

Consultation on the Practical Fire Safety Guidance for Existing Premises with Sleeping Accommodation

Analysis of Responses

June 2018

1. Background

In 2015, the Regulatory Review Group (RRG) reviewed Part 3 of the Fire (Scotland) Act 2005, considering its operation, implementation and effectiveness.

The review looked at the development of the legislation through to its implementation and in particular whether it had delivered what it set out to achieve efficiently and effectively, had respected the principles of better regulation, and had had any unintended consequences.

The review also looked to identify areas of best practice as well as areas for improvement which could inform future legislative processes in the promotion of better regulation.

A report on its findings, and including a number of recommendations was published on 1 December 2015
<http://www.gov.scot/Resource/0049/00490043.pdf>.

The report makes 12 recommendations, all of which are for either SFRS and/or the Scottish Government. Two of these related to the sector specific guidance.

- Sector specific guidance which has been issued in support of Part 3 of the Fire (Scotland) Act 2005 should be reviewed.
- The Scottish Government should work with SFRS to put in place a programme to review and transpose the sector guides using the most recently updated guides as templates.

2. The draft guidance

A draft volume of guidance, covering existing residential premises with sleeping accommodation was prepared for public consultation. It consolidates and supersedes the following existing guides:

- [Practical Fire Safety Guidance for Small Premises Providing Sleeping Accommodation, 2010](#)
- [Practical Fire Safety Guidance for Medium and Large Premises Providing Sleeping Accommodation, 2008](#)
- [Practical Fire Safety Guidance for Small Bed and Breakfast and Self-catering Premises, 2010](#)

These three guides contain a substantial amount of duplication and we believed that reducing the number of guides would make them easier to use for duty holders and enforcers, and provide greater clarity on the relevant guide for particular premises.

A reduced number of guides will also enable the Scottish Government to update when necessary, with a subsequent benefit for dutyholders and enforcers.

The proposed guide has a number of editorial changes from the existing three guides it seeks to replace.

It does not seek to impose any major new standards, nor is it intended to impose more onerous benchmarks: Fire safety obligations are set out in Part 3 of the Fire (Scotland) Act 2005 and the guides are designed to assist dutyholders in meeting their obligations. The draft revised Practical Fire Safety Guidance for Existing Premises with Sleeping Accommodation contains 75 pages.

3. The consultation

The purpose of the consultation was to seek views on the content and usefulness of the revised and consolidated guidance which aims to help those responsible for fire safety meet their legal duties. Examples of the type of premises to which the guide applies are:

- hotels and tourism hostels
- holiday lets
- holiday complexes, camping, glamping and caravan sites (other than privately used individual units)
- church halls and similar premises used regularly or occasionally for sleeping
- bunkhouses and bunk barns
- certain types of sleeping accommodation for pupils or employees
- all types of houses in multiple occupation (HMO)
- boarding houses, guest houses and bed and breakfast accommodation

The consultation was open to everyone, but in particular we welcomed the views of dutyholders, for whom this guidance has been written.

Awareness of the consultation was promoted by notifying major stakeholders identified by Scottish Government, the Scottish Fire and Rescue Service and the Regulatory Review Group secretariat. A Scottish Government media release was issued on 7 November 2017 and social media was also used to promote awareness. SFRS also promoted the consultation through its online communication channels.

The consultation period ran from 7 November 2017 to 5 February 2018.

The consultation asked five questions:

1. Three fire safety guides are being combined to assist with reference and future updating. Do you have any suggestions for improving the structure of the combined guide?
2. Are there any changes that should be made to the content of the revised guide?
3. Is there any information or guidance that is not covered in the revision which you think needs to be included?
4. Do you have any other comments on the guidance document?
5. An Equality Impact Assessment and a Partial Business and Regulatory Impact Assessment are also available, and we welcome any comments you may have on each of these documents.

4. The responses

4.1 Overview

There were 37 responses in total:

1. Aberdeen City Council
2. Aberdeenshire Council
3. Airbnb
4. Arup
5. BAFE (British Approvals for Fire Equipment)
6. British Holidays and Home Parks Association
7. British Hospitality Association
8. Care Inspectorate
9. Certsure LLP
10. Chartered Institute of Housing Scotland
11. Clan Gordon Limited
12. East Dunbartonshire Council
13. East Renfrewshire Council's Housing Service
14. Falkirk Council
15. Gowrie Care Ltd
16. Health and Safety Executive - Transport and Public Services Unit
17. Historic Environment Scotland
18. Hoare Lea
19. Knoydart Foundation Bunkhouse
20. NHS Grampian
21. Olsson Fire & Risk UK Ltd
22. Port of Leith Housing Association
23. ROCKWOOL Group
24. Rushbrook Consultants Ltd
25. Scottish Council on Deafness
26. Scottish Fire and Rescue Service
27. Scottish Water
28. Shetland Islands Council
29. South Lanarkshire Council
30. The Association of Scotland's Self Caterers

- 31. Unite Scotland
- 32. University of Edinburgh
- 33. Institution of Fire Engineers
- 4 individual respondents

4.2 Respondent Groups

Type of Organisation/Sector	Number of Responses
Local Authority	7
Individuals	4
Academic	1
Fire Risk/Safety Consultant	11
Other e.g. charities/health/professional organisations/manufacture	14

4.3 Comments

As the majority of the comments on content came from organisations with specific interest in fire safety, suggestions for inclusion or amendment covered a range of topics, many of which are of a fairly technical nature.

Question 1
<p>Three fire safety guides are being combined to assist with reference and future updating. Do you have any suggestions for improving the structure of the combined guide?</p>
<p>23 respondents commented on this question.</p> <p>Comments</p> <p>There were many constructive responses on the combination of the guides including that the new format is concise, simplified, logical and user friendly.</p> <p>In addition to these comments, it was suggested that more graphics/diagrams were included throughout the document, and that more emphasis should be placed on the fact that the guides are for existing buildings.</p>

Question 2

Are there any changes that should be made to the content of the guide?

24 respondents commented on this question.

Comments

The respondents offered a range of mainly technical suggestions and additions to specific paragraphs as well as requesting that some of the guidance was clearer.

A common theme in the responses was uncertainty with the scope of the guidance. As a result we have made changes to clarify the scope of the guidance and included guidance on the application of fire safety law. This has included the insertion of a new annex.

Two respondents thought that the revision was introducing a higher level of benchmark for certain room doors. We agreed with this and therefore amended the guidance in this area.

In response to other comments on technical issues, where we thought it appropriate, we have accordingly amended the guide through additions, deletions and some re-ordering of paragraphs.

Question 3

Is there any information or guidance that is not covered in the revision which you think needs to be included?

12 respondents commented on this question.

Comments

These were a number of mainly technical suggestions. Where we thought it appropriate, we have accordingly made some amendment to the guide.

Question 4

Do you have any other comments on the guidance document?

23 respondents commented on this question.

Comments

From those who provided additional comments, it was clear that the respondents felt that the Annexes to the guidance were particularly helpful and easy to read. Overall they felt the guidance to be generally clear and informative and that this will contribute to greater future safety in Scotland especially in support of the dutyholder.

One respondent suggested that there should be wider promotion of this guidance to make the relevant dutyholders aware of its existence.

Question 5

An Equality Impact Assessment (EQIA) and partial Business Regulatory Assessment (BRIA) are also available, and we welcome any comments you may have on each of these documents.

Only one comment was received on the BRIA and that was to make an easy read version of these forms available.

We would like to thank all respondents for taking the time to respond to this consultation.

In light of the comments received, the Practical Fire Safety Guidance for Existing Premises with Sleeping Accommodation was amended in a number of areas.

Scottish Government
Fire and Rescue Unit: Safer Communities Division
31 May 2018



Scottish Government
Riaghaltas na h-Alba
gov.scot

© Crown copyright 2018

OGL

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at
The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-78851-966-3 (web only)

Published by The Scottish Government, June 2018

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS425166 (06/18)

W W W . G O V . S C O T