

Helen Farman-McKenna

From: Marie Coles <Marie.Coles@staffordshirefire.gov.uk> on behalf of ESDG Protect <ESDG.Protect@staffordshirefire.gov.uk>
Sent: 24 October 2019 14:54
To: Helen Farman-McKenna
Subject: Premises Licence Application - The Shrewsbury Arms, Uttoxeter Road, Kingstone ST14 8QH
Attachments: rad01BAD.pdf

Dear Helen

Please find attached a response from Staffordshire Fire & Rescue Service in respect of the above.

Best regards

Marie Coles

Fire Safety Advisor
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<http://www.staffordshirefire.gov.uk/cat.asp>

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Our Ref: 7177/475062/J0400086

Your Ref: N/A

Date: 24 October 2019

Helen Farman-McKenna
Licensing Officer
Regulatory Services
East Staffordshire Borough Council
Town Hall
King Edward Place
Burton Upon Trent DE14 2EB

Please reply to:

Lichfield Community Fire Station
Eastern Service Delivery Group
Birmingham Road
Lichfield
WS13 6HU

Contact: Marie Coles

Direct Line: 01785 898653

E-mail: marie.coles@staffordshirefire.gov.uk

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Dear Helen

Licensing Act 2003 - Regulatory Reform (Fire Safety) Order 2005

Shrewsbury Arms Kingstone Uttoxeter ST14 8QH

I refer to the recent application for the variation of a premises licence under the Licensing Act 2003. I confirm that The Staffordshire Commissioner Fire and Rescue Authority has no objection to the application and will not be making any representation to the Licensing Authority.

As Part B of Schedule 1 of the Building Regulations 2010 may apply to the proposal, Building Regulation approval in respect of the proposal should be obtained from an approved Building Inspector to ensure this matter has been addressed.

The Staffordshire Commissioner Fire and Rescue Authority wish to take this opportunity to remind the applicant of the Regulatory Reform (Fire Safety) Order 2005 which places the responsibility upon employers to provide and maintain certain fire safety measures to minimise the risk of fire in the workplace and the consequences should a fire occur. The Regulations apply to most workplaces. These Regulations, along with the Management of Health & Safety at Work Regulations 1999, require the applicant to:

- Carry out a fire risk assessment of the workplace (the applicant must consider all their employees and all other people who may be affected by a fire in the workplace and



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they are required to make adequate provision for any disabled people with special needs who use or may be present at the premises);

- Identify the significant findings of the risk assessment and the details of anyone who might be especially at risk in case of fire (these must be recorded if they employ five or more people or a licence is in force).
- Provide and maintain such fire precautions as are necessary to safeguard those who use their workplace; and
- Provide information, instruction and training to their employees about the fire precautions within the workplace.
- Review any such assessment regularly so as to keep it up to date and particularly if there are any changes, extensions or conversions. Where changes to an assessment are required as a result of such review the applicant/employer must make them.

The risk assessment will help the applicant decide the nature and extent of the general and process fire precautions which they need to provide, taking into account the construction and layout of the building, the processes carried out within it, and the occupants.

There are six other legal duties the applicant will need to know:

- Where it is necessary to safeguard the safety of their employees, the applicant must nominate people to undertake any special roles which are required under their emergency plan (you can nominate yourself for this purpose).
- The applicant must consult their employees (or their elected representatives or appointed trade union safety representatives) about the nomination of people to carry out particular roles in connection with fire safety and about proposals for improving the fire precautions.
- The applicant must inform other employers who also have workplaces in the building of any significant risks they find which might affect the safety of their employees - and co-operate with them about the measures proposed to reduce/control those risks.
- If the applicant is not an employer but has control of premises which contain more than one workplace, they are also responsible for ensuring that the requirements of the Fire Regulations are complied with in those parts they do have control over.
- The applicant must establish a suitable means of contacting the emergency services, and ensure that they can be called easily.
- The law requires the applicant's employees to co-operate with them to ensure the workplace is safe from fire and its effects and not to do anything which will place themselves or other people at risk.

How to carry out a Fire Risk Assessment

- Identify the fire hazards
- Sources of ignition
- Sources of fuel
- Work processes
- Identify the location of people at significant risk in case of fire

Evaluate the risks – are your fire safety measures adequate?

Consider

- Control of ignition sources and sources of fuel
- Fire detection and warning
- Means of escape
- Means of fighting fire
- Maintenance and testing of fire precautions measures
- Fire safety training of employees

If the safety measures are not adequate, carry out improvements

- Record your findings and the action taken
- Prepare an emergency plan
- Inform, instruct and train your employees in fire precautions
- Review the assessment – and revise it if the situation changes

Your emergency plan

The applicant will need to plan what action their employees and other people in the workplace should take in the event of a fire. If they employ five or more people they must have a written plan. The emergency plan should be kept in the workplace and be available to all employees and their representatives (where appointed). The Fire Authority will wish to see the emergency plan during routine fire safety visits.

The purpose of this emergency plan is to ensure that people know what to do if there is a fire and to ensure that the workplace can be safely evacuated.

The emergency plan will take into account the results of the applicants risk assessment. In smaller premises the emergency plan may be some simple instructions included in a Fire Action Notice, whereas in larger or complex premises the emergency plan will probably be more detailed. If the applicant shares the workplace with other employees or occupiers, the emergency plan should include everyone and it will help if one person co-ordinates this.

Further Information

A set of 12 sector specific “Fire Safety – Risk Assessment “ guides have been developed to tell employees, managers, occupiers and owners what to do to comply with fire safety law, help the applicant to carry out a fire risk assessment and identify the general fire precautions they need to have in place.

In addition, a supplementary guide “Means of Escape for Disabled People” designed to be read alongside the above guides is also available.

These guides are designed so that the responsible person, with limited formal training or experience should be able to carry out a fire risk assessment. If, however, they read the guide and decide they are unable to apply the guidance then they should seek expert advice. Copies of the guidance may be viewed and downloaded free of charge on the Department of Communities and Local Government website:

<https://www.gov.uk/government/collections/fire-safety-law-and-guidance-documents-for-business>.

Enforcement

The Staffordshire Commissioner Fire and Rescue Authority is responsible for enforcing these Regulations and will undertake inspections of premises in order to verify compliance. Enforcement action will be instigated, as necessary, with any premises that are not complying with the Regulations.

If the applicant requires further information or assistance please do not hesitate to contact me.

Yours sincerely

Marie Coles
Fire Safety Advisor