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Reply to: Helen Morris

1st April 2021

Dear Sir/Madam,

Re: Locomotive Sports Bar, 28 Station Street, Burton upon Trent, Staffordshire, DE14 1AU

Please see below a summary of the involvement which East Staffordshire Brough Council's Environmental Health Team has had with the above premises.

On the 11th May 2020 WHO declared the outbreak of COVID-19 a pandemic. This was also the date when HM Government issued a guidance document for pubs, bars and takeaway service which listed the measures which should be implemented to protect staff and customers. This was governed by **The Health and Safety at Work etc. Act 1974** and the duties employers have for a range of people including employees, self-employed and customers.

On the **23rd March 2020** lockdown was introduced under **The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020**. This meant that pubs could only offer a takeaway. We received no complaints or notifications that The Locomotive Bar was trading.

On the **4th July 2020** pubs and other hospitality businesses were able to open providing they were following the government guidance for **Keeping works and customers safe during COVID-19 in restaurants, pubs, bars and takeaway services**. The control measures detailed in the document included customers remaining seated, that table service must be used where possible, music should be at a level which means people didn't need to raise their voice, a maximum of 2 households per table inside and a maximum of 6 individuals outside from any number of households. Customers were not able to sing or dance. The Locomotive Bar reopened on the **4th July 2020** at 11:00am. The activity of the business had been altered so there was no dancing.

On the **15th July 2020** I received a phone call from Nicky Bills, Licensing Officer at Staffordshire Police. N.Bills expressed her concerns after viewing some CCTV from

the evening of the **4th July 2020** leading into the early hours of the **5th July 2020**. N.Bills informed me that the CCTV showed a gathering of 20 people, some social distancing and some not. She also informed me that there is potentially music playing inside the premises as a girl was dancing as they come out of the business. I was also informed that door staff had been shaking hands with customers and pulling them in towards themselves during greetings.

I emailed Pam Kaur on the **15th July 2020** requesting a copy of the risk assessment for the Locomotive Sports Bar. P.Kaur called me and acknowledged that they were facing some issues at closing time. She informed me that customers did not want to leave the premises at closing time. I received the risk assessment and photographs of the premises on the **17th July 2020**. I sent P.Kaur some feedback on the risk assessment on the **17th July 2020** detailing the improvements which were required.

I received a phone call from P.Kaur on the **20th July 2020** asking about the outdoor bar area and what measures would need to be implemented. She informed me that she had tried opening all available doors at closing time and that this had limited the number of people who were gathering outside the business once it had closed.

I received a phone call from N.Bills on the **21st July 2020** informing me that P.Kaur had been in touch with her Sargent Jim Finn in relation to the capacity of the business. N.Bills informed me that the capacity that the business was working to was between 150 and 200. The normal capacity of the business is around 400 and they were looking at opening after midnight which their licence allows.

On the **24th July 2020** I sent further feedback to P.Kaur regarding the layout of the seats. I expressed my concerns over the capacity and asked P.Kaur to reassess this. The booths within the business were not 1m apart with a mitigating factor and I informed P.Kaur of this.

I received a further complaint on the **27th July 2020** which related to a photograph outside the Locomotive on the **25th July 2020**. The image showed people congregating outside the Locomotive boundary. The photograph was provided by the complainant.

Further concerns were raised by N.Bills on the **28th July 2020** and **4th August 2020**. This prompted me to arrange a visit with P.Kaur to inspect the premises in relation to the COVID-19 control measures which have been implemented. The inspection was arranged for the **6th August 2020** at 11:30am.

A visit was carried out on the **6th August 2020** at 11:30am along with my colleague Suki Samra. Present at the time of the visit was P.Kaur and Mat Shaw. The maximum capacity was calculated to be 66 people outside and 98 people inside depending on the size of the households. Some food safety concerns were also noted. An email was sent to P.Kaur and M.Shaw on the **7th August 2020** with a summary of what was discussed. This email can be seen in annex 1.

On the **10th August 2020** I received an email from N.Bills advising me that the Police had spoken to door staff and they had said that the maximum capacity is 200. I sent an email to P.Kaur and M.Shaw and Phil Wright advising we had received some

concerns over the queue and how many people the door staff were allowing in. P.Kaur responded on the **10th August 2020** acknowledging that there had been issues with the queue. She proposed a new queuing method which involved moving to the other side of the business and having floor markings. The door staff had been advised of the new capacity and she assured me that she would look into the concerns.

On the **11th August 2020** I sent an email to P.Kaur to ask if a management plan was in place for if customers aren't socially distancing in the queue. I also requested a photograph of the new queuing system and the updated risk assessment.

On the **13th August 2020** I received a revised risk assessment, this included the new capacity and the amendments which had been requested. P.kaur advised she had purchased additional seating. I informed P.Kaur that there could be no more seating as customer still needed to maintain a social distance. P.Kaur then clarified that she was replacing some of the older seating and removing it from the premises.

On the **17th August 2020** I received a photograph of the queue from P.Kaur. No concerns were raised from this photograph.

An unannounced visit was carried out on the **21st August 2020 at 22:13** as part of an evening initiative to licenced premises in the Borough. The following observations were made:

- One customer had not filled out the track and trace and was asked to come back and complete it.
- Customers were taken to their seats by staff.
- In the garden there were only two tables of people sitting. A member of staff took drinks to the table and placed them on the end.
- Inside there were only a few people.
- One customer stood up and danced but was asked to sit back down again.
- The music got louder but M.Shaw asked for it to be turned back down again. M.Shaw later clarified that a member of staff had turned it up accidentally.
- At one point two members of staff behind the bar were not socially distancing for a short period of time.
- The front door and back doors were left open for extra ventilation.
- One member of the door staff stood close to customers waiting to enter the premises.

On the **26th August 2020** an email was sent to P.Kaur and M.Shaw with the feedback following my visit.

On the **10th September 2020** a complaint was received regarding social distancing and people being given access through the side gates. On the 15th September I spoke to P.Kaur, she explained that the door staff had allowed their friends into the venue via the side gate. She has since spoken to the door staff about this and informed them not to do it again.

On the **14th September 2020** there was a change made to the mixing of households. These changes were made under **The Health Protection (Coronavirus**

Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020. As of the 14th September there was a legal requirement for the business to:

- Not accept bookings for a group of more than 6 individuals or admit a group of more than 6 people, however there are some exemptions.
- Take reasonable steps to prevent groups of 6 from mingling with each other.
- Ensure that table of different groups are spaced 2m apart or 1m with a mitigating factor.

18th September 2020- A legal requirement was introduced under **The Health Protection (Coronavirus Collection of Contact Details etc and Related Requirements) Regulations 2020**. This was for businesses to request track and trace information from customers. This could be from one individual per group. If the customer refused to give information, give incomplete information or the business believes there false information was given the business should take all reasonable steps to refuse entry.

An email was sent on **18th September 2020** to P.Kaur and M.Shaw to make them aware of the changes to track and trace details.

The business has been legally require to close from the **5th November 2020** due to a national lockdown and currently remains closed. This business will be prioritised for an intervention once opened to ensure the correct control measures are implemented and being followed.

Yours faithfully,

Helen Morris
Environmental Health Officer
Helen.Morris@eaststaffsbc.gov.uk

Annex 1- Email sent on the 7th August 2020 about the visit carried out on the 6th August 2020.

Helen Morris

From: Helen Morris
Sent: 07 August 2020 16:40
To: 'Pam Kaur'; 'djmatshaw@gmail.com'
Cc: 'Nicola Bills'
Subject: 06.08.2020 Inspection
Attachments: safe-catering-recording-forms.pdf; CookSafe All in One Record Sheets.pdf
Hello Pam and Mat,

Thank you for your time yesterday.

Please see a summary of the points which were discussed by myself and my colleague Suki.

On Tuesday 4th August / Wednesday 5th August 2020 you purchased three further picnic tables for the garden. You mentioned that previously people were gathering outside and you have now made the garden a seating area only. You also informed me that there will be wrist bands which people will wear to help you identify who should be in the garden area or inside area. There will be additional door staff in place for Friday and Saturday nights to remind people to social distance. On a Friday there will be 5 door staff and on a Saturday 6 door staff.

It was discussed that depending on the household groups there could be a maximum of 66 people outside and 98 inside which is lower than what is specified on your risk assessment. Therefore I would ask you to update your risk assessment to include this and any further measures which you have implemented. Remember within your risk assessment and the guidance it states that there should only be 2 households/ support bubbles sitting together inside and up to 6 individuals outside from any number of households.

We discussed the booths which you have for the inside seating area. You agreed to install some sheeting in this area and to use the extra ventilation when this seating area is used. Please can you send me some photographs once this has been completed. In the meantime it is strongly recommended that you don't use the middle booth or just one side of each booth to enable customer to maintain social distancing.

There will also be a separate smoking area for customers who are sitting inside as you have identified that that this has increased the number of customers. This will be out to the side of the business which will have fencing which will be removed for closing. This will also only be in place during Friday and Saturday evening.

You discussed whether you are currently able to use a pool table within your business. As with any changes to your activities you are required to implement further control measures. You explained that this activity would only be available in the day and that in the evening seating would be in this area. At the moment you only have one set of cues. It is recommended that you purchase a further set so that you can correctly clean these between customers. The table, balls and cue will need to be cleaned in between each use. As a businesses you would need to monitor to ensure there are only the people playing at the table. Further guidance can be found from the following link:

<https://www.epsb.co.uk/wp-content/uploads/EPsb-Covid-19-guidance-for-147-Clubs-re-opening-version-1.pdf>

At the time of our inspection there were no cleaning materials at the boxing machine. You must ensure that this is cleaned between uses to prevent the spread of COVID-19. This is the same with

the fruit machines, they must be cleaned between each use. Although you have asked customers to clean it is ultimately the businesses responsibility.

There were a few issues which were relating to food safety. These were:

- The chopping boards were worn which would make them difficult to clean. You must replace the chopping board so they are in a condition which can be easily cleaned.
- Within the extraction canopy there was a build-up of grease. You must clean the extraction canopy within the kitchen and maintain it in a clean condition.
- There was flaking paint on the ceiling in the glass wash room. You must remove the flaking paint and repaint the ceiling so that on completion it is left in a condition which can be easily cleaned.
- The bins in the rear yard were full and the yellow one had a broken lid. If you find the frequency of your waste collection is not adequate you must increase the number of collections. You must also replace the bin with the broken lid as this can attract pests to the area. At the time of my inspection there were a large number of flies.
- There was some rubbish placed within the rear yard. I acknowledge that this was going to be removed today (07.08.2020) but you must ensure that your waste is correctly disposed of.
- There was a hole around the outside tap which could allow pests to enter the premises. You must ensure that the premises is pest proof.
- The insectocutor within the kitchen was not working. You must ensure that the insectocutor is working. I acknowledge that you have the tubes on order.
- At the moment you do not have the Safer Food Better Business folder in use. I acknowledge that you are currently working through this document however, you must ensure that you have a food safety management system in place.

You asked about the record sheets for the food side of your business and if there was one that you could record everything on. I have attached a couple to this email which may be useful. Information about allergens can be found from the following link: <https://www.food.gov.uk/business-guidance/allergen-guidance-for-food-businesses>. The allergen matrix which we referred to can be accessed from the following link:

<https://www.food.gov.uk/sites/default/files/media/document/allergen-chart.pdf>.

I noted your concerns about the Alphabet Gift shop café and this has now be logged as a complaint.

If you have any further queries please do not hesitate to contact me.

Kind regards,

Helen Morris

General Environmental Health Officer

Environmental Health Team

East Staffordshire Borough Council

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