



SOUTHEND-ON-SEA BOROUGH COUNCIL

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ADULT & COMMUNITY SERVICES DEPARTMENT PRIVATE SECTOR HOUSING

FIRE PRECAUTIONS IN HMOS COMPRISING SHARED FLATS AND HOUSES IN BUILDINGS OF 2 OR LESS STOREYS

TEMPORARY 2007 POLICY

This information is to assist landlords of smaller multiply occupied properties shared by 3 or more non related people.

Basic fire precautionary requirements will always include at the least the following (for full detail see following pages):

- **Smoke detection** and alarm shall be provided by **BS 5446 (Part 1) self-contained mains operated smoke alarms**. At least **one alarm** is required **per floor suitably positioned in circulation areas** and **suitably interconnected**.
- There shall be a suitable **heat detector linked in with the above in any shared kitchen**.
- A suitable **fire blanket** shall be provided **within any shared kitchen**.
- Any shared **kitchen door opening onto the escape hallway should be half hour fire resisting**.
- **All other rooms opening onto the escape route hallway(s) should have close fitting internal doors**.
- **Any kitchen or living room doors opening onto the escape hallway should be made suitably self-closing**. (Rising butts, coiled gate springs are unacceptable).

NB It is quite possible that **more extensive fire precautions may be required later** in many cases following the proposed development later this year of a national standard.

**TEMPORARY 2007 POLICY FOR FIRE PRECAUTIONS IN HMOS
COMPRISING SHARED FLATS AND HOUSES IN BUILDINGS OF 2 OR
LESS STOREYS**

General Points:

1. This temporary policy standard takes into account the requirements of the Health and Safety Rating System (HHSRS) introduced in July 2006 under the Housing Act 2004.
2. It does not ensure full compliance with the current Building Regulations.
3. New national standards are expected to be set by mid 2007 which will then have to be taken into account in any requirements.
4. The detailed requirement in any case can only now be determined after consultation by the Council's Private Sector Housing Service with the Fire Prevention Officer of the Essex County Fire & Rescue Service on a case by case basis.
5. The Council's Private Sector Housing Service carries out a programme of risk assessed and prioritised full inspections. Unfortunately, during the initial period of introduction of HMO Licensing (for 3 storey, 5 person houses or flats in multiple occupation (HMOs)), the Service is unlikely to have sufficient resources to be able to offer advance specific goodwill advice with respect to smaller properties. (However, general telephone advice is always available from the HMO Team on 215818 with regard to any property defined as an HMO).

General Principles:

- The first objective is to ensure that there is no significant fire safety hazard under the HHSRS. The Council has a duty to act where it has assessed a category 1 hazard.
- A safe means of escape exists when any occupier can, unaided, leave the building safely. This is normally achieved in any accommodation with shared entrances by ensuring that the escape route is protected such that fire cannot enter it within 30 minutes while minimising the amount of smoke entering it in the event of a fire within the accommodation. However, in guidance issued by the Department of the Environment Transport and the Regions (DETR) in 1999 it was stated that research had found that the risk of death from fire in two storey shared houses accommodating less than 6 persons, in certain circumstances, was the same as in a comparable single occupied dwelling.

- As such, the DETR (now the DCLG, the Department of Communities and Local Government) no longer considered it appropriate to insist on a protected stairway in all such accommodation. Specified mains powered smoke alarms may be sufficient for smaller well maintained houses provided that less than 6 occupants are present and none are vulnerable, all habitable rooms have a suitable available egress by window or door to a safe place, the property is not let as bedsits, no habitable room can only be accessed through another room, all rooms have close fitting doors and there are no other adverse risk factors. (NB. For the meaning of “vulnerable” and “safe place”, please see the glossary at the end of this document).
- This can rarely be said to be the case, but this Council accepts that this may apply to some suitably managed shared accommodation managed.
- This does not, however, remove the need to consider each property on a case by case basis.
- Therefore, the following standards are subject to consultation with the Essex County Fire & Rescue Service on a case by case basis.
- The Fire Service has agreed that the standards may alternatively be met by the installation of full sprinkler systems either alone or in combination with other measures.

A. Fire Precautions in Houses and Flats and Maisonettes in Buildings of Non-Licensable HMOs Where the Fire Service Agree a Lighter Touch May be Applied

The following reduced standard may apply in any case where there is clear agreed evidence of a substantially lower risk. However, any such reduction in standard would be subject to consultation with the Fire Service on a case by case basis.

- **Smoke detection** and alarm shall be provided by **BS 5446 (Part 1) self-contained mains operated smoke alarms permanently wired** into a separately fused and wired circuit **at the consumer unit**. At least **one alarm** is required **per floor suitably positioned in circulation areas** according to manufacturers' recommendations and **suitably interconnected**. The design and location of alarms should be such as to provide an alarm clearly audible in all rooms and sufficient to wake any person sleeping normally within a bedroom.
- Smoke alarms should be subject to a minimum yearly maintenance check by the managing agent or before the start of any new tenancy whichever is the sooner.
- There shall be a suitable **heat detector linked in with the above in any shared kitchen**.
- A suitable **fire blanket** shall be provided **within any shared kitchen**.
- Any shared **kitchen door opening onto the escape hallway should be half hour fire resisting**. Such doors are normally obvious "fire doors" of solid construction. They do not include normal house entrance doors or doors with areas of unprotected glazing or normal internal doors of lightweight construction. Where in doubt, advice should be sought from the Fire Prevention Officer.
- **All other rooms opening onto the escape route hallway(s) should have close fitting internal doors**.
- **Any kitchen or living room doors opening onto the escape hallway should be made suitably self-closing**. (Rising butts, coiled gate springs are unacceptable).
- Open plan type arrangements whereby bedrooms open onto a lounge or kitchen without structural protection are unlikely to be suitable without alterations.
- The use of portable fires with unprotected naked flames or radiant bars is prohibited.
- No polystyrene ceiling tiles should be accepted within any escape hallway.

- Risk within the escape hallway itself should be minimised by ensuring that it is free of: portable heaters, heaters with unprotected naked flames or radiant bars, cooking appliances, upholstered furniture, wardrobes or other storage furniture, coat racks, storage other than in fire protected cupboards, gas meters not in fire protected enclosures other than those confirmed to have been installed in accordance with Gas Safety Regulations.
- To minimise flame spread in the event of fire, the use of non-flame resistant material such as heavy flock wallpaper and lightweight timber cladding should be avoided in any escape hallway. (Vinyl and paper coverings would be acceptable).
- All furnishings should be in good condition and conform to the Furniture and Furnishings (Fire Safety) Regulations 1988. (Relevant advice booklets are available through the Council's Trading Standards Service).
- Adequate normal lighting should be provided along all parts of the escape route.
- Openable windows for escape are a matter now included recently in the Building Regulations for the first time. As such this will only apply to new build and new conversions. The position with existing accommodation remains that where such escape windows do not currently exist, the Fire Service will nevertheless be able to gain entry for the purposes of rescue within an adequate period. Should the Fire Service make representations to the contrary, this part of the standard may in time change. For the moment, it is **recommended** that any living room or bedroom in an upper floor or such a room without an external door in a basement should have (for emergency egress) at least one window with an unobstructed openable area of at least 0.33 sq m which is at least 450mm high and 450 wide with the bottom of that area being no more than 1100 mm above the floor.

B. General Additional Fire Precaution Requirements in Houses and Flats and Maisonettes in Non-Licensable HMOs Where the Fire Service Do Not Agree That a Lighter Touch May be Applied

The following **requirements additional to those in A above** will vary with the nature of the HMO and may include the following, subject to consultation with the Fire Service in each case:

- **All items as indicated above and, in addition:**
- **A protected hallway leading from each flat entrance door to an external exit formed by either solid walls or plasterboard or other half hour fire resisting board on any stud partition forming the wall. This enclosure of the hallway should also include the underdrawing (or soffit) to the staircase to any upper floor.**

- **All doors opening onto the escape hallway should be half hour fire resisting.**
- **Smoke control to doors** should be by way of flexible edge **smoke seals**.
- **All glazing in doors or walls enclosing the escape hallway should be of wired glass.**
- **Adequate normal lighting should be provided along all parts of the escape route with each switch on any staircase used in common by more than one household operating the entire staircase lighting.**

GLOSSARY

To assist with interpretation of the above standards, the following terms are defined. For any further clarification, please contact the HMO Team on 215818.

“Vulnerable” occupants were defined by the DETR (now DCLG) as “elderly (over 60), children (under 10), mentally or physically impaired, mentally ill or depressed, persons under medication and known substance abusers (alcoholics or drug users)”.

By a *“safe place”* for egress to in the event of a fire, it is thought that the DETR (now DCLG) meant a place generally outside of the building in a position away from the effects of any fire.

“Suitable egress by window or door from a habitable room to a safe place” – The DETR (now DCLG) are thought to have had in mind a large enough suitably positioned opening to allow, in the event of being trapped by a fire, the rescue of an occupier by the Fire Service, rather than any attempts at self rescue which in themselves might present the risk of injury from falls.

“Escape route” or *“escape hallway”* – In a house, this is the main staircase enclosure and all hallways opening off of it. In a flat, this includes any inner hallway within the individual flat in addition to the main entrance hallway common to a number of flats.

Large Print Versions

If you are having difficulties reading this document and would like a large print version, please contact Ms Adams, the Private Sector Housing Support Officer, on 01702 215815. She will arrange for a large print version (In Arial 16 or larger should you specifically request) to be sent to you.