



AGENDA

LICENSING SUB-COMMITTEE MEETING

Date: Thursday, 25 August 2022

Time: 10.00 am

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT*

Membership:

Councillors Derek Carnell, Mike Dendor and Carole Jackson.

Quorum = 3

Pages

Information for the Public

*Members of the press and public may follow the proceedings of this meeting live via a weblink which will be published on the Swale Borough Council website.

Link to meeting: To be added.

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1. Emergency Evacuation Procedure

The Chair will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chair will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chair will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chair has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chair is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence and Confirmation of Substitutes

3. Notification of Chairman and Outline of Procedure

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chair will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary Interests (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the meeting while that item is considered.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

Part B Report for the Licensing Sub-Committee to decide

5. Application for a new Premises Licence

5 - 120

To consider a new premises licence for Unit 1, Britannia House, 75 High Street, Sheerness.

Issued on Monday, 15 August 2022

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of this Committee, please visit www.swale.gov.uk

**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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Licensing Sub-Committee	
Meeting Date	25 th August 2022
Report Title	Consideration of an application for the grant of a new premises licence under the Licensing Act 2003
Premises	Unit 1 Britannia House 75 High Street Sheerness Kent ME12 1TX
Lead Officer	Johanna Thomas, Licensing Officer
Classification	Open
Recommendations	1. Members are requested to determine the application on its merits

1 Purpose of Report and Executive Summary

- 1.1 The report advises Members of an application for a premises licence to be granted under the Licensing Act 2003 in respect of which representations have been made by Seven (7) interested parties

2 Background

- 2.1 The Licensing Sub-Committee is asked to determine an application for the grant of a new premises licence under the Licensing Act 2003 in respect of premises at Unit 1 Britannia House 75 High Street Sheerness Kent ME12 1TX
- 2.2 The Licensing Act 2003 (the 2003 Act) requires the Council (as licensing authority) to carry out its various functions so as to promote the following four licensing objectives:
- the prevention of crime and disorder
 - the protection of public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 2.3 The 2003 Act requires the council to publish a 'Statement of Licensing Policy' that sets out the policies the council will generally apply to promote the licensing objectives when making decisions on applications made under the Act. The council first adopted its Statement of Licensing Policy in 2004 and it has been regularly reviewed in line with legislative requirements ever since. The latest policy was adopted on 1 April 2021. The Policy will be available at the meeting for reference purposes.
- 2.4 Under the 2003 Act, licensing authorities must, in carrying out their functions, have regard to guidance issued by the Secretary of State under section 182. The Guidance cannot anticipate every possible scenario or set of circumstances that

may arise. Provided that the licensing authority has properly understood and considered the Guidance, it may depart from it when it has reason to do so. However, as the licensing authority is under a duty to have regard to the Guidance, it will need to give full reasons for any departure from it. This would be a key consideration for the courts should departure from the Guidance result in a determination which gives right to an appeal or judicial review. The Guidance will be available at the meeting for reference purposes.

- 2.5 A copy of the council's approved procedure for hearings of the Licensing Sub-Committee in relation to an application, along with a copy of the Hearings Regulations has been circulated to all parties prior to the meeting.
- 2.6 The Licensing Authority must, under the Act, refer any application for hearing to the Licensing Sub-Committee where relevant representations are made by a responsible authority or an interested party.
- 2.7 The Licensing Sub-Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property which may include licences in existence and the protection of private and family life.

3 The Application

- 3.1 On 11th July 2022 an application was received from Mr Lee Robert McCall for the grant of a premises licence under section 17 of the Licensing Act 2003.
- 3.2 The application is for:

Sale and Supply of Alcohol (on the Premises)

Monday to Thursday	10:00 – 23:00
Friday and Saturday	10:00 – 00:00
Sunday	10:00 – 22:00
Christmas Eve	10:00 – 00:00
New Year's Eve	10:00 to 01:00 New Year's Day

Live Music (indoors and outdoors)

Monday to Saturday	19:00 – 22:00
Sunday	11:00 – 22:00
New Year's Eve & Christmas Eve	11:00 – 00:00

Recorded Music (indoors)

Monday to Thursday	10:00 – 23:00
Friday and Saturday	10:00 – 00:00
Sunday	10:00 – 22:00
New Year's Eve & Christmas Eve	11:00 – 00:00

- 3.3 Part M of the statutory application form asks applicants to describe the steps they intend to take to promote the four licensing objectives. Where an application has been properly made and no responsible authority or other person has made a relevant representations, or where representations are made and subsequently withdrawn, these proposals are 'converted' in the form of clear and enforceable licence conditions which, together with the Mandatory Conditions, make up the premises licence.
- 3.4 A copy of the application is shown as **Appendix I**. A copy of the plans for the premises are shown at **Appendix II**.
- 3.5 The applicant has commissioned an independent Fire Risk Assessment to support the application. This is shown at **Appendix VI**.

4 Representations

- 4.1 At any stage during the 28 day consultation period a responsible authority, a Councillor or an interested party, may make representations provided that the grounds are relevant to the licensing objectives and are not deemed to be vexatious, frivolous or repetitive.
- 4.2 Representations from responsible authorities:
- Kent and Medway Fire and Rescue Service – No representations. Although Kent and Medway Fire and Rescue Service made no representations on 18th July in light of the nature of the objections an email was sent to Kent and Medway Fire and Rescue Service on 19th July raising the concerns about fireboarding, the email is shown as **Appendix III**, to date we have not received a reply.
 - Kent County Council Trading Standards – No representations
 - Kent County Council Services Children and Families – No representations
 - Kent County Council Public Health – No representations
 - Environmental Health, Swale BC – No representations
 - Swale Borough Council Planning Area Team – Sittingbourne and Sheppey – No representations. Response shown as **Appendix IV** this includes the licensing team raising an enquiry with planning as a result of comments made by members of the public who objected.
 - Kent Police – No representations
- 4.3 There have been 7 representations from members of the public. The representations are made on the basis of all 4 of the licensing objectives of

prevention of crime and disorder, promotion of public safety, prevention of public nuisance, and protection of children from harm. These are shown at **Appendix V**.

5 Policy considerations

The following provisions of the Secretary of State's Guidance apply to this application:

Chapter 2 – The licensing objectives

Chapter 8 – Applications for premises licences

Chapter 9 – Determining applications

Chapter 10 – Conditions attached to Premises Licences

The following paragraphs of the Council's Statement of Licensing Policy apply to this application:

Sections 3.1 to 3.14.4 – These sections set out the Council's approach with regard to licensing and details other mechanisms to deal with potential problems.

Section 2.1 to 2.8 – These sections set out the four licensing objectives and identifies matters that may be relevant to the promotion of each licensing objective.

6 Determining the application – Options of the Sub-Committee

5.1 Members are asked to determine which of the following options they deem appropriate:

- (i) grant a licence as applied for
- (i) grant a licence subject to conditions consistent with the Operating Schedule modified to such an extent as considered appropriate for the promotion of the licensing objectives and any mandatory conditions
- (ii) grant a licence but excluding any of the licensable activities applied for
- (iii) grant a licence but refusing to specify a designated premises supervisor
- (iv) reject the application

5.2 Members of the Licensing Sub-Committee are reminded of their duty under Section 17 of the Crime and Disorder Act 1998 to consider the crime and disorder

implications of their decisions and the Licensing Authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

6 Implications

Issue	Implications
Corporate Plan	A community to be proud of: by promoting the four licensing objectives the authority is enriching and enhancing the community whilst maintaining its regulatory and enforcement role.
Financial, Resource and Property	None unless there is an appeal to Magistrates' Court which proves to be successful and which could therefore result in costs being awarded against the Council.
Legal and Statutory	<p>The Licensing Sub-Committee has to decide on the outcome of the application taking into account the four licensing objectives,</p> <p>In accordance with the Act, if a licensing authority rejects in whole or in part, an application to grant a premises licence the applicant may appeal against the decision, to a Magistrates' Court within 21 days of being notified of the decision.</p> <p>Similarly, where a person who made relevant representations in relation to the application contends that the licence ought not to have been granted or that different or additional conditions should have been imposed on the licence; they may appeal against the decision, to a Magistrates' Court within 21 days of being notified of the decisions</p>
Crime and Disorder	The council has a duty under section 17 of the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the Licensing Authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.
Environmental Sustainability	No implications
Health and Wellbeing	No implications
Risk Management and Health and Safety	Departure from the Guidance and Statement of Licensing Policy could lead to an increased risk of appeal. Similarly, if any decision made is not evidence based and proportionate
Equality and Diversity	No implications

6 Appendices

6.1 The following documents are to be published with this report and form part of the report:

- **Appendix I:** Application form
- **Appendix II:** Plan of premises
- **Appendix III:** Email to Kent and Medway Fire and Rescue Service
- **Appendix IV:** Consultation Response form Planning Area Team
- **Appendix V:** Representations against the application
- **Appendix VI:** Fire Risk Assessment

7 Background Papers

The Licensing Act 2003

Guidance issued under Section 182 of the Licensing Act 2003 (as amended)

Swale BC Statement of Licensing Policy

Application for a premises licence to be granted under the Licensing Act 2003

Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/~~We~~ LEE ROBERT MCCALL

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Unit 1, Britannia House, 75 High Street,			
Post town	SHEERNESS	Postcode	ME12 1TX

Telephone number at premises (if any)	01795 256568
Non-domestic rateable value of premises	£ 9,400

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate Please tick as appropriate

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
	i as a limited company/limited liability partnership	<input type="checkbox"/>	please complete section (B)
	ii as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
	iii as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
	iv other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)

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Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address

Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	5	08 20 22

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The premises will be a fine dining restaurant with approx 20-30 covers. There will be a bar and seating area for diners to wait for their taxi's. See plan.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	
b) films (if ticking yes, fill in box B)	
c) indoor sporting events (if ticking yes, fill in box C)	
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	

e)	live music (if ticking yes, fill in box E)	<input checked="" type="checkbox"/>
f)	recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>
g)	performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	<input checked="" type="checkbox"/>
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
Mon	19.00	22.00	Please give further details here (please read guidance note 4) Will only occur on the odd occasion and will likely be a harpist or Pianist.		
Tue	19.00	22.00			
Wed	19.00	22.00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	19.00	22.00			
Fri	19.00	22.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) Possibly New YEARS EVE + CHRISTMAS EVE 11am - 00.00.		
Sat	19.00	22.00			
Sun	11.00	22.00			<input checked="" type="checkbox"/>

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	Please give further details here (please read guidance note 4) Background music only for diners.		
Mon	10.00	23.00			
Tue	10.00	23.00			
Wed	10.00	23.00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	10.00	23.00			
Fri	10.00	00.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10.00	00.00			
Sun	10.00	22.00			
			New years Eve + Christmas Eve 11am - 00.00		

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Please give further details here (please read guidance note 4)	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	State any seasonal variations for the supply of alcohol (please read guidance note 5) Christmas Eve 10.00 - 00.00 New Years Eve 10.00 - 01.00		
Mon	10.00	23.00			
Tue	10.00	23.00			
Wed	10.00	23.00			
Thur	10.00	23.00			
Fri	10.00	00.00			
Sat	10.00	00.00			
Sun	10.00	22.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) NONE		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	JOHN MALCOLM DURNALL
Date of birth	●●●●●●●●
Address	●●●●●●●●●● ●●●●●●●● ●●●●
Postcode	●●●● ●●
Personal licence number (if known)	OS / 02224 / LAPER
Issuing licensing authority (if known)	ROTHER DISTRICT COUNCIL

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

~~None~~

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finis h	<p>CHRISTMAS EVE 10.00 - 00.00</p> <p>NEW YEARS EVE 10.00 - 01.00</p>
Mon	10.00	23.00	
Tue	10.00	23.00	
Wed	10.00	23.00	
Thur	10.00	23.00	
Fri	10.00	00.00	
Sat	10.00	00.00	
Sun	10.00	22.00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

There shall be no admittance or re-admittance to the premises after 10pm except for patrons permitted to temporarily leave the premises to smoke.

This premises must only operate as a restaurant in which,
1. customers are seated at a table, 2. which provides substantial table meal that are served using non disposable cutlery.

See
Attached
Sheet
1.

c) Public safety

Bottle Bins will be kept secure and away from public areas.

Every 10 minutes all empty drinking vessels, bottles or containers will be collected + cleared away.

d) The prevention of public nuisance

When live music or recorded music takes place inside the premises all doors and windows will be kept shut. Entrance + Exit doors will be fitted with self-closing mechanism that will enable these doors to automatically close once persons enter or leave the premises.

See
Attached
Sheet
2.

e) The protection of children from harm

A Challenge 21/25 proof of Age Scheme shall be operated at the premises.
 No promotional material for alcoholic products will be displayed so that it is visible from the street.

See
 Attached
 Sheet
 3.

Checklist:

Please tick to indicate agreement

<input type="checkbox"/>	I have made or enclosed payment of the fee.	✓
<input type="checkbox"/>	I have enclosed the plan of the premises.	✓
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	✓
<input type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	✓
<input type="checkbox"/>	I understand that I must now advertise my application.	✓
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected.	
<input type="checkbox"/>	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	✓


It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in
--------------------	---

	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	08/07/2022
Capacity	Director.

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

Attached Sheet 1

3. which do not provide any takeaway service of food or drink for immediate consumption.
4. Alcohol must not be sold, supplied or consumed on the premises otherwise than to persons who are partaking of a table meal and is ancillary to the table meal.
5. The supply of Alcohol is by way of waiter or waitress only.
6. There shall be no sales of Alcohol for consumption off the premises.
7. Spirits will be displayed behind the counter / bar.
8. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition.
9. All staff shall be trained in recognising signs of drunkenness, how to refuse service, and the premises duty of care. Documented records of completed training shall be kept for each member of staff. Training shall regularly be refreshed at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the Authority.
10. The premises shall display prominent signage indicating that it is an offence to sell Alcohol to anyone who is drunk.
11. An incident log shall be kept at the premises, and made available on request to a police officer, police licensing officer or council authorised licensing officer. It must be completed within 24 hours of the incident and will record the following:
 1. All crimes reported to the venue
 2. All ejections of patrons.
 3. Any complaints received concerning crime + disorder.
 4. Any incidents of disorder.
 5. All seizures of drugs or offensive weapons.
 6. Any faults with C.C.T.V. system
 7. Any refusal of the sale of Alcohol.
 8. Any visits by a relevant Authority

Attached Sheet 2.

Notices + Signage - Noise

1. Notices shall be prominently displayed at all exits requesting Patrons to respect the needs of local residents and businesses and to leave the Area quietly.
2. Notices shall be displayed at any area used for Smoking requesting patrons to respect the needs of local residents and use the Area quietly.
3. Prominent Signage indicating the permitted hours for sale of Alcohol shall be displayed so as to be visible before entering the Premises, where Alcohol is on public display and at the point of Sale.
4. Any outside Area's must not be used by customers after 9pm ~~unless~~ for Smoking, except.
 1. All tables and chairs shall be in the outside Area and shall be rendered unusable by 10pm each day.
 2. patrons permitted to temporarily leave and then re-enter the Premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.

Taxis

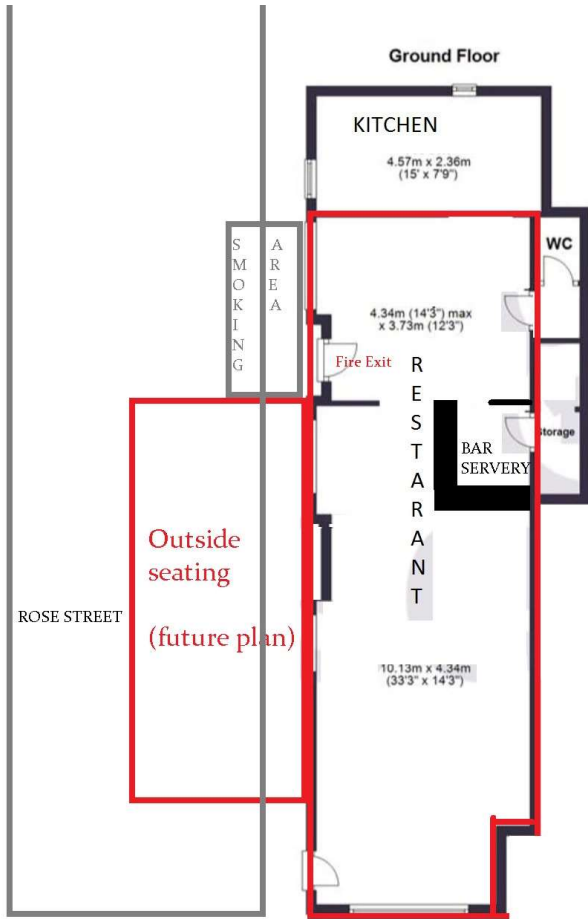
1. The premises licence holder will provide a taxi phone service and internal wait area for customers.

Attached Sheet 3.

1. The premises licence holder or designated premises Supervisor must keep a refusal book. Staff to be trained to complete a refusal book / record immediately after the refusal but no later than the end of their shift. The register must be kept on the premises and will detail:

- a) Day, date, time of refusal.
- b) Item refused
- c) Name or description of person refused sale.
- d) reason for refusal.
- e) each entry is to be checked and signed by the DPS / Licencee no later than 1 week after the entry has been made.

The register must be made available for police, police licencing officer, and authorised officers from Swale Borough Council on demand either electronically or hard copy.



HIGH STREET

TAXI PICKUP / DROP OFF

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To
 Unit 1
 75 Britannia House
 High Street
 Sheerness
 ME12 1TX

Contact
 Hadley Billington

Our ref
 CAS-045584
Date
 18 July 2022

FAO: Mr McCall

|

Dear Mr McCall

Licensing Act 2003

Re: Unit 1, 75 Britannia House, High Street, Sheerness. ME12 1TX

With reference to the application dated **08 July 2022**, the Fire Authority does not propose to make any representation to the Licensing Authority, provided that the premises are constructed and managed in accordance with the information supplied within your application.

It is the duty of the "responsible person" to make a suitable and sufficient assessment of the risks to which relevant persons are exposed, for the purpose of identifying the general fire precautions needed to comply with the requirements of The Regulatory Reform (Fire Safety) Order 2005.

A competent person should carry out the fire risk assessment. Where any doubt exists, or the assessment identifies areas for concern, it may be appropriate to employ the services of a suitably qualified consultant.

The significant findings of the fire risk assessment must be recorded if:

- Five or more people are employed; or
- A licence under an enactment is in force; or
- An alterations notice requiring this is in force.

To remain valid, the fire risk assessment will need to be kept under constant review and revised as necessary.

enable you to generate a risk based report, which provides you with advice and guidance on specific areas relevant to your business type and location.

This letter is without prejudice to the powers of the licensing authority and to any requirements or recommendations that may be made by enforcing authorities under other legislation.

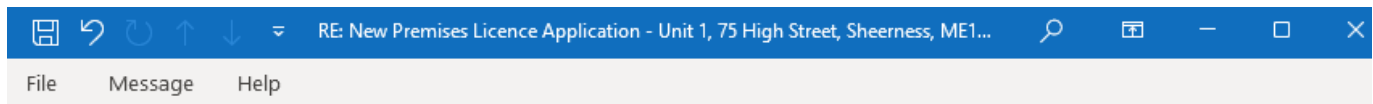
If you need further advice or want to ask questions about this letter, please contact me using the details above. Please be aware the Building Safety office hours are 09:00 – 17:00, Monday to Friday.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Hadley Billington', with a stylized flourish at the end.

Hadley Billington
Building Fire Safety Inspector

cc: Licensing Authority
Police Licensing Officer



RE: New Premises Licence Application - Unit 1, 75 High Street, Sheerness, ME12 1TX



Chris Hills
To: 'Billington, Hadley'
Cc: Licensing (SBC)

Reply Reply All Forward ...

Tue 19/07/2022 17:22

Good afternoon Hadley

Many thanks for commenting on this application.

I have heard from the owner of the building to the application as he has tenants in flats above.

He is claiming that there is no fireboarding between the ground floor unit and the flats.

Would this be something that you would raise an objection to the grant of the premises licence please?

Best regards

Chris

Yours sincerely

Christina Hills

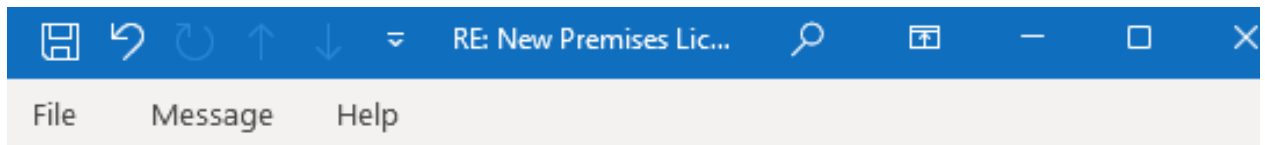
Christina Hills

Licensing Team Leader

Tel: 01795 417286 | Email: chrishills@swale.gov.uk | Website: www.swale.gov.uk

Swale Borough Council | Swale House | East Street | Sittingbourne | Kent | ME10 3HT

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RE: New Premises Licence Application - Unit 1, 75 High Stree...



Megan Harris
To Licensing (SBC)



12/07/2022

Jo

Good morning Jo,

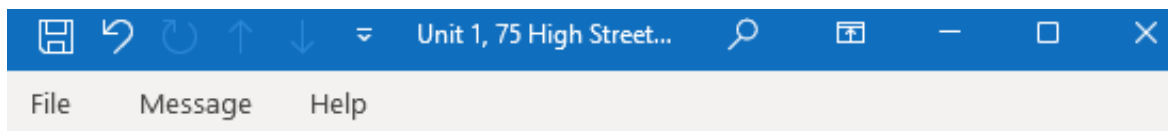
I've reviewed the details of this application and can confirm that the use of the unit as a restaurant is lawful and there are no planning reasons why the licence requested shouldn't be granted.

Kind regards,

Megan

Megan Harris | Planner | Development Management
Swale Borough Council, Swale House, East Street, Sittingbourne, Kent ME10 3HT
Tel: 01795 417313 | Email: meganharris@swale.gov.uk






Unit 1, 75 High Street, Sheerness ME12 1TX



Licensing (SBC)

To  Planning Area Team - Sitt & Sheppey (SBC)

Cc Licensing (SBC); Jo Thomas



19/07/2022



FW: New Premises Licence Application - Unit 1, 75 High Street, Sheerness, ME12 1TX
Outlook item

Good afternoon

We recently emailed you regarding an application for the grant of a new premises licence under the Licensing Act 2003 in respect of the above premises.

I have now heard from the owner of the property which consists of the ground floor unit with flats who is objecting to the application in the strongest terms. He claims that there is no planning permission for the ground floor unit for it to be used as a restaurant and that he would object to this use to protect his tenants. He also states that there is no fireboarding between the ground floor unit and the flats.

I would be most grateful if you could confirm exactly what planning permission is in place for this unit and what conditions are in place and whether there is an active planning permission for change of use at the moment.

I am most grateful to you.

Best regards

Yours sincerely

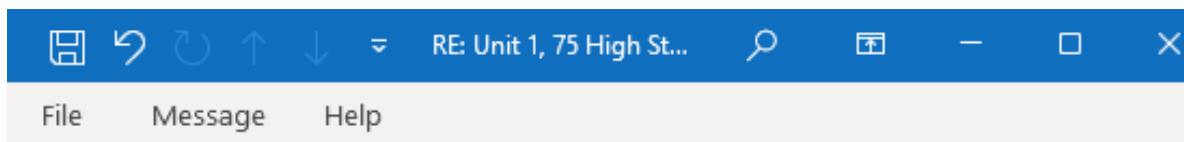
Christina Hills

Christina Hills

Licensing Team Leader

Tel: 01795 417286 | Email: chrishills@swale.gov.uk | Website:

www.swale.gov.uk



RE: Unit 1, 75 High Street, Sheerness ME12 1TX



Megan Harris

To Licencing (SBC); **Planning Area Team - Sitt & Sheppey (SBC)**

Cc Jo Thomas



20/07/2022

i You replied to this message on 20/07/2022 09:23.

This message is part of a tracked conversation. [Click here](#) to find all related messages or to open the original flagged message.

Good morning Chris,

Thank you for your email. I can confirm there are no active planning applications at the unit.

The use of the ground floor unit as a restaurant would not require planning permission. This is because the unit's current lawful use is retail, which falls within use class E and a restaurant also falls within use class E. Planning permission is not required for a change between uses in the same use class, and therefore the use of the unit as a restaurant would be lawful. I've reviewed the planning history for the unit and there aren't any conditions restricting the use of the unit or limiting hours of opening, so from a planning perspective, we would not raise an issue with the restaurant.

Our enforcement team is currently in discussions with the owner regarding the above and have explained to him that planning permission isn't required for the restaurant.

Please let me know if you have any other queries.

Kind regards,

Megan

Megan Harris | Planner | Development Management
 Swale Borough Council, Swale House, East Street, Sittingbourne, Kent ME10 3HT
 Tel: 01795 417313 | Email: meganharris@swale.gov.uk

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Swale House, East Street,
Sittingbourne, Kent ME10 3HT
DX59990 Sittingbourne 2
Phone: 01795 417567
www.swale.gov.uk



Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by other persons of the premises to be licenced as detailed below:

Your name
[Redacted]
Organisation name OR Name of body you represent
[Redacted]
Postal Address
[Redacted]
DA16 1RH
Email address
[Redacted]
Daytime contact number
[Redacted]

Please See attached
letter with objections

Name of premises you are making a representation about
Address of premises you are making a representation about

Unit 1 Britannia House
Shoerness Kent
ME12 1TX

Your representation must relate to one of the four licensing objectives (see note 4)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder	<input checked="" type="radio"/>	
Public Safety		

My name is [REDACTED] I am the owner of the flats above unit 1 Britannia house

I completely object to the licensing being given to the premisses.

My objections are as follows...

Firstly... risk of life due to the fire risk under the four-storey block of seven flats above as the building is constructed of timber and timber beams and not steel due to being built 170 years ago.

The council planning department have agreed this in previous attempts due to the make-up of the building.

The flats were built 5 years ago on conditions that no restaurant or take away be under the flats as the building is not suitable due to the severe fire risk to the families above.

The building would also be under insurable due to the extended risk off fire and therefore the flats would have to be closed and seven families becoming homeless.

Noise pollution to the flats situated above especially as the bedroom is above the ceiling of the shops.

Vibration through the timber beams and timber walls.

Loitering outside the building especially on a warm day when their bedroom windows are above the entrance to the bar/night club and would cause severe noise pollution.

Standing outside the building smoking and chatting below the resident's windows within one meter of the premises below.

The windows are not sound proofed or double glazed as the building is listed in a conservation area so are original sliding timer sash windows therefore we are not allowed to change them.

The premisses would have constant vehicles dropping off and picking up when adults and children are trying to sleep between 9pm and 1am.

If a fire did occur due to cooking taking place in the premises the adults and children above would have no chance of escape as the building has always been unsuitable to have any type of cooking being allowed in the shops below due to the make up of a 170 year old timber constructed building, and I would hold the local authority responsible for death and destruction.

The council have always previously agreed with this in previous attempts to do so.

I would also not allow any ventilation ducting from the kitchen area below to be erected on my wall of the building above.

Kind regards

[REDACTED]
[REDACTED]
Email.. [REDACTED]
[REDACTED] da16 1rh

20/07/2022

Prevention of public nuisance

Protection of children from harm

SIGNED:

DATED:

20/07/2022

NOTES:

1. If you do make a valid representation you will be invited to attend a meeting of the Licensing Sub Committee and any subsequent appeal proceeding. If you do not attend, the Committee will still take into consideration any representations that you have made.
2. This form **MUST** be returned within the Statutory Period, which is 28 days from the date the notice was displayed on the premises **OR** the date specified in the Public Notice in the newspaper.
3. Representations can only relate to the four licensing objectives:
 - i. Prevention of crime and disorder
 - ii. Public safety
 - iii. Prevention of public nuisance
 - iv. Protection of children from harm
4. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Committee, which will be made public.
5. Please return this form, when completed, to:

Licensing Section
Swale House
East Street
Sittingbourne
Kent
ME10 2HT



Are you registered to vote?

www.swale.gov.uk/all-about-voting



Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

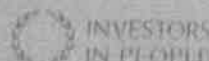
This representation is made by other persons of the premises to be licenced as detailed below.

Your name	[REDACTED]
Organisation name OR Name of body you represent	Tenant of Britannia House
Postal Address	[REDACTED] SHEERNESS, KENT ME12 1BF
Email address	[REDACTED]
Daytime contact number	[REDACTED]

Name of premises you are making a representation about	[REDACTED]
Address of premises you are making a representation about	BRITANNIA HOUSE [REDACTED] SHEERNESS, KENT ME12 1BF



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Your representation must relate to one of the four licensing objectives (see note 4)

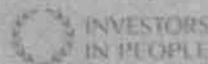
Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder	YES	PREMISES WILL BE CROWDED UNTILL LATE NIGHT POSSIBILITIES TO OCCUR UNWANTED INCIDENTS
Public Safety	YES	<ul style="list-style-type: none"> - SMOKING OUTSIDE BUILDING UNDER BEDROOM WINDOWS - NOISE POLLUTION - VIBRATION THROUGH TIMBER CEILINGS AND WALLS - CONSTRUCTED WITH WOOD NOT WITH STEEL
Prevention of public nuisance	YES	<ul style="list-style-type: none"> - GETTING PICKED UP AND DROPPED OF OUTSIDE BUILDING EVENING AND NIGHT. - ANTI SOCIAL BEHAVIOUR OUTSIDE - LOITERING OUTSIDE MAIN ENTRANCE
Protection of children from harm	YES	<ul style="list-style-type: none"> - IF A FIRE DID OCCUR DUE TO COOKING THE TENANTS AND CHILDREN IN THE FLATS ABOVE WOULD HAVE NO CHARGE OF ESCAPE AS BUILDING IS NOT SUITABLE AS COUNCIL PLANNING ALREADY AGREED

SIGNED: [REDACTED]

DATED: 29/04/2011



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www.swale.gov.uk/all-about-voting



Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by other persons of the premises to be licenced as detailed below:

Your name	[REDACTED]
Organisation name Of	[REDACTED]
Name of body you represent	TENANT
Postal Address	[REDACTED] KENT ME12 1BF
Email address	[REDACTED]
Daytime contact number	[REDACTED]

Name of premises you are making a representation about	[REDACTED]
Address of premises you are making a representation about	Under my flat flat [REDACTED] ME12 1BF)



Are you registered to vote?

www.swale.gov.uk/all-about-voting

Your representation must relate to one of the four licensing objectives (see note 4)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder	Yes	likely to cause increase of fights, 'glassing' and drug misuse as will be a target for those dealing. NO/limited police presence on the Island, anyway! ^{antisocial behaviour}
Public Safety	Yes	As one directly above the premises - I would suffer lack of sleep, this would affect my health and ability to drive and do my job. In small hours of morning people will be picked up and dropped off in a space where safety is ^{increase.}
Prevention of public nuisance	Yes	This will cause noise pollution - Sleeplessness, vibration through ceilings and walls, stress, no quiet. Smoking under bedroom windows - risk to health and well-being of pets. ^{Compromised by women at risk of kidnap and harassment.}
Protection of children from harm	Yes	<p>^{antisocial behaviour already bad without clubs existence.}</p> <p>the above fire - safety. lack of escape routes situation.</p> <p>^{also fire risk no means of escape for residents above.}</p>

SIGNED:

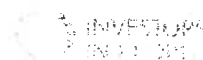
DATED:

This building is timber not steel, unsafe in case of fire. P.T.O.



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Prevention of public nuisance continued:

I don't want the health of me or my ~~animals~~ pets compromised by cannabis and other substances coming through my window.

My flat will be uninhabitable. Nobody will be able to live there. My landlord will not be able to find new tenants.

This is a residential area. Most flats are shops are lived in by people who sleep early and rise early.

Public Safety continued:

This building in the council planning is already unsuitable with the overnight fire risks.

Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by other persons of the premises to be licenced as detailed below:

Your name	[REDACTED]
Organisation name OR Name of body you represent	Tenant+
Postal Address	[REDACTED] ME12 1BF
Email address	[REDACTED]
Daytime contact number	[REDACTED]

Name of premises you are making a representation about	[REDACTED]
Address of premises you are making a representation about	UNIT 1, 75 HIGH STREET SHEERNESS ME12 1TX



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www.swale.gov.uk/all-about-voting

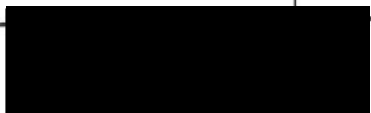


Your representation must relate to one of the four licensing objectives (see note 4)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder	Yes	Increase in drug misuse as the premises would become a target for dealers. Anti-social behaviour outside building at all hours
Public Safety	Yes	Risk to life as building is supported + constructed in timber + not steel
Prevention of public nuisance	Yes	Anti-social behaviour outside building Noise pollution Smoking outside building under windows loitering outside main entrance to the flats
Protection of children from harm	Yes	Increase in smoking outside building under windows will cause smoke to travel into the flats above which is a significant health risk

for children and pets

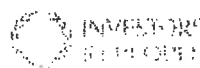
SIGNED:



DATED: 25/07/2022



Are you registered to vote?
www.swale.gov.uk/all-about-voting



Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by other persons of the premises to be licenced as detailed below:

Your name	[REDACTED]
Organisation name OR Name of body you represent	Tenant
Postal Address	[REDACTED]
Email address	[REDACTED]
Daytime contact number	[REDACTED]

Name of premises you are making a representation about	[REDACTED]
Address of premises you are making a representation about	Unit 1 75 High Street, Sheerness, ME12 1TX



Are you registered to vote?
www.swale.gov.uk/all-about-voting

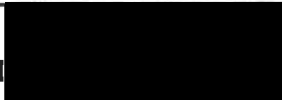


Your representation must relate to one of the four licensing objectives (see note 4)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder	Yes	Anti social behaviour outside at all hours. Increase in drug misuse as the premises would be a target for dealers.
Public Safety	Yes	Same reason above (anti-social behaviour) Risk of fire from restaurant.
Prevention of public nuisance	Yes	This will cause noise pollution eg - sleeplessness, vibration through ceilings and walls
Protection of children from harm	Yes	the above for Number of people smoking outside the restaurant will increase, causing smoke to travel into the flats above which is a significant health risk for myself

as well as children & pets.

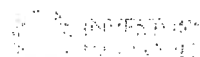
SIGNED



DATED: 27/07/22



Are you registered to vote?
www.swale.gov.uk/all-about-voting



Licensing Act 2003

REPRESENTATION FORM FROM OTHER PERSONS

This representation is made by other persons of the premises to be licenced as detailed below:

Your name	[REDACTED]
Organisation name OR Name of body you represent	[REDACTED]
Postal Address	[REDACTED] ME12 1AF
Email address	[REDACTED]
Daytime contact number	[REDACTED]

Name of premises you are making a representation about	[REDACTED]
Address of premises you are making a representation about	Unit 1, 75 High Street, Sheerness, ME12 1TX

Your representation must relate to one of the four licensing objectives (see note 4)

Licensing Objective	Yes/No	Please detail the evidence supporting your representation OR the reason for your representation. Please use a separate sheet of paper if necessary
Prevention of crime & disorder	Yes	Increase in the consumption of alcohol will lead to an increase in violence & anti-social behaviour. The premises would become a target for drug dealers, which will lead to an increase in drug misuse in the area.
Public Safety	Yes	As stated above, increase in violence, as well as a particular threat of harassment & assault for women. There will also be a risk of a fire from the restaurant, which poses a significant safety risk for tenants in flats above.
Prevention of public nuisance	Yes	Noise pollution and vibrations through ceilings & walls will have a negative effect on the emotional & physical wellbeing of all surrounding residents. Also an increase in littering outside the restaurant will cause visual pollution & environmental damage.
Protection of children from harm	Yes	As stated above, the risk of a fire. An increase in smoking outside the restaurant will cause smoke to travel into the flats above through the windows, which is a serious health risk for small children & pets.

SIGNED

DATED: 3/08/2022



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www.swale.gov.uk/all-about-voting



20 13
 GOLD Award

Jo Thomas

From: [REDACTED]
Sent: 03 August 2022 20:06
To: Licensing (SBC)
Subject: Fwd: 75 sheerness high street

Categories: Jo

Hi Johanna I have forwarded this objection from the mobility shop opposite unit 1
Kind regards, [REDACTED]
Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 3 August 2022 at 19:02:04 BST
To: [REDACTED]
Subject: Fwd: 75 sheerness high street

----- Forwarded message -----

From: [REDACTED]
Date: Tue, 19 Jul 2022 at 17:34
Subject: 75 sheerness high street
To: <Licensing@swale.gov.uk>

F.A.O
Chris Hills

Hello,

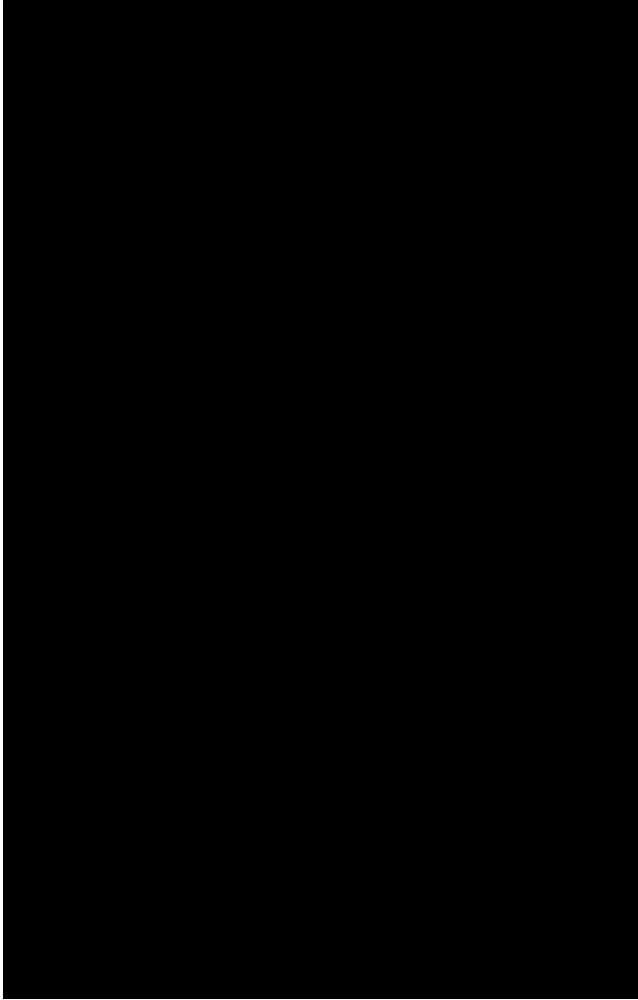
I am sending in my objection to a Licencing application at 75 high Street Sheerness ME121TX.

The reason for this is that I have an Mobility Shop right opposite and the last time there was a licence allowed at the old Millwall Cafe a few shops down , the people that needed our shop for their disability products and services were very intimidated, and some were afraid to use Rose street at all because of the worse for wear people hanging about outside drinking and being very loud. I cannot say this will happen with the new application but I fear for the people that may once again not want to use the disability parking bays and venture into the high street. The noise pollution in the genral area will in my opinion be very high and unwelcome to the local residents.

Please think this over when considering the application.

Many thanks

[REDACTED]



Risk Category – Trivial – Tolerable – Moderate – Substantial – Intolerable

Fire Risk Analysis - Management Action Plan and Remedial Actions

Remedial Action required - date required for completion of outstanding work to ensure compliance.

Management Action Plan - 2022

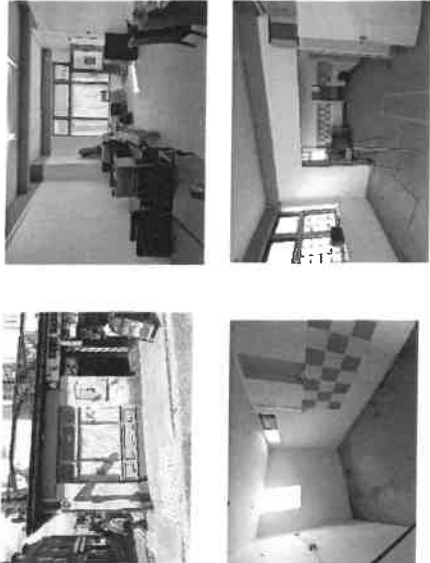
Durtnalls Restaurant	25 th July 2022	Ivan Reffell – Fire Safety Consultant
<p>Conclusions and Significant Findings</p>		<p>Action Required</p>
<p>1. The building is currently is being prepared for full refurbishment. All remedial action points noted with be noted in the next report and will need to be addressed and the date of action entered in the appropriate column.</p>		<p>When there are remedial action points & recommendations noted in 2A & 1B they will need to be addressed and recorded including the date of completion where remedial actions are required.</p>
<p>2. Ensure regular reviews of the FSRA are undertaken.</p>		<p>This forms part of the management process.</p>

Risk Rating Methodology

Risk level	Action	Timetable
Trivial	No action is required and no detailed records need be kept	No action required
Tolerable	No major additional fire precautions required. Reasonably practicable improvements may involve minor cost.	All work that can be undertaken by site staff is to be progressed with aim for completion in two months. Work requiring outside contractors should be put out to tender and tenders returned within one month. All deficiencies should be rectified as soon as practicable following the return of tenders with completion within three months of the return of tenders
Moderate	Risk reduction measures should be implemented taking into account cost. Where moderate risk is associated with extreme harm, a further assessment should be made immediately to reduce the risk or potential harm.	All work that can be undertaken by site staff is to be progressed with aim for completion in one month. Work requiring outside contractors should be put out to tender and tenders returned within one month. All deficiencies should be rectified as soon as practicable following the return of tenders with completion within two months of the return of tenders
Substantial	To reduce the risk considerable resources might have to be allocated. If the building is unoccupied, it should remain so until the risk has been reduced. If the building is occupied, urgent action should be taken.	All work that can be undertaken by site staff is to be progressed with aim for completion in one week. Work requiring outside contractors should be put out to tender and tenders returned within one month. All deficiencies should be rectified as soon as practicable following the return of tenders with completion within one month of the return of tenders
Intolerable	Building (or relevant premises) should not be occupied until the risk is reduced.	Our Consultant will endeavour to get all INTOLERABLE risks rectified at the time of the assessment. If an INTOLERABLE risk cannot be cleared immediately, due to there being no Client representative on site, ATC Fire Safety Ltd will contact the Client by telephone with details of the INTOLERABLE risks and the immediate action required.

Fire Risk Analysis and Action Plan 2022

Remedial Action required - date required for completion of outstanding work to ensure compliance.

Durtballs Restaurant		Ivan Reffell – Fire Safety Consultant	
Definition of Hazard Risk Element and Location of Persons at Risk [PAR]	25 th July 2022	Risk Category	Date to be Actioned by
<p>1. The building is unoccupied and going through a full refurbishment so currently at the time of inspection there is no remedial work required.</p> 	<p>Intervention Measures and/or Remedial Action</p> <p>Once the building refurbishment is complete care must be taken that all the fire safety measures are being followed.</p> <p>These measures include:</p> <ul style="list-style-type: none"> • Compartmentation • Means of Detection • Means for Fighting Fire • Means of Escape • Signage • Record Keeping • Mandatory Requirements • Persons at Risk • Fire Safety Management • Housekeeping 		

Fire Safety Risk Assessment [Initial]

Unit 1 Britannia House
75 High Street
Sheerness
Kent
ME2 1TX.

***Responsible Person**

Inspected by

Inspection Date 25th July 2022

Expiry date 24th July 2023

Preface

Regulatory Reform [Fire Safety] Order 2005

The **Fire Safety Order** replaces previous fire safety legislation. Any fire certificate issued under the Fire Precautions Act 1971 has now ceased to have any effect.

The **Fire Safety Order** is a self-regulating item of legislation which has wide reaching powers to ensure suitable and sufficient provisions are made by the **Responsible Person** regarding fire safety measures. If not fully implemented this can leave the **Responsible Person** exposed to legal action.

Once a building is occupied, the Building Regulations consultation process does not preclude subsequent enforcement action under the **Fire Safety Order**. This approval cannot be relied upon to mean that the fire precaution measures installed at the time of occupation will remain sustainable over the lifetime of the building.

The **Fire Safety Order** requires that the **Responsible Person** applies the principle of prevention. This recognises the need to assess risk regularly and ensure, in the light of technological advances, the on-going adequacy of the protective and preventative measures is appropriately mitigating the risk.

The **Fire Safety Order** requires fire precautions to be put in place 'where necessary' and to the extent that it is 'reasonable and practicable' in the circumstances of the case.

By undertaking a Fire Safety Risk Assessment, which is both suitable and sufficient, will identify any deficiencies and will allow the **Responsible Person** to undertake remedial works within an appropriate timescale.

This fire risk assessment will satisfy the provisions of the new **Fire Safety Order**.

**The "responsible person" – this is the person who owns the premises or business or the person with control over the premises, business or activity*

The **Fire Safety Order** requires 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.

This report considers all areas to ensure fire safety measures are kept to a reasonable and practicable level.

The areas covered include:

- Compartmentation
- Means of Detection
- Means for Fighting Fire
- Means of Escape
- Signage
- Record Keeping
- Mandatory Requirements
- Persons at Risk
- Fire Safety Management
- Housekeeping

ATC Fire Safety

Initial FSRA and subsequent review dates	Status
25 th July 2022	Initial Fire Safety Risk Assessment

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Overview

This Fire Risk Assessment has been carried out by a representative of **ATC Fire Safety Ltd**, who is a competent person as defined in several articles of The Regulatory Reform (Fire Safety) Order 2005, and is a true reflection of the fire safety arrangements and conditions in place in the building at the time of the assessment.

The report is divided into five parts.

Section 2A deals with the fire risk assessment and identifies the fire strategy, fire safety management in place and occupancy level.

Section 1B deals with the outcome of the fire risk assessment and identifies hazards within the building, the risk to persons in the building and the remedial actions recommended to rectify the deficiencies identified and also management plans for the property.

Section 2C details the result of a comprehensive checklist which the premises have been assessed by [in this instance the checklist gives clear guidance to the measures to be introduced, once occupied].

Section 2D details the current and proposed Testing, Maintenance and Servicing regimes in place for the property

Section 2E details the methodology used in carrying out the risk assessment, and extracts from The Regulatory Reform (Fire Safety) Order 2005 giving advice on fire safety management and supportive evidence and reference material for the client to ensure they are fully informed of their statutory duties

This Fire Risk Assessment was carried out primarily for the protection of Life, but consideration has also been given to the protection of property and to business continuity. It can be regarded as a qualitative report and takes into consideration the requirements imposed by the Regulatory Reform (Fire Safety) Order 2005

This Fire Risk Assessment was carried out for the named client who may be determined by the Enforcing Authority as the "Responsible Person"

Article 3 of the Regulatory reform (Fire Safety) Order 2005 defines the "Responsible Person" as:

- (a) in relation to a workplace, the employer, if the workplace is to any extent under his control.
- (b) in relation to any premises not falling within paragraph (a)—
 - (i) the person who has control of the premises (as occupier or otherwise) in connection with the carrying on by him of a trade, business, or other undertaking (for profit or not); or
 - (ii) the owner, where the person in control of the premises does not have control in connection with the carrying on by that person of a trade, business, or other undertaking.

Note: This risk assessment did not include loft/attic areas, areas below normal floor level or above false ceilings unless these areas were readily accessible.

This Report has been subject to ATC Fire safety Ltd quality control systems

Assessment carried out by

[Fire Safety Consultant]

Dated; 25th July 2022

Approved by Procedural Compliance Team

Signature

Print Name

Dated 8th August 2022

**Unit 1 Britannia House
75 High Street
Sheerness
Kent
ME2 1TX.**



1.0 Introduction

This Fire Safety Risk Assessment has been commissioned as part of the process detailed in the **Fire Safety Order 2005** regarding the requirement for annual fire safety risk assessments. This report is part of an initial fire safety risk assessment process, which should be taken as the definitive document, and has been assessed following a site visit, and access to relevant documentation.

The primary purpose of this fire safety risk assessment is to address the main issues of **life risk**, in the event of a fire.

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 needing to evacuate the premise is able to escape to a place of total safety easily and quickly

The aim of the risk assessment is to identify the significant findings and by deciding what physical fire precautions and management arrangements are necessary, to reduce the risk of hazards causing harm to as low as is reasonably practicable thereby ensuring the safety of people in the premise if a fire does start.

The assessment has been carried out and all findings are based on visual observations only, no intrusive structural investigation has been undertaken.

The presence of cavity barrier and fire dampers in any ductwork are beyond the scope of this assessment as an element of dismantling of the building's fabric will be required to confirm these matters. This matter is therefore beyond the scope of the fire risk assessment but might be checked during building and maintenance works that involve dismantling and opening sealed cavities within the structure.

This report acknowledges the current condition of the property and the fire safety measures already present within the building.

This assessment must be reviewed annually or following:

- Recommendation of the 'Responsible Person' or Enforcement Authority
- Serious Fire Incident, including arson and vandalism
- Change of working practices or use of premises
- Change of occupancy or tenant activity
- Increase in occupancy levels [life risk]
- Structural alterations
- Change in volume and type of stored combustible/flammable materials
- Introduction of new work equipment or processes
- Change in neighbouring premises/activities that may affect the assessed hazards/risks
- Any other significant or material change to these assessments' details.

This report is designed to guide the Responsible Person through the requirements of the Regulatory Reform [Fire Safety] Order 2005 offering support and guidance to ensure the building becomes safe and compliant, within a given time-scale, which is considered both reasonable and practicable within the circumstances.

1.1 Building Description & Initial Observation

This report relates to an initial fire safety risk assessment by ATC Fire Safety for the property at Unit 1 Britannia House, 75 High Street, Sheerness, Kent, ME2 1TX, which is occupied by Durtnalls Restaurant.



Front of restaurant



Rear of restaurant

At the time of Fire Safety Risk Assessment the property was undergoing refurbishment.

Durtnalls will be a fine dining restaurant based on Sheerness High Street. The original building was a hotel built around 1824. The restaurant will be based on the ground floor with a basement. The main ground floor will be open plan, with a rear kitchen space and providing a toilet and storage area. The basement will be used for storage only.

Currently the ground floor is gutted and being prepared for a full refurbishment to change the space in to a restaurant.

It is not understood if the premises has met all the requirements of the Fire Authority with regard to the use of the premises which are considered reasonable and practical in relation to The Regulatory Reform [Fire Safety] Order 2005.

Construction Materials

There was no information to hand regarding the construction of the building. The main construction of the building is brick, wooden frames, plastered walls and a tiled floor. The basement is made of brick typical of basement built around this time period.

Description	Walls	Ceilings
Circulation spaces	Class 0	Class 0
Other rooms	Class 0	Class 1
Small rooms [max 4 ² m]	Class 1	Class 1
Floors	Class 0	Class 0

1.2 Legislative Drivers

The main fire safety legislation applicable to these premises at present is the current Building Regulations [Approved Document B – Fire Safety] 2000 [2006 Edition] [ADB]. This has determined the fire safety provisions, especially relating to means of escape, from first build, refurbishment, design and concept through to practical completion and hand over.

The construction or modification of any building within England and Wales needs to comply with the statutory requirements of Building Regulations.

These regulations approved by Parliament deal with the minimum standards of design and building work for the construction of domestic, commercial and industrial buildings.

The Building Regulations contain a list of requirements, referred to as schedules, which are designed to ensure the health & safety of people in and around the building. There are thirteen parts covering all aspects of construction or modification. In this case the regulations are dealt with under the functional requirements of B1 to B5 of schedule 1 of the Building Regulations.

Once occupation has been undertaken in any premises, it will then fall under the jurisdiction of the **Fire Safety Order**.

The **Fire Safety Order** requires fire precautions be put in place 'where necessary' and to the extent that it is '*reasonable and practicable*' in the circumstances of the case and that a suitable and sufficient fire safety risk assessment is undertaken and regularly reviewed, this requirement will be met.

Once a building is occupied, the Building Regulations consultation process does not preclude subsequent enforcement action under the **Fire Safety Order**. This approval cannot be relied upon to mean that the fire precaution measures installed at the time of occupation will remain sustainable over the lifetime of the building.

1.3 Occupation Levels

Premises Risk Profile

The risk to persons from fire in a building or premises can be determined by the consideration of two factors; the **Occupancy profile** which considers the familiarity of the building by the occupants and the **Fire growth**, which considers how quick a fire will grow if left unchecked.

Occupancy Profile

The occupancy profile is determined according to whether the occupants are familiar or unfamiliar with the building and whether they are likely to be awake or asleep.

Occupancy characteristics	Description	Examples
A	Occupants who are awake and familiar with the building	Office and industrial premises
B	Occupants who are awake and unfamiliar with the building	Shops, exhibitions, museums, leisure centers, educational establishments, other assembly buildings etc
C	Occupants who are likely to be asleep	
Ci	Long-term individual occupancy	Individual flats without 24 hour maintenance and management control on site
Cii	Long term managed occupancy	Serviced flats, halls of residence, sleeping areas and boarding schools
Ciii	Short-term occupancy	Hotels and Restaurants
D	Occupants receiving medical care	Hospital, residential care facilities
E	Occupants in transit	Railway stations, airports

Fire Growth

Fire growth is the rate at which it is estimated that a fire will grow. The fire growth rates are categorized as:

	Growth Rate	Examples
1	Slow	Open plan office, limited combustible materials
2	Medium	Stacked cardboard boxes, wooden pallets
3	Fast	Baled thermoplastic chips, stacked plastic products, baled clothing
4	Ultra-fast	Flammable liquids, expanded cellular plastics and foam

The fire growth rates are typically measured in kJ/s^3 but are not considered necessary in this document as it is sufficient to only include the general rates of fire growth.

Creating the Risk Profile

The risk profile is determined by a combination of the occupancy characteristics and fire growth rate. Where more than one risk profile applies to the building, the higher profile has been used. The provision of other factors such as automatic sprinkler systems in buildings permits the reduction in fire growth allowing longer travel distances, narrower doors, narrower staircases, larger compartments and reduced fire resistance periods.

The occupancy characteristics and fire growth rates have been considered and:

The risk profile for the premises is assessed to be [Ciii1]

Use	Risk Profile	Description
Hotels & Restaurants	Ciii1	Occupants who are awake and unfamiliar with the building with a slow fire growth rate

Note; The restaurant is being prepared for refurbishment. The number of occupants is currently zero. When the restaurant opens there will be 6 staff and customers.

1.4 Compartmentation

Compartmentation is identified under the heading 'Fire Safety Management and the Maintenance of Fire Safety Systems'. To reiterate the importance of compartmentation, the major concerns are not regarding the fire itself, but more importantly the smoke and toxic fumes the fire generates. These are the major killers in any fire situation and the restriction of any travel or percolation of these toxins is paramount to a successful evacuation of these premises.

Historically, the issue of lack of compartmentation can be witnessed in many serious fires which have occurred over the years with serious loss of life. An example of one serious fire occurred when people lost their lives in a hotel at Newquay. The premises were a substantial building which was lost to fire within eight minutes.



Newquay Hotel – Example where compartmentation failed

Furthermore, under the **Fire Safety Order** there is placed a 'duty of care' on the occupiers to ensure Fire-fighters are not unduly put at risk through the occupiers' negligence. Wedging open fire resisting doors would fall within this category.

Compartmentation is considered one of the fundamental principles in defence of any fire and ensures occupants can escape from the premises safely and reduces the amount of damage a fire causes to other compartments within the building.

All compartment walls or partitioning which are required to be fire resisting must be integral and kept in a good state of repair. This also applies to floors and ceilings where required.

It must be ensured that any structural breaches are repaired with suitable proprietary materials which will provide the same standard of fire resistance as the surrounding structure.

Any contractual works carried out which involve the breaching of a compartment wall or partition should be monitored and contractors advised on the importance of "making good" any such breaches to the required level of fire resistance.

Fire doors must also be integral and remain free from obstruction at all times.

Fire doors are required to provide two main functions:

A] To maintain any compartmentation of the buildings, this has been introduced to limit the size and spread of fire in order to control the perceived risk.

B] To allow access to protected escape routes, both vertically and horizontally, without any loss of fire resistance, and limit smoke movement in the structure forming these routes, i.e. protected corridors and protected shafts [e.g. staircases and riser cupboards].

A full survey of all fire resisting doors must be undertaken on a monthly basis to ensure door and door-set meet the latest standards.

The visual survey must include:

- No signs of damage which could reduce the integrity of the door or doorframe
- The door is hung on three approved hinges
- Intumescent strips and smoke seals are correctly fitted
- The door is hung correctly to ensure correct gaps are maintained between door frame and door[s]
- Approved self-closing devices are fitted and the doors close effectively to form an effective seal, or close effectively onto the doorstops contained within the doorframe
- All fire resisting doors are correctly identified with compliant signage.

To be effective a fire door must close firmly and securely into the frame and be held there until the intumescent seal is activated, leaving no escape route for flames or deadly smoke. And it must do this every time the door is opened.

A definition and specification of the standards is stated below:

[Latest standards of fire resisting door sets] "The door[s] should be self-closing and when fitted in its frame be capable of meeting the performance requirements for a FD30S/60S door i.e. a fire door assembly which would satisfy the integrity criterion for 30/60 minutes if tested in accordance with BS EN 1634-1:2000 and restrict the passage of smoke at ambient temperature to a leakage rate not exceeding 3m³/m/ hour [head & jambs only] when tested at 25pa under BS 476: section 31.1" An approved self-closing device must be fitted to the door[s].

The smoke seals are designed to provide additional protection and compliment the intumescent strip and to prevent the passage of cold smoke. All fire door-sets should have fitted intumescent strips and cold smoke seals [brushes are a lot more robust and durable than plastic neoprene] on all 3 edges of the door, or preferably the 3 edges of the door frame itself and along the middle where the two doors meet. The ambient smoke seals and intumescent strips should be continuous and run the full length of the door edge i.e. not short lengths or cuts to fill gaps.

See below diagrams explaining where the fitted intumescent strips and ambient smoke seals can be placed to ensure sufficient compartmentation is achieved:



There should be no more than a constant of a gap than $3\text{mm} + 1\text{mm}$ [4mm] or $3\text{mm} - 1\text{mm}$ [2mm] from the frame to door leaf. Where double doors are used, the same gap distancing method should be used where the two doors meet.

The gap between the base of the door and the floor should be no more than 10mm. [Intumescent strips and smoke seals are not required on the bottom edge of the door leaf].

An effective Fire Door set must also have 3-hinges and self-closing mechanisms where needed [self-closing mechanisms are not necessarily required for fire doors on store rooms with an occupancy type such as the one being inspected; however, consideration should be given to the working practices of the business as to whether they are required or not].

If painting of fire doors is essential, careful consideration must be made and consultation if needed to ensure non-flammable paints are utilised which will not compromise the effectiveness of the fire door set in the event of a fire.

Regular and routine checks [monthly] of all fire doors should be completed and records kept. It is recommended that an itinerary of fire door-sets is maintained including door numbering. This will prove beneficial when completing a maintenance programme of fire door-sets.

If fire doors are required to remain open, then a fire safety solution must be sought to ensure compartmentation is not compromised.

A closed fire door can stop fire in its tracks, but wedged open, the fire door provides no protection and the fire, smoke and toxic fumes can spread throughout the building. There are a number of solutions available; including door holding devices [Briton 996] or electro-magnetic door holding devices, both of these systems to be interfaced with the Fire Alarm system.

Other less intrusive solutions to this problem include Freedom battery operated wireless door holding devices.

Freedom [Battery operated]

Freedom is a unique wireless solution that allows users to hold fire doors open at any angle and automatically closes the door when the fire alarm sounds. Installed at the top of the fire door, Freedom is a simple, neat and unobtrusive **fire door closer**. Easy to install in new buildings and retrofit. Freedom is a wireless device that allows the door to swing freely, be left in any position, but will close the door when the fire alarm sounds.

Freedom needs to hear a fire alarm that exceeds 65dBA, verifying the alarm over a 14 second period. Freedom will then release the door preventing the spread of toxic fumes, smoke and fire.

[Designed to comply with BS EN 1155, BS7273-4 Category C].



Such devices are safe and legal solutions that allow you to hold your fire doors open safely and allow them to automatically close in the event of a fire. This allows for better access, ventilation and all-round convenience without jeopardising safety or breaking the law.

All doors fitted to rooms or cupboards where there is a potential source of heat or ignition or may promote fire growth/fire spread due to their contents, must be fully compartmentalised and fitted with a fire resisting door capable of giving a minimum of 30 minutes fire resistance. Such areas may include the following;

- Down stairs bedroom
- Down stairs lounge
- Kitchens
- Laundry rooms
- Storage cupboards
- Utility rooms
- Upstairs bedrooms
- Any other room or cupboard which may contain gas or electrical isolation points or installations, a source of heat/ignition or storage areas where the contents of the room may promote rapid fire growth or fire spread.

All fire resisting doors [with the exception of fire doors which must remain locked], should be furnished with signage indicating the function of the door on both faces of the door leaf.

1.5 Fire Alarm Systems

Currently the building does not have a Fire Alarm System. The building will be fitted with an analogue fire alarm system which meets the requirements of BS5839 Pt 1 L2 Standards. This is a comprehensive provision of detection to the majority of areas and will ensure early detection is achieved allowing for maximum evacuation time. The main fire alarm panel is positioned adjacent to the main entrance. There should also be a fire action plan posted above the alarm system.

The system must also be tested annually and maintained by specialist contractors.

1.6 Emergency Escape Lighting

There is currently some emergency escape lighting throughout the premises. Green indicator lights would need to be present on each unit. There was no maintenance certificate available at the time of inspection.

Emergency routes and exits must be indicated by signs; and emergency routes and exits requiring illumination must be provided with emergency escape lighting of adequate intensity in the case of failure of their normal lighting.

As a generic checklist, the following areas must enjoy the benefit of Emergency Escape Lighting:

- Near Stairs or any other change of level*
- Near changes of direction and intersections of corridors*
- Illuminate Exit and other safety signs
- Escape exits [both internal and external] – if necessary, additional lighting must be along the route towards and ultimately leading people to the assembly point to avoid panic and confusion
- Near firefighting equipment*
- Near first aid posts*
- Open areas in excess of 60sqm
- Windowless rooms
- Lift cars
- Toilets, Lobbies and Closets exceeding 8m²
- Motor Generator, Control and Plant Rooms
- Kitchens
- Seminar Rooms – these are regarded as places of assembly generally seating more than 4 persons

Consideration should be given for other rooms / areas where hazards or working practices dictate.

***Note:** The term near means within 2 metres measured horizontally.

The following provides guidance on test periods and the relevant requirements at each stage:

Daily	The Responsible Person should check central power supplies and check that indicators [red or green charging diodes] are healthy.
Monthly	The Responsible Person should perform a function test of each emergency luminaire and exit sign by simulating a mains failure for a period sufficient to check that each lamp operates from the battery and they are all clean, in good condition and the fluorescent lamps are bright [and not blackened or flickering].
Annually [Certification required]	Testing as monthly but for the full duration [e.g. 3-hours], when it is convenient and safe to do so, and at a time of least risk. Batteries can take up to 24-hours to recharge so the test should take place when the building is not occupied or during daylight hours.

For all tests and inspections, the test date and results must be recorded. Any faults should be repaired, and the date of completion recorded. Records should be kept in the fire safety logbook.

The system must be tested by operation monthly by the building manager and tested to duration – 3-hour drop test, annually by specialist contractors.

1.7 Portable Appliance Testing and Electrical Installations

Portable Appliance Testing (PAT) will need to be carried out by a trained person within the first 12-months of the refurbishment being completed if not sooner.

1.8 Means of Fire Fighting

When the restaurant is being refurbished Fire Extinguishers will be placed in the building. Extinguishers will need to be tested and maintained in accordance with BS5306 Pt 3, annual testing and maintenance must also be carried out by specialist contractors.

This system needs to be tested and maintained as required by specialist contractors and evidence appears in the safety certificate.

Typically, firefighting media [fire extinguishers in this case] must be positioned in the following areas;

- Main entrance / exit
- Fire exit / escape doors
- Along fire exit routes

A person should not;

- Travel more than 30m to reach access to a Class A fire extinguisher
- Go through more than two doors to reach access to a fire extinguisher
- Go to a different level or floor to reach access to a fire extinguisher [not applicable in this instance]

Management must ensure that monthly visual inspections of the fire extinguishers are undertaken and recorded in the fire safety log book.

Inspections should include the following;

- The fire extinguishers are located in the designated positions
- They are unobstructed, visible and its operating instructions face outwards
- Has operating instructions which are clean and legible
- Are not obviously damaged
- Has a reading in the operable range [Green]
- Has seals and tamper indicators which are not broken or missing
- Are provided with signage indicating the type of fire extinguisher which should be located at the fire extinguisher point.

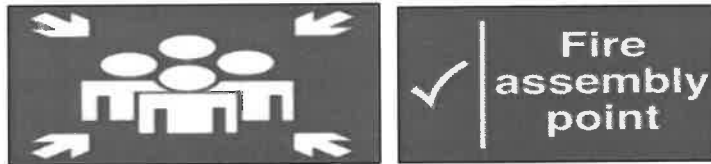
All records and certification relating to testing and maintenance of the fire extinguishers and fixed installations must be recorded and made available for clarification upon request.

1.9 Fire Safety Signs

The restaurant will need to display the correct Fire safety exit signs throughout the building, including fire action notices detailing the assembly point.

Fire escape signs are provided to guide you from wherever you are in a building, via a place of relative safety [the escape route] to the place of ultimate safety [the assembly area].

Fire escape signs are not needed on the main route into or out of a building [the one used by people for normal arrival and exit]. The alternative escape routes and complicated escape routes do need to be signed. It must not be assumed that everyone will know all safe routes through the building. Similarly, it must not be assumed that, once outside the building via a final exit, people will know how to get to the assembly area, so signs directing people to the assembly area will be needed as well.

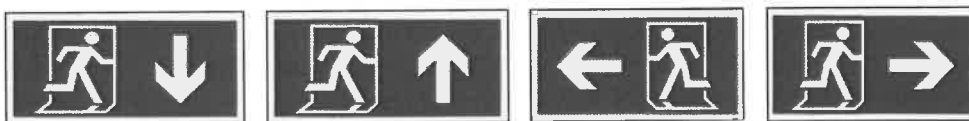


Fire escape signs are green and white - safe condition. They must comprise a pictogram, an arrow, and possibly words. A sign with just an arrow, or just words, or an arrow and words is not sufficient. There must be a pictogram including the "rapidly walking man". Signs to British Standard 5499: part 4:2000 have the man passing through a door. Another way to identify signs to BS5499 is that the text is in lower case apart from the first letter. Signs that are

illuminated from behind or within [as in the case of an escape light with escape sign incorporated] will have a white figure entering a green door with a white surround.

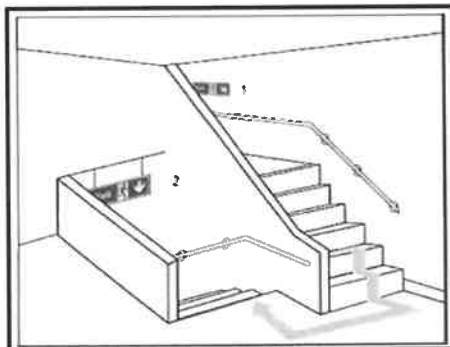
You may encounter signs to European Standard 92/58/EEC. These are identified by all upper case text, a man, a door and an arrow.

Examples of Fire Exit Signs



It is recommended that photo-luminescent signs be used, they glow in the dark.

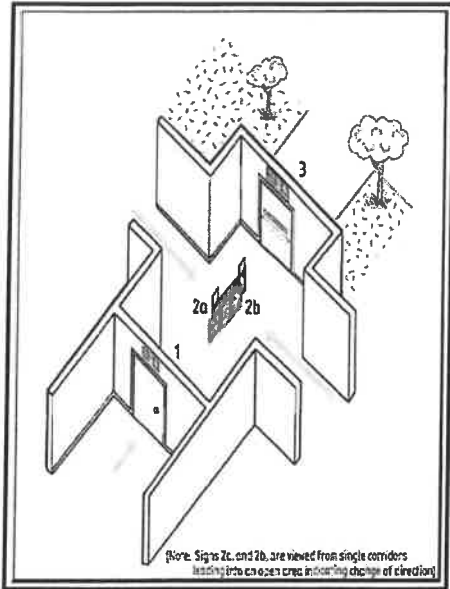
Signing the ideal Escape Route to BS5499



Example 1:

Sign 1 means progress down to the right as viewed from in front of the sign. Sign sited on wall of half landing.

Sign 2. Progress down from here as viewed from in front of the sign. Suspended from the ceiling



Example 2:

Sign 1: Progress forward and through from here as viewed from in front of the sign. Positioned above door.

Signs 2a and 2b: Progress to the left/right from here.

Suspended at change of direction. Sign 3: Progress forward and through from here as viewed from in front of the sign. Positioned above door.

NOTE: Outside the final exit [sign 3 above it] if the door can be obstructed a “Fire Exit Keep Clear” sign is needed on the outside of the door.

[Note; Possibly bollards and/or yellow hatching paint may also be needed].



Example 3:

Sign 1: Progress forward and through from here as viewed from in front of the sign. Positioned above door.

Sign 2: Progress down to the left from here as viewed from in front of the sign. Positioned on the landing

Fire escape route signage must be clear and unobstructed as well as visible from all working areas and along escape route corridors.

All allocated fire resisting doors which form part of the compartment boundary or fire escape route must have Fire Door signs affixed to both sides of the door leaf and on each leaf of a door set to ensure that there is no confusion over its status and importance as an integral part of the compartmentation within the building.



Fire resisting doors fitted to hazard rooms or cupboards which have not been fitted with self-closing devices should remain locked and have the appropriate signage affixed to the external side of the door leaf.

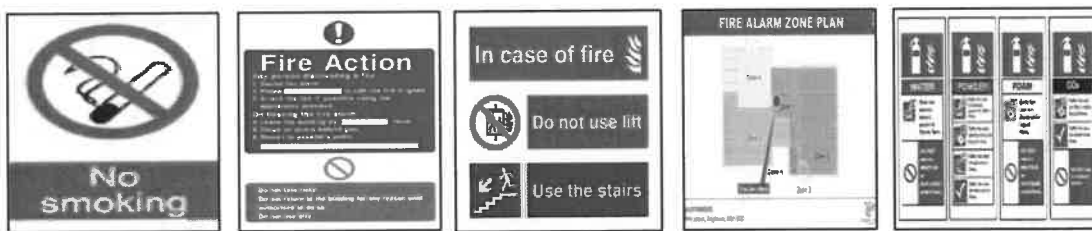
There was good evidence of appropriate signage at the premises.

Remedial action should be applied where any fire door is found to be deficient of signage. Such signage should incorporate white writing on a blue circular background. [See above].

Signage indicating potential hazards, for example; hazardous substances, liquids, electrical hazards etc. should be provided at the location of such areas where required giving indication of their presence.



Signage should also be in place to indicate the location of isolation points for services such as gas, electric etc. no smoking areas as well as information relating to emergency procedures.



No smoking signs should be positioned where applicable.

Fire action notices must be completed and give indication of the location of the fire assembly point as well as any other relevant information applicable to such signage. It is recommended that fire action notices are provided at all call points for ease of reference.

A fire alarm zone plan should be positioned adjacent to any fire alarm panel for ease of reference. [Refer to clause 1.5 above]

All fire extinguisher points should be furnished with signage indicating the type of extinguisher required to be in position at the fire point. [Refer to clause 1.8 above].

1.10 Records

Records play an important part in the fire safety procedures; they give instant access to information relating to faults and the remedial action required to maintain the high levels of efficiency required.

Failure to keep and produce records for the testing and maintenance of fire safety related installations is a serious matter and places a company in contravention of the provisions laid down in the relevant legislation. Failure to address these problems and initiate the correct testing procedures could, in extreme circumstances, ultimately lead to prosecution under the provisions of that statutory legislation.



The building managers must have systems in place, to ensure records are maintained to an acceptable standard. As a guide, the fire safety folder should include the following:

Records required to be held in the fire safety log book

All records which are applicable to the premises should be held in a dedicated fire safety log book and be made available for clarification upon request.

Where weekly/monthly fire safety tests or inspections are undertaken either in-house or by outside contractors, the date must be recorded in the fire safety log book along with any faults which may have been observed. Should a fault be noted then remedial action must be undertaken as soon as is practicable

For ease of clarification, it is recommended that only inspection and test records as well as certification which remain in date from the time of issue should be held in the fire safety log book. All other records should be removed and held in an archive folder for a minimum of 5 years.

Note; *this list is not definitive to the premises.*

- Fire log book – to include false alarms, near misses and actual confirmed fires
- Current Fire Safety Risk Assessment
- Site Plan
- Emergency Plan
- PEEP's – (Personal Emergency Evacuation Plans) – where applicable.
- Monitoring company information – where applicable.
- Fire alarm records – last test/inspection sheet and certification. [W & A]*
- Emergency lighting records – last test/inspection sheet and certification. [M & A]*
- Fire extinguisher records – last test/inspection sheet and certification. [MV & A]*
- Fire hydrant records – last test/inspection sheet and certification if applicable. [A]*
- Lift inspection records - last test/inspection sheet and certification if applicable. [A]*
- Dry riser records – last test/inspection sheet and certification. [A]*
- Suppression system records - last test/inspection sheet and certification. [A]*
- Ventilation and ductwork – last test/inspection sheet and certification. [A]*
- Kitchen extraction and filter units – last test/inspection sheet and certification. [6M]*
- Fire door records – visual checks and annual maintenance. [MV & A]*
- Lightning conductor – annual maintenance and certification if applicable. [A]*
- Maintenance records and certification for gas installations. [A]*
- Maintenance records and certification for electrical installations. [5yrly]*
- Maintenance records and register for PAT testing. [A]* (Or as per company policy).
- Fire evacuation drill records and observations. [Recommend minimum of 2 per year]
- Staff training records. [As per company policy]
- Any other records or certification relating to the fire safety measures applicable to the premises.

***Key;**

- W = Weekly testing – generally undertaken in-house.
- M = Monthly testing – generally undertaken in-house.
- MV = Monthly Visual – generally undertaken in-house.
- A = Annually – testing, inspections and certification by specialist contractors.
- 5yrly = 5 Yearly – testing, inspections and certification by specialist contractors.
- 6M = 6 Monthly - inspections by specialist contractors.

Note; The members of staff at the time of inspection did not provide access to documented records or certificates.

1.11 Staff Training

Under the **Fire Safety Order** a comprehensive programme of fire safety training must be in place for all staff to include what to do in the event of a fire related incident.

Fire safety training is essential for all staff and is a legal requirement under the health & Safety at Work act 1974, The Management of Health & Safety at Work regulations 1999 and the Fire Safety Order.

All staff need to have an understanding of fire risks and know what to do in the event of a fire so that fire safety procedures can be applied effectively. It is therefore imperative that appropriate levels of fire safety training are provided. This applies to all staff without exception.

The training programme [as developed by the [Fire Safety Manager] should reflect staff responsibilities for fire safety and set in place appropriate means for recording and monitoring staff training.

All staff should receive induction training on or before their first day of employment. This may take the form of generic training. Where staff are working in areas where there are specific risks or hazards, the induction training must be supplemented by job-specific instruction as soon as employment commences.

All staff should receive regular, updated training and instruction. The duration and frequency of the training should be determined by a training needs analysis, the numbers of people at risk, and the responsibilities of staff in a fire emergency.

Video and computer-based training should only be used to enhance the training delivered by the fire safety manager, and should not be used in isolation for induction or any other form of training.

Training programmes should include the following [This list is not definitive]

- Basic fire safety
- Good housekeeping
- Actions to take on discovering a fire
- Actions to take on hearing the fire alarm
- Procedures for evacuation
- Staff responsibilities during a fire incident
- Specialist roles [Fire wardens etc]

Staff training was up to date and the staff have a fire drill every 3 months.

1.12 Evacuation Procedures

The building will operate a horizontal evacuation procedure to an external fire assembly point which is located outside the front of the building.

Internal and external escape routes will need to remain free from obstruction. There is a front and rear side offer two exits from the restaurant.

All final exit doors should have the ability to be opened by means of a single action release mechanism, [push bars/pads and thumb-locks, not a lock and key]. Signage indicating the actions to be taken to release the door should be affixed to the door leaf. [See below].



Personal Emergency Evacuation Plan's [PEEP's]

In the event of any member of staff or visitor who may require assistance during an evacuation, PEEP's should be considered with all scenarios to be addressed, including staff assistance, the use of the persons own wheelchair or any other evacuation aids deemed necessary in the individual circumstances. Examples may include persons with mobility issues [elderly or disabled] a member of staff who may be heavily pregnant or any other scenario where assistance in evacuating may be required.

Liaison with emergency services

There should be senior person nominated to meet the fire and rescue service when they arrived to provide them with any information they require. They should have an intimate knowledge of the premises and be in contact with the person conducting the roll call at the assembly point. The person should have knowledge of all hazardous areas and isolation switches.

The individual should also be 'sterile' in the sense that in the event of a fire, they will have no other responsibilities other than to meet and greet the fire services and provide them with all requested information in a concise and clear manner.

The key in the event of a fire is information and communication. What happens in the first two minutes of a fire is critical; important information which should be readily available when the Fire & Rescue Service arrives should include:

1. Where is the fire?
2. Is anybody missing? [Note; the Fire & Rescue Service do not evacuate buildings – this is the occupier's responsibility]
3. If somebody is missing, where were they last seen and when?
4. Where is the building compartmentation? Are there any problems?
5. Any hazards i.e. storage of gases or flammables?
6. Where are the isolation switches for utilities?
7. How long is has the fire been established?

This list is not exhaustive; however, should form a foundation to work from and any specific information relating to the premises should be built in.

Fire evacuation drills must be carried out at least annually to evaluate its effectiveness and the findings recorded. Good practice and many Fire Authorities will normally dictate two fire drills [as a minimum] in a period of twelve months.

Note; Arrangements should be made to ensure all staff participates in at least one fire drill per year.

1.13 Staircases

The staircase to the basement is in good order.

1.14 Fire Hazards

Currently there are no fire hazards.

Staff must monitor and manage storage near the exit routes where obstructions may slow down the process of evacuation.

1.15 Housekeeping

All fire escape routes should remain clear and free from obstruction at all times. All allocated fire resisting doors must remain clear from obstruction and remain free to close through the full swing of the door leaf at all times.

2.0 Assessment Report

Automatic fire alarm detection will be installed along with smoke detectors to cover all areas of the building. This will minimise the possibility of a fire going undetected in all areas for any length of time and will allow plenty of time for an evacuation from the premises. Automatic fire detection must be tested weekly and annually. All tests and inspections must be recorded.

Sufficient fire-fighting equipment will be provided throughout the premises for the use of trained personnel only. All equipment will be visually checked on a monthly basis and inspected annually by specialist contractors. All tests and inspections are recorded.

Extinguisher will be placed on wall mounts when the refurbishment is complete.

Emergency escape lighting will be installed where required. Emergency escape lighting must be tested in-house on a monthly basis as well as being inspected and tested to full duration annually by specialist contractors. Monthly and annual test and inspection records must be made available for clarification at the time of future inspections.

Electrical supplies and equipment are provided throughout all areas. PAT testing should be undertaken periodically as required. Electrical installations must be inspected and certificated every 5 years. All tests and inspections must be recorded.

All signage needs to be compliant where fitted and general housekeeping within the premises will need to be well managed. A system of management should be on-going.

All records must be made available for clarification at the time of this inspection.

Periodical fire evacuation drills must be undertaken. Fire evacuation drills must be recorded.

All staff should receive periodical fire safety training.

2.1

Restaurant

Fire Safety Risk Assessment		
1	<p>Fire hazards</p> <p>Sources of ignition</p> <p>Sources of fuel</p> <p>Sources of oxygen</p>	<p>Lighting equipment and general electrics. Stock</p> <p>Low levels of risk.</p> <p>Natural air.</p>
2	<p>People at risk</p> <p>Staff & visitors</p> <p>People especially at risk</p>	<p>Low occupation.</p> <p>There were no significant persons at risk in this environment.</p>
3	<p>Evaluate, remove, reduce, and protect from risk.</p> <p>Evaluate the risk of a fire occurring</p> <p>Evaluate the risk to people from fire</p> <p>Remove or reduce fire hazards</p> <p>Remove or reduce the risk to people</p> <ul style="list-style-type: none"> • Detection & warning • Fire fighting • Escape routes • Lighting • Signs & notices • Maintenance 	<p>Constant observation and staff interaction, plus level of detection makes this very low. [Unlikely]</p> <p>This is a low-risk environment due to the level of safety and management. [Low]</p> <p>Housekeeping, removal of waste. Remove any obstructions to escape routes and maintenance.</p> <p>The building needs to be provided with an analogue fire alarm system which meets the requirements of BS5839 Pt 1 L2 Standards. This is a comprehensive provision of detection to all areas.</p> <p>An adequate provision of firefighting equipment will be provided throughout the property in the form of fixed installations and portable firefighting equipment.</p> <p>The property will operate simultaneous evacuation, with adequate means of escape.</p> <p>Emergency escape lighting needs to added, fixed lighting.</p> <p>All signs need to compliant where fitted.</p> <p>The requirement for maintenance is a three-part test. The test consists of maintaining the equipment, facilities and devices:</p> <ul style="list-style-type: none"> • In an efficient state; • In efficient working order; • and In good repair
4	<p>Record, plan, inform, instruct and train</p> <p>Record significant findings and action taken</p> <p>Prepare an emergency plan</p> <p>Inform and instruct relevant people; cooperate and coordinate with others</p> <p>Provide training</p>	<p>No real records have been kept. See Management Action Plan – Significant Findings. [if applicable]</p> <p>An emergency plan forms part of the overall fire safety management of the premises. A plan needs to be in place.</p> <p>All department managers are to be made aware of the findings of this report and to ensure this is cascaded effectively to all staff.</p> <p>Training needs to be provided.</p>

5	<p>Review</p> <p>Keep assessment under review and revise where necessary</p>	<p>This Fire Risk Assessment to remain valid must be reviewed annually or prior to any alterations taking place within the building; the use to which the area is used; any other circumstances which may require changes to the existing fire safety arrangements.</p>
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3.0 Variation from Approved Standards

As described within the building description [1.1] there are no variations noted from the existing approved standards.

4.0 Summary

This report undertakes a reasonable and practicable approach to ensure Fire Safety is implemented. Once any fire safety issue[s] raised in this report are completed it can be considered the premises will become safe and compliant with low life and fire risks.

At present the premises is considered to be in a Medium fire risk category.

Due to the nature of the limited access within this report, fire risks would be considered to be in a Medium fire risk category.

The remedial action plan relates to items that require physical implications, the management plan relates to items that require management action, including addressing the remedial points from this and any outstanding risk assessments.

This report must be read in conjunction with any previous risk assessment reviews and the original risk assessment, which is the definitive document.

Any points raised in previous reports that remain outstanding must be rectified as a matter of priority.

This Fire Risk Assessment, to remain valid, must be reviewed annually or prior to any alterations taking place either;

- **Within the fabric of the building**
- **The uses to which the building is put**
- **Any other circumstances which may require changes to the existing fire safety arrangements**

It is recommended that this Risk Assessment should be reviewed not later than July 2023.

ATC Fire Safety

FIRE SAFETY CHECKLIST 2022

**Restaurant
Unit 1 Britannia House
75 High Street
Sheerness
Kent
ME2 1TX**

The answers to all the questions should be 'yes' [or 'not applicable']. If the answer to any question is 'no' then the reason should be recorded in the report and steps taken to rectify the deficiency as soon as is practicable. When the work is complete a fire risk assessment should be undertaken to ensure that the measures taken have not compromised any other part of the fire safety management plan.

STAGE 1 IDENTIFYING THE FIRE HAZARDS

Potential Hazards	Yes/No	Comments
1. Is there a system for controlling the amounts of combustible materials, flammable liquids and gases that are kept in the work place?	No	Due to refurbishment and building work no systems are currently in place.
2. Is the system operating effectively?	No	As above.
3. Are all combustible materials, flammable liquids and gases stored safely?	No	As above.
4. Are all heaters fitted with suitable guards and fixed in positions away from combustible materials?	No	As above
5. Are all items of portable electrical equipment inspected regularly? [portable appliance testing]	No	As above
6. Is the wiring of the electrical installation inspected periodically by a competent person?	No	As above
7. Is the use of extension leads and multi-point adapters kept to a minimum?	No	As above
8. Are flexes run in safe places where they will not be damaged?	No	As above
9. Is the upholstery of furniture in good condition?	No	
10. Is the workplace free of rubbish and combustible waste materials?	No	Under construction.
11. Is there a designated smoking area provided with adequate ashtrays?	N/A	This is no-smoking building.
12. Have measures been taken to ensure that smoke and flames cannot spread from one compartment within the building to another?	NK	Due to limited access provided this information was not obtained at time of inspection.

STAGE 2 IDENTIFYING THE PEOPLE WHO COULD BE AT RISK

Potential Hazards	Yes/No	Comments
13. Are there a sufficient number of exits of suitable width for the people present?	Yes	The exits are adequate for the occupation levels.
14. Do the exits lead to a place of safety?	Yes	Lead to a place of safety outside the building.
15. Are gangways and escape routes free from obstructions?	No	Currently no will under construction.
16. Are the escape routes free from tripping and slipping hazards?	No	As above.
17. Are steps and stairs in a good state of repair?	Yes	Steps in good order.
18. Are final exits always unlocked when the premises are in use?	Yes	Doors unlocked.
19. Are the devices securing final exits capable of being opened immediately and easily without the use of a key?	Yes	
20. Are internal fire doors labelled as such and normally kept closed?	No	No fire doors and no labels.
21. Are all fire doors in a good state of repair and the self-closers operating correctly?"	No	Fire doors need fitting.
22. Do the doors on escape routes open in the direction of travel?	Yes	Where applicable.
23. Are escape routes clearly signed?	No	To be fitted
24. Are escape routes adequately lit?	No	Emergency lighting needs to be installed
25. Is there a procedure in place to ensure disabled staff & visitors can evacuate the premises safely	No	No procedure plans provided.

STAGE 3 ELIMINATE, CONTROL OR AVOID THE FIRE HAZARDS

26. Do procedures and practices avoid the use of combustible materials or processes that use heat?	NK	As above
27. Has consideration been given to all cost-effective measures that could be taken to prevent the occurrence of arson?	No	Refuse needs to move 6 meters from building
28. Is there a system in place for calling the Fire and Rescue Service?	Yes	Land line from reception.
29. Have the fire authorities been consulted regarding the fire precautions in the building?	No	Not known

STAGE 4 CONSIDER WHETHER THE EXISTING FIRE SAFETY PROVISIONS ARE ADEQUATE OR NEED IMPROVEMENT

Potential Hazards	Yes/No	Comments
30. Where escape/emergency/safety lighting is installed, is it in working order and maintained regularly?	NK	No records available at time of inspection
31. Are the call-points, smoke detectors and heat detectors in working order?	No	None fitted.
32. Is the fire alarm tested weekly [using a different device]?	No	As above
33. Can the fire alarm be raised without placing anyone in danger?	No	As above
34. Are the fire alarm call points clearly visible and unobstructed?	No	As above.
35. Are an adequate number of suitable fire extinguishers provided?	No	There is no firefighting equipment in place.
36. Are fire extinguishers and fire blankets suitably located and ready for use?	No	As above.
37. Are the fire extinguishers serviced annually by a competent company?	No	As above
38. Do systems i.e. automatic door-holding devices, smoke vents, door release mechanisms etc. operate correctly when the fire alarm is activated?	N/A	No alarm fitted.

STAGE 5 RECORD THE FINDINGS

39. If five or more people are employed, have the findings of the fire risk assessment been recorded?	No	
40. Have staff or their representatives been told about the risk assessment findings?	No	This must form part of the management programme.
41. Has a formal report been prepared and has this been shown to the staff or their representatives?	No	As above.
42. If the workplace is shared with others do they know about the risks that have been identified?	N/A	As above.
43. If the occupiers do not have direct control over the workplace have the findings been made known to the Building Managers.	N/A	As above.

STAGE 6 STAFF TRAINING

Potential Hazards	Yes/No	Comments
44. Do all staff receive fire safety training annually?	No	Mandatory annual training is not provided.
45. Have sufficient personnel been trained in the correct use of portable fire-fighting equipment?	No	No practical training is undertaken.
46. Are fire drills carried out regularly?	No	No logs kept or found.
47. Have the names of all staff trained, full and part-time been entered in the fire logbook?	No	No evidence at time of inspection.

STAGE 7 FIRE ACTION NOTICES AND EMERGENCY/CONTINGENCY PLAN

48. Are fire action notices displayed prominently throughout the workplace?	No	Fire action notice required
49. Has an emergency/contingency plan been drawn up in case of a major fire?	No	Management policy.
50. Is a copy of the emergency/contingency plan kept other than at the workplace?	NK	Due to limited access this information was not obtained at time of inspection.

STAGE 8 CARRY OUT A PERIODIC REVIEW OF THE FIRE SAFETYASSESSMENT

51. Is a copy of the fire risk assessment available on the premises?	Yes	A copy of this report will be supplied & must be held on the premises for future inspection.
52. Is there a procedure to review the assessment in place?	Yes	Regular reviews will be undertaken.

Records of Servicing Maintenance and Certification

Page 1	Durtalls Restaurant	Durtall Responsibility	Landlord Responsibility	Undertaken Yes/no	Notes
Fire Detection and Fire Alarm Systems	Records of weekly testing Records of maintenance and servicing Faults [if any] and action taken Current Certificate of Compliance	✓		No No No No	No alarm system currently installed.
Signs and Notices	Signs fitted Fire Action Notices completed	✓		No No	No signage in place
Emergency Escape Lighting	Tested monthly Records of testing and maintenance Faults [if any] and action taken Results/findings, if any, of practical night test Current Certificate of Compliance	✓		No No No No No	No records available at time of inspection
Compartment and Doors	Record of inspection Do fire doors close effectively? Are doors suitably numbered? Faults [if any] and action taken	✓		No No No No	No records available at time of inspection As above As above As above
Fire Extinguishers	Test date [on extinguishers] Record of servicing	✓		No	Not installed
Fire Suppression Systems	Last tested Records of maintenance and servicing Current Certificate of Compliance Current Certificate of Integrity Test	N/A			

Records of Servicing Maintenance and Certification

Page 2	Durtnalls Restaurant	Durtnall Responsibility	Landlord Responsibility	Undertaken Yes/no	Notes
Computer Suite Integrity	Last integrity test Record[s] and results of the Integrity Test	N/A			
Kitchen Cooker Hood, Filters & Duct Work	Date of last deep cleaning Schedule of deep cleaning from cooker hood to discharge at roof level	N/A			
Evacuation Drills	Last recorded fire drill Records and findings	✓	✓	No	
Evacuation / Fireman's Lift [if provided]	Are there staff trained in its use for the evacuation of disabled persons? Records available	N/A			
Training Fire Wardens Security Staff Reception Staff	Records available	✓		No	No records available at time of inspection
Training Staff Management Snr Management	Records available	✓		Yes	No records available at time of inspection
Gas installations	Last serviced by a Gas Safe engineer Record of annual servicing Current Certificate of Compliance		✓	No	No records available at time of inspection Currently does not use gas.

Records of Servicing Maintenance and Certification

Page 3	Durtalls Restaurant	Durtall Responsibility	Landlord Responsibility	Undertaken Yes/no	Notes
Ventilation Ductwork & Fire Dampers	Last inspected Record of Inspection	N/A	✓		
Sprinkler System	Last inspected Records of maintenance and servicing Current Certificate of Compliance	N/A			
PAT Testing	Evidence of PAT testing [date] Register	✓		No No	PAT testing needs to be booked in.
Electrical Installation	Evidence of 5 yearly inspection Current Certificate of inspection	✓		No No	Needs to be booked in.
Lightning Conductor	Last inspected and serviced Records of maintenance and servicing	N/A			
Dry Riser	Last inspected and serviced Records of maintenance and servicing	N/A			



The Regulatory Reform (Fire Safety) Order 2005

Fire Risk Assessment Guidance- Part Five



All Areas and Systems

OF

**Unit 1 Britannia House
75 High Street
Sheerness
Kent
ME2 1TX**

Prepared by

25th July 2022

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1 Introduction

Part Two of the fire risk assessment details the methodology used in carrying out the original fire risk assessment and any subsequent fire risk assessment reviews, and contains extracts from The Regulatory Reform (Fire Safety) Order 2005 and advice on effective fire safety management.

Part Two should be read in conjunction with Part One of the original fire risk assessment as they both make up the integral and complete document.

A copy of both parts of the fire risk assessment will be made available to any authorised person on request.

The risk assessment is reviewed regularly or when;

- (a) there is reason to suspect that it is no longer valid; or
- (b) there has been a significant change in the matters to which it relates including when the premises, special, technical and organisational measures, or organisation of the work undergo significant changes, extensions, or conversions, and where changes to an assessment are required as a result of any such review, the "responsible person" will be advised by **ATC Fire Safety Ltd** to make them.

2 Competency of Consultants

The Fire Safety Order clearly states that there are two means by which competent persons might be identified. They must have both 'sufficient training *and* experience' or alternatively they must possess 'knowledge *and* other qualities', which will in both cases, enable them to properly carry out the task at hand.

ATC Fire Safety Ltd consultants have served in local authority fire and rescue services or defence fire authorities. They have extensive operational experience of dealing with a multitude of different types of fires in a variety of building types. This has resulted in a thorough understanding of the causes of fire, how fires develop in different materials, the spread of fire, and the behaviour of people when confronted by smoke and fire.

Our Fire Consultants have also spent some years in a Fire Safety capacity as Inspecting and Enforcement Officers. This has enabled them to become familiar with the numerous guides and codes of practice relevant to the types of premises they surveyed. They are familiar with the protocols and procedures that local authority fire services follow in enforcing the Regulatory Reform (Fire Safety) Order 2005.

The experience and knowledge that our consultants have gained enables them to be able to give informed and reasoned advice to our Clients to ensure that they can comply fully with the applicable legislation. The skills and competency of our Consultants combine with a methodical approach to ensure a suitable and sufficient Fire Risk Assessment is produced.

It should be noted that acting on behalf of our Client in undertaking the Fire Risk Assessment and subsequent Fire Risk Assessment Reviews, **ATC Fire Safety Ltd** becomes a responsible person as well as the Client being a responsible person under the duty of Article 5.(3) of the Regulatory Reform (Fire Safety) Order 2005.

3 Methodology

There are five aspects that our consultant has used his professional judgement to consider:

- 1 Identification of Hazards**
- 2 Assessment of those at Risk**
- 3 Evaluation of the Risk**
- 4 Methods of Control**
- 5 Further Controls that are Necessary**

Due regard has been given to the standards of fire safety required for the premises and training that is necessary to maintain and wherever possible to improve those standards, and the records to be kept.

Having considered these aspects our consultant has provided his findings in Part One of the fire risk assessment.

4 General Fire Safety Hazards

These are the deficiencies in the general fire precautions that can affect safety when a fire has started somewhere in the building and fall into the following categories:-

- 4.1 Means of escape
- 4.2 Means for securing that the means of escape can be safely and effectively used at all material times
- 4.3 Means for giving warning and detecting fire
- 4.4 Means for fighting fire
- 4.5 Maintenance of systems and provisions
- 4.6 Fire safety management, planning and the Fire Emergency Plan
- 4.7 Fire safety procedures and training

Our Consultant has applied his professional knowledge, judgement and experience to check and assess fire and general hazards in the premises. Any findings are provided in Part One of the fire risk assessment.

5 Evaluation of the Risk

The Health and Safety Executive defines risk as: “the chance, high or low, that somebody could be harmed together with an indication of how serious the harm could be.” Therefore ‘risk’ is a combination of the likelihood (of fire) and the consequences (of fire) being realised.

Setting out a risk assessment matrix gives some guidance to the severity of the risk and a basic matrix is shown below. The matrix is too simple to cover affects due to deficiencies in the fire safety standards in premises as the insignificant can result in tragedy.

Likelihood of Fire	Potential Consequences of Fire		
	Slight Harm	Moderate Harm	Extreme Harm
Low	Trivial risk	Tolerable Risk	Moderate Risk
Medium	Tolerable Risk	Moderate Risk	Substantial Risk
High	Moderate Risk	Substantial Risk	Intolerable Risk

Fires do occur due to three main reasons:

1. They are started deliberately.
2. They occur because people are not alert to fire hazards.
3. They occur because people are careless of fire hazards.

6 Action Plan Time Scales

The "responsible person" should review the measures and initiate action in the recommended time scale as follows:

Risk level	Action	Timetable
Trivial	No action is required and no detailed records need be kept	No action required
Tolerable	No major additional fire precautions required. Reasonably practicable improvements may involve minor cost.	All work that can be undertaken by site staff is to be progressed with aim for completion in two months. Work requiring outside contractors should be put out to tender and tenders returned within one month. All deficiencies should be rectified as soon as practicable following the return of tenders with completion within three months of the return of tenders
Moderate	Risk reduction measures should be implemented taking into account cost. Where moderate risk is associated with extreme harm, a further assessment should be made immediately to reduce the risk or potential harm.	All work that can be undertaken by site staff is to be progressed with aim for completion in one month. Work requiring outside contractors should be put out to tender and tenders returned within one month. All deficiencies should be rectified as soon as practicable following the return of tenders with completion within two months of the return of tenders
Substantial	To reduce the risk considerable resources might have to be allocated. If the premises are unoccupied, it should remain so until the risk has been reduced. If the premises are occupied, urgent action should be taken.	All work that can be undertaken by site staff is to be progressed with aim for completion in one week. Work requiring outside contractors should be put out to tender and tenders returned within one month. All deficiencies should be rectified as soon as practicable following the return of tenders with completion within one month of the return of tenders
Intolerable	Premises (or relevant area) should not be occupied until the risk is reduced.	Our Consultant will endeavour to get all INTOLERABLE risks rectified at the time of the assessment. If an INTOLERABLE risk cannot be cleared immediately, due to there being no Client representative on site, ATC Fire Safety Ltd will contact the Client by telephone with details of the INTOLERABLE risks and the immediate action required.

7 Definitions - The Regulatory Reform (Fire Safety) Order 2005

7.1 Meaning of "responsible person" (Article 3)

In this Order "responsible person" means

- (a) in relation to a workplace, the employer, if the workplace is to any extent under his control;
- (b) in relation to any premises not falling within paragraph (a)—
 - I. the person who has control of the premises (as occupier or otherwise) in connection with the carrying on by him of a trade, business or other undertaking (for profit or not); or
 - II. the owner, where the person in control of the premises does not have control in connection with the carrying on by that person of a trade, business or other undertaking.

Meaning of "relevant person"

- (a) any person (including the "responsible person") who is or may be lawfully on the premises; and
- (b) any person in the immediate vicinity of the premises who is at risk from a fire on the premises, but does not include a fire-fighter who is carrying out his duties (fire-fighting, road traffic accidents and other emergencies)

Article 5 gives direction to the principal articles where the "responsible person" must comply with duties set within those articles:

Article 5: Duties under this Order

1. Where the premises are a workplace, the "responsible person" must ensure that any duty imposed by articles 8 to 22 or by regulations made under article 24 is complied with in respect of those premises.
2. Where the premises are not a workplace, the "responsible person" must ensure that any duty imposed by articles 8 to 22 or by regulations made under article 24 is complied with in respect of those premises, so far as the requirements relate to matters within his control.

Articles 8 to 22, 29, 37 and 38 form the main part of the Fire Safety Duties with only article 23 not applying directly to the "responsible person" but to employees.

8 Relevant Articles of the Regulatory Reform (Fire Safety) Order 2005

The subject heading of each article in Part 2 of the Fire Safety Order – fire safety duties is listed below:

- Article 8: Duty to take general fire precautions
- Article 9: Risk assessment
- Article 10: Principles of prevention to be applied
- Article 11: Fire safety arrangements
- Article 12: Elimination or reduction of risks from dangerous substances
- Article 13: Fire-fighting and fire detection
- Article 14: Emergency routes and exits
- Article 15: Procedures for serious and imminent danger and for danger areas
- Article 16: Additional emergency measures in respect of dangerous substances
- Article 17: Maintenance
- Article 18: Safety assistance
- Article 19: Provision of information to employees
- Article 20: Provision of information to employers and the self-employed from outside undertakings
- Article 21: Training
- Article 22: Co-operation and co-ordination
- Article 23: General duties of employees at work
- Article 29: Alterations Notice
- Article 37: Fire Fighters Switches for Luminous Discharge Tubes
- Article 38: Maintenance of measures provided for protection of fire fighters

Article 8 - Duty to take general fire precautions

“The “responsible person” must—

- (a) take such general fire precautions as will ensure, so far as is reasonably practicable, the safety of any of his employees; and
- (b) in relation to relevant persons who are not his employees, take such general fire precautions as may reasonably be required in the circumstances of the case to ensure that the premises are safe”

Article 9 - Risk Assessment

“The “responsible person” must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions he needs to take...”

Article 10 - Principles of prevention to be applied

"Where the "responsible person" implements any preventative and protective measures he must do so on the basis of the principles specified in Part 3 of Schedule 1

The principles are-

- (a) Avoiding risks;
- (b) Evaluating the risks which cannot be avoided;
- (c) Combating the risks at source;
- (d) Adapting to technical progress;
- (e) Replacing the dangerous by the non-dangerous or less dangerous;
- (f) Developing a coherent overall prevention policy which covers technology, organisation of work and the influence of factors relating to the working environment;
- (g) Giving collective protective measures priority over individual protective measures; and
- (h) Giving appropriate instructions to employees"

Article 11 - Fire safety arrangements

"The "responsible person" must...make and give effect to...arrangements...for the effective planning, organisation, control, monitoring & review of the preventive and protective measures"

Article 12 - Elimination or reduction of risks from dangerous substances

"Where a dangerous substance is present...the "responsible person" must ensure that risk...related to the...substance is either eliminated or reduced as far as is reasonably practicable"

Article 13 - Firefighting and fire detection

"Where necessary...the "responsible person" must ensure that the premises are...equipped with...fire detectors and alarm and fire-fighting equipment"

Article 14 - Emergency routes and exits

"Where necessary...to safeguard the safety of relevant persons, the "responsible person" must ensure that routes to emergency exits...and the exits themselves are kept clear at all times... Where necessary...emergency routes and exits requiring illumination must be provided with emergency escape lighting...in case of failure of their normal lighting""

Article 15 - Procedures for serious imminent danger and for danger areas

"The "responsible person" must establish & where necessary give effect to...procedures...to be followed in the event of serious & imminent danger to relevant persons, nominate...competent persons to implement procedures...inform & instruct relevant persons concerned"

Article 16 - Additional emergency measures in respect of dangerous substances.

"The "responsible person" subject to the risk assessment, must ensure that information on emergency arrangements is available, suitable warning and other communication systems are established, escape facilities are provided and maintained, provide information to relevant accident and emergency services and display information at the premises. In the

event to an incident occurring take immediate steps and permit only essential persons to the affected area and provide PPE, specialised equipment and plant”

Article 17 – Maintenance

“Where necessary in order to safeguard the safety of the relevant persons the “responsible person” must ensure that the premises and any facilities, equipment & devices provided...are subject to suitable system of maintenance and are maintained...in efficient working order and in good repair”

Article 18 - Safety Assistance

“The “responsible person” must...appoint one or more competent persons to assist him in undertaking the preventive & protective measures”

Article 19 - Provision of information to employees

“The “responsible person” must provide his employees with comprehensive and relevant information”

Article 20 - Provision of information to employers and the self-employed from outside undertakings

“The “responsible person” must ensure that comprehensible and relevant information is provided to employees from outside undertakings and to ensure such employees from outside undertakings are provided with appropriate instructions and comprehensible and relevant information regarding any risks to that person”.

Article 21 – Training

“The “responsible person” must ensure that his employees are provided with adequate safety training”

Article 22 - Co-operation and co-ordination

“Where two or more “responsible person’s” share, or have duties in respect of, premises (Whether on a temporary or a permanent basis) each such person must, co-operate, Take all reasonable steps to co-ordinate necessary measures, and provide information”

Article 23 - General duties of employees at work

“Every employee must, while at work take reasonable care for the safety of himself and others co-operate with their employer, inform their employer or any other employee with specific responsibility for the safety of his fellow employees of any hazard”

Article 29 - Alterations notices

“Where an alterations notice has been served in respect of premises, the “responsible person” must, before making any of the specific changes which may result in a significant increase in risk, notify the enforcing authority of the proposed changes”.

Article 37 - Fire-fighters switches for luminous discharge tubes

"This article applies to apparatus...designed to work at a voltage exceeding the prescribed voltage" "The cut-off switch must be...so placed and coloured or marked as to satisfy the local fire authority". "The "responsible person" must give notice to the...authority showing where the cut-off switch is to be placed and how it is to be coloured or marked"

Article 38 - Maintenance of measures provided for protection of fire fighters

"Where necessary in order to safeguard the safety of fire-fighters in the event of a fire, the "responsible person" must ensure that the premises and any facilities, equipment and devices provided ... for the use by or protection of fire-fighters are subject to a suitable system of maintenance and are maintained... in efficient working order and in good repair".

Article 32 – Offences

It is an offence for a "responsible person" to:-

- (a) Fail to comply with any requirement or prohibition imposed by articles 8 to 22 and 38 where that failure places one or more relevant persons at risk of death or serious injury in case of fire;
- (b) Fail to comply with any requirement or prohibition imposed by regulations made under article 24 where that failure places one or more relevant persons at risk of death or serious injury in case of fire;
- (c) Fail to comply with any requirement imposed by article 29(3) or (4) (alterations notices);
- (d) Fail to comply with any requirement imposed by an enforcement notice;
- (e) Fail to ensure that luminous tube signs which are installed in premises complies with article 37 (3), (4), (6), (8) or (9)

It is an offence for any person to:-

- (a) Fail to comply with article 23 (general duties of employees at work) where that failure places one or more relevant persons at risk of death or serious injury in case of fire;
- (b) Make in any register, book, notice or other document required to be kept an entry which he knows to be false
- (c) Give any information which he knows to be false
- (d) Obstruct, intentionally, an inspector in the exercise or performance of his powers or duties under this Order;
- (e) Fail, without reasonable excuse, to comply with any requirements imposed by an Inspector under article 27(1) (c) or (d);
- (f) Pretend, with intent to deceive, to be an inspector;
- (g) Fail to comply with the prohibition imposed by article 40
- (h) Fail to comply with any prohibition or restriction imposed by a prohibition notice.

9 The Fire Safety (Employees Capabilities) (England) Regulations 2010 No. 471

This regulation came into force on 6 April 2010 and applies to England only. It requires employers to take employees' 'capabilities' as regards health and safety, so far as they relate to fire, into account when entrusting tasks to them.

The regulation is intended to ensure that all tasks are allocated to employees with the necessary *skill and experience* to do them safely and applies to all tasks carried out in the course of the business, not just those (such as carrying out risk assessments) which relate directly to health and safety.

10 Fire Safety Management

The aim of the fire risk assessment is to ensure compliance with The Regulatory Reform (Fire Safety) Order 2005. The success of a fire risk assessment is largely dependent upon the “responsible person’s” understanding of the perceived risk and the potential consequences. The assessment details the importance of effective fire safety management. The “responsible person” should take into consideration the following:

10.1 Acceptance of the Fire Risk Assessment

This risk assessment, covering all significant risks, which may affect those who may be affected by fire, has been carried out to comply with the “responsible persons” duty to carry out a suitable and sufficient fire risk assessment.

The “responsible person” should accept the findings and recommendations of this fire risk assessment and critically examine it to ensure that the findings are understood and supported by senior management and communicated to all employees and where appropriate other relevant persons.

The concept of ATC Fire Safety Ltd fire risk assessments and services is to provide the best cost-effective advice and services to comply with The Regulatory Reform (Fire Safety) Order 2005.

10.2 Allocation of resources

Dependent on the level of risk within the premises and the premises type, will determine the level of resources required to ensure a satisfactory standard of fire safety. Where substantial risks have been identified in the action plan, resources may have to be allocated in order to comply with the required findings.

The items identified in the action plan have been prioritised and the “responsible person” should ensure that all the findings and actions identified are rectified.

10.3 Delegation of responsibility

It is important, particularly in large premises or organisations, that certain responsibilities are delegated to appropriate competent persons.

The competent persons should be given the appropriate authority to allocate the relevant resources as considered necessary.

10.4 Development of a fire safety culture

The appropriate findings of the fire risk assessment should be communicated to all employees and other relevant persons. The organisation should develop an appropriate culture of fire safety awareness. Employees should understand the need to report any potential fire safety hazards, acts or omissions to the “responsible person” for fire safety matters.

10.5 Implementation of the findings of the Fire Risk Assessment

The findings of the fire risk assessment should be implemented within the recommended time scales given in the action plan.

10.6 Auditing the progress

The items identified within the action plan should be audited to ensure that the findings have been rectified within the given time scales or an appropriate plan is put in place to carry out any works identified when sufficient resources are made available.

The fire risk assessment should be annotated accordingly.

10.7 Maintenance of fire safety provisions

Once the findings and items identified in the action plan have been completed, the fire safety provisions should be maintained to a satisfactory standard. The fire risk assessment should be reviewed annually and if any significant changes have been made within the premises.

10.8 Insurance Implications

Implementation of the findings of the fire risk assessment and continual maintenance of appropriate fire safety provisions should assist in ensuring that any insurance premiums for the premises are maintained as low as possible.

10.9 Recommendations for the minimum category of fire alarm systems for various building occupancies.

The following recommendations are made in order that clients can achieve an adequate level of fire alarm provision for their premises.

Type of Premises	Recommended Minimum Category of Fire Alarm System
Offices; shops; factories; warehouses; educational premises; places of assembly; theatres and cinemas; transport premises and facilities	Category M, with possible need for automatic fire detection in certain remote areas, areas where a fire could develop unobserved, as a compensating feature for inadequate structural fire protection, etc
Hotels, hostels and large boarding houses	Category L2
Residential care premises (residents capable of evacuating themselves)	Category L2
Residential care premises (more than 10 residents above ground floor or a significant proportion of residents dependent on staff assistance for evacuation)	Category L1

11.0 Fire Safety Management and the Maintenance of Fire Safety Systems

The most sophisticated fire protection measures are rendered useless if they fail to function correctly. The maintenance of fire safety installations is mandatory and paramount in the role it undertakes in the fire safety strategy as a whole.

You must regularly check and maintain all your fire safety equipment. This includes fire-fighting equipment, fire warning systems, escape routes and emergency escape lighting. It identifies that effective fire safety depends on a combination of physical fire precautions and a robust system of effective management. Fire safety in the healthcare environment is particularly challenging since many healthcare building occupants will require some degree of assistance from healthcare staff to ensure their safety in the event of a fire.

Records

- You are strongly recommended to make and keep records
- By keeping records you can prove that you have acted responsibly
- If you don't have records it leaves the matter open to doubt

Records Should Include:

- Reviews of the Risk Assessment
- Fire Safety Policy, procedures or arrangement
- Training records
- Drills
- Certificates for the installation and maintenance of any fire safety systems

Inspectors can demand to see the records.

Know What to Do

It is important that everyone knows what to do in the event of a fire and that they make a fire plan. This should include:

- Knowing the location, operation and safe method of use of any firefighting equipment
- Ensuring that all escape routes are known, unobstructed and free from trip hazards
- Knowing the means of raising the alarm in the event of fire
- An evacuation plan with an external Fire Assembly Point and
- Knowing how to call the Fire and Rescue Service in the event of fire

Risk to Fire Fighters

Under the provisions of the **Fire Safety Order** the responsible person must ensure that, any facilities required for the use by, or protection of fire-fighters are regularly maintained, in efficient working order and in good repair.

Calling the Fire and Rescue Services

The process for calling the Fire and Rescue Service in an emergency must include giving the postcode along with the full address. It is recommended that a laminated card [black on yellow] is positioned prominently by the telephone and or exit.

**Unit 1 Britannia House
75 High Street
Sheerness
Kent
ME2 1TX**

11.1 Automatic Fire Alarm [AFA]

Fire safety in buildings is controlled by the *Fire Safety Order*. If you are a:

- Building owner
- Employer
- Landlord
- Managing agent
- Have control of a premises to any extent



Then the safety of those who use your premises and your alarm are your responsibility. This will include having suitable fire safety measures in place, arrangements for reacting to a fire alarm sounding, and identifying and dealing with false alarms.

The AFA system can include:

- Manual break glass call points
- Smoke detectors
- Heat detectors
- Control panels
- Bells and sounders
- Light beacons

With the increasing use of AFA systems it is inevitable that the number of false alarms will also increase. This causes unnecessary and costly interruption to your business and unnecessary calls to the Fire Service. The responsibility for managing, testing and maintaining the fire alarm system sits with the responsible person for the building, not the fire and rescue service.

Calls from AFAs are now being challenged by the Service's emergency call handling staff, they are beginning to ask you to confirm that there is an actual fire or signs of a fire before a fire appliance will be dispatched.

This will apply to all calls whether they are made from the affected building, through a call handling organisation [e.g. RedCare] or some other method.

The fire alarm system must be tested weekly by operating a different trigger device [**break glass**] to include any associated detection provision and recorded in the fire log-book.

BS5839 states that during a one-year period **ALL** detection devices must have been tested at least once.

Do your procedures need to be reviewed?

11.2 Firefighting Equipment

The risk of a small fire developing into something larger and more serious can be greatly reduced by appropriate fire-fighting equipment and having sufficient persons trained in how to use them safely.

Fire extinguishers must be serviced and tested annually by a competent person to the standard laid down in the regulations currently in force [BS5306 Pt 3].

11.3 Escape Routes

All exits required for means of escape purposes must be easy to open from the inside, preferably without the use of a key. Ideally Fire Exits should be of the Push Bar to Open type.

Everyone can be safe as well as secure provided that they make sure, that should they need to get out in an emergency, they can easily open doors and windows. Keys for this purpose should be easily accessible and kept close to the Fire Exits.

All escape routes must be kept clear, signed as necessary and have sufficient light for all occupants to escape safely in the event of a power failure.

YOU MUST PROTECT THE ESCAPE ROUTES

[Corridors and Staircases]

11.4 Compartmentation

One of the best defences against fire spread and ensuring people can evacuate the premises safely is compartmentation. Fire-resisting walls and doors achieve this protection. Although we talk about fire spread, this only relates to reducing the damage to the building, more importantly, the spread of toxic fumes, hot gasses, and smoke has a severe detrimental effect on anyone trying to escape from the building.

Ensure that your doors close effectively and that fire doors are fitted with intumescent strips and smoke seals.

11.5 Emergency Escape Lighting

There must be sufficient emergency escape lighting to cover both the internal and external escape routes. A provision of emergency escape lighting must also be in windowless rooms and toilet areas exceeding 8m²

Emergency escape lighting is normally required to operate fully automatically and give illumination of a sufficiently high level to enable all persons of all ages to evacuate the premises safely. Lighting to escape stairs should be on a separate circuit from that supplying any other part of the escape route.

Standards for the installation of system emergency escape lighting are given in BS Pt1 5266:2005.

There are generally two types of emergency escape lighting;

- Non-maintained – The emergency escape light units only illuminate in the event of a mains failure.
- Maintained – The emergency escape light units are illuminated at all times using the same lamps for both normal and emergency operation.

BS5266 recommends a test procedure, the main points being;

Daily - check indicator light and that all maintained luminaries are operating.

Monthly – an operational test for a short period.

Annually – test for at least one hour for 3 hour rated systems.

Three yearly – Test for full duration.

Subsequently – for self-contained systems test yearly for the full duration.

During each test, the lights should be checked for correct operation. After testing, the supply should be restored and then checked to ensure that the system is charging correctly.

A detailed test schedule and test reports are listed in BS5266.

It is recommend that premises where the emergency / escape lighting is three years old or more that a practical night test should be undertaken to ensure that there are sufficient levels of emergency escape lighting to enable the premises to be safely evacuated.

Note to comply with the proposed European regulations, the tests should be monthly and annually, i.e. a full discharge.

11.6 Fire Procedures

It is often “assumed” that it is the responsibility of “fire fighters” to evacuate a building, this is not the case. Fire Authorities nationally are beginning to ask what arrangements **you** have to evacuate those in your employment or care in the event of an emergency.

You must have a **Personal Emergency Evacuation Plan** for any disabled person.

11.7 Fire Door Safety

It is strongly recommended that a monthly check should be carried out, recorded and include the following:

- Numbered door schedule to assist in the identification of relevant doors
- Smoke seals are checked
- Intumescent strips are checked
- Door closing device is checked
- Vision panel including the glazing is checked
- Door handles / Push Bar to Open are checked
- Door hold open device is checked
- Integrity of fire door is checked

To be effective therefore a fire door must close firmly and securely into the frame and be held there until the intumescent seal is activated, leaving no escape route for flames or deadly smoke.

And it must do this **every time** the door is closed.

11.8 Fire Evacuation Drills

Fire evacuation drills must be carried out at least annually to evaluate its effectiveness and the findings recorded. Good practice and many Fire Authorities will normally dictate two fire

drills [as a minimum] in a period of twelve months. Multi-occupancy buildings and premises with a high staff turnover, may need to carry fire drills out more often.

Fire Drills are designed to test the evacuation procedures to their maximum or near maximum capacity therefore these drills must be timed accordingly.

Generally a building should be evacuated in 2.5 minutes if using simultaneous evacuation, or on investigation if using progressive horizontal or phased evacuation. However, one-in-ten workers admit that, upon hearing the alarm, they sit at their desks for over 1 minute before deciding to leave, regardless of whether they believe the alarm to be due to a real fire or not. 6% first grab a cup of tea or coffee on hearing the alarm, and then leave the building.

11.9 Fire Safety Signs

Fire Safety signs containing symbols or pictograms which conform to the requirements of BS5499 will meet the requirements in the new Regulations, provided they continue to fulfil their purpose effectively.

Further guidance on Safety Signs and Signals can be found in The Health and Safety [Safety Signs and Signals] Regulations 1996.

For a safety sign to comply it must be in a pictogram form.

11.10 Smoking

On 1st July 2007, it became illegal to smoke in enclosed public places and workplaces. All organisations should now be displaying, in a prominent position by their entrance, a sign stating that smoking is not allowed inside.

11.11 Furniture and Furnishings

When new furniture and furnishings are purchased, they should be fire resistant to the relevant British Standard. Fire resistant means the ease with which the furniture and furnishings catch fire and the speed with which they burn will be reduced.

It does not mean that the furniture and furnishings does not burn.

Furniture and furnishings can burn vigorously giving off highly toxic fumes.

11.12 Electrical Installations and Portable Appliances

There should be no obvious defects in the electrical wiring system. Sockets and switches should be securely fixed to the wall.

Flex to electrical appliances should not run under carpets, or positioned to cause a trip hazard. The use of multiple adapters must be discouraged. Where their use is unavoidable however, they should be of the fused type and care should be taken that they are not overloaded. Fuses should be correctly rated for the appliance in use.

An inspection of the fixed electrical installations should be carried out annually by a competent engineer in accordance with the regulations currently in force [BS7671: 17th edition IEE wiring regulations] and a certificate issued at least every five years.

All electrical equipment should be installed and maintained in a safe manner by a competent person. If portable electrical equipment is used, including items brought into the workplace by staff, then it should be visually inspected and undergo **Portable Appliance Testing [PAT]** at intervals suitable for the type of equipment and its frequency of use [refer to HSE guidance]. If there is any doubt about the safety of the electrical installation you should consult a competent electrician.

11.13 Extension Leads and Electrical Floor Boxes [sockets]

The unnecessary or excessive use of extension leads must be monitored or consideration must be given to installing additional sockets. Reel type extension leads must be fully unwound when in use to avoid heat build up and thus avoid becoming a fire risk.

Care must be taken to ensure that electrical floor supply boxes are used correctly and that the cables are not damaged by incorrect positioning.



11.14 Fire Routines



There must be a clear fire evacuation plan, which is practised regularly to ensure that everyone knows what they should do in case of a fire. Fire Action Notices should be completed correctly [to include the Fire Assembly Point].

11.15 Records

Whilst there is no requirement to provide written records, there is a requirement to comply with the **Fire Safety Order** and therefore a need [if required] to show compliance. Article 11 imposes a duty to record fire safety arrangements under prescribed conditions. Records play an important part in the fire safety procedures. The responsible person must have arrangements in place for the planning, organisation, control, monitoring and review of preventive and protective measures and under specified conditions, must record those arrangements.



This means that general fire precautions provided should be subject to 'planning, organisation, control, monitoring and review'. These processes should be recorded, but there is no express requirement to record the results of routine testing, although this would be good practice and allow the responsible person to evidence that testing has taken place, should the need arise.

Note: All test certificates for the testing and maintenance of fire safety equipment and installations should normally kept on site, along with the fire safety risk assessment and should be available for inspection when required.

11.16 Emergency/Contingency Plan

The plan should be appropriate to the premises and could include:

- how people will be warned if there is a fire
- what staff / contractors / visitors etc should do if they discover a fire
- how the evacuation of the premises should be carried out
- individual needs / risks relating to those with disabilities [PEEP]

- where people should assemble after they have left the premises and procedures for checking whether premises have been fully evacuated
- identification of key escape routes, how people can gain access to them and escape from them to a place of total safety
- arrangements for fighting the fire
- the duties and identity of staff who have specific responsibilities if there is a fire
- arrangements for the safe evacuation of people identified as being especially at risk, such as those with disabilities, contractors and visitors
- any machines / appliances / processes / power supplies that need to be stopped or isolated if there is a fire
- specific arrangements, if necessary, for high risk areas
- contingency plans for when life safety systems are out of order, e.g. fire-detection and alarm systems, sprinklers or smoke control systems
- how the Fire and Rescue Service and any other necessary services will be called and who will be responsible for doing this; and
- procedures for meeting the Fire and Rescue Service on their arrival and notifying them of the locations of any remaining persons in the building and of any special risks e.g. location of highly flammable materials, gasses, etc

11.17 Staff Training

Under the **Fire Safety Order** a comprehensive programme of fire safety training must be in place for **all** staff to include:

- how to raise the alarm if they discover a fire
- how to contact the fire service
- how and where to evacuate the building
- where to assemble and who to report to

11.18 Heating

The use of portable heating devices having a naked flame should not be used except in emergency circumstances [e.g. power cuts, etc.].

If used they must conform to the appropriate British Standard. On such occasions, the heater should be securely anchored in a safe and suitable position and away from draughts.

Where a portable heating device for example a convector or oil filled heater is to be used, staff should carry out an assessment of risk, involving everyone, in order to ensure the safety of everybody within the premises.

Boilers and central heating systems should be serviced annually by a competent professional and in accordance with the manufacturers or British Standards Guidance.



Gas Safe Register is the hallmark for gas safety in Great Britain. Gas Safe Register replaces CORGI gas registration as the official gas safety body. Only Gas Safe registered engineers should carry out work on gas appliances or installations.

11.19 Contractors

Any policy regarding the management of on-site contractors should include:

- No smoking policy on site
- Lone worker policy
- A "Permit for all Hot Work" being carried out
- Contractors to be aware of the Fire Procedure
- Contractors to be made aware of the location of firefighting equipment
- Contractors to be made aware of nearest Break Glass [Manual call point]
- Are correct procedures in place for "confined space" working
- All fire stopping must be completed prior to the work being signed off
- Contractors to report both arrival and departure on site and confirm that the area has been left both clean and safe
- Has the area been checked, before and after, by a responsible person of Durtnalls
- If there is an impairment affecting the fire alarm and/or the emergency escape lighting there must be a suitable alternative arrangement in place to deal with any incident
- Do the works come under Construction Design and Management regulations [CDM]?
- Is a risk assessment and/or a method statement required?

There may be other areas that need to be addressed.

Work safe, be safe, stay safe.....

11.20 Recommended Fire Safety Documentation

The following may be required by the Enforcing Authority and/or other inspecting agencies e.g. Fire and Rescue Service, the Building Inspector, etc.

The Fire Safety Risk Assessment and Reviews

The initial Fire Safety Risk Assessment will always be a valid legal document and may be used for guidance and premises definition.

The Review will clearly indicate whether the company has undertaken to address the problems identified. The Review not only assesses the premises for current risk elements, but also monitors the remedial action plan from the initial assessment [or previous review].

Fire Service Emergency Plans

Should, if applicable, include the following:

1. Call Points
2. Detection
3. Emergency Escape Lighting
4. Sounders
5. Fire Action Notices
6. All Fire Signs
7. All Fire Routes
8. Fire Exits / Final Exits

9. Fire Assembly Point[s]
10. Services isolation points [water, gas, electricity, etc]
11. Fire compartmentation/zones of protected areas such as lobbies, corridors, staircases, ventilation and fire dampers etc
12. Location of Main Fire Alarm Panel and all repeater panels
13. PEEP's [Personal Emergency Evacuation Plan]

Confirmation and evidence as a result of alterations, additions and new build – **Compliance to Approved Document B.**

Access to, or confirmation of, a current list of all personnel attending annual fire lecture/seminar in accordance with the **Fire Safety Order.**

Disaster Recovery Plan

Statistics show that about 50% of companies that experience a severe fire will go out of business. Issues that need to be considered are:

- Replacement of supplies, goods and equipment
- Alternative locations for carrying on the business
- Back-up of IT systems
- Adequate level of insurance cover

11.21 British Standards

British Standards [BS] have European equivalents [EN]. Both generally comply with the same standard.

11.22 Building Regulations

This report is without prejudice to any inspection undertaken by the Local Authority/Approved Inspector under the provisions of current Building Regulations or associated Local Acts.

11.23 References

1. **Regulatory Reform [Fire Safety] Order 2005**
2. BS5839 Pt 1 - Fire detection and alarm systems for buildings
3. BS5306 Pt 3 – Fire extinguishing installations and equipment on premises
4. Building Regulations 2007 – Approved Document B – Fire Safety
5. BS5266 Pt 1 2005 – Emergency Escape Lighting
6. BS5499 Pt 1 2002 – graphic symbols and signs – Safety signs
7. BS7671: 17th edition IEE wiring regulations
8. CLG Guide – HealthCare Premises
9. Chief Fire Officers Association – Guidance Document – Collected Perceived Insights into the application of the Fire Safety Order