



Management of Fire Risks in Communal Areas Policy

1. Introduction

- 1.1 The policy outlines the way Medway Council (the Council) Housing Services manages fire risks left by residents and leaseholders in common areas of its own HRA Council Housing property stock or land.

2. Purpose

- 2.1 The purpose of this policy is to:
 - 2.1.1 make sure our residents are safe and prevent loss of lives.
 - 2.1.2 make sure local fire procedures are implemented and monitored so Housing Services comply with regulations.
 - 2.1.3 prevent sources of ignition and fire spread in shared common areas;
 - 2.1.4 maintain safe routes of escape in housing types, which have shared common areas owned or managed by the Council.

3. Scope

- 3.1 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 a landlord is responsible.
- 3.2 These include:
 - 3.2.1 communal hallways/walkways
 - 3.2.2 the roof and gutters on a block of flats
 - 3.2.3 shared stairways, balconies and access paths
 - 3.2.4 gardens or yards, where each property doesn't have its "own" garden or yard, usually around flats and some bungalows.
- 3.3 This policy applies to all tenure and occupancy types and Medway Council staff involved in the Management of Fire Risks in Communal Areas duties including contractors and sub contractors used on the Councils behalf.

4. Legislation and Guidance

4.1 External

- 4.1.1 Regulatory Reform (Fire Safety) Order 2005
- 4.1.2 Health and Safety at Work Act 1974
- 4.1.3 LGA Fire Safety in purpose-built blocks of flats

4.2 Internal

- 4.2.1 Tenancy Management policy and procedure
- 4.2.2 Storage procedure
- 4.2.3 Medway Council Tenancy Agreement(s)

5. Appendices

- 5.1 Fire risk assessment guide for communal areas – Appendix A

6. The Policy

- 6.1 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.

6.2 Housing Services responsibility

6.3 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.

6.4 Fire risk assessments' are reviewed every year or in line with legislative changes to ensure continued compliance.

6.5 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.

6.6 Housing Services and our contractors regularly inspect communal areas.

6.7 Tenants and Leaseholder responsibility

6.8 Communal areas must be kept clear and free from obstruction at all times.

6.9 Communal areas must be kept free from ignition sources and significant flammable items at all times.

6.10 Housing Services have a NO SMOKING policy in all communal areas; this is a requirement by law.

6.11 Storing goods in communal areas

6.12 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

6.13 Housing Services will be reasonable and proportional when considering non-negotiable items (see appendix A), for example the length of time and frequency the item is left in the communal area and whether access is compromised and items are fire resistant.

6.14 Action taken against people that store goods in communal areas

6.15 Action is taken in accordance with Housing Services procedures should breaches of this policy and/or the terms of a tenancy be identified.

6.16 Procedures will be followed to remove, store or dispose items if they are not removed by tenants and leaseholders despite instructions to do so. When an item is identified for removal a sticker will be attached to it and photographed with the sticker attached to it for reference. Residents will be given 48 hours to remove the item.

6.17 For any item stored by Medway Council a charge will be applied to the tenants or leaseholders.

6.18 Housing Services will work with the tenants or leaseholders to find alternative solutions if there is an adverse impact on tenants lives if items need to be removed.

6.19 Following an item being removed from a communal area; tenants or leaseholders may request that this is reviewed by following our complaints procedure.

6.20 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. Role, Responsibilities and Authority

- 7.1 The Assistant Director of Physical and Cultural Regeneration retains the overall responsibility for the implementation of this policy.
- 7.2 The Housing Manager 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.

8. Monitoring, Review and Evaluation

- 8.1 Senior management will monitor the effectiveness of this policy in addition to forums and focus groups that consult our residents.
- 8.2 This policy will be reviewed every year or in line with legislative or regulatory changes.

Cross-references: Asset Management Strategy, Tenancy Management Policy, Medway Council Tenancy Agreement (s)

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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 common areas and is a requirement of law in it's 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 –

- 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 cloths 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.
- Festive decorations (Christmas trees, lights etc.).

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

In interpretation of these non-negotiable items, common sense should prevail. For example if a mother who lives on the top floor of a block of flats returns to the flat and leaves her pram at the base of the staircase (out of the way in an alcove) goes into her flat for a short while and then returns to go out again, this would considered to be reasonable. However it would be unreasonable for the pram/buggy/bike/scooter etc. to be left for long periods of time, over night, or basically left permanently.

Examples of where an exception may be made

- Picture/s on wall that is secure to the wall and enclosed in glass/Perspex.
- Plant pots containing real flowers /plants where the size of the display is “very” limited.
- Plant pots containing artificial plants and flowers where the size of the display is “very” limited.

In agreeing any of the above, the inclusion of the item should not obstruct the access or egress for residents and fire fighters in the event of a fire.