

Advice on Smoking Shelters

Some businesses may consider providing smoking shelters for their staff and customers to use. These structures will need to comply not only with the Smoking (Northern Ireland) Order 2006 but also planning, noise, licensing and building control legislation.

I want to provide a permanent smoking shelter for my staff and customers - what should I do?

1. Planning permission

Contact the Planning Department for their advice and the necessary forms to apply for planning approval, because in most cases any permanent structure that is built for smoking will need planning permission.

2. Building Regulations

Check to see if the shelter will need Building Regulation approval. In most cases, provided the shelter is detached and of a modest size, no Building Regulation permission will be needed.

3. Make sure it's legal!

To avoid a costly mistake, carefully check that the design of your smoking shelter will comply with the requirements of the Smoking (Northern Ireland) Order 2006.

To comply with these Regulations the smoking shelter must not be wholly enclosed, or substantially enclosed. In practice this means your smoking shelter must not have sides, including doors, windows or other fittings that can be opened or shut, that enclose more than 50% of the shelter.

An example of a smoking shelter that could comply with the Regulations 50% rule is shown in the drawings below:

