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Mrs R Abbot & Mrs P Shaw
City of York Council
Housing Standards and Adaptations
George Hudson Street
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Dear Ruth & Pamela

Landlord Forum consultation

I refer to our meeting on 29 August and am writing with the observations of our members. I am sorry this is a little late but we have had to spend more time than we would have hoped eliciting replies from our members. We are writing a separate letter concerning washbasins. We are happy for this letter to be treated as open for circulation as either of us see fit. What follows are the informal opinions of a group of York Landlords, which may or may not be the opinion of Yorkshire Residential Letting Agents.

Fire safety guidance (FSG)

We note that this is guidance only and that City of York Council already promotes the Code of Best Practice for Student Accommodation (COBP) which, obviously, overlaps. The biggest concern is where these two contradict.

1 Originally under the COBP (then known as the Voluntary Code) any fire extinguisher meeting British Standards was acceptable. This became a requirement for water for new installations, with existing foam being allowed to remain. Under the FSG you are recommending any extinguisher but not dry powder. We cannot believe that in the space of less than four years there has really been significant changes in the specification of extinguishers and suspect that the influences of different individual fire officers are coming into play. The contradictions or changes in mind do not give the right message and it is time that a policy is set that is unlikely to alter. It seems that foam may be coming back into favour and I would point out that these are:

- easier to handle;
- less likely to be abused;
- more likely to be wall mounted out of the way;
- less likely to be used to prop open fire doors;
- may be safer to use near electrical equipment than water;
- have a B rating so can be used on burning liquids.

We would suggest that the COBP is changed to incorporate the FSG recommendations and that both the FSG and COBP committees should commit

to no further changes to specification for fire extinguishers unless and until significant technical advances emerge.

- 2 We note that under the FSG (which is not prescriptive) some new standards are proposed which are additional to the COBP. We also note that overall compliance with the COBP is optional, but within the COBP practice there are fire safety requirements that are mandatory. This gives rise to two concerns:
 - We think that the message being given to landlords is already confusing and the COBP should be redrafted to clearly distinguish between what are legal requirements regardless; what is compulsory to comply with COBP and what is recommended under COBP.
 - Many landlords have spent a lot of time and money in advance of this year to meet the fire safety requirements under the COBP. There is an established (if unofficial?) principle that once a licensed property has been brought up to standard the landlord is not usually required to make any further changes for five years. If there is any intention of extending the fire protection requirements of student properties to comply with the COBP then this should be after proper debate. Furthermore no new requirements should be mandatory under the code until five years after landlords are notified, probably 2013 at the earliest.
- 3 We are not convinced that there really **needs** to three sets different rules for 2 storey shared properties occupied by up to 4, 5, and 6 or more occupants. The risk is that what may be reasonable standards lose support by being unnecessarily complex. In view of the fact that the Housing Act 2004 has established a breakpoint of 5 occupants we wonder if the FSG could be amended so that the two sections for two storey shared houses cover up to five occupants and six or more occupants.
- 4 There is a note in the FSG that in a shared house with five or more occupants the fire protection system should be wired through the landlord's electrical circuit. We assume that this is a mistake and it is not the intention that landlords of student properties need a second electric supply to the property.
- 5 We note that is now suggested under the FSG that any under stairs cupboards in any shared house will need to meet fully thirty-minute fire resistance standards or the cupboard be taken out of use. Given that in the case of smaller shared houses there is no higher risk than that associated with occupation by a family, this seems excessive.
- 6 There is no suggestion that there could be some relaxation of requirements in smaller houses where there is a Grade A fire alarm system fitted and this should be considered. Similarly, in the COBP there is a minor exception for a fire door in two-storey accommodation and we would like assurances that this will remain.

These are the only comments that were raised.

Yours sincerely

RJ MacMahon

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