

Smoking Advice

- Develop a management plan on how to manage smoking on your premises and ensure that all staff are aware of the contents of this plan, and that it is effectively managed and implemented. Noise from people smoking and talking can be intermittent, vary in character and volume and be intrusive. A smoking management plan will help prevent neighbours being disturbed.
- Comply with any planning conditions restricting the use of outdoor areas.
- Ensure that any structures used by smokers comply with the design criteria detailed in the Heath Act 2006 and that any structures, awnings, retractable canopies, etc have the relevant planning permission.
- Any new lighting to outdoor areas must be so designed not to cause a light nuisance to neighbours and again have the relevant planning permission.
- Ensure that the conditions on the premises licence are complied with. Many have conditions restricting the hours of use of gardens and outdoor areas. Having reviewed the contents of the premises licence you may find it appropriate to request a variation of your licence.
- Any tables and chairs on the Public Highway require a tables and chairs licence under the provisions of the Highways Act 1980. Again these licences may have conditions restricting the times that the area can be used.
- Drinks, glasses and bottles must not be taken onto the highway unless there is a tables and chairs licence permitting use.
- To discourage smokers remaining in gardens and outdoor areas you may choose to have a rule that drinks are prohibited outside, or prohibited after a certain time.
- Smokers can also be discouraged from remaining outside by removing/disabling tables and chairs or prohibiting their use after a certain time.
- A system could be introduced that after a certain time the number of smokers outside are restricted to a maximum number. Staff will be needed to manage this restriction.
- Staff and or SIA registered door supervisors can be employed to manage doors and control customers and smokers entering and leaving the premises. Staff positioned on the doors can help to encourage customers not to cause a noise problem. It may be that staff are required to manage doors after a certain time, particularly during the hours when neighbouring residents are trying to sleep.
- Signs can be positioned to remind customers that the premises is in an area where people live. It is not always obvious in busy commercial streets with flats above. By changing the design and wording of signs customers do not forget. Signs can be located in and outside the premises and on tables.
- In some cases CCTV may be a useful tool to manage outside areas