



## LICENSING ACT 2003 - PREMISES LICENCES AND CLUB PREMISES CERTIFICATES

### GUIDANCE FROM THE CHIEF FIRE OFFICER IN RELATION TO PUBLIC SAFETY

#### Matters to be considered by applicants

When writing the operating schedule, due regard should be taken of the requirements of relevant legislation to secure adequate public safety. In particular that prescribed in the; "Health and Safety at Work, Management of Health and Safety at Work Regulations and "The Fire Regulations".

The main guidance bibliography is listed in the appendix to this document.

Following receipt of an application, a responsible authority may make representations to the licensing authority if adequate provision for public safety has not been made or has not been demonstrated within the application.

To clearly demonstrate to the licensing authority and other responsible authorities that adequate provision as been made; **the following information is to be included within the operating schedule:**

- (a) The date when the last health and safety and the specific fire safety risk assessments of the premises were undertaken, together with details of any identified significant findings;
- (b) A summary of any proposed changes or improvements to remedy the significant findings, with the date of their implementation;
- (c) Details of the occupancy numbers to be permitted in the premises, and the management arrangements to ensure they are not exceeded;
- (d) A copy of the emergency plan;
- (e) Supporting evidence demonstrating adequate maintenance of fire safety provisions and systems, i.e. current servicing certificates.

The operating schedule will become conditions of a premises licence or club premises certificate, and as such, any breach of these conditions may give rise to prosecution.

The licensing authority will expect effective arrangements to secure adequate public safety at all times. Applicants, when preparing the operating schedule, are to take into account the matters listed below and any others, which are identified from either the health and safety risk assessment or the fire safety risk assessment of the premises, completed by a competent person.

- ✓ Adequate provision for the safety of persons with special needs;

- ✓ Adequate provision of safe ingress and egress to the premises at all times when in use;
- ✓ Safe occupancy levels to be determined and suitable arrangements to ensure they are not exceeded;
- ✓ Adequate means of escape in case of fire;
- ✓ Adequate warning in case of fire;
- ✓ Adequate provision for fire fighting;
- ✓ Adequate levels of both normal and emergency lighting;
- ✓ Suitable and adequate fire and safety notices;
- ✓ Adequate levels of ventilation;
- ✓ Adequate provision for summoning the emergency services;
- ✓ Suitable levels of non combustible or flame retarded finishes for the premises construction, wall and ceiling coverings, drapes and contents;
- ✓ Adequate arrangements for the maintenance of safety equipment, and systems;
- ✓ Adequate levels of training to staff members;
- ✓ Suitable recording of maintenance, tests and training;
- ✓ Testing of electrical wiring and systems;
- ✓ Suitable access for emergency vehicles;
- ✓ Adequate arrangements for the provision of first aid equipment;
- ✓ Adequate safety for indoor sports entertainment;
- ✓ Adequate numbers of attendants and marshals;
- ✓ Adequate arrangements for the safe use and storage of equipment used for special effects.

## APPENDIX 1

### BIBLIOGRAPHY

The following bibliography provides suitable information and guidance to assist applicants to determine the appropriate provisions and standards required for public safety.

- Model National and Standard Conditions for places of Public Entertainment and Associated Guidance ISBN 1 904031 11 0 (Entertainment Technology Press - ABTT Publications);
- BS: 5588 Part 6: 1991 "Code of practice for places of assembly";
- Approved document B to the Building Regulations;
- Guide to Fire Precautions in Existing Places of Entertainment ISBN 0 11 340907 9 (HMSO 1990);
- "Fire Safety, An Employers Guide" ISBN 0 11 341229 0;
- Fire Safety Manual - Volume 3: Part A: Section 1 "Licensing of Community Premises - Inspection Policy";
- Sample Conditions of Licence/Local Authority Regulations relating to Entertainment - fire safety reference material;
- DCOL 14/1995 - Technical standards for marquees and large tents provided for exhibitions and entertainment;
- HSG 195 - The Event Safety Guide, a guide to health, safety and welfare at music and similar events (HSE 1999) ("The Purple Book") ISBN 0 7176 2453 6;
- HSE/Home Office "Guide to Health, Safety and Welfare at Pop Concerts and similar events";
- Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X;
- 5 Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804;
- The Guide to Safety at Sports Grounds (The Stationary Office 1997) ("The Green Guide") ISBN 0 11 300095 2;
- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances. Published by the Independent Street Arts Network, copies of which may be obtained through [www.streetartsnetwork.org/pages/publications](http://www.streetartsnetwork.org/pages/publications);
- Additional assistance on fire safety related matters can be found by visiting Hampshire Fire and Rescue Service website: [www.hantsfire.gov.uk](http://www.hantsfire.gov.uk).