

Report to the Housing Scrutiny Panel



SCRUTINY



Portfolio: Housing – Cllr D. Stallan

Subject: Fire Safety in Common Parts of Flat Blocks

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Committee Secretary: Mark Jenkins (01992 56 4607)

Recommendations/Decisions Required:

- 1. That the Council notes the petition received from 84 residents of Torrington Drive;**
- 2. That the Council continues to enforce the removal of personal belongings and any other items stored in common parts of flats, with the exception of the following concessions as put forward by the Workplace Fire Safety Officer of the Essex Fire and Rescue Service:**
 - a. Pictures hung on the wall, provided that they do not contain glass in the frame.**
 - b. Mats placed outside front doors, provided that these are rubber backed (non-slip) and have a chamfered edge all around.**
 - c. Curtains at windows that are flame retardant**
 - d. Non-flammable items which are aesthetically pleasing (eg plant pots) stored in recesses away from any means of escape routes, and not on window cills.**
- 3. That letters be sent to all tenants and leaseholders in the blocks advising them of these concessions.**

Background

Legislation - The Regulatory Reform (Fire Safety) Order 2005

- 1. The Regulatory Reform (Fire Safety) Order 2005 was introduced in October 2006 by HM Government, which put the onus on people who have some level of control in premises to take reasonable steps to reduce the risk from fire and make sure people can safely escape if there is a fire. The order applies to virtually all premises and covers nearly every type of building, structure and open space including the shared areas of properties several households live in. It does not apply to people's private homes, including individual flats in a block or house.**
- 2. In order to comply with the Order, the Council are required to:**
 - carry out a fire-risk assessment of each block of flats identifying any possible dangers and risks;**
 - consider who may be especially at risk;**
 - get rid of or reduce the risk from fire as far as is reasonably possible and provide general fire precautions to deal with any possible risk left;**
 - take other measures to make sure there is protection if flammable or explosive materials are used or stored;**
 - create a plan to deal with any emergency; and**
 - review the findings when necessary.**

3. In response to this, the Council appointed a specialist company to undertake fire risk assessments of the complex blocks (annually) such as sheltered accommodation and the Council's hostel, and following staff training, the Council's Repairs Inspectors undertake fire risk assessments of the common areas to flat blocks (tri-annually). Fire Risk Assessments exist for all of our buildings which fall into the legislation, and are next due for review in April 2010.
4. The risk assessments, as far as is reasonably practical, make sure that everyone on the premises, or nearby, can escape safely if there is a fire. They also consider everyone who might be on the premises, whether they are visitors or members of the public. They pay particular attention to people who may have a disability or anyone who may need special help.

Building Regulations

5. Approved Document B of the Building Regulations paragraph 2.34 states that "*Common stairs need to have a satisfactory standard of fire protection if they are to fulfill their role as areas of relative safety during a fire evacuation*". Paragraph 2.40 states that "*A protected stairway needs to be relatively free of potential sources of fire. Consequently, it should not be used for anything else, except a lift well or electricity meters.*" Whilst the Building Regulations are not retrospective, they are expected to be used as a benchmark when undertaking fire risk assessments in accordance with the Regulatory Reform (Fire Safety) Order 2005.

Follow-up to Fire at Lakanal House in Camberwell, London

6. On 3 July 2009 at Lakanal House in Camberwell, London, 6 people lost their lives as a result of a fire. Shortly afterwards, the Housing Minister John Healey wrote to Local Authorities and Registered Social Landlords asking them to offer some reassurance to tenants, including practical measures that they could take to protect themselves from fire.
7. As a result of this request, the Housing Portfolio Holder reported at Full Council in July 2009, that in conjunction with the Essex Fire and Rescue Service, the Council had issued an information leaflet for tenants on fire safety, which was delivered to every Council property.
8. Letters were also sent to residents living in flat blocks explaining that the Council would be carrying out additional inspections of all the flat blocks, to ensure that personal belongings such as door mats, carpets, potted plants, sports equipment (i.e. bikes, scooter), chairs & tables, shoes, pushchairs, gates etc were not obstructing the communal areas or causing a potential hazard. Where personal belongings were found, residents were asked to remove them.

Petition

9. This action led to the Council receiving a petition signed by 84 residents of Torrington Drive, Loughton objecting "to the extreme measures that Epping Forest District Council intend to implement relating to alleged fire safety concerning personal belongings in communal areas." Signatories "therefore object to the removal of any of the items listed below that are currently insitu" The items that residents were objecting to having to remove include carpeting, door mats, wall pictures, pot plants and net curtains. An extract from the petition is attached at appendix 1.

Consultation

10. At their meeting on 27 November 2009, the Tenants and Leaseholders Federation were consulted on the issues, and in particular the views expressed in the petition. However, there was no clear opinion or preference from the Federation on a way forward. Three

options were put to the Federation, and members voted for their preferred option:

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|----|--|---------|
| a. | To remove all items from the common areas and landings in line with the Council's letter to residents in July 2009 | 2 votes |
| b. | To allow residents to continue to place personal belongings in the common areas and landings. | 1 vote |
| c. | To find a middle ground, allowing ornaments and pictures in areas not on the means of escape, and for non-slip floor mats outside of flat entrance doors | 3 votes |
| d. | Don't know | 1 vote |

11. The Workplace Fire Safety Officer at Essex Fire and Rescue has been consulted on the dangers and risks associated with common parts of flat blocks. He was quick to confirm that all common parts to flat blocks, which form a means of escape must be 'sterile'. However, this is a subject he deals with on a daily basis, and he is mindful of the fact that these areas of flat blocks are also part of the buildings that people live in and therefore like to make feel more homely. Therefore, he has in the past conceded on the following:
- Where pictures are hung on the wall, they do not contain glass in the frame.
 - Where mats are placed outside front doors, these are rubber backed (non-slip) and have a chamfered edge all around.
 - Any curtains at windows must be flame retardant
 - Any plant pots must be stored in recesses away from any means of escape routes, and not on window sills.

These views were expressed verbally and despite a request are not available in writing.

Management Issues

12. Some items that are often stored by residents in common parts include such items as bikes, scooters, pushchairs etc. Whilst these would not contribute towards a fire hazard if stored in a recess (ie beneath the stairs), they are often regarded as a nuisance by other residents as they are unsightly, but also presents a problem for Caretakers and Cleaners, who are unable to keep these areas clean due to obstruction. It is therefore recommended that the Council continues to enforce the removal of such large items that are not aesthetically pleasing and would prevent the Caretakers and Cleaners from undertaking their duties to keep the common parts clean.

Scrutiny Panel

13. The Housing Portfolio Holder has asked that the Housing Scrutiny Panel discuss this matter in more detail, taking account of the views of the petitioners, the Tenants and Leaseholder Federation, the Council's obligations under the Regulatory Reform (Fire Safety) Order 2005 and the views of the Workplace Fire Safety Officer at Essex Fire and Rescue. The lead petitioner, Mrs J Figgins, and one other has been invited and will be in attendance at the meeting to express the petitioners' views in more detail.

Appendix 1

We the undersigned herewith object to the extreme measures that Epping Forest District Council intend to implement relating to alleged fire safety concerning personal belongings in communal areas. We therefore object to the removal of any of the items listed below that are currently in situ.

Name	Address	Signature	Carpeting	Door Mat	Wall Pictures	Pot Plants	Other
A. TAYLOR	33 TORRINGTON DRIVE	<i>[Signature]</i>	✓	✓	-	-	-
C. WILLIAMSON	" "	<i>[Signature]</i>	✓	✓	-	-	-
K. MILLS	59 " "	<i>[Signature]</i>	✓	✓	-	✓	-
R. LEWIS	61 " "	<i>[Signature]</i>	✓	✓	✓	✓	-
V. JAMES	71 " "	<i>[Signature]</i>	-	✓	-	-	-
E. MERCER	27 " "	<i>[Signature]</i>	✓	✓	-	-	-
V. BRIGGS	31 " "	<i>[Signature]</i>	-	✓	-	✓	-
C. VINNING	29 " "	<i>[Signature]</i>	-	✓	-	✓	-
L. HAMMETT	25 " "	<i>[Signature]</i>	-	✓	-	✓	-
M. WRIGHT	23 " "	<i>[Signature]</i>	-	✓	✓	✓	-
M. COX	21 " "	<i>[Signature]</i>	-	✓	-	-	-
P. KIMSEY	11 " "	<i>[Signature]</i>	✓	✓	-	-	-
M. HAVARD	43 " "	<i>[Signature]</i>	✓	✓	-	-	-
M. SEACU	41 " "	<i>[Signature]</i>	-	✓	-	-	NET CURTAIN
R. ANDERSON	85 " "	<i>[Signature]</i>	-	✓	-	-	-
P. BATES	87 " "	<i>[Signature]</i>	-	✓	-	✓	-
I. TUNSTALL	97 " "	<i>[Signature]</i>	✓	✓	-	-	LANDING CURTAIN
M. WRIGHT	99 " "	<i>[Signature]</i>	✓	✓	-	-	-
D. SORRELL	107 " "	<i>[Signature]</i>	-	✓	-	-	-