

# Licensing (Licensing and Gambling) Sub-Committee

## ADDITIONAL INFORMATION

Tuesday, 5th March, 2024  
at 4.00 pm

### ADDITIONAL INFORMATION RELATED TO THE LISTED REPORTS

#### Contacts

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#### **1. FIRE SAFETY TECHNICAL REPORT 2. REMOTE HEARING PROTOCOL**

Monday, 26 February 2024

DIRECTOR, LEGAL AND GOVERNANCE

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# Agenda Item 6

**From:** Jimmy Hajiantoni  
**Sent:** Thursday, February 22, 2024 6:52 PM  
**To:** Licensing  
**Subject:** Basement

You don't often get email from . [Learn why this is important](#)

**This Message Is From an External Sender**

This message came from outside your organisation.  
Report Suspicious

Hi  
Please find the report from the fire assessor  
We are now looking for capacity of 110  
Kind regards  
D.Hajiantoni

Sent from my iPhone



## Fire Safety Technical Report

35/36 Oxford Street

Southampton

SO14 3DS

Reference: Oxford\_Street/AL/001

Date: 19/02/2024

Version: 1

Plan Reference: Basement Layout Licensing Drawing

Prepared by:

A handwritten signature in black ink, appearing to read 'A Lock', written over a light grey grid background.

**Mr A Lock**

BEng (Hons) MIFireE Tech IOSH



Reviewed By:

A handwritten signature in black ink, appearing to read 'N Perry', written over a light grey grid background.

**Mr N Perry**

BEng (Hons), MIFireE

Fire Safety Engineer

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## 1 Executive Summary

This report has been commissioned to evaluate the occupancy for the premises at 35/36 Oxford Street, Southampton SO14 3DS.

The current project involves a licensed premises at the basement level, separated from the rest of the premises by compartmentation.

The contents of this report are based on the plans and information provided by the client.

The following fire safety provisions and arrangements should be provided within the building;

- A fire risk assessment should be conducted prior to occupation;
- All fire safety systems should be serviced and maintained in accordance with the manufacturer's specification and the relevant British Standards. This includes the following systems:
  - Fire detection and alarm system
  - Emergency lighting
  - Firefighting equipment;
- All material changes are subject to planning applications to relevant building control bodies or approved inspectors

As the requirements of the Building Regulations are set out in functional terms and can be interpreted in different ways, it is essential that the recommendations of this report are agreed with the relevant approval bodies prior to implementation where changes are required.

Any works that are carried out prior to Building Control approval being attained, will be at the client's risk.

## 2 Scope

This report is designed to evaluate the proposed occupancy for 35/36 Oxford Street Southampton SO14 3DS. The report will analyse and make recommendations to meet the functional requirements of the Regulatory Reform (Fire Safety) Order 2005, means of escape, only. Other elements of the legislative requirements, and property protection, will not form part of this report.

### 2.1 Limitations

Our advice is strictly limited to the scope of the project for 35/36 Oxford Street Southampton SO14 3DS. 3SFire have not reviewed any other issues within the project other than those identified in this technical report. We offer no comment on any other aspects of the development and any absence of comment on such issues should not be regarded as any form of approval.

**In no way should this report be viewed as a Fire Risk Assessment.**

The advice within this report should not be used for any other building. Until this report is agreed with the Building Control and Licensing Authorities, the contents should only be used for preliminary information to obtain quotes etc.

### **3 Statutory Requirements & Guidance**

#### **3.1 Statutory Requirements**

The Regulatory Reform (Fire Safety) Order 2005, Article 14, states that:

- (1) Where necessary in order to safeguard the safety of relevant persons, the responsible person must ensure that routes to emergency exits from premises and the exits themselves are kept clear at all times.*
- (2) The following requirements must be complied with in respect of premises where necessary (whether due to the features of the premises, the activity carried on there, any hazard present or any other relevant circumstances) in order to safeguard the safety of relevant persons—*
  - a. emergency routes and exits must lead as directly as possible to a place of safety;*
  - b. (b)in the event of danger, it must be possible for persons to evacuate the premises as quickly and as safely as possible;*
  - c. (c)the number, distribution and dimensions of emergency routes and exits must be adequate having regard to the use, equipment and dimensions of the premises and the maximum number of persons who may be present there at any one time;*
  - d. (d)emergency doors must open in the direction of escape;*
  - e. (e)sliding or revolving doors must not be used for exits specifically intended as emergency exits;*
  - f. (f)emergency doors must not be so locked or fastened that they cannot be easily and immediately opened by any person who may require to use them in an emergency;*
  - g. (g)emergency routes and exits must be indicated by signs; and*
  - h. (h)emergency routes and exits requiring illumination must be provided with emergency lighting of adequate intensity in the case of failure of their normal lighting*

The project will be subject to these regulations and a consultation with a Building Control Body for any subsequent building works. Regulation 38 of the Building Regulations requires that fire safety information be given to the person responsible for the occupied building.

### **3.2 Guidance – Small and Medium Places of Assembly**

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.

## **4 Introduction**

### **4.1 Building Description**

The project involves renovation of a basement area of a commercial building with flats above. There is currently one entrance for the basement via the front of the building, and a proposed exit to the rear. Previously the basement and the ground floor were linked internally but works are currently being undertaken to completely separate the levels.

### **4.2 Purpose Group**

The purpose group of this part of the building is Assembly and Recreation (5).

### **4.3 Occupant Characteristics**

This part of the premises will be licensed and therefore people will be unfamiliar and awake.

## **5 Assumptions**

The following assumptions have been made:

- The property is going to be occupied as a licensed premises.
- That the ground floor and basement are separated by compartmentation
- That the fire safety systems will be designed, installed, and commissioned by suitably competent engineers;
- That the fire safety systems will be maintained and tested in accordance with British Standards and manufacturer's specifications;
- That the owner of the building, will have control over the entire building and can ensure that fire safety standards and systems will be maintained; and
- Any building works that require material changes complies with all parts of the Building Regulations.

## **6 Escape Routes**

This section provides further advice on the general principles that apply to escape routes and provides alternative solutions for a range of building layouts. The advice is based on premises of a normal risk. As the escape routes need to be adequate for the people likely to use them



the report will need to consider how many people, including employees and the public, may be present at any one time. Where premises have been subject to building regulations approval, the number and width of escape routes and exits will normally be adequate for the anticipated number of people using the premises.

### 6.1 Evacuation Strategy

The evacuation strategy will be simultaneous, and the fire alarm system should be designed to facilitate this at an early stage.

### 6.2 Exit Widths

The use or layout of the building (exit capacity), should be designed to facilitate the capacity by referring to guidance given in BS 5588 (superseded by BS 9999) and the Building Regulations Approved Document B.

Maximum number of people	Minimum width (mm) <sup>(1)(2)(3)</sup>
60	750 <sup>(4)</sup>
110	850
220	1050
More than 220	5 per person <sup>(5)</sup>

**NOTES:**

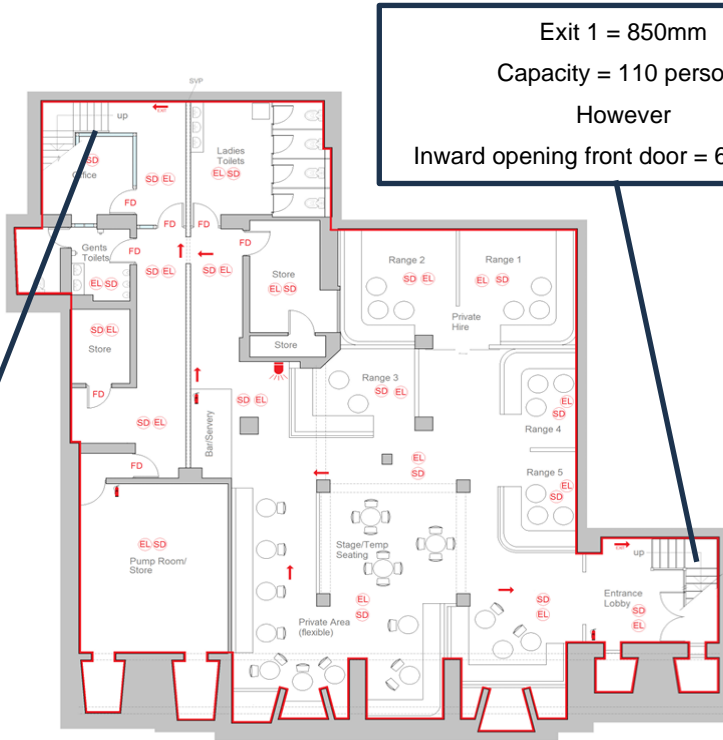
1. See Appendix D for methods of measurement.
2. Widths may need to be increased to meet guidance in Approved Document M.
3. Widths less than 1050mm should not be interpolated.
4. May be reduced to 530mm for gangways between fixed storage racking, other than in public areas of 'shop and commercial' (purpose group 4) buildings.
5. 5mm/person does not apply to an opening serving fewer than 220 people.

If a storey or room has two or more exits it has to be assumed that a fire might prevent the occupants from using one of them. The remaining exit(s) need to be wide enough to allow all the occupants to leave quickly. Therefore, when deciding on the total width of exits needed, the largest exit should be discounted. The remaining exit(s) need to be wide enough to allow all the occupants to leave quickly. Therefore, when deciding on the total width of exits needed according to the table above, i.e. largest exit should be discounted.

LEGEND	
SD	Smoke Detectors
EL	Emergency Lighting
→	Emergency Exit
FD	Fire Doors
⬮	Fire Extinguisher
→	Exit Route
🔊	Fire Sounder

Exit 2 = 850mm  
Therefore = 110 persons

Exit 1 = 850mm  
Capacity = 110 persons  
However  
Inward opening front door = 60 persons



Scale Bar 1:100 @ A3

JOB TITLE		Drawings to show Proposed Layout of Basement of 35/36 Oxford Street	
DRAWING TITLE		Basement Layout Licensing Drawing	
CLIENT	Messrs D Hajiantoni & I Waight	SCALE	1:100
SITE ADDRESS	35/36 Oxford Street, Southampton, SO14 3DS	DRAWN BY	
DATE	03/01/2024	REV	A

This drawing is copyright and should not be reproduced without permission. Spatial dimensions should not be taken from this drawing. All dimensions to be checked on site before work is commenced. All dimensions are in millimeters unless otherwise stated. All our proposals are subject to confirmation following liaison with the relevant local authorities.

Basement Plan 1:100

Exit width (minimum width on route)	Capacity
Exit route 1 – width 850 mm (inward opening)	60 persons
Exit route 2 – width 850mm	110 persons
Final Exit capacity (discount largest)	<b>60 persons</b>

### 6.2.1 Options

To increase exit capacity the following can be undertaken, subject to approval from Building control bodies (or approved inspectors).

#### 6.2.1.1 Rehang Front Door (Option 1)

All exit doors (except where there are less than 60 persons) should open in the direction of escape so that people can escape safely in an emergency without obstruction. Inward opening doors are acceptable, but numbers should be limited (60 persons). Should the client wish to rehang the existing door to open in the direction of escape then the occupancy can be adjusted. As an alternative to rehang the door, a lobby can be provided. The external door should be held in the open position when the premises is occupied, and the door to the new lobby should open in the direction of escape.

Exit width (minimum width on route)	Capacity
Exit route 1 – width 850 mm (rehung to open in the direction of escape or lobby provided)	110 persons
Exit route 2 – width 850mm	110 persons
Final Exit capacity (discount largest)	<b>110 persons</b>

### 6.2.1.2 Alter exit widths (Option 2)

Should the widths of escape routes be altered, to provide 1050mm width through their length to a place of ultimate safety, then each escape can in turn be assessed as follows:

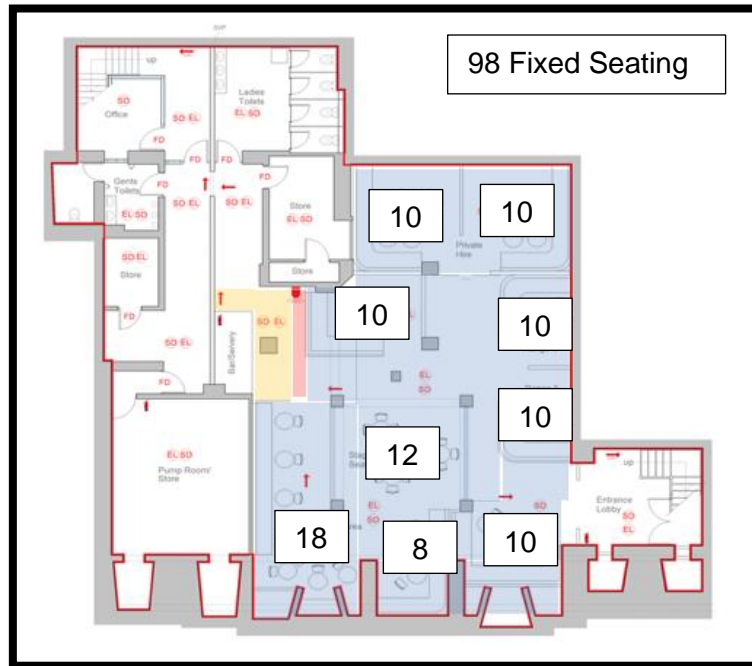
Exit width (1050mm minimum width, widened throughout its length)	Capacity
Exit route 1 – width 1050 mm (rehung to open in the direction of escape or lobby provided)	220 persons
Exit route 2 – width 1050mm	220 persons
Final Exit capacity (discount largest)	<b>220 persons</b>

## 6.3 Occupancy

When calculating the final occupancy, alongside the exit capacity, the number of people safely allowed within a premises is calculated. The lowest figure then becomes the safe occupancy for that use and layout. Where you have fixed seating then the maximum numbers of people in the licensed area will be known from the number of seats provided. In un-seated areas (bars) you may estimate the maximum numbers based on a value of 0.3 to 0.5m<sup>2</sup> per person.

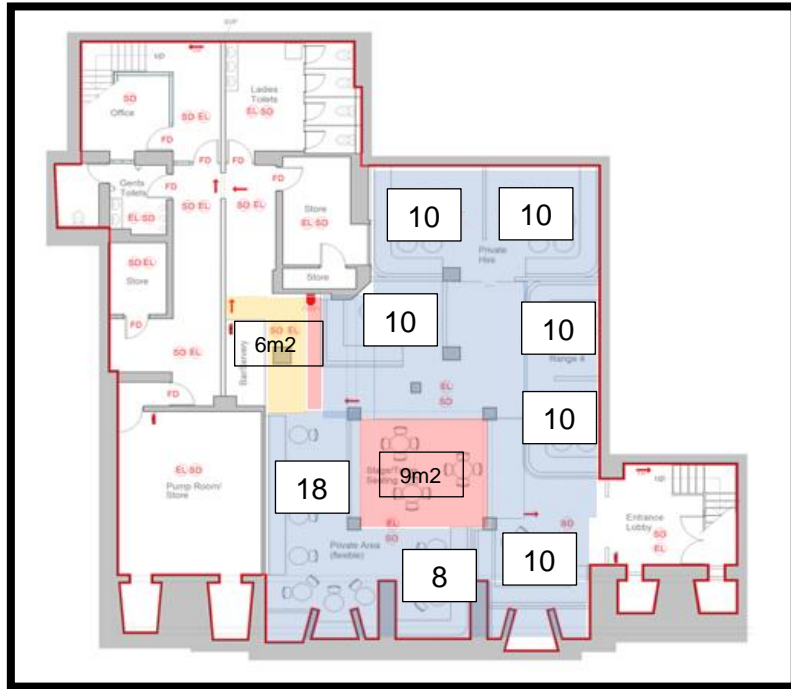
### 6.3.1 Fixed seating only

Number of fixed seating – 98 fixed seats		98 people
Area of standing @ 0.5 – m <sup>2</sup>	/0.5	N/A
Area of Bar Crush @ 0.3 (within 2m of serving point) - m <sup>2</sup>	/0.3	N/A
Visitor occupancy		98 People
Staff		12 staff
Total Occupancy		110 people



### 6.3.2 Blend of Fixed seating and standing

Number of fixed seating – 86 fixed seats		86 people
Area of standing @ 0.5 – $m^2$	9/0.5	18
Area of Bar Crush @ 0.3 (within 2m of serving point) - $m^2$	6/0.3	20
Visitor occupancy		124 People
Staff		12 staff
Total Occupancy		136 people



## 7 Conclusion - Final occupancy figures

The use or layout of the building (exit capacity) should be designed to facilitate the capacity. There are several options available to the client to improve conditions but the observed conditions at the time, and those identified in the plans submitted, indicate the following:

### Existing

Exit Capacity	60 persons
Fixed Seating	110 persons
Blend of Fixed seating and standing	136 persons
Final Occupancy	<b>60 persons</b> (total including staff and visitors)

Several other options are proposed throughout the report. Should these be adopted, and material changes made, approval from building control bodies should be sought.

### Option 1 - Rehang Front Door

Exit Capacity	110 persons
Fixed Seating	110 persons
Blend of Fixed seating and standing	136 persons
Final Occupancy	<b>110 persons (both options)</b> (total including staff and visitors)

Option 2 - Alter exit widths

Exit Capacity	220 persons
Fixed Seating	110 persons
Blend of Fixed seating and standing	136 persons
Final Occupancy	<b>110 persons – fixed seating</b> <b>136 persons fixed seating and standing</b> (totals including staff and visitors)

## 8 Fire Safety Handover

It is imperative that this Fire Safety Technical Note is handed over to the occupiers so that they are aware of the importance of the fire safety provisions within this report and can adhere to them throughout the life cycle of the building.

All fire safety systems must be serviced and maintained in accordance with the manufacturer’s specification and the relevant British Standards. This includes the following systems:

- Fire detection and alarm system
- Emergency lighting
- Firefighting equipment;

## 9 Limitations

Our advice is strictly limited to the scope of the current project provided in the plans for 35/36 Oxford Street Southampton. Several options have been proposed, where these options are adopted, building control approvals should be sought from relevant bodies.

3sFire have not reviewed any other issues within the project other than those identified in our report. We offer no comment on any other aspects of the development and any absence of comment on such issues should not be regarded as any form of approval. The advice should not be used for any other building.

## Remote hearing protocol (Licensing and Gambling)

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### What is a remote hearing?

Any hearing where at least one of the below participate in the hearing by whatever means, other than written evidence, when not in the same room as the sub-committee. This includes meetings where all participants attend online or hybrid meetings where there is a mix of in-person and on-line attendance.

- Any member of the sub-committee involved in the hearing
- The applicant
- The licence holder
- Any legal representative for any party
- Any witness giving evidence orally at the hearing

The hearings can fall into one of three categories

- In person
- Hybrid
- Remote

In person hearing is when all parties are in the same room.

Hybrid meetings are when some of the participants are in the same room but at least one of the other parties to the hearing participate online.

A remote hearing is when all parties to the hearing participate online.

### Deciding if hearing is to be remote or not.

- The default position of the council is to hold remote hearings.
- Any request from either party to hold a particular type of hearing should be submitted at least 2 weeks in advance of the meeting where possible will be considered by Democratic Services in consultation with legal services and the Chair of the licensing committee.
- Requests for the style of hearings will be determined on a case-by-case basis. All requests will need to provide documented reasons for their request.
- The overriding factor in deciding on the style of the hearing is to ensure a fair hearing. Witnesses giving corroborative evidence provided by another are unlikely to have requests to give their evidence remotely accepted. Similarly, reasons of convenience will not be accepted as a reason to change a style of hearing.
- Any decision to refuse a particular style of hearing will be recorded in writing with reasons for the decision. This will be read out by the chair of the sitting sub-committee at the start of the agenda item it relates to.

### Access to the hearing remotely

Hybrid or Remote hearings will be held using the Microsoft Teams Platform.

If you are taking part in the hearing in any of the roles noted above you will be sent an invitation to join the MS Teams meeting.

The MS Teams meeting will be started 15 minutes before the hearing begins to be able to test the connection, audio and video feeds.

This invitation will specifically be for those taking part in the meeting and should not be shared.

Where required the hybrid/remote meeting will also be live streamed so that it can be watched remotely.

The link to view the hearing will be published on the council website and contained in any correspondence concerning the hearing.

### Connection Problems

If a participant is unable to connect to the meeting before the meeting starts they are to contact democratic services to try and resolve the issue. Legal advice will be required on how to proceed if the connection cannot be secured.

If a participant loses connection part way through, then the meeting should be adjourned until connection is resolved or decided to be heard at a different time.