



# Professional Association of Self-Caterers UK

## PASC UK SHORT NEWSLETTER

### 10 June 2023 Issue 165

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#### COMMENTARY

Quick focus on the new Fire Regulations for short term lets. We have published additional papers to assist you with the new Home Office Guidance and have two free Webinars this week to assist you with understanding these and preparing your written Fire Risk Assessment. Having one of these is going to be a legal requirement from the 1<sup>st</sup> of October 2023 in England and will also shortly be the same in Wales.

The webinars will feature both the Fire Experts that wrote our additional notes, and representatives from the Home Office that wrote the Home Office Guidance.

Two steps...

- 1/ Sign up for either the Members or non-Members Fire Guidance Webinars**
- 2/ Read the new Fire Papers 2 and 3 so that you can prepare questions for the Webinars**

Any questions please let us know. Best regards

Alistair

#### **PASC UK FIRE WEBINAR PROGRAMME FOR JUNE/JULY 2023**

Please find below the June/July webinar programme.

Previous webinars and meetings can be viewed on the PASC UK Website at:  
<https://www.pascuk.co.uk/webinars/> Members only recordings are in the Members area.

#### **1/ WEBINAR TO COVER CHANGES TO FIRE GUIDANCE FOR MEMBERS ONLY**

**Date: 1100 on Tuesday 13 June**

This webinar will be recorded and placed in the Members area on the website.

This webinar is being broadcast in support of the new fire support papers that will be published beforehand, see Fire update in this Newsletter. Register here. Max 500, we will ask for Business info.

[https://us06web.zoom.us/webinar/register/WN\\_C3dr5GvzQNi12BQQcOw1vQ](https://us06web.zoom.us/webinar/register/WN_C3dr5GvzQNi12BQQcOw1vQ)

You'll receive a link to the webinar after registration.

## **2/ WEBINAR TO COVER CHANGES TO FIRE GUIDANCE OPEN TO ALL**

**Date: 1100 on Thursday 15 June**

This meeting will be recorded and placed in the Public area on the website.

This webinar is being broadcast in support of the new fire support papers that will be published beforehand, see Fire update in this Newsletter. Register here. Max 500, we will ask for Business info.

[https://us06web.zoom.us/webinar/register/WN\\_rqjEVcNeSUakYWNzZXfHXg](https://us06web.zoom.us/webinar/register/WN_rqjEVcNeSUakYWNzZXfHXg)

You'll receive a link to the webinar after registration.

## **NEW FIRE GUIDANCE SUPPORT PAPERS LAUNCHED**

### **Background.**

#### **Why has the law changed for Paying guest accommodation?**

As a business owner or responsible person, you have a duty to comply with the requirements of the Regulatory Reform (Fire Safety) Order 2005 (As amended) (the FSO). Up until recently, if you owned a small guest house, complying with the FSO seemed very simple, some basic low-cost fire safety measures were all that was needed and Fire and Rescue Services applied a very light touch, in fact you probably never had a visit unless you asked for advice.

For those smaller premises, there was a very concise guide called the 'Do you have paying guests guide'. That as published by the Government in 2008.

Since then, the paying guest accommodation sector has changed beyond recognition. There has been a major expansion in the number and range of accommodation providers. The emergence of 'sharing' accommodation along with the growth of digital platforms to advertise and make bookings has created a situation which has altered the paying guest accommodation sector beyond recognition, especially within the short-term letting of residential premises.

#### **Why has the Law changed?**

The emergence of this new paying guest sector has created a situation where there was a massive imbalance between the traditional paying guest sector and the vast majority of the 'sharing paying guest accommodation' sector. The fire safety standards in the sharing sector, rarely met (or meets) the standards that most paying guest accommodation achieve.

This placed the guests at risk in the event of fire and was not good for the reputation of the paying guest accommodation sector.

So, as well as trying to resolve the imbalance, to create a level playing for all, the Government decided that they needed to update the existing guidance and to make sure the guidance was followed by all those that are legally obliged to do so.

So, they did the following.

1. They published new guidance - for small holiday lets, (no more than two storeys, and less than ten beds, with a simple layout) - [A guide to making your small paying-guest-accommodation safe from fire \(Small Guest House Guide\)](#) This document was published in March 2023. The Government are in the process of drafting a replacement guide for larger premises, but at present the [Fire Safety Risk Assessment for Sleeping Accommodation \(Sleeping Risk Guide\)](#) is the one to use.
2. The Government introduced new laws making it a requirement for paying guest accommodation owners to carrying out and make a record of their fire risk assessment– Section 156 of Building Safety Act 2022.
3. They also made it mandatory to follow the guidance they published by amending the FSO under powers provided in Section 2 of the Fire Safety Act 2021 which came into force in May 2022, so in effect from May 2022 any Government guidance provided as ‘Article 50 guidance’ is considered mandatory, even the older Sleeping Risk Guide.

So, this means that any person that operates any form of holiday accommodation, must comply.

- Failing to comply could result in legal action.
- Failing to comply will affect your insurance.
- Failing to comply could put your guests at risk in the event of a fire.
- Failing to comply could mean a small fire becomes a large fire, putting your guests at risk and closing your business – 80% of businesses do not survive a significant fire.

## New supporting Papers

To help owners navigate through this, and to supplement the Government Papers mentioned above, we have commissioned three initial papers from our Fire expert, Paul Bray, GFireE, Fire Safety Consultant.

The papers are number 1,2 and 3. They can be found here: <https://www.pascuk.co.uk/reports/>

- Paper One: **The Regulatory Reform Fire Safety Order 2005**

This is a background paper explaining the legal background of the Fire Regs and the Fire Regs.

- Paper 2: **Additional Notes to the Home Office Guidance on Making your small paying guest accommodation safe from fire 2023**

This paper provides additional notes to use in conjunction with the Home Office Guidance on Making your small paying guest accommodation safe from fire paper.

- Paper 3: **Applying the Sleeping Risk Guide to existing holiday accommodation**

This paper provides the first paper on providing additional information for larger properties.

The above papers and accompanying webinars are just the beginning of a series of supporting papers and webinars intended to assist Members with their Fire safety and Fire Risk Assessments. The next elements of this work will be determined by the feedback and questions arising from the papers and the webinars.

### **Outstanding Questions or points raised by Members and now answered by Home Office:**

1/ On the recent Webinar, a question was asked disputing whether wireless fire alarms systems are allowed. (This was in relation to ALL bedrooms needing to have one).

However, if, as will normally be the case, no such system is provided, there will be a need for interlinked domestic smoke alarms and heat alarms (of the type normally found in houses and flats) in all areas where a fire might start. Smoke alarms should be installed in hallways, corridors, staircases, lounges, dining rooms and bedrooms.

From the Home Office: On the first point (on whether wireless fire detection systems are allowed), the guide states (page 20, paragraph 2) that *“All smoke and heat alarms in the premises should be interlinked, so that, when any alarm device detects fire, all smoke and heat alarms give an audible alarm simultaneously. Interlinking may be by means of wiring or radio signalling.”* This means that wireless systems are permitted.

2/ The paper raises questions about fire safety systems having to be tested every six months.

#### **Six-monthly checks**

- Any fire detection and alarm systems should be serviced by a competent contractor
  - Fire doors should be checked to make sure they remain in good condition, are not damaged, and remain a good fit in their frames
- From the Home Office: On the second point (which refers to six monthly **service/inspections**, rather than testing), the recommendation is based on the frequency recommended by the BSI standard BS-5839 on fire alarms and fire alarm systems for non-domestic buildings. For

simpler premises, with domestic-type fire alarms only, a monthly **test** of the alarms by the RP should be sufficient (as recommended in the guide).

Members get telephone support and priority email support.

You can join here, simple form, takes 2 mins, and you'll get an invoice, payable by BACS or Credit Card. Just click on this link to go to the joining page: <https://www.pascuk.co.uk/join-pasc-uk/>

Wishing each one of you all the very best.

Best regards

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## DISCLAIMER

We are in completely uncharted territory here, and any suggestions that we make are merely that and you should carefully consider your own business policies, and if necessary, consult with your Professional Advisors. PASC is your lobbying Association, not a legal service. In addition, please be very wary of some of the advice given on internet communities, blogs and social media. There appear to be thousands of experts out there where our understanding is that there are very few.

To that end, any information you get from any source you must double check. We will always try and put the actual link to the information in the newsletters so that you can read and assess yourselves. These are unprecedented times, please take exceptional care.

