

Short-life Working Group final report on the Fatal Accident Inquiry Recommendations into the deaths of Simon Midgley and Richard John Dyson at Cameron House Hotel in December 2017

October 2023

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1.0 Executive Summary

This report shares the findings, conclusions and actions from the Short-Life Working Group (SLWG), created following the publication of the Fatal Accident Inquiry (FAI) report¹ on 11 January 2023 into the deaths of Simon Midgley and Richard Dyson following a building fire at Cameron House Hotel on 18 December 2017. This work and final report has been overseen by the Scottish Government's Ministerial Working Group on Building and Fire Safety (MWG).

This report provides a brief overview of the conversion and subsequent renovation of the Cameron House Hotel. It also provides details of the short term and long-term actions by the hotel and bed and breakfast industry, the Scottish Government, the Scottish Fire and Rescue Service and Historic Environment Scotland in response to the FAI recommendations.

The action points arising from the SLWG's work are set out here:

Industry response:

- Communication: The Scottish Tourism Alliance (STA) and UK Hospitality Scotland (UKHS) will ensure regular communications to and with their member networks on fire safety and will continue to share relevant updates from professional bodies.
- Operating procedures: UKHS, STA, Scottish B&B Association and other trade bodies will continue to engage with their membership to introduce revised operating procedures based on the advice set out in this report, and generally to review their processes on fire safety and evacuation.
- Review process: the STA and UKHS will continue to assess how many businesses are accessing the information shared and the resources available for businesses on their websites.

Scottish Government response:

- Automatic fire suppression systems, short term measure: The Scottish Government will amend the guidance in the technical handbooks to promote the use of automatic fire suppression systems for historic building conversions to hotels. This will be actioned during 2023.
- Automatic fire suppression systems, short term measure: The Scottish Government will amend the Section 34 letter to Local Authority Chief Executives under the Building (Scotland) Act 2003 (Section 34 - Reports and Information - Notification of Application for Building Warrant - Section 2 – Fire) to require that a verifier must notify the Scottish Government where future conversions of historic buildings are to be used as hotel accommodation. This will be actioned by 31 October 2023.
- Voids and cavities, short term measure: The Scottish Government will work with partners including industry, the Scottish Fire and Rescue Service, Local Authority Building Standards Scotland/The Building Standards Hub, and Historic Environment Scotland to promote key fire safety messages around the dangers of historic construction techniques, materials, and fire spread in

¹ [Cameron House Hotel Fatal Accident Inquiry Determination | COPFS](#)

hidden voids. This will be an ongoing action with the first workshop set up by the end of 2023.

- Automatic fire suppression systems, long term measure: The Scottish Government will constitute an expert working group to consider mandating such systems where historic buildings are being converted into hotels. The group's membership will be agreed by 31 October 2023 and the Terms of Reference and remit will be in place by 31 December 2023.
- Voids and cavities, long term measure: the expert group will also consider the special risks which existing hotels and similar premises may pose through the presence of hidden cavities or voids, historic construction techniques, varying standards of workmanship, age, and variance from current standards/guidance. This will be part of the scope of the expert working group as above with the remit for the group in place by 31 December 2023.

Scottish Fire and Rescue Service (SFRS) response:

- Operations and procedures: the SFRS have updated Fire Safety Audit Procedures and Guidance to detail key actions that all Protection Officers must apply. This includes verbal discussions with dutyholders immediately after an audit has taken place and formal written letters are provided to dutyholders within 14 days.

Historic Environment Scotland (HES) response:

- Short term measure: update the 'Managing Change'² guidance note on Fire and Historic Buildings in Autumn 2023.
- Short term measure: consult on 'A Short Guide to Fire Safety in Traditional Buildings'³ in Autumn 2023.
- Long term measure: produce case studies⁴ associated with the Managing Change guidance.
- Long term measure: review and update HES Guide for Practitioners 6 (Conversion of Traditional Buildings)⁵.

² [Publications | Leading Public Body for Scotland's Historic Environment](#)

³ [Fire Safety Management in Traditional Buildings | Hist Env Scotland](#)

⁴ [Publications | Leading Public Body for Scotland's Historic Environment](#)

⁵ [Conversion of Traditional Buildings Parts 1 & 2 | Hist Env Scotland](#)

2.0 Introduction

The purpose of this report is to share the findings, conclusions and actions from the Short-Life Working Group (SLWG), created following the publication of the FAI report on 11 January 2023 into the deaths of Simon Midgley and Richard Dyson following a building fire at Cameron House Hotel on 18 December 2017. This work and final report has been overseen by the Ministerial Working Group on Building and Fire Safety comprising:

- Shirley-Anne Somerville, Cabinet Secretary for Social Justice (Chair)
- Paul McLennan, Minister for Housing
- Patrick Harvie, Minister for Zero Carbon Buildings, Active Travel and Tenant's Rights
- Siobhian Brown, Minister for Victims and Community Safety

The Scottish Government established the SLWG as a forum to consider the recommendations from the FAI. It brought together those parties directly referenced within the FAI report by Sheriff McCartney, namely, Scottish Government, Scottish Tourism Alliance (STA), UK Hospitality Scotland (UKHS) and the Scottish Fire and Rescue Service (SFRS). The SLWG also had membership from the following organisations:

- National Trust for Scotland
- Historic Houses
- Royal Incorporation of Architects in Scotland
- Local Authority Building Standards Scotland
- The Scottish Bed and Breakfast Association
- Hostelling Scotland
- The Association of Scotland's Self-Caterers
- Historic Environment Scotland

The STA and UKHS represented the owners or operators of hotels or similar accommodation in Scotland. It is acknowledged that these industry organisations have no power to mandate actions from owners or operators of hotels or similar accommodation. However, in their position of industry leadership they will seek the best outcomes by addressing the delivery of each recommendation within their remit.

The actions in this report are the result of collaboration across different sectors with group members from a wide variety of backgrounds who have brought evidence, challenge and experience to the group. This report is agreed by all members of the SLWG. Their engagement and contribution to co-produce this work is acknowledged.

Our thoughts remain with the families of Simon Midgley and Richard Dyson. This report and the changes being made are a consequence of the families' work to prevent a tragedy like this from happening again.

3.0 Cameron House Hotel, the fire and inquiry

3.1 The building

The building was an 18th century “B” listed building and was converted into a hotel in 1985. Modern extensions were built to both sides and also to the rear. The main building of the hotel spanned over several floors and contained the main reception area, some bedrooms, function rooms and office space. The extension to the left of the main building contained numerous bedrooms across four storeys. The hotel had a total of 136 bedrooms which were located in the main building and the modern extension. The extension to the right of the main building contained leisure facilities, a restaurant, bar and grill, and other function rooms.

3.2 The Fire

On 18 December 2017, following a building fire at the hotel, two people, Simon Midgley and Richard Dyson, lost their lives due to exposure to smoke and fire gases. Three people were treated in hospital. The seat of the fire broke out within the older fabric of the building after a night porter left a plastic bag of ash in a concierge's cupboard at the reception area which contained newspapers and kindling.

A joint fire investigation took place between the Scottish Fire and Rescue Service (SFRS) and Police Scotland and their report on the incident was submitted to the Crown Office and Procurator Fiscal Service's Health and Safety Investigation Unit on 31 October 2019. An independent Crown Office review concluded that an FAI should be held into the fatalities.

3.3 The Fatal Accident Inquiry

Expert witness testimony to the inquiry explained that fire spread within concealed cavities and voids often spreads undetected and will spread more rapidly in traditionally constructed 18th century buildings of this type. The inquiry stated that the fire broke out because of the *“hot embers within ash igniting combustibles within the concierge cupboard of the Hotel”*. Evidence provided at the inquiry outlined that the fire spread from the cupboard through voids and cavities in the structure of the building and/or as a result of flashover leading to ceiling failure and escaped into the reception area once the door to the cupboard had been opened, thus causing fire and smoke and fire gases to spread extensively throughout the old part of the Hotel. The porter later admitted to breaching the Health and Safety at Work Act. Cameron House also pleaded guilty to *“breaches of fire safety rules”* under the Fire Scotland Act and were fined £500,000.

Sheriff McCartney noted “defects in the system of working at the Hotel” which included:

- The “careless disposal of ash in unsuitable receptacles and areas culminating in hot embers being placed within the concierge cupboard”;
- The “lack of a written Standard Operating Procedure re-enforced by staff training, notwithstanding the opportunities to remedy that situation”;
- The “absence of appropriate equipment for safe disposal of ash”;

- The “full ash bins in the service area, and lack of a coherent system to regularly empty same, and the absence of instructions to staff relating what to do with ash when bins were full”;
- The “presence of combustibles within the concierge cupboard, notwithstanding a warning that such should have been removed”.

This was despite the recommendations of two fire risk assessments in 2016 and 2017, where the lack of a formal procedure for the disposal of ash was noted by independent fire safety inspectors. In August 2017, the Scottish Fire and Rescue Service (SFRS) also warned the hotel’s manager about the risks of “*storing combustibles in the concierge cupboard*” and the “*potential danger of fire spreading rapidly through the building because of its age and voids*”. A follow-up letter was sent in November 2017.

The Sheriff also pointed out several other factors that were relevant to the circumstances of the deaths of Mr Midgley and Mr Dyson, for instance, a delay in obtaining a guest list in which to carry out an accurate roll call.

Throughout the FAI hearing, the benefits of sprinklers were shared, highlighting that it would “significantly slow the spread of flame and would extend the margin of safety for available escape time”. The Crown also iterated that it was a “real or likely possibility that, had sprinklers been installed and worked to inhibit the extent and spread of the fire and smoke, [Mr Dyson and Mr Midgley] would, like other guests, have been able safely to escape the building”.

3.4 Recommendations made by the Inquiry

The Determination of Sheriff Thomas McCartney into the deaths of Simon Midgley and Richard John Dyson under The Inquiries into Fatal Accidents and Sudden Deaths etc (Scotland) Act 2016, was published on 11 January 2023 outlining six recommendations, as follows:

- 1). Owners or operators of hotels or similar sleeping accommodation in Scotland should, where appropriate for their operation, have in place up to date and robust procedures, informed by an assessment of risks, to ensure that ash from open fires in hotels is removed and disposed of in a safe manner, thereby avoiding the risk of fires being started by the careless disposal of ash. (Directed at Hotel and B&B industry).
- 2). Owners or operators of hotels or similar sleeping accommodation in Scotland should ensure that clear and robust arrangements are in place for promptly ensuring all persons are accounted for in the event of evacuation of such accommodation in the event of a fire, such arrangements, where possible, to address foreseeable contingencies such as difficulties in accessing guest lists, or inclement weather. (Directed at Hotel and B&B industry).
- 3). Owners or operators of hotels or similar sleeping accommodation in Scotland should ensure that robust arrangements are in place to ensure that all staff (including in particular, night-shift staff) have experience of evacuation drills which may, for example, involve night-time staff being asked to attend a day-time evacuation drill

and/or mock drills taking place during “night shift” hours. (Directed at Hotel and B&B industry).

4). The Scottish Government should consider introducing for future conversions of historic buildings to be used as hotel accommodation a requirement to have active fire suppression systems installed. (Directed at Scottish Government).

5). The Scottish Government should constitute an expert working group to more fully explore the special risks which existing hotels and similar premises may pose through the presence of hidden cavities or voids, varying standards of workmanships, age, and the variance from current standards and to consider revising the guidance provided by the Scottish Government and others. (Directed at Scottish Government).

6). Scottish Fire and Rescue Service should reduce the time-period between a fire safety audit inspection and the issue of a written outcome report. (Directed at Scottish Fire and Rescue Service).

4.0 Short-Life Working Group Response

4.1 Overview

The SLWG has provided an opportunity for relevant parties to meet together to consider the FAI report and its recommendations and also full, frank discussions including the identification and examination of the short and longer term approaches to manage the risks set out in the FAI Report. The Terms of Reference and Remit⁶ for the short life working group were published in May 2023 and are reproduced under Annex A.

The group met five times and covered relevant issues, as follows:

- 22 February 2023: the terms of reference and remit of the group;
- 28 March 2023: industry response to recommendations 1 to 3;
- 27 April 2023: SFRS's response to recommendation 6;
- 23 May 2023: Scottish Government's response to recommendations 4 and 5;
- 27 June 2023: the draft SLWG report and next steps.

Minutes of these meetings are available on the Building and Fire Safety Ministerial Working Group page⁷.

The Group has been set up under the oversight of the Building and Fire Safety Ministerial Working Group and has been chaired by senior civil servants with Scottish Government officials administering the Group. Members have provided relevant papers for discussion and have been able to correct and / or comment meeting notes.

It should be noted that the FAI report clearly indicated the responsible organisations or sectors for each recommendation. The SLWG does not absolve any organisation or sector of responsibility for the recommendations. The terms of reference recognise that industry organisations have no power to mandate actions from others but will seek the best outcomes by addressing the delivery of each recommendation within their remit.

4.2 Hotel and Bed and Breakfast Industry Response

Section 4.2 of the report has been compiled by the STA and UKHS.

The STA and UKHS as umbrella organisations have explored signposting the relevant fire safety procedures to be put in place by businesses. It should be noted that many businesses already do this however, it is important for all dutyholders to be aware of and carry out their responsibilities.

Regular communications with their member network signposting advice and support available for businesses continue to be shared along with updates and recommendations passed on for onward sharing from professional bodies. This has

⁶ [Cameron House Hotel Short Life Working Group: terms of reference](#)

⁷ [Building and Fire Safety: Ministerial Working Group](#)

included relevant documents to help dutyholders understand their statutory responsibilities under the Fire (Scotland) Act 2005⁸.

The legislation requires the provision of fire safety measures; including risk reduction measures, means of fire warning, firefighting, escape, up to date Fire Risk Assessment, staff training and instruction, as well as emergency procedures. It sets out fire safety responsibilities and seeks to ensure the safety of persons from harm caused by fire. The Act and the Scottish Government's Practical Fire Safety for Existing Premises with Sleeping Accommodation⁹ provides a summary of the general requirements and is not intended to be comprehensive. Any dutyholders in doubt about their legal obligations should seek further advice¹⁰.

Specific actions in response to Recommendations one, two and three of the FAI are set out below.

Recommendation one: The recommendation as set out earlier in this report outlines that owners or operators of hotels (or similar sleeping accommodation) should, have in place up to date and robust procedures, to ensure that ash from open fires in hotels is removed and disposed of in a safe manner.

The items set out below outline a supportive (not prescriptive) list of actions that businesses and dutyholders should consider when developing and carrying out relevant procedures to ensure ash is disposed of safely. The STA has also provided an Open Fire and Solid Fuel Burner Risk Assessment template on their website¹¹ to support dutyholders when creating and reviewing their open fire procedures.

The issues can be broken down into four themes.

Preparation and risk assessment:

- Specific risk assessment carried out in relation to open fires, disposal of ash and storage of combustibles for fires (wood, kindling, briquettes etc).
- Documented instruction and training of all relevant employees on the clearing and disposal of ash from open fires including but not limited to monitoring ash temperature to inform safe removal.
- Written Standard Operating Procedure (based on Jensen Hughes Report to West Dunbartonshire Council) for open fires and in particular the clearing and disposing of ash from open fires to outside of all buildings.

Extinguishing the fire:

- Fire to be completely extinguished before removing embers.
- Access to safe fireside tools for use by employees trained in clearing and disposal of ash from open fires. Tools to include metal ash can with lid, metal ash shovel, brush, gauntlets, (and as an optional addition) dust mask.
- Ashes even if they appear to be cold must be removed using metal tools.
- Embers must be wetted until completely cold before disposal.

⁸ [Fire \(Scotland\) Act 2005](#)

⁹ [Fire safety - existing premises with sleeping accommodation: practical guidance](#)

¹⁰ [Scottish Fire & Rescue Service: Employer Duties](#)

¹¹ [DOING BUSINESS](#)

Moving and storing ashes:

- No ash ever to be put anywhere near electrical units.
- No ash ever to be put anywhere near combustibles e.g., kindling and newspapers, particularly in an enclosed space.
- No ash ever to be transferred from an open fire to a cupboard or enclosed space.
- Ash always to be taken out of the building in a designated metal receptacle to an outside designated metal container with a lid, marked for ash disposal only and located away from the building and other combustible materials.

Supervision:

- Supervision of night porters or equivalent to ensure written procedure for open fires and disposal of ash complied with.

Recommendation two: The recommendation as set out earlier in this report outlines that owners or operators of hotels (or similar sleeping accommodation) should ensure that clear and robust evacuation arrangements are in place in the event of a fire to address foreseeable contingencies such as difficulties in accessing guest lists, or inclement weather.

The list below outlines a supportive (not prescriptive) list of actions that businesses and dutyholders should consider when developing and carrying out evacuation arrangements. Under recommendation three, the STA has also provided an Evacuation Drill Assessment template¹² which also includes the information below on their websites to support dutyholders when creating and reviewing their evacuation procedures.

Under fire safety legislation in Scotland, it is the responsibility of those persons who have control of safety obligations in respect of non-domestic premises, to ensure that arrangements are in place for an evacuation of the premises, if the situation requires it. Each building should have an emergency fire action plan specifying the evacuation procedures for everyone, including people with a disability, likely to be in the building.

The issues can be broken down into two themes.

Methods of data storage and availability:

- Subject to risk assessment of the number of rooms and a zoned layout, recommend digital and printed guest lists to be held both on and off the premises. Digital and printed guest lists to be available to duty holder on site at all times.
- Digital or alternative system (dependent on size of business) to provide knowledge of whether guests are on or off premises, particularly at night.

¹² [DOING BUSINESS \(scottishtourismalliance.co.uk\)](http://DOING BUSINESS (scottishtourismalliance.co.uk))

Management and staff responsibility:

- Subdivide employee personnel into different parts of the property (labelled zones) for large hotels e.g., set maximum number of guests per staff member for that staff member to have some knowledge of the guests' whereabouts.
- Evacuation points per allocated zone with corresponding allocated employee responsible for that zone and its guests. Employees allocated to each zone report to duty holder.
- A designated member of staff for each zone, where there are day and night shifts, on every shift to have responsibility for knowledge of the guest lists and knowledge of the room numbers/designations and whereabouts of guests in relevant zones. All report to duty holder.
- Verbal handover of guest names and room allocation between shifts to accompany digital data.
- Employees allocated to zones (each with evacuation point) report to duty holder with overall responsibility for the premises. Duty holder must hold sufficient information of guest's room allocation and whereabouts to pass to SFRS Incident Commander in the event of a fire. Procedures must be in place to ensure an accurate roll call.

The responsibility for ensuring that guests are properly accounted for rests with the organisation rather than the individual members of staff. Whilst efforts should always be made to fully account for guests, the nature of hotels and other accommodation means that guests may be in different parts of the premises other than bedrooms or may be out of the hotel for a period of time during their stay.

Recommendation three: outlines that owners or operators of hotels (or similar sleeping accommodation) should ensure that robust arrangements are in place to ensure that all staff (in particular night staff) have experience of evacuation drills.

The list below outlines a supportive (not prescriptive) list of actions that businesses and dutyholders should consider when developing and carrying out relevant procedures when developing and carrying out evacuation training of all staff.

The issues can be broken down into two themes.

Preparation and written procedures:

- Written evacuation policy showing zones, evacuation points and reporting procedure, contacting SFRS.
- Written training for all employees in roll call and evacuation procedures to include written evacuation policy.

Training drills:

- To be carried out rehearsing employee allocation to specific zones, with knowledge of guests in those zones. Reporting to dutyholder.
- Should envisage and proceduralise accessing guest list immediately (see above) as a matter of priority for accurate roll call.
- Should set out communication procedures between employees allocated to zones and reporting back to duty holder.

- Should envisage process whereby employees allocated to zones account for guests at individual evacuation points.
- Should envisage speed for individual employees reporting to duty holder with roll call for individual zones contributing to overall roll call.
- Should feed into risk assessment - Planning, Implementation, Evaluation and produce Risk Assessment using template tailored to individual property and its layout and zones.

Dutyholders' responsibilities for fire safety in relevant premises are contained within the Fire (Scotland) Act 2005, Part 3, Sections 53 and 54, namely the 'Duties of employers to employees' and 'Duties in relation to relevant premises', as defined in section 78.

Section 53 states that 'each employer shall ensure, so far as is reasonably practicable, the safety of the employer's employees in respect of harm caused by fire in the workplace'. This places the responsibility of each employer 'to carry out an assessment of the workplace to identify any risks to the safety of the employer's employees in respect of harm caused by fire in the workplace'. This also includes the requirement to review an assessment and take such fire safety measures to allow compliance.

In section 54 it states 'Where a person has control to any extent of relevant premises the person shall, to that extent, comply' in carrying out an assessment to identify risks. This section encompasses those who effectively manage premises on a daily basis. It also makes clear that owners of relevant premises are dutyholders too.

UKHS, STA, Scottish B&B Association and other trade bodies will continue to, and have already been, in touch with the businesses they work with, asking them to review their current procedures and make any necessary changes. Particular focus is of course looking at the FAI recommendations however it is also being used as an opportunity to urge businesses to review their wider fire safety processes.

Although these recommendations are looking at specific issues relating to the Cameron House fire, it is important they are used as part of full, fire risk assessed plans held by all businesses across Scotland.

UKHS and STA will continue to share information and best practice with their members, including highlighting the legal requirement to ensure that all businesses within their membership organisation assess their fire safety procedures. They will continue to assess how many businesses are accessing the resources available for businesses on industry websites and will continually identify ways to support their members on this important topic.

4.3 Scottish Government Response

Altogether, there were six recommendations, with recommendations one, two and three directed at Industry and recommendation six directed at the Scottish Fire and rescue Service. The Scottish Government has accepted recommendations four and five from the Fatal Accident Inquiry.

Recommendation four: The recommendation as set out earlier in this report is that the Scottish Government should consider introducing for future conversions of historic buildings to be used as hotel accommodation, a requirement to have an automatic fire suppression system installed.

Automatic fire suppression systems help to control the intensity and size of a fire, suppress it and in some cases may even extinguish it. Such systems can provide occupants, including vulnerable occupants, with the additional time necessary to escape following the outbreak of fire. The primary role of the suppression system may be for life safety or property protection.

Automatic fire suppression systems react to heat therefore, the greatest protection is afforded to those occupants out with the room of fire origin. Automatic suppression may provide some benefit to occupants in the room of fire origin where for example the fire growth is fast, and the temperatures allow the sprinkler system to open early in the development phase of the fire. The spray pattern delivered from the heads should control fire spread, reduce temperatures and dilute the smoke. In some cases, the fire might be extinguished if the fire is not shielded from the sprinkler spray. A smaller fire means that the Fire and Rescue Service will be able to bring the fire under control and extinguish it much more quickly. There are alternative forms of automatic suppression available on the market. Each system should be assessed on their own merits and certified and tested to suit its intended use.

'Mandatory Building Standard 2.15 Automatic fire suppression systems¹³' is a prescriptive standard which states that "*Every building must be designed and constructed in such a way that, in the event of an outbreak of fire within the building, fire growth will be inhibited by the operation of an automatic fire suppression system.*" At present the requirement for suppression is limited to certain types of buildings (as per the list below) however does not include hotels or other types of holiday accommodation.

Types of buildings that require automatic fire suppression systems to be fitted when being built new or through conversions:

- Enclosed shopping centre;
- Residential care building;
- Sheltered housing complex;
- Flat or maisonette;
- Social housing dwelling;
- Shared multi-occupancy residential building;
- A school building (other than a building forming part of an existing school or an extension to a school building where it is not reasonably practicable to install an automatic fire suppression system in that building or extension).

Hotels are not defined in building regulations but fall within the definition of 'residential building' which means "a building, other than a domestic building, having sleeping accommodation." The process of actioning a technical review of fire safety

¹³ [2.15 Automatic fire suppression systems - Building standards technical handbook 2022: non-domestic](#)

guidance, updating building regulations and associated guidance in the technical handbooks, including a full public consultation exercise and regulatory impact assessments typically involves a period of around two or more years. As a result, the Scottish Government will put into place a short-term measure to help building warrant applicants manage risk where a conversion from a historic building to a hotel is proposed. This will include amending the guidance in the technical handbooks (which explain how to achieve building work requirements set out in the Building Standards (Regulations) 2004) to promote the use of automatic fire suppression systems for such conversions to mitigate risks. This will be actioned during 2023.

In addition, the Scottish Government will amend the Section 34 letter to Local Authority Chief Executives under the Building (Scotland) Act 2003 (Section 34 - Reports and Information - Notification of Application for Building Warrant - Section 2 – Fire)¹⁴. This would extend the type of applications for building warrants that a verifier must notify the Scottish Government’s Building Standards Division (BSD) of, to cover future conversions of historic buildings to be used as hotel accommodation. This action will allow the Scottish Government to monitor applications and provide advice to local authority building standards verifiers. This will be actioned by 31 October 2023.

In the longer term, the Scottish Government will constitute an expert working group to review the mandating of automatic fire suppression systems where historic buildings are being converted into hotels. The group’s membership will be agreed by 31 October 2023 and the Terms of Reference and remit will be in place by 31 December 2023.

The expert group will also fully consider the existing guidance on the special risks which existing hotels and similar premises may pose what advice is available on the benefits of automatic fire suppression systems. This will be part of the scope of the expert working group as above with the remit for the group in place by 31 December 2023.

The guidance documents to be reviewed (listed earlier in this report) include:

- Guide for Practitioners 6: Conversion of Traditional Buildings.
- A Short Guide to Fire Safety in Traditional Buildings.
- Practical Fire Safety Guidance for existing premises with sleeping accommodation.
- The guidance contained in the domestic and non-domestic Technical Handbooks.

Recommendation five: With the creation of an expert panel, as recommended by the FAI report, the panel will consider the management of historic construction techniques, materials, and hidden voids/cavities. This will include identifying risks and mitigation as part of the risk assessment process for relevant premises in use as well as at the point of conversion, alteration or extension of the building through the building warrant process.

¹⁴ [Building standards - notification of application for building warrant: section 2.0 fire](#)

Voids and cavities form hidden paths for fire, smoke and the products of combustion to spread unnoticed to parts of the building quite remote from the place of origin. As the fire is hidden it also makes it almost impossible to tackle without disruption to the building fabric.

It is important to identify and address these hidden cavities as part of a comprehensive fire safety plan to mitigate the risk of fire. Conversions and change of use of historic buildings is the main opportunity to carry out work to address the associated risks. However, the expert panel will examine the issue for buildings in use as well as during conversion.

As a short term measure the Scottish Government will amend the guidance contained in the technical handbooks to raise awareness of the risk of fire spread in hidden voids. We will also work with partners including industry, the Scottish Fire and Rescue Service, Local Authority Building Standards Scotland/The Building Standards Hub and Historic Environment Scotland to promote key fire safety messages as part of an awareness raising campaign. This will be an ongoing action with the first workshop set up by the end of 2023.

In the longer term, the expert group will also fully consider the existing guidance (as listed above) on the special risks which existing hotels and similar premises may pose through the presence of hidden cavities or voids, varying standards of workmanship, age, and the variance from current standards.

4.4 Scottish Fire and Rescue Service Response

Section 4.4 of the report has been compiled by the SFRS.

Recommendation six: The recommendation as set out earlier in this report outlines that SFRS should reduce the time-period between a fire safety audit inspection and the issue of a written outcome report.

The SFRS has put in place procedural changes to address the recommendation in its' entirety. The SFRS Fire Safety Enforcement (FSE) Fire Safety Audit Procedure and Guidance has been amended to detail key actions that all Protection Officers (POs) must apply as part of the FSE Fire Safety Audit process.

One of the main changes introduced is that any deficiencies must be discussed, recorded and passed to the dutyholder on conclusion of an audit. This ensures that the FSE Audit outcomes are immediately and clearly communicated to the Dutyholder in a written format, utilising a newly introduced "Dutyholder Handover Sheet (DHS)". This action was implemented nationally on 6 March 2023.

The timescales for the SFRS POs to process and produce formal letters, following conclusion of a Fire Safety Audit, are now detailed within the document. Dutyholders, in addition to the DHS, must receive formal written communication from SFRS detailing audit outcomes within a 14-day period following conclusion of the Fire Safety Audit. This action was implemented nationally on 1 April 2023.

The SFRS have also issued a 'Form of Response' to the Court detailing the actions taken in response to the recommendation six of the determination, and the timescales for their implementation which was formally communicated on 3 March 2023.

The SFRS will continue to monitor, and performance manage this approach to ensure compliance with the FSE Audit Procedure and Guidance document.

4.5 Historic Environment Scotland response

Section 4.5 of the report has been compiled by Historic Environment Scotland (HES). Although HES did not have any recommendation directed towards them within the FAI report, they have an important role in providing guidance for historic properties. As members of the SLWG, HES have proposed a number of actions in the short and long term.

In the short term, HES will update their 'Managing Change' guidance note on Fire and Historic Buildings in Autumn 2023. A key message of the guidance is that fire safety measures support the long-term survival of historic buildings and therefore protects their cultural significance for future generations. HES is also currently in the latter stages of drafting 'A Short Guide to Fire Safety in Traditional Buildings' and hope to consult with stakeholders in Autumn 2023.

In the longer term, HES also produces case studies associated with the Managing Change guidance and will produce case studies for this guidance to issues that have arisen in recent cases.

HES also has two published key technical guides relating to fire safety and protection:

- Guide for Practitioners 6: Conversion of Traditional Buildings (2007)¹⁵;
- Guide for Practitioners 7: Fire Safety Management in Traditional Building¹⁶

Guide for Practitioners 6 is intended to assist those involved in the building warrant process reach agreement when a historic building is being converted. The guidance has the same legal status as the Technical Handbooks and is currently under review which is expected to take around two years.

The 'Short Guide to Fire Safety in Traditional Buildings' is intended to replace the Guide for Practitioners 7 in a more accessible format. HES will consult with key stakeholders in the Autumn 2023 on an updated version of the guidance.

The 'Inform Guide – Fire Safety in the Home (2014)¹⁷' provides advice to owners and occupiers of traditional domestic buildings (pre-1919) on how to protect themselves and their property from fire. It explains relevant legislative requirements, vulnerability of traditional buildings, fire development, fire prevention and protection, fire and

¹⁵ [Guide for Practitioners 6: Conversion of Traditional Buildings](#)

¹⁶ [Fire Safety Management in Traditional Buildings | Hist Env Scotland](#)

¹⁷ [Inform Guide: Fire Safety in the Home | Historic Environment Scotland](#)

rescue service requirements and damage limitation planning. The guidance includes advice on the dangers of fire spread in hidden voids, the provision of compartmentation, automatic fire suppression and fire stopping.

5.0 Conclusions

This Short Life Working Group was created in the aftermath of the FAI report published in January 2023 to look at the six recommendations made by Sheriff Thomas McCartney.

The group has worked together collaboratively to provide actions addressing each recommendation. This includes short term and long-term actions that outline the commitment of all of those involved to do everything to play our part to ensure that the terrible circumstances leading to the tragic deaths of Richard Dyson and Simon Midgley do not happen again.

5.1 Short term actions [2023-24]

Industry response:

- Communication: the STA and UKHS will ensure regular communications to and with their member networks on fire safety and will continue to share relevant updates from professional bodies.
- Operating procedures: UKHS, STA, Scottish B&B Association and other trade bodies will continue to engage with their membership to introduce revised operating procedures based on the advice set out in this report, and generally to review their processes on fire safety and evacuation.

Scottish Government response:

- Automatic fire suppression systems, short term measure: The Scottish Government will amend the guidance in the technical handbooks to promote the use of automatic fire suppression systems for historic building conversions to a hotel. This will be actioned during 2023.
- Automatic fire suppression systems, short term measure: The Scottish Government will amend the Section 34 letter to Local Authority Chief Executives under the Building (Scotland) Act 2003 (Section 34 - Reports and Information - Notification of Application for Building Warrant - Section 2 – Fire) to require that a verifier must notify to the Scottish Government where future conversions of historic buildings are to be used as hotel accommodation. This will be actioned by 31 October 2023.
- Voids and cavities, short term measure: The Scottish Government will work with partners including industry, the Scottish Fire and Rescue Service, Local Authority Building Standards Scotland/The Building Standards Hub, and Historic Environment Scotland to promote key fire safety messages around the dangers of historic construction techniques, materials, and fire spread in hidden voids. This will be an ongoing action with the first workshop set up by the end of 2023.

Scottish Fire and Rescue Service response:

- Operations and procedures: the SFRS have updated Fire Safety Audit Procedures and Guidance to detail key actions that all Protection Officers must apply. This includes verbal discussions with dutyholders immediately after an audit has taken place and formal written letters are provided to dutyholders within 14 days.

Historic Environment Scotland (HES) response:

- Short term measure: update Managing Change guidance note on Fire and Historic Buildings in Autumn 2023.
- Short term measure: consult on 'A Short Guide to Fire Safety in Traditional Buildings' in Autumn 2023.

5.2 Long term actions [2023-2025]

Industry response:

- Review process: the STA and UKHS will continue to assess how many businesses are accessing the information shared and the resources available for businesses on their websites.

Scottish Government response:

- Automatic fire suppression systems, long term measure: The Scottish Government will constitute an expert working group to consider mandating such systems where historic buildings are being converted into hotels. The group's membership will be agreed by 31 October 2023 and the Terms of Reference and remit will be in place by 31 December 2023.
- Voids and cavities, long term measure: the expert group will also consider the special risks which existing hotels and similar premises may pose through the presence of hidden cavities or voids, varying standards of workmanship, age, and the variance from current standards and guidance. This will be part of the scope of the expert working group as above with the remit for the group in place by 31 December 2023.

Historic Environment Scotland response:

- Long term measure: produce case studies associated with the Managing Change guidance.
- Long term measure: review and update HES Guide for Practitioners 6 (Conversion of Traditional Buildings).

6.0 ANNEX A

Short Life Working Group Terms of Reference

Introduction

The Cameron House Hotel Short Life Working Group (The Group) has been created to examine the report and recommendations following on from the Scottish Court and Tribunal Service (SCTS) Fatal Accident Inquiry (FAI). The recommendations of the report are set out in annex A. The membership of the Group is set out (below).

On Monday 18th December 2017 the Scottish Fire and Rescue Service (SFRS) were called to a building fire at Cameron House Hotel. Two people, Simon Midgley and Richard Dyson, lost their lives in the fire due to exposure to smoke and fire gases. A joint fire investigation took place with SFRS and Police Scotland that SFRS have informed the Scottish Government was particularly complex. The investigation report on the incident was submitted to the Crown Office and Procurator Fiscal Service's Health and Safety Investigation Unit on 31 October 2019. In January 2021 Cameron House Resort (Loch Lomond) Ltd was fined after admitting breaches of fire safety rules. An employee, a night porter at the premises also pled guilty to an offence under the Health and Safety at Work Act 1974.

Following this, an independent Crown Office review concluded that an FAI should be held into the deaths of Mr Dyson and Mr Midgley. The FAI determination reported on 11 January 2023. The report confirmed how the fire started, spread and how Mr Dyson and Mr Midgley lost their lives.

Purpose of the Group

The Group provides an opportunity for relevant parties to meet together to consider the report and its recommendations in the round rather than as individual items. This includes, as relevant, the identification and examination of the short and longer-term approaches to manage the risks set out in the FAI Report.

The Group will meet to consider the issues involved and to provide a report for Ministers and other stakeholders on how the response to each recommendation will be taken forward by the organisation(s) to which it is directed.

The Group has been set up under the oversight of Scottish Ministers and will report to Ministers through the Building and Fire Safety Ministerial Working Group and through copies of meeting notes and additional briefing as required.

The Group meetings will be chaired by Senior Civil Servants. Scottish Government officials will administer the Group, set up meetings, prepare the agenda, coordinate meeting papers and prepare meeting notes. Members may provide meeting papers or be asked to provide meeting papers. Members can also comment on meeting notes in advance of finalisation.

All meeting papers may be subject to Freedom of Information requests and therefore proactive publication of meeting notes will be undertaken.

Membership of the Group may be expanded subject to agreement of the current Group members and Scottish Ministers to ensure the Group is able to engage in the nature and detail of discussion required to deliver on its objectives.

The Scottish Courts and Tribunal Service (SCTS) addressed the recommendations of the FAI report to specific organisations. Recommendations 1, 2 and 3 were addressed to the Scottish Tourism Alliance (STA) and UK Hospitality (UKH). Recommendations 4 and 5 were addressed to the Scottish Government. Recommendation 6 was addressed to SFRS. Involvement in the SLWG does not absolve any organisation of responsibility for progress on their relevant recommendations.

The terms of reference recognise that tourism and hospitality industry organisations (the STA and UKH) have no enforcement power to mandate actions from others but will seek the best outcomes by addressing the delivery of each recommendation through the levers and influence available to their organisation.

Group remit and responsibilities

Objectives

- to discuss the report of the Cameron House Hotel, Fatal Accident Inquiry, in particular:
 - to consider the findings as set out in the report;
 - to provide an overall framework and approach to addressing each recommendation;
 - to be clear on the roles and responsibilities for the parties addressing each recommendation.
- to work collaboratively to identify strategies and approaches to addressing the recommendations
- to provide a forum for hotel and hospitality industry to advise on the changes to industry good practice and guidance in the short and long terms
- to consider introducing, for future conversions of historic buildings to be used as hotel accommodation, a requirement to have active fire suppression systems installed
- to constitute an expert working group to more fully explore the special risks which existing hotels and similar premises may pose through the presence of hidden cavities or voids, varying standards of workmanship, age, and the variance from current standards and to consider revising the guidance provided by the Scottish Government and others
- to provide a forum for the Scottish Fire and Rescue Service to advise how they are addressing the recommendation regarding the time-period between a fire safety audit inspection and the issue of a written outcome report

Responsibilities

- to support joint working between government, local authorities, Scottish Fire and Rescue Service and industry representatives in response to the FAI report
- to discuss potential improvements to industry practice and guidance, building regulations and guidance
- to report to Scottish Ministers on progress without undue delay

- to provide a framework to respond to the recommendations of the FAI report that manages risk in the short and longer term and provides tangible improvement over the current situations

Composition

The Group shall consist of representatives from Scottish Government, local government, Scottish Fire and Rescue Service and industry and other organisations.

Meetings

The forum shall be co-chaired by the Scottish Government's Head of Building Standards Division, Stephen Garvin and by the Head of Safer Communities Division, Mo Rooney. Meetings are expected to take place on a frequent basis over a short period.

Hosting

Meetings will normally be hosted virtually by the Scottish Government.

Scottish Government
March 2023

FAI recommendations

1. Owners or operators of hotels or similar sleeping accommodation in Scotland should, where appropriate for their operation, have in place up to date and robust procedures, informed by an assessment of risks, to ensure that ash from open fires in hotels is removed and disposed of in a safe manner, thereby avoiding the risk of fires being started by the careless disposal of ash.
2. Owners or operators of hotels or similar sleeping accommodation in Scotland should ensure that clear and robust arrangements are in place for promptly ensuring all persons are accounted for in the event of evacuation of such accommodation in the event of a fire, such arrangements, where possible, to address foreseeable contingencies such as difficulties in accessing guest lists, or inclement weather.
3. Owners or operators of hotels or similar sleeping accommodation in Scotland should ensure that robust arrangements are in place to ensure that all staff (including in particular, night-shift staff) have experience of evacuation drills which may, for example, involve night-time staff being asked to attend a day-time evacuation drill and/or mock drills taking place during "night shift" hours.
4. The Scottish Government should consider introducing for future conversions of historic buildings to be used as hotel accommodation a requirement to have active fire suppression systems installed.
5. The Scottish Government should constitute an expert working group to more fully explore the special risks which existing hotels and similar premises may pose through the presence of hidden cavities or voids, varying standards of

workmanships, age, and the variance from current standards and to consider revising the guidance provided by the Scottish Government and others.

6. Scottish Fire and Rescue Service should reduce the time-period between a fire safety audit inspection and the issue of a written outcome report.

Membership

- The Scottish Government
- The Scottish Fire and Rescue Service
- Historic Environment Scotland
- National Trust for Scotland
- UK Hospitality Scotland
- The Scottish Tourism Alliance
- Historic Houses
- Royal Incorporation of Architects in Scotland
- Local Authority Building Standards Scotland
- The Scottish Bed and Breakfast Association
- Hostelling Scotland
- The Association of Scotland's Self-Caterers



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