

Briefing for the Citizen Participation and Public Petitions Committee on petition [PE1910](#): Amend the forthcoming legal requirement to have interlinked fire and smoke alarms in small houses lodged by Ian Nicol

Brief overview of issues raised by the petition

- From February 2022, the 'Tolerable Standard' will be amended to include ceiling mounted and interlinked smoke and heat alarms and, where appropriate, carbon monoxide alarms.
- The Tolerable Standard is a basic standard of house condition, set out in the Housing (Scotland) Act 2007, that applies to homes in all tenures. It is the property owner's responsibility to meet the standard. [Councils have powers to enforce the Tolerable Standard in their areas.](#)
- The changes are implemented by the [Housing \(Scotland\) Act 1987 \(Tolerable Standard\) \(Extension of Criterion\) Order 2019](#).
- The Order includes the addition of, "satisfactory equipment installed for detecting, and for giving warning of, fire or suspected fire" to the Tolerable Standard. Further detail of what that means is provided in [Scottish Government guidance](#) (and explained on the [Scottish Government website](#)). The guidance sets out the requirement for:
 - one smoke alarm installed in the room most frequently used for general daytime living purposes (normally the living room/lounge)
 - one smoke alarm in every circulation space on each storey, such as hallways and landings
 - one heat alarm installed in every kitchen
 - all smoke and heat alarms to be ceiling mounted and interlinked.
- The changes stem from the Grenfell Tower fire in London. Following the fire, the Scottish Government established a Ministerial Working Group on Building and Fire Safety to review Scotland's building and fire safety regulatory frameworks.
- The petitioner argues that the need for multiple linked alarms regardless of the size or type of house is 'unnecessary and onerous'.

Furthermore, the cost of installing a number of alarms in each property is unnecessary for most 2 and 3 bedroom houses. The petitioner argues that an exemption for small houses is required.

- The legislation does not provide for any exemptions from the requirements. [Scottish Government guidance](#), aimed at those who may be assessing whether a home meets the Tolerable Standard, indicates that,

“16.12. In some buildings, it may not be practical to fit fire and smoke alarms to this exact standard. There may be instances where the number of alarms specified would not be required to meet the standard, such as a kitchen/diner or open plan layout. Assessors should take account of the layout and design of the building, and any advice given by a competent person. Further information can be found in the Building Standards Domestic Technical Handbook.”

- The Scottish Government [consulted on the proposals in 2017](#). [One hundred and nine responses were received to the consultation](#). [The Scottish Government published an analysis of the responses](#). This highlighted that a small number of respondents noted that a risk-based approach should be taken rather than specifying the rooms the alarms should be placed in:

“151. A small number of respondents, rather than making suggestions for specific rooms into which alarms should be placed, noted that a risk-based approach should be adopted, that the placement and number of alarms should be dependent on property layout or the size of the property or that there needs to be consideration on the wider fire protection system in place, how a property is occupied and by whom.”

- In terms of costs of installation, [the Scottish Government estimate that the cost for an average three bedroom house](#) which requires three smoke alarms, one heat alarm and one carbon monoxide detector will be around £220. This is based on using the type of alarms that can be bought and installed without the need for an electrician.

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