

FIRE SAFETY SEMINAR – SUMMARY OF MAIN POINTS

THE HOUSING ACT 2004

- New Housing Act 2004 – risk based assessment – replacing old 'fitness' standard.
- The Housing Health & Safety Rating system (HHSRS) is the risk assessment method.
- 'Fire' is one of the 29 hazards within HHSRS which have been identified as contributing to serious harm or ill health.
- Fire safety is now relevant to ALL housing types.
- All **new** houses, flats, studios and bedsits have fire safety measures – Building Regulations.
- New conversions or alterations of older buildings must comply with fire safety - Building Regulations.
- The Housing Act 2004 and Fire Safety Order 2005 are both aimed at ensuring EXISTING BUILDINGS which are used for residential purposes have the appropriate fire safety measures in place.

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

- Fire Safety Order came into force 1st October 2006
- Replaced 103 pieces of Fire Legislation
- Includes Common areas within HMO's, shared houses and flats
- Enforcement via the Fire Service
- The order covers general fire precautions and other fire safety duties which are needed to protect 'relevant persons' in case of fire in and around most premises.
- Relevant persons: any person lawfully on the premises or in the immediate vicinity

THE 'RESPONSIBLE PERSON' UNDER THE ORDER MUST

- Carryout a fire risk assessment of the common parts
- Take action to minimise the risk of fire
- Keep the risks and fire safety measures under review

THE 'RESPONSIBLE PERSON' IS:

- Person who has control of the premises with regards to the carrying on of a trade, business or undertaking
- Could be Landlord, or Managing Agent
- Depends on ability to "get work done"

The fire precautions to be put in place when necessary should be reasonable and practicable in the circumstances of the case.

(Article 8 -22) of the Fire Safety Order

- Risk assessment

- Elimination of risks
- Fire fighting and fire detection
- Emergency Routes and exits
- Maintenance
- Co-operation and co-ordination
- Facilities for protection of fire fighters

LANDLORD'S DUTIES

- To know and understand the minimum standards (Bedford Council's Good Practice Guide - GPG)
- To benchmark their properties against the Good Practice Guide
- To carry out a fire risk assessment and document it
- To request help and advice if it is required
- To put into place the necessary management and maintenance of the fire safety measures.

LETTING AGENTS & MANAGER'S DUTIES

- To know and understand the minimum standards (Bedford Council's Good Practice Guide - GPG)
- To benchmark their properties against the Good Practice Guide
- To carry out a fire risk assessment and document it – if you offer a full management service and have authority to do works on behalf of landlord
- To request help and advice if it is required
- To put into place the necessary management and maintenance of the fire safety measures

COUNCIL HAVE POWERS TO INSPECT PREMISES TO CHECK:

- The premises – house, flat, bedsit or room - are free from category 1 hazards (including fire hazards)
- If appropriate, take enforcement action - which could be serving an Improvement Notice, doing Works in Default, as well as prosecution.
- If conditions pose an imminent risk of serious harm to the occupiers, we have powers to take emergency action or prohibit the use of the premises.

FIRE & RESCUE SERVICE HAVE POWERS TO INSPECT PREMISES TO CHECK:

- Your fire safety measures are adequate and you are complying with the Order.
- You have carried out a Suitable & Sufficient fire risk assessment and acted upon the significant findings of that assessment.

- If you are required to record the outcome of the assessment they will expect to see a copy.

PROSECUTIONS UNDER THE FIRE SAFETY ORDER 2005

2008: HMO in Northampton - Following a fire, 'Responsible person' found guilty as they failed to:

- Provide a Suitable and Sufficient Risk Assessment;
- Plan , Organise , Control, Monitor and Review preventative and protective measures in relation to defective fire alarm system;
- Provide adequate smoke seals - (*smoke logged common areas*)

Responsible person was fined £7,000

They appealed but the appeal was quashed - further £1500 costs

2008: HMO in London - Property Manager given responsibility by his uncle of maintenance and repair, was found guilty as he failed to:

- Provide a Suitable and Sufficient Risk Assessment
- Make and give effect to appropriate fire safety arrangements
- Keep common areas clear of combustibles
- Provide a Fire Alarm, Automatic Fire Detection

Responsible person was fined £13,000

2008: HMO in London - Following a fire involving a fatality, Watchacre Properties Ltd fined £21,000 plus £9,000 costs. Failure to:

- Provide a Suitable and Sufficient Risk Assessment
- Make and give effect to appropriate fire safety arrangements
- Keep common areas clear of combustibles
- Provide working Fire Alarm, Automatic Fire Detection or adequate Fire Fighting Equipment

The Director of the company received a 4 month custodial sentence

HOW FIRE PROTECTION WORKS

- Escape route defined
- Protection of the escape route – fire resistance
- Early warning – fire alarms systems
- Making it work together
- Reducing ignition sources and combustibles
- Communication with tenants
- Management !

FIRE SAFETY GUIDANCE – FURTHER SOURCES OF INFORMATION

www.communities.gov.uk

Risk assessment guides

www.bedsfire.com

Premises fire strategy document

Small premises risk assessment

HMO risk assessment [example](#) and [template](#)

Also from Bedford Borough Council who can provide help and guidance on fire risk assessments and how use the templates.



**GET OUT
STAY OUT
CALL THE FIRE BRIGADE OUT
999
FIRE KILLS**