

# Communal Areas Fire Safety Policy

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## 1. Introduction

- 1.1 This policy sets out our approach to protecting our residents, their visitors and the emergency services through controlling the storage of items in communal areas.
- 1.2 This policy has links to some of our other policies, and we've thought about these links when reviewing the policy. This policy should be read in conjunction with our:
  - Fire Safety Policy
  - Anti-social Behaviour Policy
  - Estate Management Policy
  - Abandonment Policy

## 2. Scope

- 2.1 This policy covers communal areas in all residential blocks that we manage. It focusses on fire safety, but the approach set out will help to keep residents safe from other hazards too while recognising that communal areas should be welcoming.
- 2.2 This policy applies to Peabody Trust and all subsidiaries (the Group). It does not apply to Town and Country Housing.
- 2.3 This policy applies to all residents (tenants, shared owners and leaseholders) of residential buildings with communal areas, their visitors and anyone else using the communal areas covered.

## 3. Key terms and definitions

- 3.1 **Communal areas** in this policy are areas providing access to flats in purpose built and converted properties. Such as, communal entrance doors, hallways, stairs, corridors, loft areas and shared utility and riser cupboards. We have a responsibility to protect our residents and the emergency services by ensuring that routes to emergency exits and the exits themselves are always kept clear. This also extends to removing hazardous items that may cause or contribute to fires.
- 3.2 **Escape route** is the route along which people can escape from any point in a building to a final exit.
- 3.3 **Tort notice**, otherwise known as a torts notice, is a legal document alerting the owner of items that have been left in communal areas that we intend to remove and dispose of them. The notice gives the owner a reasonable period of time to collect their possessions from the landlord who must store the goods during that period.

## 4. Our approach

- 4.1 We take our responsibilities to provide communal areas that are safe and welcoming for all residents and visitors seriously. To do this, we manage communal areas to ensure they are safe for residents and others, including taking action to keep communal areas clear and safe where appropriate.
- 4.2 We remove items left in communal areas while recognising our duty of care towards our residents' property. This means we take a risk based and reasonable approach to deciding how quickly to remove items and how long to store them.

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4.3 Our approach assesses the risk presented by:

- Buildings, such as type of construction, height, fire strategy
- Items left in communal areas, such as how hazardous or flammable they are
- Where items are left, such as if they block escape routes like doorways or stairwells
- Other factors, such as housing management issues like anti-social behaviour, the length of time items are left in one place.

4.4 We prioritise removing items from communal areas in line with our risk assessment. We do this by assessing the hazard represented by the item, where it is, the type of building and any other issues that may be applicable. For more detail see section 5 and Appendix 1.

4.5 We reserve the right to remove any items from communal areas immediately or put a notice on them to say we are removing them.

4.6 We always try to tell the owner of an item in a communal area that we are removing it or intend to remove it where it is possible and practicable to do so. In the case of valuable items where the owner is unknown this might involve sending a letter to all relevant residents in a block.

4.7 When we remove items, we either store or dispose of them. We decide what to do using the following principles:

- We dispose of items which have been abandoned and/or are of little or no value and/or are dangerous
- We store items which appear to have some value in a secure locked facility. We give owners time to recover goods and do this by serving a Tort Notice
- We make an inventory of all items which we remove or store, taking photographs as necessary, to keep a clear record of items we become responsible for
- We keep items that have some value for a minimum of 28 days before disposing of them. We do not serve another notice before disposing of items at the end of the notice period.

4.8 We may take further action against residents for leaving items in communal areas if we consider they are doing so deliberately. Further action could lead to us taking out injunctions or possession proceedings. Where we do this we always seek costs.

4.9 We recognise our duty to support residents keep communal areas safe and clear while also creating a sense of home. To do this we work with residents to:

- Keep communal areas clear and safe through regular communication and consultation.
- Identify any needs for storage, such as buggy and/or mobility scooter and/or bicycle and/or electric scooter stores and try to meet these needs where building configuration allows, this includes looking at the configuration of new buildings to support storage.
- Make communal areas welcoming either through managing the placement of personal items where allowed, see section 5, or through decoration and the supply of communal items such as doormats in buildings where we consider personal items constitute a hazard. This includes consulting with residents about what items do constitute hazards.

### 5. Detailed requirements for keeping buildings clear and safe

5.1 This section looks in more detail at how we manage our approach to keeping communal areas safe and clear. The principles that we follow are:

- Escape routes must be kept clear
  - Staircases and areas immediately adjacent to staircase landings and/or lifts must be kept clear of all items
  - Walkway widths should not be reduced to less than a metre for any distance greater than three metres
- Items left in communal areas should be judged by the formula:

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- Are they dangerous in the context of the building type?
- Are they dangerous because of where they are?
- Are there other issues that may make them dangerous?
- Paragraph 5.2 of this policy lists items that are unacceptable and paragraph 5.3 list items that are acceptable. All other items should be removed unless we judge that there is a reason not to. Following the service of a tort notice.
- Tort notices should be placed on objects and posted through item owners' letterboxes (where known)
- We always try to talk to residents about items left in communal areas
- We always listen to residents who talk to us
- We try to find solutions that keep communal areas clear and safe and satisfy residents.

### Unacceptable items

5.2 Residents must not use or store the following within communal parts of blocks:

- Flammable items
  - Contained gases. (Oxygen for medical purposes should be stored in residents' flats.)
  - Chemicals, including paints, varnishes, brush cleaner, turpentine, petrol, oil, diesel, fertilisers, weed killer or cleaning fluids etc.
  - Barbeques and/or their fuel, fire lighters or charcoal
  - Vehicles, such as petrol mopeds, other fuelled vehicles, e-scooters and/or e-bicycles.
- Items that increase the fire loading in communal areas in blocks
  - Candles, tea lights, incense sticks, lighters or matches
  - Upholstered furniture or fabrics, such as padded chairs, armchairs, curtains, net curtains and/or fabric wall hangings
  - Plastics, such as plastic garden furniture, children's toys
  - Recycling and household waste, residents must:
    - Store recycling boxes/bins within flats or externally
    - Not leave refuse outside flat doors.
  - DIY Materials – wood, timber, mastics, glues, adhesives etc.
  - Clothing – all articles of clothing and footwear
- Items restricting escape routes

This is not an exhaustive list, and we reserve the right to request immediate removal of any item we deem poses a significant risk.

### Acceptable items in all blocks

5.3 Door mats will be acceptable as long as they:

- Do not represent a trip hazard
- Are specifically intended to be a door mat
- Have a non-slip backing material (usually rubber)
- Are in good condition and free from curling edges
- Are placed directly in front of the resident's front door
- Are not oversized (do not exceed the width of the front door)
- Are not located anywhere else within the block, specifically not at the top of stairs.

### Small pot plants

- A small quantity of indoor plants (in metal, clay or porcelain pots) displayed on an internal windowsill(s) are acceptable. Plants must be natural, watered and alive. Plastic plants are not acceptable. Window boxes and plants which jut out into circulation routes are not permitted.

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**Pictures** are permitted as long as they:

- Are of a reasonable size (do not cover more than 20% of the wall area)
- Are in good condition, framed and preferably glass or Perspex covered
- Are firmly secured to walls only. Pictures must not be fitted to doors or windows.
- Do not cause offence to other residents, visitors or staff.

**Ornaments are permitted as long as they are:**

- Placed on a windowsill, or ledge, which is suitable for them to sit on (do not overhang)
- Small enough not to cause an obstruction to the window
- Small enough not to block the light coming through the window
- Not plastic
- Do not cause offence to other residents, visitors or colleagues
- Not stored on meter cupboards, as these are not considered a shelf or ledge.

**Prams / children's buggies.** Parents who live on upper floors of blocks without lifts may be unable to carry buggies upstairs. Where this is the case, we may permit the storage of collapsed buggies and prams in an appropriate space in the ground floor communal areas that do not obstruct access / egress and cause others a nuisance. Prams / children's buggies should not be secured to stairs or where they will cause an obstruction to the means of escape.

**Mobility aids.** Our preferred choice is to provide a permanent solution for storing mobility scooters that fits with best practice and enables storage away from communal areas. However, we understand that some residents require a mobility scooter. Where this is the case they can apply for consent to store scooters in their flats or communal areas. For example, where the width of a front door makes it difficult for residents to store scooters within their flat. Mobility aids must never obstruct means of escape. We only give permission to store mobility aids in communal areas if a suitable place can be identified which does not compromise the safety of residents / visitors to the building. We review permission regularly to make sure safety is not compromised.

**Bicycles** are allowed in enclosed corridors if they are kept locked when not in use and are not blocking any means of escape. For example, they are allowed in corridor recesses. Bicycles should not be secured to stairs or where they will cause an obstruction to the means of escape. Ideally, bicycles should be stored within a secure bicycle facility if one is provided.

### Permissible items based on property type

5.4 Highrise buildings (over 18 metres or seven stories), converted street properties, timber frame buildings: Properties in this category represent a greater risk to residents in the event of a fire. In these buildings we are forced to operate a 'no storage' policy to ensure residents can safely evacuate. Only those items in paragraph 5.3 may be acceptable in communal areas if we consider them not to be a hazard after considering the following factors:

- The typical building pathology at the time of construction
- The structure's ability to prevent the passage of smoke, heat and fire
- The number of means of escape / evacuation routes
- The evacuation policy
- The risk to residents from obstructions in the communal area.

**Purpose built blocks with enclosed corridors and staircases:** Where a 'stay put / self-evacuation' strategy is in effect, residents can store:

- Items deemed 'acceptable' set out in paragraph 5.3
- Items not mentioned in items considered 'unacceptable' if they do not block exit routes and the building does not have other factors which may cause a risk to residents (we reserve the right to remove items or serve a notice for their removal at any time).

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**Blocks with unenclosed balconies, walkways and staircases (Open to Air):** We consider that the risk to residents and visitors from a fire on an open balcony / staircase or within a flat accessed from an open balcony to be low. As such residents may store certain additional items outside their flats, where they do not pose an obstruction or nuisance to other building users.

- Where walkways are:
  - More than a metre wide residents can introduce plant pots and troughs
  - Already less than a metre wide residents can introduce plant pots and troughs supported on propriety hangers from an external balcony up stand or balustrade
- Where residents have installed planters, pots or troughs to the top of balcony walls, these must be secured to prevent them falling.

### **Acceptable additional items on open balconies / walkways may include:**

- Bicycles
- Children's toys
- Outdoor garden furniture
- Plants (window planters, small pots on the floor)

This is not an exhaustive list and other items may also be permissible if we consider they do not to pose a risk. For example, by blocking escape routes.

**Blocks with covenants and other restrictions:** In addition to the above categories some estates or buildings may be affected by covenants, or other restrictions, imposed by freeholders, superior landlords or management companies. Where this is the case, these restrictions will take precedence and items included in them will be controlled in addition to the formula indicated in this section and in the risk matrix in Appendix 1 (below).

## **6. Legislation and Regulation**

6.1 The key legislation and regulation influencing this policy is:

- Regulatory Reform (Fire Safety) Order 2005 ("Fire Safety Order")
- Fire Safety Act 2021
- Fire Safety (England) Regulations 2022
- Tort (Interference with Goods) Act 1977
- Building Safety Act 2022 and 'in occupation' regulations linked to it
- Regulatory Standards (Governance and Financial Viability, Home and Tenant Involvement and Empowerment Standards)

## **7. Responsibilities**

7.1 Neighbourhood teams should develop good local knowledge, understand the buildings they manage, act as our focus when working with residents and:

- Regularly visit blocks and inspect communal areas.
- Work with residents to explain the risks of leaving items in communal areas and consult with residents about the acceptability of items.
- Risk assess items left in communal areas.
- Serve tort notices and talk to residents about items left in communal areas.
- Coordinate activity between teams including the removal and storage of items.
- Take appropriate enforcement action as necessary.
- Report items left in communal areas identified during their normal working patterns, such as cleaning communal areas.
- Remove items as requested.

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- 7.2 All Peabody colleagues and contractors are responsible for compliance with this policy. Colleagues and contractors visiting properties are responsible for reporting items causing a potential fire risk in communal areas. All issues should be reported to the Neighbourhood Manager (NM) or a member of the Neighbourhood Team, who will risk assess and co-ordinate the operation of this policy in their assignment neighbourhood. The Neighbourhood Team will make sure that pictures of items in situ are taken and a full description, including approximate value, is made and recorded.
- 7.3 The Health and Safety Team and/or Building Safety Team will provide training and advice, particularly in difficult cases, to support operational teams.
- 7.4 Managing Directors, Directors and Assistant Directors are responsible for the operational delivery of, and monitoring compliance with, this policy and associated policies and procedures.
- 7.5 Residents are expected to keep communal areas clear and not to store items in them unless given specific permission to do so.

### Approval

<b>Version number</b>	1.1
<b>Effective from</b>	28 September 2023
<b>Policy owner</b>	Managing Director North East London

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## Appendix 1

Items	Type of property		
	High risk: Converted street properties, timber frame buildings, high rise buildings	Medium risk: Purpose built blocks with a protected staircase and blocks with more than one staircase	Low risk: Blocks with unenclosed staircases, balconies and balconies.
Unacceptable items	* Remove ASAP	* Remove ASAP	* Remove ASAP or 7 days depending on item
Permitted door mats	✓	✓	✓
Small permitted pot plants	✓ provided they do not obstruct escape routes, if obstructing give 7 day notice	✓ provided they do not obstruct escape routes, if obstructing give 7 or 14/28 day notice	✓ Larger plants and window boxes will be acceptable provided they do not obstruct escape routes, if obstructing give 14/28 day notice
Permitted pictures	✓	✓	✓
Permitted ornaments	✓ provided they do not obstruct escape routes, if obstructing give 7 days notice	✓ provided they do not obstruct escape routes, if obstructing give 7 or 14/28 day notice	✓ provided they do not obstruct escape routes, if obstructing give 14/28 day notice
Prams / children's buggies	✓ provided they do not obstruct escape routes, if obstructing give 7 days notice	✓ provided they do not obstruct escape routes, if obstructing give 7 or 14/28 day notice	✓ provided they do not obstruct escape routes, if obstructing give 14/28 day notice
Mobility aids	* Remove ASAP or 7 days depending on item	✓ provided they do not obstruct escape routes, if obstructing give 14/28 day notice	✓ provided they do not obstruct escape, if obstructing give 14/28 day notice
Bicycles	* Remove ASAP days or 14/28 days depending on how stored	✓ provided they do not obstruct escape routes, if obstructing give 7 or 14/28 day notice	✓ provided they do not obstruct escape routes, if obstructing give 14/28 day notice
Additional items including children's toys and garden furniture	* Remove 24 hours or 7 days depending on item	* Remove 7 days or 14/28 days depending on item	✓ provided they do not obstruct escape routes