

Pavement Licence Winter-weather arrangements

For 2020/21

Structures

Gazebos, canopies, or other coverings must be sufficiently sturdy and windproof. Any temporary structure must be weighted, anchored, or secured to the ground, but cannot be anchored with any method that requires screwing, cutting, or drilling into the public highway.

Enclosed structures must have adequate ventilation to allow air flow.

All structural materials should have a fire-resistant certification or flame certification showing that the material is fire-rated or noncombustible.

Use of tents and other temporary structures may be deemed unsafe and prohibited during severe weather events (wind, snow, etc.).

Images of any proposed structures, gazebos, canopies or other coverings must be provided with the application and approved for use. Low quality designs or any of a scale or character unsuited to the surrounding area may be rejected or an alternative required when deciding whether to grant the application.

Heating Devices

Any Heating Devices must only be used in accordance with Manchester City Council's "Outdoor heating guidance for licensed premises" (see below).

The location of any heating devices must be shown on the layout plan submitted with the application

Safety and Security Considerations

Any outdoor licensed area must be included in the [fire risk assessment](#) (FRA) for the business¹. The FRA must reflect the use of the Guidance documents referenced above.

Businesses must have sufficient fire extinguishers to cover indoor and outdoor space

Electrical lighting or other wiring must be installed by a qualified electrical contractor

The premises must review, and risk assess the security arrangements in place for the outdoor area, particularly in respect of how areas will be monitored and the potential for structures to obscure surveillance by staff and CCTV.

Premises must have inclement weather plans in writing and trained staff to prevent any injuries in storms, snow, or other unsafe situations.

If plastic domes or other enclosed spaces are used, signage must be clearly displayed advising about increased risk of transmission within an enclosed space.

Outdoor heating guidance for licensed premises

If you wish to provide heating in a temporary structure or outdoor area of your premises, then you must fully consider all health and safety implications.

The first thing you must do is carry out a suitable and sufficient risk assessment. The HSE (Health and Safety Executive) has extensive guidance and advice to help you with this and other considerations for providing a safe workplace, [which is available here](#). You should also speak to your insurance company for any specifics they may require you to assess.

Heating appliances must conform to the relevant national standards and consideration needs to be given to ensure that the type of appliance chosen is suited to the venue.

Location

Where possible you must provide permanently fixed radiant heaters positioned so that they cannot be tampered with or pose a danger to those within the area.

Heating appliances should be sited and used in accordance with the manufacturer's instructions. They should not be placed directly underneath or near awnings, canopies, or any combustible material, including trees and bushes.

Heating appliances should not be sited on escape routes, confined spaces, passageways, or thoroughfares.

Heating appliances should also be shielded from strong draughts or gusts of wind and sources of water.

Free standing heating appliances should be sited on level ground for stability and be able to stand upright without support. It may also be necessary to fix the appliances into position, to prevent them from being knocked over.

Liquid or LPG fuelled appliances should only be used in well ventilated areas to avoid a depletion of oxygen levels and prevent the accumulation of harmful fumes such as Carbon Monoxide.

Liquid or LPG fuelled appliances should not be used in or under structures made of flammable or non-fire-resistant materials and accommodating table furnishings.

In certain circumstances (such as marquees), heating appliances may be sited externally, and warm air piped into the structure via flame retardant hosing. However, it must be ensured that exhaust fumes are safely dispersed and prevented from entering the structure.

Fire exits should always be signed as such and kept free of obstruction.

Electrical heating appliances

Prior to each use, the heating appliance and electrical socket outlet should be visually inspected for signs of damage or overheating. If damage is found, a competent NICEIC Accredited electrician should be consulted.

Heating appliances must be inspected periodically by a competent person and suitable records should be kept. The periods between inspections should be determined on a risk assessed basis and in accordance with the manufacturer's instructions.

Wherever possible, an electric heating appliance incorporating a thermostat should be used.

Care should be taken to ensure that appliances are switched off and remain safe at the end of each period of work.

Heating appliances should be plugged directly into an electrical socket where possible; the use of extension leads and block adaptors should be avoided, and cables should not be subject to tension. Trailing leads are to be avoided or minimised, to reduce the likelihood of trips and falls. Where it is necessary for electrical cables to run across the floor, they should be routed away from walkways and thoroughfares and appropriately covered / protected.

LPG/Gas heating appliances

The use of any LPG/Gas heaters must be in accordance with the [Liquid Gas UK guidance](#).

In line with the above Guidance:

- Patio heaters are for outdoor use only. The combustion products leaving the heater are extremely hot. On no account should they be used in an enclosed space, or inside a tent or marquee or close to umbrellas.
- They may only be used under awnings or canopies if the manufacturer's instructions permit it. Awnings or canopies should not impede the escape of combustion products.

- Care is needed when positioning a heater near terraces or balconies to ensure the products of combustion do not adversely affect people or property at burner level.
- Heaters should not be moved when alight.
- Heaters should be positioned in areas shielded from the wind.
- If a free-standing heater appears unstable in a high wind, the gas should be turned off at the cylinder valve, the cylinder should be disconnected and removed, and the heater moved to a position out of the wind.
- Assembly of heaters shall be carried out by a competent person in accordance with the manufacturer's instructions and the assembly shall then be tested before use to ensure it is gas-tight and operates correctly.
- The LPG cylinder to be used should be of the correct type for the heater, i.e. either propane or butane and of a size as specified in the manufacturer's instructions.

Gas appliances can be easily tampered with and pose an additional fire hazard. Therefore, the use of such appliances and their distance for adjacent outdoor providers should be carefully considered and assessed fully in your fire risk assessment and each time it is used.

It is a legal requirement to have any gas appliance, installation pipework or flue inspected at regular intervals not exceeding 12 months. This must be carried out by a [GasSafe registered commercial engineer](#) .

Portable gas appliances should also be serviced and maintained regularly in accordance with the manufacturer's instructions. In addition, they should be visually examined by a competent person periodically, including at each time that the gas cylinder is changed.

Due to the potential hazard that they present, only an authorised, competent person should carry out fuelling, lighting, and extinguishing an LPG heating appliance in accordance with the manufacturer's instructions.

The fuel used should be in accordance with the manufacturer's instructions.

Any gas supply to heating appliances should be switched off when not in use.

If a gas leak is suspected, the supply should be switched off, all ignition sources in the vicinity eliminated and the appliance not used until assessed by a competent person.

Stocks of LPG and nominally empty cylinders should be kept to a minimum. Spare gas cylinders should be stored securely, safely, and well away from the building if possible. These should not be stored in the immediate vicinity of electric meters or other sources of ignition. [Further information on the storage of gas cylinders.](#)

To mitigate the risk to relevant persons, you may need to fit additional smoke detectors in the area being used to store LPG bottles to give early warning of a fire.

Other heating appliances

Liquid fuelled appliances not referenced above, such as paraffin heaters, must not be used.

Further considerations

All furnishings, drapes, and furniture need to meet the fire standards and be flame retardant or treated. Keep in mind that dark objects absorb more heat than light objects and the raised temperature of the object can pose a health and safety hazard.

Care must be taken during windy weather conditions, as there is a risk of the appliance being blown over. Furthermore, if the appliance has a flame, this will need to be monitored and the appliance switched off if there is any abnormal burning, or the flame extinguishes.

Portable heating appliances should be allowed to cool fully before returning to storage.

Where heaters are an integral fitting, e.g. beneath large parasols, they should be turned off and allowed to cool before the parasol is closed.

Care must be taken at Christmas and times of other festivals to ensure that a space of at least twice the height of a heating appliance is kept free between the appliance itself and any combustible decorations, especially Christmas trees.

Contact Us

Should you need further information or advice:

Making your licence application: premises.licensing@manchester.gov.uk

Manchester City Council's Environmental Health Team for Health and safety matters: fsaregistration@manchester.gov.uk.

Fire Safety: mcrareaprotection@manchesterfire.gov.uk