
STATUTORY INSTRUMENTS

1989 No. 1401

FIRE PRECAUTIONS

**The Fire Precautions (Sub-surface
Railway Stations) Regulations 1989**

<i>Made</i>	- - - -	<i>4th August 1989</i>
<i>Laid before Parliament</i>		<i>14th August 1989</i>
<i>Coming into force:</i>		
<i>all regulations except 5(4) and (5), 6(3), (4), (6) and (8), 7(1) and (2) and 8(3)</i>		<i>18th September 1989</i>
<i>regulations 6(3) and 7(1) and (2)</i>		<i>1st January 1990</i>
<i>regulations 5(4) and (5) and 6(4), (6) and (8)</i>		<i>1st January 1991</i>
<i>regulation 8(3)</i>		<i>1st January 1996</i>

In exercise of the powers conferred on me by sections 12(1), (3) and (4), 37(2) and (3) and 40(1) of the Fire Precautions Act 1971⁽¹⁾, and having consulted with such persons and bodies of persons as appear to me requisite, I hereby make the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Fire Precautions (Sub-surface Railway Stations) Regulations 1989.

(2) These Regulations, with the exception of the provisions specified in paragraph (3) below, shall come into force on 18th September 1989.

(3) Regulations 6(3) and 7(1) and (2) shall come into force on 1st January 1990, regulations 5(4) and (5) and 6(4), (6) and (8) shall come into force on 1st January 1991 and regulation 8(3) shall come into force on 1st January 1996.

Interpretation

2. In these Regulations—

(1) 1971 c. 40; section 12(1) was amended by the Health and Safety at Work etc. Act 1974 (c. 37), section 78(1) and (5).

“fire brigade” means a fire brigade maintained by a fire authority;

“machine room” means a room containing any electricity generator, transformer or switchgear, or in which any machinery for operating an escalator, travolator or lift is installed;

“station manager” means the person employed to work in station premises who is for the time being in charge of the premises;

“station premises” means the premises to which these Regulations apply by virtue of regulation 3 below; and

“travolator” includes any mechanically operated moving footway other than an escalator.

Application of Regulations

3.—(1) These Regulations apply to any premises used as a railway station to which members of the public have access (whether on payment or otherwise) and in which any railway platform is an enclosed underground platform.

(2) For the purposes of paragraph (1) above a railway platform—

(a) is an enclosed platform if the platform and the permanent way to which it is adjacent (whether with or without one or more other railway platforms) are situated wholly or mainly in a tunnel or wholly or mainly within or under any building; and

(b) is an underground platform if the level of the roof or ceiling immediately above the platform and the permanent way to which it is adjacent is below the level of the surface of the ground adjacent to any exit from the railway station providing a means of escape from the station in case of fire,

and a railway platform shall be regarded as situated mainly in a tunnel or mainly within or under a building if the platform and the permanent way to which it is adjacent are covered by any part of a tunnel or building for more than half the length of the platform.

(3) In their application to the premises referred to in paragraph (1) above these Regulations apply, subject to regulation 13(4) below, to any part of the premises which is owned or occupied by the Crown.

Precautions relating to means of escape in case of fire

4.—(1) All parts of station premises providing means of escape from the premises in case of fire, including railway platforms, escalators, travolators and lifts, shall be kept free from obstruction at all times when members of the public have access to the premises and shall be so maintained as to secure that they can be safely used as such means of escape at those times.

(2) All parts of station premises shall be kept clear of any accumulation of combustible refuse or other combustible matter, and any combustible refuse stored in the premises pending its disposal shall be stored in an area set aside for that purpose.

(3) At all times when members of the public have access to station premises, and at other times when persons are at work in the premises, the door of, or barrier in, any doorway or exit through which a person might have to pass in order to leave the premises shall not be so locked or fastened that it cannot be easily and immediately opened in case of fire in the premises.

(4) Where a door in station premises is designed to be held open by an electromagnetic or electromechanical device to which this paragraph applies, the door and the means for holding open and closing the door shall be maintained in efficient working order and the door shall not be held open by any device or object other than the electromagnetic or electromechanical device.

(5) Paragraph (4) above applies to an electromagnetic or electromechanical device which allows a door held open by it to be operated manually at all times and to close automatically on each or any of the following occurrences, that is to say—

- (a) the operation of a system for giving warning in case of fire;
- (b) the manual operation of a switch for releasing the device;
- (c) a failure in the supply of electricity to the device.

(6) In any passage or other area affording a means of escape from station premises in case of fire or giving access to such a means of escape, every door of a doorway which does not form part of, or give access to, the means of escape shall be kept locked at all times when the part of the premises to which the doorway gives access is neither in use by any person who is at work in the premises nor available for use by members of the public.

(7) Every doorway or other exit affording a means of escape from the station premises in case of fire or giving access to such a means of escape, including the means of exit in ordinary use by members of the public, shall be distinctively and conspicuously marked by a notice indicating that it is an ordinary means of exit or (as the case may be) an emergency exit from the premises.

(8) All parts of station premises forming part of the means of escape from the premises in case of fire shall be provided with artificial lighting capable of providing sufficient illumination of those parts of the premises and any notice required by paragraph (7) above to enable persons in the premises to leave the premises safely in case of fire.

(9) The lighting required by paragraph (8) above shall be provided by electricity supplied from two independent sources of supply so controlled that, so far as is reasonably practicable, the requirements of that paragraph continue to be met in the event of any failure in the supply of electricity from one of the two sources of supply.

Means for fighting fire

5.—(1) Subject to the provisions of this regulation, station premises shall be provided with such means for fighting fire as are appropriate and adequate in relation to the risk to persons in case of fire in the premises.

(2) The location of each fire hydrant in station premises shall be indicated by a distinctive and conspicuous notice in a position above or adjacent to the fire hydrant.

(3) The outlet connection of every fire hydrant in station premises shall be of such a type as is compatible with the type of attachment on hoses used by the fire brigade for the purpose of drawing water from fire hydrants.

(4) Every escalator and travolator in station premises shall be provided with a means for fighting fire comprising a water sprinkler system which is activated automatically on the operation of the means for detecting fire with which the escalator or travolator is provided under regulation 6(1) below.

(5) The following parts of station premises shall be provided with a means for fighting fire comprising a system which is activated automatically in such a part of the premises in the event of any outbreak of fire in that part of the premises, that is to say—

- (a) a machine room, other than a machine room in which machinery for operating an escalator, travolator or lift is installed;
- (b) any storage area, including an area set aside for storing refuse pending its disposal;
- (c) any part of the premises used as a shop.

(6) All means for fighting fire in station premises shall be maintained in efficient working order and all portable equipment for fighting fire in the premises shall be so placed as to be readily available for use.

(7) When any person employed to work in station premises reasonably suspects that there is an outbreak of fire in the premises, immediate steps shall be taken to activate the system for giving

warning in case of fire referred to in regulation 6(4) below and to call for the assistance of the fire brigade.

(8) A plan of the station premises suitable for use by members of the fire brigade when attending the premises for fire fighting purposes shall be kept in, or affixed to, a part of the premises where it is accessible to members of the fire brigade in such an event.

Means for detecting fire and giving warning in case of fire

6.—(1) Every escalator and travolator in station premises shall be provided with a means for detecting fire comprising a linear heat detector system.

(2) Any machine room in station premises in which machinery for operating an escalator, travolator or lift is installed shall be provided with a means for detecting the presence of smoke in the room.

(3) The following parts of station premises shall be provided with a means for detecting fire which is activated automatically in case of fire in such a part of the premises, that is to say—

- (a) every part of the premises required by regulation 5(5) above to be provided with the means for fighting fire referred to in that provision;
- (b) any office which is not separated from other parts of the premises by fire-resisting construction within the meaning of regulation 7(6) below;
- (c) any staff room for persons employed to work in the premises.

(4) The station premises shall be provided with an electrically operated system for giving warning in case of fire which—

- (a) is designed to transmit any such warning to a place where it can be received by the station manager or by some other person employed by the occupier of the premises; and
- (b) is capable of being activated both by manual operation at call points in the premises, including call points for use by members of the public, and by any of the means referred to in paragraphs (1) to (3) above for detecting fire or the presence of smoke in the premises.

(5) Where a call point for a system for giving warning in case of fire is situated in a part of station premises to which members of the public have access, there shall be displayed at or near the call point a notice giving information as to how to use the call point to activate the system.

(6) The station premises shall be provided with a public address system for use by or on behalf of the occupier of the premises to give warning of fire to members of the public in the premises and advise them of the action to be taken by them in case of fire.

(7) All means for detecting fire and for giving warning in case of fire in station premises shall be maintained in efficient working order.

(8) In station premises arrangements shall be made to secure that in case of fire the station manager and any person employed to work as a member of the staff of the station premises who is on duty in any part of the premises can communicate with each other by personal radio or by telephone.

Fire-resisting construction in premises

7.—(1) A part of station premises to which this paragraph applies shall, so far as is reasonably practicable, be separated by fire-resisting construction from other parts of the premises, including any other part of the premises to which this paragraph applies.

(2) Paragraph (1) above applies to the following parts of station premises, that is to say a machine room, any storage area other than an area referred to in paragraph (3) or (4) below, and a staff room for persons employed to work in the premises.

(3) Any explosive or highly flammable materials kept in station premises shall be stored in an area separated from other parts of the premises by fire-resisting construction.

(4) An area set aside for storing combustible refuse in station premises pending its disposal shall be separated from other parts of the premises by fire-resisting construction.

(5) Where a door forms part of any fire-resisting construction required by this regulation, the door shall be fitted with a self-closing device and each face of the door shall have affixed to it a notice displaying the words "FIRE DOOR—KEEP SHUT".

(6) Any reference in this regulation to fire-resisting construction is a reference to construction of such a nature as to be capable of providing resistance to fire for a period of not less than one hour.

Materials used in internal construction of premises

8.—(1) Any material which is used on or after 18th September 1989 in the construction of an internal wall or ceiling in any part of station premises to which members of the public have access shall be non-combustible or have low heat emission, and any material which is applied on or after that date to the surface of an internal wall or ceiling in such a part of the premises shall offer adequate resistance to the spread of flame over the surface of the material and shall have, if ignited, a reasonable rate of heat release.

(2) The material of which any balustrade, decking or skirting board of an escalator or travolator in station premises is constructed, and the material of which any display panel for advertisements or notices in an escalator shaft in the premises is constructed, shall offer adequate resistance to the spread of flame over the surface of the material and shall have, if ignited, a reasonable rate of heat release.

(3) The material of which the treads and risers in the steps of any escalator in station premises are constructed shall offer adequate resistance to the spread of flame over the surface of the material and shall have, if ignited, a reasonable rate of heat release.

(4) For the purposes of this regulation material shall be regarded—

- (a) as non-combustible if it is material deemed non-combustible according to the test criteria specified in British Standard 476: Part 4: 1970 (as amended by amendment slips AMD 2483 and AMD 4390);
- (b) as having low heat emission if it is of such a nature that if tested in accordance with British Standard 476: Part 11: 1982 it would not flame and would produce no rise in temperature on either the specimen or the furnace thermocouples;
- (c) as offering adequate resistance to the spread of flame over its surface and having a reasonable rate of heat release if the material or, where it is bonded throughout to a substrate, the material combined with the substrate, is of such a nature that it would comply with the test criteria set out in relation to Class 1 in British Standard 476: Part 7: 1987 and, when tested in accordance with British Standard 476: Part 6: 1989, would have an index of performance (I) not exceeding 12 and sub-index (ii) not exceeding 6.

Instruction and training of persons working in premises

9.—(1) Every person employed to work in station premises as a member of the staff of the station premises shall be given instruction in the fire precautions to be taken or observed there, so far as those precautions relate to his duties, including instruction as to—

- (a) the means of escape from the premises in case of fire;
- (b) the action to be taken by him in case of fire in the premises;
- (c) the location of, and method of operating, equipment provided in the premises for fighting fire; and

(d) the location and use of the means for giving warning in case of fire in the premises, and he shall be given such further instruction at least once in every period of seven months as is necessary to ensure that he is familiar with those matters.

(2) No person employed to work in station premises shall be employed as the station manager unless he has been given instruction in the matters specified in paragraph (1) above and, in addition, instruction—

- (a) as to supervising and controlling action to be taken in case of fire in the premises by other persons employed to work there as members of the staff of the station premises;
- (b) in arrangements for calling for the assistance of the fire brigade and securing that members of the fire brigade are directed to the source of any fire in the premises;
- (c) as to taking action in case of fire in the premises to prevent the entry of members of the public to the premises;
- (d) in the use of the means for advising members of the public in the premises on the action to be taken by them in case of fire in the premises; and
- (e) in arrangements for securing that the means of escape from the premises can be immediately used in case of fire and for enabling persons to leave the premises by train in case of fire.

(3) A person who is employed to work in station premises otherwise than as a member of the staff of the station premises shall be given instruction in the fire precautions to be observed by him in the course of his work in the premises and the action to be taken by him in case of fire in the premises.

(4) A fire drill for persons employed to work in station premises as members of the staff of the station premises shall be held there not less than once in every period of six months for the purpose of providing those persons with training in the action to be taken in case of fire in the premises.

(5) The attendance at a fire drill of the persons referred to in paragraph (4) above shall be so organised as to secure that not less than one third of the number of those persons at work in the station premises at any one time have attended a fire drill in the preceding six months.

(6) Each fire drill in station premises shall be held at a time when members of the public have access to the premises.

Additional precautions to be taken

10.—(1) The occupier of station premises shall prepare and keep up to date an emergency plan setting out details of the action to be taken in the event of an outbreak of fire in the premises by persons employed to work in the premises and the procedure to be followed for the evacuation of members of the public from the premises in that event.

(2) All practicable steps shall be taken to prevent smoking by persons in any part of station premises which is a machine room, storage area or part of the premises used as a shop or to which members of the public have access.

(3) All practicable steps shall be taken to supervise the carrying out by persons other than members of the staff of station premises of any work of construction or maintenance in the premises which presents a risk to persons in case of fire.

(4) The periods of duty of the persons employed to work in station premises as members of the staff of the station premises shall be so arranged as to secure that not less than two of those persons are present on duty in the premises at all times when members of the public have access to the premises.

Keeping of records of maintenance work, instruction and training

11.—(1) A record shall be made—

- (a) of all work of maintenance done in station premises in pursuance of regulations 4(4), 5(6) and 6(7) above;
 - (b) of the occasions on which instruction is given in pursuance of regulation 9 above to each person employed to work in the premises; and
 - (c) of the fire drills held in the premises in pursuance of regulation 9 above and of the names of the persons attending each fire drill.
- (2) A record made under paragraph (1) above in relation to station premises shall be kept in the premises for a period of not less than three years from the date on which it was made.

Exemption from requirements

12.—(1) Where a fire authority are satisfied in respect of any particular station premises that compliance with a requirement of any of the provisions of regulations 4(1) and (3), 5(4) and (5), 6(1) and (3), 7(1), 8(2), 10(2) and (4) and 11(2) above is inappropriate, unnecessary or not reasonably practicable, they may by notice in writing to the occupier of the premises grant exemption from compliance with the requirement to such extent as is reasonable having regard to all the circumstances of the case and in particular to the risk in case of fire to persons in the premises.

(2) A fire authority may grant an exemption under paragraph (1) above subject to such conditions as may be specified in the notice granting the exemption and the authority may by notice in writing to the occupier of the premises withdraw the exemption if the occupier fails to comply with any condition subject to which the exemption was granted.

Contravention of requirements

13.—(1) The requirements of regulations 4 to 11 above are imposed on the occupier of the station premises to which those regulations apply and, subject to any exemption granted (and not withdrawn) under regulation 12 above and to paragraph (2) below, the occupier of the premises shall be responsible for any contravention of the provisions of those regulations.

(2) The requirements of regulations 4(8), 4(9) and 5(3) above shall be deemed to be satisfied in station premises in Scotland if the premises comply with the provisions, respectively, of regulations E15, E16 and E22(1) of the Building Standards (Scotland) Regulations 1981 to 1987(2).

(3) If any provision of regulations 4 to 11 above is contravened the person who under this regulation is responsible for the contravention shall be guilty of an offence under section 12 of the Fire Precautions Act 1971.

(4) Paragraph (3) above shall not apply to the Crown.

Home Office
4th August 1989

Douglas Hurd
One of Her Majesty's Principal Secretaries of
State

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for fire precautions to be taken in certain underground and low level railway stations used by members of the public. The railway stations to which the Regulations apply are described in regulation 3 by reference to the station having a railway platform which is wholly or mainly enclosed in a tunnel or building at a level below ground level.

Regulation 4 specifies the precautions to be taken in the station premises in relation to the means of escape from the premises in case of fire. It imposes requirements as to keeping the premises free from obstruction and clear of combustible refuse, opening doors and barriers in case of fire, marking exits and providing adequate lighting. Regulation 5 requires the premises to be provided with means for fighting fire, including a water sprinkler system for every escalator and travelator and an automatic system for fighting fire in other parts of the premises where there is a risk of fire. Provision is also made for the fire brigade to be called in the event of fire in the premises and for facilitating fire fighting by the fire brigade. Regulation 6 requires the premises to be provided with means for detecting fire and for giving warning in case of fire, including heat detectors in escalators and travelators, smoke detectors in escalator and travelator machine rooms, an automatic system for detecting fire in other parts of the premises where there is a risk of fire, a fire alarm system and a public address system. Regulation 7 requires some parts of the premises, such as machine rooms and storage areas, to be separated from other parts of the premises by fire-resisting construction. Regulation 8 prescribes certain qualities of resistance to fire for materials used in or on internal walls and ceilings in the premises and for materials of which specified parts of escalators and travelators are constructed. Regulation 9 provides for persons working in the premises to receive instruction in fire precautions and for fire drills to be held there. Regulation 10 makes provision for additional precautions to be taken in the premises relating to the preparation of a plan for action in a fire emergency, the prevention of smoking, the supervision of construction and maintenance work and the attendance of staff. Regulation 11 requires records to be kept of maintenance work done on certain fire doors, fire-fighting equipment and fire alarm systems, and of the instruction given and fire drills held in the premises.

Under regulation 12 a fire authority may grant exemption from specified provisions of the Regulations and may impose conditions on the grant of an exemption. Subject to any such exemption, regulation 13 makes the occupier of the station premises responsible for any contravention of the requirements imposed and makes it an offence for him to contravene the relevant provisions of the Regulations. Regulation 13 also provides for some requirements to be treated as satisfied in station premises in Scotland by compliance with provisions of the building standards regulations which, unlike building regulations in England and Wales, apply to station premises.

The Regulations come into force generally on 18th September 1989 but some provisions of regulations 5, 6, 7 and 8 come into force on the later dates specified in regulation 1(3).

Copies of the British Standards referred to in regulation 8(4) may be obtained from any of the sales outlets of the British Standards Institution or by post from the British Standards Institution, Linford Wood, Milton Keynes MK14 6LE.