Fire Sprinklers in Residential Premises (Scotland) Bill

Introduced on: 17 November 2003 [SP Bill 13]
Introduced by: Michael Matheson MSP (Member's Bill)
Withdrawn: 29 September 2004

Passage of the Bill

The Fire Sprinklers in Residential Premises (Scotland) Bill [SP Bill 13] was introduced in the Parliament by Michael Matheson MSP on 17 November 2003. The proposal for the Bill was lodged in the Parliament on 12 September 2003 and had received 15 supporters by 13 October 2003, sufficient to allow the Bill to proceed. The Bill was referred to the Communities Committee as the lead committee on 17 December 2003. The Committee considered its approach to the Bill at its meeting of 17 December 2003 and took Stage 1 evidence at its meeting of 10 March 2004. The Committee formally ‘parked’ its consideration of the Bill at its meeting of 24 March 2004. Michael Matheson MSP withdrew the Bill on 29 September 2004.

Purpose and objectives of the Bill

The Bill would have required fire sprinkler systems to be fitted in all new sheltered housing complexes and existing buildings that were converted to sheltered housing as well as certain Houses in Multiple Occupation (HMOs). The purpose of these proposals was to prevent fire deaths and injuries in types of property at a high risk from fire.

Provisions of the Bill

The Bill required that a fire sprinkler system be fitted into certain HMOs and in all new build sheltered housing, as well as homes converted into sheltered housing. The Bill would also have given Scottish Ministers the power to alter, by order, the categories of housing to which the provisions of the Bill applied.

The Bill would have required a building standards verifier to ensure that all new build or converted sheltered housing was fitted with a sprinkler system prior to issuing a completion certificate. It is an offence to occupy a building which does not have a completion certificate.

The Bill would have made it an offence for the owner of a house, or their agent, to knowingly give their permission for it to be used as an HMO without a fire sprinkler having been installed. This included houses that were intended to be used as an HMO but which were not yet occupied. Failure to abide by these requirements would have been an offence which, on summary
conviction, would be punishable by a fine not exceeding £5000. Where both an agent and owner permitted a house without a sprinkler to be used as an HMO both would have been liable to prosecution.

Parliamentary consideration

The Bill was withdrawn by Michael Matheson MSP prior to completion of Stage 1 consideration as he had secured a commitment from the Executive to amend Building Regulations to achieve much of what he was aiming to do through the Bill.

On 18 March 2004 the Deputy Communities Minister announced a consultation on changes to Building Regulations, requiring the installation of fire sprinklers in all new or converted residential care buildings, sheltered housing and high rise flats. The consultation closed on 26 July 2004 and was supported by the great majority of the 42 respondents, although some did not think it went far enough. The new requirements were included in the Building (Scotland) Regulations 2004, which came into force on 1 May 2005.