

PRACTICAL FIRE SAFETY GUIDANCE FOR SMALL BED AND BREAKFAST and SELF-CATERING PREMISES

INTRODUCTION

1. This document provides guidance for proprietors of certain small self-catering and bed and breakfast (B&B) properties who have duties under Part 3 of the Fire (Scotland) Act 2005, as amended. This dedicated guide for small self-catering and B&B premises supersedes the use of other guidance¹ for these premises. It is designed to help proprietors understand steps that they should be taking to meet their legal obligations.
2. In general, Part 3 of the 2005 Act and the Fire Safety (Scotland) Regulations 2006 seek to ensure the safety of persons (whether residents, visitors, employees or others), in the event of a fire, by setting out the responsibilities of persons for fire safety. Anyone who has control to any extent of the premises will have some responsibilities for ensuring that those occupying the premises are safe from harm caused by fire.
3. It is acknowledged that relative to other 'sleeping risk' premises, the risk from fire to persons in well managed small B&B and self-catering premises is likely to be relatively low.

WHO IS THIS GUIDANCE FOR?

4. The guidance is for proprietors of B&B properties and self-catering properties which:
 - are offered as accommodation for self-catering holidays, to be occupied by not more than 10 persons; or
 - offer accommodation for not more than 8 bed and breakfast guests in the home of the resident operator; and,in either case;
 - have a means of escape from bedrooms via a traditional 'hall' with at least one exit directly to the outside, rather than by way of a living or kitchen area;
 - do not have letting or guest accommodation below a ground floor or above a first floor;
 - do not act as the principal residence for paying guests;
 - do not have any storey area over 200 m² internal floor space.
5. The guidance is not intended to cover private dwellings outwith the scope of Part 3 of the 2005 Act; nor houses in multiple occupation (HMOs), small hotels, boarding houses, and hostels.

¹ 'Practical fire safety guidance for small premises providing sleeping accommodation', which remains in place for other premises.

6. This guide applies only to fire safety law. Additionally, building regulations apply to the construction of new premises or conversions, alterations or extensions to existing premises intended to be used for B&B or self-catering. If in doubt you should contact your Local Authority Building standards department for further advice. Building legislation and guidance can be accessed at www.scotland.gov.uk/bsd
7. For B&B and self catering properties outwith the scope of this guide you should refer to other guidance, either 'Practical fire safety guidance for small premises providing sleeping accommodation' or 'Practical fire safety guidance for medium and large premises providing sleeping accommodation' Both are available on the FireLaw website at www.infoscotland.com/firelaw.

WHAT DOES THE LAW REQUIRE?

8. Fire safety law requires any person who has control of the premises to carry out an assessment to identify risks to the safety of persons in respect of harm caused by fire in the premises. It also requires them to take fire safety measures which are reasonable to ensure the safety of persons.
9. As the owner or operator you are likely to be the best person to know about the risks on your own premises and how they can be controlled. You should therefore be able to carry out the fire safety risk assessment yourself.
10. Guidance on the steps you should take are provided in the Annex.
11. Your fire and rescue service will not carry out a fire safety risk assessment for you, but will be able to give you information and advice. They may also visit your premises, ask about your fire safety risk assessment and examine the fire safety measures. If they are not satisfied with the steps you have taken, they could take formal enforcement action. As an initial step, however, they are more likely to work with you to help you take appropriate measures to ensure the safety of your guests.

BENCHMARKS FOR FIRE SAFETY

12. The following benchmarks describe fire safety measures recommended to ensure the safety of occupants should a fire occur (step 3 of your fire safety risk assessment). Before you consider these benchmarks, you will want to carry out your fire safety risk assessment and take any practical steps highlighted as a result to reduce or limit the risk of a fire starting. It is for you as the proprietor to judge what practical steps to take in your individual circumstances.

13. These benchmarks are generally applicable to typical situations in a well managed property for which it is not expected that a higher level of fire safety measures will be needed to meet your obligations under fire safety law. You may of course voluntarily decide to provide enhanced measures in excess of your legal obligations.

BENCHMARKS FOR SMALL SELF-CATERING PROPERTY

Fire detection and warning

14. A smoke alarm(s) should be installed in the hall, or for a two-storey property to both ground floor hall and first floor landing, so that there is a smoke alarm within 3m maximum of each bedroom door and no part of a hall or corridor is further than 7.5m from an alarm. A smoke alarm should also be installed in each living room and separate dining room and a heat alarm should be installed in the kitchen.
15. Where a property has more than three bedrooms, smoke alarms should also be installed in each bedroom. (In such case, the smoke alarm(s) required to be installed in the hall or corridor need not meet the 3m requirement.)
16. Smoke alarms installed in halls and landings should be of the optical type² (although there is no need to replace existing non-optical alarms during their lifetime).
17. Alarms should be installed in accordance with the manufacturer's instructions. Alarms should be powered by either:
 - a long-life tamper-proof lithium battery or equivalent; or
 - mains electricity (with an additional stand-by supply in the form of a battery or capacitor).
18. The smoke alarms should be capable of rousing sleeping occupants therefore alarms should be interlinked so that actuation of one causes actuation of the others. Interlinking may be by wiring or radio signal.
19. You should establish a system which ensures regular testing and maintenance of the alarms.
20. If long-life battery powered systems are used, you should consider installing mains-powered alarms permanently wired to a circuit when the life of the battery is ended, or when repair or redecoration work is being carried out to the property.

² An optical smoke alarm is a conventional smoke alarm which utilises a light obscuration principle to detect smoke and is responsive to the type of smoke particles which could enter circulation areas during a fire.

Doors

21. A door between a room (other than a bathroom or toilet) and any corridor, hall or stair which would be the route out in the case of a fire need not be a fire door³ but should be capable of holding back smoke and fire for sufficient time to maximise the chances of occupants escaping safely. An example of a suitable door type is a solid timber door.
22. The following check list will help you decide if you need to repair, adjust or replace any door:
- the door should be close fitting to its frame with gaps of no more than 4mm;
 - the door should have no sizeable splits, gaps or cracks and should not be warped;
 - non-fire-rated glazing may fail early in a fire;
 - hollow type doors offer poor protection.
23. For a two-storey property with sleeping accommodation on the upper floor, it is important that if a fire occurs in a ground floor room off the escape route while persons are asleep, the door of the room on fire remains closed. Where there are more than three bedrooms on the upper floor of a two-storey property, these ground floor doors should be provided with self-closing devices⁴.
24. Occupiers should be advised of the benefit of keeping doors closed at night to hold back fire and smoke
25. Doors will only be effective at holding back fire and smoke if the corridor or hall structure also has the ability to hold back fire.

Exit Door Locks

26. Although there may be a key operated lock on the door, to facilitate escape from fire the final exit door should be capable of being easily opened from the inside without the use of a key, although it remains the personal choice of the occupiers how to secure the door.

³ A fire door is a door assembly which is rated by its fire-resistance performance under test conditions.

⁴ There are various types of self-closing device available, including concealed, which may be suitable.

Lighting

27. If a fire disrupts the normal lighting there should be sufficient illumination for occupants to find their way out of the property. Where an escape route does not receive adequate illumination from a street light or other external source, alternative lighting should be provided. This could be through ensuring that the hall and landing (if applicable) have one or more automatic plug-in night lights of a type which continue to operate if the mains electricity fails.
28. Where additional lighting is provided, you should establish a system which ensures that the plug-in light or other lighting is present and in working order at the commencement of each let.

Fire fighting equipment

29. A fire blanket should be provided in the kitchen for the occupants to use.

Emergency fire action plan

30. You should prepare a plan of what action any occupier should take in the event of fire. This would include the route of escape, how to raise the alarm and how to call the Fire Service. This should be available for each party arriving at the premises. A simple notice could be fixed in an easily visible place such as the hall, and/or be provided within a welcome pack. You should also ensure that the occupier is advised of basic precautions such as closing doors at night to inhibit the spread of smoke, and the need to inform the owner or agent if any equipment develops a fault (such as electrical or smoke alarm defects).

BENCHMARKS FOR SMALL BED AND BREAKFAST PROPERTY

Fire detection and warning

31. For a single storey property, a smoke alarm(s) should be installed in the hall or corridor, sited so that no part of a hall or corridor is further than 7.5m from a smoke alarm and no bedroom door is further than 3m from a smoke alarm. A smoke alarm should also be installed in all living rooms and separate dining rooms and a heat alarm should be installed in the kitchen.
32. For a two-storey property, a smoke alarm(s) should be installed in both the ground floor hall and first floor landing sited so that no part of a hall or corridor is further than 7.5m from a smoke alarm and no bedroom door is further than 3m from a smoke alarm. A smoke alarm should also be installed in all living rooms and separate dining rooms and in any ground floor bedroom which has a door to the hall, corridor or stair. A heat alarm should be installed in the kitchen.
33. In all cases where there are more than three guest bedrooms, smoke alarms should also be installed in each bedroom. (In such cases, the smoke alarm(s) required to be installed in the hall or corridor need not meet the 3m requirement).
34. Alarms should be installed in accordance with the manufacturer's instructions.
35. Smoke alarms installed in halls and landings should be of the optical type⁵ (although there is no need to replace existing non-optical alarms during their lifetime).
36. Alarms should be powered by either:
 - a long-life tamper-proof lithium battery or equivalent; or
 - mains electricity (with an additional stand-by supply in the form of a battery or capacitor).
37. The smoke alarms should be capable of rousing sleeping occupants (including the proprietor) therefore alarms should be interlinked so that actuation of one causes actuation of the others. Interlinking may be by wiring or radio signal.
38. You should establish a system which ensures regular testing and maintenance of the alarms.
39. If long-life battery powered systems are used you should consider installing mains-powered alarms permanently wired to a circuit when the lifetime of the battery is ended or when repair or redecoration work is being carried out to the property.

⁵ An optical smoke alarm is a conventional smoke alarm which utilises a light obscuration principle to detect smoke and is responsive to the type of smoke particles which could enter circulation areas during a fire.

Doors

40. A door between a room (other than a bathroom or toilet) and a corridor, hall or stair which would be the route out in the case of a fire need not be a fire door⁶ but should be capable of holding back smoke and fire for sufficient time to maximise the chances of the occupants escaping safely.
41. The following check list will help you decide if you need to repair, adjust or replace any door:
- the door should be close fitting to its frame with gaps of no more than 4mm;
 - the door should have no sizeable splits, gaps or cracks and should not be warped;
 - non-fire-rated glazing may fail early in a fire;
 - hollow type doors offer poor protection.
42. For a two-storey property with sleeping accommodation on the upper floor, it is important that if a fire occurs in a ground floor room off the escape route while persons are asleep, the door of the room on fire remains closed. Such doors on the ground floor should therefore be provided with self-closing devices⁷.
43. Doors will only be effective at holding back fire and smoke if the corridor or hall structure also has the ability to hold back fire.

Exit Door Locks

44. To facilitate escape from fire the exit door should only be secured with a lock or fastening which can be readily opened from the inside, without the use of a key, while the premises are occupied.

Lighting

45. If a fire disrupts the normal lighting there should be sufficient illumination for occupants to find their way out of the property. Where an escape route does not receive adequate illumination from a street light or other external source, alternative lighting should be provided. This could be through ensuring that in the hall and landing (if applicable) you have one or more automatic plug-in night lights of a type which continue to operate if the mains electricity fails.
46. Where additional lighting is provided, you should establish a system which ensures that the plug-in light or other lighting is present and in working order.

Fire fighting equipment

⁶A fire door is a door assembly which is rated by its fire-resistance performance under test conditions.

⁷There are various types of self-closing device available, including concealed, which may be suitable.

47. A fire blanket should be provided in the kitchen for the operator to use. A dry powder fire extinguisher to the kitchen is also recommended.

Emergency fire action plan

48. You should prepare a plan of what action you will take in the event of fire including raising the alarm, ensuring all guests are evacuated and calling the Fire Service. A simple notice should be displayed in a prominent place in each bedroom, so that the guests know what to do in the event of fire. You may also wish to give them any further advice, such as the regular emptying of ash trays (if smoking is permitted) and the use of their own portable electrical equipment, when they arrive.

49. You should regularly carry out a rehearsal 'fire drill' when no guests are present to ensure that everyone is aware of their role in a fire.

WHAT YOU CAN DO IF YOU DISAGREE WITH ADVICE PROVIDED BY THE FIRE AND RESCUE SERVICE

50. It is the responsibility of the fire and rescue service (FRS) to decide how it will deploy its resources to address risk to life to improve the safety of the community. The FRS may or may not contact you to discuss your fire safety risk assessment. You are also free to contact them for advice.
51. This guidance is issued by Scottish Ministers under section 61(2) of the Fire (Scotland) Act 2005, as amended, and FRSs are required to take into account the contents of this guide to assist in determining the advice to provide and whether enforcement action may be necessary. Should you disagree with any advice given to you by the FRS you can:
- discuss this further with them to work towards an acceptable action plan in an agreed timescale. Each Service also has a complaint system you can use;
 - subject to FRS approval, put your case to the Chief Inspector of Fire and Rescue Authorities for determination. The Chief Inspector is independent from FRSs and from Scottish Government. The Chief Inspector will give a 3rd party independent view of your case. This is a free service and simple to use;
 - in the case of a formal enforcement notice, you can lodge an appeal with the court. In this case you may wish to get legal advice.

SOURCES OF FURTHER INFORMATION

52. For further information visit the FireLaw website www.infoscotland.com/firelaw. Here you will find general guidance plus the relevant sector specific guidance for properties outwith the scope of this guidance.
53. To contact your local fire and rescue service look in your local phone book or check their website (see related links in the FireLaw website).

ANNEX:

HOW TO CARRY OUT A FIRE SAFETY RISK ASSESSMENT

The steps below are intended to help you through the process of carrying out an assessment of the fire risks in your property.

Step 1: Who is at risk?

Consider the numbers and capability of people who may occupy your property and who could be at a risk. This includes guests, owners, any other visitors including cleaners, tradespersons etc. Make a note if particularly vulnerable persons are likely such as children, elderly, or disabled persons (you will need to consider the fire safety of guests with any special needs or vulnerabilities).

Step 2: What fire hazards are there?

Think about how a fire could start on your premises and identify sources of ignition such as cooking, heaters, open fires and smoking. Do family members smoke? Are there designated bedrooms where guests are permitted to smoke? Where are electrical appliances such as tumble dryers and TVs? What is the likelihood of a deliberate fire?

Consider what could burn and act as fuel for a fire. This could include furniture, bedding, laundry, wood / kindling for open fires, rubbish, flammable liquids, solvents, chemicals or gases, cooking oil, paint, white spirit, cleaning products, aerosols, LPG, or fuels such as petrol.

Consider what could happen if a fire occurred and how quickly it could spread. The construction of the property can affect how fire can spread, it may spread faster if there are multiple layers of wallpaper, polystyrene ceiling tiles or interior wood paneling. If rubbish stored outside caught fire could it spread to inside the property or block an exit door?

Step 3: What can you do to reduce/remove risk, what fire safety measures should be put in place?

Now that you have considered the people at risk and the hazards, you can take steps as necessary to reduce the risk both of a fire occurring and of injury or loss of life should a fire occur. You may also wish to consider the risk of damage to your property, and any subsequent loss of business.

If ignition sources and fuel sources are reduced and these are kept apart, the chances of a fire starting are low. The following lists some of the actions that are advised for dwellings as part of normal community fire safety which you should consider to reduce the risk of a fire occurring:

- Ensure good housekeeping, so that storage is in designated areas only, is orderly, refuse and packaging is disposed of frequently and carefully, bins are secure;

- Ensure flammable materials and liquids are stored properly, away from ignition sources, electrical fuse box and meter, boilers etc. Do not store aerosols in damp areas (such as under sinks);
- Avoid the use of portable gas heaters, use only in an emergency when only butane should be used;
- Ensure that electrical and gas appliances and equipment are maintained, serviced and kept in good working order. Clean extract equipment to kitchens;
- Replace any chip pan with a deep fat fryer with a thermostat;
- Individual heating appliances should be fixed in position and guarded;
- Ensure the electrical installation to the property is in good order, get it checked if in any doubt. Ensure correct wiring of plugs and correct fuse ratings;
- If anyone smokes ensure ashtrays are provided, emptied regularly and safely. Inspect or advise your guests to inspect smoking areas before bedtime;
- Keep halls, corridors and stairs which would be used to escape from a fire clear and hazard free and advise guests to do this also. In particular keep clear of items which can burn, or are a source of ignition such as electrical equipment, coat racks, refuse, laundry, upholstered furniture, portable heaters or gas cylinders;
- If your property is in an area where vandalism or deliberate fires can be a problem, consider security measures to prevent entrance to the grounds of the property and access to refuse storage and storage of any flammable liquids/gases.

You should then consider what further safety measures are necessary to reduce the risk of injury or loss of life should a fire occur in your premises, for example:

- means for detecting and effectively warning occupants of a fire which occurs in any part of the premises;
- means to restrict the spread of fire and smoke from the source to other areas especially the escape route;
- means of escape which are easy to use at any time by persons who are not familiar with the premises, for example guests who have recently arrived;
- means for fighting a small fire such as a fire in a waste bin or in a cooking pan.

Guidance on what is expected in these areas is provided in the section: 'BENCHMARKS FOR FIRE SAFETY'

Step 4: Record: It is a good idea to keep a written record of your fire safety risk assessment. This will make it easier for you to review your assessment and it will also be easier to demonstrate that you have carried out an assessment. You should also record the arrangements for reviewing your fire safety risk assessment, your emergency fire action plan and the maintenance arrangements for fire safety measures.

Step 5 : Review: You need to regularly review your fire safety risk assessment. Is there anything that has altered the risk and means you need to consider again the fire safety measures you have in place? For example are you doing building work, maintenance or decorative work? Do you have a different range of guests such as more elderly or disabled?