



Mr C Stokes

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Dear Colin

**New guidance document to improve fire safety in blocks of flats.**

Thank you Colin for giving me the opportunity to raise some particular issues that have occurred and some concerns where I believe clarification is needed, these issues are probably already on your list to cover but here goes anyway. Naomi thank you for your e mails.

**Conducting an Audit**

The FSO does not as far as I can tell differentiate between the requirements for conducting an audit for commercial premises and common parts of residential buildings and the CFA documents advise that the Fire Authority contacts the occupier and arranges a date and time for an audit to be undertaken unless because of imminent damage etc this is not feasible. Therefore can there be some guidance on the approach needed by the enforcement officer when visiting or auditing residential buildings.

The reason for this is enforcement officers are entering residential buildings using the fire fighters emergency switch/drop key or waiting for residents and then following them into a building. There are no employees on site to answer any questions or escort them and in some cases residents are being questioned and asked technical questions then the residents quotes are being used by the enforcing officer in a Deficiency Notice. I do not believe that a complete audit cannot be undertaken and information gained in this way, the issue has been raised at liaison meetings with the LFB pointing out insurance issues etc but their opinion is we can do this and we will continue to operate in this way.

In other instances the Fire Authority has obtained a copy of the buildings Fire Risk Assessment and has issued a Deficiency Notice stating "complete all items identified in the significant findings" in some cases possibly without the fire officer even visiting the building.

## **Electrical**

If there is only a lighting circuit in the common parts ie the staircase, could the wiring/circuit for the staircase be tested when the apartments are tested?

## **Apartment entrance doors**

1. If new doors to apartments in protected staircases are fitted by the Landlord these will comply with the requirements of the Building Regulations, FD 30S with a self closing device fitted.
  - a. But what if the occupier is a leaseholder and they change the apartment entrance door for one that is not FD 30S with a self closer, the leaseholder/occupier is unlikely to know about the requirements of the Building Regulations.
  - b. The lease will probably state that the leaseholder is responsible for his entrance door, so he will not inform anyone before it is changed then it is a legal ping pong match to resolve. (Even where the lease requires the landlord be notified in advance – this often does not happen.)
  - c. What if a contractor fits the wrong entrance doors? After the recent court case does this mean that the contractor is liable?
2. The fitting of intumescent strips in UPVC coated doors and frames.
3. The fitting of cold smoke seals in UPVC coated doors and frames.
4. The fitting of steel covers over existing apartment entrance doors in protected staircases at present when these are observed there is a procedure in place where the local Fire Station Commander is informed.
5. The fitting of metal security gates and frames externally over existing apartment entrance door, at present when these are observed there is a procedure in place where the local Fire Station Commander is informed.
6. Normal letter boxes in the lower half of an apartment entrance door in a protected staircase.
7. Door mats outside apartment entrance doors.
8. The requirement for FD30 for apartments on external balconies/walkways
9. The requirement for fire rated glazing in entrance doors and in windows on external balconies/walkways, this has been raised because of a notice issued by LFB asking for FRG in these locations.

## **The Building Regulations**

If a building has been constructed to the Building Regulations in the past, I know the "statutory bar" now does not apply, but can the Fire Authority ask for major structural changes for instance for a Dry Riser to be installed? When one was not included in the original construction.

The requirements of the self closers on open staircase/balcony fire doors in tower blocks because of the wind effect and the conflict with the DDA requirements

#### **Items in the common parts**

1. There appears to be a conflict of interest between the FSO/ fire safety requirements and Crime Prevention Advice given in this case by the Metropolitan Police. For instance recent posters given out by the "Met" state "ensure all property left in the communal Halls or stairwell is secure. Pedal Cycles need to be secured correctly with a good lock to a fixed object." Occupiers could use this to justify we can have items in the protected staircases.
2. There is also the issue of pots of plants etc in protected staircases and plants and in some cases soft furniture, settees etc on external balconies or roof gardens next to buildings.
3. The practice of recycling bins being placed in common parts

#### **Arson**

1. The requirements for securing bin storage areas, generally externally and on the property when access is needed by refuse collectors.
2. The requirements for external domestic style bin cupboards in terraced buildings where the buildings either side have the same arrangement but the Fire Authority require additional secure arrangements.

It is assumed that there will be guidance on fire alarm systems especially in roof level lift rooms etc, emergency lighting especially on external balconies covered by exterior street lighting, fire fighting equipment on staircases, internal fire spread linings and structure, signage and notices especially in single staircase buildings. The last item is because of the statements made in the "Rosepark" care home case in Scotland.

After our discussion I look forward to the section on the differences and overlap between the FSO and the Housing Act, will the "stay put policy" for residents be covered in the new guidance?

Yours sincerely

Carl Stokes