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Dear Janice

PRIVATE TENANCIES BILL

Thank you for your letter of 30 November about the Private Tenancies Bill, where you advise that the Committee for Communities would like to ascertain “who has the obligation to install and maintain fire, smoke and carbon monoxide alarms in the communal areas of block of apartments where the building may contain multiple private let dwellings”.

The Department refers you to the evidence provided by NIFRS to your Committee Thursday 18 November which noted “Responsibility for shared spaces in those types of properties sits with the owner of the building. It is up to them to ensure that those spaces are maintained to the appropriate standard.”

Building Regulations

In most cases the Building Regulations would not expect automated fire detection and alarms or carbon monoxide detectors to be provided in the typical common spaces providing access within blocks of flats. The current requirements under the technical guidance to regulation 33 (Means of escape) and regulation 72 (Warning of the presence of carbon monoxide gas) typically points to provision of such alarms within the flats only. Provision of additional alarm coverage to the common parts would depend on more specific consideration of the intended use of the common parts and wider implications for managing evacuation and fire-fighting requirements of the building. This approach is in line with the administrations in Britain.

The Private Tenancies Bill

The Committee for Communities also asked “whether the Department thinks the Bill will legislate for the installation of fire, smoke and carbon monoxide alarms in the communal areas of a block of apartments where the building may contain multiple

privately let dwellings considering these appliances are required to ensure safe access and egress”.

Assurance on the intention and drafting of the Bill would be a matter on which DfC officials would be best placed to advise the Committee.

Further Information

The Committee for Communities asked “if DOF may have further information relating to business owners and the installation of safety appliances which may be helpful to them.”

The Department does not hold any further relevant information in this area, which is likely to be responsibility of the Department for the Economy, which has responsibility for health and safety legislation in workplaces and/or Department of Health, which has legislative responsibility for the Fire and Rescue Services (NI) Order 2006 and The Fire Safety Regulations (NI) 2010.

I trust this is helpful, however, please contact me should you require further clarification.

Yours sincerely

Andy Monaghan

Andrew Monaghan
DEPARTMENTAL ASSEMBLY LIAISON OFFICER