



Subject:	Department of Health Consultation on proposals to make amendments to the Fire and Rescue Services (Northern Ireland) Order 2006.
Date:	8th May 2018
Reporting Officer:	Nigel Grimshaw, Director City & Neighbourhood Services Department
Contact Officer:	Stephen Leonard, Environmental Health Manager, City & Neighbourhood Services Department

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	The Department of Health opened consultations on 9 April 2018 on proposals to make amendments to the Fire and Rescue Services (Northern Ireland) Order 2006. The consultation period ends on 3 June 2018. This paper provides background information and includes a draft response, for Members' approval.
2.0	Recommendations
2.1	The Committee is; <ul style="list-style-type: none">Invited to consider and endorse the draft consultation response.

3.0	Key Issues
3.1	<p>At the meeting of 13 October 2015, the Committee approved a response to a consultation from the Department for Social Development Committee on the (then) proposed Houses of Multiple Occupation (HMO) Bill. The response included the following City Council concerns regarding Fire Safety Measures proposed in the Bill:</p> <p><i>The Council requested that the Bill and any future regulation/guidance allow for the Councils and NIFRS to agree local arrangements and protocols around the regulation and enforcement of Fire Safety in HMO's".</i></p>
3.2	<p>The Department of Health is now proposing to make amendments to the Fire and Rescue Services (Northern Ireland) Order 2006.</p>
3.3	<p>The operation of the HMO licensing scheme will be the responsibility of councils. Councils will carry out all the checks/inspections (including fire safety) required to license or otherwise an HMO.</p>
3.4	<p>In order to facilitate the provisions and policy intent of the HMO Act, the Department of Health proposes to amend the 2006 Order to allow the Chief Fire and Rescue Officer to delegate fire safety inspection for "relevant premises" rather than just "work places" which the current Article 33.(5) specifies.</p>
3.5	<p>Under the current registration scheme the regulation of Fire Safety matters is the responsibility of the NIHE HMO team. These amendments would mean that the Chief Fire and Rescue Officer could authorise suitably trained and competent Council staff to undertake fire safety inspections in HMOs. This will allow for the existing arrangements to be continued into the new Licensing Regime.</p>
3.6	<p>A Memorandum of Understanding (MoU) will be agreed between local councils and the Northern Ireland Fire & Rescue Service (NIFRS). The memorandum will include a detailed training and competency framework in relation to Fire Safety Inspections, Auditing, Enforcement and the handling of evidence in accordance with Police & Criminal Evidence NI Order 1989 (PACE) for designated HMO officers.</p> <p>A draft response to the consultation paper is attached in Appendix 1. The draft response supports the amendments as being necessary and sufficient to achieve the requirements</p>

3.7	<p>outlined.</p> <p><u>Financial & Resource Implications</u></p> <p>It is anticipated that all costs associated with the new HMO licencing scheme will be met by fee income.</p>
3.8	<p><u>Equality or Good Relations Implications</u></p> <p>No equality or Good Relations implications have been identified.</p>
3.9	
4.0	Appendix – documents attached
	Appendix 1 – draft response