



Mountaineering
Scotland



Guidelines for Hut Managers

No. 3.1 Fire Safety—England & Wales

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Hut Guidelines

These guidelines form part of a series that have been produced by the Huts Group of the British Mountaineering Council and the Huts Advisory Group of Mountaineering Scotland to assist those operating mountain huts in Britain.

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URLs: If viewing this document while online clicking on any [URL](#) will take you to that website. If any of the URLs (web addresses) given on the preceding pages are found to be incorrect or broken please notify one of the email addresses above.

Disclaimer: These guidelines were revised on the date shown below and the information herein is believed to be accurate at the time of writing. No responsibility can be accepted for any loss of benefit or entitlement arising through use of these guidelines – they are not intended to be definitive.

These guidelines are updated periodically; to check on the currency of this version go to one of

1. INTRODUCTION

Scope and context

As owners or occupiers of a hut, clubs have a legal *duty of care* to make their premises safe to use. Fire safety forms a major part of this duty.

The legislation

The [Regulatory Reform \(Fire Safety\) Order 2005](#) is the main piece of legislation governing fire safety in buildings in England and Wales. It regulates those properties which require fire safety risk assessments to be carried out.

Huts are subject to this Order. Amendments have now been made to the Order to improve fire safety by clearly identifying those persons who are responsible for ordering and preparing fire risk assessments.

2. NEW REQUIREMENTS

2.1 Fire Safety Order 2023

The Order aims to improve collaboration and coordination between responsible persons. It imposes stricter requirements for recording and sharing of fire safety information and by simplifying the process of enforcement for authorities to take action against non-compliance regarding the fire safety of buildings in accordance with the Regulatory Reform (Fire Safety) Order 2005.

All responsible persons (RPs)

- must record their completed fire risk assessment and in full; and
- must record the name of the individual or the organisation engaged by the responsible persons to carry out the fire risk assessment; and
- must record and demonstrate how their fire safety is managed on their premises; and
- must record and where necessary update their contact information including their UK addresses; and
- departing RPs must share all relevant fire safety information with incoming RPs.

2.2 Responsible Persons

They are the persons who control the premises, for example, the owner(s) of the property. A mountaineering hut may be controlled by the hut manager, warden or a hut committee. It may be owned by the trustees or members and directors of a private company.

The financial penalties for fire safety breaches have been increased. The Order has also strengthened the status of statutory guidance.

A copy of the Order and the amendments can be downloaded from:

www.gov.uk/government/news/new-fire-safety-guidance-comes-into-force-on-1-october-2023

The regulations for the new fire safety legal provisions are within S156 of the Building Safety Act 2022.

Fire Safety: guidance for those with legal duties can be downloaded from:

www.gov.uk/government/collections/fire-safety-legislation-guidance-for-those-with-legal-duties

See particularly the guides entitled:

Regulatory Reform (Fire Safety) Order 2005: a short guide to making your premises safe from fire, Fire safety risk assessment: 5-step checklist and Sleeping accommodation.

See also *Fire safety risk assessment: means of escape for disabled people* and refer to Hut Guideline no. 4 *Disability Discrimination*.

To get an overview of the requirements set out in the guidance documents refer to the checklist in Section 3.0 of these guidelines.

2.3 The requirement for a risk assessment

The Order requires a fire risk assessment to be conducted for all non-domestic premises, which includes club huts. A fire risk assessment is an organised and methodical look at your premises, the activities carried on there and the likelihood that a fire could start and cause harm to those in and around the premises.

The aims of the fire risk assessment are:

- To identify the fire hazards and those who might be at risk.
- To reduce the risk of those hazards causing harm to as low as reasonably practicable.
- To decide what physical fire precautions and management arrangements are necessary to ensure the safety of people in your premises if a fire does start.

Good management of fire safety is essential to ensure that fires are unlikely to occur; that if they do occur, they are likely to be controlled or contained quickly, effectively, and safely; or that, if a fire does occur and grow, everyone in the premises is able to escape to a place of total safety easily and quickly.

The risk assessment that must be carried out will help you ensure that your fire safety procedures, fire prevention measures, and fire precautions (plans, systems and equipment) are all in place and working properly, and the risk assessment should identify any issues that need attention. An outline of the key steps involved in risk assessment is in Section 3.0.

The fire and rescue service will enforce the Order. The enforcing authority has the power to inspect your premises to check that you are complying with your duties under the Order. They will look for evidence that you have carried out a suitable fire risk assessment and acted upon the significant findings of that assessment. You are required to record the outcome of the assessment and they will expect to see a copy.

If the enforcing authority is dissatisfied with the outcome of your fire risk assessment or the action you have taken, they may issue an *enforcement notice* that requires you to make certain improvements or, in extreme cases, a *prohibition notice* that restricts the use of all or part of your premises until improvements are made.

Those who fail to comply with the Order may be found guilty of committing an offence. They may face a fine (up to £5,000) and/or imprisonment of up to 2 years. Unlimited fines may be imposed for serious breaches of the Order.

The Chief Fire Officers Association has issued its own short guide, which states:

“If you do not meet the Order, the fire authority will provide practical advice or, if the risk is serious, a formal notice. Except in the most serious cases, the fire authority will work with you to achieve a satisfactory level of fire safety.”

The club will need to decide who is the ‘responsible person’ for each of their huts. The responsible person must –

- a) be competent to carry out the required tasks, or
- b) must appoint a ‘competent person’ to carry out the fire risk assessment, which must focus on the safety in case of fire of all 'relevant persons'. It should pay particular attention to those at special risk and should include plans as to how to alert and evacuate any disabled persons.

Competent person should have an understanding of fire development, the behaviour of people in a fire and know how to identify the fire risks and hazards in a building. Somebody, who has had sufficient training, qualification, experience, and attitude to carry out this task.

Hut operators may consider it advisable to employ a professional person or firm to carry out the risk assessment given its importance.

The risk assessment will need to be reviewed periodically. There is no set frequency at which reviews have to be done but if you have reason to suspect that the risk assessment is no longer valid you should review it. This would be necessary if there had been significant alterations to the premises or if there had been a fire or ‘near miss’.

Note:

The [Fire Safety Order 2005](#) – There must be a suitable maintenance regime to ensure the fire safety equipment is kept in a good state, e.g., fire doors and escape doors.

See Hut Guideline no. 4 Disability Discrimination for details of where to find specialist advice.

Different legislation applies in Scotland – see guideline no. 3.2 in this series.

3.0 FIRE RISK ASSESSMENT

FIRE SAFETY CHECKLIST

If the answer to all the following questions is 'Yes', the fire risk assessment should not identify major problems.

Note: *This list should not be regarded as definitive and does not address all the management arrangements that may be required.*

- Are the internal dividing walls built of non-combustible materials?
- Are the floors / ceilings below upper rooms 30-minute fire rated?
- Are all rooms, except washrooms and toilets, fitted with self-closing fire doors that have intumescent strips and smoke seals?
- Are there protected corridors and staircases leading directly to external escape doors or windows?
- Are all final exit doors or windows capable of being opened without the use of a key?
- Do all bedrooms have alternative means of escape?
- Are there smoke / heat detectors in all rooms except washrooms and toilets?
- Are the fire alarm system and the emergency lights tested at regular intervals?
- Is there a suitable fire alarm system capable of being heard in all parts of the building?
- Are there fire alarm call points?
- Are the escape routes well illuminated and fitted with emergency lights?
- Are the escape routes and fire exits clearly signed and kept free from obstructions?
- Are there sufficient portable fire extinguishers of the correct type?
- Are the fire extinguishers tested annually?
- Is there a layout of the building, displayed in a prominent position, showing escape routes, fire appliances and fire call points?
- Is there a fire instruction notice displayed in a prominent position?
- Are all flammable materials segregated and stored safely?
- Is the complete gas installation tested annually by a [Gas Safe](#)* registered gas fitter?
- Is the electrical installation in good condition and tested regularly?

Note:

Refer to the [Regulatory Reform \(Fire Safety\) Order 2005](#)
[Fire Safety Risk Assessment 5 Key Steps checklist](#).
[Gas Safe](#) [www.gassaferegister.co.uk]