



Gwasanaeth Tân ac Achub
De Cymru
South Wales
Fire and Rescue Service



Shared Regulatory Services
Gwasanaethau Rheoliadol a Rennir

Shisha Bars

Fire Safety Guidance



The Starting Place

Fire Risk Assessment

If you're responsible for a building, it's important to do all you can to reduce the risk of fire to keep people safe. It saves lives, it's your legal duty, and it makes good business sense. Under the Regulatory Reform Order (Fire Safety) 2005, if you are an employer, owner or occupier of premises that aren't a 'single private dwelling', you need to complete a Fire Risk Assessment. This is a legal requirement – your duty to identify fire risks and hazards in your premises.

If five or more people work at your premises or there is a license in force, you will need a written record of the significant findings of your fire risk assessment. Often businesses do not recover after a fire, and effective fire prevention starts with properly understanding and mitigating the risks.

If your business or organisation is relatively small and you think your potential risks aren't complex, it is possible to complete the fire risk assessment yourself. You can find guides to help you understand what's required by using the links below.

Fire Safety Risk Assessment

Small and Medium Places of Assembly

<http://bit.ly/2liqgBp>

Fire Risk Assessment

Means of Escape for Disabled People

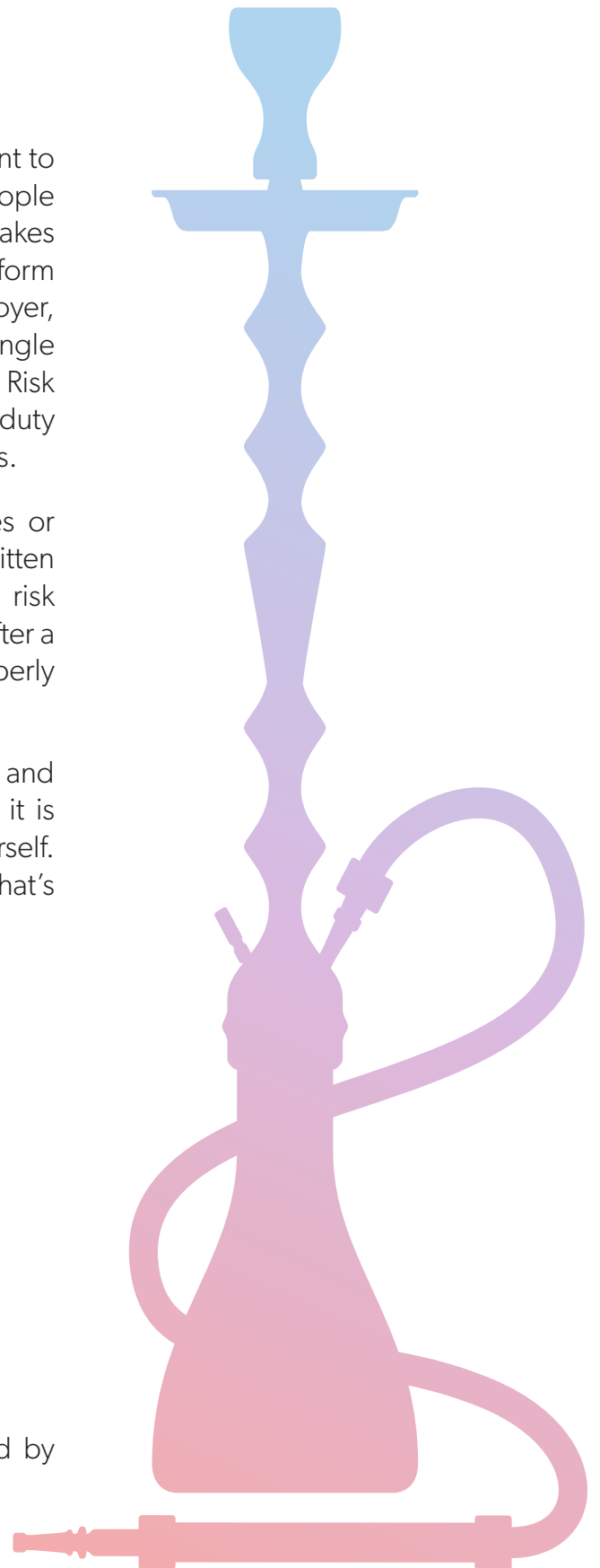
<http://bit.ly/2xRL8L8>

Fire Risk Assessment Template

<http://bit.ly/2xP4Rv1>

Further advice and guidance can be obtained by visiting

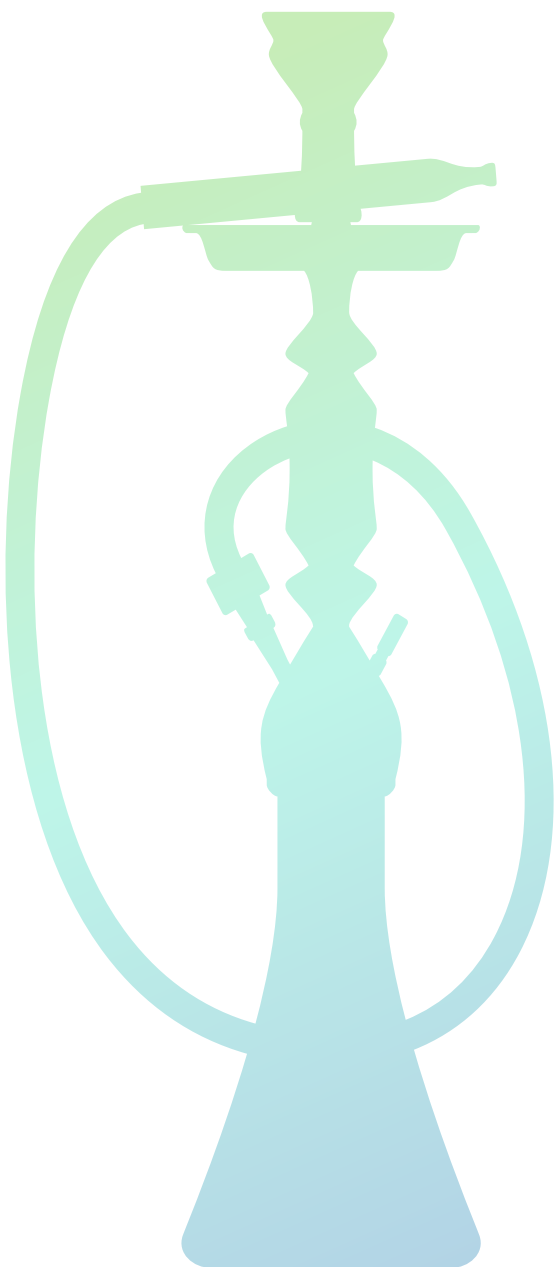
www.southwales-fire.gov.uk



If your business is larger or more complex, it is advisable to contact an expert to come and help. Our responsibilities lie in making sure the completed fire risk assessment is suitable and sufficient, we do not complete the assessment ourselves. You'll need to find a suitably qualified specialist, and the following guidance can help you obtain the services of an appropriate Fire Risk Assessor;

- Be satisfied that the fire risk assessor who carries out the work is competent. This can be demonstrated by them providing evidence of compliance with the competency criteria set down by the Fire Risk Assessment Competency Council.
- Check that they have experience of working for your kind of business and premises
- Be clear about the scope of the work to be carried out and ensure that the assessor is provided with access to all areas of the premises and with relevant information
- Obtain alternative quotes - make sure they all cover the same scope, so you can draw a proper comparison
- It is advisable to request references from previous clients in similar premises types; ask them if they were satisfied and if any problems were later identified by the Fire and Rescue Authority
- It is advisable to ask for proof that they have sufficient professional indemnity insurance and to seek assurance that the contractor is impartial and has a complaints procedure
- Keep and maintain records of the steps you took in selecting your fire risk assessor


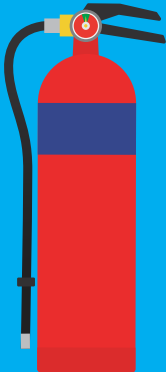

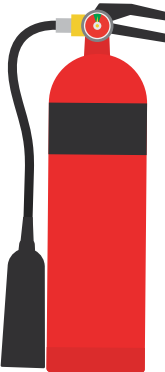
Further guidance can be obtained by
downloading the CFOA Guidance document
<http://bit.ly/2lgs51G>



Fire Extinguishers

Appropriate firefighting equipment can prevent a small fire developing into a larger one. By being able to tackle a smaller fire in the early stages, you may be able to reduce the risk to others in the property by enabling them to escape. Extinguishers chosen should be suitable to the risk presented in the building and the type of fuel present. They should be located in a suitable and prominent location which will enable them to be used easily in the event of a fire.. The table below provides an indication of the types of extinguishers you may require at your premises.

Main types of portable extinguishers, their uses and colour coding.

<p>WATER For wood, paper, textile and solid material fires</p>  <p>DO NOT USE on liquid, electrical or metal fires</p>	<p>POWDER For liquid and electrical fires</p>  <p>DO NOT USE on metal fires</p>	<p>FOAM For use on liquid fires</p>  <p>DO NOT USE on electrical or metal fires</p>	<p>CARBON DIOXIDE (CO₂) For liquid and electrical fires</p>  <p>DO NOT USE on metal fires</p>
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The contents of an extinguisher is indicated by a zone of colour on the red body. Halon extinguishers are not shown since no new Halon production is permitted in the UK.

Source: Fire Safety Risk Assessment; Small and Medium Places of Assembly

Where fire extinguishers have been provided people who have not received any training should not be expected to use them, however, all staff should be familiar with their operation and location. All fire extinguishers will need to be maintained and inspected at regular intervals to ensure that they continue to work when required.

Fire Detection

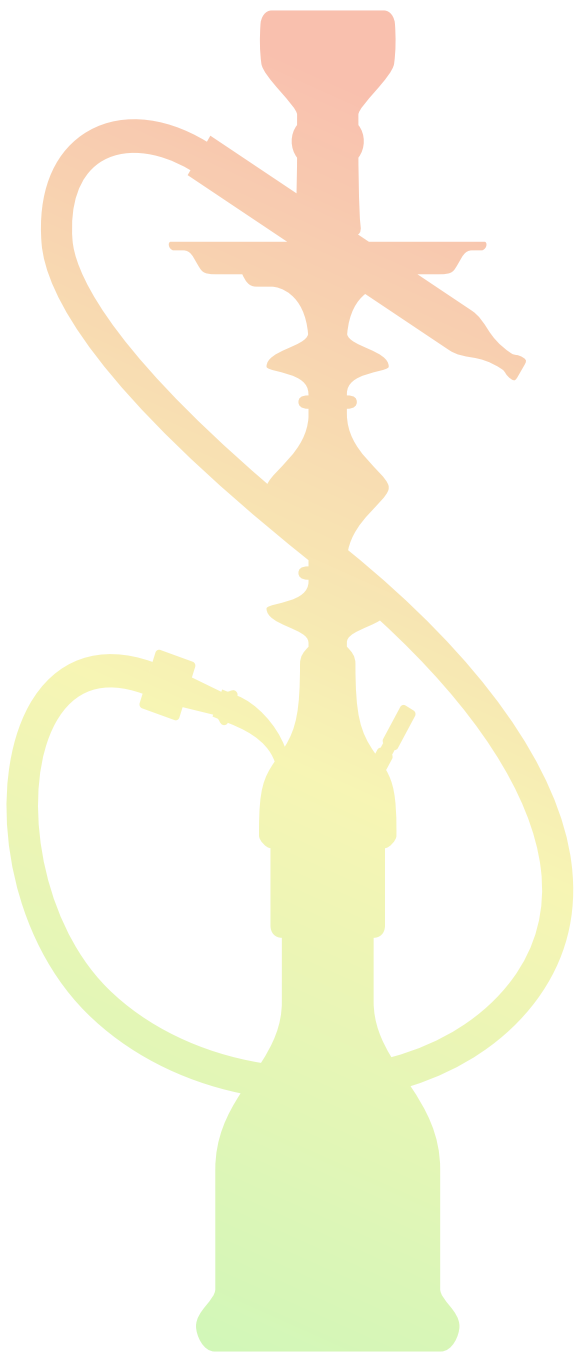
You should have a suitable means of raising an alarm in the event of a fire. The type of system required will depend upon the complexity and layout of the building, the travel distances to reach the exits and the number of exits available. The most appropriate means of raising an alarm will be identified by your risk assessment and the alarm should be able to be heard from all points within the building. Any automatic fire detection and alarm system will require regular ongoing maintenance, inspection and testing and evidence of this will need to be provided for during an inspection by the Fire & Rescue Service.

Means of Escape from your premises

There must be suitable means of escape from the premises so that everyone can escape to a place of safety unaided and without the need to be rescued by the Fire & Rescue Service. When identifying and designing your escape routes, people should be able to turn away from a fire and make their way to an ultimate place of safety. When designing your escape routes, you should consider the requirements and needs of all people using the premises including those with disabilities. When designing your escape route, the following factors should be taken into account;

- The number and type of people using the premises
- The time taken to escape from the property
- The construction and age of the building
- The number and complexity of escape routes.
- The location of assembly points
- The need to provide assisted escape for disabled people from the building
- The type of alarm system in place

The final exit from the premises must open out onto a place of safety from where people may escape and ideally should not require to pass through other premises/ properties.



Emergency Escape Signage and Notices

Escape signage will be determined by your Fire Risk Assessment. Where it is not obvious for people to identify the route out of the premises, the emergency exit route must be identified by the use appropriate signage. As your property is likely to be used by people who are not familiar with the layout then it will be appropriate that escape signage should be provided. Signage should be positioned where it can easily be seen and understood, this may require the use of sign incorporating pictograms.

Notices should also be placed where necessary and will give guidance on instructions on how to use equipment, actions to be taken in the event of an emergency should be placed where they can easily be seen.

Emergency Lighting

The property should have appropriate emergency lighting to identify the escape routes and help people to leave the property in the event of a fire. You should use a system which can be relied upon during periods of darkness. As part of your fire risk assessment, you should identify and install emergency lighting in areas where it is required. Any emergency lighting should cover the following areas;

- Escape routes
- Intersections of corridors
- Adjacent to emergency escape signs
- Covering each flight on a stairway
- Any changes in level
- Firefighting equipment and alarm control points
- Windowless room and toilets <8m
- Halls or rooms greater than 60m
- Outside each final exit and along the external escape routes

Any lighting system installed will be required to be tested regularly and properly maintained. Testing is usually required to be undertaken on the following frequencies;

- Daily visual Inspection
- Monthly function test by testing individual lighting units
- Full annual test by a competent person



Fire Safety Guidance

Heaters

Where heating devices are installed, it is most appropriate that heating is provided by permanently fixed radiating heaters that cannot be tampered with or pose a fire risk to customers or staff within the premises. The use of gas powered heaters pose a significant fire risk and are not ideally suited for use in Shisha bars due to the presence of combustible materials within the premises and the temptation for people to interfere with their controls. As far as possible gas heaters should not be used in the first instance and alternative heating sources be adopted. Where other options are not possible, the use of gas heaters should be recorded within your fire risk assessment and suitable management procedures be adopted. Any LPG cylinders should be stored in a suitable container away from fire hazards and escape routes from the premises. Where it is necessary to keep spare LPG cylinders, this should be limited to 15kg in not more than two cylinders. These should be kept in a safe, secure and well ventilated place where;

- they cannot be interfered with
- they can be kept upright (with valve protection fitted)
- they are away from sources of ignition and/or ignitable materials; and
- are away from any corrosive toxic or oxidant materials



Coals and Hookahs

When disposing of Hookah coals care must be taken to prevent accidental fires occurring. Recently, there have been a number of incidents caused by coals being carelessly discarded and evidence suggests that fires can start from pea sized lit embers.

At the end of each session you should ensure that coals are extinguish fully. This may be done by soaking hot coals under cold water using a heat proof container such as ceramic containers. This should be done away from combustible materials where potential accidental ignition could occur, considering the possible use of a concrete/ brick bunker or similar construction. The extinguished coals should be disposed of into an appropriate container such as a metal bin that contains no other materials that burn.

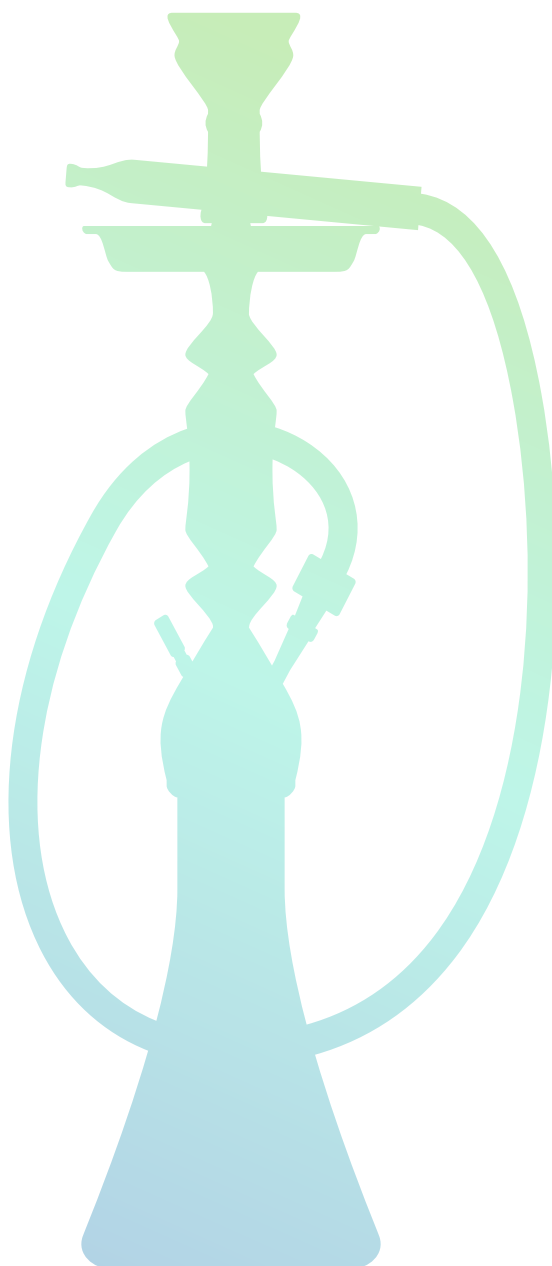
Hookah coals can burn and smoulder over a long period. The coals will still retain their heat for a long time after they have been finished being used. Therefore care must be taken with them as it may be possible for a fire to start through heat transfer by conduction or radiation. The coals should not be permitted to rest on combustible surfaces, even when placed in a container.

Combustible Materials

It is highly probable that your premises will contain furnishings such as upholstered seating, cushions, curtains, drapes and other decorative fabrics. You should at the outset avoid such materials that promote rapid fire spread. You should look to use materials that are non-flammable or have fire retardant properties.

Every escape route should be clear of flammable materials. You should not allow drapes or curtains to be provided in escape routes as any fire involving these items will block escape routes from the area. It is possible to treat fabrics with fire retardant solutions or sprays. It should be noted however that these treatments have a limited "life" that will deteriorate with time. Where such treatments are used, they should be done so in line with manufacturer's guidance

Further information can be obtained through contacting the Business Fire Safety department at South Wales Fire and Rescue Service [firesafety@southwales-fire.gov.uk](https://www.southwales-fire.gov.uk).



Shisha Smoking - A Guide for You and Your Business

What does the law say?

The Health Act 2006 makes it a criminal offence to permit smoking in public places and workplaces if they are enclosed or 'substantially' enclosed. Premises open to the public must be smoke-free during opening hours; premises which are open to the public and are places of work must be smoke-free at all times.

"Smoking" refers to smoking tobacco, or anything that contains tobacco, or smoking any other lit substance and being in possession of lit tobacco, or anything lit that contains tobacco, or being in possession of any other lit substance in a form in which it can be smoked.

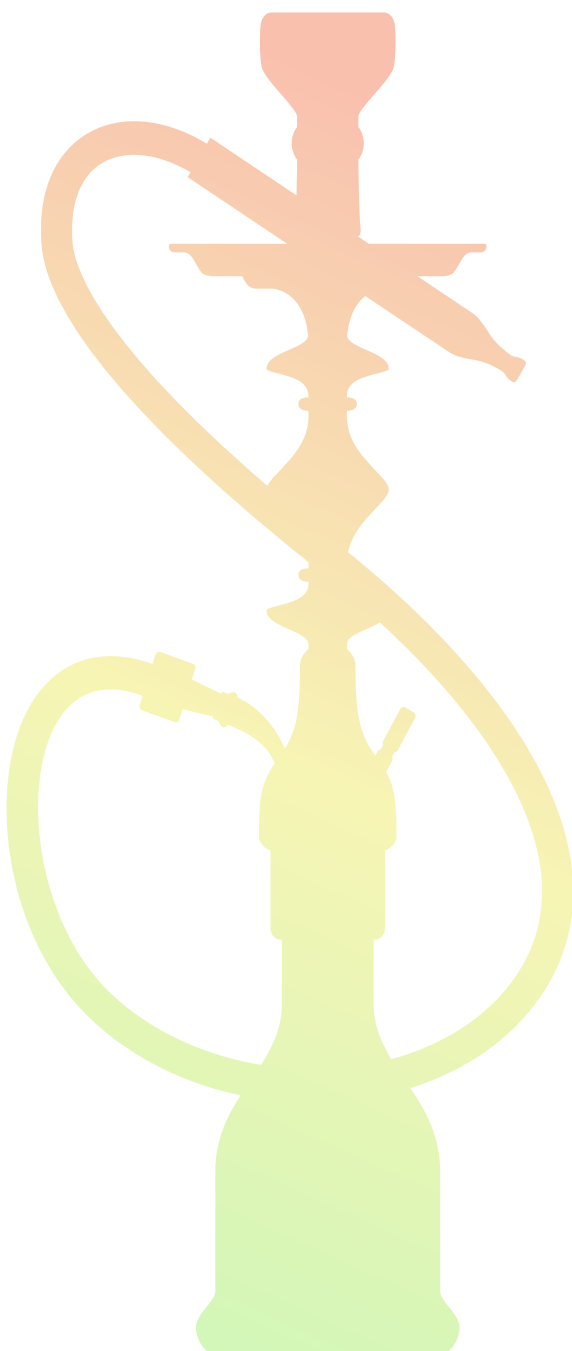
The definition includes shisha.

Who is responsible and what are the offences?

Smoke-free legislation applies to any person who controls, or is concerned in the management of smoke-free premises. It also applies to employees, customers and visitors.

Failure to comply with smoke-free legislation is a criminal offence

- The manager or person in control of any smoke-free premises could be fined for failing to prevent others from smoking in those premises (up to £2500 on conviction).
- Individuals may be liable to a fixed penalty, or prosecution, for smoking in smoke-free premises (up to £200 on conviction).
- The manager or person in control of any smoke-free premises may be liable to a fixed Penalty, or prosecution, for failing to display 'No Smoking' signs (up to £1000 on conviction)



What is 'enclosed'?

Premises are 'enclosed' if they have a ceiling / roof and (except for doors, windows, shutters) are fully enclosed, either permanently or temporarily.

What is 'substantially enclosed'?

Premises will be deemed to be 'substantially enclosed' if they have a ceiling or roof, and any openings in the walls equate to less than 50% of the total area of the walls. Premises must be at least 50% open at all times.

When calculating the area of the openings, no account is to be taken of doors, windows, shutters, or any other fittings that can be opened or closed at any time.

Any roof structure must also not encroach within 1.5 metres of any 2 perimeter walls. This is to ensure an adequate level of ventilation and smoke dispersal.

Compliance with health and safety legislation

Operators of Shisha businesses are responsible for ensuring the health and safety of employees and anyone else visiting their premises (non-employees) in accordance with the Health and Safety at Work etc. Act 1974, and all Regulations made under the Act. Health and safety hazards must be identified; the risk of injury assessed and appropriate control measures introduced to reduce the risk as far as is reasonably practicable.

Key issues to consider include:

- Preventing the risk of cross-infection by ensuring that shisha pipe mouthpieces are not shared and are disposed of after use.
- Charcoal is a solid fuel, and when burnt, produces products of combustion which includes carbon monoxide if ventilation is poor, or combustion is incomplete. Carbon monoxide has no taste, smell or colour and can cause permanent ill-health effects, or death, with moderate exposure. Operators of shisha businesses must ensure that adequate ventilation is available at all times. It is further recommended that carbon monoxide detectors are used to identify elevated levels of the gas.



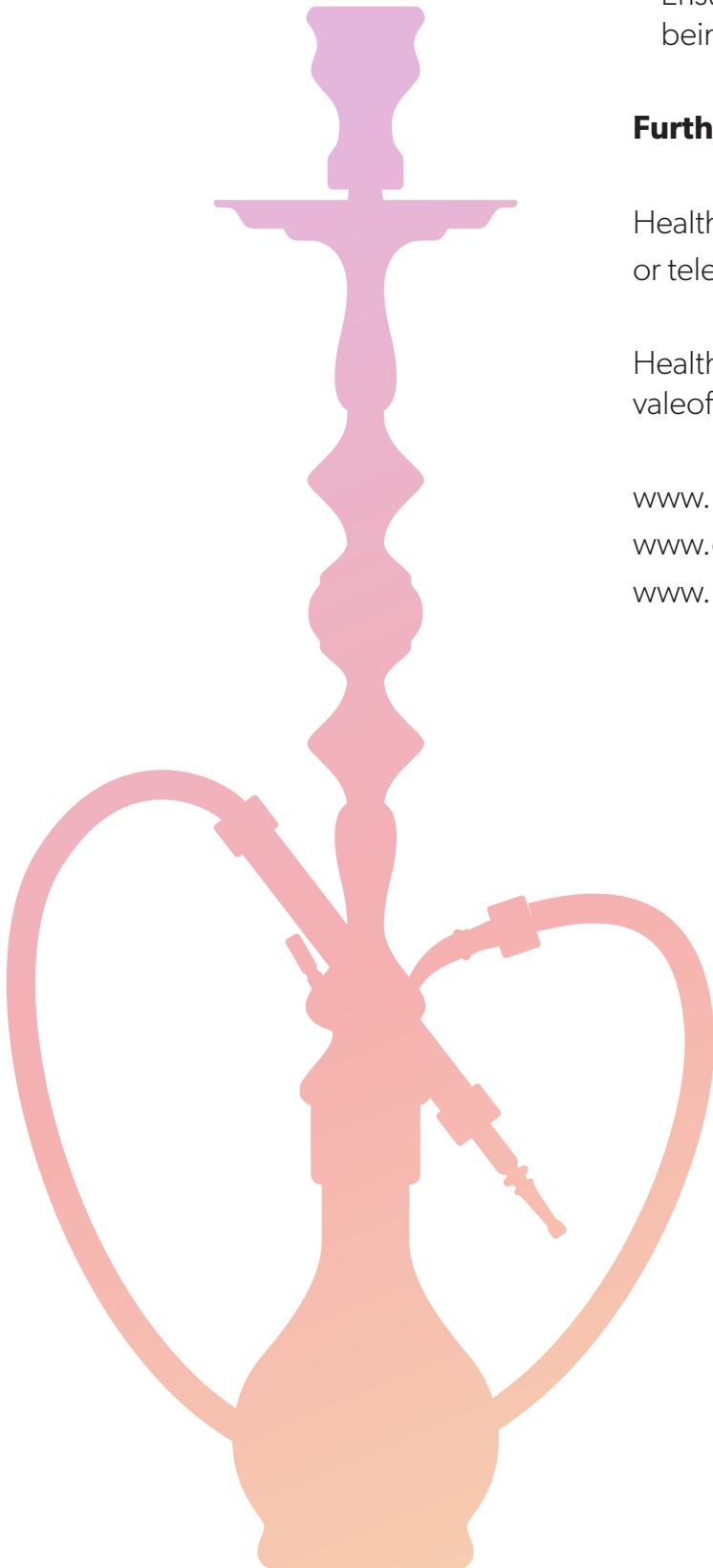
- Ensuring that all gas equipment, including LPG space heaters, are maintained by a suitably competent Gas Safe Registered engineer.
- Ensuring that all electrical systems are of a suitable construction and subject to regular maintenance by a suitably competent electrical engineer (i.e. NICEIC).
- Ensuring that the risk of slips, trips and falls is being effectively managed.

Further information can be obtained from:

HealthandSafetyEnforcement@cardiff.gov.uk
or telephone 0300 123 6696

HealthandSafetyEnforcement-SRSWales@
valeofglamorgan.gov.uk

www.beta.gov.wales/smoking
www.gassaferegister.co.uk
www.hse.gov.uk



Tobacco and under age sales

The law states that it is an offence for any person to sell any tobacco products (including cigarette papers) to a person under 18, whether or not it was for their own use. This is a strict liability offence, which means the owner of the business can be held responsible as well as the member of staff who made the sale. Anyone charged with this offence also has the defence that they took "all reasonable precautions and exercised all due diligence" to avoid committing the offence.

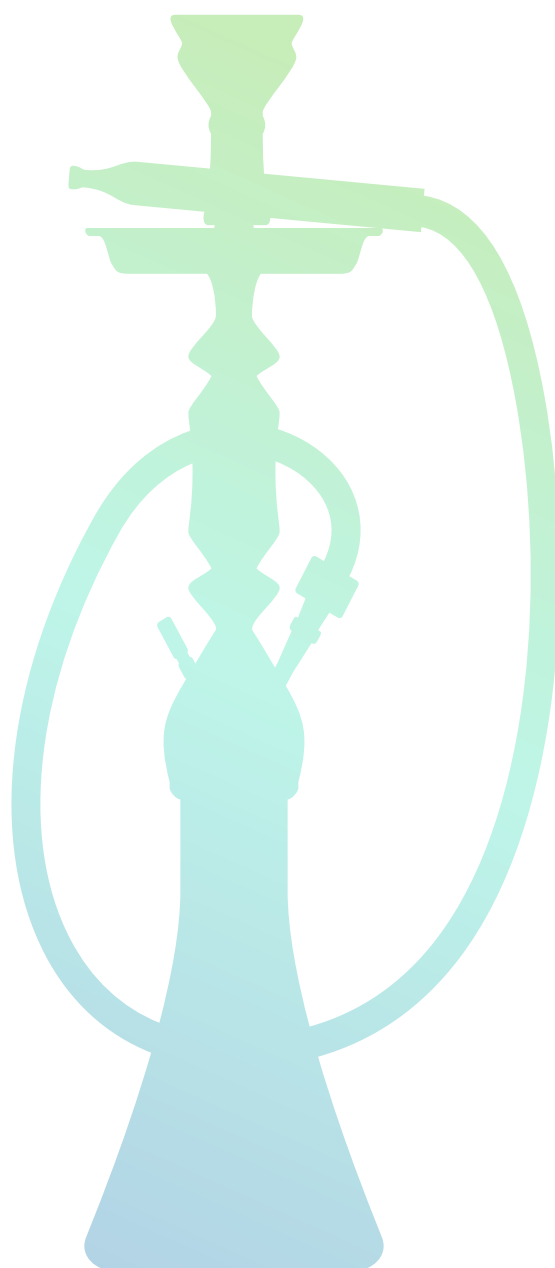
Anyone selling a shisha product to a person under 18 years of age may be prosecuted and subject to a maximum fine of £2500 on conviction. Proof of age must always be requested.

Shisha business operators must display the statutory warning sign, as shown.

**IT IS ILLEGAL TO SELL
TOBACCO PRODUCTS
TO ANYONE UNDER
THE AGE OF 18**

The notice must be displayed in a prominent position and be easily visible at the point of sale. The notice must be no less than 297 mm x 420 mm (A3) and the characters must be no less than 36 mm in height.

Where there is evidence of 3 illegal sales made within a 2 year period, 1 of which results in a prosecution, the Local Authority may apply to the Magistrates' Court for a restricted premises and/or a restricted sales order. The effect of these orders is to prohibit premises from selling any tobacco products for up to 12 months, and/or prevent a named person from being involved in businesses selling tobacco for up to 12 months from **ANY** location.



Product labelling

All tobacco and non-tobacco products sold for use, to smoke in shisha pipes must be labelled with the health warnings: "Smoking Kills" or "Smoking seriously harms you and others around you", and a (picture) health warning. This label must be placed on every package; which includes: **any box, package, container, wrapping or other receptacle which contains the product.**

If shisha is supplied to customers in a bowl, a notice at the point of sale or supply must display the warning.

Contact your local Trading Standards team for further advice at:

TradingStandards-SRSWales@valeofglamorgan.gov.uk

Compliance with licensing legislation

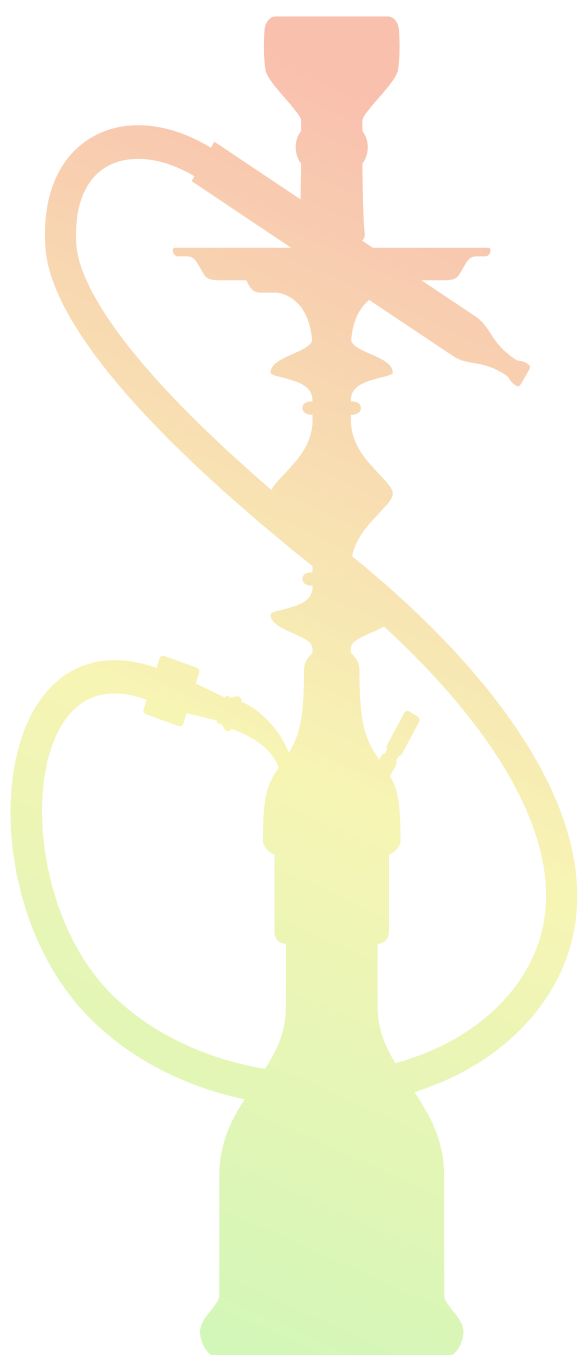
A Premise License will be required for any "regulated entertainment", including music, dancing and if hot food or drinks are to be served between 23:00 hours and 05:00 hours. Contact your local Licensing Authority to check what needs to be done to comply with current legislation.

Licensing@cardiff.gov.uk

Licensing@bridgend.gov.uk

Licensing@valeofglamorgan.gov.uk

Penalties under Licensing Act 2003 can be a fine of up to £20,000 and/or 6 months imprisonment.



Planning and Building Control

Before constructing a smoking / shisha area, business owners must first contact the relevant Planning Authority to identify if a change of business use, or planning permission will be required. Any work undertaken at the premises must also comply with current Building Regulation requirements. Contact your local Planning Authority to confirm what needs to be done to comply with current legislation.

Penalties under the Town & Country Planning Act 1990 include a maximum fine of £20,000. Furthermore any financial benefit accrued as a result of breaching the Act may be subject to a confiscation order under the Proceeds of Crime Act 2002.

Noise prevention measures

It is the duty of Shisha Bar operators to ensure that noise from all external areas of the business is kept to a minimum. Consider the potential for noise nuisance complaints from neighbours, particularly if the shisha lounge is located in close proximity to residential accommodation. Contact your local Pollution Control team to discuss your legal duties before establishing your business.

pollution-cardiff-srswales@valeofglamorgan.gov.uk

pollution-bridgend-srswales@valeofglamorgan.gov.uk

pollution-vale-srswales@valeofglamorgan.gov.uk



