

FIRE & SAFETY BULLETIN

FIRE RISK ASSESSMENTS

Controlling fire risks is an important part of managing a property. In order to be able to protect against the risks of fire, the first step is to identify these risks and this is where the fire risk assessment comes in. A legal demand for all 'non-domestic' premises, fire risk assessments (or FRAs) are a snapshot of how protected any given property is to ensure the safety of its occupants in the event of a fire. The FRA also identifies corrective actions and further steps to achieve an appropriate level of fire safety.

The Regulatory Reform (Fire Safety) Order 2005 (commonly known simply as the Fire Safety Order) introduced a legal duty for 'the responsible person' to take all reasonable steps to ensure that fire safety levels are appropriate at all times. The segment within the legislation focussing on fire risk assessments opens with the following:

RISK ASSESSMENT

9.—(1) *The responsible person must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions he needs to take to comply with the requirements and prohibitions imposed on him by or under this Order.*



This legislation applies to all non-domestic properties including commercial and public premises, such as shops and offices, as well as businesses providing sleeping accommodation. It also applies to sheltered housing as well as the communal areas of blocks of flats and houses in multiple occupation (HMOs); though not to the individual dwellings within the HMO.

TOO MUCH COMPLEXITY

The Fire Industry Association (FIA) has warned that there is too much complexity in fire safety legislation as part of its submission to the review of the Building Regulations.

LANDMARK GOVERNMENT BILL TO DELIVER “BIGGEST CHANGES TO BUILDINGS SAFETY FOR NEARLY FOUR DECADES”

The Government has published its landmark Building Safety Bill which is designed to deliver the biggest changes to building safety for nearly 40 years and, ultimately, make residents safer in their homes.

The Building Safety Bill is published in draft form and will improve regulations as the Government seeks to bring forward a clearer system with residents' safety at the very heart of the matter. Residents have helped to develop the proposals through engagement groups.



RICS HIGHLIGHTS IMPORTANCE OF EXPERTISE REQUIRED TO SIGN OFF EWS1 FORMS

The EWS1 is a form introduced as part of a new External Wall Fire Review process valuing high-rise buildings. The EWS1 form was introduced in December last year in response to the Grenfell Tower fire in 2017. The form designates whether the external wall of a building, or attachments to the external wall such as cladding, are at low risk for fire.

The result of a form is used by mortgage lenders in decision-making regarding buying, selling, mortgaging and re-mortgaging properties within that building. If a form is requested by a lender, the property is considered valueless until such time that the form is completed. If the form designates that a building is at higher risk for fire, remedial work is required before mortgage providers would lend on it.

The EWS1 form must be completed by a fully qualified member of a relevant professional body within the construction industry with sufficient expertise to identify the relevant materials within the external wall cladding and attachments, including whether fire resisting cavity barriers and fire stopping have been installed correctly.

The RICS, UK Finance and the Building Societies Association do not approve individual persons who can deliver the EWS1 and cannot advise on who can and cannot complete the EWS1 form/process. However, they would anticipate that only qualified and Chartered members of the relevant professional bodies such as the IFE and the RICS will have the necessary self-assessed competence and professional indemnity insurance needed to carry out such work.

LONDON FIRE BRIGADE URGES HOUSING PROVIDERS TO “BE READY” FOR NEW FIRE SAFETY LAWS

The London Fire Brigade has written to all major housing providers in the capital urging them to have plans in place ahead of new fire safety legislation coming into effect. The Fire Safety Bill clarifies that external walls fall under the fire safety regulations that the Brigade enforces in London under the Regulatory Reform (Fire Safety) Order 2005.

The Fire Safety Bill is currently going through Parliament and will become law once it completes the parliamentary process.

The letter strongly advises building owners to consider the risks of any external wall systems and fire doors in their fire risk assessments, regardless of the height of the building. It also states that building owners should check that the external wall systems meet an acceptable standard of safety and don't contribute to the external spread of fire.



FLAT FIRE IN ERITH

Four fire engines and 25 firefighters were called to a fire at a house converted into flats on Northumberland Park in Erith. Part of the staircase from the ground to first floor of the building was damaged by fire.

A London Fire Brigade spokesperson said: “On arrival, crews found the communal staircase alight between the ground and first floor. Firefighters wearing breathing apparatus carried out a search of the property and found no one inside the building.”

The Brigade was called at 1521 and the fire was under control by 1610. Fire crews from Bexley, Erith and Plumstead fire stations attended the scene.

FIRE RISK ASSESSMENT ADVICE FROM EAST SUSSEX FIRE & RESCUE SERVICE

Good management of fire safety is essential to:

- ▶ make sure that fires are unlikely to occur;
- ▶ that if they do occur, they are likely to be controlled or contained quickly, effectively and safely; or that,
- ▶ if a fire does occur and grow, everyone in your premises is able to escape to a place of total safety easily and quickly.

The risk assessment that you must carry

- ▶ will help you make sure that your fire safety procedures, prevention measures, and precautions are all in place and working properly,
- ▶ and should identify any issues that need attention.

FLAT FIRE IN EARLSFIELD



Firefighters rescued a woman from a fire at a ground floor flat on Penwith Road in Earlsfield. The woman was suffering from smoke inhalation and minor burns. She was taken to hospital by London Ambulance Service crews.

The mid-terraced property was badly damaged by fire, heat and smoke, and is now believed to be uninhabitable.

The fire was discovered by a neighbour who was alerted by a smoke alarm sounding and saw smoke issuing from the letterbox of the flat. They forced open the front door and attempted to reach the woman but were unable to do so, due to the intense heat and smoke.

They dialled 999.

The Brigade's fire investigation team believe the cause of the fire was accidental.

A London Fire Brigade spokesperson said: "As the weather turns colder, more people will be using electric heaters and electric blankets at home. Always store electric blankets flat, rolled up, or loosely folded to prevent damaging the internal wiring.

Always unplug it when going out or when it is otherwise not in use."

The Brigade was called at 0444 and the fire was under control by 0555. Three fire engines and around 15 firefighters from Wandsworth and Tooting fire stations attended the scene.

WHY IS IT "USUALLY SAFER TO STAY PUT"

Guidance to 'Stay Put', unless fire or smoke is affecting your flat, is based on the fire protection provided in the building and the walls and doors of each flat. Fires in flats unfortunately occur throughout the country every day, the fire usually only affects the flat on fire.



By 'staying put' it will reduce the risk of you entering a smoke-filled corridor unnecessarily. It will also allow firefighters to tackle the fire safely and quickly without being delayed by residents leaving the building.



For firms who are unsure about the Health & Safety Executive Coronavirus guidance, please visit <https://www.hse.gov.uk/news/social-distancing-coronavirus.htm>



GOVERNMENT STEPS IN TO HELP HOME- OWNERS CAUGHT UP IN “EWS1” PROCESS

Owners of flats in buildings without cladding will no longer need an EWS1 form to sell or re-mortgage their property - thanks to an agreement reached between the Government and the Royal Institution of Chartered Surveyors (RICS), UK Finance and the Building Societies Association (BSA).

Developed by industry to assess the potential financial impact of cladding on high-rise flats, an external wall fire review process – commonly referred to as ‘EWS1’ – is being applied to other buildings without cladding. This is stopping some people from selling or moving home and causing unnecessary anxiety for homeowners and clearing the way for up to nearly 450,000 flat owners to sell, move or remortgage their homes.

While building owners are already legally required to undertake fire risk assessments on all blocks of flats, following supplementary guidance published by the Government today, RICS will be working with lenders, valuers and fire safety bodies to develop new advice for surveyors.

Further, the Government has announced nearly £700,000 to train more assessors, speeding up the valuation process for homeowners in cases where an EWS1 form is required. This training will be delivered by RICS from January and will mean up to 200 additional assessors will be qualified to carry out the EWS1 assessment within a month, 900 within three months, and 2,000 within six months.



The Government is also exploring ways to address ongoing concerns around the availability of professional indemnity insurance and welcomes industry’s progress on developing a portal where lenders, valuers and leaseholders will be able to find out if their building already has an existing EWS1, thereby reducing the demand for duplicate forms.

FIRE SAFETY ORDER AMENDMENT

The revised Fire Safety Order passed through the report stage in the House of Lords on 12 November and among the amendments was one from the Fire Minister Lord Greenhalgh aimed at providing the Secretary of State with the power to issue risk-based guidance which if followed will provide proof of compliance for responsible persons.

This will allow those who may have large portfolios of buildings in scope to assess their premises and better manage essential fire risk assessments and the subsequent work given there will be high demands and limited capacity.