

From **1 July 2007** virtually all enclosed public places and workplaces in England are required, by law, to be 'smoke-free'.

This smoke-free law aims to:

- Reduce the risk to health and save lives.
- Recognise the right of people to enjoy smoke-free air.
- Help people who want to quit smoking.

The smoke-free legislation applies to hotels and guest houses and therefore smoking in these places is against the law.

### What this means for you

You are required to:

- Display "no-smoking" signs at entrances to your hotel or guest house.
- Make sure that no one smokes in smoke-free premises.

The requirements of the smoke-free laws will be enforced by Authorised Officers of the Council. Failure to comply with this legislation could lead to the following proposed penalties:

- Smoking in a smoke-free place - a fixed penalty notice of £50 or a fine of up to £200 for non-compliant public and guests.
- Failure to display appropriate signs – a fixed penalty notice of £200 or a fine of up to £1000 for non-compliant business owners.
- Failing to prevent smoking in a smoke-free place – a fine of up to £2,500 for non-compliant business owners.

As the owner of the business you will be required to take all reasonable action to ensure your business, staff and premises comply with the Regulations and your guests understand and comply with the law whilst on your premises.

### Frequently Asked Questions

#### Can I allow guests to smoke in a designated 'smoking lounge'?

**NO:** No guest or member of staff is allowed to smoke in any public area of the property, even if all the guests and staff are smokers.

#### Can guests smoke in their own private bedroom/accommodation?

**YES:** But only in certain bedrooms which have been designated as 'smoking allowed rooms'. These are for the use of the guest for the duration of their stay. These rooms must be designated in writing as "smoking allowed" guest bedrooms and a register containing the identity of these rooms must be kept by the management, and must be available for inspection by enforcement officers at any time. Staff will not be permitted to smoke in these rooms.

#### Can any bedroom be designated as a smoking allowed room?

**NO:** There are certain requirements for smoking allowed rooms. Doors that lead to public smoke-free areas of the property must have a mechanical closure device fitted, and any ventilation system must not ventilate into any other smoke-free part of the premises [except another designated smoking allowed bedroom]. A guest room designated must be clearly marked as a room where smoking is permitted.

#### I have a conservatory with large doors and windows. Can my guests smoke in there with my permission?

**NO:** Any enclosed or substantially enclosed space that has a roof or ceiling must have over 50% of the wall area open to the air to permit smoking in that area.

**My staff tell me they are not allowed to smoke anywhere in the property including a smoking designated guest room, are they correct?**

**YES:** If a member of staff wants to smoke they will have to go outside the building.

**My premises are already smoke-free therefore do I have to do anything to comply with the law?**

**YES:** There is a legal minimum requirement of signage for all business premises. A 'No Smoking On These Premises' sign of the designated design must be clearly visible at every public entrance to the property. The signage is size A5 and has text as shown:

Non-smoking premises



Premises that allow smoking in designated rooms



Only signs in English will satisfy the legal requirements.

The above drawings are for guidance only and do not represent suggestions of what the requirements might be

**Can I get help, guidance and advice free of charge?**

**YES:** A range of useful information can be obtained from the 'Smoke-Free England' website: [www.smokefreeengland.co.uk](http://www.smokefreeengland.co.uk)

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.