

Mid Devon District Council

Fire Risk in Communal Areas Policy

Policy Number: HSG v2.4

July 2016

DRAFT

Version Control Sheet

Title: Fire Risk in Communal Areas Policy

Purpose: To review the Fire Risk in Communal Areas Policy in accordance with good practice and any changes in legislation.

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Status: Review of Policy

Review Frequency: **Every 4 years or sooner if required and in accordance with changes in good practice and legislation**

Next review date: **July 2020**

Consultation This document was sent out for consultation to the following:

Cabinet Member

Staff

Tenants Together

Management Team

PDG Decent & Affordable Homes

Document History

This document obtained the following approvals.

Title	Date	Version Approved
Cabinet Member	13.5.16	
Tenants Together	9.6.16	
Management Team	5.7.16	
PDG Decent & Affordable Homes	4.8.16	2.4

1. Introduction

This policy statement outlines Mid Devon District Council's (MDDC) approach to the management of fire risk in communal areas. The purpose of this policy is to reduce the risk of fire and to promote the safety of all who use communal areas within the Council's Housing stock.

2. Scope

This policy sets out how the Council aims to ensure that all internal and external communal areas are managed effectively and kept free from obstructions or hazards to protect health and safety of tenants and other users of its buildings. It covers the following points and should be read in conjunction with the related documents as stated below:-

- Fire risk assessments
- Communal inspections
- Preventive measures
- Permission requests
- Maintenance to communal areas
- Obstructions/hazards in communal areas
- The use of mobility scooters
- Smoking in communal areas

3. Related Documents

- a. Tenancy Agreement
- b. Pets and Animals Policy
- c. Tenant and Leaseholder Handbooks
- d. Recharge Policy
- e. Neighbourhood Management Policy
- f. Fire Risk Assessments

4. Definitions

A Communal area is any area that is not within the confines of the tenant's property. Such areas include stairs, stairwells, hallways, landings, common rooms, laundry rooms, boiler rooms, open areas and the entrance to the building.

A Tenant is a person who holds a Council tenancy with MDDC (and for the purpose of this policy includes leaseholders).

5. Fire Risk Assessments

5.1 The Council will carry out fire risk assessments in accordance with legislative requirements and good practice. These will be reviewed yearly or when additional works are completed, such as the installation of new equipment, replacement of doors or repainting of communal areas.

5.2 Copies of all risk assessments are available for inspection.

5.3 Where recommendations are made, for example to maintain and improve the fire safety of existing properties, the Council will liaise with outside agencies to seek guidance.

6. Communal inspections

6.1 As part of the Council's housing management functions, Neighbourhood Officers will ensure that all communal areas are inspected on a monthly basis. Any issues identified during the inspection will be actioned within reasonable timescales, recorded and monitored.

7. Prevention

7.1 Wherever possible, the Council will aim to prevent fire safety issues by educating tenants from the beginning of their tenancies and ensuring that support, advice and assistance is readily available.

7.2 The Council has a duty to ensure that the means of escape from a building or communal area are not obstructed, to ensure that tenants and visitors can exit safely in the event of a fire. Tenants and visitors must not leave items in communal areas which could increase the risk of fire, including arson, and/or block the means of escape. Where a fire occurs, smoke becomes a barrier and any obstructions may become trip hazards. Tenants must not leave doors open that will prevent unauthorised people entering the building and to minimise the spread of fire.

8. Permissions

8.1 Tenants are requested to seek written permission if they want to make an alteration to any communal area, such as placing hanging baskets or planters.

8.2 The Council will approve requests after taking into consideration that the alteration will not pose an obstruction or hazard.

8.3 The following items are not permitted:-

- Anything which is combustible or poses a fire risk. Barbecues are allowed in communal gardens provided they do not prevent the use of the garden by other tenants;
- Anything which prevents or significantly limits the use of shared facilities by other tenants;
- Plastic flowers and plants are not allowed;
- Anything which obstructs rubbish collection areas; and
- Anything which obstructs stairwells, hallways, landings, entrances, fire escapes and access routes.

8.4 Tenants will not be given permission to store the following items inside communal areas. Items include but not limited to: bicycles, prams, pushchairs, motorcycles, mobility scooters, mopeds, flammable liquids and gases, washing, clothing, furniture,

festive decorations, refuse, recycling boxes or caddies, charity bags, personal items, toys, gardening equipment or materials.

8.5 The following items will be permitted:-

- Door mats, providing it has a non-slip backing material, stuck to the floor, is in good condition with no curling edges and of a standard size. It must not be located at the top of the stairs. Rugs, runners and carpet will not be allowed;
- Small plants stored in ceramic pots which do not create a slip hazard when watered; and
- Small decorative items such as pictures on the condition they are approved by us and do not obstruct any means of escape.

9. Maintenance

9.1 The Council Caretaker's will carry out a 4-weekly cycle of communal inspections. They are responsible for completing minor repairs, checking fire door closers, testing fire alarms, checking appropriate signage is displayed correctly and working with tenants to keep communal areas clean and tidy.

9.2 Council Caretaker's will report any repairs that they are unable to undertake to the Repairs Team.

9.3 Where communal areas provide emergency lighting, smoke detectors, carbon monoxide detectors and electrical items, servicing of these items will take place in accordance with the Council's cyclical programme.

10. Obstruction/fire hazards in communal areas

10.1 Tenants should be able to access all areas of their homes, including communal areas and facilities within the block.

10.2 Where the Council is alerted to accessibility problems, hazards, obstructions or the misuse of communal areas, they will investigate further.

10.3 The Council will make every effort to trace the owner of goods left in a communal area. Letters will also be written to the tenant asking them to remove any items left in the communal areas.

10.4 If the Council is unsure who the owner is, a letter will be given to all tenants of the block of flats advising them any items that remain unclaimed will be disposed off. Each household will be charged a share of the cost of disposing the items.

10.5 If a tenant fails to remove their items from the communal areas by the required deadline, these will be removed and any costs incurred will be passed onto the owner.

10.6 Before removal of any goods a detailed record of all items will be made and photographic evidence taken. This will then be kept on file and a copy sent to the owner of the goods.

10.7 We will recharge a tenant who has left items in the communal area after the end of their tenancy.

11. Mobility scooters

11.1 Mobility scooters must not be stored or charged in communal areas. Mobility scooters can cause obstruction and become hazardous within these areas.

11.2 Mobility scooters may be stored inside the tenant's homes but it is their responsibility to first ensure that there is sufficient space to store the scooter and secure it safely. It must not block any fire escape routes.

11.3 The Council may not permit a tenant or visitor from using a mobility scooter in a communal building if, by their general disrespect for safety, they place at risk or injure/damage other persons or property.

11.4 The tenant is required to check that their home is suitable to house a mobility scooter.

12. Smoking

12.1 Tenants, employees, contractors, agents or visitors are not permitted to smoke tobacco, e-cigarettes and partake in substance misuse in communal areas. This policy applies to all areas covered by the Smoke Free (Premises and Enforcement) Regulations 2006. These areas include all communal areas such as stairs, stairwells, hallways, landings, common rooms, laundry rooms or boiler rooms.

13. Service standards

13.1 We are committed to the principle of openness and transparency and for this reason we will ensure that this policy is well-publicised. If there are any operational matters which impact upon our ability to operate this policy, we will ensure that information about this is given to tenants and other stakeholders.

14. References

- Regulatory Reform (Fire Safety) Order 2005
- Health and Safety Act 1974
- Housing Act 2004
- Smoke Free (Premises and Enforcement) Regulations 2006

15. Equality and Diversity

15.1 The Council will tailor its services to meet the diverse needs of individuals. They will foster good relations with people when providing services to eliminate discrimination and to promote equality of opportunity.

16. Review

This Policy has been written in line with good practice and current relevant legislation. Unless there are any changes to such legislation beforehand, the next review of this Policy is due July 2020 and every four years thereafter.