

2022 No. 547

FIRE PRECAUTIONS, ENGLAND

The Fire Safety (England) Regulations 2022

<i>Made</i> - - - -	<i>17th May 2022</i>
<i>Laid before Parliament</i>	<i>18th May 2022</i>
<i>Coming into force</i> - -	<i>23rd January 2023</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by article 24(1) of the Regulatory Reform (Fire Safety) Order 2005(a).

In accordance with article 24(4) of that Order the Secretary of State has consulted such persons or bodies of persons as appeared to the Secretary of State to be appropriate.

Citation, commencement, extent and application

- 1.—(1) These Regulations may be cited as the Fire Safety (England) Regulations 2022.
- (2) These Regulations come into force on 23rd January 2023.
- (3) These Regulations extend to England and Wales but apply in England only.
- (4) These Regulations do not apply in relation to domestic premises within the House of Commons, the House of Lords or to military premises.

Interpretation

- 2.—(1) In these Regulations—
 - “Approved Document B” means Approved Document B (Fire Safety), supporting requirements B1 to B5 of Part B of Schedule 1 to the Building Regulations 2010(b);
 - “high-rise residential building” has the meaning given in regulation 3;
 - “lift for use by firefighters” means any lift located within a firefighting shaft, and any passenger lift which has an override switch that enables the fire and rescue service to take control of the lift;
 - “local fire and rescue authority” means the fire and rescue authority in whose area the building is situated;
 - “military premises” means—
 - (a) military barracks,

(a) S.I. 2005/1541; see article 6 of that Order (application to premises) as amended by section 1 of the Fire Safety Act 2021 (c. 24) for the application to buildings containing domestic premises.

(b) S.I. 2010/2214; Approved Document B can be accessed at <https://www.gov.uk/government/publications/fire-safety-approved-document-b>. A hard copy may be inspected free of charge by contacting DLUHC at 2 Marsham Street, London SW1P 4DF.

- (b) a building occupied solely for the purposes of the armed forces, or
- (c) a building occupied solely for the purposes of any visiting force or an international headquarters or defence organisation designated for the purposes of the International Headquarters and Defence Organisations Act 1964(a);

“secure information box” means a box of the description in regulation 4.

(2) Other expressions in these Regulations which are listed in Appendix A to Approved Document B are to be interpreted in accordance with the meaning given to those expressions in that Appendix.

Meaning of high-rise residential building

3.—(1) In these Regulations “high-rise residential building” means a building containing two or more sets of domestic premises that—

- (a) is at least 18 metres above ground level; or
- (b) has at least seven storeys.

(2) For the purposes of paragraph (1)—

- (a) the height of a building is to be measured to the height to the top storey in accordance with Appendix D to Approved Document B;
- (b) when determining the number of storeys a building has—
 - (i) any storey which is below ground level is to be ignored,
 - (ii) any mezzanine floor is a storey if its internal floor area is at least 50% of the internal floor area of the largest storey in the building which is not below ground level, and
 - (iii) a storey is treated as below ground level if any part of the finished surface of the ceiling of the storey is below the ground level immediately adjacent to that part of the building.

Secure information box

4.—(1) The responsible person in relation to a high-rise residential building must install and maintain a secure information box in or on the building.

(2) The secure information box must be—

- (a) positioned at a location in or on the building which is readily accessible to the fire and rescue authority;
- (b) capable of containing the documents required to be placed in it by these Regulations;
- (c) reasonably secure from unauthorised access and vandalism.

(3) The responsible person must ensure that the following information is contained within the secure information box—

- (a) the name, address and telephone number within the United Kingdom of the responsible person;
- (b) the name and contact information of such other persons within the United Kingdom who are provided with the facilities to and are permitted to access the building as the responsible person considers appropriate;
- (c) such documents as are required to be placed in it by these Regulations.

(4) The responsible person must provide the local fire and rescue authority with anything required to enable it to access the secure information box and must provide anything additional required as soon as reasonably practicable if there are any changes to those requirements.

(a) 1964 c. 5.

(5) The responsible person must inspect the secure information box at least annually and ensure that it continues to meet the requirements in paragraph (2).

Design and materials of external walls

5.—(1) The responsible person in relation to a high-rise residential building must prepare a record of the design of the external walls of the building, including details of the materials from which they are constructed.

(2) The record prepared under paragraph (1) must include details of the level of risk identified in the risk assessment required under article 9 of the Regulatory Reform (Fire Safety) Order 2005 that the design and materials of the external walls give rise to and any mitigating steps that have been taken in respect of that risk.

(3) The responsible person must prepare a revised record under paragraph (1) if there are any significant changes to the external walls of the building.

Floor plans and building plan

6.—(1) The responsible person in relation to a high-rise residential building must prepare a plan for each floor of the high-rise residential building.

(2) The floor plans must, together, identify the location of all lifts and identify if the lift is one for use by firefighters or an evacuation lift, and the key fire-fighting equipment in the whole building.

(3) If the plans for two or more floors of a high-rise residential building would be the same in all material respects, the responsible person may comply with the obligation under paragraph (1) in relation to those floors by preparing a single plan that clearly indicates the floors to which the plan relates.

(4) The responsible person must also prepare a single-page building plan identifying the following—

- (a) the environs of the building;
- (b) details of the use of the building, for example for commercial or residential purposes;
- (c) access for fire and rescue appliances;
- (d) the dimensions of the building;
- (e) information on the number of storeys of the building and the number of basement levels (if any);
- (f) information regarding the presence of maisonettes or scissor section flats;
- (g) inlets for dry-rising mains;
- (h) inlets for wet-rising mains;
- (i) the location of shut-off controls for any sprinklers;
- (j) access points for the building;
- (k) the location of the secure information box;
- (l) the location of the controls for any smoke control system;
- (m) the location of any firefighting shaft;
- (n) the location of main stairways in the building;
- (o) the location of the controls for any evacuation alert system.

(5) The responsible person must place a hard copy of the floor plans and building plan required by paragraphs (1) and (4) in the secure information box.

(6) The responsible person must update the floor plans and building plan as soon as reasonably practicable after any change to the layout of the building or location of key fire-fighting equipment.

(7) In this regulation “key fire-fighting equipment” includes—

- (a) inlets for dry-rising mains;
- (b) inlets for wet-rising mains;
- (c) outlets for dry-rising mains;
- (d) outlets for wet-rising mains;
- (e) smoke control systems;
- (f) suppression systems.

Lifts and essential fire-fighting equipment

7.—(1) The responsible person in relation to a high-rise residential building must undertake monthly routine checks of lifts for use by firefighters, evacuation lifts and essential fire-fighting equipment within the building.

(2) Where the responsible person identifies any fault with a lift for use by firefighters, evacuation lift or piece of essential fire-fighting equipment, the responsible person must take steps to rectify the fault.

(3) Where a fault identified under paragraph (2) cannot be rectified within a 24-hour period beginning with the time the fault is identified, the responsible person must, as soon as reasonably practicable—

- (a) report the fault to the local fire and rescue authority by electronic means; and
- (b) report the rectification of the fault to the local fire and rescue authority by electronic means when it has been rectified.

(4) The responsible person must make a record of the monthly checks undertaken pursuant to this regulation and make that record accessible to the residents of the building.

(5) In this regulation—

“essential fire-fighting equipment” means key fire-fighting equipment within the meaning of regulation 6(7) and any of the following located within the common parts of the building—

- (a) fire detection and fire alarm systems including any detectors linked to ancillary equipment such as smoke control systems,
- (b) evacuation alert systems,
- (c) automatic door release mechanisms linked to fire alarm systems;

“routine check” means a check that any lift or piece of equipment is in efficient working order and in good repair, carried out in accordance with the relevant industry standard or any recommendations made by the manufacturers of equipment within an operators’ manual.

Wayfinding signage

8.—(1) The responsible person in relation to a high-rise residential building must ensure that the building contains clear markings of floor identification and identification of domestic premises.

(2) For the purposes of paragraph (1), the “markings” means an identification designed and located in accordance with the guidance in Volume 1 of Approved Document B(a) on each landing within the stairways and in the lift lobbies of the floor level marked in such a way as to be visible both in low level lighting conditions or when illuminated with a torch.

Information to residents

9.—(1) The responsible person must display fire safety instructions in a conspicuous part of any building—

- (a) which contains two or more sets of domestic premises; and

(a) See <https://www.gov.uk/government/publications/fire-safety-approved-document-b>; Volume 1 Page 105 – 106 paragraphs 15.13 to 15.16.

- (b) which contains common parts through which residents would need to evacuate in the case of an emergency.
- (2) The fire safety instructions must—
 - (a) be in a comprehensible form that the residents can be reasonably expected to understand; and
 - (b) include—
 - (i) instructions relating to the evacuation strategy for the building,
 - (ii) instructions as regards how to report a fire to the fire and rescue authority, and
 - (iii) any other instruction that tells residents what they must do when a fire has occurred.
- (3) The responsible person must provide a copy of the instructions referred to in paragraph (1)—
 - (a) to a new resident of domestic premises within the building, as soon as reasonably practicable after that resident moves into the premises; and
 - (b) to all residents of domestic premises within the building within each period of 12 months beginning with the date these Regulations come into force.
- (4) After any material changes to the instructions, the responsible person must display the fire safety instructions in accordance with paragraph (1) and provide a copy to residents.

Fire doors

10.—(1) The responsible person, in relation to a building which contains two or more sets of domestic premises and which contains common parts through which residents would need to evacuate in the case of an emergency, must provide the required information about fire doors to the residents of the building.

- (2) The required information referred to in paragraph (1) is information to the effect that
 - (a) fire doors should be kept shut when not in use;
 - (b) residents or their guests should not tamper with the self-closing devices; and
 - (c) residents should report any faults or damages with doors immediately to the responsible person;
- (3) The required information must be provided by the responsible person—
 - (a) to a new resident of domestic premises in the building, as soon as reasonably practicable after that resident moves into the premises; and
 - (b) to all residents of domestic premises within the building, within each period of 12 months beginning with the date these Regulations come into force.
- (4) The responsible person, in relation to a building which contains two or more sets of domestic premises and which is above 11 metres in height, must use best endeavours to undertake checks of fire doors at the entrances of individual domestic premises in the building at least every 12 months.
- (5) The responsible person must keep a record of the steps taken to comply with the obligation in paragraph (4) including in any case where access to the domestic premises was not granted during any 12 month period, the steps taken by the responsible person to try and gain access.
- (6) The responsible person in relation to a building which contains two or more sets of domestic premises and which is above 11 metres in height, must undertake checks of any fire doors in communal areas of the building at least every 3 months.
- (7) The checks required by paragraphs (4) and (6) must include ensuring that the self-closing devices for the doors are working.
- (8) For the purposes of this regulation, height measurement of a building is to be calculated to the height to the top storey in accordance with regulation 3(2)(a).

Provision of documents to local fire and rescue authority

11. The responsible person in relation to a high-rise residential building must provide the local fire and rescue authority by electronic means with the documents specified in—

- (a) regulation 5 (design and materials in external walls); and
- (b) regulation 6 (floor plans and building plan).

Duty to review

12.—(1) At intervals of no more than 5 years, the Secretary of State must—

- (a) carry out a review of the operation and effect of these Regulations; and
- (b) publish the conclusions of the review in a report.

(2) Any report must in particular—

- (a) set out the objectives intended to be achieved by these Regulations;
- (b) assess the extent to which those objectives are achieved;
- (c) assess whether those objectives remain appropriate; and
- (d) where the objectives remain appropriate, assess the extent to which they could be more effectively achieved.

Greenhalgh
Minister of State
Home Office

17th May 2022

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under article 24(1) of the Regulatory Reform (Fire Safety) Order 2005 (“the Fire Safety Order”), which enables the making of regulations regarding precautions to be taken or observed in relation to the risk to safety of persons from fire in premises to which that Order applies.

Regulation 3 defines “high-rise residential building” and regulations 4 to 8 impose obligations on the responsible person (defined in article 3 of the Fire Safety Order) in relation to such buildings. These obligations require wayfinding signage, a secure information box to be installed in the building and for various plans and information to be placed within the box and for fire-fighting equipment to be regularly inspected.

Regulations 9 and 10 impose obligations on responsible persons as regards information to residents and fire doors in all residential buildings with communal areas.

Regulation 11 requires certain information to be supplied to fire and rescue authorities.

An impact assessment of the effect that this instrument will have on the costs to business and the voluntary sector is available from the Fire Safety Unit, Home Office, 2 Marsham Street, London SW1P 4DF and is published with an Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

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