Scottish Resilience
Fire and Rescue Services Unit

The Scottish Government

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Chief Officers

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Dear Chief Officer

DEAR CHIEF OFFICER (SCOTLAND) LETTER 2/2009:

a) RESEARCH REPORTS
b) FIRE SAFETY IN SUB-SURFACE RAILWAY STATIONS

Research reports

1. Your attention is brought to research reports which have been published by Communities and Local Government (CLG) in respect of:

    - Evaluation of fire safety legislation;
    - Home fire risk checks;
    - FRS response times; and
    - Co-responding

2. Although the research relates principally to England, some of the information in the reports will be equally valid in Scotland. Details are contained in Annex A of this letter.

Fire Safety in Sub-surface Railway Stations

3. Paragraph 182 of the 'legislation overview' document issued with Scottish Fire and Rescue Service Circular 24/2006 advised that the Fire Precautions (Sub-surface Railway Stations) Regulations 1989, as amended SI 1989/1401 ("the 1989 Regulations"), were continuing in force along with Part 3 of the Fire (Scotland) Act 2005.

4. The 1989 Regulations apply to certain railway stations and impose fire safety obligations in addition to the other fire safety obligations imposed by Part 3 of the Fire (Scotland) Act 2005, as amended.

5. It has been announced that the 1989 Regulations will be revoked in respect of England and replaced by new Regulations which will come into force on 1 October 2009. In respect of Scotland, the 1989 Regulations are not being revoked at this time and they will therefore continue to be in force in Scotland.

Yours faithfully

G Fraser

Graeme Fraser

Annex A

Research reports

EVALUATION OF FIRE SAFETY LEGISLATION

1. This report is an initial evaluation of the effectiveness of the fire safety legislation in England during the first two years to establish a baseline against which to review the implementation of the legislation over the longer term and to identify if there are any particular areas of concern. The evaluation sought the views of 'responsible persons', the enforcing authorities and the fire industry.

2. In summary it was found that:

   - The introduction has been welcomed by the enforcing authorities and both they and the 'responsible persons' consider the risk assessment approach is the right one;
   - FRAs are working through the implications of the regime and starting, where necessary, to adapt to the new duties on them.

3. The evaluation highlighted a number of fairly consistent areas of concern among those whose views were sought. Primarily these were around:

   - awareness levels among small and medium sized businesses (SMEs) of the requirements of the legislation;
   - a need for greater clarity around the concept of the 'responsible person';
   - the advantages of a nationally recognised scheme for fire safety professionals offering risk assessment services; and
   - whilst the FRS were reported to be supportive of and helpful to businesses seeking advice on compliance, there was a preference among some SMEs for more prescriptive guidance on how to comply.

4. The report '*Initial Evaluation of the Effectiveness of The Regulatory Reform (Fire Safety) Order 2005 - Fire Research 3/2009*' is available on the CLG website at: **http://www.communities.gov.uk/publications/fire/regulatoryreformorder**

EVALUATION OF HOME FIRE RISK CHECK (HFRC) INITIATIVE

5. This report relates to activity in English fire and rescue services. Key findings in the report are:
   - The smoke alarms installed under the HFRC contributed greatly to a fall in accidental fire deaths;
   - The number of lives saved per year increasing as the number of installed alarms rose;
   - HFRC was associated with fewer fires and fewer non-fatal casualties per year.

6. The report '*Final Evaluation of the Home Fire Risk Check Grant and Fire Prevention Grant Programmes - Fire Research 2/2009'* is available on the CLG website at: **http://www.communities.gov.uk/fire/firesafety/prevention.**

RESEARCH INTO FRS RESPONSE TIMES

7. The research examined response times to primary fires and road traffic collisions (RTCs) in England. The report explores factors that may have contributed to the trends in response times, the link between changes in response times and fatality rates and property loss, and discusses possible ways in which to manage or influence some factors that may adversely affect response times. Amongst the findings of the report are that, in England:

   - Response times to each category of primary fire increased after 1998. For example, average response times to dwelling fires increased from 5.5 minutes in 1996 to 6.5 minutes in 2006 (18% increase).
   - Response times to RTCs were analysed, using data for ten FRSs. This presented less clear results: in some FRSs the response times increased, while others showed no change.
   - By using known relationships between response times and fatality rates it is predicted that the increased response times may contribute to about 13 additional fatalities in dwelling and other buildings fires each year, and about 65 additional deaths at RTCs (comparing 1996-98 with 2006, all other factors being equal).
   - It is estimated that the increased response times would cause an additional annual loss of about £85m in respect of other buildings fire damage.
   - However, annual dwelling fire fatalities have fallen by 142 between 1996 and 2006 and there was also no reported increase in the average burn size of other buildings fires reported through FDR1 forms. An increase in the frequency of fires discovered by smoke alarms suggests that the impact of increased response times may have been off-set by improved fire safety precautions and community fire safety over this period.
   - Statistical analysis suggests that out of all the factors considered, traffic level is the predominant factor associated with increased response times. Traffic levels have increased by about 14 per cent in the study period for England.
   - Because traffic levels are generally beyond direct FRS control, and are likely to rise further, a number of other actions should be considered in order to mitigate the increased risk of extended response times. Options for reducing the impact of traffic levels already exist and any proposed strategies should be based on local needs, risks, resources and discussion with partners such as local authorities, the Highways Agency etc.

8. The report '*Review of Fire and Rescue Service response times - Fire Research Series 1/2009* ' is available on the CLG website at:
   http://www.communities.gov.uk/publications/fire/frsresponsetimes.

RESEARCH REPORT ON CO-RESPONDING

9. The research project involved gathering, collating and analysing information and opinion on activities, apparatus, practice and prospects for co-responding throughout England. The research project was steered by an Advisory Board with representatives from CLG, the Chief Fire Officers Association, Department of Health (DH), the Local Government Association and the Ambulance Trusts.

10. The research project was in response to the Select Committee on the Fire and Rescue Service's recommendation that CLG, in conjunction with the DH, develop a national co-response protocol which includes guidance on how to pay for co-responding schemes.

11. The research report '*Current Practice and Prospects for FRS Co-Responding – Fire Research Series 14/2009'* is available on the CLG website at: **http://www.communities.gov.uk/publications/fire/frscoresponding.**

12. CLG intend to use the information in the report to work further with stakeholders in its consideration of whether the development of a protocol is feasible, or if not, what alternative central guidance and support can be provided for co-responder schemes across England.