

Department for Justice and Home Affairs – Government of Jersey

Proposal for the introduction of: The “Fire Precautions (Tall Residential Buildings) Regulations”

Consultation response from Propertymark

September 2025

Background

1. Propertymark is the UK’s leading professional body of property agents, with over 19,000 members representing over 12,500 branches. We are member-led with a Board which is made up of practicing agents and we work closely with our members to set professional standards through regulation, accredited and recognised qualifications, an industry-leading training programme and mandatory Continuing Professional Development.¹

Consultation – overview

2. The Government of Jersey’s Minister for Justice and Home Affairs is proposing to introduce new fire safety regulations for tall residential buildings in Jersey. This would implement some of the recommendations from the Grenfell Tower phase 1 inquiry report.² Within the proposals, tall buildings are defined as at least 11 metres in height and most contain two or more residential units and contain common parts through which residents evacuate in the case of an emergency. There are approximately 125 buildings in Jersey that would be affected by the regulations, impacting an estimated 8,500 islanders. It is key to note that, while broadly similar, the proposed Fire Safety Regulations in Jersey have some differences to the Building Safety Act 2022³ in England.

Propertymark response – summary

3. Propertymark welcomes the opportunity to respond to the Department for Justice and Home Affairs (DJHA) consultation on the proposed new Fire Safety Regulations. Propertymark has been working with the UK Government, Welsh Government and Scottish Government to provide additional guidance for our members and also to provide feedback on fire safety proposals. Regarding the proposed Fire Safety Regulations for Jersey, we particularly welcome the clarification on the duties of Managing Agents. In England especially, the regulations and

¹ <https://www.propertymark.co.uk/>

² <https://www.gov.uk/government/collections/grenfell-tower>

³ <https://www.legislation.gov.uk/ukpga/2022/30/contents>

additional guidance have failed to specify what new duties are expected of Managing Agents, which has not helped with supporting compliance from the sector. Broadly, we welcome proposals as both fair and reasonable, which should help improve the safety of regulated buildings in Jersey. However, we do have five recommendations that we hope the DJHA considers:

- **Reconsider the 3-monthly checks on fire safety equipment** – the time and cost of conducting monthly checks is marginal, the practice is popular among residents, and it can help save lives.
- **Include details of known fire safety issues in the secure information box** – this can greatly assist the fire and rescue service in establishing a likely source of a fire or enable them to prioritise containment to a given area before the fire spreads to it.
- **Encourage greater communication between Responsible Persons and letting agents** – letting agents are often the first point of communication that a tenant has if the property isn't managed by the landlord. Responsible Persons should be encouraged to work with letting agents to report on a change of tenancy so important fire safety information can be provided.
- **Where a property owner has not confirmed the responsibilities of the Management Agent, the management agent should be considered the Responsible Person** – this would only be for the purpose of carrying out the duties of a Responsible Person to ensure that fire safety measures can be put in place. This would prevent a situation where no fire safety measures are implemented due to the building owner not playing an active role in the management of the property.
- **Establish a system for residents to report potential breaches of fire safety regulations** – the fire and rescue service does not have the capacity to monitor all buildings simultaneously. This can be counteracted by enabling residents to report potential breaches.

Consultation Questions

Question 1: Did you find this section useful in helping to define the Responsible Person? If not, please explain your answer.

4. Yes, we find the guidance on the definition of the Responsible Person to be useful. Where new fire safety regulations in response to the Grenfell Fire have been implemented in other UK nations, Propertymark members have expressed confusion over the definition and lack of guidance on who is the accountable person within a regulated building. The definition proposed by the Department for Justice and Home Affairs provides clarity over how Managing Agents (property management companies) would be considered the Responsible Person in certain circumstances.

Question 2: Do you have any additional concerns, questions or ideas in relation to the Responsible Person?

5. Currently, the consultation document only provides an example of where co-owners hire a Managing Agent and each party's responsibilities. We'd like to see an example of where an individual or entity owns the communal parts and hires a Managing Agent. This would provide additional clarity that the duties of Managing Agents apply in all situations where they'd be hired.

Question 3: Do you agree that the requirement to produce floor plans and a single page building plan to help the fire and rescue service in the event of a fire is fair and reasonable? If 'no' please explain your answer.

6. We agree that the requirement to produce floor plans and a single page building plan to help fire and rescue services in the event of a fire is fair and reasonable. We would encourage the creation of a template that can be directly edited or to establish specific requirements for the visuals of a plan for two key benefits. Firstly, this would make it easier to create guidance and tutorials to support Responsible Persons to create their floor and building plans. Secondly, if all the plans are created through the same programme and have the same format, it would be quicker for the fire and rescue service to understand the layout of the building.

Question 4: Do you have any additional concerns, questions or ideas in relation to this requirement?

7. We have no further comments to make at this time.

Question 5: Do you agree that the requirement to provide a secure information box and its contents is fair and reasonable? If 'no' please explain your answer.

8. We agree with the requirement to provide a secure information box. We also agree that it is fair and reasonable to provide the following contents:

- Two A3 laminated copies of the single page building plan.
- Two A3 laminated copies of each floor plan.
- The name and contact details of the Responsible Person within Jersey.
- The name and contact details of any other person with access to the building that the Responsible Person considers appropriate.

Question 6: Do you have any additional concerns, questions or ideas in relation to this requirement?

9. We would also recommend that the box must contain the following information:

- Details of any ongoing works related to reducing or preventing fire safety risks.
- A record of any known fire safety risks within the building.

10. This would be more aligned to other parts of the UK, helping to create parity and supporting Managing Agents who work across different parts of the UK. Additionally, this can help identify potential areas where the fire broke out or where the severity of the fire will increase should it spread to these areas, helping the fire and rescue service to prioritise their actions to prevent the spread of fire within the building.

11. We note that in Jersey the Responsible Person is not required to provide information about the design and materials of external walls. We accept that the rationale that this can exert a considerable cost on the Responsible Person and that the Minister is looking for more cost-effective ways of doing so. The need to only provide an account of ongoing works and known fire safety risks would be less costly for the Responsible Person while still providing crucial information to the fire and rescue service.

Question 7: Do you think the requirement to carry out tests on firefighting lifts and inspect key firefighting equipment (if you have it) is fair and reasonable? If 'no' please explain your answer

12. We agree that the requirement to carry out tests on firefighting lifts and inspect key firefighting equipment is fair and reasonable.

Question 8: Do you agree with the checks being 3 monthly in Jersey rather than every month as is the case in England? Please explain your answer.

13. While we agree with the requirement to carry out tests and checks, we disagree with checks being 3-monthly in Jersey rather than every month. The primary concern from the Minister is that the burden on Responsible Persons would be excessive. We disagree for two reasons. Firstly, we do not consider the time taken to be significant. As stated within the consultation, the UK Government has conducted an impact assessment of the time taken to meet this requirement, which is estimated to be 6 hours a year on average⁴. When taking into account for 8 public holidays and the minimum 4 weeks of paid annual leave (plus an additional 2 days to round up to 6 working weeks) 6 hours is 0.3% of a person's annual working hours if they work 40 hours a week. Even if the Responsible Person was not working full time as a Managing Agent, we do not consider this amount of time to be significant. Secondly, even if this cost was passed down to residents or owners of the individual units of a building, this increase would be marginal. If we assume that the Responsible Person charges £20 an hour for additional work to comply with the legislation (which we consider a high estimate) the service charge would increase by £120 for the entire year for the entire block. If we take the Government of Jersey's estimates that there are 125 buildings impacted by the legislation, with a total of £15000 required to be paid every year supporting 8,500 islanders, the average islander would pay an additional £1.76 every year in service charge. By reducing the time to 2 hours a year rather than 6, the Government of Jersey would save each resident an average of £1.17 a year in service charge costs. This is an inconsequential amount of money, especially considering that, according to the consultation document, the UK public consultation following the Grenfell Tower inquiry saw support for regularly testing key firefighting equipment⁵.

⁴ https://www.legislation.gov.uk/ukia/2022/44/pdfs/ukia_20220044_en.pdf

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[https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/Fire%20Precautions%20\(Tall%20Residential%20Buildings\)%20\(Jersey\)%20Regulations%20Consultation%20Document.pdf](https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/Fire%20Precautions%20(Tall%20Residential%20Buildings)%20(Jersey)%20Regulations%20Consultation%20Document.pdf)

14. While we accept that there are existing requirements with servicing and maintenance for lifts and key equipment, we propose that the monthly requirement to check this equipment should count any regularly scheduled professional servicing. This would prevent any duplication of maintenance and reduce the demand on the Responsible Person.

Question 9: Do you have any additional concerns, questions or ideas in relation to this requirement?

15. We have no further comments to make at this time.

Question 10: Do you think the wayfinding signage requirements are fair and reasonable? If 'no' please explain your answer.

16. We agree that the wayfinding signage requirements are fair and reasonable.

Question 11: Do you have any additional concerns, questions or ideas in relation to this requirement?

17. We have no further comments to make regarding wayfinding signage.

Question 12: Do you feel that the proposed instructions to residents are fair and reasonable? If 'no' please explain your answer.

18. We agree that the proposed instructions to residents are fair and reasonable.

Question 13: Do you have any additional concerns, questions or ideas in relation to this requirement?

19. We have two further recommendations. Firstly, Responsible Persons should also provide information to residents about how to report a potential safety hazard or risk and to provide clear examples. For instance, if key fire safety equipment was moved or damaged in some way, a resident should report this. Not only would it improve the safety of the building, having residents reporting potential issues would reduce the work required by the Responsible Person to monitor the building. Secondly, we would encourage Responsible Persons to set up communication between letting agents and landlords who manage individual units within the block. This can help

identify when residents are moving out and new ones are moving in, again reducing the burden on Responsible Persons to constantly check if residents are still living in the property.

Question 14: Do you feel that the proposed 3 monthly communal fire door checks are fair and reasonable? If 'no' please explain your answer.

20. We agree that the proposed 3 monthly communal fire door checks are fair and reasonable and welcome to requirement for fire door faults to be rectified which does not appear in the English regulations.

Question 15: Do you feel that the proposed 12 monthly flat entrance door checks are fair and reasonable? If 'no' please explain your answer.

21. We agree that the proposed 12 monthly flat entrance door checks are fair and reasonable.

Question 16: Do you think that the guidance provided above under 'who is responsible for conducting the 12 monthly flat entrance door check and rectifying faults' is sufficient to help building owners and property managers determine how they will address this in their buildings?

22. Yes, we agree that the guidance provided is sufficient to help building owners and property managers determine how they will carry out 12 monthly flat entrance door checks.

Question 17: Do you have any additional concerns, questions or ideas in relation to this requirement?

23. Our only concern is that it is not always possible to contact the building owner, who may be unaware or reluctant to meet the new requirements. Propertymark members in the UK with experience in managing blocks of flats have expressed concerns that building owners can sometimes be unresponsive to requests for information. This is particularly the case when the owner is based out of the UK and owns a large number of properties. We would recommend including within the legislation or guidance that the Managing Agent should carry out the duties of Responsible Persons until the specific duties can be agreed with the owner. This can prevent situations where no work is carried out to improve the fire safety of the building in the event that the building owner is unresponsive or doesn't take an active role in managing the building.

Question 18: Do you feel that it is fair and reasonable to provide the fire and rescue service with regulatory powers to require improvements to and the installation of key firefighting equipment? Please explain your answer.

19. Yes, we agree that it is fair and reasonable for the fire and rescue service to have regulatory powers to require improvements to and the installation of key firefighting equipment. As mentioned within the consultation, the Jersey fire and rescue service does not have access to as many resources as fire and rescue services elsewhere in the UK. The requirement to install key firefighting equipment should help reduce the severity of a fire if one breaks out. Additionally, Propertymark would argue that this should be a requirement across the UK.

Question 19: Do you have any additional concerns, questions or ideas in relation to this requirement?

20. We have no further comments to make at this time.

Question 20: Do you think the proposed inspection and enforcement approach is fair and reasonable? If 'no' please explain why.

21. We agree with the proposed inspection and enforcement approach, that the fire and rescue service will conduct a risk-based approach to inspecting buildings.

Question 21: Do you have any additional concerns, questions or ideas in relation to how the fire and rescue service will administer the regulations?

22. As part of the risk-based approach, we would recommend establishing a way for residents to report concerns with the way fire safety is being managed. This would include being able to report a lack of wayfinding signage, a lack of communication from the managing agent or concerns over the general fire safety of the building. The fire and rescue service would then assess if there is enough evidence that a Responsible Person is failing to meet their requirements based off resident's concerns in order to carry out an inspection. This can help reduce the time the fire and rescue service needs to assess which building to inspect and spend more time inspecting buildings.