

COMMUNAL AREA FIRE SAFETY PROCEDURE

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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
- Fire Safety England Regulations 2022

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 consider the circumstances of the residents that live in our blocks and to assess the specific risk factors of the building
- To allow the Council to carry out its landlord obligations regarding communal areas
- To have unobstructed 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 areas 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 unobstructed– 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

Other 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 Fire Safety Team if in any doubt)

4.2 Open Communal Areas

In order to continue maintaining a zero tolerance policy towards breaches of fire safety and for the safety of the residents, all communal areas that are enclosed or opened and forms part of the means of escape must be maintained unobstructed and no items whatsoever must be left in the communal areas. This is to remove all fire and trip hazards; maintain consistency in our approach to potential fire safety risks to our residents' well-being.

The reason why we have taken a zero tolerance approach towards not having items in the communal spaces of residential corridors and landings, is the fact that the addition of other combustible materials into the communal area would not meet the appropriate level of fire rating as that of the walling compartments, items could also present a trip hazard, and items in communal areas could hinder emergency evacuation and obstruct disabled refuge points in the case of an fire incident.

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

4.2.1 For commercial communal entrance areas, mats can be installed providing that they meet BS EN13501 at a class A1-A2 as materials with class 'A' present a zero combustibility or very limited combustibility and would meet the fire rating of the walling structure.

Commercial properties are also better equipped with a higher level of active and passive fire protection measures and most sites may have additional manned security and or facilities management personnel.

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 windows or front doors. Such installations are a breach of tenancy and leasehold conditions and are considered to be a potential risk to residents safety as 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 there are residents involved in safeguarding/security cases and the door is not secured by design, the door must be replaced with a new fire rated security door by design; then the case must be referred to the London Metropolitan police for further proactive safeguarding measures to assist the resident.

Dependent on the advice from the London Met we would need to meet the information sharing requirements of the Crime and Disorder act 1998 and in this case the LFB Station Commissioner must be made aware of any additional barriers or additional security compartment alterations to the entrance doors, this however does not constitute to the installation of grilles.

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 Smoking

The Health Act 2006, smoking is strictly prohibited in all enclosed and substantially enclosed communal areas, including corridors, stairwells, lifts, and shared spaces. Residents must ensure compliance in communal areas. No smoking signs will be displayed, and violations should be reported to your housing officer. Enforcement may result in fines or tenancy action. Support is available for smokers seeking to quit via NHS Smokefree and other resources.

4.6 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 written 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.

4.7 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 Fire 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.