

FROM THE MINISTER OF HEALTH



Department of  
**Health**

An Roinn Sláinte

Mánnystrie O Poustie

[www.health-ni.gov.uk](http://www.health-ni.gov.uk)

Janice.Thompson@niassembly.gov.uk

Castle Buildings  
Stormont Estate  
BELFAST, BT4 3SQ  
Tel: 028 9052 2556  
Email: [private.office@health-ni.gov.uk](mailto:private.office@health-ni.gov.uk)

Our Ref: CORR/4005/2021  
Date: 6<sup>th</sup> January 2022

Dear *Janice*,

## **COMMITTEE FOR COMMUNITIES REQUEST FOR INFORMATION - PRIVATE TENANCIES BILL**

Thank you for your letter dated 30 November 2021 regarding Clause 8 of the Private Tenancies Bill. I have consulted with the Northern Ireland Fire and Rescue Service (NIFRS) and have addressed your queries below.

Requirements for the installation of fire detection and fire alarm systems are detailed in Building Regulations (Northern Ireland) 2012 Technical Booklet E Fire Safety. The Health & Safety Executive are the lead authority for the installation of carbon monoxide alarms and therefore this response is only in relation to fire detection and fire alarm systems.

The term 'flat' will be used as opposed to 'apartment' to mirror the term used in building regulations. In blocks of flats, each individual flat is required to be installed with 'stand-alone' fire alarm system within each unit. The private tenancies bill will require the same type of fire alarm system to be installed and maintained in a private tenancy flat, regardless of when the property was built.

In communal areas, such as hallways, within a block of flats, there is generally no requirement in building regulations to install a fire detection and warning system in these areas. This is because common parts of flats should be clear of any flammable material and any fire would be expected to have started within a flat that has smoke detection to alert the occupants and sufficient compartmentation for a fire not to spread to other parts of the building and in particular escape routes.

A property owner may however choose to install, or have installed, a higher level of fire alarm system than is required by building regulations for other reasons such as to provide additional property protection. Where this is the case, the maintenance of any such system is the responsibility of the property owner/managers.

In certain blocks, for example, those over 18m in height, additional facilities such as firefighting stairs (with fire doors), firefighting lifts, firefighting shafts, rising mains and smoke ventilation will be required by building regulations. Where such measures are installed these facilities must be maintained by the premises owner/manager which is specified by Regulation 24 of the Fire Safety Regulations (Northern Ireland) 2010. The maintenance of these measures are enforced by NIFRS as the enforcement authority.

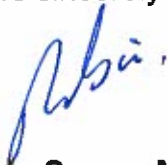
Although a private landlord may be considered a business, in fire safety legislative terms, the premises type is defined as a domestic premises. NIFRS has published specific advice on the Service's enforcement role at <https://www.nifrs.org/home/staying-safe/business-fire-safety/fire-safety-legislation-advice-notes/>

In private blocks of flats, individual flats may be owned by different people and either be in owner occupation, be let as a private tenancy, or be operated as a House in Multiple Occupation. A management company may be appointed to maintain communal areas on behalf of shareholders (the owners), who will be required to pay a service charge to pay for maintenance of the common areas. Arrangements will usually be tied to the deeds of the property. Such arrangements provide mechanism to ensure that communal areas are maintained.

It is for these reasons, NIFRS are satisfied that the communal hallways of flats can remain outside the scope of the private tenancies bill.

NIFRS fully supports the proposals made by Clause 8 which will substantially reduce the risk of death or serious injury from fire in private tenancies. NIFRS continues to offer their full support to assist and advise as new regulations and guidance to support this clause are developed in due course.

Yours sincerely



**Robin Swann MLA**  
**Minister of Health**