
FIRE SAFETY GUIDANCE NOTE

Number: 71

Guide to Applicants for Premises Licences and Club Premises Certificates under the Licensing Act 2003

1 INTRODUCTION

1.1 This guidance is intended for use by applicants for:

- New premises licences
- Variations to existing premises licences
- New Club premises certificates
- Variations to existing club premises certificates
- Provisional statements
- It can also be used by those applying for a variation (i.e. using part B of the transitional application form) under the transitional arrangements.

2 ROLE OF THE FIRE AUTHORITY

2.1 Fire Authorities are designated as a 'Responsible Authority' under the Licensing Act 2003 (the Act). The London Fire & Emergency Planning Authority (LFEPA) is the Fire Authority for all 32 London Boroughs and the City of London. The Act requires that applications for the above licences are copied to the Fire Authority. The aim of this consultation is to promote the public safety objective by ensuring that adequate measures have been taken to minimise the risks from a fire emergency.

2.2 Using the information that you submit, and what we already know about your premises, we will make an assessment of the fire safety provisions in relation to the public safety objective of the Act. Where we believe that this objective is not being adequately met we may make a representation about this to the Licensing Authority.

2.3 What you need to send us:

- **A copy of the Application Form including the Operating Schedule.**
- **Scaled plans of the premises (see below for more information).**

2.4 **NOTE: Transitional Period:** During the transitional period all the new premises licences and club premises certificates, together with any variations granted, will not have effect, lying dormant until the 'second appointed day', when the new personal and premises licences, granted under the transitional arrangements, will come into force and all the 'old' licences granted under existing licensing systems, will cease to have effect.

2.5 If you are intending to apply for a conversion of your existing permissions **ONLY** (i.e. part A of the application form only) you do not need to send us a copy of your application. You are reminded however

of your obligations to comply with current fire safety laws. If you are intending to apply for a conversion **AND also** a variation you will need to copy all of the information to LFEPA.

2.6 How we will deal with your submission:

- Check that we have sufficient information to make an assessment (Note: where insufficient or late information is supplied we may make a representation to the Licensing Authority) .
- Carry out a fire safety assessment of the application in relation to the licensing objectives.
- Where necessary, visit your premises to gather more information.
- Advise you and the licensing authority in writing whether we intend to make a representation or not.
- Where we are making a representation we will inform you what issues are causing us concern.
- Provide advice and guidance in order to avoid unnecessary hearings.

3 THE FIRE SAFETY CONTENT OF YOUR OPERATING SCHEDULE:

- 3.1 As part of your ‘steps to promote the public safety objective’ you should consider the fire safety arrangements for your premises. This will mean carrying out a thorough fire safety risk assessment. (For further information on how to carry out a fire risk assessment see our guidance note 66). Current fire safety law requires employers to carry out a fire risk assessment and act upon the significant findings. Where a fire risk assessment already exists it should be reviewed to ensure that it takes account of any changes that you propose to make and also to ensure that it makes adequate provision for the safety of all the people who may be at the premises. We may ask to see your fire risk assessment and want to discuss with you any significant findings.

4 SAFE CAPACITY

- 4.1 Your fire risk assessment should include an evaluation of the means of escape and the number of people that can safely be accommodated at the premises. In some premises this evaluation may show that the exits are sufficient for a greater number of people than could be present. Where a ‘safe capacity’ is necessary you should include this with your submission. Safe capacities are best expressed in clear and simple terms e.g. **“The maximum capacity of the premises at any one time will be restricted in respect of the ground floor to 300 persons and in respect of the first floor to 100 persons.”** Capacity should normally be inclusive with respect to staff and performers.
- 4.2 Part of our scrutiny of your application will include an assessment of safe capacity. In areas that have fixed seating we will use the number of seats to determine the number of occupants. Where open areas are shown we will use an appropriate occupancy factor to determine the maximum number of people that could be present. We will then look at the number and size of the exits and assess whether the means of escape are adequate. Where we believe that all of the people that may be present cannot safely evacuate the premises we will say so. We would also make this the subject of a representation to the licensing authority.

5 PERMITTED CAPACITY RECOMMENDATION:

- 5.1 Section 177 of the act provides for the suspension of some licensing conditions in some smaller premises that have a ‘permitted capacity’ of not more than 200 persons and that the fire authority must be asked to make a recommendation on the capacity. If you wish LFEPA to recommend a ‘permitted capacity’ you should first conduct a risk assessment and assess the capacity of your premises using an appropriate

standard (see section below on underpinning standards). You should then submit your request together with scaled plans as detailed below. We will consider your request and respond by agreeing with your proposal or recommending an alternative permitted capacity.

6 SCALED PLANS OF YOUR PREMISES: SCALE REQUIRED IS 1:100 (i.e. 1 centimetre = 1 metre)

- 6.1 Regulations made under the Act, detail the following information that should be included on the scaled plans that must be submitted with your application.
- a) the extent of the boundary of the building and any external and internal walls, and if different, the perimeter of the premises.
 - b) the location of points of access to and egress from the premises.
 - c) if different from (b) the location of escape routes from the premises.
 - d) where the premises are used for more than one existing licensable activity, the area within the premises used for each activity.
 - e) where the existing licensable activity relates to the sale of alcohol, the location or locations on the premises used for the consumption of alcohol.
 - f) fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals to use exit or escape routes without impediment.
 - g) the location and height of any stage or raised area.
 - h) the location of any steps, stairs, elevators, or lifts.
 - i) the location of public conveniences.
 - j) the location and type of any fire safety equipment, including marine safety equipment.
 - k) The location of any kitchen.
- 6.2 At the back of this guidance document (appendix B) there is a specimen plan, that shows how this information may be recorded. This plan uses, well recognised, standard symbols, a key to these symbols is attached (appendix A), for your convenience. For example, the plan shows safety equipment such as, fire extinguishers, fire alarm call points and automatic fire detectors, using these symbols.
- 6.3 The plan also shows some additional information.
- i) The intended use of each room.
 - ii) The size of the licensed area(s) (in square metres).
 - iii) Walls, doors (including direction of opening), partitions and glazing which are fire resisting for not less than 30 minutes.
 - iv) All exit routes, showing clear exit widths of doors, passageways, staircases and final exits.
- 6.4 Having all of your fire safety information available on one plan may assist you with your emergency planning and staff training. It will also enable the fire authority to assess your fire precautionary measures with the minimum of delay.

7 UNDERPINNING STANDARDS

- 7.1 Whilst each premises will be assessed on an individual basis we will use the following published guidance to provide underpinning standards.
- Fire Safety an employers guide
 - Approved Document B: (DETR)
 - Annex E & F of “Guidance issued under section 182 of the Licensing Act 2003”
 - Appropriate British & European Standards e.g. BS 5839 and BS EN3
- 7.2 Each area requiring the provision of emergency lighting to assist escape in case of normal lighting failure, should be indicated on the plan using the appropriate symbols. Lighting design and installation should normally conform to BS 5266, and be installed by a competent person, preferably with third party accreditation.
- 7.3 Fire alarm systems should normally conform to the current edition of BS 5839, with consideration made for prevention of unwanted alarms, and appropriate provision based on your fire risk assessment and the nature of the entertainment, e.g. visual indicators, phased systems and any links to disable sound systems. Installation should be made by a competent person, preferably with third party accreditation.
- 7.4 Fire-fighting equipment provided should normally conform to BSEN 3 or equivalent relevant standards. (Fire Safety Guidance Note 8: Hand held portable fire-fighting equipment, gives further guidance).
- 7.5 All necessary fire related signs and notices should normally conform to the Health and Safety (Safety Signs & Signals) Regulations 1996 or BS 5499.

8 DISABLED PEOPLE:

- 8.1 The requirement to comply with access and means of escape for persons with disabilities will normally be considered to have been addressed where the recommendations/guidance in Approved Document M of the Building Regulations and BS 5588 pt 8 have been satisfied. The fire risk assessment should demonstrate suitable and sufficient arrangements for the safety of disabled persons in the event of a fire emergency. The Disability Discrimination Act 1995 requires reasonable physical adjustments to physical features that make it unreasonably difficult for disabled persons to use a service.

9 LARGE TEMPORARY EVENTS

- 9.1 These may involve a single premises licence to cover a wide range of activities at varied locations within the premises or a series of connected premises licences that in combination represent a single event. We strongly advise event organisers to set up a co-ordinating committee (safety advisory group) and commence discussion with the Licensing and other Responsible authorities at the earliest opportunity. LFEPA can also provide pre application fire safety advice to event organisers. **Note: Until the new licensing Act comes fully into force on the 2nd appointed day existing licensing law will still apply.**

10 OUR RISK BASED INSPECTION & ENFORCEMENT PROGRAM

- 10.1 Our intention is to focus our inspection and enforcement activities where the risks to people are greatest. To achieve this we will:
- Risk grade individual premises to identify higher and lower risks

- Inspect higher risk premises more frequently
- Target enforcement activity at known higher risk premises
- Use enforcement action under fire safety laws in parallel with action under the Licensing Act
- Where permitted we will share information on problem premises with other authorities

11 RESIDENTIAL ACCOMMODATION IN LICENSED BUILDINGS

- 11.1 Whilst the new licensing regime relates only to the areas in your premises that are used for licensable activities, in some cases the greatest risk to life will be found in associated sleeping accommodation. You should take the opportunity to reassess these risks and consider:
- Where could a fire start and how will it effect anyone sleeping in the premises?
 - How will they be alerted to a fire? Would automatic fire detection reduce the risks?
 - How will they make their escape once alerted? Is there adequate protection to the means of escape routes?
- 11.2 The exact legal position is dependant upon the nature of the risks and also the relationship between the responsible person and the people using the sleeping accommodation. Where LFEPA officers visit premises they will assess the risks to everyone and take any appropriate action including:
- Enforcement action under fire safety laws that we enforce.
 - Passing information to other authorities that enforce relevant legislation i.e. Housing Act .
- 11.3 Further information can be obtained from our guidance note FS_GN_14: Fire precautions in Houses of Multiple Occupation and Hostels.

12 OTHER LEGISLATION:

- 12.1 Applicants are reminded of the need to consult with a Building Control Authority/Agency where it is proposed to alter the structural layout or change the use of premises.
- 12.2 Employers must comply with the requirements of the Fire Precautions (Workplace) Regulations 1997 (As amended) when preparing their fire risk assessment. Further guidance relating to fire precautions in licensed premises can be obtained by referral to the relevant organisations detailed in the bibliography below:

13 BIBLIOGRAPHY

TITLE	PUBLICATION AVAILABLE FROM
'Five steps to risk assessment' & 'The event safety guide'	<p>HSE Publications Telephone: 01787 884148 http://www.hse.gov.uk/</p> <p>HSE Books PO Box 1999 Sudbury Suffolk CO10 0JY</p>
<p>1. The Model National Standard Conditions for Places of Entertainment and Associated Guidance</p> <p>2. Technical Standards for Places of Entertainment</p>	<p>Association of British Theatre Technicians/LDSA Publications</p> <p>Are available from the ABTT website http://www.abtt.org.uk</p> <p>OR</p> <p>ABTT Telephone: 0207 242 9200 55 Farringdon Road London EC1M 3JB</p>

- 13.1 The above publications are current at the time of preparation of this Guidance Note (see date at foot of last page).
- 13.2 Further information or advice may be sought from the local Fire Safety Office or the London Fire Brigade website <http://www.london-fire.gov.uk/>

If you require any further guidance on the advice given in this Guidance Note please contact your local Fire Safety Office

Making London A Safer City

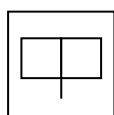
Key to Plan Symbols

1. Means of escape and equipment

All doors, walls, partitions, screens and glazing shown in: -

- (a) Thick black line, or
- (b) Thick black broken line, or
- (c) Red

on plan are to comply with the definition of FIRE RESISTING.



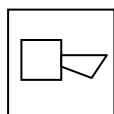
Fire Alarm Call Point with Fire Action Sign adjacent, the contents of which should be based on the Fire Safety and Evacuation Plan for the premises.

SL

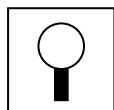
Security Lock (Door, which may be provided with special fastening as described on plan).

FFF

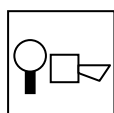
Doors which are to be free from all fastenings (other than a ball or roller fastening or a lever handled latch). This is to ensure that the door is always available for escape from either side.



Control panel sounders.



Control panel illuminated signals .



Control panel sounders and illuminated signals.

SCA

Self-closing door incorporating an automatic release e.g., Electro Magnetic Door Holder.

PB

Doors which are to be provided with a panic bolt. There should be a notice adjacent to the fastening indicating the method of opening (minimum 5mm lettering).

SF

Doors that have only a simple fastening which is easily and immediately openable by a person on his/her way out without use of a key, e.g., barrel bolts, night latch, lever handle, etc.

TP

Fire Alarm Telephone point.

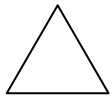
VP

A panel of clear glass in the door or adjacent partition shown on plan. It should be of an appropriate size and in a suitable position which gives the occupant of the inner room early visual warning of fire. This glass should be Fire Resisting if the door or partition is shown as such.

S

Door assembly, which is able to resist the passage of smoke when, tested in accordance with the British Standard in force at the date of manufacture.

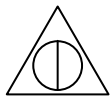
2. Fire fighting equipment



Fire Extinguisher: e.g. 13A or 34B. Number indicates the extinguishing capability and the letter indicates the class of fire that the extinguisher is suitable for. For further information see our guidance note FSGN 8.



Aqueous Film Forming Foam Extinguisher



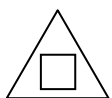
Water Fire Extinguisher



Fire Blanket in container



Carbon Dioxide Fire Extinguisher



Dry Powder Extinguisher



Foam Fire Extinguisher



Hydraulic hose reel. A number following this symbol indicates the length of the tubing in metres.



Sand Bucket






Area covered by Fixed Fire Extinguisher installation (i.e. Co2)



Area covered by Automatic Sprinkler installation.

All firefighting equipment should be so placed as to be readily available for use. They should be mounted on brackets or suitable shelves in conspicuous positions so that the carrying handles of the larger heavier extinguishers are approximately 1m from the floor, and the handles of the smaller fire extinguishers/base of fire blankets are approximately 1.5m from the floor.

3. Other codes

	Area covered with a system of Escape Lighting that will illuminate the area upon failure of the normal lighting power supply, to a sufficient standard to enable persons to leave the area safely. The escape lighting system should conform to the British Standard current at the time of its installation and a certificate to this effect kept.
	Area covered by Automatic Heat Detectors
	Area covered by Automatic Smoke Detectors
PR	Area covered by Pressurisation system
MSE	Area covered by Mechanical Smoke Extraction
NSE	Area covered by Natural Smoke Extraction
POC	Pressurisation Override Control

4. Notices

S22

Boxes like this indicate signs. The following codes show the wording displayed on the notices.

All notices should normally conform to the British Standard for signs which is current at the date of installation and the minimum size of lettering is as indicated below unless otherwise shown adjacent to the code on plan.

S22 →

Additional Notes

(a) Directional arrow.

S22
S

(b) Notice suspended above head height at right angles to the escape route with the graphic symbol on the approach side.

S22
SS

(c) As above but with the graphic symbol on both sides of the notice.

S22 

(d) Indicates that the notice is internally illuminated.

S22

Fire exit, exit or emergency exit notice graphic symbol.

Minimum size of lettering

S23

Slide to open (with arrow indicating direction). 25 mm

S20

Fire escape keep clear. 25 mm

S19

Gangway keep clear. 25 mm

S17

Secure door open when premises are occupied. 25 mm

S8

Highly flammable material - keep locked. 25 mm

S2

No smoking. 25 mm

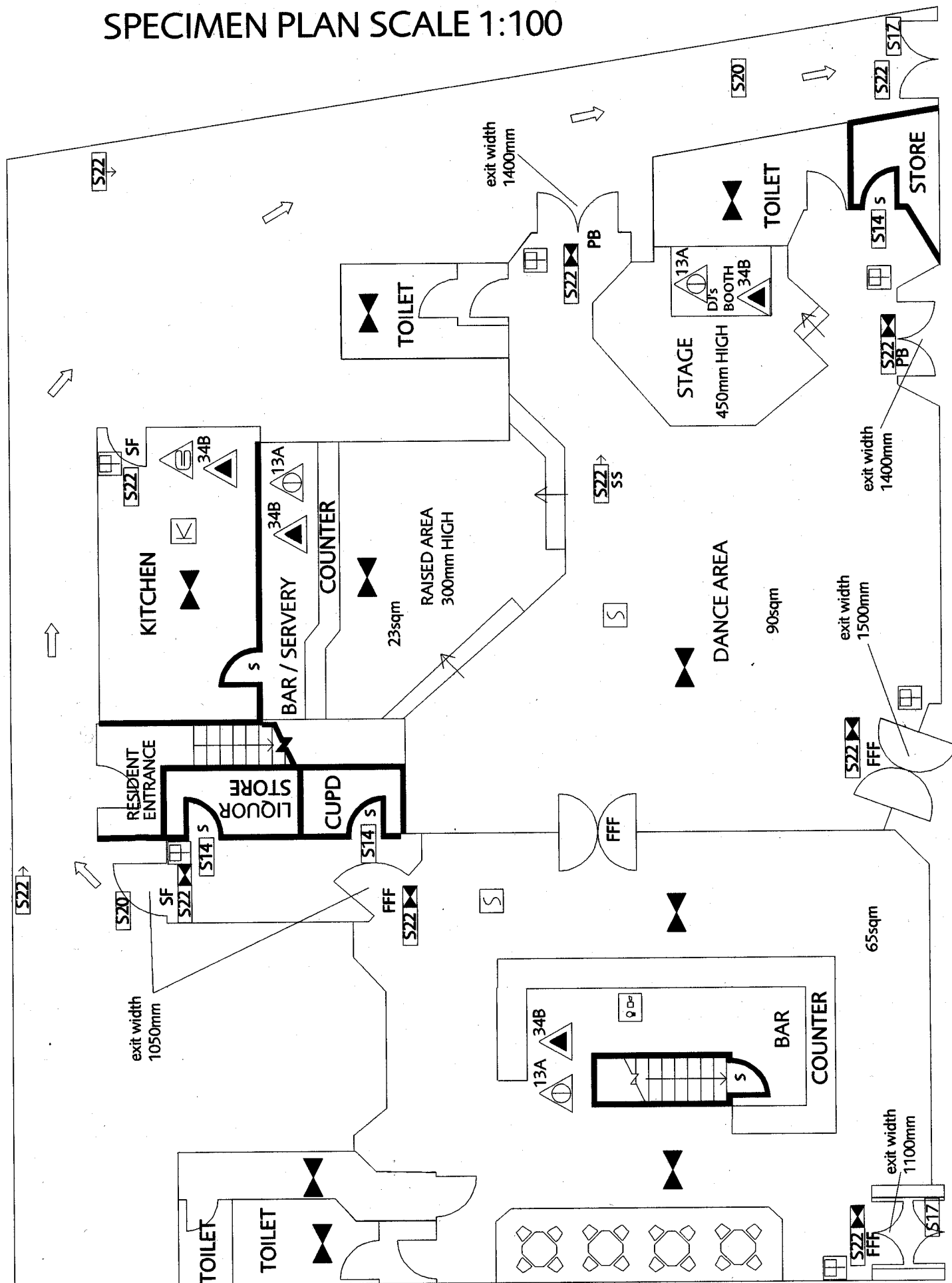
S13

Fire door keep shut. 5mm

S14

Fire door keep locked. 5mm

SPECIMEN PLAN SCALE 1:100



APPENDIX B