

FIRE & SAFETY BULLETIN

dpmaree
health+safety

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ISSUE 3 : Autumn 2019

ADVICE ON BALCONIES ON RESIDENTIAL BUILDINGS

Guidance has been provided from Ministry of Housing, Communities & Local Government in the form of an advice note on balconies on residential buildings.

The key points include:

- ▶ Balconies made with combustible materials are a potential source of rapid fire spread on the external wall of residential buildings.
- ▶ The department's position, endorsed by the Expert Panel, is that the building regulations required that the material and construction of balconies should have been such that balconies should not compromise resident safety by providing a means of external fire spread, even before the introduction of the ban on combustible materials in December 2018.
- ▶ Building owners should be aware of the materials used in the construction of their external wall, including the construction of balconies and the potential for any horizontal and vertical fire spread due to their arrangement on the external wall. These should be considered as part of any fire risk assessment.
- ▶ The view of the Expert Panel is that the removal and replacement of any combustible material used in balcony construction is the clearest way to prevent external fire spread from balconies and



therefore to meet the intention of building regulation requirements and this should occur as soon as practical.

- ▶ Building owners should inform residents about the risks arising from the presence of combustible materials on balconies. They should make clear that smoking, the use of barbecues and storage of flammable property on balconies can increase that risk. Advice from fire and rescue authorities is clear that barbecues should not be used on balconies.

There is information on the government website about organisations who can provide support at: <https://www.gov.uk/guidance/building-safety-programme-other-fire-safety-concerns>

Call for Grenfell justice still unanswered

Thursday, 15 August 2019 marked two years since the start of the Grenfell Tower inquiry. The inquiry has yet to publish any findings and has delayed the start of phase two until 2020.

ASBESTOS ROOF JET WASHED

The owner of lock-up garages in Leicester has been prosecuted by the Health & Safety Executive after he used a jet washer to clean roof sheets made of asbestos cement, spreading asbestos fibres across his property and neighbouring land. There is a high probability that items stored in the garages have been contaminated with asbestos fibres. Paul Whitaker was fined £600 plus £10,000 in costs for failing to manage the hazard in March and April 2016.



ADVICE ON EXTERNAL WALL SYSTEMS THAT DO NOT INCORPORATE ALUMINIUM COMPOSITE MATERIAL

This Advice Note is for the attention of anyone responsible for, or advising on, the fire safety of external wall systems of residential buildings 18m or above in height. It addresses concerns about the fire safety implications of such systems that do not incorporate Aluminium Composite Material (which is covered in separate advice). It has been developed in consultation with Ministry of Housing, Community and Local Government (MHCLG) Independent Expert Advisory Panel.

INDEPENDENT EXPERT ADVISORY PANEL ADVICE

- ▶ Building owners are responsible for the safety of their buildings.
- ▶ Building owners or their appointed competent professional advisors should check that the external wall systems on their buildings are safe.
- ▶ For existing buildings, this means only materials that are of limited combustibility (class A2 or higher) should

have been used, unless the system has achieved BR135 classification via a BS 8414 test.

- ▶ The owner or their appointed competent professional advisors(s) should ensure that the system has been installed and maintained appropriately.
- ▶ It is a legal requirement for a responsible person as defined within the Regulatory Reform (Fire Safety) Order 2005 to have an up to date fire risk assessments and to take general fire precautions for buildings within the scope of the Regulatory Reform (Fire Safety) Order 2005.
- ▶ Class 0 rating (for surface spread of flame) alone is not evidence a system is safe.
- ▶ If the system does not pass these simple requirements, then the owner should seek professional advice and consider remediation measures.
- ▶ The clearest way to ensure safety is to remove unsafe materials.

EXAMPLE OF A RECENT FIRE

Four fire engines and around 25 firefighters attended a flat fire on High Path in Colliers Wood.

Firefighters attended a fire in a second floor flat, which destroyed one room of the property and caused damaged to several other rooms. All the occupants had left before the Brigade arrived.

The Brigade were called at 1423 and the fire was under control at 1553. Fire crews from Wimbledon, Mitcham, Sutton and Tooting attended the scene.



PROPERTY GIANT FINED £1.3M

A property management company that failed to inspect, maintain or even notice unsecure structures on the roof of a Wolverhampton shopping centre has been fine £1.3m after a water tank cover broke free in high winds, striking and killing a young university worker.

Tahniah Martin, 29, was killed on 23rd February 2017 outside the Mander Centre, on Dudley Street. The wooden tank cover, secured to the brick tank casing by "rotten and weather-damaged" clasps, fell six storeys, causing fatal head injuries.

Cushman and Wakefield Debenham Tie Leung, managing agent for the Mander Centre since 2012, after pleading guilty to charges under Section 3(1) of the Health & Safety at Work Act.

CHILD KILLED BY FALLING GATE

Leeds Crown Court heard how, on 31 October 2015, the boy was playing with friends on the gate of an underground car park on Leylands Road, Leeds, pushing it open and closed.

The gate was pushed beyond the retaining mechanism as no endstop had been fitted to the gate track. The gate fell over, trapping and fatally crushing the child.

An investigation by the Health and Safety Executive (HSE) found the company that had manufactured and installed the electric gate failed to install an end stop. No-one else involved in commissioning or maintaining the gate over the next six years noticed and rectified the deficiency.

FAKE LANDLORD PUTS TENANTS IN SEVERE FIRE RISK

Andrius Cikanavicius had converted the properties into houses in multiple occupation (HMO's) without a licence or permission from the landlord or managing agent.

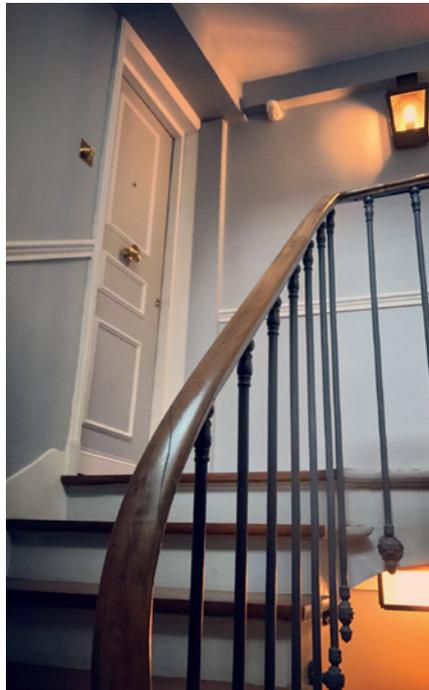
Horrified Redbridge Council enforcement officers found rooms that could not be opened from the inside without keys – delaying or preventing an escape in the event of a fire.

Other serious breaches of fire safety regulations included a lack of interlinked smoke alarms. Properties did not have fire doors, fire blankets or fire-resistant plasterboard fitted on the underside of the staircase.

The houses were overcrowded and without adequate shared facilities.

Cikanavicius, from Dagenham, was issued with fines totalling £14,600 – including £13,300 for fire safety breaches - after appearing before Barkingside Magistrates' Court on 21 June 2019 when the council prosecuted him over his failure to comply with licensing conditions.

He was also ordered to pay £7,000 in costs and a £120 victim surcharge.



Cabinet Member for Housing and Homelessness Councillor Farah Hussain said, "It's appalling that Mr Cikanavicius would put vulnerable people at risk of death, simply for his own profit."

In July 2019 Redbridge Council announced it had used its powers under housing and planning law to issue 150 fines against illegal operators as an alternative to prosecution.



Fire engines arriving faster

London Fire Brigade (LFB) says its engines are getting to incidents quicker since a new 999 mobilising system was installed, according to a Fire Facts report published.

In 2018, the average attendance time for a first fire engine to get to an incident in the capital was 5 minutes and 14 seconds, 19 seconds faster than in 2015 when LFB introduced the new call handling technology. The average attendance time taken for a second fire engine to reach the scene for the same period is also quicker by 19 seconds at 6 minutes 33 seconds.

The new 999-call taking and mobilising system was introduced on 17 November 2015 and uses GPS tracking technology. This means that fire engines are now being mobilised to emergencies according to their proximity to incidents. This is a change from the previous system, where engines were mobilised from the closest fire station, rather than where the engines were.

Over 40 per cent of domestic fatal fires occur when there's been a delay in calling 999 of 10 minutes or more.

HOUSES OF MULTIPLE OCCUPATION

When a property is in multiple occupation, the risk of fire breaking out is greater than in an ordinary single family home.

Some of the reasons for this are:

- ▶ Portable heating appliances being used.
- ▶ There is often more than one kitchen present, and kitchens can be shared by several individual residents.
- ▶ Electrical circuits becoming overloaded.
- ▶ There are more people in the house who are living independently of, and have no control over, each other's behaviour.



SUMMARY OF KEY FIRE SAFETY MEASURES NEEDED IN TOWER BLOCKS

- 1. Have a Fire Risk Assessment** – your tower block should have a valid Fire Risk Assessment, reviewed within the last 12 months, and any recommendations should have been carried out.
- 2. Communicate policies and procedures** – the person responsible for fire safety in the tower block (the ‘Responsible Person’) should communicate fire safety policies and procedures to the residents, preferably annually. They should also make sure these are communicated via ‘Fire Action Notices’ in the common areas of the building.
- 3. Have correct compartmentalisation** – your tower block should be sub-divided into ‘compartments’ – e.g. rooms and corridors – to prevent the rapid spread of fire and allow for escape, in accordance with current building regulations.
- 4. Clear escape routes** – means of escape, such as corridors and stairwells, should be kept free from flammable materials like cardboard boxes, and sources of ignition, like gas canisters.
- 5. Have suitable fire doors** – flat front doors should be fire doors of a suitable standard. Fire doors in common areas, such as corridors, must also be of the right standard, and kept closed at all times. They should be clearly labelled with ‘Fire door, keep shut’ signs.
- 6. Fit smoke detection** – all flats should be fitted with domestic smoke detectors, at least in the escape route – i.e. the corridor leading to the front door – and ideally in every room.
- 7. Maintain dry risers if you have them** – tower blocks over a certain height are fitted with ‘dry risers’. These are empty pipes that the fire brigade uses to pump water to multiple levels in the event of the fire, and must be serviced regularly.

THE PRIMARY DUTIES OF THE FIRE AUTHORITY ARE:

- ▶ To provide a Fire Service and to ensure its efficiency.
- ▶ To provide the efficient training of members of the Service.
- ▶ To ensure that efficient mobilising and communications arrangements exist.
- ▶ To make arrangements to obtain information needed for firefighting purposes.
- ▶ To make arrangements to ensure that the steps are taken to mitigate damage to property through firefighting.
- ▶ To make arrangements to provide fire safety advice.
- ▶ To make arrangements to give mutual assistance to other Fire Services.
- ▶ To ensure that adequate water supplies are available for firefighting purposes

