

SHEFFIELD CITY COUNCIL



Individual Cabinet Member Report

Report of: Executive Director, Communities

Report to: Cabinet Member for Homes & Neighbourhoods

Date: 17th March 2015

Subject: Policy for the management of fire escape routes in communal parts of flats and maisonettes

Author of Report: Mark Beeley

Key Decision: NO

Summary:

The report recommends the adoption of a policy for the management of fire escape routes (including landings and stairwells) in communal parts of all flats and maisonettes.

The Council has obligations under the Regulatory Reform (Fire Safety) Order 2005 (RRFSO). A policy is desirable to ensure that these obligations are complied with. Another factor to be considered is the increasing storage of mobility scooters in communal parts of flats and maisonettes and the impact of this on Sheffield City Council to discharge and manage its duties.

The policy is supported by the "Fire safety in your property" leaflet for tenants which clear guidance on the approach of Sheffield City Council in managing the fire escape routes and communal areas in all flats and maisonettes.

Reasons for Recommendations:

A clear policy statement on the management of fire escape routes in communal parts of all blocks of flats and maisonettes ensures a consistent process is applied throughout the city and provides guidance on managing and maintaining a safe means of escape in the event of a fire.

Recommendations:

It is recommended that the Cabinet Member:

- Approves the policy document for “Managing Fire Escape Routes in communal parts of Flats and Maisonettes” attached as an appendix to this report.
 - Authorises the Interim Director of Housing and Neighbourhood Services to take the steps described in to the report to implement the policy and to develop a procedure for the management of mobility scooters within Council flats and maisonettes
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Background Papers:

- Appendix A: “Fire Safety in your property” leaflet
 - Appendix B: Policy document “Managing Fire Escape Routes in communal parts of Flats and Maisonettes”
 - Appendix C: Equality Impact Assessment
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Category of Report: OPEN

If CLOSED add ‘Not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended).’

Financial Implications
YES/NO Cleared by:
Legal Implications
YES/NO Cleared by: Andrea Simpson
Equality of Opportunity Implications
YES/NO Cleared by: Louise Nunn
Tackling Health Inequalities Implications
YES/NO
Human Rights Implications
YES/NO
Environmental and Sustainability implications
YES/NO
Economic Impact
YES/NO
Community Safety Implications
YES/NO
Human Resources Implications
YES/NO
Property Implications
YES/NO
Area(s) Affected
Relevant Cabinet Portfolio Lead
Relevant Scrutiny Committee
Is the item a matter which is reserved for approval by the City Council?
YES/NO
Press Release
YES/NO

REPORT TO THE: Cabinet Member for Homes & Neighbourhoods

REPORT TITLE: Policy for managing fire escape routes in communal parts of flats and maisonettes.

1. SUMMARY

1.1 The report recommends the adoption of a policy for the management of fire escape routes (including landings and stairwells) in communal parts of all flats and maisonettes.

1.2 The Council has obligations under the Regulatory Reform (Fire Safety) Order 2005 (RRFSO). A policy is desirable to ensure that these obligations are complied with. Another factor to be considered is the increasing storage of mobility scooters in communal parts of flats and maisonettes and the impact of this on Sheffield City Council to discharge and manage its duties.

1.3 The policy is supported by the "Fire safety in your property" leaflet for tenants which provides clear guidance on the approach of Sheffield City Council in managing the fire escape routes and communal areas in all flats and maisonettes. The fire safety leaflet is attached to this report as Appendix A.

2. WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE

2.1 The Council will have a policy which helps to ensure the safety and wellbeing of all occupants and visitors to affected properties (flats and maisonettes).

3. OUTCOME AND SUSTAINABILITY

3.1 The policy and supporting procedures will assist in ensuring the Council's corporate plan outcomes of Safe and Secure Communities, Better Health and Wellbeing and a Great Place to Live.

4. MAIN BODY OF THE REPORT

Introduction

4.1 The proposed policy, attached to this report as Appendix B, sets out the Council's approach in managing fire escape routes including stairwells and landings in communal areas in blocks of flats and maisonettes.

4.2 In order to manage the condition and standards of fire escape routes in communal areas particularly in blocks of flats and maisonettes Health and Safety Block inspections and Fire Risk Assessments are regularly carried out.

Health and Safety Block Inspections

4.3 Inspections are carried out by the responsible Area Housing Management team on a regular 6, 13 or 26 week cycle determined by the level of risk associated with a particular block.

4.4 High risk blocks are inspected every 6 weeks whereas low risk blocks will be inspected every 26 weeks for example.

4.5 These block inspections will identify and address maintenance issues which will be ordered through the Repairs and Maintenance Service.

4.6 Inspections will also highlight other risks e.g. items such as white goods, furniture, rubbish which will be dealt with in line with the established processes in place.

4.7 Inspections will also monitor and highlight issues where other prohibited items are being kept in communal areas such as mobility scooters, bikes, curtains, carpets, chairs, tables and other items which are not deemed abandoned but are prohibited as they are considered a trip or fire safety hazard.

Fire Risk Assessments

4.8 Fire Risk Assessments will be undertaken every 3 years for all low rise block of flats and maisonettes or if a fire occurs or the building has any improvement works carried out.

4.9 Fire risk assessments are undertaken by the Council Housing Service's Health and Safety Fire Risk team and any outcomes will be managed by the responsible Area Housing Management Team in co-operation with other responsible departments such as Repairs and Maintenance.

"Managed Use" Approach

4.10 The Local Government Association (LGA) has issued guidance on "Fire safety in purpose-built blocks of flats". The guidance identifies two approaches in complying with fire safety legislation:

- "managed use"
- "zero tolerance"

4.11 The policy proposes that the "managed use" approach is adopted in order to provide options for tenants and leaseholders. This is consistent with existing procedures. The approach provides the maximum flexibility by allowing "permissible" items to be stored in communal areas.

4.12 A "zero tolerance approach" would prevent any items from being allowed in communal areas at all. Instead these areas would be classed as "sterile" areas.

“Stay Put”

4.13 The Council Housing Service operates a stay put approach in flats and maisonettes where fire safety works identified by fire risk assessments has been satisfactorily carried out.

4.14 Fire safety work is currently being carried out to approximately 17000 properties and communal areas as part of the fire safety project which started in 2013 and is due to complete work by 2017.

4.15 The stay put approach is that occupants of flats and maisonettes are advised to remain in their property in the event of a fire in the communal area or an adjacent property. This is because remedial works have been carried out to ensure where practical that properties are protected for one hour from the effects of smoke and fire. However occupants are advised to evacuate the building if it is safe and necessary to do so and to alert the fire service, i.e. there is a fire in their particular property.

4.16 The requirement to ensure that communal parts of flats and maisonettes are kept free from prohibited items is essential to ensure occupants can leave the building safely. This is because prohibited items can be the direct cause of a fire, such as the charging of electrical items or use of curtains or can cause health and safety and trip hazards, i.e. trailing cables, loose carpets.

Mobility Scooters

4.17 Mobility scooters can bring value to the lives of some residents, especially where, for reasons of disability or issues with mobility, a scooter may help to support independent living.

4.18 However the storage and charging of scooters in the escape routes from blocks and in communal areas that are not designated for storage can create fire risks such as obstruction of escape routes, trip hazards associated with trailing cables used for charging purposes and increased fire loading on egress routes. In line with the LGA guidance these are risks that need to be managed as part of the approach to fire safety.

4.19 Due to these issues a procedure is required setting out the circumstances in which permission may be granted for residents to keep scooters.

4.20 The aim is to ensure that the individual needs of those residents who use a mobility scooter to maintain independence are met where possible, whilst continuing to maintain a safe environment within the Council’s blocks of flats, maisonettes and sheltered schemes.

5. FINANCIAL IMPLICATIONS

5.1 The policy does not have any additional financial implications to Sheffield City Council and existing costs are already budgeted for within the existing Housing Revenue Account Business plan.

6. LEGAL IMPLICATIONS

6.1 The Regulatory Reform (Fire Safety) Order 2005 imposes a number of duties on the Council as landlord in respect of the communal areas of blocks of flats and maisonettes. As the “responsible person” the Council must:

- take general fire precautions to ensure that the premises are safe;
- make a risk assessment in order to identify the general fire precautions needed;
- ensure that routes to emergency exits from premises and the exits themselves are kept clear at all times;

6.2 The general fire precautions amount to “preventative and protective measures” which must be implemented on the basis of the principles of protection set out in the Order. So far as are relevant these are:

- avoiding risks;
- evaluating the risks which cannot be avoided;
- combating the risks at source;
- adapting to technical progress;
- replacing the dangerous by the non-dangerous or less dangerous;
- developing a coherent overall prevention policy

6.3 Adopting a Policy for Managing Fires Escape Routes in communal parts of Flats and Maisonettes assists the Council in complying with its duties under the Order.

6.4 The Order may be enforced by the fire and rescue authority. Failure to comply with an enforcement notice served by the enforcing authority, or a failure to comply with the requirements of the Order which places one or more persons at risk of death or serious injury in case of fire, is a criminal offence.

7. EQUALITY IMPLICATIONS

7.1 An Equality Impact Assessment has been completed and is attached to this report as Appendix C. The policy will have a positive impact on all tenants and leaseholders in all blocks of flats and maisonettes. It will ensure that all fire escape routes in communal parts of blocks and maisonettes are free from prohibited items which are considered a trip or health and safety hazard. As such this will improve the overall health and well-being of all occupants and visitors and greatly reduce the

risks associated with fire and smoke in communal parts of flats and maisonettes in the city.

7.2 A potential negative impact of this is to existing owners of mobility scooters who will be affected by this policy where their scooters cannot be stored within the existing communal areas and/or where batteries cannot be removed for charging purposes. Existing owners have been assessed and a process is being developed to minimise this impact by accommodating existing arrangements where possible (within the limits of any discretion permitted by the policy) and providing alternative options where this is not possible such as external storage or rehousing, or as a last resort taking action in accordance with the tenancy conditions. Future owners will be advised of the mobility scooter procedure in order to help ensure that they can make informed choices on the type and size of mobility scooter that can be accommodated and comply with the policy.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 The Council could have chosen to comply with its statutory duties by adopting a zero tolerance approach which would prevent any items from being kept in communal areas at all. This option is not consistent with the approach already in practice and would be unpopular with residents.

9. REASONS FOR RECOMMENDATIONS

9.1 A clear policy statement on the management of fire escape routes in communal parts of all blocks of flats and maisonettes will ensure that a consistent process is applied throughout the city and provide guidance on managing and maintaining a safe means of escape in the event of a fire.

10. RECOMMENDATIONS

10.1 It is recommended that the Cabinet Member:

- Approve the Policy for Managing Fire Escape Routes in communal parts of Flats and Maisonettes attached as an appendix to this report
- Authorise the Interim Director of Housing and Neighbourhoods Service to take the necessary steps to implement the policy and to develop a procedure for the management of mobility scooters within Council flats and maisonettes.

Author: Mark Beeley

Job Title: Investment Manager, Council Housing Service

Date: 23rd January 2015

Appendix C

Policy for Managing Fire Escape Routes in communal parts of Flats and Maisonettes

Introduction

This policy sets out the approach to the management of fire escape routes including landings and stairwells in communal parts of blocks of flats and maisonettes owned by Sheffield City Council to ensure that the Council fulfils its legislative requirements under the Regulatory Reform Order (Fire Safety) 2005, whilst providing safe communal environments for its residents.

Policy Statement

All fire escape routes, including communal landings and stairwells, in blocks of flats and maisonettes are free of prohibited tripping or fire hazards

Policy Objectives

The objective of the policy is to ensure that all residents, visitors, Council employees, agents and contractors, and members of the public are protected from the effects of smoke and fire through effective management of fire escape routes within blocks of flats and maisonettes. This will be achieved by:

- preventing fires starting by ensuring potential sources of ignition are identified and risk mitigated;
- preventing fires and smoke spreading by ensuring combustible materials do not accumulate in communal parts of blocks of flats and maisonettes;
- providing and maintaining safe fire escape routes in communal areas of blocks of flats and maisonettes by ensuring they are free from prohibited tripping or fire hazards;
- providing clear advice and guidance on what are deemed good, acceptable and not acceptable standards for communal areas including fire escape routes;
- providing fire safety advice.

Managed Use Approach

This policy promotes a “managed use” approach to fire safety. It is underpinned by processes, described below, which combine to ensure that the policy is implemented, managed and monitored consistently across all the Council’s blocks of flats and maisonettes.

Health and Safety Block Inspections.

All fire escape routes including landings and stairwells will be inspected as part of the block inspections on a 6, 13 or 26 week cycle. This is dependent on risk assessments carried out by the Housing Management Areas.

Inspections will be carried out and outcomes monitored and managed by the responsible Area Housing Team.

These inspections ensure that communal areas are kept in a good state of repair and deal with items which prevent a risk or hazard as well any identified prohibited items considered to present a tripping or fire hazard. These may include, but are not limited to, plants, bicycles, pushchairs, mobility scooters, furniture, loose carpets or curtains.

Fire Risk Assessments.

Fire risk assessments, as required under the Regulatory Reform Order (Fire Safety) 2005, will be undertaken every 3 years for all low rise block of flats and maisonettes or if a fire occurs or the building has any improvement works carried out. .

Fire Risk Assessments are undertaken by the health and safety fire risk team and any outcomes will be managed by the responsible Area Housing Management Team in co-operation with responsible departments, i.e. repairs and maintenance, asset management.

“Fire safety in your property” leaflet

This provides guidance and advice to tenants on the approach of Sheffield City Council in managing the fire escape routes and communal areas in all flats and maisonettes including information on the items that may be placed, kept and stored there.

Mobility Scooter Procedure.

The mobility scooter procedure sets out the approach to the management of mobility scooters in the Council’s flats and maisonettes.

This “managed approach” provides a range of options in relation to the storage and charging of mobility scooters but does not permit the charging of mobility scooters in communal parts or permit storage on fire escape routes in of blocks of flats and maisonettes