

Committee:	Safety Committee	Agenda Item No.:	9.
Date:	22 nd February 2013	Category	
Subject:	Smoking at the Arc	Status	Open
Report by:	Health and Safety Officer		
Other Officers involved:			
Director	Chief Executive Officer		
Relevant Portfolio Holder			

RELEVANT CORPORATE AIMS

ENVIRONMENT – Promoting and enhancing a clean and sustainable environment
 REGENERATION – Developing healthy, prosperous and sustainable communities
 STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

Discouraging smoking/ prevent passive smoking.

TARGETS

None

VALUE FOR MONEY

Minimises the possibility of prosecution. No action may be the outcome. Cost of implementing relatively low. Improved image of Council. Fewer potential complaints from customers.

THE REPORT

When Chesterfield College owned the Arc site (formerly known as the Clowne Campus) they had in place a smoke free policy for the buildings and grounds and therefore staff and students would go off site to smoke. Signs were in place around the site informing staff, students and visitors of this policy.

As Bolsover District Council now own and occupy the site (with the College as tenants in some areas), it is the Council's policies that take precedence. The Council's No Smoking Policy does not prohibit smoking on any of its site but does so for buildings and asks that people smoke away from windows and doors.

Since the Council moved to the Arc, most staff have abided by instructions of the signage and smoked off site along with the students mainly congregating by the front gate. It has been noted that some staff have started to smoke within the grounds and it is anticipated that students will probably soon follow. As this continues, this may lead to problems in people smoking close to windows and doors or in 'substantially enclosed spaces' such as the bus shelter which fall under the prohibitions of the Health Act 2006 which is enforced by Environmental Health.

Due to the conflict in policies, the matter was raised by the Health and Safety Officer with the Commercial Property and Developments Manager. The matter had been discussed with the College prior to the Council's occupation and they are happy to go along with our policy.

As people are congregating around the main entrance gate to the site, it can be seen as being unsightly and perhaps not the image that the Council wish to portray particularly as the Leisure Centre should be seen as a beacon for good health. Modifications to the policy, if desired and enforced, could manage this problem.

ISSUES FOR CONSIDERATION

Whether to modify the policy.

IMPLICATIONS

Financial : Minor. Potential removal or erection of signage, appropriate waste bin
Legal : Potential breaches to the Health Act 2006 should smoking commence close to buildings or in substantial enclosed spaces. Action could be taken against the Council for not taking enough action to deter.

Human Resources : None

RECOMMENDATION

That Members consider the following options and decide the outcome:

- 1. Remain as we are**
- 2. Upgrade the Policy for a smoke free site at the Arc (perhaps with encouragement for people to smoke off site in areas away from the main entrance)**
- 3. Via consultation with the College, provide a designated area on site out of public view for staff, students and visitors to smoke. This may or may not include a shelter but ought to be signed and have an appropriate receptacle for cigarette butts etc.**

ATTACHMENT: **N**
FILE REFERENCE: ***None***
SOURCE DOCUMENT: ***None***