



# House of Commons

**Thursday 25 June 2020**

## **PUBLIC BILL COMMITTEE**

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

### **FIRE SAFETY BILL**

#### **NOTE**

**This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.**

#### **RESOLUTION OF THE PROGRAMMING SUB-COMMITTEE**

*The Programming Sub-Committee appointed by the Speaker in respect of the Bill agreed the following Resolution at its meeting on Monday 22 June (Standing Order 83C):*

That—

- (1) the Committee shall (in addition to its first meeting at 11.30am on Thursday 25 June) meet at 2.00pm on Thursday 25 June;
- (2) the Committee shall hear oral evidence in accordance with the following Table;

#### **TABLE**

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Thursday 25 June	Until no later than 12.00pm	The National Fire Chiefs Council
Thursday 25 June	Until no later than 12.30pm	The Fire Sector Federation; the L&Q Group
Thursday 25 June	Until no later than 1.00pm	The Fire Brigades Union; The Royal Institute of British Architects

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**Fire Safety Bill, *continued***

- (3) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 25 June.

*Kit Malthouse has given notice of his intention to move a motion in the terms of the Resolution of the Programming Sub-Committee (Standing Order No. 83C)*

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Kit Malthouse

To move, That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

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Kit Malthouse

To move, That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

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Andy Slaughter

Clause 1, page 1, line 6, leave out lines 7 to 14 and insert—

1

“(1A) Where a building contains two or more sets of domestic premises, the things to which this order applies include—

- (a) the building’s structure and external walls and floors, and any common parts;
- (b) all doors between the domestic premises and common parts (so far as not falling within sub-paragraph (a)).

(1B) The reference to external walls and floors includes—

- (a) doors, windows or penetrations in those walls and floors, and”

***Member’s explanatory statement***

*This amendment would apply the Fire Safety Bill specifically to penetrations that pass from a dwelling, through a fire-rated wall or floor into a common space.*

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Fire Safety Bill, *continued*

Sarah Jones  
Florence Eshalomi  
Nick Thomas-Symonds  
Taiwo Owatemi  
Chris Elmore  
Conor McGinn

Clause 1, page 1, line 8, after “include” insert “all other parts of that building including—” 2

***Member’s explanatory statement***

*This amendment aims to clarify that the Regulatory Reform (Fire Safety) Order 2005 applies to all parts of a building that contains two or more dwellings, other than those dwellings themselves, and is not limited to parts that come within the meaning of structure, external walls or common parts.*

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Sarah Jones  
Florence Eshalomi  
Nick Thomas-Symonds  
Taiwo Owatemi  
Chris Elmore  
Conor McGinn

Clause 2, page 1, line 21, at end insert— 3

“(aa) for the purpose of changing or clarifying any of articles 2 to 22 or 38 of the Order”

***Member’s explanatory statement***

*This amendment aims to ensure that the key articles of the Regulatory Reform (Fire Safety) Order 2005 can be amended to account for the Grenfell Tower Public Inquiry Phase 1 and subsequently the Phase 2 recommendations and changes that may be brought about by the forthcoming Building Safety Bill.*

Sarah Jones  
Florence Eshalomi  
Nick Thomas-Symonds  
Taiwo Owatemi  
Chris Elmore  
Conor McGinn

Clause 2, page 1, line 22, at end insert “or (aa)”— 4

***Member’s explanatory statement***

*See amendment 3.*

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**Fire Safety Bill, *continued***

Sarah Jones  
 Florence Eshalomi  
 Nick Thomas-Symonds  
 Taiwo Owatemi  
 Chris Elmore  
 Conor McGinn

5

Clause 2, page 1, line 22, at end insert—

“(1A) The relevant authority may make regulations under subsection (1) for the purpose of aligning the Order with regulations which concern fire safety and which are made under any other power.”

***Member’s explanatory statement***

*This amendment seeks to ensure there is proper alignment between the Fire Safety Order and other regulations that relate to fire safety, including the upcoming Building Safety Bill.*

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Sarah Jones  
 Florence Eshalomi  
 Nick Thomas-Symonds  
 Taiwo Owatemi  
 Chris Elmore  
 Conor McGinn

6

Clause 3, page 2, line 25, after “may” insert “not”.

***Member’s explanatory statement***

*This amendment seeks to ensure that the Bill be brought into force at the same time for all buildings it will apply to, rather than adopting a staged approach that may make arbitrary distinctions between similar premises.*

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Daisy Cooper

NC1

To move the following Clause—

**“Public register of fire risk assessments**

- (1) The Secretary of State must, by regulations, make provision for a register of fire risk assessments made under article 9 (risk assessment) of the Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541).
- (2) Those regulations must provide that the register is—
  - (a) publicly available; and
  - (b) kept up-to-date.
- (3) Regulations under this section are—
  - (a) to be made by statutory instrument; and

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**Fire Safety Bill, *continued***

- (b) subject to annulment in pursuance of a resolution of either House of Parliament.”

***Member’s explanatory statement***

*This new clause would enable would-be renters and owners to check the fire safety status of their potential home, like the EPC register*

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Daisy Cooper

NC2

To move the following Clause—

**“Public register of fire risk assessors**

- (1) The Secretary of State must, by regulations, make provision for a register of individuals who are qualified to make fire risk assessments under article 9 (risk assessment) of the Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541).
- (2) Those regulations must provide that only persons on the register may make such assessments.
- (3) Those regulations must provide that the register is—
  - (a) publicly available; and
  - (b) kept up-to-date.
- (4) Regulations under this section are—
  - (a) to be made by statutory instrument; and
  - (b) subject to annulment in pursuance of a resolution of either House of Parliament.”

***Member’s explanatory statement***

*This new clause would enable home owners to verify fire assessors qualified to conduct compulsory checks such as completing the EWS1 form, and would enable government and industry to assess the numbers of assessors to be trained.*

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Daisy Cooper

NC3

To move the following Clause—

**“Prohibition on passing remediation costs onto leaseholders and tenants**

The owner of a building must not pass the costs of making any remedial work attributable to the provisions of this Act on to any leaseholders or tenants of that building.”

***Member’s explanatory statement***

*The purpose of this new clause is to stop freeholders passing on remediation costs to leaseholders and tenants, such as through demands for one-off payments or increases in service or other charges.*

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**Fire Safety Bill, *continued***

Sarah Jones  
 Florence Eshalomi  
 Nick Thomas-Symonds  
 Taiwo Owatemi  
 Chris Elmore  
 Conor McGinn

NC4

To move the following Clause—

**“Meaning of responsible person**

In article 3 of the Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541) (meaning of responsible person”), at the end of paragraph (b)(ii) insert—

- “(2) Where a building contains two or more sets of domestic premises, a leaseholder shall not be considered a responsible person unless they are also the owner or part owner of the freehold.””

***Member’s explanatory statement***

*This new clause aims to clarify the definition of ‘responsible person’ to ensure leaseholders are not considered a responsible person unless they are also the owner or part owner of the freehold.*

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Sarah Jones  
 Florence Eshalomi  
 Nick Thomas-Symonds  
 Taiwo Owatemi  
 Chris Elmore  
 Conor McGinn

NC5

To move the following Clause—

**“Single assessment of risk**

In article 9 of the Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541) (risk assessment), after paragraph (3) insert—

- “(3A) Where a building contains two or more domestic premises, any person identified as a responsible person in relation to any part of the building must co-operate with other responsible persons to obtain a single assessment of risk relating to the building as a whole.””

***Member’s explanatory statement***

*This new clause seeks to create a requirement that, where a building contains two or more domestic premises and there are multiple responsible persons, a fire risk assessment should be a single document in instances.*

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**Fire Safety Bill, *continued***

Sarah Jones  
Florence Eshalomi  
Nick Thomas-Symonds  
Taiwo Owatemi  
Chris Elmore  
Conor McGinn

NC6

To move the following Clause—

**“Duties of owner or manager**

The relevant authority must by regulations amend the Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541) to require an owner or a manager of any building which contains two or more sets of domestic premises to—

- (a) share information with their local Fire and Rescue Service in respect of each building for which an owner or manager is responsible about the design of its external walls and details of the materials of which those external walls are constructed;
- (b) in respect of any building for which an owner or manager is responsible which contains separate flats, undertake regular inspections of individual flat entrance doors;
- (c) in respect of any building for which an owner or manager is responsible which contains separate flats, undertake regular inspections of lifts and report the results to their local Fire and Rescue Service; and
- (d) share evacuation and fire safety instructions with residents of the building.”

***Member’s explanatory statement***

*This new clause would place various requirements on building owners or managers, and would implement the recommendations made in the Grenfell Tower Inquiry Phase One Report.*

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Sarah Jones  
Florence Eshalomi  
Nick Thomas-Symonds  
Taiwo Owatemi  
Chris Elmore  
Conor McGinn

NC7

To move the following Clause—

**“Accreditation of fire risk assessors**

The relevant authority must by regulations amend the Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541) to require fire risk assessors for any building which contains two or more sets of domestic premises to be accredited.”

***Member’s explanatory statement***

*This new clause would require fire risk assessors to be accredited.*

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**Fire Safety Bill, *continued***

Sarah Jones  
 Florence Eshalomi  
 Nick Thomas-Symonds  
 Taiwo Owatemi  
 Chris Elmore  
 Conor McGinn

NC8

To move the following Clause—

**“Waking watch**

The relevant authority must by regulations amend the Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541) to specify when a waking watch must be in place for any building which contains two or more sets of domestic premises and which has been found to have fire safety failings.”

***Member’s explanatory statement***

*This new clause would require the UK Government (for England) and the Welsh Government (for Wales) to specify when a waking watch must be in place for buildings with fire safety failures.*

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Sarah Jones  
 Florence Eshalomi  
 Nick Thomas-Symonds  
 Taiwo Owatemi  
 Chris Elmore  
 Conor McGinn

NC9

To move the following Clause—

**“Inspectors: prioritisation**

In discharging their duties under article 27 of the Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541) (powers of inspectors) in relation to any building which contains two or more sets of domestic premises, an inspector must prioritise the premises which they consider to be at most risk.”

***Member’s explanatory statement***

*This new clause would require the schedule for inspecting buildings to be based on a prioritisation of risk, not an arbitrary distinction of types of buildings.*

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**ORDER OF THE HOUSE [29 APRIL 2020]**

That the following provisions shall apply to the Fire Safety Bill:

*Committal*

1. The Bill shall be committed to a Public Bill Committee.

*Proceedings in Public Bill Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 25 June 2020.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.



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**Fire Safety Bill, *continued***

*Proceedings on Consideration and up to and including Third Reading*

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

*Other proceedings*

7. Any other proceedings on the Bill may be programmed.
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