

Rebecca Evans AC/AM  
Y Gweinidog Tai ac Adfywio  
Minister for Housing and Regeneration



Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA-P-RE-3636-18

John Griffiths AM  
Chair  
Equality, Local Government and Communities Committee  
National Assembly for Wales  
Cardiff  
CF99 1NA

18 October 2018

Dear John,

The Committee asked for further information about the Welsh Government's view that front doors of flats are covered by the Regulatory Reform (Fire Safety) Order 2005.

This is a complex matter, and I agree that there is room for doubt. Doubt arises because article 6 of the Order provides that it does not apply to dwellings, meaning that it only covers the so-called 'common areas' of a block of flats – hallways, stairwells, landings, walkways and so on. The Order says nothing about how the boundaries between common areas and flats (i.e., walls and the doors in them) are to be treated.

However, we believe that those boundaries and doors are covered by the Order, for two reasons.

First, in a typical block of flats, most of the likely sources and causes of fire are within the flats themselves. There should be much less chance of a fire originating in a common area. So, the purpose of fire doors at the entrance to flats is to preserve the compartmentation of the building, and to protect the common areas (which generally form the escape route) in the event of a fire breaking out within an individual flat. In other words, such fire doors mainly preserve the fire safety of the building as a whole, rather than that of individual flats.

Second, common sense dictates that a part of a building – such as a hallway – must be defined by reference to the structure of the building. It cannot consist only of the empty space enclosed by that structure, and it would make a nonsense of any regime of building safety if that were so. A common area must therefore include its physical boundaries.

The statutory guidance we issued last month clearly states our view. We sent it to all social landlords in Wales, as well as representatives of the private rented sector, and there has

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

been no disagreement from any quarter. I should add that our views also reflect those of the National Fire Chiefs Council and of individual Fire and Rescue Services.

However, I fully acknowledge that the position is unclear. For instance, it is arguable that a door which is the property of a resident cannot be part of the premises for which the landlord or managing agent is responsible. And as our Chief Fire and Rescue Advisor noted in committee, this matter has never been tested in court to our knowledge. This is therefore something that we aim to clarify as part of our overall reform of the regulatory framework.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca". The script is cursive and fluid.

**Rebecca Evans AC/AM**  
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Minister for Housing and Regeneration