

Avon Fire and Rescue Service

Watch Manager
John Green

Multi-agency licensing protocol

Wednesday 17th March 2010



PREVENTING PROTECTING RESPONDING

Fire Safety Dept
Covering South Gloucestershire area

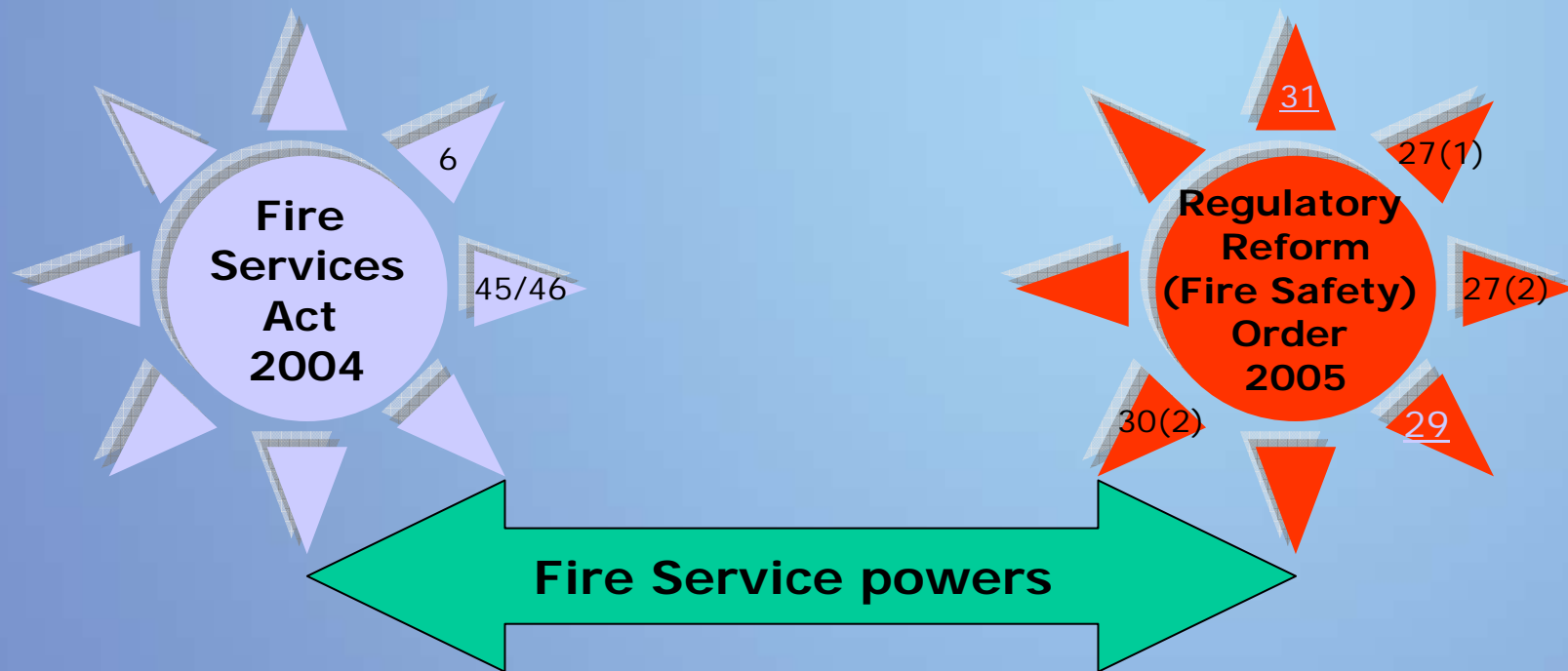
Technical Fire Safety Officer
Yate Fire Station

Powers of Fire Authority for
Commercial premises



PREVENTING PROTECTING RESPONDING

Avon Fire & Rescue Service



AVON
FIRE & RESCUE

PREVENTING PROTECTING RESPONDING

Fire Safety Order 2005 •

Article 27 Powers of inspectors

(1) Subject to provision of this article, an inspector may do anything necessary for the purposes of carrying out this Order.....

.....shall have the power to do at any reasonable time the following:

(a) enter any premises.....to inspect

(b) the whole or part of the premises.

make such enquiry as may be necessary for the following purposes'

(i)provisions of this Order.....have been complied with.

(ii) identify the Responsible person.....

(c)production of,any records

(i) Which are required to be kept.....



Fire Safety Order 2005 •

- (ii)necessary to
see.....under this article

And to inspect and take copies of any entry in the records.

- (d) to give him.....assistance

- (e) to take samples.....ascertaining their fire resistance or flammability.

- (f) ..any article,.....which appears.....to have caused or likely to cause dangerdismantle or subject to any process or test.

- (2)provide evidence of his authority



AVON
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PREVENTING PROTECTING RESPONDING

Fire Safety Order 2005 •

Article 29 Alterations Notice

If the Fire Authority are of the opinion that the premises

- (a) Constitute a serious risk to relevant persons

- (b) Or constitute such a risk if a change is made

Before changes - send Fire Authority copy of risk assessment and summary of changes.



Fire Safety Order 2005 •

Article 30 Enforcement Notice

(2) Enforcement notice must

(a) State why

(b) Provisions not complied with

(c) Steps required to remedy (not less than 28 days)



Fire Safety Order 2005 •

Article 31 Prohibition Notice

- (1) If the enforcing authority is of the opinion that use of the premises **involves or will involve a risk to relevant persons so serious** that use of the **premises ought to be prohibited or restricted** may serve on the responsible person.....
- (2) Risk to relevant persons include anything affecting their escape from the premises in the event of fire.
- (3) Prohibition Notice must
 - (b) Specify the matters that'll give rise to that risk.
.....use is prohibited or restricted

May include directions which will have to be taken to remedy the matters specifically worded in a way of giving the person a choice of remedying actions.

- . Takes effect immediately
- . May be withdrawn at any time
- . In existence until matters are remedied



Fire & Rescue Services Act 2004 •

Sections 45
& 46

Give an authorised officer power to obtain certain Information and investigate fires, including the power to enter premises for those purposes.

A person who without reasonable excuse, obstructs an authorised officer exercising those powers or fails to comply with a requirement of such an officer to provide facilities, documents, records or other assistance commits an offence (section 46(6))



Fire & Rescue Services Act 2004 •

Section 6 Fire safety

- (1) A fire and rescue authority must make provision for the purpose of promoting fire safety in its area.
- (2) In making provision under subsection (1)
make arrangements for-
 - (a) the provision of informationand encouragement to prevent fires and death or injury by fire;
 - (b) the giving of advice, on request, about-
 - (i) how to prevent fires and restrict their spread in buildings
 - (ii) the means of escape from buildings
in case of fire



Licensing Act 2003

How is it linked to LA 2003

Potential benefits



PREVENTING PROTECTING RESPONDING

Summary

1. Two legislative areas to consider?

Fire & Rescue Services Act 2004

preventing fires/protecting means of escape in case of fire

Regulatory Reform (Fire Safety) Order 2005

Audits

Alterations/Enforcement/Prohibition Notices

Prosecution procedure

Are there any questions?

