESCAPE ROUTE



Break Glass Point

EVIL EYE LOUNGE - FIRST FLOOR PLAN



FIRE ESCAPE ROUTE

Break Glass Point

Fire Escape

Co2 Extinguisher

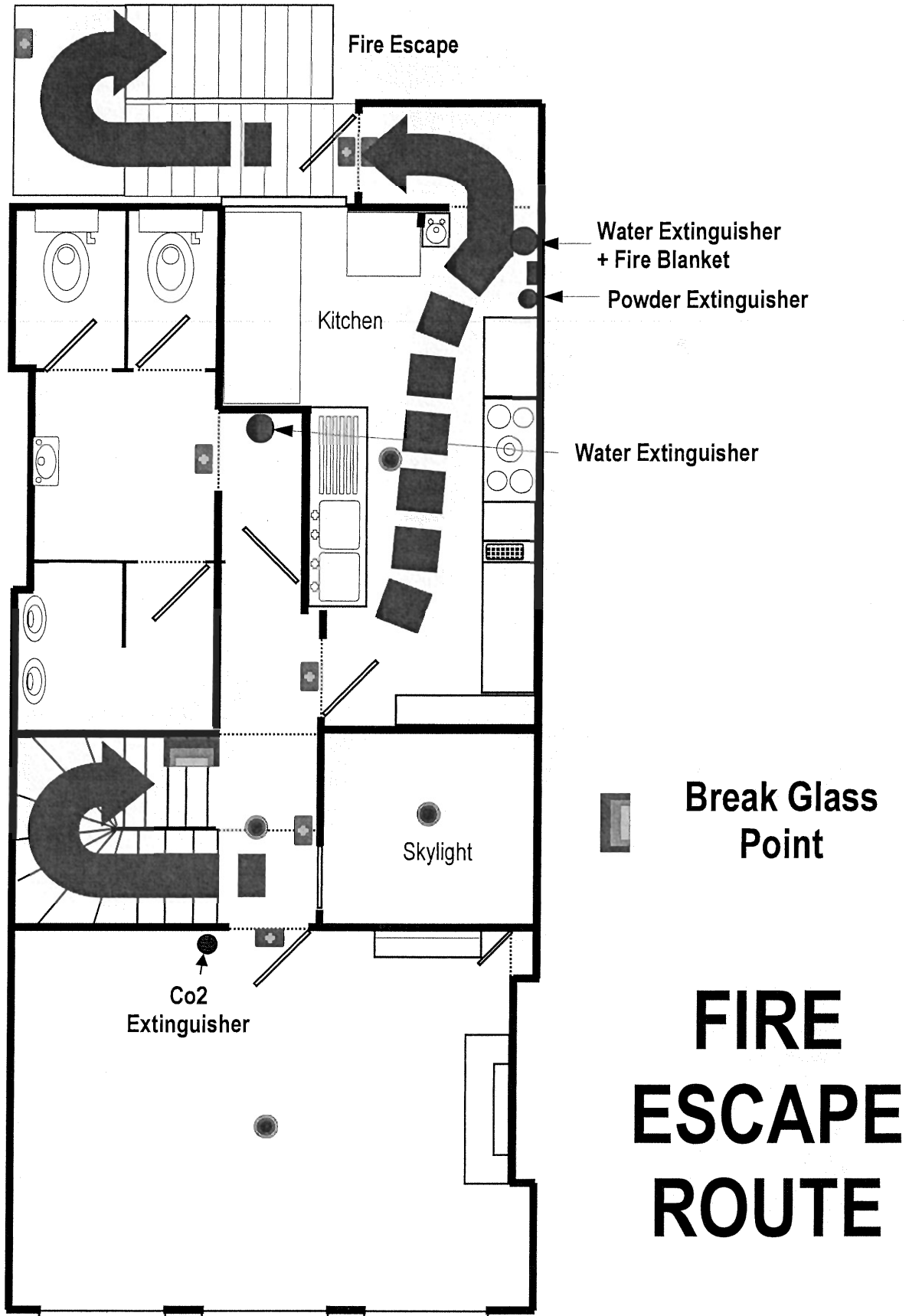
Water Extinguisher

Foam Extinguisher

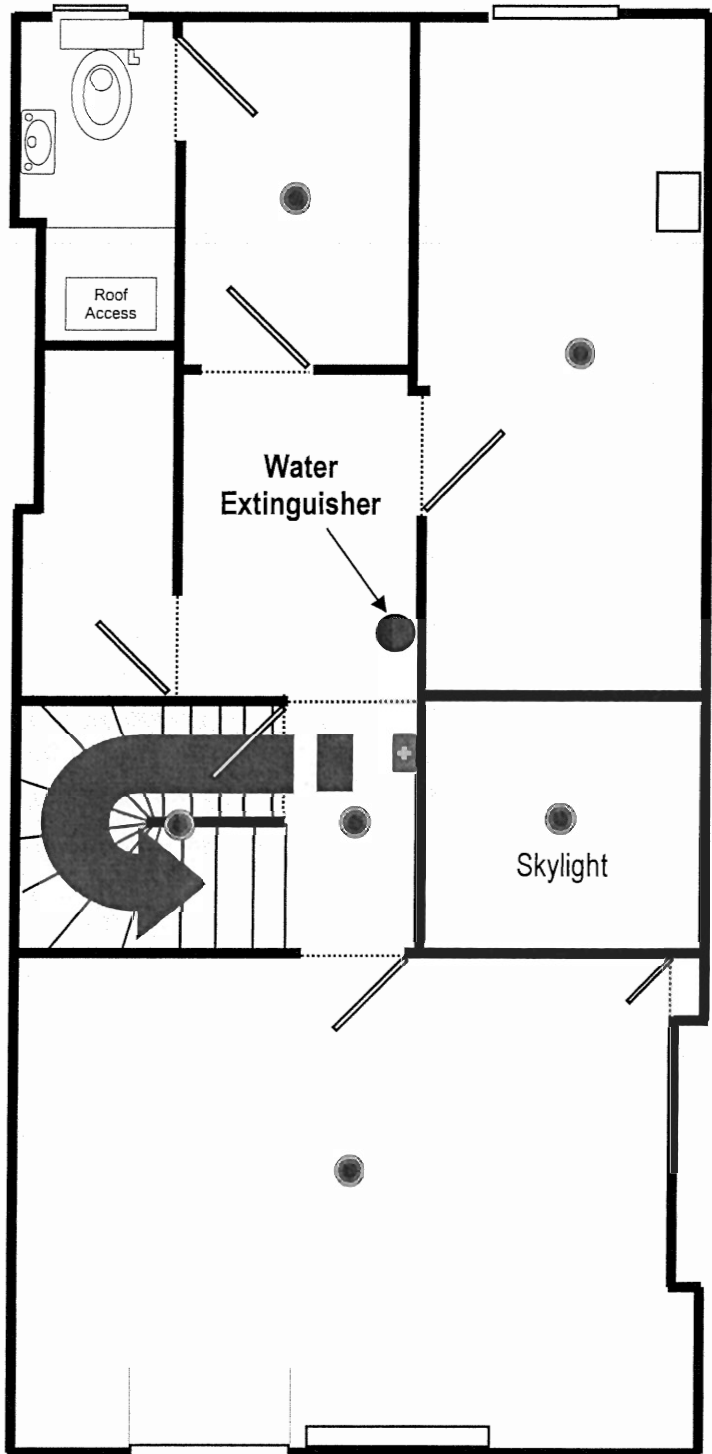
4 poster

4 poster bed

EVIL EYE LOUNGE - SECOND FLOOR PLAN



EVIL EYE LOUNGE - THIRD FLOOR PLAN



**FIRE
ESCAPE
ROUTE**

LICENSING ACT 2003

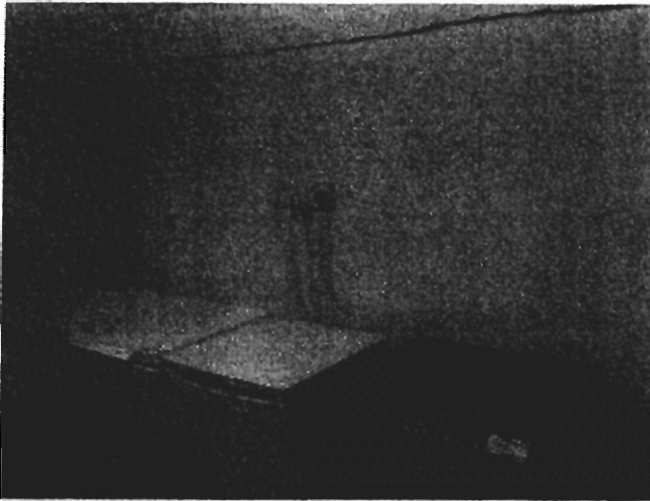
NORTH YORKSHIRE FIRE AND RESCUE SERVICE

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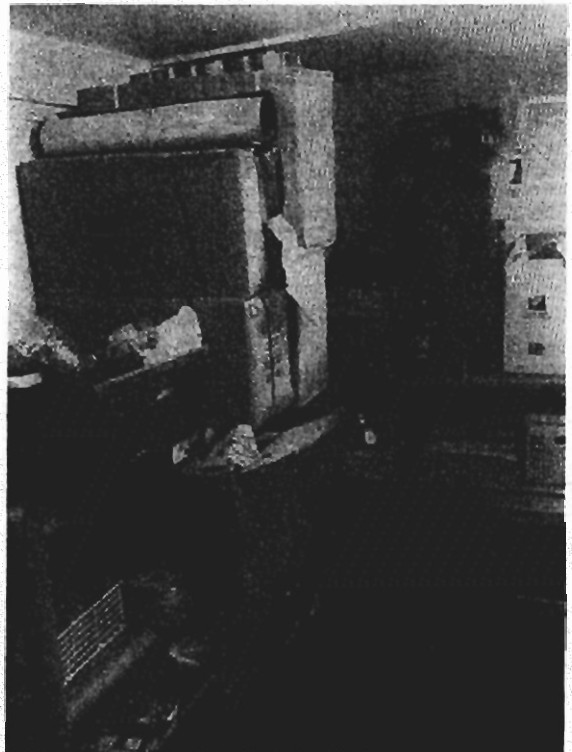
THE EVIL EYE LOUNGE

EXHIBIT "IL13a"

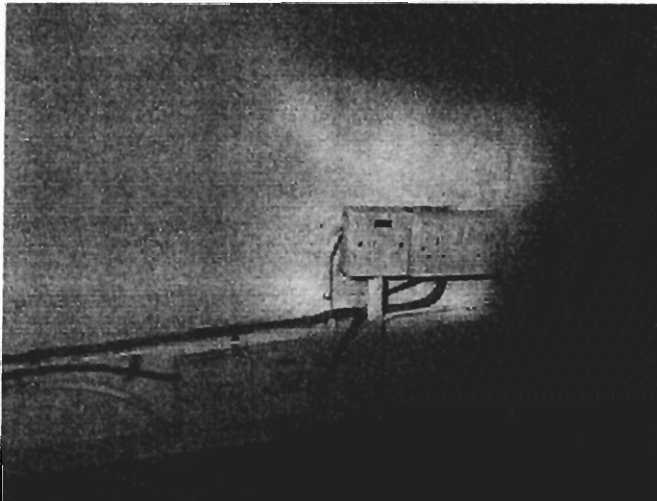
Top Floor Store Room



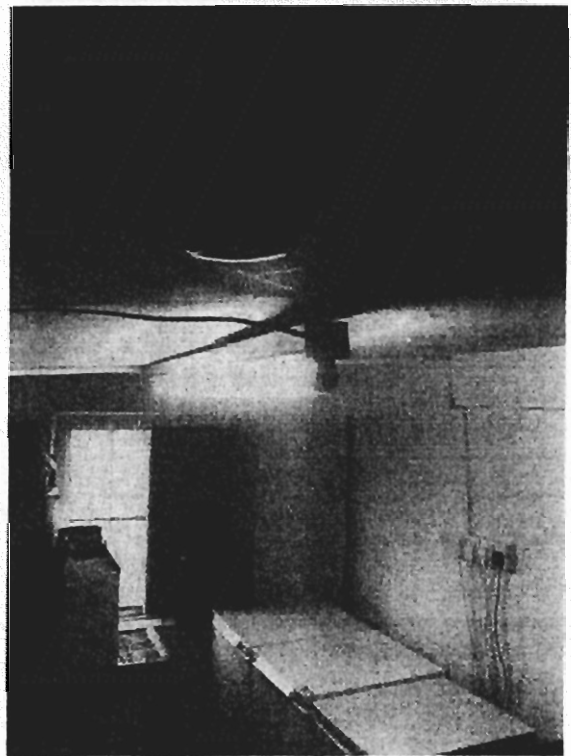
Each Fridge/Freezer on its own socket



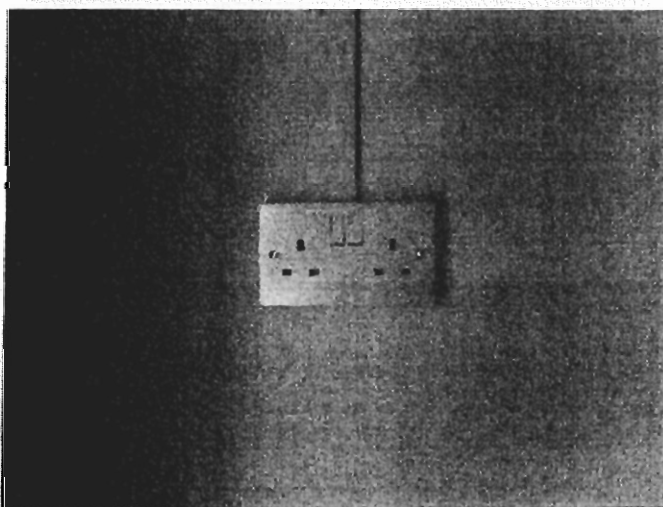
Dry store



Spare plugs and fused spurs



Smoke Detector

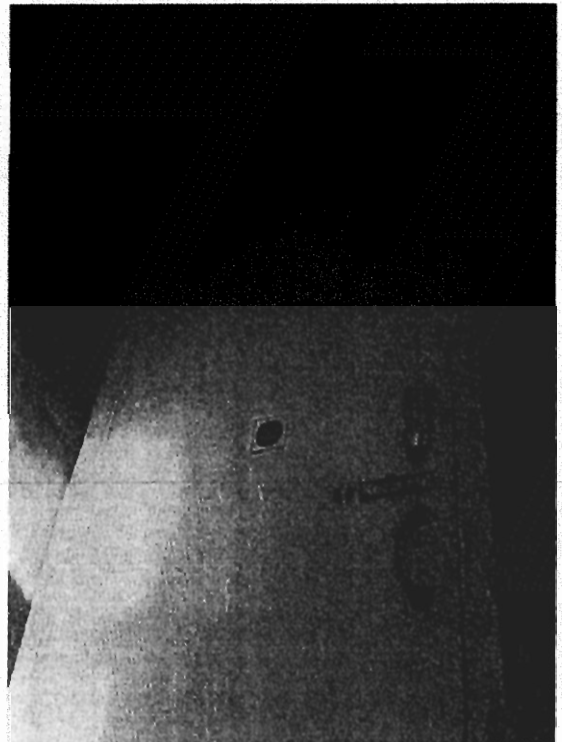


Spare Sockets

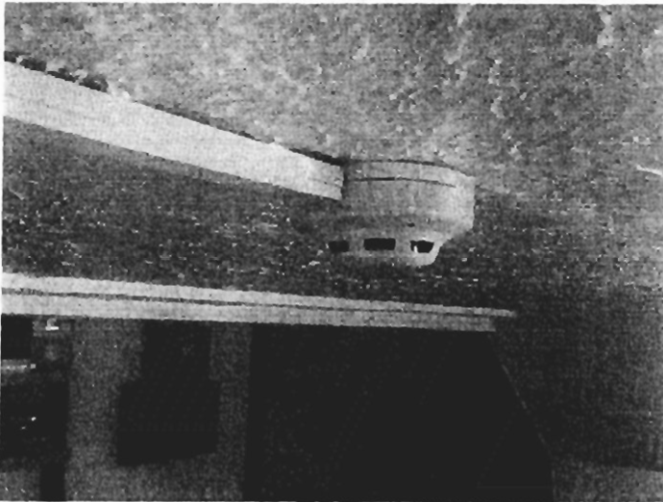
Top Floor Store Room



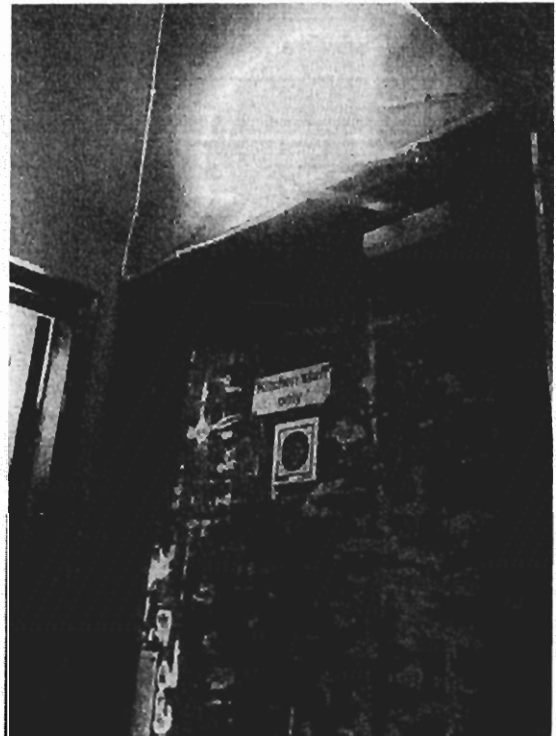
Smoke Detector and Spare Sockets



New Door Closer



Smoke Detector Front Room



Kitchen door maintained light

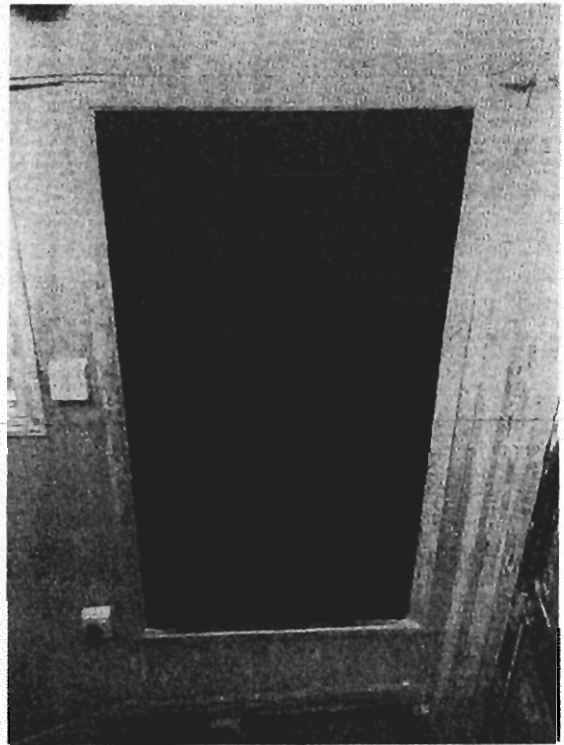


Smoke Detector and Non Maintained
Emergency Light plus Floor Plan

Second Floor



Ice Machine removed, dry store only



Fire Boarded Panel over Old Door Frame, removed cables

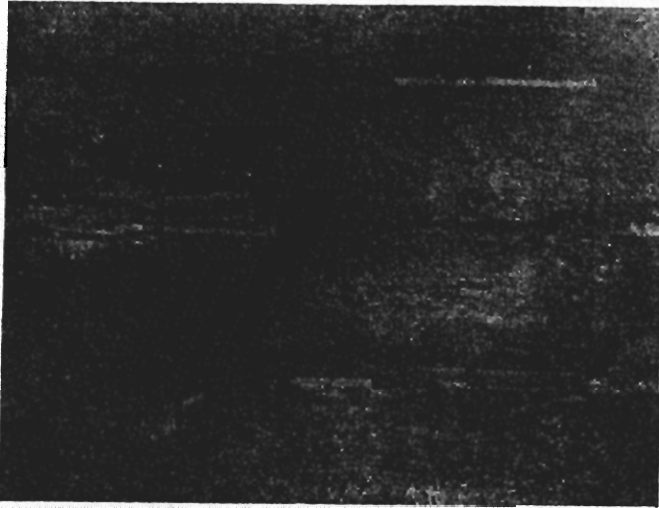


Maintained emergency Light and Smoke Detector, 2nd floor room



2nd Floor room closed, keypad and now Fire Door

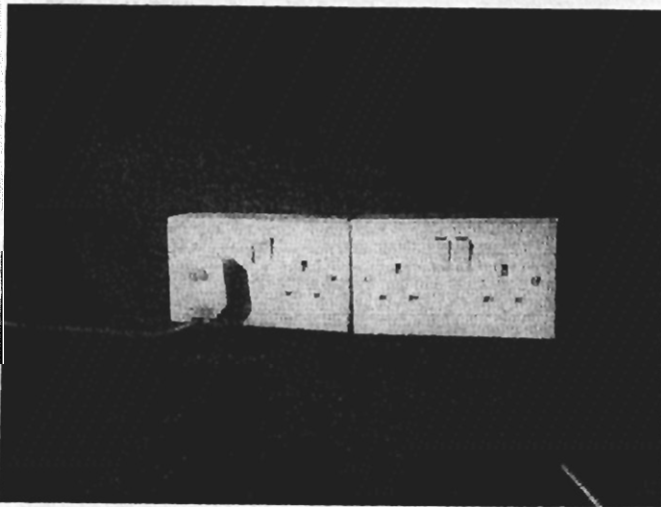
1st / 2nd Floor Rooms



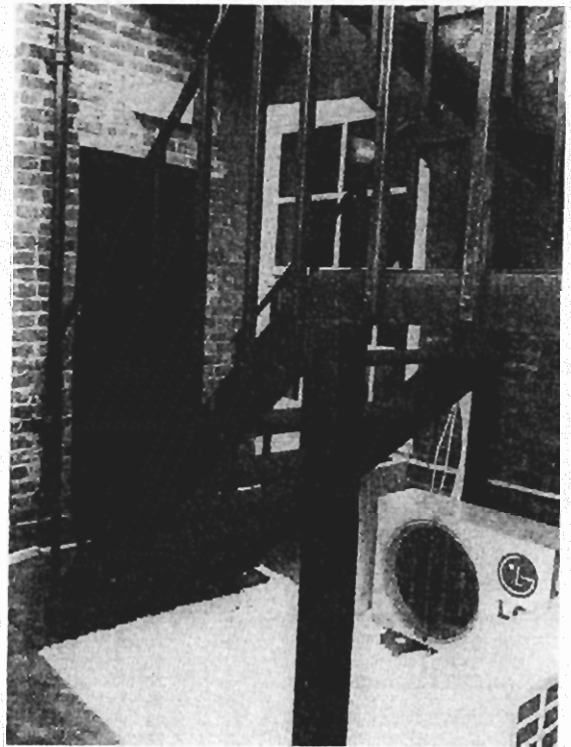
Floor repaired/ sealed



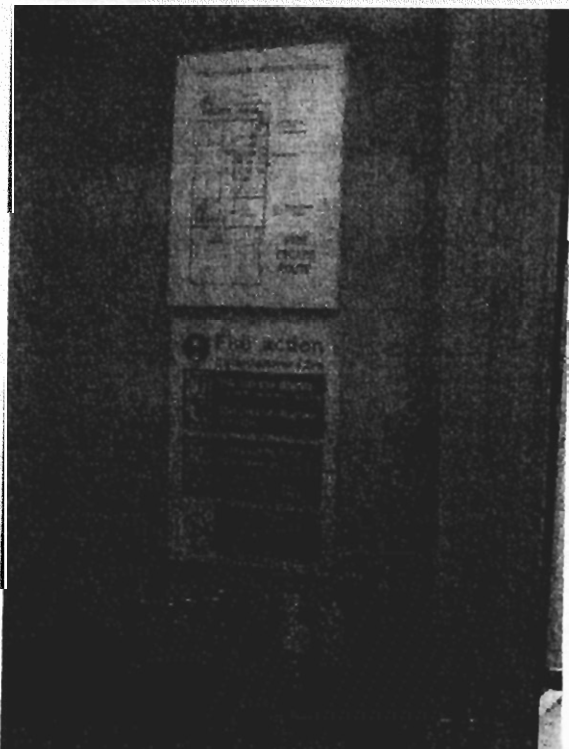
Ceiling fire boarded / repaired



Spare plugs on 2nd floor

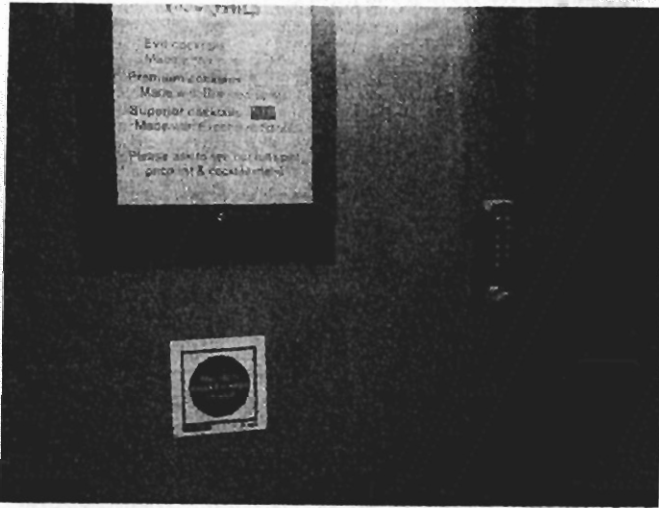


Fire Exit Clear

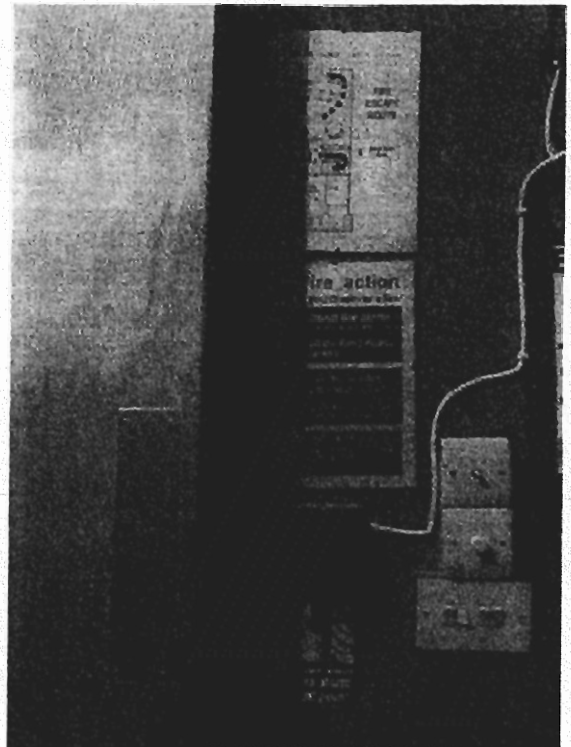


Stairwell Fire Plan

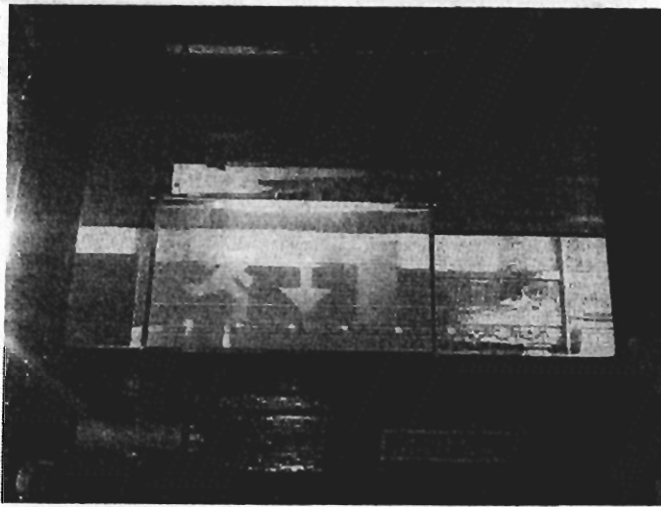
Ground / 1st Floor Rooms



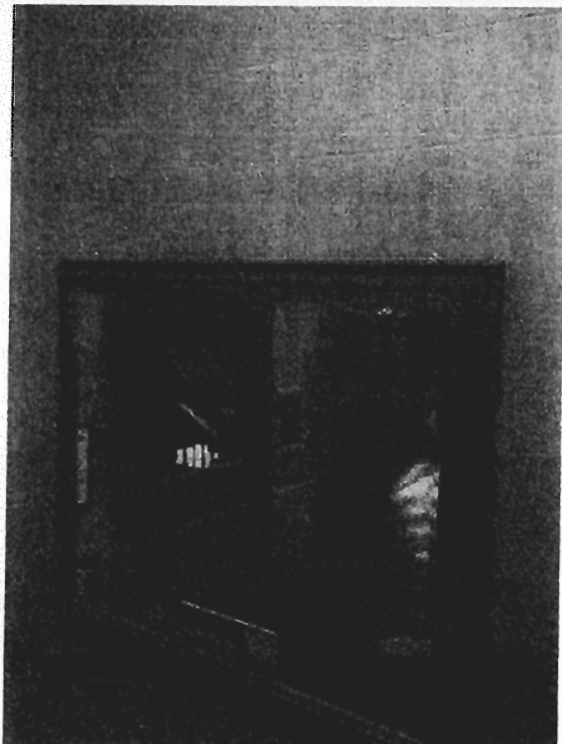
Basement keypad / fire door



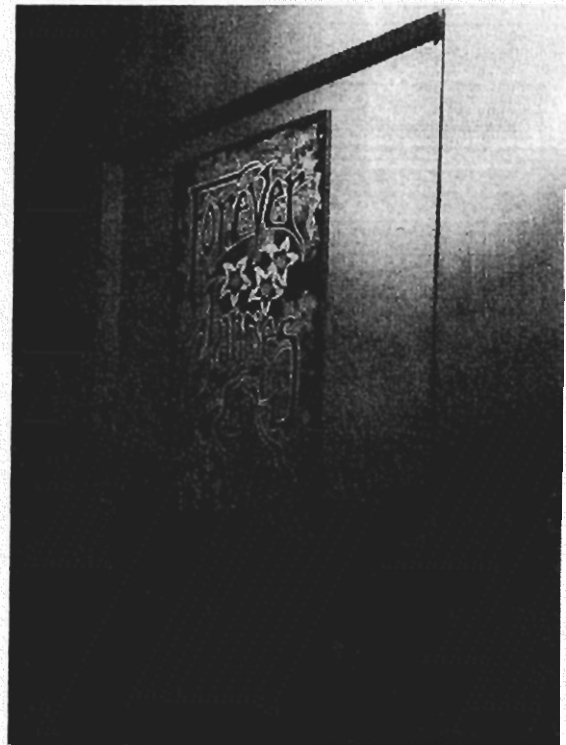
1st Floor Fire Plans



Front Door Exit sign



Wall hanging removed and replaced with mirror



Stairwell window fire boarded

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL14"

IL14

file 1228

Joint Licensing Visits 19-10-07

L-16

42

Evil Eye, Stonegate.

Means of Escape.

A number of serious concerns re the maintenance of the escape routes have arisen.

The egress through the shop area at the front of the premises is to be available at all times, even when the shop is closed.

The side entrance door (used when the shop is closed) is a fire resisting door and an integral part of the escape strategy. It requires new intumescent strips and cold smoke seals. It is never to be wedged open.

The exit from the kitchen onto the rear escape stair is cluttered. The full exit width is to be available at all times.

The cold smoke seals are missing from the fire resisting kitchen door and should be replaced.

Lighting in the first floor lobby leading onto the rear external escape is inadequate as is the lighting on the external escape at first floor level. Faulty bulbs and or lighting units are to be replaced.

The side passageway allowing emergency egress from the rear of the premises is being used as a store and dumping ground. A clear, unobstructed route is to be available at all times. Any storage at the wider points of that route is to be managed and contained so that there is no possibility of obstruction of the route.

Joe

Extn: 2512
Ask for: Lesley Cooke/Nigel Woodhead
Our ref: LJC/CYC010783
e-mail: licensing.unit@york.gov.uk

29 October 2007

Forever Changes Ltd
42 Stonegate
York
YO1 8AS

Dear Sir or Madam

Licensing Act 2003
Fire Precautions (Workplace) Regulations 1997
Evil Eye, 42 Stonegate, York

On the evening of Friday, 19 October 2007, officers from City of York Council Licensing Section, and North Yorkshire Fire and Rescue Service visited the above premise to undertake a during performance inspection.

Mr Ian Loftus is the Designated Premise Supervisor for this premise, Personal Licence Number CYC010708, Johnno Smales was present during the inspection.

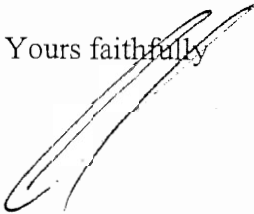
The Fire Officer has serious concerns regarding the maintenance of the escape routes, they are as follows:

1. The egress through the shop area at the front of the premises is to be available at all times when customers are admitted to the premises, even when the shop is closed.
2. The side entrance door (used when the shop is closed) is a fire-resisting door and an integral part of the escape strategy. It requires new intumescent strips and cold smoke seals. It must **not** be wedged open.
3. The exit from the kitchen onto the rear escape stair is cluttered. The full exit width is to be available at all times.
4. The cold smoke seals are missing from the fire resisting kitchen door and should be replaced.

5. Lighting in the first floor lobby leading onto the rear external escape is inadequate as is the lighting on the external escape at first floor level. Faulty bulbs and or lighting units must be replaced.
6. The side passageway allowing emergency egress from the rear of the premises is being used as a store and dumping ground. A clear, unobstructed route is to be available at all times. Any storage at the wider points of this route is to be managed and contained so that there is no possibility of obstruction of the route.

I trust these matters will be attended to. If you wish to discuss any of these points or any matters relating to your licence please contact this office on York (01904) 552512.

Yours faithfully



Lesley Cooke
Senior Licensing Officer

Cc: Joe Calpin, Station Manager, North Yorkshire Fire & Rescue Service ✓

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL14a"

City of York Council
Neighbourhood Services
9 St Leonard's Place
YORK
YO1 7ET

FAO Lesley Cooke
Senior Licensing Officer

LC/CYC009184
MMB/SW

5 February 2008

Dear Madam

Licensing Act 2003
Review of Premises Licence/Club Premises Certificate
Evil Eye, 42 Stonegate, York

We refer to our recent telephone conversation and our meeting.

We would be very grateful if you would kindly note to send all correspondence for Forever Changes Ltd at 42 Stonegate direct to our client's home property being 18 Park Crescent, York, YO31 7NU

Yours faithfully

HARLAND & CO.

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL15"

ILIS

Staff Memo, 6th December 2007,

IMPORTANT FIRE INFORMATION

As you are probably aware there have been quite a few visits from Fire Officers recently. We have had an enforcement notice from them regarding waste in the alleyway, being over capacity and the means of escape through the office license is bolted.

WASTE

The state of the rubbish was very bad and as a result they can only see us complying with their regulations by not allowing us to put any waste or any objects in the alleyway at all. I actually agree with them as we cannot keep the alleyway tidy, boxes don't get broken down, bags aren't placed out the way, there's always a build up of crates, pallets and general waste.

Our only option at present is to put as many boxes and bags out the front of the building at 9.00am and 4.00pm and sticker each one, remember the stickers cost £1.50 so please use them sensibly not 1 per box. The bins must be taken out by ourselves at the end of the night and left in the street as the cleaner is on his own in the morning and cannot manage it. Although there is no collection on Sunday by the bin company, there is a council bin bag / box collection, so remember Saturday night loose waste is to be labelled and put outside.

I'm currently speaking with the council and waste companies to try to find another way of getting rid of our waste.

The beer crates need leaving in the alleyway every Tuesday and Thursday night. The butchers plastic crates are taken away every Friday when the meat is delivered. Empty gas cylinders need to be labelled empty and kept in the basement.

If there is any other objects that are outside then inform me straight away so I can remove them.

OFF-LICENSE

The means of escape through the office is our main fire exit, the shop is not allowed to be locked with keys or bolts until the end of the night. I will be putting a temporary twist Yale lock on the door which will have to suffice until the New Year. All Duty managers must check the doors at the end of the night and make sure when the building is free of all customers that the doors are bolted and locked.

The fire officers have requested me to make both doors open outwards to comply with the law, the only benefit for us is this will increase our capacity to 120. With the building being listed and the layout of the shop this is virtually impossible but I have no choice, so if you have any ideas please let me know.

ELECTRICS

Photographs of all extension sockets have been taken, please do not leave any loose cables anywhere. There is to be no overloading of sockets, no extensions must be loose. And all cables must be cable tied and attached to a solid surface away from liquids. If you notice any damaged sockets or electrical defects please let me know straight away, they are hazardous. All sources of heat must be double checked and turned off at night. Aircon units must be cleaned regularly so as not to allow build up of dust and dirt.

CAPACITY

Our building capacity is set to 100, if the building looks like it has 75/80 people in then count to make sure and place a member of staff on the door. The figure is including staff, our F1 door staff must always use clickers on Friday and Saturdays, please check. The total amount of people allowed upstairs is 60 people (which doesn't make sense)

Please apologise to customers if they aren't allowed in, it will be hard to police on Saturday and Sunday lunchtimes, it's a shame that people can't come in for a coffee or to use the internet.

Staff Memo, 6th December 2007,

STOCK

The basement is clear completely on the floor under the stairs, it has to remain this way. There was concern about the crisps being there let alone anything else. To get all our stock in the basement we must make sure we have as much out on the off-license shelves and bar shelves as possible. There is still a lot of room in the basement as long as the stock gets put on the shelves not left on the floor. If there is not enough room for all the beers then we must keep them upstairs in The Bottle.

ATTIC

The top floor does contain all the rest of our stock, glassware, bags, excess fridges, coffee and so on. All stock must be put on shelves or stacked neatly in the stock rooms. The room does have stuff in there that should be moved and I will be moving items almost everyday to create extra space. We have been informed that the office is not allowed to be used as it has not fire exit, the enforcement that is currently in place has allowed me time to remove it. My only option is to loose the beds, move the furniture from the lounge downstairs and place the office in the lounge. This is a task for the new year.

SMOKING

The smoking area is at the rear and the front of the buildings. The canopy is now chained so it cannot be opened further than 50% of the beer garden. Please make sure all external wall ashtrays are emptied each day. All fag ends and dirt must be swept and cleaned each morning. There is no smoking allowed in the alleyway and especially none on the fire exit at the rear. The rear windows of the building in the computer room have to be replaced with fire glass. Ashtrays must be emptied frequently in the beer garden !

SUNDAY LUNCHES

I have spoken to a few people about this. It really doesn't make any sense to any customer that you can't order food at the bar especially if you've been waiting to order for 10 minutes or more. I know people can move tables, the service side has had more complaints than the food, we need to have no complaints. The waiting times have been far too long, there should be no longer than a 30 minute wait. The main food complaints include cold meat, beef being tough, Yorkshires being burnt, Yorkshires being soggy, Monsters being same size as a large, that's just a few complaints I've been given from friends eating here in the last 2 weeks. We have lost a lot of customers, once you lose them they don't come back.

CUSTOMER SERVICE

Our whole business is dependent on good service, please make the effort to be nice to everyone. Imagine your face looking miserable your whole life even when you're happy, you're in for a life of bad customer service. We do have PC's around that are on the web, they are there for reference, work and customers. Far too many times you walk in the bar or off-license and wait for help and to be served and its impossible to get the staffs attention cause their talking or on the web. It takes less than 10 seconds for a customer to become impatient. Always acknowledge them, smile, say hello, do you need any help or I'll be with you in a second, that's all it takes. Recommending people drinks, food, cigars or anything is very important, our stock range is vast and most people need help.

Remember to always take your breaks—start earlier at around 1.00pm

I hope everyone had a good time on Monday, if you do have any pictures then dump them on a PC and I'll update the webpage.

Ian

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL16"



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Giles Seddon

has completed the following
learndirect Business eCourse:

Fire Safety

on:

06/02/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Hannah Smith

has completed the following
learndirect Business eCourse:

Fire Safety

on:

06/02/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Rob Hughes

has completed the following
learndirect Business eCourse:

Fire Safety

on:

06/02/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Alicja Wdowiak

has completed the following
learndirect Business eCourse:

Fire Safety

on:

23/01/08



**learndirect Business eCourses
Statement of Completion**

This statement confirms that:

Laurence Smith

has completed the following
learndirect Business eCourse:

Fire Safety

on:

25/01/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Gabi Milner

has completed the following
learndirect Business eCourse:

Fire Safety

on:

23/01/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

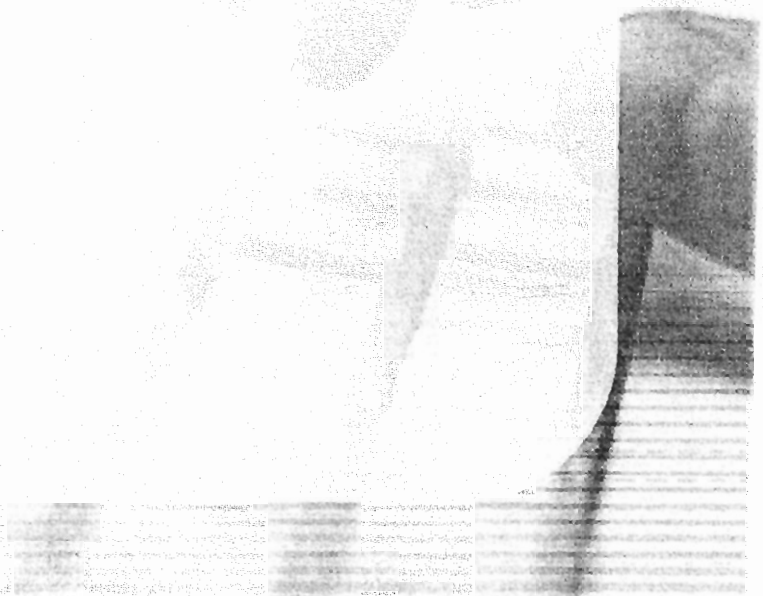
Methi Chipchai

has completed the following
learndirect Business eCourse:

Fire Safety

on:

25/01/08





learndirect Business eCourses
Statement of Completion

This statement confirms that:

Dave Wilson

has completed the following
learndirect Business eCourse:

Fire Safety

on:

25/01/08



**learndirect Business eCourses
Statement of Completion**

This statement confirms that:

Jon Smales

has completed the following
learndirect Business eCourse:

Fire Safety

on:

23/01/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Ian Loftus

has completed the following
learndirect Business eCourse:

Fire Safety

on:

16/01/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Heather Galley

has completed the following
learndirect Business eCourse:

Fire Safety

on:

22/01/08



**learndirect Business eCourses
Statement of Completion**

This statement confirms that:

Saul Cutting

has completed the following
learndirect Business eCourse:

Fire Safety

on:

22/01/08



**learndirect Business eCourses
Statement of Completion**

This statement confirms that:

Giselle Wajdner

has completed the following
learndirect Business eCourse:

Fire Safety

on:

18/01/08



**learndirect Business eCourses
Statement of Completion**

This statement confirms that:

Aimee Ryan

has completed the following
learndirect Business eCourse:

Fire Safety

on:

22/01/08



**learndirect Business eCourses
Statement of Completion**

This statement confirms that:

Guy Rushworth

has completed the following
learndirect Business eCourse:

Fire Safety

on:

22/01/08



**learndirect Business eCourses
Statement of Completion**

This statement confirms that:

Dave Ritson

has completed the following
learndirect Business eCourse:

Fire Safety

on:

22/01/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Chitta Mouche

has completed the following
learndirect Business eCourse:

Fire Safety

on:

22/01/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Deeche Potter

has completed the following
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Fire Safety

on:

22/01/08



**learndirect Business eCourses
Statement of Completion**

This statement confirms that:

Zoe D'Souza

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Fire Safety

on:

22/01/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Michael Brown

has completed the following
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Fire Safety

on:

22/01/08



learndirect Business eCourses
Statement of Completion

This statement confirms that:

Matthew Halgate

has completed the following
learndirect Business eCourse:

Fire Safety

on:

18/01/08



**learndirect Business eCourses
Statement of Completion**

This statement confirms that:

Ben Perkins

has completed the following
learndirect Business eCourse:

Fire Safety

on:

22/01/08



**learndirect Business eCourses
Statement of Completion**

This statement confirms that:

Steve Atkinson

has completed the following
learndirect Business eCourse:

Fire Safety

on:

22/01/08

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-V-

THE EVIL EYE LOUNGE

EXHIBIT "IL16a"



Certificate

Fire Safety

*Esky certifies that
Ian Loftus
has completed
Fire Safety
1/11/2005*

This certificate denotes completion of a course for which the content has been certified. For certification details please see the Fire Safety section of www.eskyweb.com

www.eskyweb.com

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e-learning

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL17"

Risk Assessment for Evil Eye Lounge (08/05/2007)

General Procedures to minimize risk to staff and customers

- Fire Alarm to be tested by duty manager every Thursday morning.
 - Fire Doors on middle floor stairways to be checked weekly.
- Staff instructed to ensure that external rear fire escape stairway & ground floor fire escape passageway to be kept clear at all times.
- IT technician to check CCTV and computer cables are secure each morning.
- Fire extinguishers location and serviceability to be checked every morning.
 - Waste paper bins in off licence and office to be emptied daily.

Section 1 – Kitchen

Risk: General personal hygiene and possible food contamination.

Prevention: Kitchen supervisor to ensure that all staff will be instructed in maintaining the businesses food safety procedures. This is in accordance to established HACCP principles, in which staff will be encouraged and supported in gaining a formal qualification. Hand wash basins to be supplied with anti bacterial soap.

Assessment: To be reviewed in relation to the Microbiological Criteria for Foodstuffs Regulations (2006) as ingredients and procedures change.

Risk: Cross contamination during food preparation

Prevention: Colour co-ordinated chopping boards to be used with appropriate ingredients, Kitchen supervisor to ensure that new staff are trained and informed. Notices as to the storage and preparation of foodstuffs to be placed on prominent display in kitchen areas.

Assessment: Ongoing and at next review.

Risk: Danger from Sharp Blades

Prevention: Knives to be kept sheaved and stored when not in use. They are to be kept away from the sinks and washed in a separate plastic tray when put through the dishwasher.

Assessment: Upon next review.

Risk: Danger of slipping on wet/dirty floor

Prevention: Kitchen supervisor to ensure that the floor is mopped when needed. Yellow warning sign to be placed by the doorway visible to staff entering the kitchen, and kept on display until the floor has thoroughly dried.

Assessment: Upon next review and at Kitchen supervisors' discretion.

Risk: Danger of contamination/poisoning from cleaning agents.

Prevention: Appropriate cleaning agents to be stored away from food preparation areas, dishwasher detergents and rinse aid to be kept underneath the sink unit to prevent becoming a trip hazard. Disinfecting cleaning agent to be used on floors and sanitizers on the surfaces. All surfaces to be dried after cleaning.

Assessment: At next review.

Risk: Danger of injury by stretching for high shelves

Prevention: Stepladder to be kept inside the kitchen door by the shelves to assist in reaching the dishes and ingredients stored on higher shelves. Staff instructed to use the ladder in pairs.

Assessment: At next review.

Risk: Danger of staff colliding due to through traffic.

Prevention: Where possible staff to collect ice from the ice machine by access through the rear fire escape in order to prevent overcrowding in food preparation area. When not possible bar staff instructed to knock on the kitchen door before entering.

Assessment: At next review and at bar manager/kitchen supervisors discretion.

Risk: Danger of exposure to gas

Prevention: Gas shut-off valve linked to main extractor fan unit, gas turned off at the end of the day.

Assessment: At next review.

Section 2 – Middle Floor Internet Lounge

Risk: Seating around computers being moved by customers and blocking middle floor rear fire escape.

Prevention: IT supervisor to arrange chairs in the morning and supervise this during the daytime. Bar staff to take this over in the evenings and make regular checks while cleaning tables and collecting glasses.

Assessment: At next review/fire inspection.

Risk: Danger of customers spilling drinks onto keyboards.

Prevention: Smoking banned in the Internet lounge to make more space for drinks around the PC stations, and empties to be cleaned during regular sweeps for finished cups and glasses.

Assessment: At next review and at IT supervisors' discretion.

Risk: Danger of cables becoming trip hazards.

Prevention: Cables from PC monitors keyboards and mice to be run underneath the floorboards.

Assessment: At next review and in the event of any structural modifications to the room.

Risk of electrical fire

Fire doors on middle floor automatically close when alarm sounds, and Class C fire extinguisher positioned by the doorway.

All computers, lamps and fans to be turned off at the switch after closing.

Assessment: At next review and at IT supervisors discretion.

Section 3 – Front of House

Risk: Danger of customers and staff slipping on stairways and floors.

Prevention: Bar Staff to supervise the building and immediately mop and dry any spillages on the stairways. Yellow warning sign to be prominently displayed while cleaning is being done.

Assessment: At next review.

Risk: Danger of customers tripping when opening windows.

Prevention: Staff to ensure that electrical fans are on sufficient setting during warm periods and open windows before the start of business.

Assessment: At next review.

Risk: Danger of customers being injured on beds.

Prevention: Beds are to be regularly checked and cushions tidied to make sure than there are no concealed bottles, glasses, cups or rubbish underneath them. Smoking is not permitted in the beds. A class A fire extinguisher is positioned by the entrance to the room, and staff instructed as to its location.

Assessment: At next review.

Risk: Danger of public chairs and tables being insecure.

Prevention: Tables and chairs to be checked daily for any damage which may make them unsuitable for use. If such problems are identified then they are to be removed from the public area and repaired. CCTV warnings to be placed in prominent positions to dissuade vandalism. Staff instructed that the tables are used for the service of food, and prevent customers from standing on them, sitting animals on them, or performing any other form of unhygienic activity on them. Customers are not to drag or reposition tables at any time due to the risk of causing damage, injury to themselves, or blocking fire escape routes.

Assessment: At next review and at bar managers discretion.

Risk: Danger of fire being caused through smoking.

Prevention: Cigarette ashtrays to be positioned on the bin outside the upstairs toilet, and all ashtrays in the building are to be regularly cleaned in order to prevent them becoming overloaded with miscellany and hence causing a fire risk. Ashtray outside the main entrance to prevent customers entering off licence with lit cigarettes, and prominent no smoking signs in basement and storage areas.

Assessment: At next review.

Risk: Danger of customers being scolded by hot drinks.

Prevention: Customers advised at point of sale to be careful with hot drinks during busy periods. Drinks to be served on saucers with absorbent serviettes to soak any spillage during transportation of their drink from the bar to their seat.

Assessment: At next review.

Risk: Danger of electrocution from loose or damaged wiring.

Prevention: Duty manager to check all exposed cables for damage and vandalism at the start of the day when turning on appliances and lights. This is in accordance to the annual PAT and electrical appliances testing.

Assessment: At next review and under electricians' instructions.

Risk: Danger of customers and staff tripping due to insufficient lighting.

Prevention: Light bulbs and fittings are to be checked every morning, and replaced immediately. Lights to be turned up to maximum levels after the calling of time, and bar staff instructed to keep main customer thoroughfares clear around the bar and stairways.

Assessment: At next review.

Risk: Customers suffering adverse reaction to allergies and intolerances to food.

Prevention: Food menu to clearly state dishes that contain fish and nuts, and staff informed to liaise with kitchen staff should customers make enquiries. If in doubt – better safe than sorry.

Assessment: At next review and at Kitchen supervisors' discretion.

Section 4 – Bar and storage areas.

Risk: Danger of staff being hurt through dangerous lifting and stretching.

Prevention: All staff reminded during staff meetings of the dangers that incorrect lifting can cause, and instructed towards safe procedures. On the bar taller staff members are required to reach the top shelves, or alternatively staff expected to use stepladders in pairs.

Assessment: at next review.

Risk: Sharp blades and surfaces.

Prevention: Knives are to be kept with their blades covered when not in use, and stored handle up when not. Staff instructed to be careful with metal surfaces when cleaning.

Assessment: At next review.

Risk: Danger of scolding/burns when using coffee machine.

Prevention: Staff to take care when handling coffee filters and steamer, using the hot water tap carefully. New staff supervised on the use of this machine for their first shifts. Coffee machine not to be left unattended when in operation or steaming.

Assessment: At next review and at bar managers discretion.

Risk: Injury through incorrect use of blenders.

Prevention: Lids are to be used at all times when drinks are being blended, and particular care is to be taken when the jugs are being cleaned. Long brushes are provided for this.

Assessment: At next review.

Risk: Danger of tripping behind cramped bar.

Prevention: Boxes and trip hazards to be stored away from main bar thoroughfare.

Assessment: Daily.

Risk: Fire escape being blocked by an excess of refuse.

Prevention: Duty manager to ensure that all boxes are broken down as far as possible and stacked away from main fire escape thoroughfare. Notice placed by wheelie bins reminding staff that there are no collections on a Sunday.

Assessment: At next review and at fire inspection.

Risk: Danger of customers suffering allergies through drinks/food ingredients.

Prevention: Food menu to clearly state dishes that include nuts and fish.

Assessment: At next review.

Risk: Danger of customers tripping/falling through poor lighting and slippery floors.

Prevention: Outside lights to be turned on well before it becomes dark, lighting to remain consistent on upper floors and around stairwells.

Assessment: At next review.

Risk: Danger of unsafe exposure to cleaning agents.

Prevention: Rubber gloves to be used when changing dishwasher detergents and handling anti bacterial and window cleaner.

Assessment: At next review and at bar managers discretion.

Risk: Danger of staff injuring themselves in low basement.

Prevention: Hook and chain to be used to secure main basement door when restocking. Deliveries to be carried down in small loads to prevent risk of back injury in basement with a low ceiling. Post-mix & Gas canisters to be changed only by experienced staff with full instruction. No excess stock to be placed on stairway.

Assessment: At next review

Risk: Danger of customers being served while intoxicated.

Prevention: Staff instructed to be especially careful with serving customers who have been heavily consuming alcohol. All staff instructed towards the responsible service of alcohol and any incidents of intoxicated customers becoming violent or ill to be recorded in the bar incident book. Duty managers instructed to refuse service if any doubts.

Assessment: At next review and at bar managers discretion.

Date of next review: 6/11/2007

Fire Risk Assessment

Evil Eye Lounge, 42 Stonegate, York, YO1 8AS.

Last updated: 7th February 2007

Section 1 - Significant finding on premises.

Risk: **Danger of fire through discarded cigarette ends.**

Action: Ashtrays provided in smoking areas, to be emptied regularly. No flammable materials to be used in seating areas. Smoking not permitted in the building whatsoever.

Assessment: At next review, and at bar managers discretion.

Risk: **Danger of fire through discarded cigarette ends in waste bins.**

Action: Have informed Smoking Enforcement Officer and the HSE, at present can only monitor bins closely. Plans are in place to build a steel bin holder.

Assessment: At next review, and at bar managers discretion.

Risk: **Danger of fire through irresponsible use of liquor.**

Action: Staff informed to prevent customers from lighting alcoholic drinks – no naked flames allowed in the bar whatsoever.

Assessment: At next review.

Risk: **Danger of fire through electrical appliance fault.**

Action: Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990). Standard practice to disconnect plugs from appliances as close of business. There are no sources of fuel to be kept near any plug sockets or near appliances that may heat up in any form. There are no heaters used in plug sockets in the building.

Assessment: At next review.

Risk: **Danger of fire through overloading of electrical sockets.**

Action: Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990). There are no sources of fuel to be kept near any plug sockets or near appliances that may heat up in any form. If an adaptor is used then only low voltage electrical items are used, and adaptor is to be mounted on the wall.

Assessment: At next review.

Risk: **Danger of fire in basement.**

Action: Fire doors to be kept closed at all times and stairwells to be kept clear of stock. Postmix gas canisters to be inspected daily and changed only by trained duty supervisor. There are no electrical sockets at floor level.

Assessment: At next review.

Risk: **Danger of fire in kitchen.**

Action: Kitchen to be always staffed when open, gas supply is shut off when the kitchen is closed and cut off point tested daily by kitchen supervisor. Fire blanket, Powder and CO2 Extinguisher provided. Passageway to fire exit to be clear of debris. Fire door always closed.

Assessment: At next review and at kitchen manager's discretion.

Risk: **Danger of fire in Kitchen through Deep Fat Fryer.**

Action: Kitchen to be always staffed when open. Fire blanket, Powder Extinguisher provided. Fire door always closed. Oil temperature closely monitored, no liquids are kept near the fryers. Kitchen supervisor double checks the fryers are turned off each day and that they are always turned off at the wall socket. The metal lids are placed over each night.

Assessment: At next review and at kitchen manager's discretion.

Risk: **Danger of fire in Computer Room .**

Action: Each morning cleaners clean computers and area. No dirt, dust or materials are kept anywhere near computers. All computers are switched off at the end of the night. Any machine faults are fixed immediately by a computer technician. Computer technician to ensure computers are correctly wired and conform to correct voltage.

Assessment: At next review and at computer technicians discretion.

Risk: **Danger of fire on 3rd Floor Storage Area .**

Action: Access to this storage/office level is to be kept to a minimum. Less than 5 minutes in each hour. There is no over loading of electrical sockets. All stock is to be kept neat and tidy, General housekeeping duties are closely monitored by Manager/ Duty Manager.

Assessment: At next review and at Managers discretion.

Section 2: Means of Escape.

Basement

1. Staircase leads to ground floor. Protected by 2 fire doors. Fire Action Plan situated on wall.

Ground Floor

1. Pressure opening fire escape doors positioned at rear of bar area leading into beer garden. Access to front of premises provided through alleyway, to be lit with emergency lighting and protected by fire door. This passage-way is kept clear at all times . Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.
2. Front escape provided directly through front door of off-licence, 2 thumb turn locks provided on the door, escape route is lit with emergency lighting.
3. Side entrance fire door which leads into the escape passage outlined in 1. above. Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.

First Floor

1. Main escape route is provided by stairwell of premises. This is protected by two automatically closing fire doors, which activate automatically by relayed smoke detectors. Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.
2. Alternative escape route provided at rear of the building, through a fire door lit with emergency lighting giving access to exterior stairwell. This leads to ground floor passage.

Second Floor

1. Central stairway provides the main route of escape, through automatically closing fire door giving access to first floor. Call Point and Fire Action Plan situated next to exit.
2. Alternative escape through kitchen fire exit leading to rear external fire escape . Lit with emergency lighting and protected by fire door.

Third Floor

1. Central stairway provides the main route of escape, through fire door giving access to second floor. Call Point and Fire Action Plan situated next to exit. Also roof hatch is available in toilet that leads to neighbouring roof.

Section 3 – Fire procedure.

New staff

1. Must take Fire Safety course and achieve a 100% pass rating. Obtain a certificate.
2. Manually taken around the building and instructed on escape procedure and safety equipment.
3. Shown how to operate alarm system and shut off gas /electrics.
4. This is to be reviewed every staff meeting, usually every 1/2 months.

Alarm Sounding

Upon sounding of alarm Duty manager is to marshal customers towards fire escapes from top floors , and assemble them in front of premises on Stonegate.

Where possible make sure all doors are closed behind.

Staff are required to guide customers through fire exit doors on ground floor.

The fire is to be located, and if considered to be manageable extinguished using the appropriate extinguishers.

Fire brigade are to be called immediately by Manager/Duty Manager or Senior staff.

Duty manager must check that all staff and customers are out the building and safe.

Do not enter the building until informed it is safe to do so by the Manager, Duty Manager or Fire Brigade.

Upon discovery of a fire sound alarm

Follow above procedure

Section 4 – Fire Testing.

All fire equipment/exits are tested as follows :-

Item		Time Scale		Tester
Emergency Lighting	-	1 month	-	Fire Manager/ Manager
Fire Extinguishers	-	12 months	-	Advance Fire Services
Fire Alarm System	-	3 months	-	Advance Fire Services
Automatic Fire Doors	-	1 month	-	Fire Manager/ Manager
Fire Alarms/Break Glass	-	Weekly	-	Fire Manager/ Manager
Fire Exits	-	Daily	-	Fire Manager/ Duty Manager

Section 5 – Fire Test Sheets & Reports.

Overleaf are examples of our test sheets and logs, please check Fire Folder for completed forms.

FIRE ALARM SYSTEM TESTING

The call points and the operation of the system, including the sounders are tested **WEEKLY** using a different call point in rotation for each successive test.

- Call Point 1 - Side Entrance Door
- Call Point 2 - Rear Entrance to beer garden (back left)
- Call Point 3 - 1st Floor Landing
- Call Point 4 - 2nd Floor Landing / Stairwell
- Call Point 5 - Rear Bar Left hand side middle

To check the call points, unscrew the case screw with a posi-drive screwdriver, remove the glass and the fire alarm will sound. If for any reason you need to replace the glass there are spare ones kept on top of the main fire panel. Make sure you let all staff you are testing the system.

To reset the system screw the break glass panel back on and press system reset on the main panel.

If you find any faults then please inform the Fire Manager and Advance Fire Services immediately.

In addition, a **QUARTERLY** inspection of the whole system, including any automatic fire detection and automatic releases shall be carried out in accordance with the relevant British Standard by Advance Fire Services.

In addition, a **MONTHLY** inspection of the emergency lighting system shall be carried out in accordance with the relevant British Standard by our Fire Manager/ Manager.

In addition, an **ANNUAL** inspection of the fire equipment and extinguishers shall be carried out in accordance with the relevant British Standard by Advance Fire Services

Advance Fire Services, 21-23 Lawrence Street, York, YO10 3BP
Tel: 01904 634036 Fax: 01904 634036
Contact - Ken Lawn

Emergency Lights Checklist

Basement

1. Bottom of Stairs - Non Maintained

Ground Floor

1. Front Alleyway Door - Maintained
2. Side Alleyway Door - Maintained
3. Middle Alleyway Door - Maintained
4. Rear Alleyway Exit - Maintained
5. Bottom Fire Escape - Maintained
6. Beer Garden - Maintained
7. Above Off-License Door - Maintained
8. Middle Off-license - Maintained
9. Above Side Entrance - Maintained
10. Above Right Bar - Non Maintained
11. Central Bar - Non Maintained
12. Above Left Bar - Non Maintained
13. Rear Ceiling - Non Maintained
14. Above Rear Fire Door - Maintained

First Floor

1. Stairwell from Ground - Maintained
2. Landing to Ground - Maintained
3. Bedroom Exit - Maintained
4. PC Room Middle - Non Maintained
5. PC Room Rear Exit - Maintained
6. PC Room Rear - Non Maintained
7. 1st Floor Fire Escape - Maintained

Second Floor

1. New Office - Maintained
2. Stairwell - Non Maintained
3. Toilets - Non Maintained
4. Kitchen Entrance - Maintained
5. Kitchen Rear Exit - Maintained
6. Kitchen Rear lobby - Non Maintained
7. Outside Fire Escape Door - Maintained
8. 2nd Floor Fire Escape - Maintained

Third Floor

1. Landing - Non Maintained

Total - 31 Emergency Lights

Emergency Lights Testing Instructions

To check the lights you need to turn the mains electric off in the following areas.

1. Ground Floor Bar Lighting
Behind the bar right hand side cupboard Fuse Box, turn off the far right trip switch marked "Lights".
2. Most Other Lights
Off-license main Fuse Box, second trip switch along marked "Upstairs Lights".
3. Third Floor Single Light
Turn off marked left switch landing floor.

Once turned off, walk around the entire building with the checklist and note any faults on the record sheet.

We carry spare bulbs in the bulb cupboard in the 3rd Floor storeroom, if there aren't any left then go directly to Barnitts and purchase what you need.

- | | | |
|----------------|---|--|
| Maintained | - | A light that remains on all the time |
| Non Maintained | - | A light that only comes on when the powers off |

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL18"

Risk Assessment Form
Completed In Accordance With
The Fire Precautions (Workplace) Regulations 1997 (As Amended)

EVIL EYE LOUNGE

42 STONEGATE, YORK, YO1 8AS

FIRE RISK ASSESSMENT UPDATED ON 1st OCTOBER 2007

<ul style="list-style-type: none"> Is there a system for controlling the amounts of combustible materials and flammable liquids and gases that are kept in the workplace? 	There is a gas shut off point in the kitchen. This is checked daily by the kitchen supervisor and turned off at the close of day.
<ul style="list-style-type: none"> Are all combustible materials and flammable liquids and gases stored safely? 	Yes; Post mix gases stored safely in the basement away from fire risk.
<ul style="list-style-type: none"> Are all items of portable electrical equipment inspected regularly and fitted with the correct rated fuses? 	Yes. These are checked daily by the computer technician or day time manager.
<ul style="list-style-type: none"> Is the wiring of the electrical installation inspected periodically by a competent person? 	Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990)
<ul style="list-style-type: none"> Is the use of extension leads and multi-point adapters kept to a minimum? 	These are kept to a minimum. All appliances are low voltage if adapter is used.
<ul style="list-style-type: none"> Are flexes run in safe places where they will not be damaged? 	These are all covered and secured.
<ul style="list-style-type: none"> Is the upholstery of furniture in good condition? 	Generally yes.
<ul style="list-style-type: none"> Is the workplace free from rubbish and combustible waste materials? 	All stored outside in provided bins.
<ul style="list-style-type: none"> Is there a designated smoking area provided with adequate ashtrays? 	Customers are permitted to smoke at the rear in the beer garden and outside the front of the premises. Ashtrays are on the rear tables and the walls (rear and front).
<ul style="list-style-type: none"> Have suitable measures been taken to protect against arson? See Arson prevention check list 	Building is secure at close of business with no access to rear. CCTV is at the rear and entrances.
<ul style="list-style-type: none"> Have measures been taken to ensure that smoke and flames cannot spread from one compartment to another? 	Fire doors are installed at required points and automatically closing doors installed on first floor landing. Maintenance as per fire officers requests have been completed.

<ul style="list-style-type: none"> Is there a sufficient number of exits of suitable width for the people present? 	Yes in accordance to the capacity of each room.
<ul style="list-style-type: none"> Do the exits lead to a place of safety? 	All fire exits lead to escape point at the front of the building.
<ul style="list-style-type: none"> Are gangways and escape routes free from obstruction? 	Staff are instructed to keep fire exits totally clear at all times. This is inspected closely by the duty manager.
<ul style="list-style-type: none"> Are the escape routes free from tripping hazards? 	As above.
<ul style="list-style-type: none"> Are steps and stairs in a good state of repair? 	Structurally sound.
<ul style="list-style-type: none"> Are final exits always unlocked when the premises are in use? 	All fire doors are "push bar" opening which are never locked. Currently alleyway remains always open until premises are empty.
<ul style="list-style-type: none"> Are the self closers on fire doors operating correctly? 	Tested regularly and all fully active.
<ul style="list-style-type: none"> Do the doors on escape routes open in the direction of travel? 	Yes, apart from the front retail door which is currently being revised. Also the internal bar to alleyway door which opens inwards so as not to open into a escape route.
<ul style="list-style-type: none"> Are escape routes clearly and correctly signed? 	Yes.
<ul style="list-style-type: none"> Are escape routes adequately lit? 	Emergency lighting is fitted throughout.
<ul style="list-style-type: none"> Has consideration been given to all cost-effective measures that could be taken to prevent the occurrence of arson? 	As building is deemed as secure at close of business. No further action is considered necessary until next review.
<ul style="list-style-type: none"> Have staff been trained in how to call the fire brigade, the use of the fire extinguishers and basic fire prevention? Enter into Fire Safety Log 	At bi-annual staff training seminars staff are instructed in the use of extinguishers and walked through fire escape procedure.
<ul style="list-style-type: none"> Where escape lighting is installed is it in working order and maintained regularly? Enter into Fire Safety Log 	Yes. See fire safety log.
<ul style="list-style-type: none"> Is the fire alarm system in working order? 	Yes. Checked weekly.
<ul style="list-style-type: none"> Can the fire alarm be raised without placing anyone in danger? 	Alarm points are situated throughout the building.
<ul style="list-style-type: none"> Are the fire alarm call points clearly visible and unobstructed? 	All points are visible and sign posted in public areas.

<ul style="list-style-type: none"> • Is an adequate number of suitable fire extinguishers provided? 	Yes. These are situated at the access points of each room.
<ul style="list-style-type: none"> • Are fire extinguishers and fire blankets located suitably and ready for use? 	Yes, as above.
<ul style="list-style-type: none"> • Are the fire extinguishers serviced annually by a competent person or company? Enter into Fire Safety Log 	Yes. Advance Fire service all extinguishers.
<ul style="list-style-type: none"> • Is any fixed firefighting installation or automatic fire detection system in working order Enter into Fire Safety Log 	Emergency lighting and fire doors come into operation when alarm is triggered.
<ul style="list-style-type: none"> • If you employ five or more people have you recorded the findings of the fire risk assessment? 	Yes.
<ul style="list-style-type: none"> • Have you told your staff or their representatives about your findings? 	Yes.
<ul style="list-style-type: none"> • If you have prepared a formal report has it been shown to your staff? 	This will be enacted in the near future.
<ul style="list-style-type: none"> • Are fire action notices displayed prominently throughout the premises? 	Displayed on each floor.
<ul style="list-style-type: none"> • Has a procedure been established to review the fire risk assessment periodically? 	Yes at bi-annual review, discretion of the manager and on request from fire officers.

NOTES:

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

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THE EVIL EYE LOUNGE

EXHIBIT "IL19"

1119

Fire Risk Assessment

Evil Eye Lounge, 42 Stonegate, York, YO1 8AS.

Last updated: 6th December 2007

Section 1 - Significant finding on premises.

Risk: **Danger of fire through discarded cigarette ends.**

Action: Ashtrays provided in smoking areas, to be emptied regularly. No flammable materials to be used in seating areas. Smoking not permitted in the building whatsoever.

Assessment: At next review, and at bar managers discretion.

Risk: **Danger of fire through discarded cigarette ends in waste bins.**

Action: Have informed Smoking Enforcement Officer and the HSE, at present can only monitor bins closely. Plans are in place to build a steel bin holder.

Assessment: At next review, and at bar managers discretion.

Risk: **Danger of fire through irresponsible use of liquor.**

Action: Staff informed to prevent customers from lighting alcoholic drinks – no naked flames allowed in the bar whatsoever.

Assessment: At next review.

Risk: **Danger of fire through electrical appliance fault.**

Action: Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990). Standard practice to disconnect plugs from appliances as close of business. There are no sources of fuel to be kept near any plug sockets or near appliances that may heat up in any form. There are no heaters used in plug sockets in the building.

Assessment: At next review.

Risk: **Danger of fire through overloading of electrical sockets.**

Action: Annual PAT testing of electrical appliances as per the Electricity at Work regulations (1990). There are no sources of fuel to be kept near any plug sockets or near appliances that may heat up in any form. If an adaptor is used then only low voltage electrical items are used, and adaptor is to be mounted on the wall.

Assessment: At next review.

Risk: **Danger of fire in basement.**

Action: Fire doors to be kept closed at all times and stairwells to be kept clear of stock. Postmix gas canisters to be inspected daily and changed only by trained duty supervisor. There are no electrical sockets at floor level.

Assessment: At next review.

Risk: **Danger of fire in kitchen.**

Action: Kitchen to be always staffed when open, gas supply is shut off when the kitchen is closed and cut off point tested daily by kitchen supervisor. Fire blanket, Powder and CO2 Extinguisher provided. Passageway to fire exit to be clear of debris. Fire door always closed.

Assessment: At next review and at kitchen manager's discretion.

Risk: **Danger of fire in Kitchen through Deep Fat Fryer.**

Action: Kitchen to be always staffed when open. Fire blanket, Powder Extinguisher provided. Fire door always closed. Oil temperature closely monitored, no liquids are kept near the fryers. Kitchen supervisor double checks the fryers are turned off each day and that they are always turned off at the wall socket. The metal lids are placed over each night.

Assessment: At next review and at kitchen manager's discretion.

Risk: **Danger of fire in Computer Room .**

Action: Each morning cleaners clean computers and area. No dirt, dust or materials are kept anywhere near computers. All computers are switched off at the end of the night. Any machine faults are fixed immediately by a computer technician. Computer technician to ensure computers are correctly wired and conform to correct voltage.

Assessment: At next review and at computer technicians discretion.

Risk: **Danger of fire on 3rd Floor Storage Area .**

Action: Access to this storage/office level is to be kept to a minimum. Less than 5 minutes in each hour. There is no over loading of electrical sockets. All stock is to be kept neat and tidy, general housekeeping duties are closely monitored by Manager/ Duty Manager.

Assessment: At next review and at Managers discretion.

Section 2: Means of Escape.

Basement

1. Staircase leads to ground floor. Protected by 2 fire doors. Fire Action Plan situated on wall.

Ground Floor

1. Pressure opening fire escape doors positioned at rear of bar area leading into beer garden. Access to front of premises provided through alleyway, to be lit with emergency lighting and protected by fire door. This passage-way is kept clear at all times. Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.
2. Front escape provided directly through front door of off-licence, 2 thumb turn locks provided on the door, escape route is lit with emergency lighting.
3. Side entrance fire door which leads into the escape passage outlined in 1. above. Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.

First Floor

1. Main escape route is provided by stairwell of premises. This is protected by two automatically closing fire doors, which activate automatically by relayed smoke detectors. Escape signs positioned on wall. Call Point and Fire Action Plan situated next to exit.
2. Alternative escape route provided at rear of the building, through a fire door lit with emergency lighting giving access to exterior stairwell. This leads to ground floor passage.

Second Floor

1. Central stairway provides the main route of escape, through automatically closing fire door giving access to first floor. Call Point and Fire Action Plan situated next to exit.
2. Alternative escape through kitchen fire exit leading to rear external fire escape. Lit with emergency lighting

and protected by fire door.

Third Floor

1. Central stairway provides the main route of escape, through fire door giving access to second floor. Call Point and Fire Action Plan situated next to exit. Also roof hatch is available in toilet that leads to neighbouring roof.

Section 3 – Fire procedure.

New staff

1. Must take Fire Safety course and achieve a 100% pass rating. Obtain a certificate.
2. Manually taken around the building and instructed on escape procedure and safety equipment.
3. Shown how to operate alarm system and shut off gas /electrics.
4. This is to be reviewed every staff meeting, usually every 1/2 months.

Alarm Sounding

Upon sounding of alarm Duty manager is to marshal customers towards fire escapes from top floors , and assemble them in front of premises on Stonegate.

Where possible make sure all doors are closed behind.

Staff are required to guide customers through fire exit doors on ground floor.

The fire is to be located, and if considered to be manageable extinguished using the appropriate extinguishers.

Fire brigade are to be called immediately by Manager/Duty Manager or Senior staff.

Duty manager must check that all staff and customers are out the building and safe.

Do not enter the building until informed it is safe to do so by the Manager, Duty Manager or Fire Brigade.

Upon discovery of a fire sound alarm

Follow above procedure

Section 4 – Fire Testing.

All fire equipment/exits are tested as follows :-

Item		Time Scale		Tester
Emergency Lighting	-	1 month	-	Fire Manager/Manager
Fire Extinguishers	-	12 months	-	Advance Fire Services
Fire Alarm System	-	3 months	-	Advance Fire Services
Automatic Fire Doors	-	3 months	-	Advance Fire Services
Fire Alarms/Break Glass	-	Weekly	-	Fire Manager/Manager
Fire Exits	-	Daily	-	Fire Manager/Duty Manager

Section 5 – Fire Test Sheets & Reports.

Overleaf are examples of our test sheets and logs, please check Fire Folder for completed forms.

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

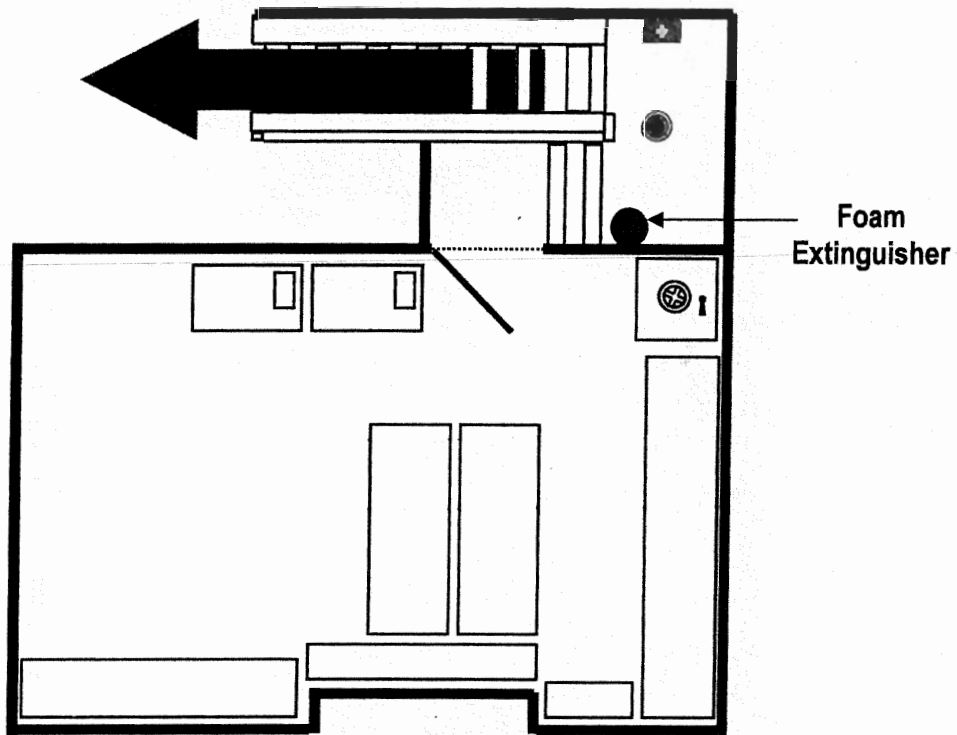
-v-

THE EVIL EYE LOUNGE

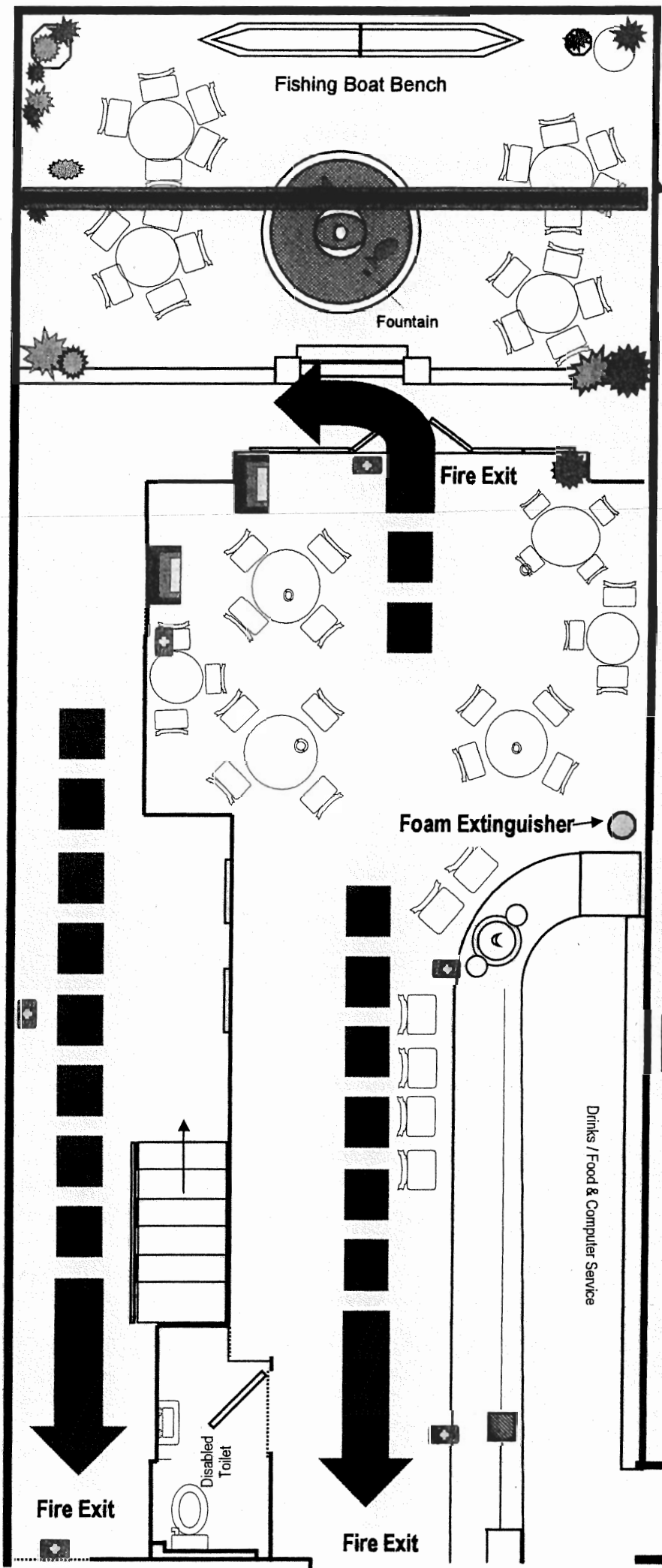
EXHIBIT "IL20"

1120

EVIL EYE LOUNGE - BASEMENT PLAN



FIRE ESCAPE ROUTE



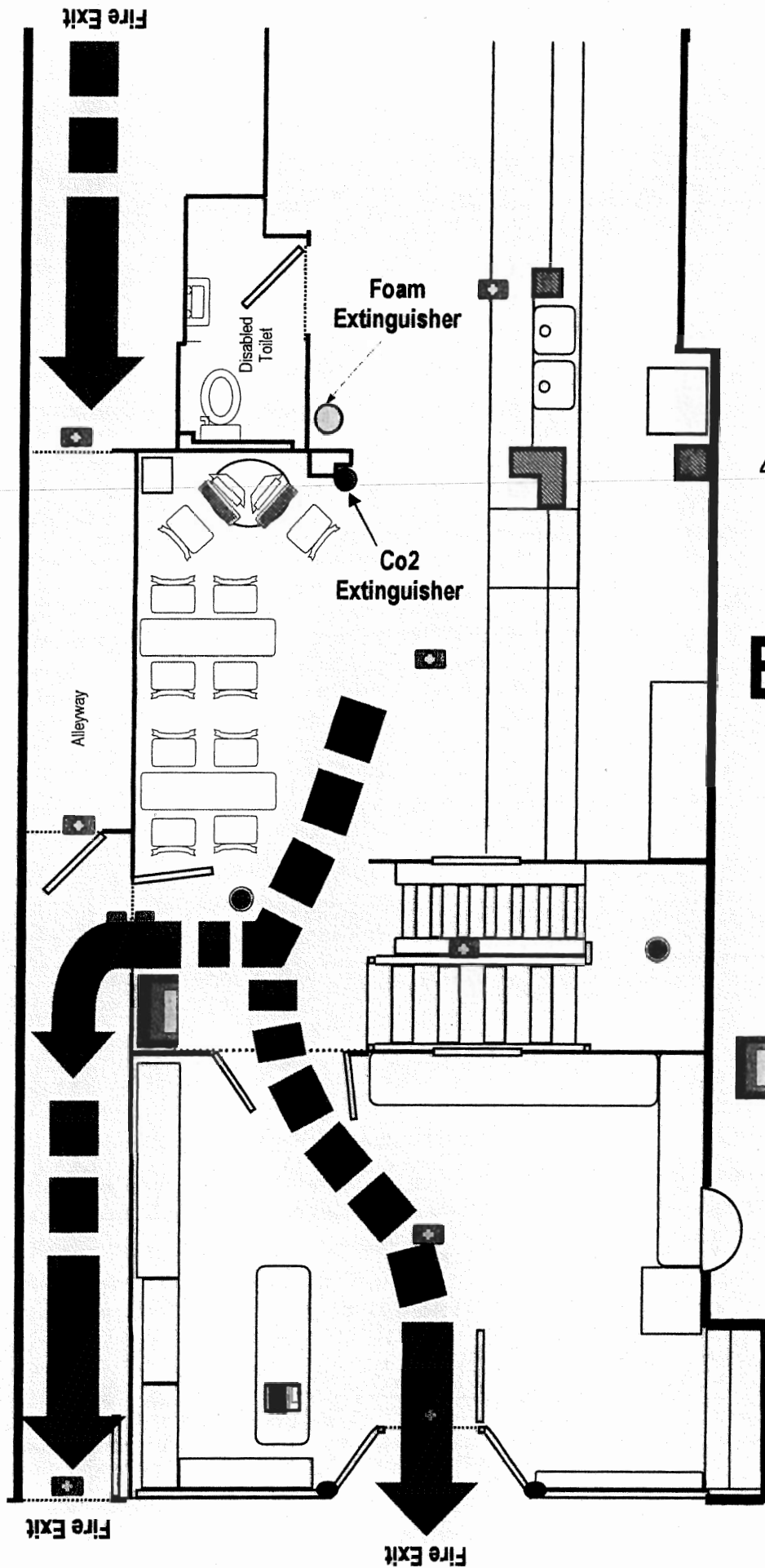
EVIL EYE LOUNGE

GROUND FLOOR PLAN

42 STONEGATE, YORK

FIRE ESCAPE ROUTE

Break Glass Point



**EVIL EYE
LOUNGE**

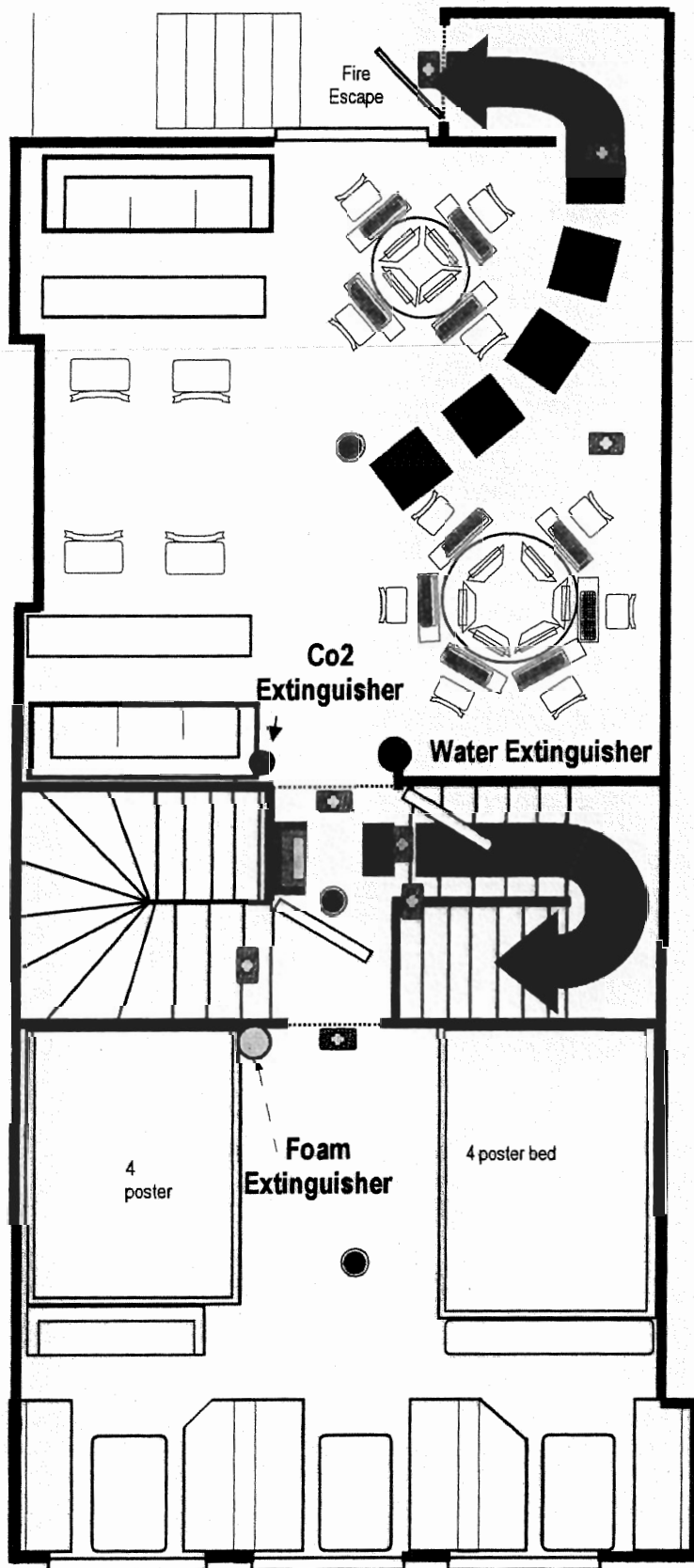
**GROUND
FLOOR
PLAN**

42 STONEGATE, YORK

**FIRE
ESCAPE
ROUTE**

**Break Glass
Point**

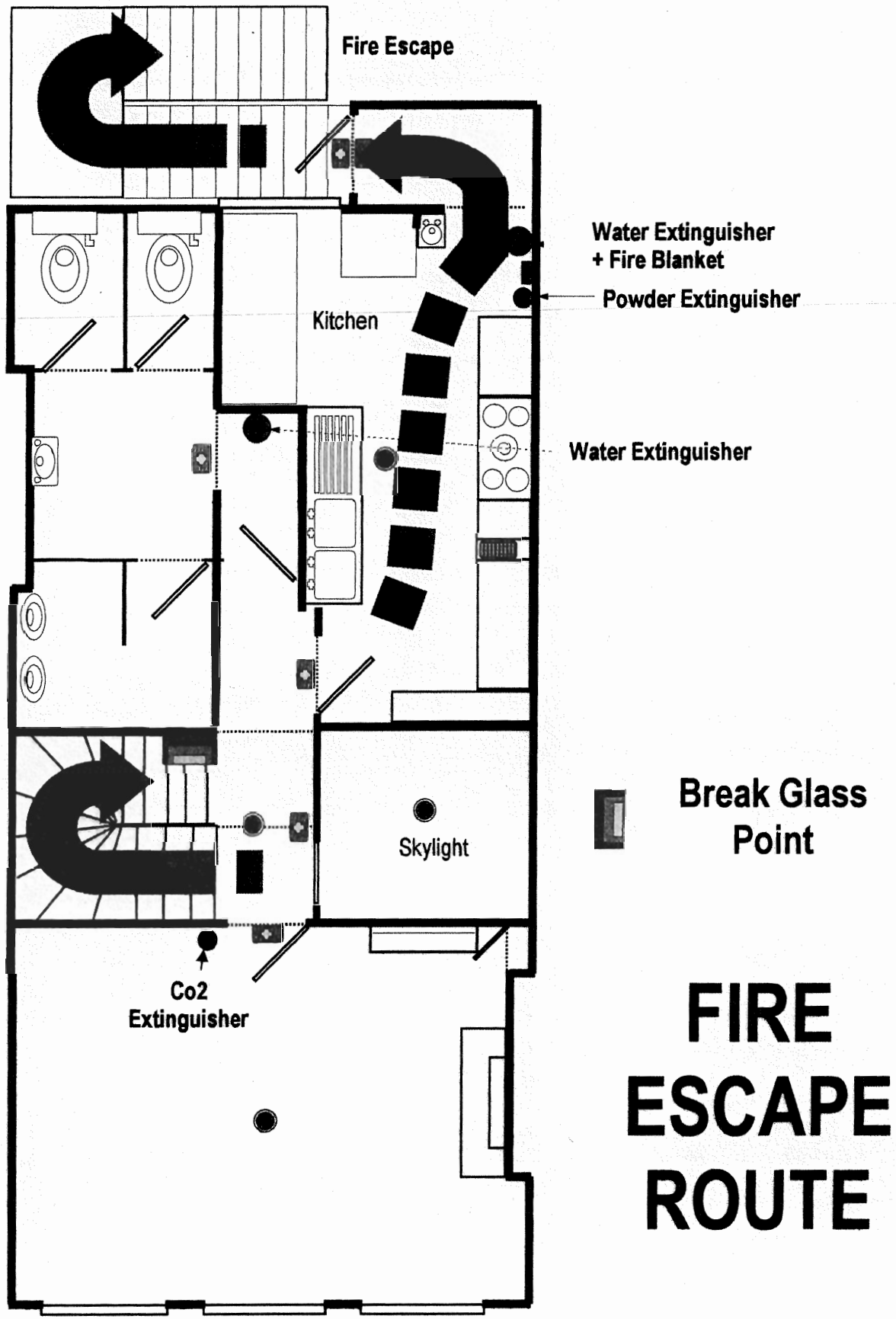
EVIL EYE LOUNGE - FIRST FLOOR PLAN



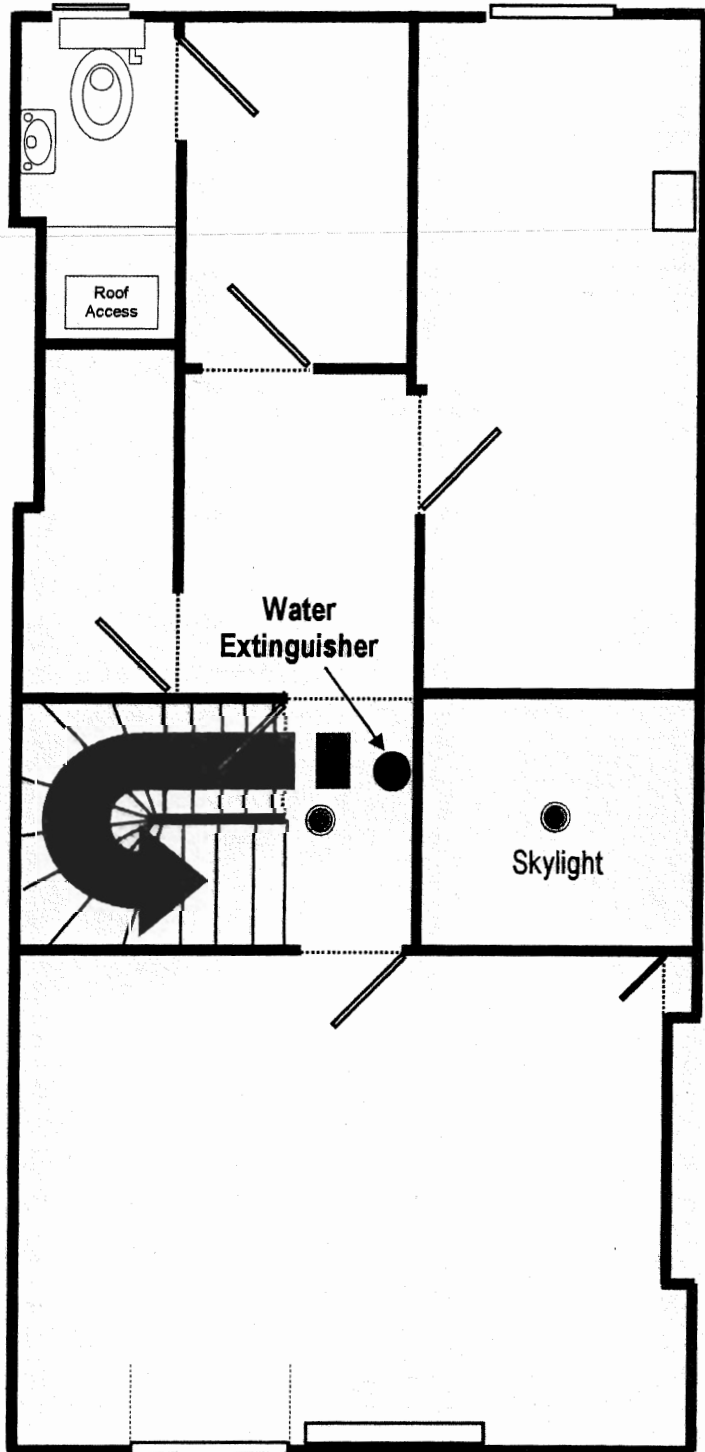
FIRE ESCAPE ROUTE

Break Glass Point

EVIL EYE LOUNGE - SECOND FLOOR PLAN



EVIL EYE LOUNGE - THIRD FLOOR PLAN



**FIRE
ESCAPE
ROUTE**



Fire action

If you discover a fire



Sound the alarm.

Operate the nearest alarm call point.



Call the Fire Brigade.

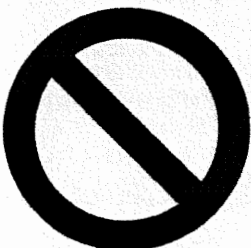
Dial 999



**Leave the building
by the nearest exit.**



**Report to the assembly point :
Outside the front on Stonegate**



DO NOT collect personal belongings.

**DO NOT enter the building unless
instructed to do so.**

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-V-

THE EVIL EYE LOUNGE

EXHIBIT "IL21"

Ian please see attached email from Greg to the fire officer (with recommendations) and the Fire Officers response.

Nick Rhodes
 Director
 Dearle & Henderson
 Tel: 0113 220 4030
 Fax: 0113 220 4031
 Mobile: 07793 414 437
 Email: nrhodes@d-h.co.uk
 Web: www.dearle-henderson.co.uk
 Address: 14 Foundry Street, Leeds, LS11 5QP

Dearle & Henderson is a Trading name of Erinaceous Consultancy Services Ltd. Registered office: Phoenix House, 11 Wellesley Road, Croydon, England CR0 2 NW. Registered in England: 2660273. Vat registration number: 815365039.

Please consider the environment before you print this document

----- Forwarded by Nick Rhodes/DHL/D-H on 17/01/2008 13:31 -----

Greg Boswell

To: Nick Rhodes/DHL/D-H@D-H

17/01/2008 13:29

cc:

Subject: RE: {Clean} the Evil Eye Lounge - 42 Stonegate York

Greg Boswell
 Senior Building Surveyor
 Dearle & Henderson
 Tel: 0113 220 4030
 Fax: 0113 220 4031
 Mobile: 07968 352194
 Email: gboswell@d-h.co.uk
 Web: www.dearle-henderson.co.uk
 Address: 14 Foundry Street, Leeds, LS11 5QP

Dearle & Henderson is a trading name of Erinaceous Consultancy Services Ltd. Registered office: Phoenix House, 11 Wellesley Road, Croydon, England CR0 2 NW. Registered in England: 2660273. Vat registration number: 815365039.

Please consider the environment before you print this document

----- Forwarded by Greg Boswell/DHL/D-H on 17/01/2008 13:19 -----

"Alan Bell" <Alan.Bell@northyorksfire.gov.uk>

To: "Greg Boswell" <gboswell@d-h.co.uk>

07/01/2008 11:33

cc: "Hilary Hustwick" <Hilary.Hustwick@northyorksfire.gov.uk>

Subject: RE: {Clean} the Evil Eye Lounge - 42 Stonegate York

Greg

Happy New Year and thanks for the e-mail detailing proposals for the Evil Eye Lounge in Stonegate, York.

Much of what is proposed seems sensible and acceptable although I have made a few comments to hopefully clarify our position on a few matters. However, it would be useful if you could put a final schedule together in the form of an action plan and address it to the Fire Safety office at York who will become the point of contact for this matter.

Basement - Acceptable

Ground floor - From past experience it is unlikely that English Heritage or DDA requirements actually prevent such a request although other regulatory authorities will impose their own conditions that will need to be satisfied and is ultimately a business decision that would have to be taken by the building owner/occupier to determine the cost/benefit of an increased occupancy.

First floor - A full L3 system is probably more than absolutely necessary for a premises of this type although providing an L3 system instead of an L4/5 may provide compensation for other matters such as compromised fire resistance in other areas such as a store cupboard leading onto the means of escape.

Secondary FR glazing will be an acceptable alternative to full replacement of the glazing with FR glazing so long as the product is certified or guaranteed to provide 30 minutes FR. The glazing should also be installed by an approved installer who is able to produce an installation certificate or similar guarantee.

Second Floor - Kitchen? Presume it will continue to be used with alternative escape for staff via the external stair with protected route 1.8m horizontally and full height vertically

Loft space - Assessment should be made of the requirement of electric supply for the appliances permanently connected to the mains (Fridges and freezers) and additional sockets provided by qualified electrician if necessary

Relocate office to 2nd floor front room.

Loft space for storage only – staff only – limited time to be spent within the loft space.

External - Given the strategic importance of the external fire escape and its importance as part of the the alternative exit route from the rear of the ground floor, the AFD should be extended to cover the lockable container. Lockable container should be guaranteed minimum 30 minutes FR and have a "Keep Locked Shut" notice.

Emergency Lighting should operate on a mains, or local sub-circuit, failure as well as any other device.

Managerial Requirements - The bolt should be removed from the front door and security measures to secure the front door should incorporate a key that should be removed from the locks when the door is required to be unlocked to prevent inadvertent locking. Signage should be provided to indicate the door must be unlocked when the premises are occupied.

Timescales

With regard to the Enforcement Notice for the premises, the Fire Authority are able to provide an extension of time to the deadline if it can be seen that reasonable progress is being made, although we would expect more simple matters, such as the removal of the bolt on the front door, to be completed by the deadline date.

The Fire Authority can not grant an extension to the Enforcement Notice until it is formally applied for, in writing, by Mr Loftus, on whom the Notice was served and the extension should not be applied for until evidence is in place that reasonable progress is being made, otherwise it will probably be refused.

Further correspondence should be addressed to: **Hilary Hustwick, York Fire Safety Office, Clifford Street, York, YO1 9RD (hilary.hustwick@northyorksfire.gov.uk)**

All the best

Alan Bell
Station Manager

North Yorkshire Fire & Rescue Service
Fire Service Headquarters
Thurston Road
Northallerton
DL6 2ND

T: 01609 788570
M: 07786 703054
F: 01609 788520
E: alan.bell@northyorksfire.gov.uk
W: www.northyorksfire.gov.uk

From: Greg Boswell [mailto:gboswell@d-h.co.uk]
Sent: 02 January 2008 16:48
To: Alan Bell
Cc: Nick Rhodes
Subject: {Clean} the Evil Eye Lounge - 42 Stonegate York

Good afternoon and happy new year,

we spoke before Christmas and briefly discussed the notice served on the above premises. We have since been and visited the property with a view to submitting proposals for alteration works in order to satisfy the notice. The tenant is aware he has to make compromises with regards using the property. The main two items are the capacity remaining at 100 - because the alterations to the shop front (inward opening door) would probably not be granted. The tenant is also going to discontinue using the front room on the second floor for use by the public. It is his intention to relocate his 'office' in the attic to this room, making it staff only (key pad access) and the only need for the public to enter onto that floor is for use of the WC's. This will also nullify staff use of the attic.

We have discussed upgrading of fire doors, signage, safety management of the property, extension of the FA system etc etc. I have shown below our initial thoughts on how best to satisfy the fire regulations. At this stage we have not made specifications. It would be beneficial if you could have a quick look at our initial proposals so we can discuss them further.

Please feel free to contact me to discuss them

Basement

Upgrade door from ground floor area to basement. Provide a FD60 fire door and complete the sealing and fire protection around the door.

Install a mechanical access control pad to prevent unauthorised people entering the basement area. Seal all holes round pipe work with fire foam.

Board out the u/s of the stairs with fire line board to meet the required fire resistance

Ground floor

The occupancy levels have been restricted due to the main entry door to the shop area opening inwards, this would have to open outwards in order to increase capacity. This does not seem viable as the door would open onto the footpath, beyond the shop front, hence alterations would be required to the shop front. Ultimately we do not think proposals to alter the front would be approved by English Heritage. Therefore the tenant accepts this may leave his capacity reduced.

First floor

Extend the FA system to cover all rooms, providing detection and sounders.

Upgrade the signage to the fire doors

Upgrade the fire doors with intumescent strips and smoke seals, closers etc.

Install secondary glazing to the window that runs by the external fire escape.

Second Floor

Discontinue public use of the front room.
Door to be upgraded and used by staff only with key access.
Upgrade hatch door to required fire resistance.

Loft space.

Relocate office to 2nd floor front room.
Loft space for storage only – staff only – limited time to be spent within the loft space.

External

Install fire resistant lockable container in order to store refuge bins below the external fire escape, thus relieving the storage problem to the external public area to the rear of the property.
Install additional lighting to external fire escapes – to be on PIR and provide sufficient illumination to egress the building safely.

Managerial Requirements

Make sure all fire doors comply by use of intumescent strips, smoke seals, door closers etc.
Upgrade signage by means of luminescent signage.
Mount floor plans on each floor level indicating escape routes.
Hold open door from escape passage onto street
Refrain from bolting the main shop front door when required as point of egress
Monitor occupancy levels
Maintain clear fire escape routes, free from stored goods or combustible materials
Ensure Fire Safety Risk Assessment is up to date, regularly checked and reviewed and meets the current Fire Safety requirements

kind regards

Greg Boswell
Senior Building Surveyor
Dearle & Henderson
Tel: 0113 220 4030
Fax: 0113 220 4031
Mobile: 07968 352194
Email: gboswell@d-h.co.uk
Web: www.dearle-henderson.co.uk
Address: 14 Foundry Street, Leeds, LS11 5QP

Dearle & Henderson is a trading name of Erinaceous Consultancy Services Ltd. Registered office: Phoenix House, 11 Wellesley Road, Croydon, England CR0 2 NW. Registered in England: 2660273. Vat registration number: 815365039.

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North Yorkshire Fire and Rescue Authority.

SMOKE ALARMS SAVE LIVES - CHECK YOUR BATTERIES!

<http://www.northyorksfire.gov.uk>

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL22"

1122

Hilary Hustwick

From: Burton, Ray [Ray.Burton@york.gov.uk]
Sent: 11 December 2007 11:54
To: Hilary Hustwick
Subject: {Clean} Evil Eye. Stnegate, York

Hello Hilary

I carried out an inspection at the subject address on the 25/10/07. I followed this up with a letter to the manager, Steve Atkinson, on the 29/10/07. The matter discussed concerned the extent of the deployment of the canopy at the rear of the premises. I do not recall discussing waste bins on the 25th nor was the matter referred to in my letter dated 29th Nov.

Hope this is useful

Ray Burton
Smoke-free

* * * * *

Help protect the environment - please don't print this email unless you really need to.

* * * * *

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NORTH YORKSHIRE FIRE AND RESCUE SERVICE

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THE EVIL EYE LOUNGE

EXHIBIT "IL23"

IL23

FIRE ALARM SYSTEM TESTING

The call points and the operation of the system, including the sounders are tested **WEEKLY** using a different call point in rotation for each successive test.

- Call Point 1 - Side Entrance Door
- Call Point 2 - Rear Entrance to beer garden
- Call Point 3 - 1st Floor Landing
- Call Point 4 - 2nd Floor Landing / Stairwell

To check the call points, unscrew the case screw with a posi-drive screwdriver, remove the glass and the fire alarm will sound. If for any reason you need to replace the glass there are spare ones kept on top of the main fire panel. Make sure you let all staff you are testing the system.

To reset the system screw the break glass panel back on and press system reset on the main panel.

If you find any faults then please inform the Fire Manager and Advance Fire Services immediately.

In addition, a **QUARTERLY** inspection of the whole system, including any automatic fire detection and automatic releases shall be carried out in accordance with the relevant British Standard by Advance Fire Services.

In addition, a **SIX MONTHLY** inspection of the emergency lighting system shall be carried out in accordance with the relevant British Standard by Advance Fire Services.

In addition, an **ANNUAL** inspection of the fire equipment and extinguishers shall be carried out in accordance with the relevant British Standard by Advance Fire Services

Advance Fire Services, 21-23 Lawrence Street, York, YO10 3BP
Tel: 01904 634036 Fax: 01904 634036
Contact - Ken Lawn

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL24"

1624

Advance Fire Services

Sales & Service of all Fire Equipment

21-23 Lawrence Street · York YO10 3BP

Tel/Fax: 01904 634036



Est. 1976



Certificate No. 01407

Certificate of Inspection

INVOICE ADDRESS	
The Evil Eye Lounge 42 Stonegate York	

LOCATION ADDRESS	

QTY	FIRE EQUIPMENT	SIZE	GOOD	U/S
2	WATER	9 ltr	2	
	"	6 ltr		
	FOAM	9 ltr		
4	"	6 ltr	4	
	"	2 ltr		
	FIRE BLANKETS	1.1 m x 1.1 m		
	" "	1.2 m x 1.2 m		
	HOSE REELS	19 mm/30 m		
	" "	25 mm/30 m		

QTY	FIRE EQUIPMENT	SIZE	GOOD	U/S
1	DRY POWDER	1 kg/2 1/2 lb	1	
	" "	4.4 lb		
	" "	2 kg/5 lb		
	" "	3 kg/7 lb		
	" "	4.5 kg/10 lb		
	" "	6 kg/13 lb		
	" "	7 kg/15 lb		
	" "	9 kg/20 lb		
	" "	12 kg/25 lb		
4	CO ₂	1 kg/2 1/2 lb	4	
	"	2 kg/5 lb		
	"	3 kg/7 lb		
	"	5 kg/10 lb		

AUTOMATIC FIRE ALARM SYSTEM	PASSED	FAILED
The system is operational and has been checked and tested in accordance with BS5839 Part 1 1988		

QTY	REFILLS & PARTS USED
11	A.T.S.
2	2kg CO ₂ Service Exch
1	2kg CO ₂ R/C
1	A.F.F.F.

EMERGENCY LIGHTING SYSTEM	PASSED	FAILED
The system is operational and has been checked and tested in accordance with BS5266 Part 1 1988		

NURSE CALL SYSTEM	PASSED	FAILED
The system is operational and has been checked and tested.		

CUSTOMER'S SIGNATURE: *[Signature]*

ENGINEER'S SIGNATURE: *[Signature]*

DATE: 16/11/07

PARAGON Tel: 01977 809710 Ref: 030037

Advance Fire Services

Sales & Service of all Fire Equipment

21-23 Lawrence Street · York YO10 3BP

Tel/Fax: 01904 634036

1124



Est. 1976



Certificate No. 08351

Certificate of Inspection

INVOICE ADDRESS

The Evil Eye Lounge
42 Stonegate
YORK

LOCATION ADDRESS

SAME

QTY	FIRE EQUIPMENT	SIZE	GOOD	U/S
3	WATER	9 ltr	3	
	"	6 ltr		
	FOAM	9 ltr		
4	"	6 ltr	4	
	"	2 ltr		
	FIRE BLANKETS	1.1 m x 1.1 m		
	"	1.2 m x 1.2 m		
	HOSE REELS	19 mm/30 m		
	"	25 mm/30 m		

QTY	FIRE EQUIPMENT	SIZE	GOOD	U/S
1	DRY POWDER	1 kg/2 1/2 lb	1	
	"	4.4 lb		
	"	2 kg/5 lb		
	"	3 kg/7 lb		
	"	4.5 kg/10 lb		
	"	6 kg/13 lb		
	"	7 kg/15 lb		
	"	9 kg/20 lb		
	"	12 kg/25 lb		
	CO ₂	1 kg/2 1/2 lb		
4	"	2 kg/5 lb	4	
	"	3 kg/7 lb		
	"	5 kg/10 lb		

AUTOMATIC FIRE ALARM SYSTEM

PASSED FAILED

The system is operational and has been checked and tested in accordance with BS5839 Part 1 1988

EMERGENCY LIGHTING SYSTEM

PASSED FAILED

The system is operational and has been checked and tested in accordance with BS5266 Part 1 1988

NURSE CALL SYSTEM

PASSED FAILED

The system is operational and has been checked and tested.

REFILLS & PARTS USED

12 ATS
1 55 GM
1 75 GM

CUSTOMER'S SIGNATURE: _____

ENGINEER'S SIGNATURE: _____

DATE: 24/11/06

Advance Fire Services

Sales & Service of all Fire Equipment

21-23 Lawrence Street · York YO10 3BP
Tel/Fax: 01904 634036



Est. 1976



Certificate No. 05289

Certificate of Inspection

INVOICE ADDRESS	
THE EVIL EYE LOUNGE 42 STONEGATE YORK.	

LOCATION ADDRESS	

QTY	FIRE EQUIPMENT	SIZE	GOOD	U/S
2	WATER	9 ltr	2	
	"	6 ltr		
	FOAM	9 ltr		
4	"	6 ltr	4	
	"	2 ltr		
	FIRE BLANKETS	1.1 m x 1.1 m		
	" "	1.2 m x 1.2 m		
	HOSE REELS	19 mm/30 m		
	" "	25 mm/30 m		

QTY	FIRE EQUIPMENT	SIZE	GOOD	U/S
1	DRY POWDER	1 kg/2 1/2 lb	1	
	" "	4.4 lb		
	" "	2 kg/5 lb		
	" "	3 kg/7 lb		
	" "	4.5 kg/10 lb		
	" "	6 kg/13 lb		
	" "	7 kg/15 lb		
	" "	9 kg/20 lb		
	" "	12 kg/25 lb		
	CO ₂	1 kg/2 1/2 lb		
4	"	2 kg/5 lb	4	
	"	3 kg/7 lb		
	"	5 kg/10 lb		

AUTOMATIC FIRE ALARM SYSTEM	PASSED	FAILED
The system is operational and has been checked and tested in accordance with BS5839 Part 1 1988		

QTY	REFILLS & PARTS USED
11	A.T.S.
1	9LTR W/R
2	CLIPS
3	STD BRACKETS
1	CO ₂ BRACKET
4	FIXES.

EMERGENCY LIGHTING SYSTEM	PASSED	FAILED
The system is operational and has been checked and tested in accordance with BS5266 Part 1 1988		

NURSE CALL SYSTEM	PASSED	FAILED
The system is operational and has been checked and tested.		

CUSTOMER'S SIGNATURE: _____

ENGINEER'S SIGNATURE: *Paul M.*

DATE: 22/11/05

Advance Fire Services

Sales & Service of all Fire Equipment

21-23 Lawrence Street · York YO10 3BP
Tel/Fax: 01904 634036



Est. 1976



Certificate No. 02401

Certificate of Inspection

INVOICE ADDRESS	
FOREVER CHANGES 42 STONEGATE York YO1 8AS	

LOCATION ADDRESS	
SAME	

QTY	FIRE EQUIPMENT	SIZE	GOOD	U/S
	WATER	9 ltr		
	"	6 ltr		
	FOAM	9 ltr		
	"	6 ltr		
	"	2 ltr		
	FIRE BLANKETS	1.1 m x 1.1 m		
	"	1.2 m x 1.2 m		
	HOSE REELS	19 mm/30 m		
	"	25 mm/30 m		

QTY	FIRE EQUIPMENT	SIZE	GOOD	U/S
	DRY POWDER	1 kg/2 1/2 lb		
	"	4.4 lb		
	"	2 kg/5 lb		
	"	3 kg/7 lb		
	"	4.5 kg/10 lb		
	"	6 kg/13 lb		
	"	7 kg/15 lb		
	"	9 kg/20 lb		
	"	12 kg/25 lb		
	CO ₂	1 kg/2 1/2 lb		
	"	2 kg/5 lb		
	"	3 kg/7 lb		
	"	5 kg/10 lb		

AUTOMATIC FIRE ALARM SYSTEM	PASSED	FAILED
The system is operational and has been checked and tested in accordance with BS5839 Part 1 1988	✓	

EMERGENCY LIGHTING SYSTEM	PASSED	FAILED
The system is operational and has been checked and tested in accordance with BS5266 Part 1 1988		

NURSE CALL SYSTEM	PASSED	FAILED
The system is operational and has been checked and tested.		

QTY	REFILLS & PARTS USED

CUSTOMER'S SIGNATURE: _____

ENGINEER'S SIGNATURE: _____

DATE: 29/11/04

LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-V-

THE EVIL EYE LOUNGE

EXHIBIT "IL24a"

Advance Fire Services

Sales & Service of all Fire Equipment

21-23 Lawrence Street · York YO10 3BP
Tel/Fax: 01904 634036



Est. 1976



Mr Ian Lofthouse
The Evil Eye Lounge
Stonegate
York

8 February 2008

Dear Mr Lofthouse

I write further to our meeting on Thursday 31 January 2008, when we met with various other parties, including Alan Bell and Jim Bowes, representatives of the North Yorkshire Fire and Rescue Service.

During the meeting, we discussed the works to be carried out to your existing fire alarm and emergency lighting systems as identified in their earlier report, along with any additional works required.

I can now confirm that the work relating to the fire alarm and emergency lighting systems, as identified in the report along with those discussed on the day, have now been carried out by Advance Fire.

Should you require any further details or information, please do not hesitate to contact me.

Yours sincerely

K R Lawn

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NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

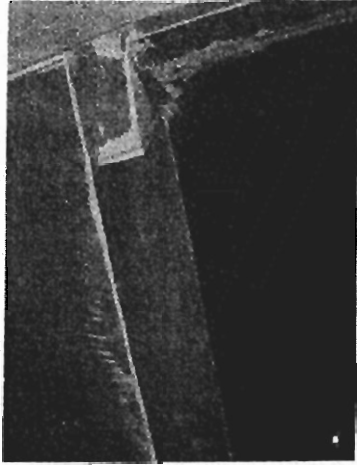
THE EVIL EYE LOUNGE

EXHIBIT "IL25"

1125

Basement Works

Underneath the stairs were already plastered, firstly the holes were filled with fire foam, then the walls/ceiling boarded with fire board, then plastered. The doors are both 60 minute fire doors, all means of propping the doors open are removed and a push button key lock is placed on the upper door.



Skylight Work

The skylight cabling was tidied up. There were 2 old RF cables and an RJ45 cable that were removed. All holes were sealed. The door was fire boarded and filled.



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NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-V-

THE EVIL EYE LOUNGE

EXHIBIT "IL26"

1126

EVIL EYE DAILY BAR LOG

Date:

Duty Manager	AM	
	PM	

Change Order

Fruit Order

Float	Middleman	Coffee Love	Alpha	Offy
End of night				
Take				
Reconcile +/-				

Fire Exits	Alleyway			
	Back Doors			
	Computer Room			
	Kitchen			
	Basement Stairs			

Toilets	Disabled	Upstairs	AM	PM

General Comments / State	
Front of building	
Alleyway	
Downstairs seating area	
Computer room	
Bedroom	
Kitchen	
Stairs	

Any other notes:

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NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-V-

THE EVIL EYE LOUNGE

EXHIBIT "IL27"

LLLT

Capacity

The following photos are shots of Friday and Sunday evening in January. This is the quietest time of the year but every evening and at present Friday, Saturday & Sunday daytime we reach a capacity of 100 people. We have to employ a fulltime member of staff for half the week to stand outside and monitor the entrances with clickers. With over 150 seats in the building it is a struggle to make the place look busy even with the 2nd floor room closed down. We have lost our buffet hire room and our turnover has dropped by almost half. There is no doubt in my mind the business will have to change in order to survive, I am considering reducing the size of the bar to half but that will only create more seating! This years plan was to remove the retail shop and add computers to the front for internet and printing but once again it will increase capacity so we cannot go ahead with that either. I have already cut the staff by 40%.



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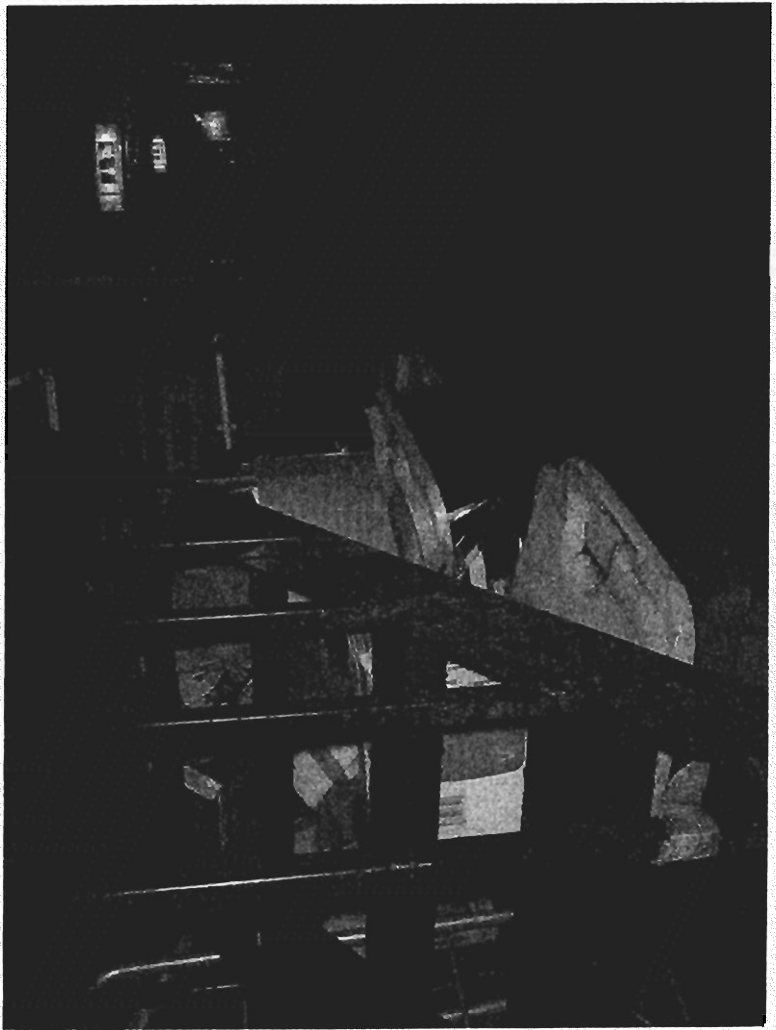
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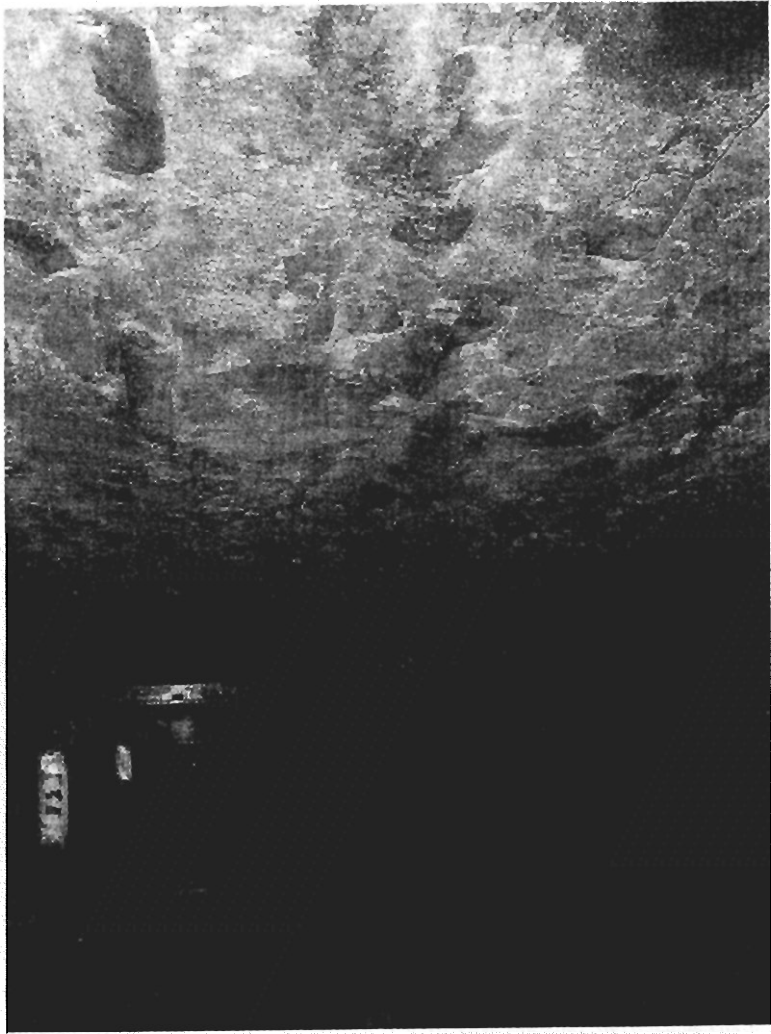
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THE EVIL EYE LOUNGE

EXHIBIT "IL28"

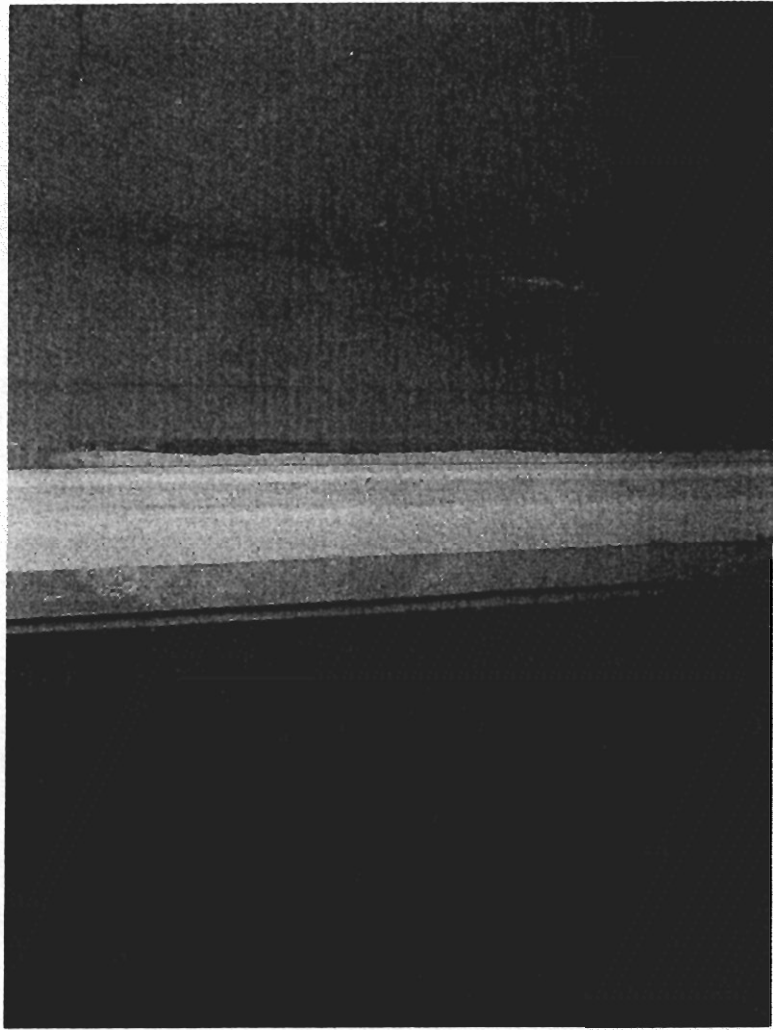
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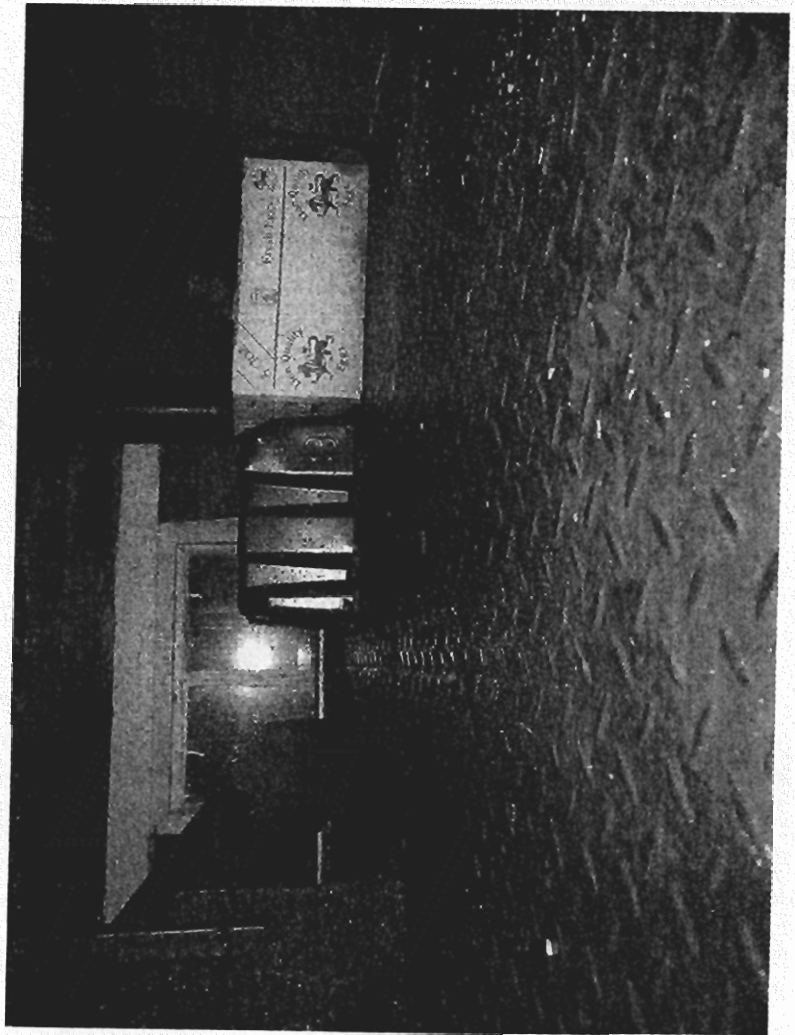


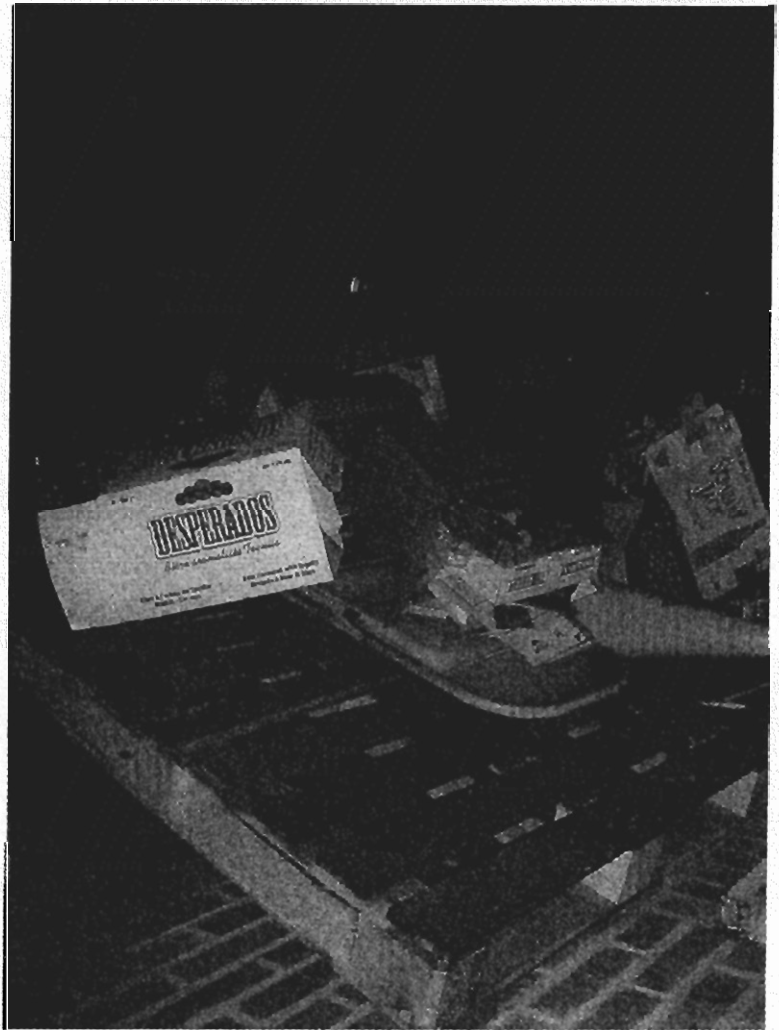


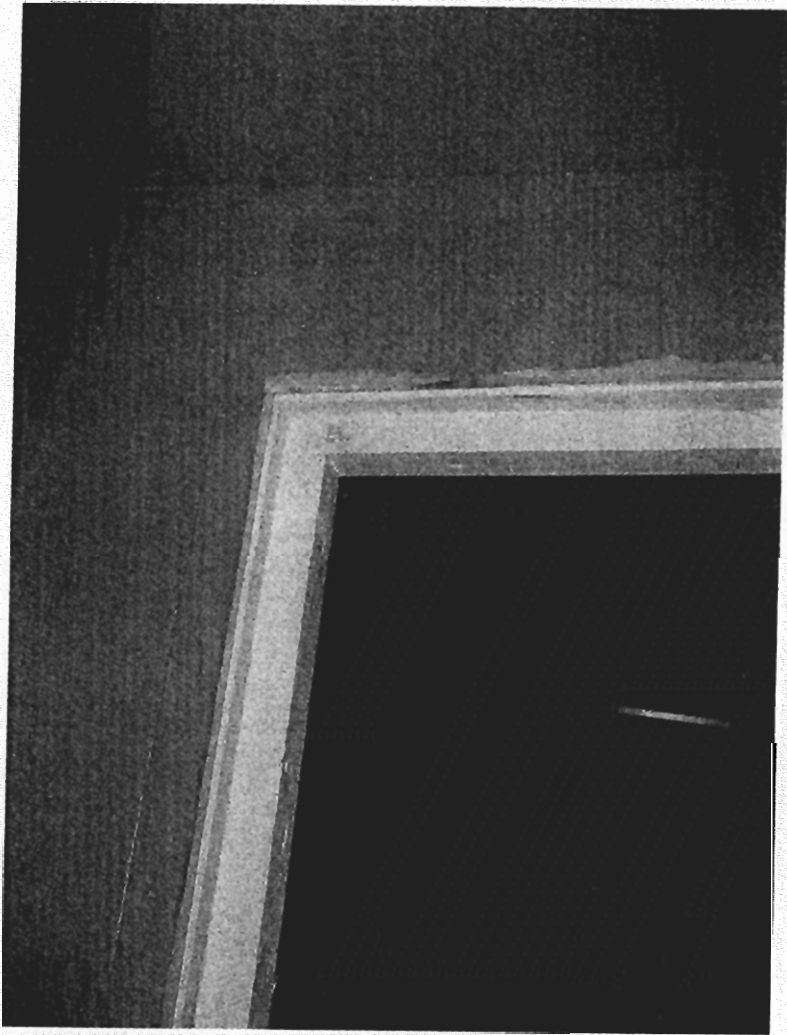


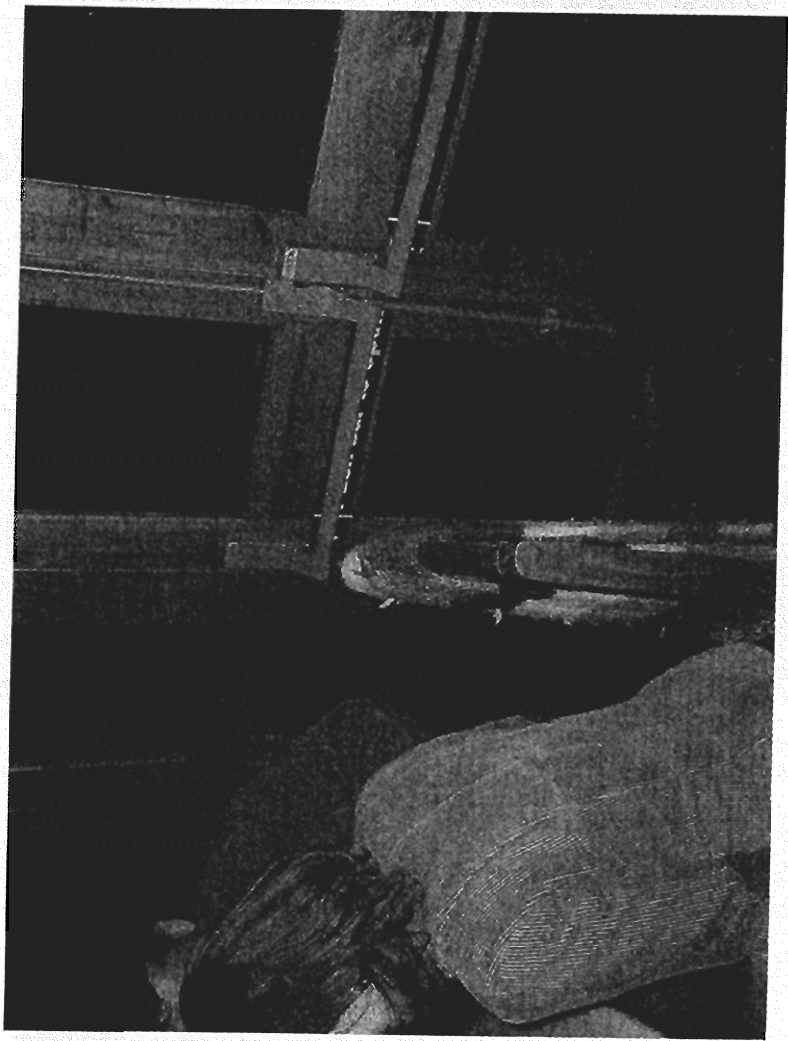




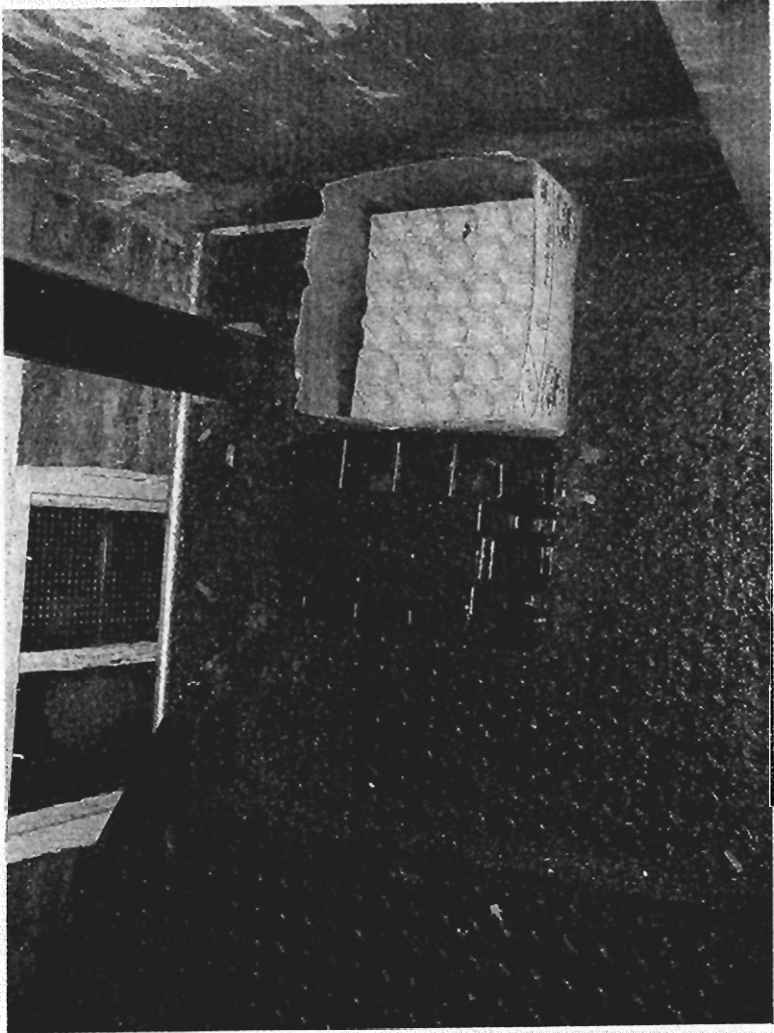




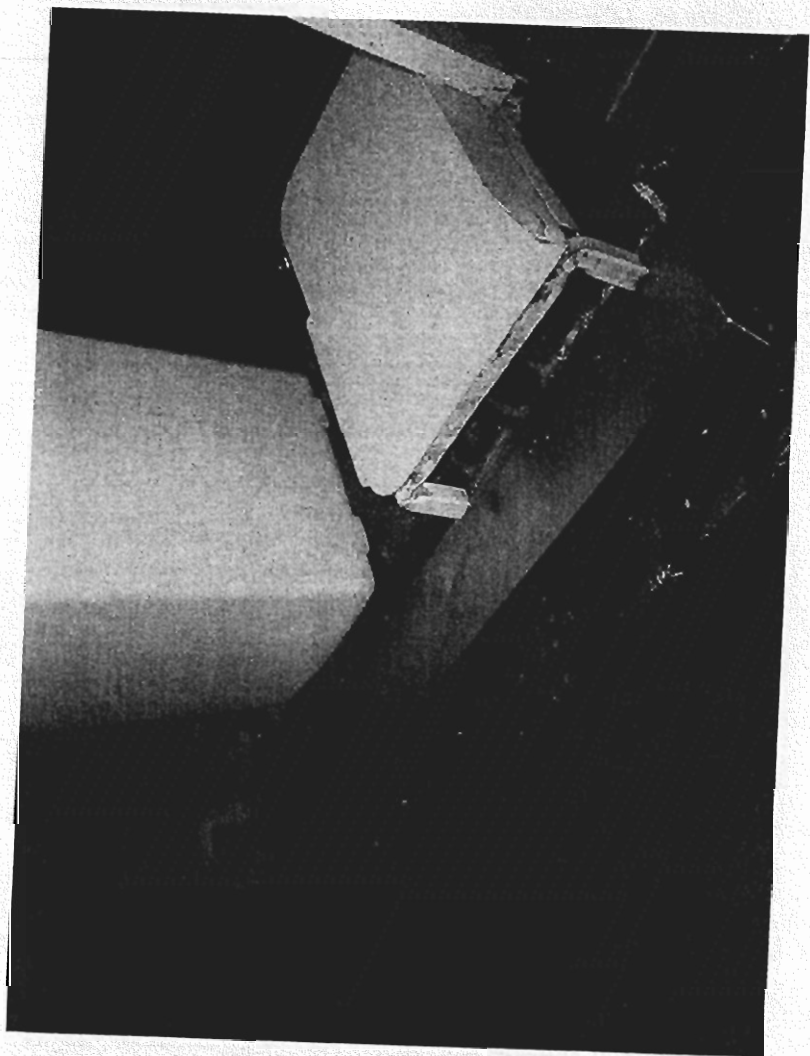


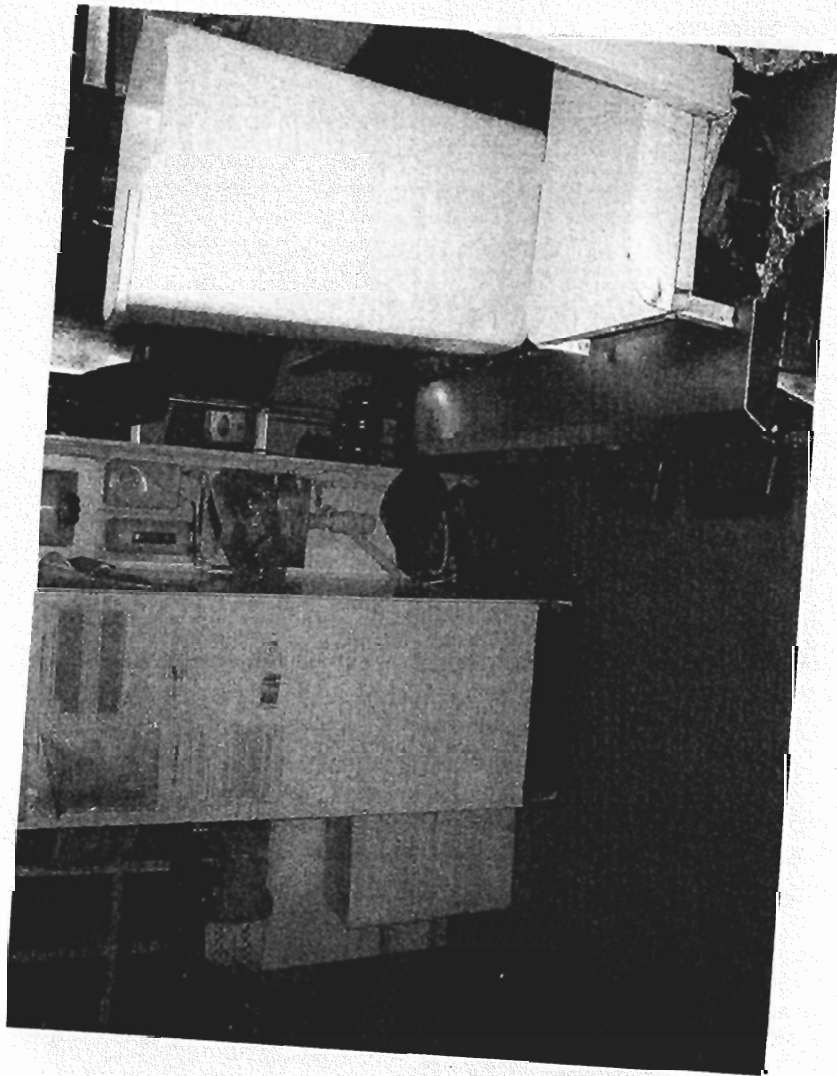


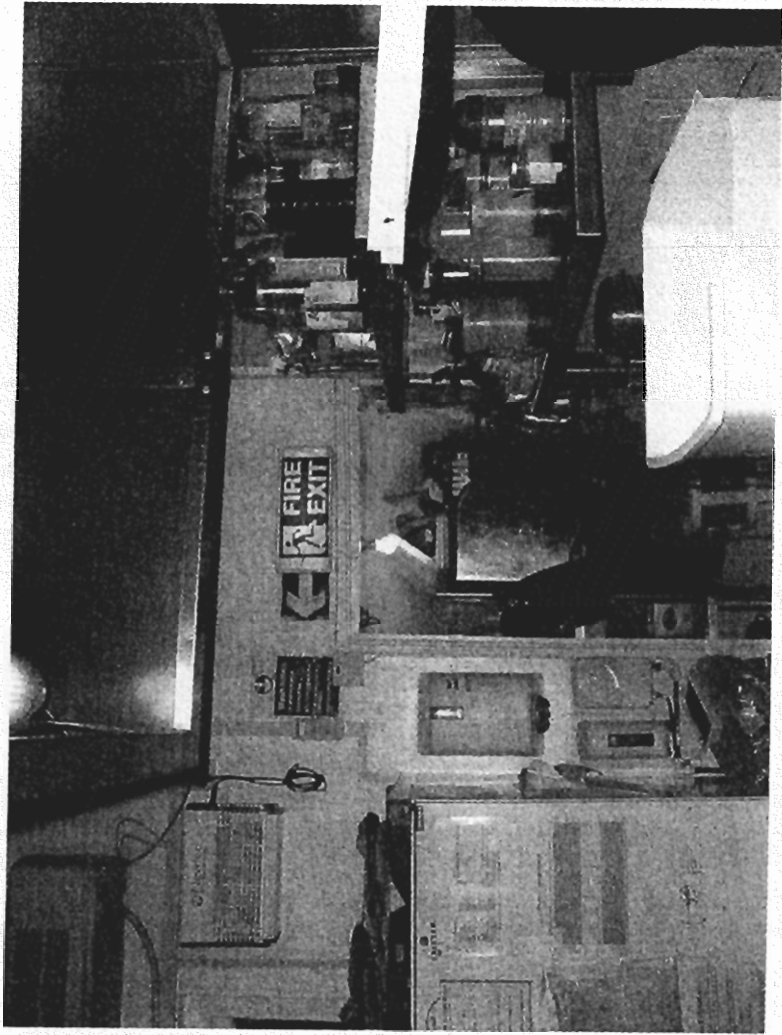


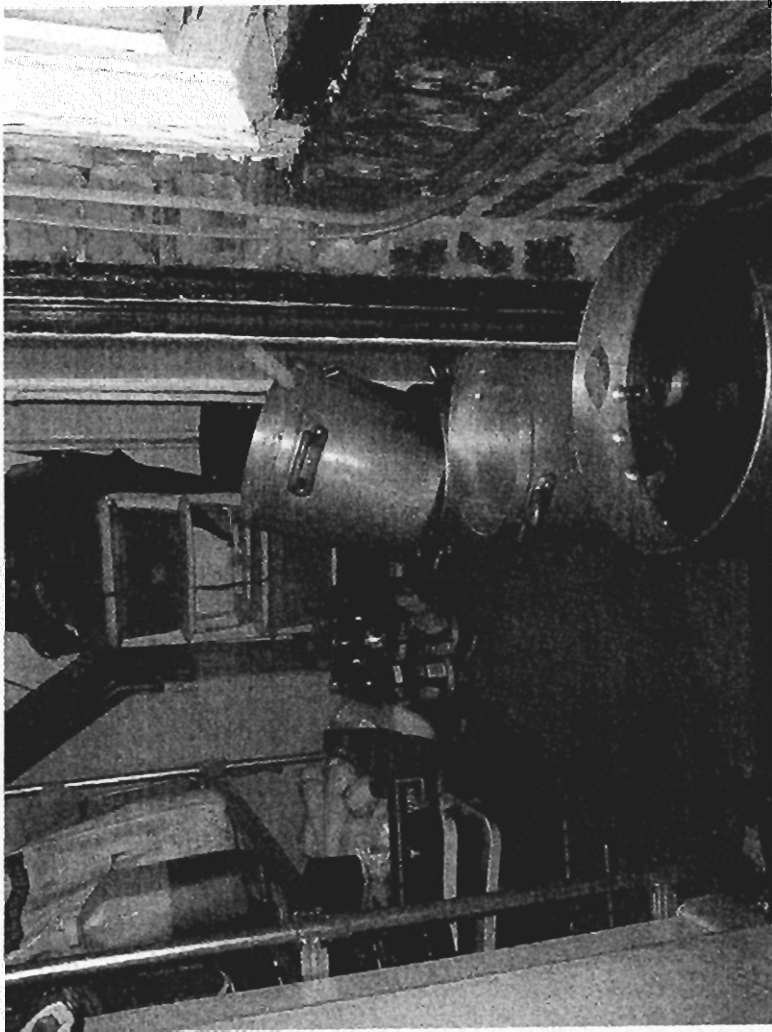


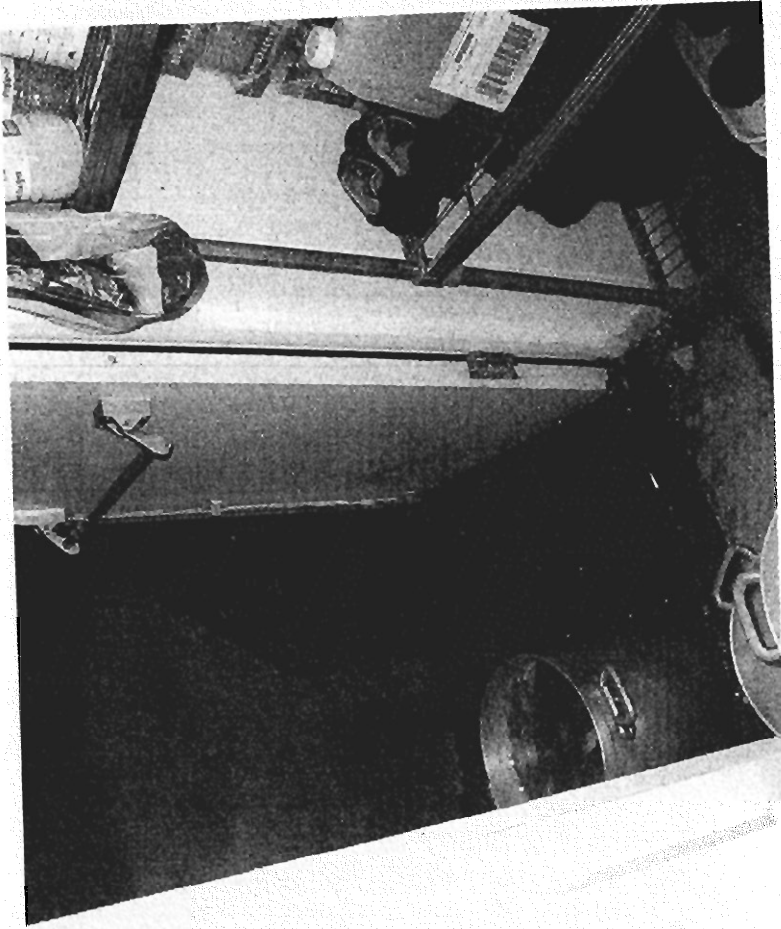


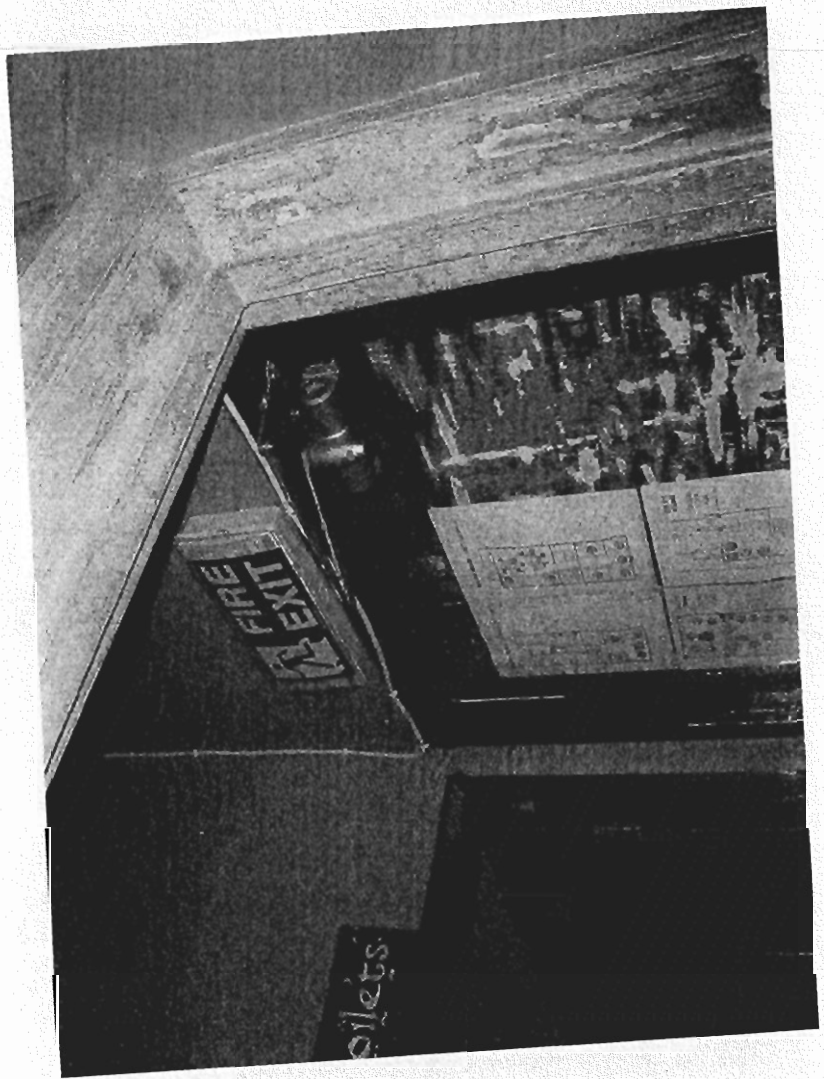


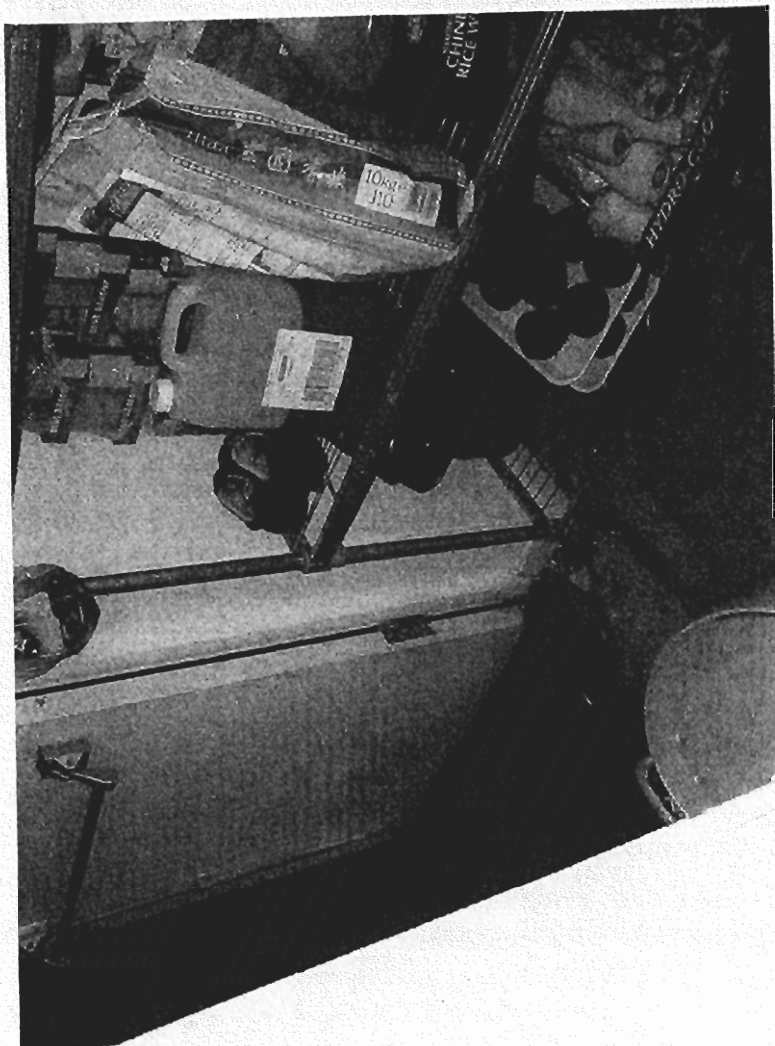


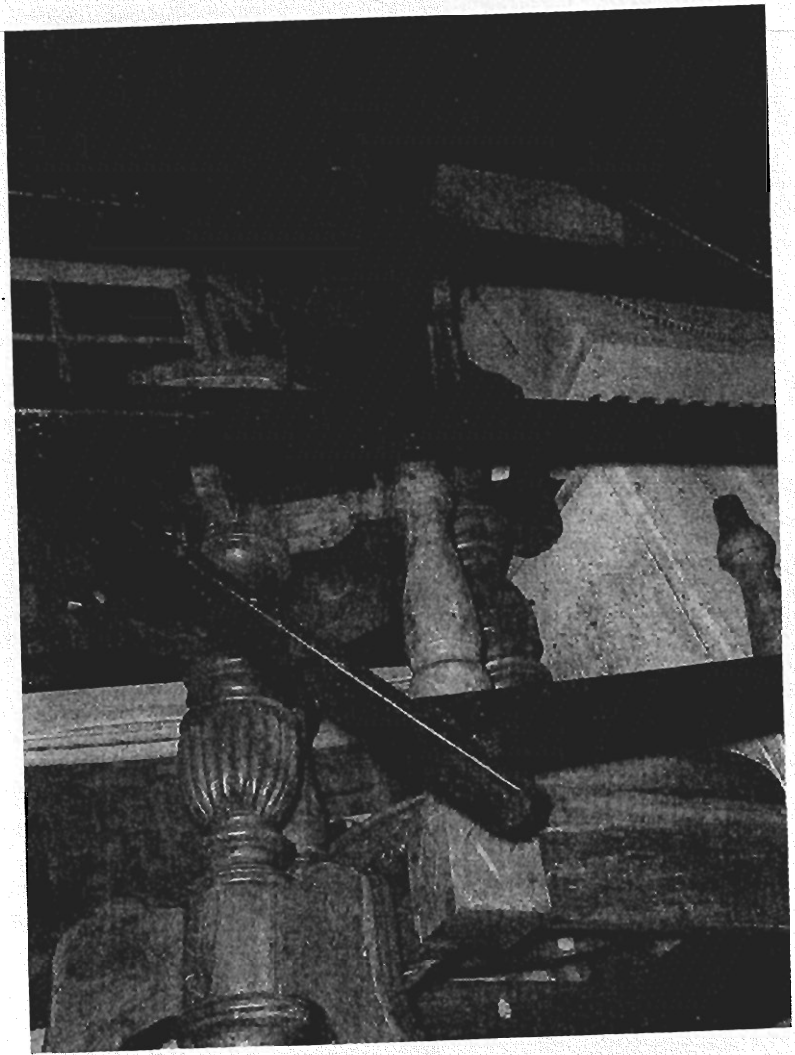


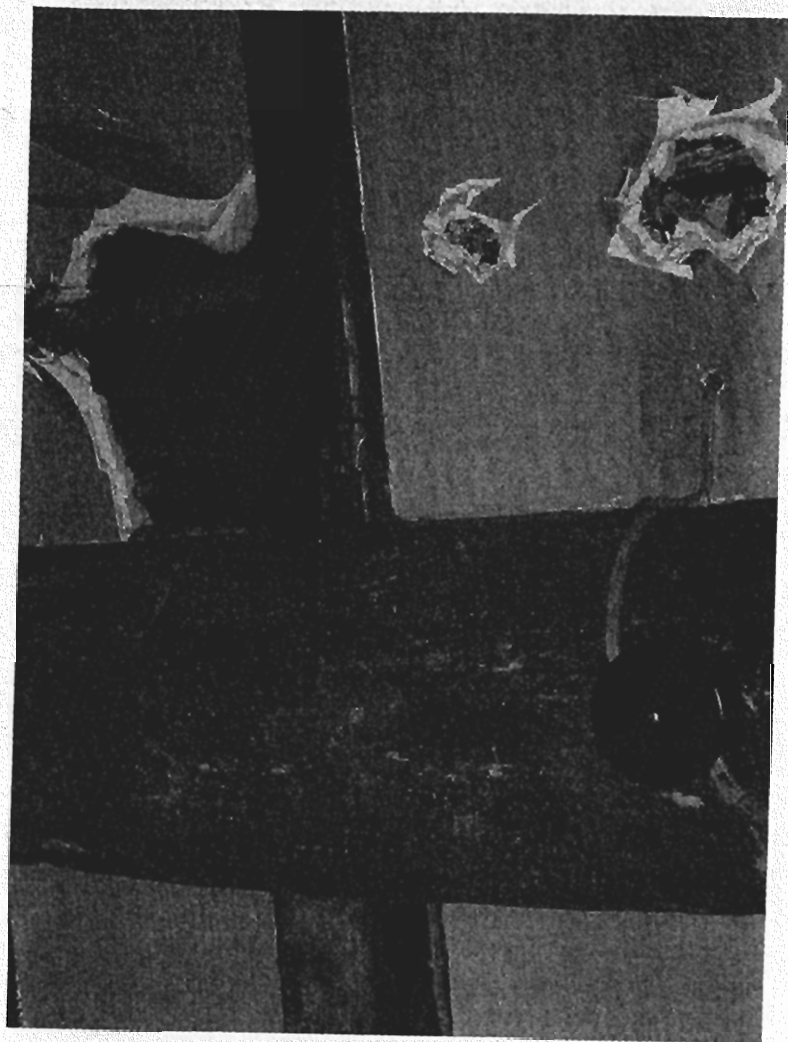




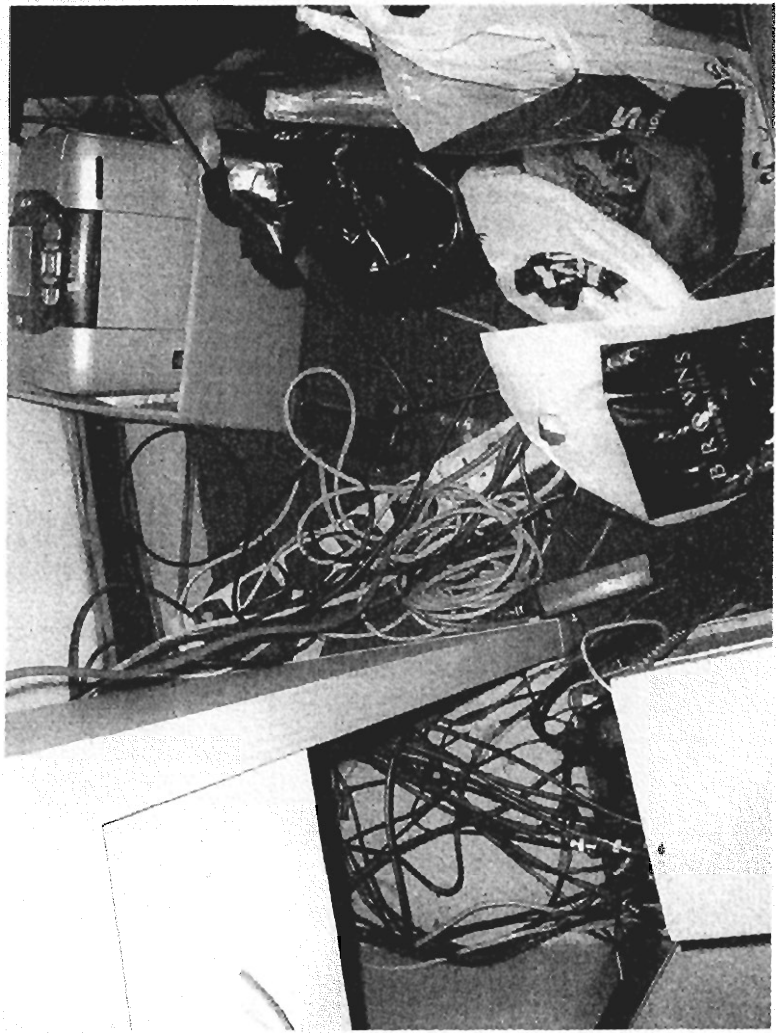


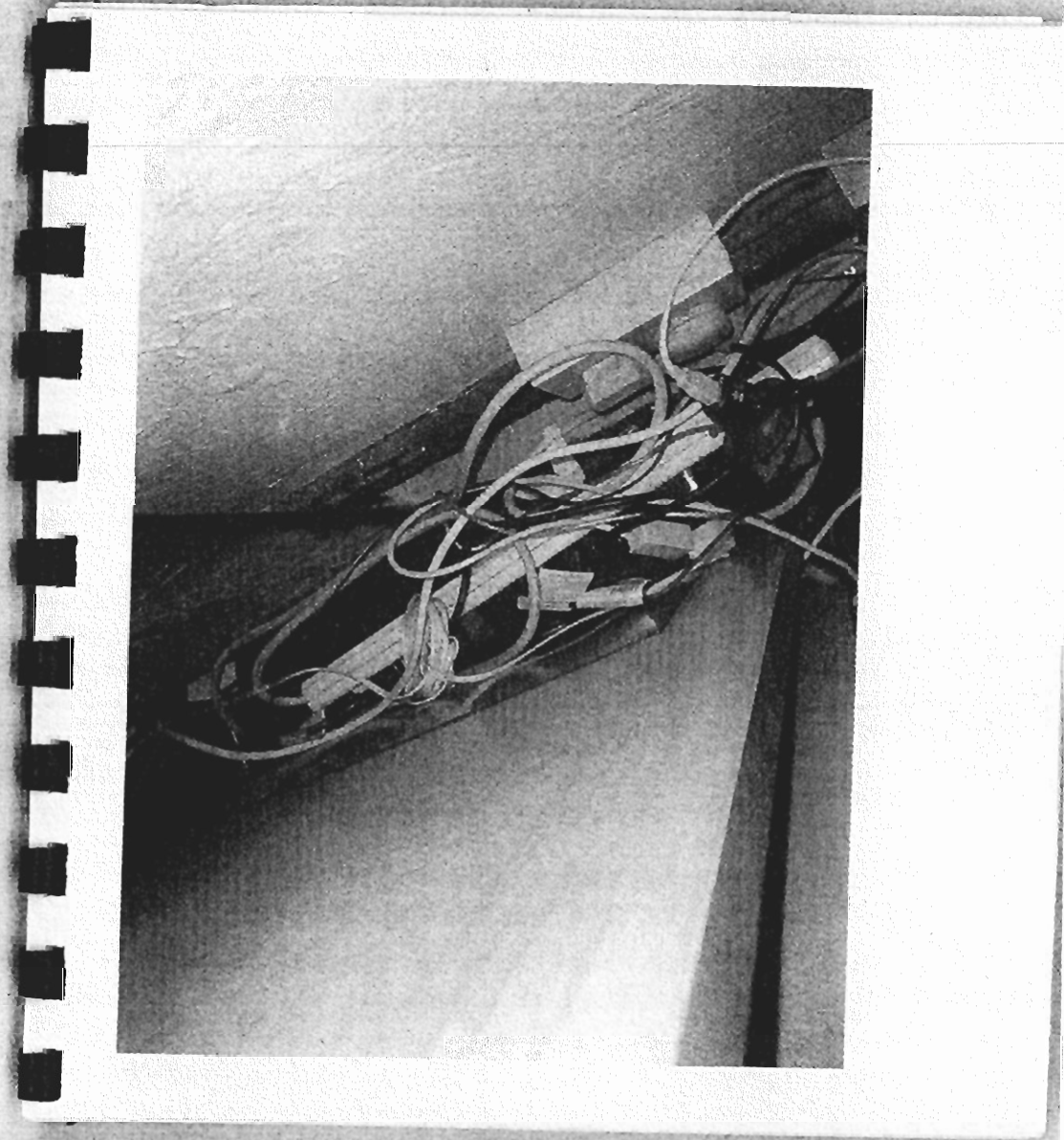


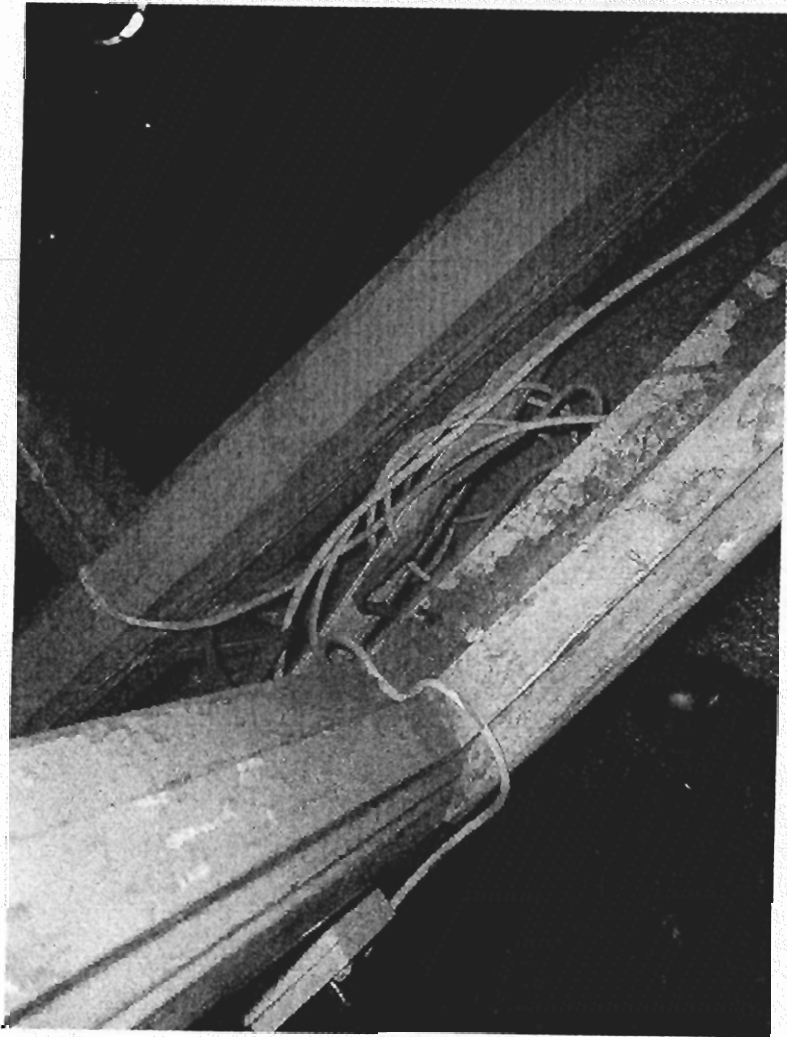


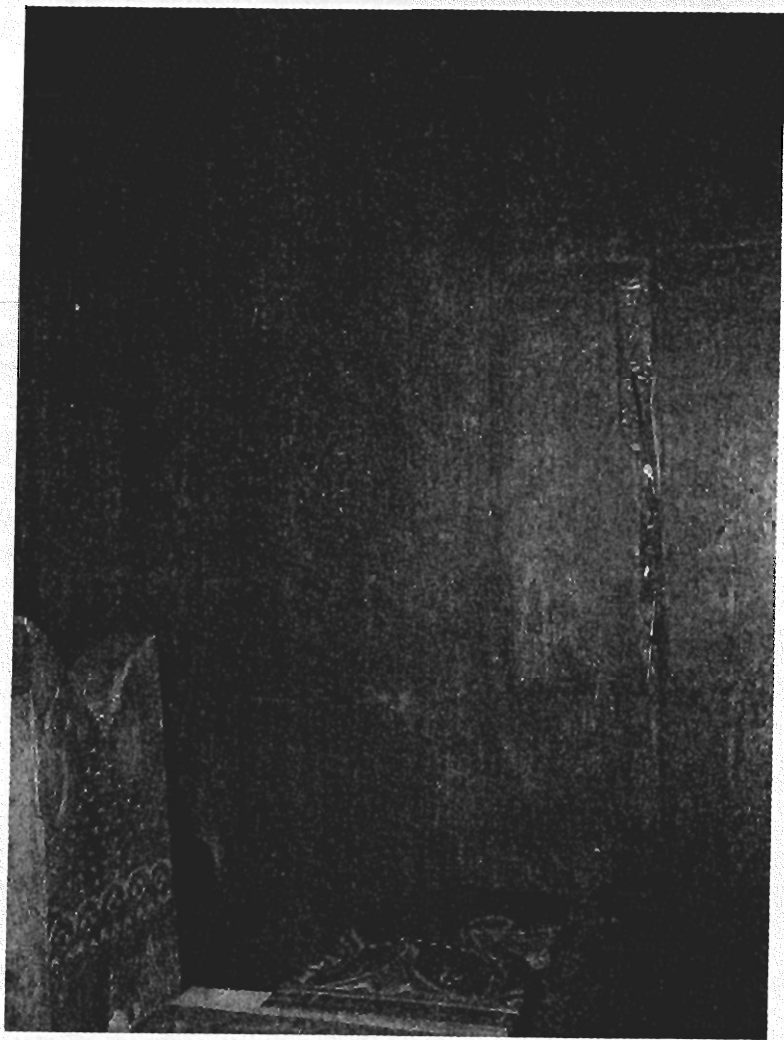


Book B

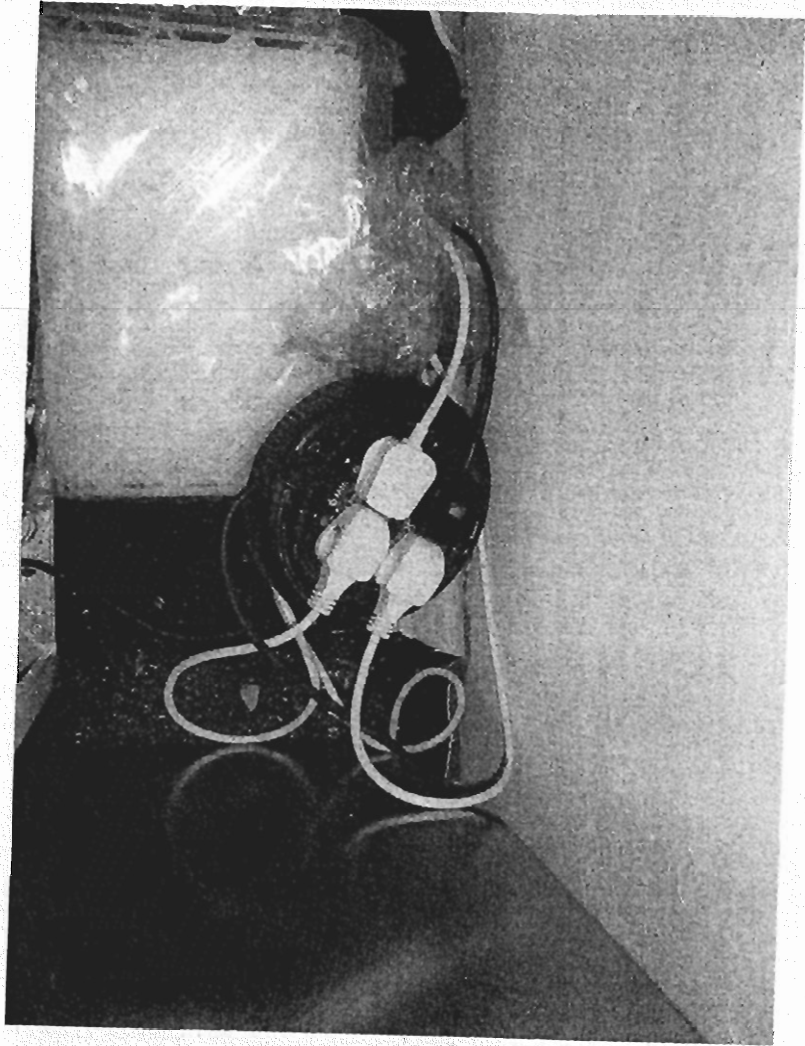




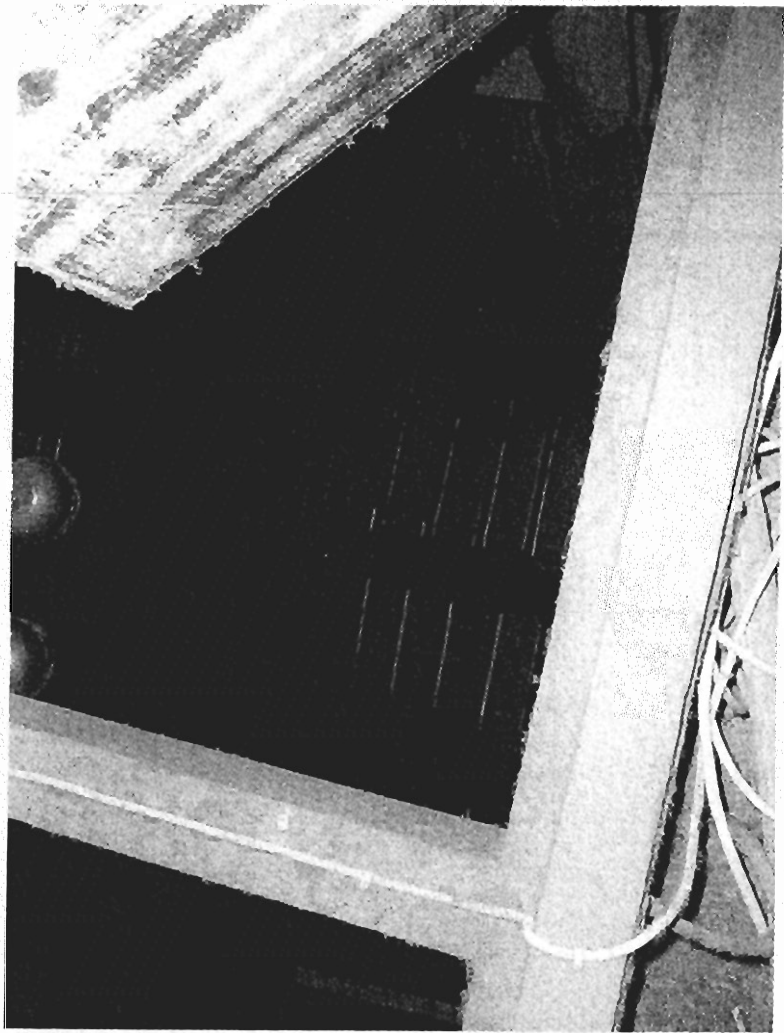


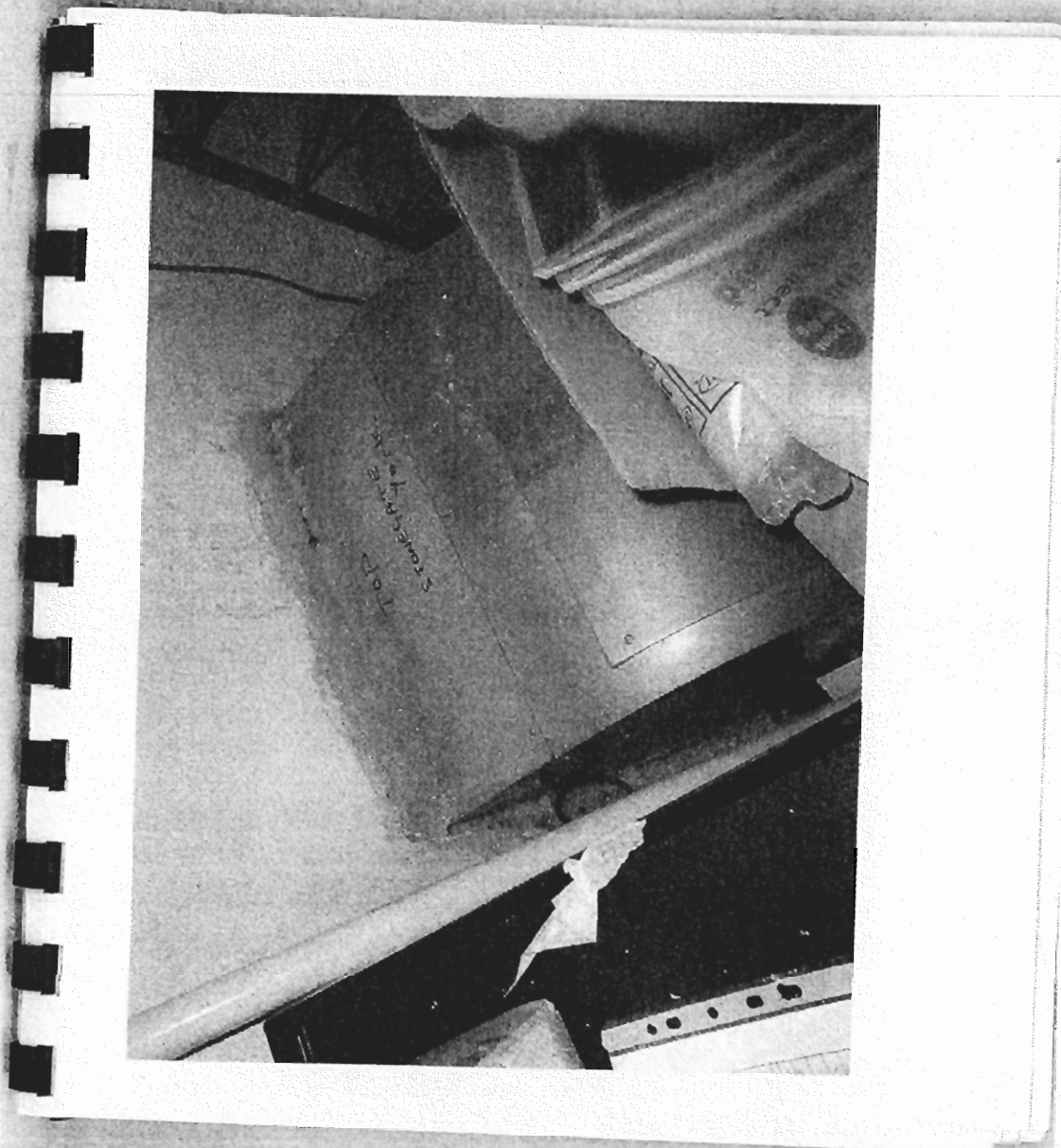


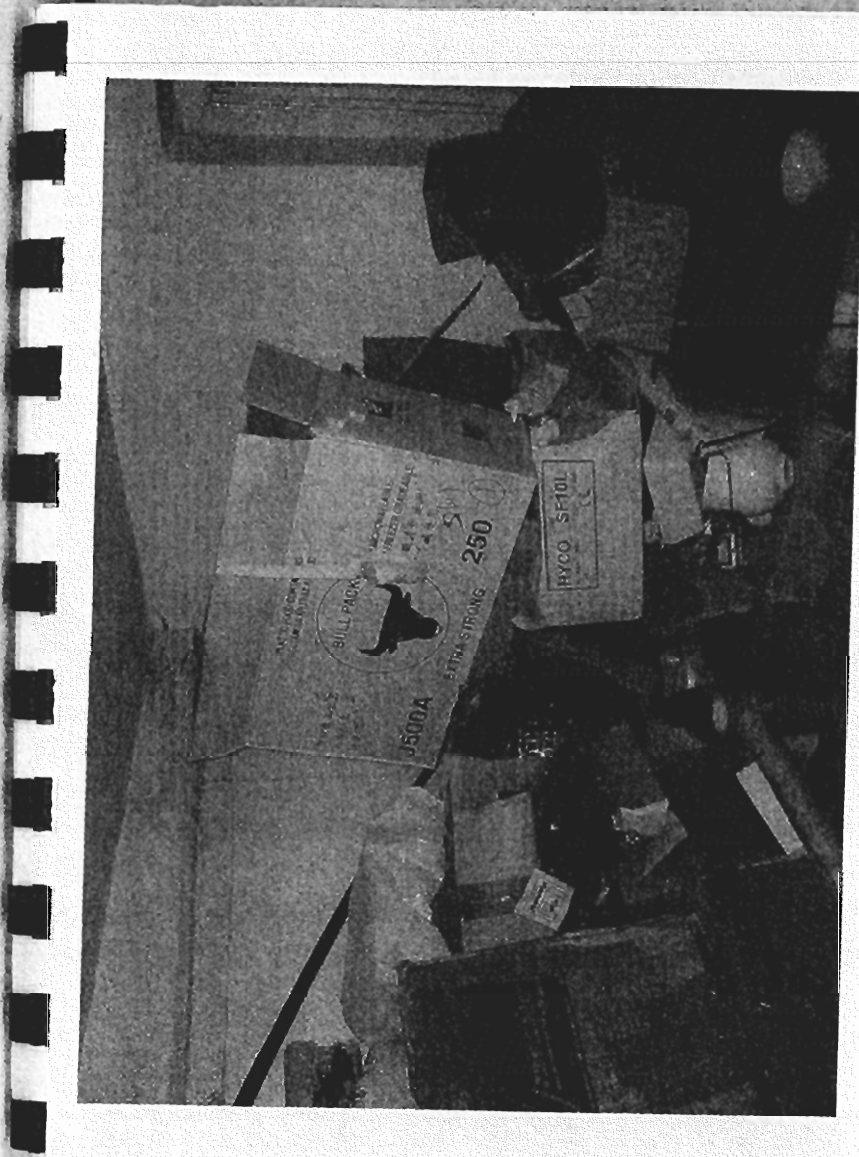






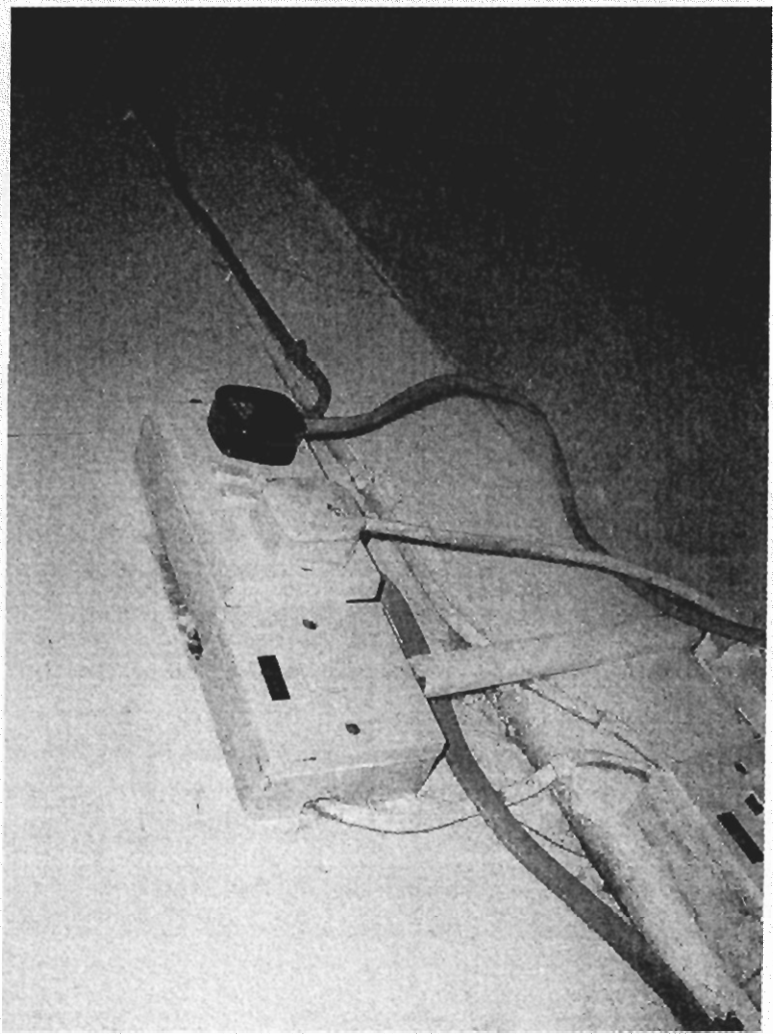


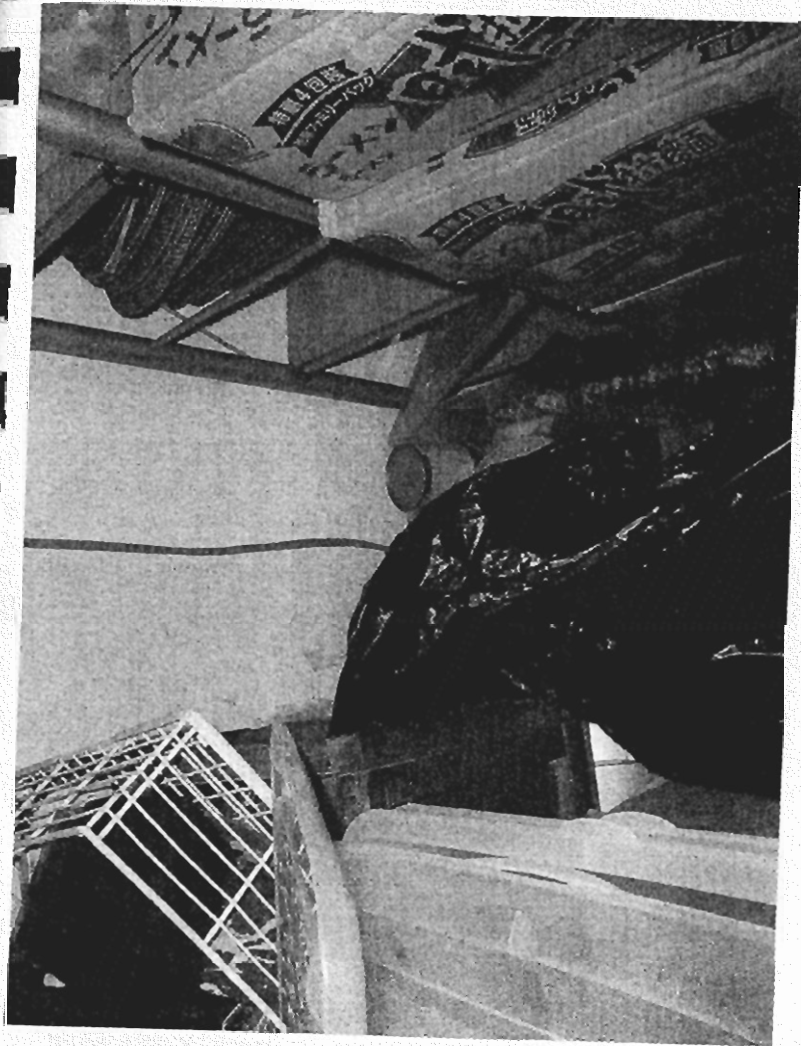














LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL29"

endorsed by the

**Disability
Rights
Commission**

fire safety risk assessment

Supplementary guide

Means of Escape for Disabled People

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Introduction

This is a supplementary guide and should be read alongside other guides in the Fire Safety Risk Assessment series.

It provides additional information on accessibility and means of escape for disabled people.

The document can be used to assist in completing the record of significant findings and should include a detailed account of measures that are in place to facilitate and assist disabled people to leave the building.

The appendices provide examples and information to help carry out the assessment and record Personal Emergency Escape Plans (PEEPs).

Technical terms are explained in the glossary.

Where reference is made to British Standards or other standards provided by other bodies the standards referred to are intended for guidance only. Reference to any particular standard is not intended to confer a presumption of conformity with the requirements of the Regulatory Reform (Fire Safety) Order 2005.

1 Background

1.1 Legal overview

The Fire and Rescue Service's role in fire evacuation is that of ensuring that the means of escape in case of fire and associated fire safety measures provided for **all** people who may be in a building are both adequate and reasonable, taking into account the circumstances of each particular case. Under current fire safety legislation it is the responsibility of the person(s) having responsibility for the building to provide a fire safety risk assessment that includes an emergency evacuation plan for all people likely to be in the premises, including disabled people, and how that plan will be implemented.

Such an evacuation plan should not rely upon the intervention of the Fire and Rescue Service to make it work. In the case of multi-occupancy buildings, responsibility may rest with a number of persons for each occupying organisation and with the owners of the building. It is important that they co-operate and co-ordinate evacuation plans with each other. This could present a particular problem in multi-occupancy buildings when the different escape plans and strategies need to be co-ordinated from a central point.

The Disability Discrimination Act 1995 (DDA) does not make any change to these requirements: it underpins the current fire safety legislation in England and Wales – the Regulatory Reform (Fire Safety) Order 2005 – by requiring that employers or organisations providing services to the public take responsibility for ensuring that all people, including disabled people, can leave the building they control safely in the event of a fire.

Where an employer or a service provider does not make provision for the safe evacuation of disabled people from its premises, this may be viewed as discrimination. It may also constitute a failure to comply with the requirements of the fire safety legislation mentioned above.

Public bodies have an additional duty, called the Disability Equality Duty (DED), which from December 2006 requires them to proactively promote the equality of disabled people. This will require them to do even more to ensure that disabled people do not face discrimination by not being provided with a safe evacuation plan from a building.

This document provides guidance on how organisations can ensure the safe evacuation of disabled people from their premises.

1.2 Management practice

The DDA requires organisations to review their policies, practices and procedures in order to ensure that they do not discriminate against disabled

people, and to take steps to overcome any physical barriers that make it impossible or unreasonably difficult for a disabled person to use a service. Operational procedures, for example those that require all visitors to park away from a building, have had to be amended to allow disabled people to park close to the main entrance.

Equally, the practice of locking the side swing door adjacent to a revolving door is likely to be unlawful under this part of the Act. Such an act may also constitute an offence under current fire safety legislation. These are examples of how the DDA changed how companies manage public access.

However, attention was focused on getting into premises, when, of course, if one is going to enable disabled people to fully use the building, one also needs to enable them to leave safely. The safe evacuation of disabled people is a problematic area for policy makers and one that has not received sufficient attention to date.

It is important that both building managers and disabled people understand that planning for means of escape is about planning for exceptional circumstances (i.e. not an everyday event). When writing escape plans that include disabled people, there is sometimes a tendency to overplay the safety issue to the detriment of the independence and dignity of disabled people. The purpose of this guidance is to provide you with clear information so that your organisation is able to deal with these issues in a practical, equality-based manner.

It should also be remembered that what a disabled person is prepared to do in exceptional circumstances may differ significantly from what they can reasonably manage in their everyday activities. Escape plans for disabled people should be prepared with the view that what is required is for 'the real thing'. The level of effort required of a disabled person may not be acceptable for a practice or false alarm or in everyday activities. The procedures put in place should take account of this and allow for simulation in the case of fire drills or other emergency evacuation practices.

Good housekeeping standards and management procedures will reduce the incidence of false alarms.

1.3 Reducing unnecessary escapes

Some disabled people are put at a great risk when carry-down procedures of any kind are used. It is therefore necessary for the evacuation policy to include a method of reducing or removing the need to escape for a false alarm. It is likely that many more disabled people will be willing to facilitate their own escape when they know that this is not going to be required of them during a practice or for a false alarm.

Good communication with disabled people about the fire or emergency evacuation process is vital to ensure its success and to reduce the need for emergency escapes except in exceptional circumstances.

1.4 Personal Emergency Evacuation Plans (PEEPs) for employees and regular visitors

Where staff and regular visitors to a building require a plan, they can be provided with an individual plan through the human resources department or building manager. The plan must be tailored to their individual needs and is likely to give detailed information on their movements during an escape. It is also possible that there will be some building adaptation to facilitate their escape and to reduce the need for personal assistance.

Example

A health club has a regular member who finds the stairs difficult. During their induction, the fitness instructor discusses their escape needs. An evacuation chair is provided at gym level. All instructors are trained in the use of the chair and they are introduced to the member.

1.5 Standard plans for occasional visitors

This guidance provides advice on a wide range of options for ensuring the safe evacuation of disabled people. These options contain some standard elements, but these can of course be adapted to suit particular organisations. In order to provide suitable means of escape for visitors, a set of standard escape options should be adopted by the organisation.

A standard plan is used where there are visitors or casual users of the building who may be present infrequently or on only one occasion. The provision of standard PEEPs takes account of the following:

- the disabled person's movements within the building;
- the operational procedures within the building;
- the types of escape that can be made available;
- the building systems, e.g. the fire alarm; and
- the existing egress plan.

Standard evacuation plans are written procedures that can be used as options for disabled people to choose from. They are held at the reception points within the building and are advertised and offered to people as part of the entry/reception procedures.

This is an extension of the process of signing into a building and being given a visitor badge with the escape procedures on the back of it. A disabled person requiring assisted escape is offered options for their assistance and is given suitable instructions.

It is understood by most people that when a fire alarm is activated they must all leave the building by the nearest exit, as quickly as possible, and reach a place of ultimate safety. The management of the building is required to keep escape routes clear and free from obstruction and to ensure that

exits are readily available for use on quick-release devices which also offer protection from unwanted or illegal entry. However, everyone using a building for whatever purpose should also take some responsibility for their own safety wherever possible.

This responsibility also applies to disabled people, therefore disabled people can be expected to identify themselves when they are informed of the availability of a choice of evacuation plan and co-operate by giving any information necessary for the safe execution of the plan.

Example

A visitor approaches reception, where there is a clear sign indicating the provision of a PEEP system. The visitor has a visual impairment and therefore requires information about the escape routes. The building operates a policy of the meeting organiser being responsible for visitors if an escape is necessary. The receptionist explains the process for obtaining support.

The visually impaired person makes the meeting organiser aware of the need for assistance. All staff are trained in disability escape etiquette. Prior to the start of the meeting he/she points out the escape routes and offers to assist if necessary.

1.6 Unknown or uncontrolled visitors

Where there are people within the building who do not pass a reception point or are not controlled, such as in a shopping centre, library or theatre, it is more difficult to gather information prior to the need to escape. In these instances a system of standard PEEPs should also be implemented and advertised.

Training for staff is vital in this case as they will have to provide assistance and advice to disabled users of the building as the incident develops. The plans to enable them to leave safely in the event of an incident will require pre-planning. Staff will need to understand all the options within the matrix (contained in Appendix 1) and be able to communicate these effectively to disabled people at the time of escape. In order to do this, they should receive disability escape etiquette training.

In large, multi-occupancy buildings, it will be essential for each organisation to ensure that suitable training is provided to all their staff. Such a training requirement should form part of their fire safety risk assessment.

Example

A museum is required to evacuate due to an alert in one of the galleries. There are a number of wheelchair users present. The museum has a high standard of compartmentation due to the need to protect the exhibits. This is an advantage in an escape situation and staff members have been trained to understand the safety implications of this fire safety feature. The communications process set up as part of the escape procedures for staff tells them where the alarm has been raised. They can then direct people who cannot use stairs away from the alarm point to a safer part of the building.

1.7 Small buildings

In larger buildings, the building systems and options are likely to provide more options than in smaller buildings. However, in smaller buildings there will be fewer people and greater opportunity to communicate. A standard set of plans should be developed in the same way as for a larger building.

2 Communication

2.1 Consultation

When producing an evacuation plan which includes disabled people, it should be remembered that normally people cannot be expected to react exactly as planned in any emergency. It is generally accepted that, unless guided by trained staff, most non-disabled people (including those who may have worked for years in a building) will make their way to the exit that they are familiar with, rather than to the most suitable escape route. Provision of a fully integrated PEEP system will benefit all groups of people and will identify any weaknesses in existing evacuation plans. Therefore, it should not be considered a burden on the evacuation plan, but an opportunity to improve safety for all people using the building.

The different groups of people who should be considered and are likely to be present in a building are as follows:

- staff;
- contractors;
- visitors;
- residents;
- students; and
- customers – individuals and groups (hiring out of rooms, public events, etc.).

Each of these groups has a different role to play and it is likely that the methods of contacting them will need to be different. This will require a communications strategy that involves the people responsible for managing the use of the building. It will also require those people to work together to ensure that a joined-up and co-ordinated approach is taken.

The method of making contact with disabled people and the type of evacuation plan they are provided with will differ depending on the function that they are fulfilling within the building. The type of building will also influence the type of plan.

The general population will follow the escape routes or make their way out by the way they came in, but disabled people who require their escape to be facilitated will need to be considered in more depth in the general plan. Disabled people will need to have more information about the options available to them. In some instances, they will need to be allocated people to assist their escape; however, the aim should be to facilitate disabled people's independent escape as far as possible.

2.2 Making contact and defining roles

It is easier to contact staff and regular visitors to the building and, generally, this will be done through the personnel procedures and general management systems. It will also be easier to prepare detailed escape plans for these disabled people. It is also likely that volunteers to provide assistance to disabled people can be easily recruited from their peer group.

Where standard PEEPs are used and disabled visitors are not available to consult with in person when setting up the system, it is appropriate to consult local disabled people's organisations.

It will be necessary to allocate responsibility for the provision of a suitable plan for each group of people to a relevant member of the staff team. A list of building users and appropriate staff who will need to be involved is provided below.

2.2.1 Staff

The responsible person will be responsible for ensuring that staff are provided with suitable escape plans. In creating suitable escape plans, the responsible person would be advised to involve human resources departments, where they exist, or line managers, who may hold information relating to disabled employees and may also have responsibility for training and the development of staff skills.

Staff have a vital role in communicating the evacuation plan to disabled visitors, and to fulfil this role effectively they will be required to undergo **disability escape etiquette** training. This consultation and planning process should be introduced on induction and be reviewed regularly as appropriate. Information should also be provided within the staff handbook. A system is required to ensure that plans are regularly updated (see Appendix 4).

2.2.2 Contractors

Where there are contractors working in the building, the responsible person has overall responsibility for their safety in case of fire; however, this may often be delegated to a competent person in the department they are working for. The competent person should ensure that steps are taken where necessary to ensure that they are provided with a suitable escape plan chosen from the standard set of plans for the building.

2.2.3 Residents

Where sleeping accommodation is provided, e.g. in a hotel, part of the booking-in procedure should include the offer of a suitable escape plan. Additional accessible information is required in each room, adjacent to the evacuation procedures for all residents.

In hostel accommodation or student dwellings, etc. suitable PEEPs should

be provided by the accommodation manager based on the standard set of plans for the building.

2.2.4 Students/pupils

When a child or student is enrolled, their escape plan should be developed as part of the admissions process. Care should be taken that all disabled children or students are provided with a plan if they need one, even if they are provided with a statement or not.

2.2.5 Visitors – individual

Individual visitors to a building may fall into two groups: those who are invited to a building, such as sales representatives; and casual visitors who attend of their own volition, such as clients attending to discuss issues with members of staff.

A system of standard plans should be created. For invited visitors, the plans could be put in place prior to the meeting, or they could be presented to casual visitors when they book in at reception.

2.2.6 Visitors – groups

Part of the booking procedures for groups should include provision of standard plans. Where there are a large number of disabled people, it may be acceptable for the party organiser to play a role in the provision of suitable escape plans. Booking administration should facilitate this.

2.2.7 Casual visitors

In public access buildings, it may be impossible to know how many disabled people are present at any one time or their level of disability. In such cases, responsibility for evacuating them safely in the event of an emergency will rest with staff and building managers. It is important, therefore, that staff and managers fully understand the evacuation plan and fire safety strategy for the building so that they can render maximum assistance to disabled people, irrespective of the nature of their impairment. Staff and management training and empowerment are crucial factors in this planning process.

Example

A serious fire occurred in a nightclub in a major city centre in the UK. Due to the prompt and effective action of staff and managers in evacuating customers from the building, 500 people were successfully evacuated safely into surrounding streets.

2.3 The communications process

A communications process is required so that there is suitable support for the evacuation plan system at each level of the building. It is necessary to consider the following steps within a plan.

2.3.1 Co-ordination

A co-ordinating role is necessary in order to ensure that any plans provided are understood throughout the organisation. Overall responsibility for this role rests with the responsible person(s); however, in practice this is likely to be delegated to a competent person from the human resources department or safety services. Different members of the organisation will be appointed as competent persons and will be responsible for ensuring that there is provision for means of escape for disabled people using the service that they provide. The competent persons will report back to the co-ordinator.

2.3.2 Technical building information

Technical information is also required about the building systems, the fire safety systems and the fire safety strategy for each building. This information should be made available to all of the people who are to be part of the escape plan. For instance, if the building has suitable fire compartmentation to allow horizontal evacuation into another fire compartment, people operating the plan should understand why this is possible.

2.3.3 Staff provision

- a) Human resources departments will normally have the day-to-day responsibility for staff and should ensure that all staff are offered a suitable escape plan during their induction process or where there is any change to the person's ability to make their way out of the building.
- b) The head of each department will normally be responsible for their own staff and should arrange the provision of a PEEP for each person requiring one. It may be necessary to provide a plan for each building and room that they visit.
- c) A disability contact, if there is one, and if not the line manager or competent person in each department, should take on this role and ensure that the PEEPs for the staff under their care are kept up to date by contacting/ reminding the department.

2.3.4 Visitors to the building

An appropriate contact point for each group of people visiting a building should be established. For instance, this may be:

- the main reception point; or
- via the meeting booking procedure; or
- via the person or department that they are visiting.

This will depend of the nature of the organisation.

2.3.5 Additional support from security and portering staff

Where there are security and portering services, these can provide a support role and allocate standard plans for visitors. They may also provide assistance in some instances. It is important that these members of staff are provided with suitable training and fully understand their role, particularly where their function is outsourced.

2.3.6 Training and recruitment of volunteers

In some instances it may be necessary to recruit and train additional staff to provide assistance during an escape. In considering staff who may provide assistance in an evacuation, it is important to take account of their work-time availability, location in a building or on a site, and whether they are employees of another company providing an outsourced facility. Another consideration in utilising outsourced employees is the need to ensure that their managers are fully in agreement with their involvement in an emergency plan and that the person concerned is fully conversant with the work culture and policies of the workplace or site.

2.3.7 Functions and conferences

Function/conference organisers will be responsible for ensuring that disabled people attending conferences or meetings within the building are provided with a suitable plan. It is important that conference fliers and booking forms inform delegates about the building systems.

2.3.8 Meetings

When a room is booked, a standard procedure should be to check if there are disabled people attending. If so, a suitable escape plan will be required.

2.3.9 Residents

When a disabled person is allocated a room (whether it is specially adapted for them or not), a suitable escape plan should also be provided. Some disabled people who use hotel or other residential sleeping accommodation may not need an adapted room but may need support to escape, e.g. blind people. Therefore, a clear sign is required to be displayed at reception and alongside the escape instructions in each room.

Escape instructions displayed in each room should be made available in other accessible formats, for example the receptionist could explain the instructions after the person has checked in.

Standard plans for the building should be allocated to visitors by the reception service in that building.

2.3.10 Training programmes

In order to ensure that the system runs smoothly, it is important to introduce a regular training plan. The following is an example diary, including training dates.

Year 1												Year 2
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
MOE training	Carry-down training	Mock-up				MOE training	Carry-down training	Mock-up				MOE training

MOE – Means of escape

Mock-up – Simulation of disabled people's escape procedures

Carry-down – All types of escape that include evacuation chairs, manual handling training, disability evacuation etiquette training

N.B. Staff involved in the escape plan should feel confident in their skills and disabled people should feel that they can trust the process.

2.3.11 Budgets

It may be appropriate to allocate a budget to improve the emergency escape provision within the building.

3 The process

3.1 Interviewing staff

Once the person responsible for their plan has contacted the disabled person, an interview should be organised to establish suitable evacuation procedures.

A suitable plan should be negotiated, taking into consideration what the building, management and disabled person can offer. It should not be automatically assumed that a disabled person cannot leave the building independently. It is recommended that disabled people are consulted about their evacuation plan. They should be given information about the building systems and their opinions and experience should be both sought and respected.

The appropriate time required to make the disabled person's escape should be identified. Disabled people should not automatically be required to wait for the main flow of escape to be completed. However, if they are likely to cause obstruction for other people leaving the building, it will be safer for everyone if they follow the main flow of people.

Wherever possible, the escape plan should accommodate both fast and slow-moving people. However, where the person may need to rest or they feel threatened by people behind them, it may be appropriate to design a plan that allows for this, e.g. resting in refuges provided along the route.

The matrix in Appendix 1 gives the options that are suitable for most disabled people. This should be used alongside the information that is provided about the building. The two can be matched together to form either a standard evacuation plan or an individual plan.

Example

A visually impaired person is working in a building that has a main entrance incorporating the main stairway and one additional escape stair at the other end of the building. The escape stair has suitable handrails and step edge markings. The person is familiar with the building and has been shown where the escape stair is. They elect to make their own way out of the building because the access provision in the escape stair is adequate.

Most disabled people are likely to have a very clear idea of what it will take to get out of the building. In some instances, the person will be able to facilitate their own escape if suitable aids and adaptations have been provided. The responsible or competent person working with the disabled person to write the plan should not make assumptions about the abilities of the disabled person. They are likely to know what they can achieve.

Where a person can make their escape unaided, it may take them longer than the three minutes generally accepted as the time taken for non-disabled people to make their escape in case of fire. They should be given the opportunity to take the safest route, which offers them the longest period of safety, for instance through to an adjacent fire compartment, which has a one-hour fire-resisting rating, and then down the escape stair, which has a 30-minute fire-resisting rating.

Where staff assistance is required, sometimes this will be by staff within the department concerned. Where local staff are not available, contact should be made with the responsible person for the building so that a suitable alternative option can be set up.

3.2 Contacting unknown visitors

It is much more difficult to organise an escape plan for people who are casually visiting the building or for people who are using the service on a one-off basis. However, by assessing the types of escape that can be provided within the building in the same way as for a known population, it is easier to address their needs.

Once the escape options are known, staff should be trained to implement them at the time of an escape. This will require organisation and practice. Using fire drills that involve disabled members of the public is not advised as it may put the disabled people at risk from injury unnecessarily. Regular simulated practice should take place alongside moving, handling and disability evacuation etiquette training.

3.3 Recruitment and training

Sometimes it can be difficult to recruit volunteers as they will want to be sure that their own safety is not compromised by helping the disabled person to escape. It may be necessary to raise the awareness of staff prior to the recruitment of volunteers so that they understand that their own safety will not be compromised.

Clear information should be provided to volunteers about facilitated and assisted escape systems. It would also be supportive to potential volunteers to assure them of the organisation's commitment to their continued training and support. In some instances it will be necessary to provide a session for potential volunteers so that they feel more comfortable about coming forward. Accreditation and possible remuneration for volunteering for this training may also be introduced, in the same way as exists for some first aid staff.

The training provided should include disability awareness, disability evacuation etiquette, and moving, lifting and handling techniques.

3.4 Practice

Practice for PEEPs will depend on the type of escape required. Generally, escape plans should be practised on a regular basis and at least every six months. However, some systems will need testing more frequently than that, for instance paging systems.

All the people involved in the escape plan should take part; however, it may be more appropriate to simulate carry-down so as not to cause unnecessary risk to the disabled person.

Where a disabled person has elected to make an exceptional effort to get out unaided, it is not practical for them to practise; however, timing a short section of the escape will help in establishing how long a full escape might take.

People with a learning difficulty may need to practise their routes for escape on a monthly basis. If so, this should be written into their PEEP.

3.5 Co-ordinated information

Once each plan is written, it should be passed on to the responsible person(s) within the building. This will ensure that the plans for each premises and its occupants in a building can be co-ordinated. This is especially important where there is potentially a high number of people to be evacuated to ensure that there is no conflict.

Under fire safety legislation, the responsible person has overall responsibility for ensuring that all emergency plans are updated as necessary and whenever the fire risk in the building changes.

Where this responsibility is delegated to a competent person, that person should ensure that it is not overlooked. It is important that, should that person leave or be away on long-term sick leave or maternity leave, their role is allocated to another suitably trained person either permanently or for the period of their absence. Disabled people should be advised to tell their nominated person of any change in their circumstances.

4 People's preferred options for escape

4.1 Negotiate 'reasonable adjustments'

Generally, disabled people are no different from anyone else in that they prefer to be in control of their own escape. The DDA requires that adaptations may be made to physical features of buildings to enable them to be used more easily by disabled people. However, the DDA recognises that it may not be possible to provide full access. The minimum requirement is difficult to outline, but a good guide would be to use the specifications set out in BS 8300. These can be considered a measure of accessibility under the DDA and can be considered desirable features for means of escape.

Sometimes there may be difficulties when managers are trying to introduce PEEP systems. Disabled staff or visitors can sometimes expect the provision of items such as lifts where it is not feasible to provide these. It is important that where such conflict arises both parties take a realistic view of the situation. Managers should be prepared to discuss with disabled people what options there are and what provision they can make. Disabled people also need to understand the limits of reasonableness set out by the DDA.

The following statements should be considered as part of the negotiation procedure:

- Health and safety legislation requires building managers to ensure the safety of staff and visitors to a workplace.
- The Regulatory Reform (Fire Safety) Order 2005 requires that all people using the building be provided with adequate means of escape in case of fire. This includes a suitable escape plan.
- There is also a responsibility for all staff using the building to be aware of and to practise the escape procedures periodically. It works on the principle that people are responsible for their own escape, which will be facilitated by the building management and provided for by the responsible person.

This implies that disabled people also have a responsibility to co-operate with the provisos of their own escape plans and to facilitate their escape. Often there is reluctance on the part of disabled people to volunteer information about what they could achieve in a one-off escape situation. In order for disabled people to be willing to volunteer this information, responsible persons and building managers should take the right approach, recognising disabled people's dignity and right to independent access and evacuation, and they should provide as much information as possible to everyone about the plans for disabled people. This will encourage disabled people to be more frank in their approach to establishing their own escape plan.

Some negotiation skills, sensitivity and level of discernment are required here on the part of the person carrying out a PEEP. (Disabled people may feel pressured to do more physically than they would generally be able to achieve, or they may be afraid that back-up systems and support will not be made available to them.) Training is essential.

It should be made clear to disabled people (while working with them to develop a suitable plan) that the circumstances of escape are considered to be exceptional. That means solutions that may not be appropriate in most circumstances could be used, such as allowing a disabled person to move down the stairs on their bottom. It would not be acceptable for them to do this in any other circumstances. The disabled person may need assurances that, if they volunteer what they might do in an emergency, this will not constitute grounds for the removal of any support at other times.

Not all people who have an apparent impairment will require an assisted escape plan. Also, it should not be assumed that people with invisible impairments and who normally would not have an access problem will not require assistance in an emergency situation. This may be caused by the fact that current guidance on means of escape in case of fire is not necessarily consistent with access standards, e.g. lift access to upper floors without an evacuation lift provision, edge marking of stairs.

All staff should be given the opportunity to have a PEEP at induction. The reason for this is that some people may have difficulty in evacuation situations that they would not have normally, e.g. people who have asthma may be affected in smoky conditions caused by a fire, or people might be affected by the stress of an emergency situation.

4.2 Mobility impaired people

There is a vast range of people who fit into this category. Issues relating to this group of people may also be relevant for people who have heart disease, asthma or heart conditions.

The preferred options for escape of people with mobility impairments are by horizontal evacuation to outside the building, horizontal evacuation into another fire compartment, or fire evacuation lift, eventually arriving at a place of ultimate safety outside the building. This is the preferable option for disabled people. Within this group, many people will be able to manage stairs and to walk longer distances, especially if short rest periods are built into the escape procedure.

A possible facilitating measure may be the provision of suitable handrails. Information regarding the position of the fire is also useful so that there are no false starts or the necessity to change direction during the escape.

It should also be remembered that escape from the building within two to three minutes may not be possible for this group of people. It may be

advisable to explain which escape routes have a degree of fire and smoke resistance and how the building is compartmented.

The level of fire protection available and identification of elements such as compartmentation and fire alarm zoning within the building will help buy the time required for disabled people to either facilitate their own escape or leave with assistance.

4.3 Wheelchair users

This group of people is considered most at risk in terms of escape. However, in some instances, a person who frequently uses a wheelchair may be able to walk slightly and therefore be able to assist with their own escape or even facilitate independent escape. It is essential that the disabled person is asked the relevant questions tactfully and in a way that produces the best escape plan.

Assumptions should not be made about the abilities of wheelchair users and they should not be excluded from a building because of false assumptions about their ability to leave the building safely.

The preferred method of escape by most wheelchair users is horizontally to another fire compartment, or to outside the building, or vertically by the use of an evacuation or fire-fighting lift. If these options are not available, or not in operation, it may be necessary to carry a person up or down an escape stair. Carry-down can be achieved in a number of ways, as set out below.

4.4 Carry-down procedures

4.4.1 Evacuation chairs

This looks like a deckchair with skis and wheels underneath. When placed on the stairway it slides down the stair. There are wheels at the back that facilitate movement on the flat, but they are not suitable for long distances.

An evacuation chair is operated by one or two people and requires training and practice to use. Disabled people may not feel confident using these chairs and it is not always possible for wheelchair users to transfer into an evacuation chair or to maintain a sitting position once seated in one. Therefore, evacuation chairs should not be considered as an automatic solution to the escape requirements of wheelchair users.

It is unlikely that an evacuation chair will be of much use unless both the user and the operator are well trained and familiar with the piece of equipment. It is essential that when they are purchased a suitable training system is also implemented. Regular practices should also take place. In most instances, these may not need to include the disabled person, although some may wish to practise being moved in the evacuation chair. It is more appropriate for the people who are trained to operate the evacuation chair to take it in

turns during practices rather than involve the disabled person. This will also increase their confidence in using the equipment. Using an evacuation chair may put the disabled person at risk from injury, so it is best to limit their use by disabled people to the real thing.

4.4.2 Carry-down in the person's own wheelchair

It is possible to move a person down a stairway in a number of ways using their own chair as an aid.

Carry-down by two, three or four people can be done by holding the wheelchair at one of the fixed points situated in each corner of the wheelchair. The team then lifts the wheelchair and moves up or down the stairway. Many wheelchair users will be able to point this out.

4.4.3 Carry-down using an office chair

This can be used when a person does not have a wheelchair that is suitable for carry-down, for example a large motorised chair.

Any stable office chair can be used, although preferably it would be one with armrests. The carry-down is facilitated in the same way as when using a wheelchair.

4.4.4 Carry-down using 'wheelies'

With some wheelchairs it is possible to tilt the chair on its axis so that it is virtually weightless on the stair. With either one or two people holding onto the chair by a fixed point at the rear, the wheelchair can be manoeuvred down the stairs, allowing the weight of the person to carry the chair down the stairs. Some wheelchair users are able to make this manoeuvre unaided; however, these people are in a minority, and, in any case, the manoeuvre is really only practical on a short flight of stairs.

None of the above techniques should be attempted without appropriate training. All types of carry-down escape techniques require a risk assessment and professional moving and handling training for the operators.

When designing the escape plan, remember to consider what is practical and achievable in exceptional circumstances rather than what might be achieved in normal day-to-day activity.

4.4.5 The interview

When writing a plan with someone who has a mobility impairment, or who uses either an electrically or manually powered wheelchair, the following information should be obtained:

- which routes have handrails provided;

- how far the distance of travel is on particular routes;
- the degree of fire compartmentalisation within the building and the exact location of the fire compartments;
- the provision of evacuation chairs;
- which staircases are provided with handrails and what side of the stair they are situated on;
- the opportunity to use lifts and lift locations; and
- what staff assistance may be available.

Questions to ask during the interview include:

- Can you walk aided/unaided down the stairs?
- How far can you walk unaided?
- Can you slide down the stairs?
- How many flights can you manage?
- Would this be increased if assistance were made available?
- How many people would you need to assist you?
- How many times might they need to stop to rest?
- Would handrails be of use in assisting your escape?
- Are there positions along the escape route where handrails or other aids might assist you?
- How might your mobility be worsened, e.g. by smoke, etc.?
- Is your wheelchair electric or manual?

Once this process has taken place, some people will decide that they can facilitate their own escape using the systems within the building. Others will decide that they require assistance from one or more people.

4.5 Electrically powered wheelchairs

People with limited mobility – possibly heavy

People who use electrically powered wheelchairs may have less mobility than people who use manual chairs. However, there may be exceptions to this rule, so it is important to consult the disabled person wherever possible.

This group of people is likely to require much more assistance when leaving the building. It is wise for the responsible person or building manager to facilitate the independent escape of all other groups of disabled people in order to ensure that there is sufficient staff to assist this group.

It is impractical to expect that this group of people will be able to take their chair with them, due to its weight and size. They will need to leave their chair in the building if there is no suitable lift to facilitate their escape. This will mean that some other method of carrying them down the stairs will be required. This may be a piece of equipment such as an evacuation chair.

There are other types of mechanical equipment that exist to move people up or down stairs; however, timing and obstructing the escape of others are prime considerations if thinking about using this type of equipment for evacuation purposes.

An important issue to consider when planning means of escape for people who require carry-down by four people is that the width of the stair will need to be sufficient for all of the team to move freely and safely.

4.6 Hearing impaired and deaf people

Hearing impaired and deaf people need to know that there is an escape in progress. Where only an audible fire alarm system is present, they may not be able to hear the alarm or any information being broadcast by PA systems. However, if sound enhancement systems are provided within the building, it may be possible to transmit the message through that system, e.g. via a hearing loop or radio paging receiver.

The preferred options to alert hearing impaired people that an emergency exists and an evacuation is about to occur are the use of flashing beacons installed as part of the fire alarm system and the use of a paging system. However, these cannot always be provided. Where this is not possible, there is a range of other auxiliary aids to provide this information.

4.6.1 Information required

When writing a plan with someone who has a hearing impairment or who is deaf, information should be obtained on whether any of the following pieces of equipment are available:

- visual alarm system;
- MSN text messaging;
- office intranet;
- telephone network – textphone;
- vibrating pager;
- team member;
- fire wardens;
- appointed buddy; or
- local beacon.

All pagers and other equipment should be tested regularly to ensure that they work.

4.6.2 Staff training

Where other staff are used to alert hearing impaired or deaf people that they need to leave the building, they should be trained in deaf awareness. Often floor wardens sweep the building to ensure that there is no one left on the floor. These staff can be trained to look for signs that a hearing impaired person is present who may not have heard the alarm.

A typical situation where this may occur is in single offices, libraries, toilet accommodation or changing rooms. Fire wardens should not expect a vocal call to be sufficient and should be trained to physically check all areas for which they have responsibility, provided it is safe for them to do so.

Staff should also be aware that when a person does not react in a logical manner during the escape procedure they may not have heard the alarm. Shouting louder is unlikely to be the answer. It may be necessary to walk right up to the person and explain what is happening with signs or even a written note or pre-prepared short written instruction.

4.6.3 Fire instructions

It should also be recognised that many hearing impaired and deaf people do not have English as a first language. It is important that a Plain English translation of the fire protocol is provided. It may also be an advantage to this group of people for pictograms to be provided to support the written information. Deaf people may prefer to have instructions explained to them through a British Sign Language (BSL) interpreter.

There are additional issues to consider when writing a plan for a hearing impaired or deaf person.

4.6.4 The interview

The following information should be given to a hearing impaired or deaf person when writing their plan:

- the systems that are available to advise them of an evacuation, e.g. alarm beacon, pager, personal contact, etc.; and
- the technical operation of fire alarms – how to raise the alarm, how to contact the control room, etc.

Ensure that they are aware of the evacuation procedures – where to go, alternative routes, and where to report to after the evacuation.

- The following questions should be asked when writing the plan:
- Do you work alone in the building?

- Do you work out of hours?
- Can you hear the alarm?
- Do you work as part of a team or in a group office environment?
- Do you have a dedicated text number?
- Do you have an email address?
- Are you likely to move around the building?

4.6.5 Lone working

Care should be taken to ensure that hearing impaired or deaf people who are working alone in a building know what is happening. In these instances, it may be imperative that a visual alarm system or vibrating pager system is installed.

Similarly, this is also important where a person is working out of hours and where there may be no other hearing people available to advise them that there is an emergency evacuation in progress. Remember that the evacuation system may be used for purposes other than a fire emergency.

The working hours or working flexibility of hearing impaired or deaf members of staff should not be restricted because inadequate provision for safe evacuation has been made. Such restrictions, if made without full consideration of reasonable adjustments, may amount to unlawful discrimination.

Example

A senior manager who is deaf is required to work late and be in the office early on occasion. The office has a 24-hour security presence and it is necessary for all staff to sign in and out at the security point. An arrangement is made that, should an alarm be raised out of hours when the manager is present, the security guard will contact the manager on their textphone to alert them of the emergency. This was built into the instruction manual on means of escape procedures for all security staff.

4.7 Visually impaired and blind people

People who are visually impaired are helped to escape by the provision of good signage and other orientation clues. It should be noted that most visually impaired people have some sight and that they will be able to use this during the escape in order to make their own way out of the building as part of a crowd. Where the physical circumstances are appropriate, they will have no problems leaving the building.

Some organisations will not have made provision to provide specialist orientation information, for example tactile information and audio signals. Use can be made of existing elements within the building that might help visually impaired people to facilitate their own evacuation. These may be elements of building design, such as good colour contrasts, handrails on

escape stairs, step edge markings on escape stairs, colour contrasted or different textured floor coverings on escape routes or way finding information. Where orientation clues are provided, these will further reduce the need for assistance.

However, there will still be a need to inform visually impaired people of the presence of these via the PEEP. Where there is a lack of orientation information, staff assistance will be necessary to provide guidance out of the building.

4.7.1 Orientation information

Improving circulation and orientation can be of great benefit. Logical routes to escape stairs will not only assist visually impaired people but will be of benefit to all users of the building.

Good colour definition and accessible signage will help visually impaired people to use the building. Extending these systems to include the escape routes can reduce the need for assisted escape.

A visually impaired person might not easily locate the exit signs and may not be aware of the travel direction to get out of the building, but they may remember their way out along the route by which they entered the building. Using the escape routes as part of the general circulation space within the building will mean that visually impaired people will become more familiar with these routes and will therefore have more options for making their escape.

4.7.2 Fire instructions

Visually impaired people are not generally able to read the fire escape instructions provided in most buildings, as these are often in very small typefaces. Suitable instructions should be made available in Braille, large print or on audio-tape. It can be useful to provide a tactile map of the escape routes and to provide orientation training to visually impaired staff working in the building, so that they are more aware of the options for escape.

4.7.3 Staff responsibility

Visitors to the building are unlikely to spend time alone. Rather than provide a focused escape plan for each individual person, a philosophy should be adopted that gives staff the responsibility of ensuring that their visitors leave the building safely, whether or not they have a disability. This would be preferable to providing extensive and possibly unappreciated escape training for the casual visitor.

4.7.4 Keeping routes safe

Some other simple measures can be adapted to facilitate visually impaired people in making their escape. They may have difficulty in stairways where there are open risers and these should be avoided on escape routes. Where

these are present then there may be a need for assistance or adaptations to the stairs to make them safer. Alternatively, a different stairway may be available.

When office furniture is rearranged and escape routes are affected, it is important that these changes are documented and made known to visually impaired people in the building.

4.7.5 The interview

When writing a plan with someone who has a visual impairment, the following information should be obtained:

- What type of alarm system is available?
- Are the escape routes clearly marked?
- Is there sufficient orientation information?
- Are fire instructions provided in accessible formats?
- Are there step edge markings on the escape stairs?
- Are there handrails on the escape stairs?
- Are risers closed?
- Are there external, open, steel escape routes?
- The questions that should be asked are:
 - Do you work alone in the building?
 - Do you work out of hours?
 - Can you hear the alarm?
 - Are you aware of the positions of all the escape routes?
 - Can you follow them unaided?
 - Do you work as part of a team or in a group office environment?
 - Are you likely to move around the building?

Can you read the escape instructions? If not, what format do you need them in?

4.8 People with cognitive disabilities

People with cognitive disabilities often have problems comprehending what is happening in escape conditions, or may not have the same perceptions of risk as non-disabled people. Provision of good orientation facilities and measures within the building is essential.

There may be reluctance by some to take an unknown route from the building. Some people with cognitive disabilities may fall into the group of unknown disabilities, such as dyslexia, dyspraxia and autism. These people

may not be aware of the problem. The PEEP system should be used to give them the opportunity to understand the possible need for choice and direction change during an escape.

4.8.1 Orientation information

Orientation information and colour coding of escape routes can also provide a useful tool. Practice of the route options can dramatically reduce the requirement for staff assistance. Practice is essential for this group of people, especially in situations where one person is responsible for a number of others, for example in a classroom situation. Use of escape routes for general circulation is an advantage.

4.8.2 Fire instructions

This group of people may need to have the escape plan read and explained to them. A video or DVD explaining and demonstrating what to do in an emergency can also be an advantage. A photographic explanation of the route can also be useful.

Rather than merely asking what this group of people needs, it may be more relevant to ask what they understand and to develop the plan based on how they will find the escape routes.

4.8.3 Other factors

Sometimes people with cognitive disabilities will move more slowly than the main flow and there may be a need for a slow and fast lane in the escape stair.

It is important to understand that not every person with a cognitive impairment will have a carer or helper with them, so efforts should always be made to enable the disabled person to understand how to leave the building rather than assuming that a carer or helper will undertake this role.

It may not be possible to tell that a person has an impairment that affects their ability to orientate themselves around the building, and staff should be made aware of such possible situations and be tactful when assisting a person who may seem lost or unsure of what to do during an escape.

4.8.4 The interview

When writing a plan with someone who has a cognitive impairment, the following information should be obtained:

- What type of alarm system is available?
- Are the escape routes clearly marked?
- Is there sufficient orientation information?
- Are fire instructions provided in accessible formats?

- Are there step edge markings on the escape stairs?
- Are there handrails on the escape stairs?
- Is it likely that there will be a need for two-speed traffic on the stair?
If so, is it wide enough to allow this?
- Are risers closed?
- Are there external, open, steel escape routes?

The questions that should be asked are:

- Do you work alone in the building?
- Do you work out of hours?
- Do you know what the alarm sounds like?
- When you hear the alarm, do you know where to go?
- Do you work as part of a team or in a group office environment?
- Are you likely to move around the building?
- Can you read the escape instructions? Do you understand them? If not, what format do you need them in?

4.9 Unknown requirements

It should not be assumed that because a person has a disability they will need or ask for a PEEP. Some will be confident that they can get out of the building unaided. Conversely, there should also be an opportunity for other people who may not be considered as having a disability to request an escape plan. All staff in a building should be given the opportunity to have a confidential discussion about their escape requirements and be clear that, if they need help, it will be provided. The service provider should adopt an approach that enables people to ask for a plan, when needed, without them feeling that it will affect the provision of that service to them in any other way.

One group of people who may find themselves in the category of 'unknown requirements' is people with epilepsy; however, they are not the only people who may have such an unknown requirement. Many will be able to leave the building unaided in an emergency, but some managers may not understand this.

For example, they may assume that a person with epilepsy will have a seizure due to the fire alarm operating and may collapse in an area where they are on their own (e.g. a toilet cubicle or storeroom) so that no one knows where they are. This is very unlikely and the general practice of fire wardens carefully and fully checking each floor during the evacuation process should cover this rare eventuality.

5 Visitors and customers

There is a difference in the way that an escape plan is provided where the person requiring the escape plan is a visitor to the building or is a customer using the service. The information required in Section 4 is still required for each group; however, it will not be possible to provide a bespoke plan for each person. Instead, a system of standard plans should be developed based on the matrix in Appendix 1.

Visitors should always be offered an escape plan, but staff should not be concerned if a person who has an apparent disability does not accept one. It is possible that the person is confident that they can make their own escape. This can apply to wheelchair users too (see Section 4.3: Wheelchair users). Members of staff should confirm with them that this is the case.

Generic plans should be provided in a discreet manner. This will encourage people who have conditions such as asthma, heart disease, epilepsy or emotional problems to ask for assistance, if they wish to do so. Their preferred escape method may be as individual as they are. However, it is likely to be met by one of the set standard PEEPs laid down for the building.

The service provider should adopt an approach that enables people to ask for a plan, when needed, without them feeling that it will affect the provision of the service to them. It should be understood that requesting a suitable evacuation plan would not result in restricted use of the building. All staff involved in the process of providing escape plans should be provided with a good standard of equality training to ensure that they do not inadvertently discriminate against disabled people.

In some public access buildings, such as museums, art galleries and shopping centres, there will be little or no control over the people who are present in the building. This can present a problem to the service provider. However, where a system of standard plans has been established, staff can be trained in the different escape options available. They can then be trained to offer an appropriate option to disabled people during an emergency and to lead them to appropriate points in the building.

Example 1

There are no step edge markings on the rear stair; however, the west stair has been provided with markings as part of building improvements. Both are available as escape routes. Staff should direct visually impaired people to the west stair.

Example 2

The building has a two-stage fire alarm system. The first stage is a coded message over the public address system to staff. At this point staff discreetly approach people who they consider may need assistance and ask them to leave prior to the confirmation of evacuation.

The matrix

The matrix in Appendix 1 includes most disability types and recommends options for their escape. When working in partnership with a disabled person to establish their escape plan, the matrix should be used as a guide to what options might be offered in the plan.

Assisted/facilitated escape options

This section explains each option shown in the matrix. In order to use the matrix, look at the escape option suggested for each disability type. The corresponding number in this section gives additional information on each type of escape. The two can be used together as part of the planning process for each person's PEEP.

The options can be used as a discussion tool in order to establish the options open to each person. They should be matched to each building, and one person's choice of escape may differ depending on the building. For instance, a visually impaired person may be able to find their way out of a building that has good orientation standards and is uncomplicated. However, in a complex building where there is poor signage and orientation they may need assistance.

This may mean that the person requires different plans for different buildings. Assumptions should not be made that the same plan suits all. Also, a disabled person should not be pushed into using the same method of escape in one building as they would use in a more accessible building.

1. Evacuation lifts

During a fire incident, once the Fire and Rescue Service is in attendance they will operate the lift override system to use the lifts themselves to access the fire. As a result, all lifts in the building to be used by the Fire and Rescue Service will return to the fire service access level and park. Once this happens, it will not be possible to call the lifts as they will be under the control of the Fire and Rescue Service.

Where suitable evacuation lifts are provided, disabled people should make their way to the lift point and use the communication system to contact the lift operator and make them aware of which floor they are waiting on. In addition, there will also be a refuge call point (adjacent to the evacuation lift) whereby the disabled person can contact the control room in order to tell control which refuge they are in.

Fire-fighting lifts may be used in the early stage of the evacuation process in agreement with the local Fire and Rescue Service.

In buildings where horizontal escape is used prior to exit in an ordinary lift, the instructions for horizontal escape should be followed first.

2. Meet assistance at a refuge

Some disabled people will require assisted escape. In these cases it will be necessary to have a pre-arranged meeting place. If the disabled person is likely to move around the building, a means of communication will be necessary between the escape volunteer and the disabled person. They can then arrange to meet at a particular refuge point during the escape.

People should never be left in a refuge point to wait for the Fire and Rescue Service. The refuge can be used as a safe resting place as well as a place to wait in a phased evacuation while the go-ahead for a full escape is established. A refuge may be equipped with a suitable means of communication.

Most refuges can accommodate only one wheelchair. This should not be a problem where there is more than one wheelchair user, provided that there is a suitable evacuation strategy in place. As one person progresses on their journey, the next person will take their place in the refuge. Fire compartmentation is also a form of refuge. The refuge may play a part in the disabled person's escape journey.

3. Meet assistance at a workstation

Some people will need to meet their assistant(s) at their own workstation. In this instance the allocated escape volunteer(s) should go straight to the disabled person's workstation at the beginning of the evacuation procedure. The assistant(s) could be someone who works alongside the disabled person (buddy system), therefore they can set off on their escape journey together.

4. Make own way down stairs slowly

Some people who use wheelchairs may be able to make their own way down the stairs if they have a little mobility. It may be necessary to ensure that there are suitable handrails and step edge markings present. The preferred solution is where the escape plan enables disabled people to leave the building by their own efforts. This reduces the chance of confusion and the chance of the plan breaking down. In these instances the person may rest along the way in refuges.

Disabled people who choose this independent method of escape are likely to move slowly down the stairs and it may be better for them to wait for the main flow of people to leave the building. Escape stairs that are incorporated in a fire-resistant shaft should be safe for up to 30 minutes. This greatly enhances the escape time, especially when fire alarm systems incorporate

advanced fire detection measures. This reinforces the importance of building occupiers keeping self-closing fire doors shut and observing good housekeeping practices when occupying buildings.

Where this escape method is chosen, it is important that it becomes part of the PEEP and is recorded and monitored should there be a problem during the escape. The fire warden should report to the control room or the person in charge of the evacuation process that a disabled person is slowly making their way out of the building. This information must be passed on to the Fire and Rescue Service on their arrival at the incident.

5. Move down stairs on bottom after main flow

While some people will prefer to take responsibility for their own escape by walking down the stairs, others may prefer to make their own way out by shuffling down the stairs on their bottom. Again, it will be best for this group of people to wait until after the main flow of people has evacuated. Wherever possible, they should be monitored to ensure that there is no problem with their progress. The fire warden should then report to the control room or the person in charge of the evacuation process. This information must be passed on to the Fire and Rescue Service on their arrival at the incident.

6. Evacuation chairs

Where this is the preferred method of escape, the responsible person will provide an evacuation chair. It will be allocated to a particular person and either kept alongside their desk or in the most suitable refuge close to them.

In the case of a visitor who requests this method of escape, the person who is responsible for booking them into the building should contact the appropriate responsible person to arrange for one to be brought to the most suitable part of the building for the duration of their stay. It should then be returned to the central storage point.

In buildings with an uncontrolled and unknown population, it may be advisable to provide evacuation chairs at suitable points within the building. One on each staircase at each level may be an expensive option. Provision of evacuation chairs on the top floor of the building, with a communication system that allows them to be brought immediately to any refuge, may be an acceptable solution, depending on the fire safety measures in place and individual circumstances.

Provision of evacuation chairs should always be accompanied by a full system of escape for disabled people as they are only a part of the solution. Regular training of staff in the use of evacuation chairs is essential.

7–9. Carry-down

There are a number of types of carry-down techniques using two, three or four people. Where a disabled person wishes to be carried out either using their own wheelchair or by another method, a manual handling risk assessment should be carried out and a suitable team should be assembled and trained to take them out safely.

There are a number of pieces of equipment available to help with this evacuation technique. The appointed people require regular training to use any equipment safely. When carry-down is the preferred method, specialist moving and handling training should also be provided.

10. Move down stairs in own chair with support

Some wheelchair users are strong and skilled enough to tip their chair on its axis and travel down the stairs in this way. Others can do this with assistance. Where this method of escape is considered, expert training will be required and the technique should be practised regularly. Again, the escape should take place after the main flow of people leaves the building. It is only acceptable for short flights of stairs.

11. Cannot transfer readily

Some people will find it difficult or impossible to transfer from their chairs to an evacuation chair or other evacuation aid. These people may require a hoist to assist with this movement. The process can be quite difficult and suitable training is required. It may be appropriate, wherever possible, for a disabled person's workstation or a point of service used by disabled people to be located in a place where better evacuation plans can be made. In these cases, a risk assessment of the use of lifts within the building for evacuation purposes may find that this solution presents less of a risk.

Service providers could ensure that meeting or hotel rooms with easier evacuation routes are priority booked for disabled people who require a high level of assistance.

12. Move down stairs using handrails

Some people will be able to make their own escape but will require a handrail to support them to get out of the building. This will be to either the right or left of the stairs. Some will not be able to use the right and others the left. Once you have established that they require a handrail, check each staircase in the building proposed for their use to ensure that a suitable handrail is provided. Where one is not available then assistance may be required. Provision of handrails may be considered a reasonable adjustment.

13–14. Assistance from one to two people

Some people will require a buddy to assist them out of the building. Some will be happy to organise this themselves on a casual basis. If this is the case, a check should be made to ensure that the disabled person will always be in a group of their peers or regular staff who are able to provide this. If not, then it may be necessary to establish a formal procedure for times when they are likely to be alone. In these cases, it may be suitable for them to use the standard procedures set up in that building for visitors.

15. Orientation information

Where a person requires additional orientation information, it may be sufficient to give them a guided tour of the escape routes from the rooms they use. There are a number of disabilities where additional orientation information is required. Good orientation systems benefit all of them and could include colour coding, signage and defined routes (as explained in 16–18). People with cognitive impairments can benefit from a photographic record of the route.

16. Tactile maps of the building

Some people will need additional guidance information in the form of tactile maps. These can be obtained through a number of organisations that provide accessible information services. You should ensure that you have this information in advance.

17. Colour contrasting on stairways

To assist their orientation needs, some people will require an orientation strategy to assist way-finding within the building. This can be achieved through colour coding or contrasting the escape routes. An alternative for smaller organisations might be to provide laminated paper signs with red triangles and yellow squares printed on them; these are used to identify the escape routes and supplement the regulated escape signs.

18. Step edge markings

Some people will be more confident about making their own way out of the building if there is sufficient contrast on the nosings on the stairs. If a person requests this option, the stairs should be checked to see if the step edges are highlighted. If they are not, the person may require a buddy to help them out of the building. It may also be appropriate to allocate a working area close to where there are suitable step edge markings. It would be advisable to provide contrasting nosing on all stairs in order to reduce the need for assistance.

19. Need to be shown the escape routes

Some people will only need the escape routes pointing out to them and this will be sufficient.

20. Assistance for the person and their dog

Where a person uses a guide dog, they may prefer the dog to assist them out of the building. The escape routes should be pointed out to them. Others will prefer to take the responsibility away from the dog for means of escape and request a human assistant. In these cases, a buddy should be allocated to the person. It may also be necessary to provide a person to look after the dog. Again, this may be provided in an informal or formal manner.

21. Need doors to be opened

Some people may have difficulty negotiating self-closing fire-resisting doors. It should be ensured, therefore, that all such doors and their self-closing devices (including those that are normally held open by electromagnets linked to the fire alarm system) comply with the recommendations of the appropriate British Standard regarding opening and closing forces.

However, some people may still require assistance to open the doors, for example those with upper limb impairments. Again, this can be a formal or informal arrangement. Where a person may be alone in a building that has doors that may be difficult for them to open, it may be necessary to provide a more formal level of assistance.

Managers should ensure that a fire door self-closing device is not set at too strong a pressure and they may need to adjust it, but it must also be remembered that such doors are designed to hold back smoke and fire to protect all the people in a building and facilitate their escape.

22. Large print information

Some people will need fire evacuation information provided in large print. This can be obtained through a number of organisations that provide accessible information services. Alternatively, it is possible to produce large print information in-house. Ask the person what size of print is suitable for them. You should ensure that you have this information in advance.

23. Identification of escape routes by reception or security

Visitors to the building may need reception or security staff to show them the escape routes when they arrive at the building. This task should be allocated to the most suitable person for each building or department.

24. Flashing beacons

Hearing impaired or deaf people need to be made aware that an evacuation is taking place. Where they are likely to be alone in the building, they may need to be provided with a flashing beacon or other similar device. If this type of system is required, check with the appropriate person to see if there is one available within the building. Where there is not, then a suitable buddy system will be required. Flashing beacons may not be appropriate in all buildings, for instance where other lighting conflicts with the beacons.

25. Buddy system

A buddy system may be the most suitable method for alerting a hearing impaired or deaf person to the operation of the fire alarm. This should not be done on an informal basis in case everyone assumes that someone else has given the warning.

26. Vibrating pagers

Vibrating pagers can alert hearing impaired and deaf people that there is an emergency and they need to leave the building. They can also be used to communicate with other people who are part of the assisted escape system. The pagers can be used to inform people that there is a need to escape and also to tell them which direction they should travel in.

27. Alternative alarm systems

There are other methods of contacting disabled people; these can be either through the telephone system or through the intranet. It is recommended that where a person cannot use the existing system or needs support to use it, all other communication options are explored.

28. Additional checks by fire wardens

In order to provide back-up wherever there is an assisted escape system in place, it is also necessary for the fire wardens or fire marshals in the building to be aware of who is present and what escape plans are in place. They should then be trained to provide suitable assistance where necessary.

29. Horizontal evacuation

In some buildings, it is possible to evacuate people horizontally through the building into another fire compartment and away from the emergency situation. When the alarm goes off, people who cannot use stairs are directed to move along the floor level they are on to another fire compartment.

Information about where to go is required in order for this system to work. Where horizontal evacuation is not immediately available on the affected floor, it may be available on a lower floor. This may be more acceptable than travelling all the way to the ground floor. The opportunity to do this should be identified as part of the building fire safety risk assessment and then offered during the interview.

30. Taped information

Where a person cannot read the fire drill instructions, they may benefit from their provision in tape format. This should be produced in Plain English and in other languages where appropriate.

Appendix 1 – The matrix

Option	Type of escape	Electric Wheel-chair user	Wheel-chair user	Mobility impaired person	Asthma & other breathing/health issues	Visually impaired person	Hearing impaired person	Dyslexic/orientation disorders	Learning difficulty/autism	Mental Health problems	Dexterity problems
1	Use of lift	1	1	1	1						1
2	Meet assistance at refuge		1	1		1				1	
3	Meet assistance at work-station	1	1	1	1	1	1	1	1	1	1
4	Make own way down stairs slowly	1	1	1	1	1					
5	Move down stairs on bottom after main flow	1	1	1	1				1		
6	Use evacuation chair or similar	1	1	1	1						
7	Carry-down 2 people	1	1	1	1						
8	Carry-down 3 people	1	1	1	1						
9	Carry-down 4 people	1	1	1	1						
10	Travel down in own chair with support		1								
11	Cannot transfer readily	1	1								
12	Can get down stairs using handrails	1	1	1	1	1			1		
13	Needs assistance to walk down stairs 1 person	1	1	1	1	1			1	1	1
14	Needs assistance to walk down stairs 2 people	1	1	1	1	1			1		
15	Need orientation information					1	1	1	1	1	

Option	Type of escape	Electric Wheel-chair user	Wheel-chair user	Mobility impaired person	Asthma & other breathing/health issues	Visually impaired person	Hearing impaired person	Dyslexic/ orientation disorders	Learning difficulty/ autism	Mental Health problems	Dexterity problems
16	Needs tactile map of building					1					
17	Need colour contrasting on stairways					1		1	1	1	
18	Needs step edge markings			1		1	1	1		1	
19	Needs showing escape routes				1	1	1	1	1		
20	Needs assistance for person and dog				1	1					
21	Needs doors opening										1
22	Large print information					1		1	1		
23	Identification of escape route by reception/ security					1	1	1	1	1	
24	Provisions of flashing beacons						1				
25	Buddy system					1	1	1			
26	Provision of vibrating pagers	1	1	1			1				
27	Provision of alternative alarm	1	1	1		1	1				
28	Additional checks by fire wardens						1	1	1	1	
29	Horizontal evacuation	1	1								
30	Need for taped information					1		1	1	1	

Appendix 2 – Pro-forma letter

Dear

Personal Emergency Evacuation Plans (questionnaire)

We are currently reviewing and improving our emergency evacuation procedures and we want to ensure that all of our staff are able to leave the building safely in the event of a fire or other emergency. We understand that many disabled people will be able to leave the building unaided; however, some may require assistance. Therefore, we are writing to you to ask you whether you would like us to draw up a Personal Emergency Evacuation Plan (PEEP) with you in order to ensure that you can leave the building safely in the event of an emergency.

The plan will explain what options you wish to take in the event of a fire evacuation. The plan will also state who is designated to assist you in your escape should you require this. The human resources department or other manager, in full consultation with you, will draw up your PEEP. These people will have been trained on disability equality issues and will work with you to find the best solution.

We are including a questionnaire for you to fill in to help you assess your own need for a plan. Please return the questionnaire as soon as possible/by If you do require a plan, we will arrange a meeting with you to discuss it. If necessary, we will appoint people to help you. You will receive a copy of your plan, which will also be given to those people who are part of your escape plan. The fire incident controller (or other) will also receive a copy and will pass it on to the Fire Service if necessary. If you do not request a plan, we will accept that you are able to make your own way out unaided.

This does not affect your right to employment. As your employer we have a duty to provide you with a suitable escape plan regardless of your disability. We will not expect you to make any extraordinary effort to escape at any other time.

If you have a temporary condition that may impede your evacuation, such as pregnancy, please inform us if you feel you need assistance. If your disability does not normally affect your work but might be a problem in an escape situation, please inform us so that we can arrange suitable assistance. This will not affect your right to employment.

Thank you for taking the time to fill in the questionnaire, which will enable us to bring about any necessary changes.

Yours sincerely

Appendix 3 – New starter evacuation questionnaire

Have you read and understood the evacuation procedure for the building in which you work?

Yes No

Do you require the procedure in large print or in another alternative format?

Yes No

If yes, please state which: _____

Do you have any special evacuation requirements?

Yes No

We operate an evacuation system that includes Personal Emergency Evacuation Plans (PEEPs) for disabled staff. If you have answered yes to the above question, you will shortly receive a questionnaire.

Please fill it in as quickly as possible and return it to _____

If you have any questions, please speak to _____

Thank you

Appendix 4 – Personnel record sheet

Name	Department	Evacuation plan
Mike Smith	Engineering	Plan 15
Jake Long	Maths	Plan 5

Appendix 5 – PEEP option 1

Part 1 _____

Name: _____

Location: _____

Alternative working positions (if appropriate): _____

Location: _____

Indicate the number of separate plans that have been provided for each building and room visited.

Building name

Room numbers

Part 2: Awareness of procedure

I have received the evacuation procedure in the following format:

- Braille
- Electronic format
- Tape
- Large print
- It has been explained in BSL
- I have been shown the evacuation routes
- I have my own authorised plan

Alarm system

- I am informed of the emergency by:
 - The existing alarm system
 - Pager device
 - Visual alarm system
 - Members of my work team
(each of these people require a copy of this sheet)
- The fire wardens on my floor (the fire wardens require a copy of this sheet)

Names: _____

Part 3: Getting out

I require ___ people to assist me.

Names: _____

Back-up: _____

Each of these people require a copy of this sheet.

The following is a record of my escape plan:

Each of these people require a copy of this sheet.

My specialist equipment to assist my escape is:

My practice diary is:

Year 1												Year 2
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
MOE training	Carry-down training	Mock-up				MOE training	Carry-down training	Mock-up				MOE training

Date: _____

Example of evacuation procedure

This is a step-by-step account of what will happen during the escape.

John and Gale will meet me at my desk.

Reserve volunteers are **Maria and Mike**

They will help me by taking hold of one arm each side.

We will walk to the nearest escape route and wait in the space at the head of the stairs for other people to escape.

When it is safe to do so, we will move slowly down the stairs.

The fire warden will advise the Fire and Rescue Service which route we took.

Appendix 6 – PEEP option 2 (simple record sheet more relevant for standard plans)

Option 15

Requirement

My sight is limited and orientation is difficult where there is no formal guidance.

Escape procedure

The person you are visiting will take you to the refuge, which is within the evacuation stairway at each level of the building.

Please ring for assistance from the call point situated within the refuge. A member of our fire evacuation team will meet you there and guide you out of the building.

A more suitable variation on this is where all staff are trained to assist visually impaired people out of the building.

Specialist equipment to assist the escape is:

Fire warden checks

Communication point

Option 8 – Carry-down by two staff**Requirement**

I can walk on the flat but cannot manage stairs at all. I would need to be carried down the stairs.

Escape procedure

Please make your way to the refuge, which is within the evacuation stairway at each level of the building. Please ring for assistance from the call point situated within the refuge.

Our staff are trained to carry-down with the use of an evacuation chair and two staff.

A team will meet you in the refuge. You will need to sit on the chair, which has armrests to help support you. The two staff members will then carry you down.

Specialist equipment to assist the escape is:

Evacuation chair

Appendix 7 – Reception sign

Option 1 – Standard PEEPs in place

Option 1 – Standard PEEPs in place

We operate a system of assisted escape for disabled visitors.
Please tell our receptionist your requirements.

We will provide you with a suitable escape plan.

Option 2 – Disabled people’s evacuation strategy in place

Option 2 – Disabled people’s evacuation strategy in place

We operate a system of assisted escape for disabled visitors.
Please tell our receptionist your requirements.

We will explain our escape procedures to you.

Glossary

Term	Definition
British Sign Language (BSL)	Form of sign language developed in the United Kingdom for the use of the deaf. Indigenous language.
BS 8300	British Standard 8300: 2001 on Design of buildings and their approaches to meet the needs of disabled people. Code of practice.
Competent person	A person with enough training and experience or knowledge and other qualities to enable them to properly assist in undertaking the preventive and protective measures.
Disability Discrimination Act 1995	Legislation passed in 1995 to address discrimination against disabled people
Disability Equality Duty	The Disability Equality Duty came into force on 4 December 2006. This legal duty requires all public bodies to actively look at ways of ensuring that disabled people are treated equally.
Matrix	Table or grid (in Appendix 1, used to assist in ascertaining appropriate means of escape)
Personal Emergency Evacuation Plan (PEEP)	Individual plan for means of escape from fire.
Plain English	Writing that the intended audience can read, understand and act upon the first time they read it.
Regulatory Reform Order (Fire Safety) 2005 (RRO)	Legislation on fire safety for non-domestic premises.
Responsible person	The person ultimately responsible for fire safety as defined in the Regulatory Reform Order (Fire Safety) 2005.

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LICENSING ACT 2003

NORTH YORKSHIRE FIRE AND RESCUE SERVICE

-v-

THE EVIL EYE LOUNGE

EXHIBIT "IL30"



HM Government

fire safety risk assessment

small and medium places of assembly

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How to use this guide

This guide is divided into two parts:

- **Part 1** Explains what fire risk assessment is and how you might go about it. Fire risk assessment should be the foundation for all the fire precautions in your premises.
- **Part 2** Provides further guidance on fire precautions. The information is provided for you and others to dip into during your fire risk assessment or when you are reviewing your precautions.

The appendices provide example checklists, some detailed technical information on fire-resisting elements and advice on historic buildings.

This guide is one from a series of guides listed on the back cover.

The rest of this introduction explains how the law applies.

Technical terms are explained in the glossary and references to other publications listed at the end of the publication are identified by a superscript number in the text.

In this guide reference is made to British Standards and standards provided by other bodies. The standards referred to are intended for guidance only and other standards could be used. Reference to any particular standard is not intended to confer a presumption of conformity with the requirements of the Regulatory Reform (Fire Safety) Order 2005 (the Order).¹

The level of necessary safety (or service) must be dictated by the findings of your risk assessment so you may need to do more or less than that specified in any particular standard referred to. You must be prepared to show that what you have done complies with any requirements or prohibitions of the Order¹ irrespective of whether you have relied on a particular standard.

Preface

This guidance gives advice on how to avoid fires and how to ensure people's safety if a fire does start. Why should you read it? Because:

- Fire kills. In 2004 (England and Wales) fire and rescue services in England and Wales attended over 33,400 fires in non-domestic buildings. These fires killed 38 people and injured over 1,300.
- Fire costs money. The costs of a serious fire can be high and afterwards many businesses do not reopen. In 2004, the costs as a consequence of fire, including property damage, human casualties and lost business, were estimated at £2.5 billion.

This guide applies to England and Wales only. It does not set prescriptive standards, but provides recommendations and guidance for use when assessing the adequacy of fire precautions in small and medium places of assembly. Other fire risk assessment methods may be equally valid to comply with fire safety law. The guide also provides recommendations for the fire safety management of the premises.

Your existing fire safety arrangements may not be the same as the recommendations used in this guide but, as long as you can demonstrate that they meet an equivalent standard of fire safety, they are likely to be acceptable. If you decide that your existing arrangements are not satisfactory there may be other ways to comply with fire safety law. This means there is no obligation to adopt any particular solution in this guide if you prefer to meet the relevant requirement in some other way.

Where the building has been recently constructed or significantly altered, the fire detection and warning arrangements, escape routes and facilities for the fire and rescue service should have been designed, constructed and installed in accordance with current building regulations. In such cases, it is likely that these measures will be satisfactory as long as they are being properly maintained and no significant increase in risk has been introduced.

This guide should not be used to design fire safety in new buildings. Where alterations are proposed to existing premises, they may be subject to building regulations. However, it can be used to develop the fire safety strategy for the building.

Introduction

WHO SHOULD USE THIS GUIDE?

This guide is for all employers, managers, occupiers and owners of small and medium places of assembly. Details of other guides in the series are listed on the back cover. It tells you what you have to do to comply with fire safety law, helps you to carry out a fire risk assessment and identify the general fire precautions you need to have in place.

This guide is intended for premises where the main use of the building or part of the building is as a small (i.e. premises accommodating up to 60 people) or a medium (i.e. premises accommodating up to 300 people) place of assembly. These include: public houses; clubs; dance halls/schools; village halls; community centres; churches; other places of religious worship or study and associated premises; temporary structures and marquees/tents.

This guide does not apply to sports grounds or common areas of shopping malls; reference should be made to the guide for Large Places of Assembly for these premises.

This guide may also be suitable where the premises adjoin other complexes, although co-operation with the other managers will be necessary as part of an integrated risk assessment for the complex.

Also, where you handle and store flammable materials and substances, it will help you to take account of these in your risk assessment and help you to determine the necessary precautions to take to minimise the likelihood of them being involved in a fire.

The guide has been written to provide guidance for a responsible person, to help them to carry out a fire risk assessment in less complex premises. If you read the guide and decide that you are unable to apply the guidance, then you should seek expert advice from a competent person. More complex premises will probably need to be assessed by a person who has comprehensive training or experience in fire risk assessment. However, this guide can be used for multi-occupied buildings to address fire safety issues within their individual occupancies.

It may also be useful for:

- employees;
- employee-elected representatives;
- trade union-appointed health and safety representatives;
- enforcing authorities; and
- all other people who have a role in ensuring fire safety in small and medium places of assembly.

If your premises are listed as of historic interest, also see Appendix C.

Fire safety is only one of many safety issues management must address to minimise the risk of injury or death to staff or the public. Unlike most of the other safety concerns, fire has the potential to injure or kill large numbers of people very quickly. This guidance is concerned only with fire safety, but many of the measures discussed here will impact upon other safety issues, and vice versa. It is recognised that these differing safety demands can sometimes affect one another and management should consult other interested agencies, such as the Local Authority, where necessary to confirm that they are not contravening other legislation or guidance.

You can get advice about minimising fire losses from your insurer.

THE FIRE SAFETY ORDER

Previous general fire safety legislation

The Order¹ replaces previous fire safety legislation. Any fire certificate issued under the Fire Precautions Act 1971² will cease to have any effect. If a fire certificate has been issued in respect of your premises or the premises were built to recent building regulations, as long as you have made no material alterations and all the physical fire precautions have been properly maintained, then it is unlikely you will need to make any significant improvements to your existing physical fire protection arrangements to comply with the Order.¹ However, you must still carry out a fire risk assessment and keep it up to date to ensure that all the fire precautions in your premises remain current and adequate.

If you have previously carried out a fire risk assessment under the Fire Precautions (Workplace) Regulations 1997,³ as amended 1999,⁴ and this assessment has been regularly reviewed, then all you will need to do is revise that assessment taking account of the wider scope of the Order¹ as described in this guide.

Your premises may also be subject to the provisions of a licence or registration (e.g. under the Licensing Act 2003⁴⁷), and the fire authority may wish to review your risk assessment as part of the licensing approval process. Fire safety conditions within your licence should not be set by a licensing authority where the Order¹ applies.

Background

The Order¹ applies in England and Wales. It covers general fire precautions and other fire safety duties which are needed to protect 'relevant persons' in case of fire in and around most 'premises'. The Order¹ requires fire precautions to be put in place 'where necessary' and to the extent that it is reasonable and practicable in the circumstances to do so.

Responsibility for complying with the Order¹ rests with the 'responsible person'. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner. In all other premises the person or people in control of the premises will be responsible. If there is more than one responsible person in any type of premises (e.g. a multi-occupied complex), all must take all reasonable steps to co-operate and co-ordinate with each other.

If you are the responsible person you must carry out a fire risk assessment which must focus on the safety in case of fire of all 'relevant persons'. It should pay particular attention to those at special risk, such as disabled people, those who you know have special needs and children, and must include consideration of any dangerous substance liable to be on the premises. Your fire risk assessment will help you identify risks that can be removed or reduced and decide the nature and extent of the general fire precautions you need to take.

If your organisation employs five or more people, your premises are licensed or an alterations notice is in force, you must record the significant findings of the assessment. It is good practice to record your significant findings in any case.

There are some other fire safety duties you need to comply with:

- **You must** appoint one or more competent persons, depending on the size and use of your premises, to carry out any of the preventive and protective measures required by the Order¹ (you can nominate yourself for this purpose). A competent person is someone with enough training and experience or knowledge and other qualities to be able to implement these measures properly.
- **You must** provide your employees with clear and relevant information on the risks to them identified by the fire risk assessment, about the measures you have taken to prevent fires, and how these measures will protect them if a fire breaks out.
- **You must** consult your employees (or their elected representatives) about nominating people to carry out particular roles in connection with fire safety and about proposals for improving the fire precautions.
- **You must**, before you employ a child, provide a parent with clear and relevant information on the risks to that child identified by the risk assessment, the measures you have put in place to prevent/protect them from fire and inform any other responsible person of any risks to that child arising from their undertaking.
- **You must** inform non-employees, such as temporary or contract workers, of the relevant risks to them, and provide them with information about who are the nominated competent persons, and about the fire safety procedures for the premises.
- **You must** co-operate and co-ordinate with other responsible persons who also have premises in the building, inform them of any significant risks you find, and how you will seek to reduce/control those risks which might affect the safety of their employees.
- **You must** provide the employer of any person from an outside organisation who is working in your premises (e.g. agency providing temporary staff) with clear and relevant information on the risks to those employees and the preventive and protective measures taken. You must also provide those employees with appropriate instructions and relevant information about the risks to them.
- If you are not the employer but have any control of premises which contain more than one workplace, **you are also responsible** for ensuring that the requirements of the Order¹ are complied with in those parts over which you have control.

- **You must** consider the presence of any dangerous substances and the risk this presents to relevant persons from fire.
- **You must** establish a suitable means of contacting the emergency services and provide them with any relevant information about dangerous substances.
- **You must** provide appropriate information, instruction and training to your employees, during their normal working hours, about the fire precautions in your workplace, when they start working for you, and from time to time throughout the period they work for you.
- **You must** ensure that the premises and any equipment provided in connection with firefighting, fire detection and warning, or emergency routes and exits are covered by a suitable system of maintenance, and are maintained by a competent person in an efficient state, in efficient working order and in good repair.
- **Your employees must** co-operate with you to ensure the workplace is safe from fire and its effects, and must not do anything that will place themselves or other people at risk.

The above outlines some of the main requirements of the Order.¹ The rest of this guide will explain how you might meet these requirements.

Responsibilities for short-term hiring or leasing and for shared use

Some premises or structures may be leased as an empty and unsupervised facility (e.g. village halls, temporary structures and marquees). The fire safety responsibilities of those leasing the building or structure (and, therefore, in charge of the activities conducted within the building or structure), and those of the owner/leasee, need to be established as part of the contract of hire.

In some premises (e.g. pubs), part of the premises may be hired out to another organisation for a separate function (e.g. DJs and dance promoters, weddings, birthdays and funeral organisers). The fire safety responsibilities of those organising the separate function, and those of the remainder of the building, need to be established as part of the contract of hire.

The responsible person for each individual unique, occasional or separate event or function will need to be clearly established and documented, and their legal duties made clear to them. In particular, and where necessary, the responsible person will need to take account of their own lack of familiarity with the layout of the premises, the fire safety provisions, and the duties of other responsible persons within the premises.

Who enforces the Fire Safety Order?

The local fire and rescue authority (the fire and rescue service) will enforce the Order¹ in most premises. The exceptions are:

- Crown-occupied/owned premises where Crown fire inspectors will enforce;

- premises within armed forces establishments where the defence fire and rescue service will enforce;
- certain specialist premises including construction sites, ships (under repair or construction) and nuclear installations, where the HSE will enforce; and
- sports grounds and stands designated as needing a safety certificate by the local authority, where the local authority will enforce.

The enforcing authority will have the power to inspect your premises to check that you are complying with your duties under the Order.¹ They will look for evidence that you have carried out a suitable fire risk assessment and acted upon the significant findings of that assessment. If you are required to record the outcome of the assessment they will expect to see a copy.

If the enforcing authority is dissatisfied with the outcome of your fire risk assessment or the action you have taken, they may issue an enforcement notice that requires you to make certain improvements or, in extreme cases, a prohibition notice that restricts the use of all or part of your premises until improvements are made.

If you are making changes to your premises, you should also consult your local licensing authority.

If your premises are considered by the enforcing authority to be or have potential to be high risk, they may issue an alterations notice that requires you to inform them before you make any changes to your premises or the way they are used.

Failure to comply with any duty imposed by the Order¹ or any notice issued by the enforcing authority is an offence. You have a right of appeal to a magistrates court against any notice issued. Where you agree that there is a need for improvements to your fire precautions but disagree with the enforcing authority on the technical solution to be used (e.g. what type of fire alarm system is needed) you may agree to refer this for an independent determination.

If having read this guide you are in any doubt about how fire safety law applies to you, contact the fire safety office at your local fire and rescue service.

If your premises were in use before 2006, then they may have been subject to the Fire Precautions Act² and the Fire Precautions (Workplace) Regulations.^{3,4} Where the layout (means of escape) and other fire precautions have been assessed by the fire and rescue service to satisfy the guidance that was then current, it is likely that your premises already conform to many of the recommendations here, providing you have undertaken a fire risk assessment as required by the Fire Precautions (Workplace) Regulations.^{3,4}

New buildings or significant building alterations should be designed to satisfy current building regulations²⁴ which address fire precautions. However, you will still need to carry out a fire risk assessment, or review your existing one (and act on your findings), to comply with the Order.¹

Part 1 Fire risk assessment

MANAGING FIRE SAFETY

Good management of fire safety is essential to ensure that fires are unlikely to occur; that if they do occur they are likely to be controlled or contained quickly, effectively and safely; or that, if a fire does occur and grow, everyone in your premises is able to escape to a place of total safety easily and quickly.

The risk assessment that you must carry out will help you ensure that your fire safety procedures, fire prevention measures, and fire precautions (plans, systems and equipment) are all in place and working properly, and the risk assessment should identify any issues that need attention. Further information on managing fire safety is available in Part 2.

WHAT IS A FIRE RISK ASSESSMENT?

A fire risk assessment is an organised and methodical look at your premises, the activities carried on there and the likelihood that a fire could start and cause harm to those in and around the premises.

The aims of the fire risk assessment are:

- To identify the fire hazards.
- To reduce the risk of those hazards causing harm to as low as reasonably practicable.
- To decide what physical fire precautions and management arrangements are necessary to ensure the safety of people in your premises if a fire does start.

The term 'where necessary' (see Glossary) is used in the Order,¹ therefore when deciding what fire precautions and management arrangements are necessary you will need to take account of this definition.

The terms 'hazard' and 'risk' are used throughout this guide and it is important that you have a clear understanding of how these should be used.

- **Hazard:** anything that has the potential to cause harm.
- **Risk:** the chance of that harm occurring.

If your organisation employs five or more people, or your premises are licensed or an alterations notice requiring it is in force, then the significant findings of the fire risk assessment, the actions to be taken as a result of the assessment and details of anyone especially at risk must be recorded. You will probably find it helpful to keep a record of the significant findings of your fire risk assessment even if you are not required to do so.

HOW DO YOU CARRY OUT A FIRE RISK ASSESSMENT?

A fire risk assessment will help you determine the chances of a fire starting and the dangers from fire that your premises present for the people who use them and any

person in the immediate vicinity. The assessment method suggested in this guide shares the same approach as that used in general health and safety legislation and can be carried out either as part of a more general risk assessment or as a separate exercise. As you move through the steps there are checklists to help you.

Before you start your fire risk assessment, take time to prepare, and read through the rest of Part 1 of this guide.

Much of the information for your fire risk assessment will come from the knowledge your employees, colleagues and representatives have of the premises, as well as information given to you by people who have responsibility for other parts of the building. A tour of your premises will probably be needed to confirm, amend or add detail to your initial views.

It is important that you carry out your fire risk assessment in a practical and systematic way and that you allocate enough time to do a proper job. It must take the whole of your premises into account, including outdoor locations and any rooms and areas that are rarely used. If your premises are small you may be able to assess them as a whole. In some premises you may find it helpful to divide them into a series of assessment areas using natural boundaries, e.g. assembly spaces, process areas (such as cooking facilities in village halls), offices, stores, as well as corridors, stairways and external routes.

If your premises are in a multi-use complex then the information on hazard and risk reduction will still be applicable to you. However, any alterations to the use or structure of your individual unit will need to take account of the overall fire safety arrangements in the building.

Your premises may be simple, with few people present or with a limited degree of activity, but if it forms part of a building with different occupancies, then the measures provided by other occupiers may have a direct effect on the adequacy of the fire safety measures in your premises.

Under health and safety law (enforced by the HSE or the local authority) you are required to carry out a risk assessment in respect of any work processes in your workplace and to take or observe appropriate special, technical or organisational measures. If your health and safety risk assessment identifies that these processes are likely to involve the risk of fire or the spread of fire then you will need to take this into account during your fire risk assessment under the Order,¹ and prioritise actions based on the level of risk.

You need to appoint one or more competent persons (this could be you) to carry out any of the preventive and protective measures needed to comply with the Order.¹ This person could be you, or an appropriately trained employee or, where appropriate, a third party.

Your fire risk assessment should demonstrate that, as far as is reasonable, you have considered the needs of all relevant people, including disabled people.

Figure 1 shows the five steps you need to take to carry out a fire risk assessment.

FIRE SAFETY RISK ASSESSMENT

1 Identify fire hazards

Identify:

- Sources of ignition
- Sources of fuel
- Sources of oxygen

2 Identify people at risk

Identify:

- People in and around the premises
- People especially at risk

3 Evaluate, remove, reduce and protect from risk

- Evaluate the risk of a fire occurring
- Evaluate the risk to people from fire
- Remove or reduce fire hazards
- Remove or reduce the risks to people

- Detection and warning
- Fire-fighting
- Escape routes
- Lighting
- Signs and notices
- Maintenance

4 Record, plan, inform, instruct and train

- Record significant finding and action taken
- Prepare an emergency plan
- Inform and instruct relevant people; co-operate and co-ordinate with others
- Provide training

5 Review

- Keep assessment under review
- Revise where necessary

Remember to keep to your fire risk assessment under review.

Figure 1: The five steps of a fire risk assessment