

## PS8, PS12 & PS13 Fire

### Further Reading Handout

This is not an exhaustive coverage of the subject, but just a reminder of some of the issues covered in the talks, to help as a mental checklist.

Legislation, guidance and online information is frequently updated, so links quickly become obsolete or broken. We recommend that you check and update these at regular intervals – as the general topics do not change, you may find that searching using the words in the topic headings may bring up new links. **Do NOT take any action based on these notes until you have checked and confirmed the current state and content of the legislation, guidance and local practice.**

### 1. Housing Health and Safety Rating System

#### 1) ALL PROPERTIES:-

##### 1. HHSRS is applicable

[The operating guidance dated 2006](#), is under section 9 Housing Act 2004

**FIRE** is considered under [Category 24 FIRE and Category 25 Flames and Hot surfaces](#).

##### 2. [The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)

To have at least one smoke alarm installed on every storey\* of their properties and a carbon monoxide alarm in any room containing a solid fuel burning appliance, (e.g. a coal fire, wood burning stove) both in working order on the day the tenancy begins. \*Includes floors with only a hallway

- [Proposed amendments due in 2022](#)

The type of detectors that will be required in the future for each type of tenancy discussed in the talk are governed by BS 5839-6: 2019 – Unfortunately, details of the BS are only discussed on specific commercial sites (the British Standard itself is not free), but it is likely that the requirements will be laid out in more detail on Exeter City Council's website in the future.

##### 3. Flats and HMOS

Means of Escape and other fire precautions

Depending on whether a property is let as HMO on a single let, a HMO with separate tenancies or a flat in a building different guidance and requirements apply

- a) In situations where there are 2 or more sets of domestic premises, i.e. Flats or HMOs let on separate tenancies, a **Fire risk assessment** must be carried out under [The Regulatory Reform - \(Fire Safety Order 2005\)](#).

##### 4. Guidance documents

- a) [Housing – Fire Safety Guidance](#) on fire safety provisions for certain types of existing housing (LACORS):

- b) [Principles for effective regulation of fire safety in purpose-built blocks of flats](#): New Guidance to reflect the Fire Safety Act 2021 for properties over 11 meters in height which are not Local Authority owned and managed. This appears to replace the previous guidance dated May 2012 issued by the Local Government Association.
- c) [Fire safety risk assessment: sleeping accommodation \(Fire Risk Assessments\)](#):
- d) [Building Regulations Approved Document B \(2019 edition\) and 2020 amendments](#):
- e) [On Gov.uk all fire safety guidance for inside and outside the home](#):
- f) [Fire Safety Guidance for Business](#)

**5. THE FIRE SAFETY ACT 2021 - 29 April 2021 came into force**, but section 2 “power to change premises to which the Fire Safety Order applies” awaits Secretary of State Regulations; - this does not appear to have happened yet (April 2022)

“(1A) Where a building contains two or more sets of domestic premises, the things to which this order applies include— (a) the building’s structure and external walls and any common parts; (b) all doors between the domestic premises and common parts (so far as not falling within sub-paragraph (a)).

(1B) The reference to external walls includes— (a) doors or windows in those walls, and (b) anything attached to the exterior of those walls (including balconies)

*Since the scope and scrutiny of fire safety obligations have been increased, the Responsible Person needs to review and update the risk assessment processes accordingly. Once the risk assessment processes are published, the Responsible Person should apply the risk-based guidance (under Section 3 of the Act) in order to comply with their duties in Part 2 of the Regulatory Reform (Fire Safety) Order 2005 FSO).*

6. [Government addendum dated 5 July 2021](#)

7. [Check your fire safety responsibilities under the Fire Safety Order](#)

8. [Fire Doors](#)

The Advice for Building Owners on assurance and assessment of flat entrance fire doors issued by the government 2020 has been withdrawn in January 2022. The general advice following investigation into fire doors still stands.

**9. Terminology within Fire Documents**

Each piece of legislation may have reference to definitions within the specific Act and Guidance to a glossary of terms. Here are two examples that give a good overview and understanding of those terms that would be needed to understand provision of fire precautions and fire safety.

a) [Appendix A of the Building Regulation Approved B Document – key terms](#)

b) [LACoRS glossary](#)

**10. [The Furniture and Furnishings \(Fire\) \(Safety\) Regulations 1988](#)** (amended [1989](#), [1993](#) and [2010](#))

These Regulations apply to any item of furniture, indoors and garden furniture which may be used indoors, that you supply in the property when renting. They are under review at the moment with anticipated new regulations due end of 2022.

- [consultation on updating the Furniture and Furnishings](#)
- [New Approach – Fira.co.uk](#)
- There are six main elements contained within the Regulations as given by Furniture Industry Research Association):
  1. Filling materials must meet specified ignition requirements
  2. Upholstery composites must be cigarette resistant
  3. Covers must be match resistant (with certain exceptions as outlined in Section 8.2 and Appendix A5 of the guide)
  4. A permanent label must be fitted to every item of new furniture (with the exception of mattresses and bed-bases)
  5. A display label must be fitted to every item of new furniture at the point of sale (with the exception of mattresses, bed-bases, pillows, scatter cushions, seat pads, loose covers sold separately from the furniture and stretch covers)
  6. The first supplier of domestic upholstered furniture in the UK must maintain records for five years to prove compliance.

The [guide to the Fira.co.uk regulations](#), an old document but still applicable until the new regulations are in place.