

Fire Risk in Unoccupied or Derelict Premises

The Regulatory Reform (Fire Safety) Order 2005

Derbyshire Fire and Rescue Service regularly attend fire related incidents at empty or derelict premises and associated land.

Arson fires usually follow a pattern, beginning with the setting of small fires causing limited damage. If the building is not regularly inspected and, as required, re-secured and repaired promptly, an escalation in the frequency and size of incidents can be expected, often resulting in the total destruction of the building. Preventing or reacting to 'small' incidents can therefore prevent a major loss happening. Fires in empty buildings present problems to firefighters that do not normally occur in occupied premises. For example, weakening of the structure may occur due to vandalism, aging and decay, damage caused when stripping out fittings, or the starting of small fires. All of these hazards can have serious consequences for firefighters attempting to safely access the building, potentially resulting in severe or even fatal injuries. Where the fire and rescue service considers that there is an undue risk of harm involved in entering an empty building, a decision may be taken to fight a fire from outside only, with the consequence that the damage to the building by fire, smoke and water is likely to be significantly increased.

Intruders in empty buildings may have a number of motives:

- to steal any contents
- to strip the buildings of anything of value
- to strip the buildings of any architectural fixtures and fittings or burn down the buildings to destroy the evidence of the crime
- to squat on a permanent or semi-permanent basis
- to use the buildings for illegal activities.

Article 3 (b) (ii) of the Regulatory Reform (Fire Safety) Order 2005 ("The Order") places duties and responsibilities in relation to these types of Premises on the responsible person, including the owner/s, leaseholders or duty holders.

Article 9 (1) of the Order requires the responsible person, to make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions you need to take to comply with the requirements and prohibitions imposed on you by or under this Order.

"relevant persons" means:

- (a) any person (including the responsible person) who is or may be lawfully on the Premises; and
- (b) any person in the immediate vicinity of the Premises who is at risk from a fire on the premises.

"general fire precautions" in relation to Premises includes the measures to reduce the risk of fire on the Premises and the risk of the spread of fire on the Premises.

The fire risk assessment should therefore consider arson and those measures to reduce cases of arson on the Premises. This may include the following:

- regular inspections of unoccupied buildings are undertaken to ensure that the building remains secure, and vandals or severe weather has not caused damage
- inspections should be undertaken at intervals not normally exceeding seven days, with each visit being recorded, preferably electronically to provide an audit trail
- all incidents or damage should also be recorded, together with action taken to remedy the incident/damage
- ensure any boundary fence is in good repair and gates are secured with padlocks
- collect combustible materials from around the perimeter and remove from site
- secure external doors by protecting with proprietary locking steel screens which fit over existing doors. Alternatively in high-risk areas, secure openings with brick or blockwork internally
- protect glazed panels with perforated steel screens or alternatively brick or blockwork

Further guidance and advice is available in the document BDM10 – “Code of practice for the protection of empty buildings - Fire safety and security”.

http://www.riscauthority.co.uk/free-document-library/RISCAuthority-Library_detail.bdm10-code-of-practice-for-the-protection-of-empty-buildings-fire-safety-and-security.html

You are reminded that it is an offence under the Order for the responsible person to fail to comply with any requirement or prohibition imposed by articles 8 to 22 and 38 (fire safety duties) where that failure places one or more relevant persons at risk of death or serious injury in case of fire.