

FIRE RISK AND ZERO TOLERANCE IN COMMUNAL AREAS POLICY

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Responsible Senior Manager:	Assistant Director of Assets
Approved By:	EMT, DSSI and Board
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1. INTRODUCTION

- 1.1 Policy Overview: this policy outlines the approach taken by Shropshire Towns and Rural Housing (STAR) to manage fire risks in communal areas. Its primary aim is to minimise fire hazards and ensure the safety of all individuals who use these shared spaces. The policy applies to all communal areas and blocks of flats managed by STAR.
- 1.2 Resident Safety: ensuring the safety of residents in buildings with communal areas is a top priority for STAR. Storing personal items in these areas poses significant fire risks and can negatively impact the appearance and cleanliness of shared spaces.
- 1.3 Zero Tolerance Approach: STAR enforces a zero-tolerance policy regarding the use of communal areas for storing or disposing of personal belongings, waste, or other items. This approach ensures that these areas remain free from fire hazards and obstructions.
- 1.4 Breach of Policy: residents who leave items in communal areas are in violation of both this policy and the terms of their tenancy or lease agreement.
- 1.5 Enforcement: tenants will be given a specified timeframe to remove any items, in line with STAR procedures. The organisation will use appropriate enforcement powers to uphold the policy, with the responsibility placed on residents to maintain clear communal areas.
- 1.6 Scope and Related Documents: this policy sets out STAR's commitment to managing all internal and external communal areas effectively, keeping them free from hazards and obstructions to protect the health and safety of tenants, leaseholders, and other users. It applies to all individuals with tenancy, lease, or licence agreements in properties with communal areas. The policy should be read alongside related documents, including tenancy agreements, the Tenant Handbook, and relevant housing policies.

2. RELATED DOCUMENTS

- 2.1 This policy should be read in conjunction with the following documents, which provide further guidance and support its implementation:
 - Tenancy Agreement: outlines tenant responsibilities, including fire safety and communal area use.
 - Tenant Handbook: provides practical advice and expectations for residents.
 - Recharges Policy: details the costs associated with the removal and disposal of items left in communal areas.
 - Fire Risk Assessments: identifies and evaluates fire hazards within communal spaces.
 - Disposal of Tenant Goods Policy: explains procedures for handling abandoned or improperly stored items.
 - Leaseholders' Lease Agreements: sets out leaseholder obligations regarding communal area safety and maintenance.

3. DEFINITIONS

- 3.1 Communal Area: refers to any space within a building that lies outside the boundaries of an individual tenant's or leaseholder's property. This includes, but is not limited to staircases, stairwells, hallways, landings, common rooms, laundry facilities, boiler rooms, open spaces, pathways, and building entrances.
- 3.2 Tenant: any individual who holds a tenancy agreement with Shropshire Council, managed by STAR. For the purposes of this policy, the term also includes leaseholders, and any person granted a licence to occupy a property.

4. FIRE RISK ASSESSMENTS

- 4.1 In accordance with the Regulatory Reform (Fire Safety) Order 2005, Shropshire Council—as the responsible person, either directly or through its managing agent—is required to carry out Fire Risk Assessments (FRAs) and take all reasonable steps to eliminate or reduce identified fire risks.
- 4.2 As the managing agent, STAR will ensure that all residential blocks with shared communal areas owned by the Council are subject to a comprehensive Fire Risk Assessment.
- 4.3 FRAs will be undertaken at timescales as per classification of the building:
- Classification 1 buildings will be reviewed annually (Temporary Accommodation and Wellbeing Schemes)
 - Classification 2 buildings will be reviewed every three years (General Needs low rise blocks)
- 4.4 Significant findings will be addressed within the following timescales:
- Low risk: 12 months
 - Medium risk: 6 months
 - High risk: 3 months
 - Very high risk: 24 hours
- 4.5 Fire Risk Assessments will be reviewed sooner if significant changes occur. Circumstances that may trigger an earlier review include:
- Occurrence of a fire within the premises.
 - Changes in occupancy levels or the characteristics of residents, such as the presence of individuals with disabilities.
 - Installation of new equipment or structural modifications to the building, including alterations to internal layouts.
 - Identification of deficiencies in existing fire safety measures or opportunities for improvement.
 - Adjustments in security protocols, incidents of arson, or the practice of wedging open fire doors.
 - Amendments to relevant legislation.

- 4.6 As part of STAR's management functions, Housing Officers, Housing Assistants and Housing Support Officers will ensure that all communal areas are regularly inspected as part of the normal estate inspections. Any issues identified during the inspection will be actioned within reasonable timescales and these will be recorded and monitored.

5. PREVENTION

- 5.1 There are many risks in communal areas which need to be considered in any FRA. These may include anti-social behaviour including arson, an accumulation of rubbish or smoking.
- 5.2 Wherever possible, STAR will aim to promote fire safety by educating tenants from the beginning of their tenancies and ensuring that support, advice and assistance is readily available.
- 5.3 STAR has a duty to ensure that the means of escape from a building or communal area are not obstructed and that tenants / leaseholders and visitors can exit safely in the event of a fire. STAR will operate a zero tolerance in respect of storage of belongings in communal areas. In accordance with this policy any items left in communal areas will be removed. We will publicise this widely by writing to all tenants and leaseholders living in flats. In addition, it will be publicised in our tenant newsletter and via social media.
- 5.4 In addition, we will:
- Place and maintain clear safety signage in our blocks.
 - Keep our fire policy and procedures updated.
 - Carry out fire risk assessments as and when needed.
 - Remove any flammable items left in communal areas as a matter of urgency to reduce risk of arson and fire.

6. MAINTENANCE

- 6.1 STAR will, as part of the normal estate inspections, carry out regular communal area inspections including regular fire door inspections.
- 6.2 STAR is responsible for completing repairs, checking fire door closers, testing fire alarms (supported schemes only), checking appropriate signage is displayed correctly and working with tenants to keep communal areas clean and tidy.
- 6.3 Supported schemes with communal rooms and corridor schemes will have their fire alarms tested weekly.
- 6.4 Records of the testing will be recorded by STAR. The staff carrying out this task will be appropriately trained and competent.
- 6.5 STAR staff will report any repairs which they are unable to undertake in order that other operatives can be deployed to complete the work.
- 6.6 In supported schemes where communal areas provide emergency lighting, carbon monoxide detectors and electrical items, servicing of these items will take place in accordance with STAR cyclical programme, following legislative guidance and manufacturers' recommendations. Servicing the communal smoke

alarms will take place every six months in accordance with the appropriate regulations.

- 6.7 Any contractors engaged to work in our communal areas will be expected to take all necessary precautions to prevent fire; and will be monitored to ensure that they do so.
- 6.8 Any electrical installations within blocks of flats/maisonettes will be checked every five years in accordance with relevant guidance.

7. TENANT OBLIGATIONS

- 7.1 Conditions of tenancy: our tenancy agreement contains the following sections regarding fire hazards & also keeping communal areas clear:

56: You must take all reasonable precautions to protect the property from fire which includes but is not limited to:

56.1: Ensuring that all means of escape from the property are kept free from obstruction.

56.2: Ensuring that any fire or smoke detection equipment installed in the property is working correctly. This means that you must test the fire or smoke alarms regularly. If a fire or smoke alarm fitted by us is not working correctly, you must notify us as soon as you become aware it is not working; and

56.1.1: Ensuring you do not do anything that in our opinion reduces fire safety at the property, or in any communal areas. This includes but is not limited to removing or damaging any fire detection devices or removing, altering or damaging any structures that provide fire separations (such as doors and walls).

In addition:

57. You must not allow an accumulation of personal property to cause structural damage to the property.

You must not lay floor coverings or mats or place decorative items or materials on landings or common areas. You are responsible for keeping any common areas clean, tidy and clear of all items. We may remove any items left in the common areas and recharge you the cost of storing or disposing of the item.

- 7.1 Prohibited Activities in Communal Areas: Residents must not engage in any activity that compromises the safety, accessibility, or cleanliness of communal areas. Specifically, you must not:

- Block or obstruct communal spaces.
- Smoke in communal areas.
- Leave personal items or articles in communal areas.
- Wedge open communal doors.
- Fly-tip or dispose of waste improperly in shared spaces.
- Store hazardous, flammable, or explosive materials in properties, gardens,

communal areas, sheds, or storage units.

- Misuse communal areas in any way.
- Throw or allow objects to fall from windows, balconies, or communal spaces.
- Leave refuse or recycling containers in enclosed communal areas, except where designated facilities are provided.
- Tamper with, damage, or deface any communal equipment or infrastructure, including door entry systems, emergency alarms, smoke or carbon monoxide detectors, utility meters, communal aerials, fire doors, or escape routes.
- Place hanging baskets, planters, or decorative items in communal areas.

Please note: This list is not exhaustive. Any behaviour that poses a risk to safety or disrupts the shared environment may be subject to enforcement action.

- 7.2 Tenant Awareness of Fire Procedures: tenants are responsible for familiarising themselves with the fire safety procedures relevant to their building. STAR will ensure that tenants are informed of the fire arrangements specific to their block during the viewing and letting process and will be regularly informed of fire safety by all relevant media means.
- 7.3 Obstructions and Fire Hazards in Communal Areas: tenants and visitors must not leave items in communal areas that could increase the risk of fire, including arson, or obstruct escape routes. In the event of a fire, smoke can obscure visibility, and any obstructions may become trip hazards.
- 7.4 Entrance doors to blocks or communal rooms must remain closed to prevent unauthorised access and maintain building security.
- 7.5 Tenants must be able to access all areas of their homes, including communal spaces and shared facilities.
- 7.6 Any reports of accessibility issues, hazards, obstructions, or misuse of communal areas will be investigated by STAR.

8. ITEMS LEFT IN COMMUNAL AREAS

- 8.1 STAR is authorised to remove items left in communal areas under the Local Government (Miscellaneous Provisions) Act 1982. Perishable items will be disposed of immediately. Other nonperishable items will be removed under the TORT (Interference with Goods) Act 1977.
- 8.2 Efforts will be made to identify the owner of any items. If identified, the tenant or resident will be given seven days to remove the items. Unclaimed items will be stored for up to 28 days before being permanently disposed of. Any associated costs will be charged to the owner.
- 8.3 If ownership cannot be determined, a notice will be issued to all residents in the block. Any remaining unclaimed items will be disposed of, and the cost shared among all households.
- 8.4 Prior to removal, a detailed inventory and photographic evidence of the items will be recorded and retained. A copy will be sent to the identified owner. Disposal costs will be recharged to the responsible tenant.

- 8.5 Note: Refer to the Recharges Policy for applicable fees and charges.
- 8.6 The following items are prohibited in communal areas (this list is not exhaustive):
- Combustible or fire-risk items (e.g. flammable liquids, gases compressed cylinders).
 - Items that obstruct shared facilities or access routes.
 - Plastic flowers and plants.
 - Shoes or boots left outside front doors.
 - Items blocking rubbish collection points.
 - Small decorative items (e.g. pictures, planters).
 - Gates obstructing escape routes.
 - Bicycles, prams, pushchairs, mopeds, mobility scooters, e-scooters, e-bikes and all other light electric vehicles (LEVs).
 - Furniture, clothing, festive decorations, charity bags, toys.
 - Door mats, rugs, runners, or carpets of any size.
 - Barbecues may be used in communal gardens only if they do not restrict access and are fully extinguished after use.

9. MOBILITY SCOOTERS

- 9.1 STAR recognises the importance of mobility scooters in supporting tenant independence but must also consider the safety of all building users.
- 9.2 To mitigate risks, mobility scooters and all other LEVs including e-scooters and e-bikes must not be stored or charged in communal areas unless a designated facility has been provided and permission granted by STAR. Risks include:
- Obstruction of passageways, especially in emergencies.
 - Hazards for visually impaired or mobility-restricted individuals.
 - Fire risks from charging or poor maintenance.
 - Damage to building fixtures due to inappropriate use.
- 9.3 Mobility scooters and all other LEVs may be used in communal areas if operated safely and without risk to others. Storage and charging must occur within the tenant's own property, without impacting building infrastructure or fire escape routes. Tenants are encouraged to seek advice from the local Fire Authority regarding personalised escape planning if needed.

10. SMOKING

- 10.1 Smoking of tobacco, e-cigarettes, or any substance misuse is strictly prohibited in communal areas. This policy aligns with the Smoke Free (Premises and Enforcement) Regulations 2006 and applies to all shared spaces, including stairwells, hallways, landings, common rooms, laundry rooms, and boiler rooms.

11. PURPOSE OF THE POLICY

- 11.1 STAR is committed to transparency and will ensure this policy is widely

publicised. Any operational issues affecting its implementation will be communicated to tenants, leaseholders, and relevant stakeholders.

12. CONSULTATION

- 12.1 STAR will engage regularly with staff, external agencies, tenant groups, and Area Panels to support continuous improvement and best practice in fire safety management.

13. REVIEW

- 13.1 This policy will be reviewed every three years, or earlier if required due to changes in legislation or regulation.

14. TRAINING

- 14.1 Comprehensive training will be provided to all staff responsible for implementing this policy.
- 14.2 Training may be delivered to:
- New staff
 - Existing staff (as refresher or update)
 - Staff affected by policy or legislative changes
 - Relevant external agencies.
- Others as identified by the Neighbourhoods Manager or Senior Neighbourhood Officers.

15. EQUALITY AND DIVERSITY

- 15.1 STAR is committed to applying this policy fairly and consistently to all customers. Discrimination – whether direct or indirect – on the grounds of race, religion, age, gender, marital status, sexual orientation, disability, or any other protected characteristic outlined in our Equality and Diversity Policy will not be tolerated.
- 15.2 In implementing this policy, STAR will act with sensitivity to the diverse needs of individuals and communities.
- 15.3 Where appropriate, STAR will take positive action to help reduce discrimination and harassment within local communities.
- 15.4 This policy, along with any related publications, is available in alternative formats upon request to ensure accessibility for all.

16. REFERENCES

- Fire Safety Act 2021
- Fire Safety England regulations 2022
- Regulatory Reform (Fire Safety) Order 2005
- Health and Safety at Work Act 1974

- Social Housing (Regulation) Act 2023
- Awaab's Law
- Housing Act 1985 & 2004
- Smoke Free (Premises and Enforcement) Regulations 2006
- Local Government (Miscellaneous Provisions) Act 1982

17. VERSION CONTROL

Renewal Date	Version	Approved By	Comments
12 2025	1.1	DSSI and Board	Clarification of responsibilities, updated regulations, amended grammatical errors
12 2019	1	STAR Board	