

G1166 Management of station tenancies

Purpose

This purpose of this document is to provide guidance to station management teams so that they can fulfil the requirement in Station Handbook 10 to ensure that their tenants do not present an unacceptable fire risk to stations.

Scope

To provide London Underground station management guidance in the management of tenants located within their landlord areas. This guidance applies to all tenants whose premises are shown on station fire compliance or fire precautions plans.

Guidance

What do station tenants have to do?

Tenants are required by law (The Regulatory Reform [Fire Safety] Order 2005) and through their lease to produce a documented fire risk assessment (FRA). Although the order only requires a written fire risk assessment when the tenant employs more than 5 persons, or their activity is licensed (e.g. the sale of alcohol), LU has always required them to do so. "Sub-surface" stations are subject to an 'Alterations Notice', which requires FRAs to be recorded.

In the same way that the LU manages fire risk through its Fire Safety Strategy, comprising the Fire Plans, Workplace and Customer Risk Assessments, Congestion Control and Emergency Plans and maintenance records, a tenant must recognise fire risks and cooperate with LU to reduce and eliminate the likely causes of fire, by adopting suitable controls and mitigation. London Underground places great emphasis on the maintenance of our high standards of fire safety in all its premises, including stations.

A tenant's FRA must be proportionate in complexity to the level of risk and most station tenants present a low risk of fire but a potentially high risk of interruption to the service if a fire alert originates in the tenancy. LU and the LFEPA provide guidance to tenants on the typical documentation that should be in place. In most cases, a tenant should be able to conduct an FRA themselves but some assistance may be required from station managers.

The tenants' FRAs must be kept on their premises and made available for inspection during monitoring activities such as Planned General Inspections (PGI's), Audits and LFEPA inspections.

What does the Station Management team need to do?

Group Property and Facilities are responsible for managing the contract and lease with the tenant. They do undertake regular inspections of tenants' premises but this is focused on general lease requirements. The Area Manager Stations (AMS) is the landlord of the overall premise and The Regulatory Reform (Fire Safety) Order requires all parties who share a premise to take reasonable measures to ensure compliance and co-operate with regard to their arrangements.

The Station Management Team must therefore check that its tenants comply. This must be undertaken through the risk-based PGI programme (tenants are included on the PGI checklist). This should seek to establish that a documented fire risk assessment is on site. If not, then this should be recorded as a finding and GP&F must be notified.

The station management team may assist the tenant with the completion of their FRA if asked by the tenant, **whilst not undertaking the assessment for them**. It must be borne in mind that it is in LU's interest that tenants control the risk of fire as these can lead to injuries, station closures and asset damage.

Doc No. G1166
Issue No. A2

Doc Approved By Simon Howlett
Issue Date 14 September 2011 Next review Date September 2014

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What should managers check on PGIs?

The tenants' leases provide managers with the authority to check all areas of the tenant's premises. As well as the presence of an FRA managers can help reduce the risk of a fire by focussing on:

- Recommendations from the risk assessment(s) of previous years – have these been implemented?
- Has all portable electrical equipment been tested as required (evidenced by a label affixed to the appliance or its cord)?
- Is the use of multi-socketed extension leads minimised, are they tested and are they kept away from any combustible materials e.g. not left on top of boxes, or covered, etc?
- Are suitable and sufficient extinguishers present, properly located, have they been tested and are they the right type for the risks (powder extinguishers are forbidden)?
- Are all fire detectors, sprinkler and water fog nozzles left unobstructed?
- Is housekeeping to an adequate standard including storage, no build up of rubbish and dirt
- Are the tenants complying with LU requirements regarding signing in/out with the Station Supervisor and have they received any familiarisation on evacuation arrangements?

What If I need advice or the tenant does not co-operate?

Any issues should be communicated to the tenant to allow them time to address any deficiencies. If this does not resolve the matter then TfL Group Property and Facilities Enforcement Officers should be contacted who can escalate the matter formally by visiting or writing to the tenant. **They can be contacted on Tel: 0203 054 5835 (Auto: 85835) or Tel: 0203 054 5846 (Auto: 85846)**

E Mail: steve.issitt@gpf.org.uk or thomas.ivers@gpf.org.uk.

You should also let your SQEA know and you may need to engage the assistance of the Principal Engineer (Fire Safety). Group Property and Facilities can also provide advice on what each tenant's conditions are as they may vary from location to location e.g. what they are allowed to sell

What happens if the tenant does not or cannot produce a FRA?

The LFEPA will check station tenancies when they undertake inspections of stations. If the tenant has not complied with their obligations with regard to fire risk assessments or the condition of the premises then the LFEPA will regulate, which may include offering advice and/or taking legal action against the tenant. Providing LU can demonstrate it has done all it can to ensure compliance with the law and our own Standards, then the risk of legal action being taken against LU is minimised. It is vital that external regulators retain confidence in LU, thus minimising the need for excessive outside intervention.