

ANEC statement on the revision of Council Recommendation 86/666/EEC on fire safety in existing hotels

Summary

In response to a request¹ from DG SANCO for views on the revision of Council Recommendation 86/666/EEC² on fire safety in existing hotels, ANEC is calling on the Commission to propose a Directive on fire safety in hotels. Such a proposal should be based on revised provisions and guidelines of the current Recommendation. In particular, ANEC considers that the revised legislative instrument should take the needs of persons with disabilities better into account by revising the existing emergency planning, staff training and fire safety management provisions. Finally, ANEC considers that the scope of the current instrument should be broadened to cover also smaller accommodation establishments.

New instrument needed to ensure fire safety in hotels

Considering that the Council Recommendation 86/666/EEC on fire safety in existing hotels was adopted over 20 years ago, and considering the increased number of consumers traveling within Europe and making use of the accommodation offered by hotels, guest houses and the like, ANEC strongly supports the revision of the provisions of the current Recommendation and the annexed technical guidelines.

ANEC believes that the objective of ensuring fire safety in hotels for consumers has not been achieved through the application of this Recommendation. This was also one of the conclusions stated in the Commission report³ on the topic in 2001.

Further to the conclusions of the fire safety expert meeting⁴ in 2006, ANEC would like to stress that it does not support the option of finalising the technical guidelines of the Recommendation via the adoption of a CEN Technical Report. ANEC believes such a voluntary measure not to be robust enough to significantly reduce the risks related to fires in hotels and would do little to increase consumer confidence and protection

¹ This request was addressed to members of the Consumer Safety Working Party at the 6 November 2007 meeting.

² OJ L 384, 31.12.1986, p. 60-68

³ Report from the Commission on the application of the Council Recommendation on fire safety in existing hotels (86/666/EEC), 27 June 2001, COM(2001) 348final

⁴ EU expert group meeting on fire safety in hotels on 27 April 2006, final report

in Europe in this field. Instead, ANEC concurs with the European Parliament Resolution of 4 May 1994⁵, calling upon the Commission to propose a Directive on fire safety in hotels. We would like to highlight that such a proposal was also supported by the International Federation of Tour Operators at the fire safety expert meeting of 2006, mentioned above.

Whilst ANEC considers that only a European Directive in this field would deliver true benefits to consumers, we have understood that the Commission is currently considering the options of either revising the Recommendation as a whole, and/or revising the technical guidelines by way of a CEN Technical Report. ANEC would like to stress that we do not consider either of these two options to be stringent enough to increase hotel fire safety in Europe. However, should the Commission and Member States not find consensus to support a strong legislative instrument, we would opt to review the text of the whole Recommendation (including the technical guidelines) via the co-decision procedure⁶. In this case the Recommendation should be addressed to both Member States and to relevant stakeholders.

Scope to be extended

ANEC considers that the current scope of the Recommendation should be revised. First, the current Recommendation only applies to establishments offering accommodation to at least 20 paying guests. This leaves out a wide range of holiday residences and smaller guest houses. ANEC believes that consumers have a right to expect an equal level of protection at a hotel accommodating 25 guests, as at a hotel accommodating 19 guests.

Second, the Commission report of 2001 noted that half of the countries surveyed had not accepted the measures with retroactive effect and “only applied the measures in the case of conversion or extension work”. ANEC would thus like to stress the importance of making sure that any new Recommendation or Directive is applied to all hotels, not just to new, ‘converted’ or renovated ones.

Stronger protection for people with disabilities

ANEC considers that staff training, fire safety management, and emergency planning are areas which need to be improved and strengthened in any new regulatory

⁵ OJ C 205, 25.7.1994, p. 163.

⁶ By joint decision by the European Parliament and Council, using Article 153 on consumer protection as the legal base.

measure. We would also like to reiterate our previous comments⁷ on the importance of ensuring that the needs of persons with disabilities and older persons are taken more adequately into account.

With a view to the above, ANEC recommends that safety signs and alarms should be made perceivable to persons with vision or hearing impairments. As an example, persons with hearing impairments should be given a vibrating alarm to be placed under their pillows, as visual alarms are not sufficient to alert them to an emergency during the night. We also consider that hotel staff should be obliged to show the exit routes to any guests with disabilities, especially to persons who are blind or partially sighted, and in particular to those traveling alone. It is also imperative that adequate arrangements are made to ensure that wheelchair users are able to exit the building in a rapid and safe manner. Furthermore, we consider that hotels should have access audits and provide customer care training to staff to ensure they have the knowledge needed to ensure the safety of guests with disabilities of any kind.

END.

⁷ ANEC comment on European Commission Working Document E – Fire Safety in Existing Hotels (ANEC2004/COORD/034)