

TENANT'S GUIDANCE NOTES - FIRE RISK ASSESSMENT FORM (2022)

- These guidance notes are to assist you when undertaking the fire risk assessment for the units under your control and completing the *fire risk assessment form* circulated by the Markets service.
- The reference numbers shown in the columns on the right hand side of the form are for quick reference to the relevant guidance paragraphs within these notes.
- In general terms Fire Regulations require **all** employers to carry out a fire risk assessment of their workplace which must consider employees and all other people who may be affected by a fire in the workplace.
- A 'workplace' includes a market unit/shop/catering vehicle etc operating on the market.
- If you require any advice or clarification whilst undertaking the fire risk assessment then please contact the Markets Information Centre.
- Please note you do not need to use the form issued by the Markets service, you may choose to use another suitable fire risk assessment document if you wish.
- Also note - completing a fire risk assessment does not preclude tenants and traders from possible prosecution and/or the Council taking action for a breach of your trading agreement should a subsequent inspection reveal unsatisfactory standards.

SECTION 1 – UNIT AND TENANT DETAILS

- 1.1. Your unit number and name should be on the accompanying letter. If it is not, or the unit number is incorrect, then please contact the Information Centre.
- 1.2 You must complete an assessment for each of your **separate** units, however only one assessment is required for adjoined units.

For tenants employing more than five employees then the fire risk assessment must be recorded. The attached Market risk assessment form is suitable for this purpose – you are advised to display a copy of the completed form in a prominent position in your unit.

The form must also be readily available for inspection by the Fire service or Leeds City Council if requested.

The fire risk assessment is a 'live' document and should therefore be under constant review to take account of changing circumstances – therefore you need to ask yourself if any of your market operation has changed since your last review.

Have you changed any of the products you sell or the layout of the unit?

Simple changes may lead to new fire hazards being introduced and therefore you must take these into consideration when undertaking your assessment.

Tenants must note that the Fire Regulations state that every employer must provide their employees with comprehensible and relevant information on:

- i. The significant risks to their health and safety identified in the fire risk assessment; and:
- ii. The preventative and proactive measures considered necessary as a result of the risk assessment.

Undertaking the assessment and displaying the completed fire risk assessment form on your unit will assist you in complying with these requirements.

COMPLETING THE REMAINDER OF THE FORM

The task of undertaking a fire risk assessment may appear far more daunting than it actually is. Going through the assessment and identifying those areas that present the highest risks will enable you to form a clear picture of what is needed.

The recommended steps for undertaking the assessment and completing the market form are as follows:

SECTION 2 – FIRE HAZARDS/IGNITION SOURCES IDENTIFIED

- 2.1 The list supplied is not exhaustive; you must therefore include any significant hazard(s) that you have identified even if not included on the list. You must take into consideration the overall likelihood of the hazards identified being a fire/ignition hazard and the measures you have in place to prevent this from occurring.
- 2.2 Note - Cooking fat/oil - Materials contaminated with cooking fat/oils are liable to spontaneous combustion (ignition) without apparent cause, though typically through heat generated internally by rapid oxidation

Fat/oil/grease must not be deposited into the drains.

If you generate fat/oil/grease waste from cooking then you are responsible for arranging a contract for the prompt collection and disposal of this with an authorised contractor.

Crackling - where significant quantities of crackling is produced, as with Fish & Chip Shops, these must be placed in closed metal containers and stored away from the premises at the close of each business day.

Thermostats – thermostats are to prevent the cooking temperature exceeding 205°C. (or the equipment manufacturer's recommended temperature if lower) and are to be provided for each cooking pan/deep fat frying unit. Fryers/ranges must be further protected by the fitting of a high temperature limit control. This must operate at a temperature not exceeding 230°C. and shut off the heating - this device to be of the non self-resetting type.

All equipment must be serviced, at least annually, by suitably qualified engineers. Servicing is to include the testing, and if necessary, the replacement of each thermostat and high temperature limit control in each cooking pan/deep fat frying unit.

All cooking pans/deep fat frying unit must have metal lids.

LPG Cylinders – checklist:

Outside catering traders only – if you use LPG:			
A	Do you have an up to date inspection/gas safety certificate for the appliances and pipework (<i>copy to be available for inspection</i>) and are all hose connections made with “crimped” fastenings?	Yes	No
B	Are the cylinders kept outside, secured in the upright position, out of direct sunlight and out of the reach of the general public?	Yes	No
C	Are appliances fixed securely on a firm non-combustible heat insulating base and surrounded by shields of similar material on three sides?	Yes	No
D	Are the cylinders located away from entrances, emergency exits and circulation areas?	Yes	No
E	Are the gas cylinders readily accessible to enable easy isolation in case of an emergency?	Yes	No
F	Do you ensure that all gas supplies are isolated at the cylinder, as well as the appliance when the apparatus is not in use?	Yes	No
G	Do you ensure that only those cylinders in use are kept at your catering unit? (<i>Spares should be kept to a minimum</i>)	Yes	No
H	Is a member of staff, appropriately trained in the safe use of LPG, present in the unit at all times?	Yes	No
If the answer to any of the above questions is “NO”, please detail on the risk assessment form the actions you will now take to address the situation.			

2.3 Don't forget the less obvious things on your unit during your inspection such as displays on boards and walls, which may provide a 'fire trail' from one 'fuel package' to another.

2.4 Grease extract ductwork systems – as a result of the increased fire risk in units with extract flues/ducting etc these tenants will receive a bespoke fire risk assessment form which will include a section on extraction systems and specifically the general maintenance arrangements in place.

Extraction ducting includes flues, hoods, canopies, extraction motors, fans - the entire length of the ducting must be inspected and cleaned by a professional specialist contractor, e.g. a member of the Heating and Ventilating Contractors' Association (HVCA), in accordance the HVCA's guidance document TR19. Any additional access hatches required for the ducting to be cleaned are to be installed as necessary.

Thereafter the ducting is to be cleaned at least once every twelve months, or at appropriate intervals as determined by 'Wet Film Thickness Tests' undertaken by the contractor.

This to be done in addition to daily or weekly cleaning of filters, canopies and associated drains and traps in accordance with the manufacturer's recommendations.

This information may also be required for inspection by any interested party including the Fire officer. This may also be a requirement of your insurance cover.

Refrigerated equipment – tenants with stationary refrigeration, air conditioning and heat pump equipment shall use all measures which are technically feasible to prevent leakage of HFCs (hydro fluoro carbon gases) and as soon as possible repair any detected leakage. The operator must ensure systems are checked for leakage by certified personnel, as defined by the training and certification requirement and to the following schedule:

Leakage Inspection:

Systems shall be checked for leakage dependent on refrigerant charge:

- 3kg charge and above - check at least once every 12 months.
- 30kg charge and above - check at least once every 6 months.
- 300kg charge and above - check at least once every 3 months.
- Hermetically sealed systems, which are labelled as such and contain less than 6kg, are exempt.

Operators of equipment containing 300kg or more must install an automatic leakage detection system. These must be checked at least once every twelve months to ensure they are functioning properly.

Checked for leakage means that the system is systematically checked for leakage using direct or indirect methods, focusing on those parts of the system most likely to leak. The cause of any leak will need to be recorded in the log book.

Log books

Operators of equipment containing 3kg or more will need to maintain records on the quantity and type of HFC installed. Any quantities added or recovered during maintenance, servicing and final disposal will need to be recorded along with leak checks, actions taken, the name of the service company, the engineer / technician who performed the servicing and maintenance, dates and results of inspections. These records have to be made available to the competent authority upon request.

- 2.5 It is of course against the law to smoke in public places which includes the indoor market and tenant's units. Therefore as a market tenant you must ensure compliance with the legislation specifically to ensure you prevent people smoking in your unit and also to ensure you display the no smoking signs.

Failure to comply with the law is a criminal offence and penalties and fines for breaches can be issued.

You can find more information on the law on the Smokefree England website at smokefreeengland.co.uk or alternatively you can contact the Market information Centre.

- 2.6 All electrical appliances in your unit must be tested by a certified electrical contractor on a programmed basis, this includes portable electrical appliances such as kettles, toasters etc - contact the Information Centre if you require information on the requirements and frequency for testing electrical appliances.
- 2.7 The following is a summary of the unit alteration procedure/Listed Building consent for Kirkgate market:

Given its significant history and architectural features the whole of Leeds Indoor market is a grade 1 listed building.

To protect the building and its features anyone making alterations to the building, however small, is required by law to have Listed Building Consent in place before carrying out the works.

There is a formal application process involving Leeds City Council, the Secretary of State and Historic England.

It is a criminal offence to carry out works that require Listed Building Consent without such consent being obtained. The offence is committed by the person who carried out the works and **also** by anyone who caused the work to be carried out - for example the person(s) instructing a builder.

Penalties can involve fines and/or imprisonment.

As well as prosecuting any breaches in the law protecting listed buildings, the Council may also issue a Listed Building enforcement notice requiring the tenant to put right, at their own cost, the effects of the unconsented works.

The above applies to all units and areas of the indoor market and not just the more historic 1875/1904 sections and applies to all alterations/repair and activities including minor maintenance repairs/alterations such as fitting shelves/painting/removing counters etc.

If you are considering making any alterations then please do contact one of the market management team. In the first instance as part of this process the Markets team will also be able to advise you on other areas of statutory compliance that may be required for the works you are proposing, including electrical work.

Please note having a discussion with the Markets team or indeed any other officer of the Council or Historic England, even if confirmed in writing, does not mean that Listed Building Consent has been obtained. This can only be granted by the Secretary of State.

A priority objective of the procedure is to reduce the likelihood of fires originating as a direct/indirect consequence of tenant's unit alterations.

Possible Control Measures for you to reduce fire hazards may include:

- ☐ Reduce probability of fire through good management practices (e.g. staff training, good housekeeping/routine electrical testing etc)
- ☐ Remove, reduce and/or separate combustible materials - particularly highly flammable materials.
- ☐ Remove, reduce and/or control sources of ignition.
- ☐ Remove, reduce and/or separate sources of ignition from combustible materials

SECTION 3 – PERSONS AT RISK

- 3.1 Decide who might be in danger in the event of a fire (e.g. employees, visitors, customers etc) either in the unit or while trying to escape from it. Also record the possible locations of all such persons.

SECTION 4 – FIRE EMERGENCY PROCEDURES

- 4.1 After assessing the fire hazards it will be necessary to decide how high a risk these pose.

For this you will need to consider the adequacy of the escape routes and exits from the unit taking account of:

- ☐ Any 'dead ends' or one way out conditions which could result in people becoming trapped
- ☐ The number, width and distribution of exits; and
- ☐ The number of people who will need to use them.

Also you will need to identify the fire emergency procedures in place to warn your employees, customers and other persons of a fire.

The Market service's fire procedure is referred to as the *Fire Alarm Activation, Investigation and Evacuation Procedure*; copies are available from the Information Centre if required.

The following is a summary of the market fire procedure:

On activation of the fire alarm system the market evacuation announcements are initially silenced by market officers with the immediate priority being to determine the cause of the activation.

In the event of a fire or other emergency/evacuation situation the fire alarm evacuation message will immediately be reactivated and the emergency procedures instigated by the Markets service.

On hearing a continuous evacuation message tenants must ensure that all persons on the unit evacuate to a safe area or as directed by an authorised officer (Market, Fire, Police etc).

In the event of a fire, or any other emergency, tenants are responsible for ensuring the safe evacuation of all their staff and customers from their units and if required the market.

Listed in the box below is a summary of the fire procedure that will apply to most units. **If this is not relevant to your unit then you must indicate this on the fire assessment form** and the action required of yourself to ensure compliance.

In an evacuation tenants must pay particular emphasis to any persons within their unit who may take longer to leave for example customers with young children or children in pushchairs, the elderly, customers in wheelchairs etc.

Tenants are also responsible for ensuring that their staff evacuate to a safe area away from the danger area and comply with the instructions received from authorised officers including market staff.

The following procedure will apply to most units in the market; any variance on this must be identified on your risk assessment form:

FIRE PROCEDURE – MARKET UNITS

- In the event of seeing a fire in the unit you must activate the nearest break glass point
- Ring 999 and request Fire service
- Only attempt to extinguish the fire if it is safe to do so
- Move away from the fire/danger area
- Once outside the unit leave the market by the nearest exit, unless instructed otherwise by market staff or the emergency services
- Do not re-enter the market
- If the market is evacuated report to the assembly point agreed with your team
- Wait at the assembly point until you are authorised to re-enter the market by a markets officer.

SECTION 5 – MEANS OF ESCAPE

5.1 To assist in determining escape times you should take account of the following:

- ❑ What occupants may be doing when the warning is given
- ❑ The number of people who share the escape route
- ❑ The distance they may have to travel and the route itself to the nearest point of safety (including stairs)
- ❑ Also consider staff working away from the main area of the unit e.g. upper floors, storerooms etc

5.2 You must estimate how long it will take for all the occupants of your unit to escape to a place of safety once a fire has been detected.

5.3 You must decide if there are enough exits in the unit and if these are in a suitable place.

- 5.4 You must also decide if the type and size of exits are suitable and sufficient for the number of people likely to use them, take into consideration if these are wide enough for wheelchairs, pushchairs etc.

Note – the Fire service consider 1 minute to be the maximum time for all occupants to escape from a unit.

- 5.5 Therefore if your estimate in **(5a)** on the form is greater than 1 minute then you must introduce control measures to reduce the time taken for all staff and customers to exit the unit in an evacuation situation.

- 5.6 Introduction of the following measures may assist in reducing the escape times:

Means of Escape – Possible control measures to reduce escape times:

- Ensure passageways/staircases/exits etc are clear of obstructions and are easily accessible
- Emergency doors are not locked or fastened
- Ensure all escape routes are easily identifiable
- Introduce fire drills for your staff
- Introduce/refresh fire training for your employees

6.1 Please note the following:

Sprinkler Heads - A minimum clear space of 500mm must be maintained beneath and around each fire sprinkler head. Under no circumstances must any item be placed on a sprinkler head or pipework.

Smoke/Heat Detector - A minimum clear space of 500mm must be maintained beneath and around each smoke/heat detector

Under no circumstances must tenants cover up detectors, for example with temporary covers, to prevent alarm activations within the unit.

Covering fire detection/fire fighting devices is absolutely prohibited and is a breach of your tenancy agreement. Enforcement action will be taken under the terms of the tenancy agreement against any tenant found obstructing devices.

Break glass points – You must not obstruct clear sight of, and access to, the break glass device by any display of goods. Anything positioned in front of the device should be a minimum of 500mm away

To activate a break glass point in an emergency simply break the glass panel at the front of the device.

6.2 Fire extinguishers

- ❑ Specific extinguishers are required for high-risk activities
- ❑ Therefore check that the extinguishers in the unit are suitable for your purpose.
- ❑ Ensure the locations of the extinguishers is obvious and consider if the position needs to be indicated.

- ❑ Ensure you have the right type of extinguishers located close enough to the fire hazards and users can gain access to them without exposing themselves to risk.
- ❑ Ensure that the people likely to use the extinguishers have been given adequate instruction and training - see training section below.

6.3 MAINTENANCE OF FIRE EQUIPMENT

All fire prevention and fire fighting equipment (e.g. fire extinguishers) provided by tenants must be properly and regularly maintained - including as necessary inspected and tested - and any faults found rectified as quickly as possible in order to ensure the equipment will work correctly when required in an emergency.

7.1 Decide if your staff have received sufficient fire training - the following is an example of training that may be useful for tenants:

- General proactive fire awareness training - (fire routine e.g. means for giving warnings, awareness of fire escape routes/exits, assembly point location, assisting other persons, fire drills, documented evidence etc)
- Safe use of fire fighting equipment (e.g. extinguishers)
- First aid

7.2 Contact the Market Information Centre for further advice on training.

SECTION 8- ANY OTHER INFORMATION

8.1 Record any other information in this section of the form that you feel is relevant following your assessment.

Thank you! If you require any further advice or information then please contact the Markets Information Centre