

REPORT REFERENCE NO.	CSC/24/3
MEETING	COMMUNITY SAFETY COMMITTEE
DATE OF MEETING	31 JANUARY 2024
SUBJECT OF REPORT	FIRE SAFETY LEGISLATION
LEAD OFFICER	ACFO Gerald Taylor, Director of Service delivery
RECOMMENDATIONS	<i>That the report be noted.</i>
EXECUTIVE SUMMARY	This report will give an update in changes to fire safety legislation and also answer the question posed at Community Safety Committee regarding the processes for reducing unwanted fire signals in non-domestic premises.
RESOURCE IMPLICATIONS	Within current resource allocation
BACKGROUND PAPERS	None

1. INTRODUCTION

- 1.1 This paper will introduce recent changes to fire safety legislation and answer the question posed at the community safety committee regarding the process for reducing unwanted fire signals.
- 1.2 There have been a number of changes to fire safety legislation which will be explained in this paper. Notably: -

The Fire Safety Act 2021.
The Fire Safety England Regulations 2022.
The Building Safety Act 2022.

2. THE FIRE SAFETY ACT 2021

- 2.1 Fire Safety Act 2021 commenced on 16 May 2022.
- 2.2 The Fire Safety Act 2021 amends the Regulatory Reform (Fire Safety) Order 2005 to clarify that, in buildings with two or more sets of domestic premises, the Regulatory Reform (Fire Safety) Order 2005 applies to these two elements:
- 2.3 The structure and external walls of the building, including cladding, balconies and windows; and
- 2.4 All doors between the domestic premises and the common parts (e.g. entrance doors to individual flats which open on to common parts).
- 2.5 With reference to the external walls, this includes doors or windows in those walls and anything attached to the exterior of those walls (including balconies).
- 2.6 The effect of the Act will be to require fire risk assessments of buildings with two or more sets of domestic premises to be updated to take account of structure, external walls and doors, as described above, if they have not already done so.
- 2.7 This gives provision that the Secretary of State may through regulation amend the Fire Safety Order to clarify or change the premises to which it applies and makes strengthened provision for guidance which is provided under Art 50 of the Fire Safety Order specifically 'risk based guidance'.
- 2.8 This is a clarification of the Fire Safety Order, not an extension.

3. FIRE SAFETY (ENGLAND) REGULATIONS 2022

- 3.1 The Fire Safety (England) Regulations 2022 came into force on 23rd January 2023, they were enacted under Article 24 of the Fire Safety Order.
- 3.2 This brought forward the majority of recommendations from the Phase 1 Grenfell Tower Report.

3.3 For the purposes of the Fire Safety (England) Regulations 2022 following Grenfell Tower, the meaning of a high-rise residential building is clarified in the regulations as:

3.4 A building containing two or more sets of domestic premises that:

- Is at least 18m above ground level
- Has at least seven storeys

3.5 The Fire Safety (England) Regulations 2022 are not risk based and therefore require adherence/ action on behalf of the responsible person. They apply to buildings which contains two or more sets of domestic premises; and contains common parts through which residents would need to evacuate in the case of an emergency.

3.6 The regulations extent to such things as fire safety instructions to residents including the evacuation strategy and how to report a fire to the fire and rescue authority as well as the provision and maintenance of fire doors.

3.7 An example of some of the applicable regulations can be seen below:

Regulation 4	Provision of Premises Information Boxes
Regulation 5	Design and materials of External Walls
Regulation 6	Floor plans and building plans
Regulation 7	Lifts and essential fire-fighting equipment
Regulation 8	Wayfinding Signage
Regulation 9	Information to Residents
Regulation 10	Fire doors
Regulations 11	Provision of documents to the local FRS

Note – each regulation has a factsheet on the government website

4.0 THE BUILDING SAFETY ACT 2022

4.1 The Building Safety Act 2022 came into force on the 1st of October 2023, it is split into 171 sections with 11 schedules.

4.2 Section 156 of the Building Safety Act 2022 is an amendment of Regulatory Reform (Fire Safety) Order 2005

4.3 The Building Safety Act provides greater accountability and responsibility for fire and structural safety issues throughout the lifetime of a building with a stricter regulatory regime specific for high rise buildings which are buildings of at least 18m above ground level.

4.4 There is a new building safety regulator to oversee a more stringent regime during the planning, design, construction and occupancy stages. These stages

will have gateways or 'check points' where evidence will be required that the relevant standard has been met before passing to the next stage, for example from planning to design and then construction.

- 4.5 Other parts of the Act include the ability for residents to be able to raise building safety concerns directly with the owners and building safety managers of buildings, they can raise issues with the Building Safety Regulator.
- 4.6 Amendment to Approved document B (Fire Safety) vol.1 2019. This amendment requires a significant change for all new blocks of flats above 11 metres to now be fitted with a sprinkler system.

ACFO Gerald Taylor
Director of Service Delivery