

The purpose of this note is to provide guidance to those considering providing facilities for smokers whilst still complying with the smoke free legislation. This note has been designed to give a general overview of the legislation and offer some basic advice. You should refer to the actual legislation and specific guidance notes available before making significant investment in such things as smoking shelters.



Cyngor Bwrdeisdref Sirol

Blaenau Gwent

County Borough Council

Smoking Shelters

Evidence from Scotland and Ireland shows that many businesses will seek to provide areas for smokers through the provision of smoking shelters, awnings or canopies. Planning permission may be required for smoking shelters as well as building regulations approval. The visual impact of the proposal will be carefully considered, particularly as a large number of business premises in the County Borough are located in already densely populated areas. In all cases, proposed smoking shelters should be of good design and materials will need to comply with national regulations.

The potential impact of noise will also be carefully considered and the Council will seek to ensure that the proposal will not result in unreasonable disturbance to any nearby noise sensitive premises, such as residential accommodation.

Awnings and Canopies

The fixing of awnings and canopies to a property will almost always have an effect on its external appearance and, as such, will require planning permission. Both the visual effect of the canopy or awning and its effect from possible noise and other disturbance will be taken into account when determining the application. Awnings and canopies carrying advertisements may also require a separate application for advertisement consent.

Smoking Areas and Litter Bins

Consideration must be given to preventing a build up of litter in areas intended for use by smokers. If no specific area is provided smokers may use car parks or entrances into buildings. Consideration must be given to providing facilities for the disposal of cigarette ends etc in these areas. It should be noted that dropping a cigarette end on any open land is an offence. Companies should ensure that their premises is regularly cleared of all litter, including that produced in areas used for smoking.

Employers must also ensure that areas used by smokers, whether officially or not, are not covered by the definition of enclosed or substantially enclosed. Many areas, such as cycle shelters, doorways or delivery bays, may not be sufficiently open to be used as a smoking area.

Useful Contacts

- For further information on Planning Permission please contact the Planning Control Section on (01495) 355555.
- For further information relating to the construction of smoking shelters please contact the Building Regulations Section on (01495) 355528.
- For further information on the smoking ban and all the latest news please visit the web site www.smokingbanwales.co.uk

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Plan for the Ban