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# Communal Area Fire Safety Procedure

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## Document control

Version	Change	Author	Date
1.0	Original	Tim Fairhurst	September 2017

## 1. Introduction

This procedure sets out how the Council deals with fire safety in communal areas of residential property.

The procedure only applies to blocks of flats that the Council own and where it manages the communal areas

The Housing Act 2004 makes requirements regarding the condition of housing including individual flats within a block and the common parts of that block.

This procedure has been written taking into account the fire safety guidance from the Local Government Association, 'Fire Safety in Purpose Built Blocks of Flats' (May 2012) that was issued to minimise the threat of fire in blocks of flats.

The likelihood of fire is strongly influenced by social and lifestyle factors. It is these factors more than any other that result in a disproportionate number of fires, fire related accidents, injuries and death in blocks of flats.

## 2. Background Legislation and Guidance

The Council is aware of its legal obligations and will seek to deliver services in accordance with these at all times. Relevant legislation is as follows:

- Building Regulations 2010
- Housing Act 2004
- Regulatory Reform (Fire Safety) Order 2005 (FSO)
- DCLG Fire Safety in Purpose Built Blocks of Flats

There is an overlap between the Housing Act and the FSO. The Housing Act applies to the common parts and the flats themselves; common parts also fall within the scope of the FSO.

## 3. Procedure Objectives

- To considers the circumstances of the residents that live in our blocks and to assess the specific risk factors of the building
- To allows the Council to carry out its landlord obligations regarding communal areas
- To have sterile areas in enclosed communal areas whilst limiting the 'allowable items' in open communal areas
- To reduce the risk of fires in blocks of flats by controlling combustible materials
- To minimise the risk of items causing an obstruction to access or exit routes in the event of an emergency.
- To allow Housing Officers to consider fire safety and what action is required including whether estate improvements may be undertaken to assist with the storage of items in communal areas.

## 4. Procedure Implementation

As part of the Council's commitment to fire safety within communal areas, Housing Services will make sure that all communal areas are inspected on a regular basis.

In considering whether a communal area is fire safe, responsibility for undertaking regular inspections rests with the Housing Officer. Taking account of the Fire Risk Assessment, the

Housing Officer will decide what action if any is required to manage communal area safety. For example, this could include:

- New / additional fire safety signage
- Block letters reminding residents of their obligations
- Removal of combustible / non-allowable items
- Referral to the H&S Team

Alongside regular inspections, any visiting Council staff and / or contractor is responsible for identifying and reporting blocks where personal items are stored / displayed in communal areas.

#### **4.1 Enclosed Communal Areas**

To minimise the risk of trip hazards which in the event of a fire could impact on evacuation these areas must be sterile – no items are to be stored / left in the communal areas.

Combustible items will be removed without notice. Such items include:

- Mobility Scooters
- Washing Machines / tumble dryers and other white goods

Non-combustible items will be issued with a 24-hour removal notice enabling the resident to make alternative storage arrangements. Such items include:

- Bicycles
- Door mats
- Children's toys and play furniture
- Clothes / dryers
- Pictures
- Plants
- Pushchairs / Buggies / children's car seats
- Refuse bags
- Wooden furniture / upholstered seating
- Shopping Trolleys
- Shoes (**NB:** there may be a cultural issue to consider - seek guidance from the Health & Safety Team if in any doubt)

#### **4.2 Open Communal Areas**

Where communal areas open to outside elements the council will permit 'allowable items' to be left / stored in the communal area: 'Allowable items' refers to the following items only:

- A doormat outside an individual property front door
- Real (natural) plants in non-combustible containers that do not restrict an escape route (minimum 1 metre width)

The Council reserves the right to remove any other items left / disposed of in communal areas without limitation should they be causing a fire risk or be blocking access / exit routes.

#### **4.3 Window and Front Door Gates / Grilles**

Based on guidance GN11 from the Enforcement Authority, the London Fire Brigade, the council does not permit residents to install window and / or front door gates / grilles across individual property front doors. Such installations are a breach of tenancy and leasehold

conditions and are considered to be a potential risk to residents safety - sometimes it is necessary for fire-fighters to gain access into premises in an emergency and a security gate / grille can add significantly to the time that this takes, resulting in unacceptable danger to both life and property.

Where installed, a request will be made for removal within a given timescale, failing which the matter will be referred for court action.

#### **4.4 Storage Areas**

Many blocks and estates have storage areas for rent including sheds, garages and bike stores. Residents should be sign-posted to their Area Housing Team to enquire about renting a storage facility.

Storage areas on main protected fire escape routes will be decommissioned. Such sites will be identified in the Fire Risk Assessment.

#### **4.5 Recharging**

Where the council incurs direct or indirect costs as a result of any actions relating to managing fire safety in communal areas, including removal of stored / disposed items or door grilles, these costs will be recharged to the resident(s) responsible.

If permission was historically granted for a door gate / grille to be installed or was in situ when the current resident took up occupation then no recharge will be made in relation to its removal unless the resident refuses to adhere to the request and legal action has to be taken.

#### **4.6 Communication**

As well as publicising the procedure on the Council's website, notices will be put in communal areas informing residents of the communal area fire safety procedure.

### **5. Equality Impact Assessment**

The procedure has been adopted to deal with fire safety in the communal areas of all Housing Services residential property and treats all residents the same with regard to items being left which would cause an obstruction / fire risk.

Where there are individual cases concerning residents who have disabilities or what they perceive to be exceptional circumstances, the Housing Officer is expected to seek guidance from the Health & Safety Team and any support agencies involved with the resident to consider what action needs to be taken.

### **6. Monitoring**

This procedure will be reviewed at least every two years or as and when there are changes to any legislation and national policy governing this area of work.