



**FIRE SAFETY ADVICE: INFORMATION FOR HOSPITALITY
BUSINESSES & LICENSED PREMISES**
(CAFES, BARS, PUBS, SHISHA BARS & RESTAURANTS)

Introduction

Tyne and Wear Fire and Rescue Service (TWFRS) is committed to ensuring the safety of the community through our prevention, protection and response activity.

As an enforcing authority for the Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order) we are committed to working with Responsible Persons to ensure that premises are safe - we do this through providing advice and information as well as carrying out inspections.

We want to support you to keep your customers and staff safe and to assist you in understanding your fire safety responsibilities.

This information sheet is intended for owners and managers of hospitality premises.

Premises such as yours are generally referred to for fire safety purposes as 'places of assembly' and can be small - accommodating up to 60 people - or medium accommodating up to 300 people.

If you own or manage a business like this, this information sheet provides general guidance on meeting some of your key responsibilities under the Fire Safety Order and steps you can take to ensure your business is safe.

It is not a comprehensive guide to your legal duties but information about how to access further guidance can be found at the end.

Responsibility for Fire Safety

In most premises the responsible person for fire safety is the employer – this may be a Company or an individual operating as a sole trader. Managers and other employees may have some responsibility for fire safety where this forms part of their job description or routine duties.

Where the premises is licensed, the licence holder or designated premises supervisor may have some responsibility for fire safety as part of their duties to ensure public safety. It is important that the responsible person for the premises makes clear who has responsibility for fire safety and ensures they have the necessary training.

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Duties under the Fire Safety Order

The Fire Safety Order is concerned with making sure that premises are safe for people in the event of a fire. It requires the responsible person to take steps to reduce the likelihood of a fire occurring and spreading and to ensure that if a fire does occur people in the premises do not come to any harm from the fire.

There is guidance available from the Government for different types of premises and this is free to download from the Government website www.gov.uk under '[Fire Safety law and guidance documents for business](#)'. You can find this by going to the Government website and searching for 'fire safety'.

Fire Risk Assessment

The responsible person must make a suitable and sufficient fire risk assessment. This means considering how a fire might start and how people in or around the premises may be at risk from fire, what you need to do to reduce the risk of a fire occurring and how you will keep people safe.

The fire risk assessment will help you identify the potential causes of fire in your premises and identify the equipment and arrangements you need to have in place to make sure if a fire does occur, no one in the premises is injured.

Your fire risk assessment should cover:

- Risk, likelihood and consequence of a fire on the premises
- Fire detection & alarms
- Firefighting equipment
- Emergency lighting
- Emergency procedures in particular evacuation of the premises
- Maintenance fire safety systems and equipment
- Staff training

The significant findings of your fire risk assessment must be recorded.

The fire risk assessment should be reviewed regularly, including when there has been any changes to the building, or the way the building is used. This includes if you make changes to the internal décor of the premises or the layout.

If no changes have been made, it is good practice to ensure that the fire risk assessment is reviewed at least once a year.

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The Regulatory Reform (Fire Safety) Order 2005 is being amended. From the **1st October 2023** the amendment will place new legal duties on responsible persons (RPs) to record their fire risk assessments in **full**. The amendment changes the previous requirement of having a written fire risk assessment only where there are five or more employees to include all premises, regardless of number of employees. This means no matter what size organisation you are; you will have to record the findings of your fire risk assessment. The amendment has also changed what must be recorded within the fire risk assessment, as the word "significant" has been removed from article 9 (7)(a) of The Regulatory Reform (Fire Safety) Order 2005. Consequently, it is no longer just the significant findings of the risk assessment but **all** findings of the risk assessment, including the measures which have been, or will be taken by the responsible person, as required by the Regulatory Reform (Fire Safety) Order 2005.

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Reducing the risk of and spread of fire

Indoor Fireworks and other ignition sources

Across Tyne and Wear, a number of licensed establishments regularly serve ignited drinks or place Ice Fountains and other indoor sparklers within drinks or foods for decorative appeal.

Ice Fountains and other indoor sparklers contain small amounts of explosives and should be stored safely and away from accidental ignition sources. If you bulk purchase indoor fireworks you should check that you are not storing more than 5kg of Net Explosive Content (NEC). **If you store indoor fireworks which in total amounts to more than 5kg NEC (approximately 900 individual Ice Fountains) you must obtain a licence from TWFRS for the storage of explosives.** This can be found on our website: www.twfire.gov.uk/business-safety/licensing/fireworks/

Combining fire with alcohol and allowing customers to handle ignition sources such as candles, ice fountains and sparklers when intoxicated can be dangerous. Appropriate precautions must be taken to ensure the safety of both staff members and the customers handling these items.

Drinks should not be consumed while the flames are still burning. If required, drinks and food sources should have ignitable items lit at the customer's table and not carried across open spaces and walkways already ignited. Consideration must be given to the suitability of handing intoxicated customers items containing naked flames.

The use of blow torches to ignite alcohol drinks poses a risk to employees and customers. If you do want to light drinks then you should consider a safe and suitable ignition source. Any ignition should be carried out in a controlled environment, using a small flame that is not capable of producing a large uncontrolled flame effect.

The responsible person must ensure that the risk to relevant persons relating to the use of dangerous substances and ignition sources is reduced or eliminated.

Where drinks are ignited this must be considered in your fire risk assessment. Staff must be trained and you must take steps to ensure that a fire does not occur.

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Decorations and wall linings

TWFRS understands that it is desirable for business owners to have an attractive interior décor for customers. However, decorative materials that are used to line walls and ceilings can significantly contribute to the spread of a fire. Not only will this put relevant people at an increased risk in a fire, but it can also significantly increase the damage caused by fire and smoke and may increase the financial impact of a fire on your business.

When considering the decoration of your premises, you must consider the increased risk of a fire spreading because of the materials you are using. Before installing any decorative materials on your walls and ceilings, you should consult with the manufacturer of the material about the suitability of their product for your intended use. You should confirm that the manufacturer can provide certification about the performance of their product in relation to its fire resistance.

Decorations you should consider as part of your risk assessment can include (but is not limited to):

- Temporary decorations (Christmas/Halloween/Sporting Events etc)
- Materials designed to provide sound insulation
- Floral (both real and artificial) decorations where these are attached to ceilings or walls.
- Curtains/Drapes and Fabric wall coverings
- Decorative panelling and facades

You should review the fire risk assessment if you make changes to the premises or the decorations in the premises.

Fire Doors

Fire doors play an important role in preventing the spread of fire and smoke should a fire occur in your premises. Therefore, the maintenance of them is important. A fire door found to be damaged or defective should be repaired or replaced.

Fire doors must not be wedged open.

They are there to protect people in the premises from fire and smoke if they need to evacuate.

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Emergency Procedures

The Fire Safety Order requires you to establish procedures to be followed if there is an emergency. This will normally be how you evacuate the premises if there is, or you believe there is, a fire – this is often referred to as an **emergency plan**. Guidance can be found on our website via www.twfire.gov.uk/business-safety/business-owner-your-responsibilities/fire-risk-assessments

You should ensure that the emergency plan is available to people who need to understand it - this might be through fire action notices displayed throughout the premises and staff briefings and training.

You must nominate enough people to carry out your plan and they should be competent – that means they have sufficient training and experience or other knowledge to carry out the procedures.

You should test your emergency procedures through carrying out regular drills.

If five or more people are employed or the premises is licensed the emergency procedures must be recorded as part of your fire safety arrangements.

How to Contact Us

If you would like any further information or advice on complying with the Fire Safety Order, please do not hesitate to email us at fire.safety@twfire.gov.uk

Useful Information and Links

There is a lot of useful information and advice available free of charge on the HM Government website www.gov.uk and at <https://www.gov.uk/government/collections/fire-safety-law-and-guidance-documents-for-business>

The NFCC also has guidance on choosing a fire risk assessor at <https://www.nationalfirechiefs.org.uk/Finding-fire-risk-assessor> If you are arranging for someone else to carry out or review your fire risk assessment, you may also want to check that they have experience of undertaking fire risk assessments in licensed premises.

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