

From **1 July 2007** virtually all enclosed public places and workplaces in England are, by law, required to be 'smoke-free'. The law applies to pubs, clubs, restaurants, hotels, bookmakers, amusement arcades and other entertainment venues. Also included are enclosed temporary event venues including marquees.

### **What does the smoke-free legislation require businesses and employers to do?**

They must:

- Ensure that people do not smoke in those parts of premises that by law have to be smoke-free.
- Prominently display no-smoking signs at the entrances to their premises that have to be smoke-free.

### **What are the penalties for non-compliance?**

The requirements of the smoke-free laws will be enforced by Authorised Officers of the Council. The offences and proposed penalties are:

- Smoking in a smoke-free premises or vehicle - a fixed penalty notice of £50 or a fine of up to £200.
- Failure to display appropriate signs – a fixed penalty notice of £200 or a fine of up to £1000.
- Failing to prevent smoking in a smoke-free place or vehicle – a fine of up to £2,500. Potentially a licence could also be reviewed.

You may find it helpful to use the following questions to identify what needs to be done:

- Do you, your staff or any of your customers smoke? If the answer is yes:
  - a. Where will these people go to smoke?
  - b. How will staff and customers know where they can legally smoke?
  - c. What needs to be done to ensure that staff, customers/members and visitors are aware that your premises and vehicles are legally required to be smoke-free?
- If there is to be a smoking shelter, will it comply with the law? A free guidance leaflet on smoking shelters is available from the Council.
- How will you respond to staff or members of the public who break the law by smoking in premises that have to be smoke-free?
- What guidance will staff (and contracted door staff) need on how to deal with customers who try to smoke in your premises?
- Where will it be necessary for signs to be displayed; not only to comply with the law but also to remind customers that they are not to smoke indoors?

**You may also want to consider taking supportive measures such as:**

- Remove all ashtrays and provide suitable containers for smoking litter at entrances so that people do not walk into a premises still smoking.
- Consider not selling tobacco products etc if you currently do.
- Develop a smoke-free policy in consultation with staff which:
  - a. Acknowledges the right of employees to work in a smoke-free environment.
  - b. Identifies the members of management and staff who have responsibility for the implementation of the policy.
  - c. Identifies the outside areas under your control where people can smoke; (no indoor smoking areas).
  - d. Provides information on where people can get help if they want to quit smoking. This is available by logging onto [www.cignificant.co.uk](http://www.cignificant.co.uk) or by telephoning Norfolk Stop Smoking Service 0800 0854 113.

**Where can businesses and employers get advice?**

For the latest smoke-free information from the Council visit our website at: [www.breckland.gov.uk](http://www.breckland.gov.uk).

E-mail your enquiries to: [healthandsafety@breckland.gov.uk](mailto:healthandsafety@breckland.gov.uk)

To speak to an officer, or to arrange an advisory visit telephone: 01362 656870.

You can log onto the Smoke-Free England website at [www.smokefreeengland.co.uk](http://www.smokefreeengland.co.uk) for information about smoke-free premises.