

# Councillor guide on fire safety for use during council meetings



## Fire safety in purpose-built blocks of flats and maisonettes in your district or borough.

Local authorities play a vital role in ensuring fire safety within their district or borough as community leaders, enforcing authorities, partners to the emergency services and as landlords themselves.



### Local authorities as the responsible person

Where the local authority is itself a responsible person for a property under the Regulatory Reform (Fire Safety) Order 2005 it has a legal duty to keep properties safe from fire. This includes the common areas of purpose-built blocks of flats or maisonettes.

This means that the local authority has to ensure that there is a **comprehensive fire risk assessment** for each of its buildings. A fire risk assessment helps identify all of the fire hazards and risks in the property so that the responsible person can make a decision on whether any risks identified are acceptable or whether something needs to be done to reduce or control them.

There should also be an **emergency evacuation plan** in place for each building. This details the action that residents and others need to take if

there is a fire. This plan must make sure residents and others are safe, that a fire can be detected and that residents are warned of this event. Residents should be able to safely escape from a fire using routes within the building designed and maintained to be safe to use during an emergency. There should be appropriate signposting and lighting in place on these routes.

Purpose-built blocks of flats or maisonettes are designed and built as self-contained residential units usually sharing common corridors, staircases and entrance. Purpose-built blocks of flats and maisonettes can be of any height, not just high-rise. In these buildings the 'stay-put' principle applies. This means that if a fire starts in the common parts or in another flat, all residents not directly affected by the fire would be expected to 'stay put' and remain in their flat unless directed to leave by the fire and rescue service.

## What can councillors do?

Do not make assumptions that fire safety is being actively or effectively managed in purpose-built blocks of flats and maisonettes in your district or borough. Councillors can make their districts or boroughs safer by scrutinising how responsibilities for fire safety are met and ensuring that the fire safety in your district or borough is continuously being monitored and improved.

### Strategic and policy questions for councillors to ask

These are questions you should ask about the fire safety of purpose-built blocks of flats and maisonettes in your district or borough, particularly in relation to the residential estates and properties run by the local authority, an Arms Length Management Organisation (ALMO), or local associations. They can be asked generally or in the context of specific programmes and projects.

Some of the questions overlap in their focus but this does not matter – fire safety is a complicated area and involves many of the different professional disciplines involved in managing and maintaining a building.

- Where are the risk assessments carried out on local authority, ALMO or local housing association properties under the Regulatory Reform (Fire Safety) Order 2005 held? How often are they reviewed? Who carries out these assessments and what are their qualifications?
- Are councillors told if the local authority, ALMO or a local housing association is the subject of enforcement action by West Sussex Fire & Rescue Service?
- Is there a clear process in place for residents to report and escalate concerns about fire safety?
- The Fire Safety (England) Regulations 2022 apply to all residential buildings that contain two or more domestic premises. The height of the building will dictate the additional fire safety steps that are required. Are the local authority, ALMO or local housing association aware of these requirements and carrying out their additional duties?
- Is the purpose-built block of flats or maisonette either 18m+ in height, or have at least 7 storeys? If so, are the requirements of the Building Safety Act being complied with?
- How do local authority employees with non-housing responsibilities (e.g social services, carers, pest control etc) report fire safety concerns about homes they have visited?
- What is in place to make sure that residents know what they need to do if there is a fire in their block or property? Do new residents receive this information in their welcome packs?
- Does the district or borough have clear policies stating that:
  - before any modifications or maintenance works are carried out in purpose-built blocks of flats or maisonettes, there must be a proper assessment of the impact on fire safety?
  - all modifications or maintenance works will result in buildings which are equally or more fire safety compliant than they were before the works?