**Management of fire risks in communal arears policy**

# Introduction

* 1. The policy outlines the way Medway Council (the Council) Housing Services manages fire risks in common areas of its own HRA Council Housing stock or land.
  2. These are areas which are constantly being used by tenant’s, leaseholders, Officers and the general public.

# Purpose

The purpose of this policy is to:

* + 1. Ensure the Council is meeting its obligations in terms of the safety of communal areas.
    2. Make sure local fire procedures are implemented and monitored so Housing Services comply with regulations.
    3. Prevent sources of ignition and fire spread in shared common areas.
    4. Maintain safe routes of escape.

# Scope

* 1. For the purpose of this policy a communal area is defined as those parts of a house, block of flats, street or estate which tenants have a right to use in common with other tenants and for which the landlord is responsible.
  2. These include:
     1. Communal hallways/walkways.
     2. Shared stairways, balconies and access paths.
     3. Common external grounds, gardens and land.
  3. This policy applies to all key stakeholders involved in the Management of Fire Risks in Communal Areas.

# Legislation and Guidance

* 1. **External**
     1. Regulatory Reform (Fire Safety) Order 2005
     2. Health and Safety at Work Act 1974
     3. LGA Fire Safety in purpose-built blocks of flats.
     4. Fire Safety Act 2021
  2. **Internal**
     1. Tenancy Management policy and procedure
     2. Storage procedure
     3. Medway Council Tenancy Agreement(s)
     4. Scheme specific risk assessments and procedures
     5. Medway Council Health and Safety Policy
     6. HFIL Health and Safety Policy
     7. Stay Put Policy
     8. HRA Housing Statutory Maintenance & Compliance Policy
     9. Fire safety policy

# Policy

* 1. Communal areas of blocks do not belong to any tenant or leaseholder, even the area immediately outside a front door. In general, tenants or leaseholders do not have the right to store or leave anything in the communal areas of the building.

## Housing Services responsibility

* 1. Fire risk assessments relating to the structure, fabric and management of all communal areas will be carried out in accordance with our fire risk assessment procedures.
  2. Fire risk assessments are reviewed every year or in line with legislative changes to ensure continued compliance.
  3. Fire action notices will be displayed in communal areas giving clear written guidance of what to do if a fire is identified and/or upon hearing a fire alarm. This is in line with the stay put policy.
  4. Housing Services and our contractors regularly inspect communal areas.

## Tenants and Leaseholder responsibility

* 1. Communal areas must be kept clear and free from obstruction at all times.
  2. Communal areas must be kept free from ignition sources and significant flammable items at all times.
  3. Housing Services have a NO SMOKING policy in all communal areas. This is a requirement by law.

## Homes for Independent Living

* 1. Every scheme will have a specific fire procedure that sets out the process in the event of a fire.
  2. Landlord Services ensure that an up to date fire procedure is made available in each scheme for staff, residents and visitors. The current procedure is a Stay Put Policy with PEP (Personal Evacuation Plan).
  3. Fire instructions are displayed on the inside of every resident’s front door in each scheme.
  4. The Scheme Support Officer is responsible for making residents aware of the fire procedure appropriate to their scheme. This is done during the resident’s scheme induction.
  5. Each Scheme’s Fire Risk Assessment is reviewed periodically. Residents Personal Emergency Evacuation Plans are reviewed if their circumstances change or at least annually.
  6. Fire alarms are tested on a weekly basis, residents and visitors will be informed when this will be (All-scheme broadcast via handset).
  7. The Scheme Support Officer and HRA Compliance Project Manager carry out various Health and Safety checks within the schemes. These include but are not limited to:
* Checking first aid and spillage kits are suitable and in date.
* Checking Personal Evacuations Plans are up to date.
* Regularly testing scheme alarms such as pull cords and fire call points.
* Ensure that the correct documentation is on site
* Ensure that the most up to date certification is on site.

The Scheme Support Officer ensures Health and Safety activities in relation to fire safety are carried out in line with the checklist detailed in appendix A.

Residents are not permitted to fit extra door locks or chains to their front door. This is in case the Scheme Support Officer or emergency services need to gain urgent access to the property.

BBQs are only permitted if a Scheme Support Officer is on site and a bucket of sand must be available, in the event of a fire.

* A BBQ can be used if it is not gas and is a safe and reasonable distance away from the building.
* Gas BBQs are not permitted.
* BBQs are not permitted if there is a planned Fire Strike.
* Tenants must seek approval from the Scheme Officer before starting.

Residents must be vigilant in reducing the causes of fire.

## Storing goods in communal areas

* 1. Housing Services have a list of ‘non-negotiable’ items that are not allowed to be kept in communal areas under any circumstances. A list of these items can be found at Appendix A.
  2. Housing Services will adopt a zero-tolerance approach to unapproved items being left in communal areas.

## Action taken against people that store goods in communal areas

* 1. Action is taken in accordance with Housing Services procedures should breaches of this policy and/or the terms of a tenancy be identified.
  2. Procedures will be followed to remove, store or dispose items if they are not removed by tenants or leaseholders despite instructions to do so. When an item is identified for removal, a notice will be attached to it and photographed for reference. Residents will be given a deadline to remove the item.
  3. For any item stored by Medway Council a charge will be applied to the tenants or leaseholders for its return. The charge is currently £75 per item.
  4. Housing Services will work with the tenants or leaseholders to find alternative solutions if the prohibition of the use of communal areas for storage causes serious inconvenience.
  5. We will aim to resolve any dispute over the removal of resident’s possessions from a communal area informally or if that fails by following the Council’s complaints procedure.
  6. It is not feasible for Housing Services to remove and store all item/s found in communal areas. Those items deemed to be of low value or perishable will be disposed of if not removed within a reasonable time, indicated on a warning notice attached to the item.
  7. The importance of fire safety in block of flats, and the reason why maintaining ‘sterile’ communal areas is important will be communicated to tenants for example by using the block noticeboards or on the Council’s website.

# Role, responsibilities and authority

* 1. The Assistant Director of Cultural and Communities retains the overall responsibility for the implementation of this policy.
  2. The Head of Housing is responsible for the operational delivery of this policy, the associated procedures and has the responsibility for ensuring that this policy complies with Regulatory and Legislative requirements.

# Monitoring, review and evaluation

* 1. Senior management will monitor the effectiveness of this policy in addition to forums and focus groups that consult our residents.
  2. This policy will be reviewed biannually year or in line with legislative or regulatory changes.

# **Appendix A**

## Fire Risk Assessment Guide for Communal Areas

### Management of shared common areas

Medway Council will adopt a “managed use” policy to minimize the potential of ignition and fire spread within communal areas. The fundamentals of which are:

* All communal areas must be kept clear and free from obstruction at all times.
* All communal areas must be kept free from ignition sources and significant combustible items at all times.
* That a NO SMOKING policy exists in all internal common areas and is a requirement of law in its own right.
* That the communal areas of the blocks do not belong to any individual – even the area immediately outside of their front door. In general, tenants do not have the right to store or leave or store anything in the common areas of the building.

The principle of a managed system is that there are some items that will be non-negotiable and efforts will be made to remove them in accordance with Medway Council’s procedures should a breach be noted.

Items that are non-negotiable will include but are not limited to:

* Mobility scooters/ motor bikes being kept/stored/parked or charged/refueled in communal areas.
* Pushchairs, buggies, prams etc.
* Upholstered furniture.
* Bedding or mattresses
* Washing machines, fridges, freezers,
* Washing lines or clothes dryers (within enclosed corridors and staircases)
* Barbecues.
* Bicycles (within enclosed corridors and staircases)
* Fuel containers or gas bottles.
* Portable electrical goods, TV sets, music players etc.
* Shopping trolleys
* Lockers
* Bookcases
* General rubbish, black bags of rubbish, wheeled bins, bundles of newspapers or clothing etc.
* Electrical and service cupboards must not be used for storage of any material.
* Unsecured/loose carpet (this includes door mats)
* Festive decorations (Christmas trees, lights etc.)
* Artificial flowers including plastic and silk

Staff will regularly inspect communal areas and take action in accordance with Medway Council’s procedures*,* should breaches of this policy be identified.

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