



FIREARMS STORAGE IN RENTED ACCOMODATION

INTRODUCTION

In the UK, civilian use of firearms is restricted to sporting, wildlife management and target shooting purposes. Shooting is one of the safest, best regulated sports in the country. Shooting sports bring people together from all walks of life and benefits all ages and abilities.

Britain's firearms laws have been built piecemeal since the early twentieth century and are among the strictest in the world. Many types of firearm, including most handguns, automatic and most semi-automatic rifles are prohibited.

With only a few specific exceptions such as airguns below a set power limit, shotguns and rifles can only be owned by someone who has successfully applied to the police for a shotgun or firearm certificate. UK gun owners who have gone through the rigorous police licensing system are some of the most law-abiding citizens in the country. They have to be in order to obtain and keep their certificates and to continue to participate in their sport.

There are in excess of 141,000 firearm and 564,000 shotgun certificate holders in the UK many of which live in rented housing. Firearms and shotguns are sports equipment and should not be viewed as dangerous items, they are inanimate objects and the police will have ensured that the owners have the skills to own, store and use firearms safely.

The storage of firearms in rented accommodation does not legally require specific permission to be sought by or from landlords. Any tenants or prospective tenants seeking permission to store firearms and ammunition on the premises should not unreasonably be refused permission. Consultation with the landlord to gain agreement for the location and fixing of security devices is likely to be necessary dependant upon the terms of the tenancy agreement which can be negotiated. Should a landlord wish to know about the storage of firearms based on potential structural concern the drafting of a tenancy agreement may wish to be carefully worded; for example: *"The fitting of semi-permanent fixings into the fabric of the property (e.g. TV mounts, gun cabinets etc.) The tenant should firstly consult their landlord or agent as to the siting of such devices to ensure that the structure of the building is not damaged by such work"*. Repairs or damage to the structure of the property will need to be addressed in the lease and it should be pointed out to the tenant that on surrender of the lease these dilapidations should be made good.

The police have to be satisfied that the firearm or shotgun certificate holder is not a danger to public safety. It is also a condition that firearms and shotguns must be stored securely at all times so as to prevent, so far as is reasonably practicable, access to the firearms by unauthorised persons. This effectively means they must be stored at home in a gun cabinet when not in use.

Low powered air weapons such as air rifles and pistols that do not require a police certificate may be owned by over 18 year olds and used by younger people in certain strict circumstances. The Crime & Security Act also requires the storage of low powered air weapons to be stored securely to prevent access by unauthorised under 18 year olds. This does not mean a cabinet is needed for such low powered guns; security depends on the age of the young person and their ability to obtain the gun should they wish to attempt to do so. Security in this case may be a padlock and chain or wire cable or a locked cupboard. More detail can be found in BASC's Airgun Code of Practice and the fact sheet "*Young People and Airguns*"

SECURITY

Knowledge (or lack of it) about the whereabouts of firearms is an integral part of security and it is best practice not to disclose to others that firearms are kept at the premises. Landlords should also observe this principle and take care to protect sensitive data under the principles of the Data Protection Act 1988 (DPA). Landlords do not need to see or copy a firearm or shotgun certificate although it is common for them to require some form of photo I.D. before a tenancy starts to verify identity for which a certificate would suffice. Should there be a genuine doubt as to the legality of firearms ownership landlords should contact the local police firearms licensing department for clarification.

Whilst it is for the certificate holder to ensure that he has adequate security to comply with the law, it will be helpful to landlords to have an understanding of what needs to be achieved and how that could be done. In any event, whatever is agreed between the landlord and tenant, the police firearms liaison officer will visit to inspect and may also give advice.

The security of firearms and shotguns within a dwelling can in most cases be achieved using a cabinet designed for this purpose. The cabinet should be fixed to the structure and located to frustrate attack or identification by persons visiting the premises.

Whatever the method of security, it should also involve the physical prevention of access to those firearms by persons who might lawfully occupy the property other than the certificate holder, as well as by intruders. This may be especially important when children are in the premises.

Broadly the security of firearms will be dealt with by both 'outer security' such as lockable doors and windows to basic insurance standard (UPV double glazing units are more than adequate to satisfy the police) and inner security i.e. the core area in which guns are to be kept such as the gun cabinet itself. In certain circumstances extra layers may be added such as a lock on an internal door preventing access to the room in which the cabinet is kept. For further specific advice on security methods see other resources (above).

1. LOCATION

Cabinets should not be located so inaccessibly as to deter the certificate holder from securing his or her guns after use.

Under most circumstances, it is preferable that firearms should be secured within the occupied part of the structure. Separate, detached buildings or those attached but having only external access (e.g. outhouses, garages etc) should not be used unless the levels of security warrant it.

Any firearm security cabinet etc should be sited out of view from people both inside and outside the building. Securing to suitable building walls within built-in furnishings, eg wardrobes, cupboards, etc can prove effective but obviously in rented premises which are furnished, consideration needs to be given to reinstatement following removal at some later stage.

Lofts and cellars which are unlikely to be visited by casual visitors are options. However, it is important to consider whether the environment is suitable. Extremes in temperature, dampness, condensation etc may militate against such use, as not only could it result in damage to the firearms and ammunition but particularly in damp areas, it may cause erosion of the fixings or the cabinet material, thus reducing its security.

Attention is also drawn to the building regulations in respect of provisions for emergency escapes from buildings including dwellings. No requirement can be made in respect of a window or other opening which has been provided as an emergency escape that will in any way prevent the immediate and unobstructed use of that escape route. If there is a conflict between the need for firearms security and any regulations made for the safety of persons in that building, then advice must be sought from the agency responsible for the regulations.

2. FIXING

Many steel gun cabinets have a high weight-to-footprint ratio. The average floor loading for a suspended floor on timber joists is 56lbs per square foot. A 9-gun cabinet with a 24" x 12" (608 x 304mm) footprint can be in the order of 126 lbs, which equates to more than a safe average suspended floor loading. Obviously, any fixing to a wall will reduce this loading.

Joist ends are a more suitable fixing location than joist runs. In a loft installation for a cabinet, care needs to be exercised. Not all lofts have joists calculated to include weight loading other than that of the ceiling below. It is not uncommon for joists in lofts to be 40% smaller in cross sections than joists carrying floors. Full use must therefore be made of the support from structural walls carrying such joists. If there is any doubt, proper structural advice should be sought.

Fastening to timber studded walls should be avoided, unless some additional anchorage can be provided. Floor or roof joists (subject to the previous comments) are acceptable. Walls of brick, concrete or masonry are usually the best bonding materials. It is important that the fixing chosen is correct for that material (eg expanding bolts, chemical anchors, toggle bolts etc). Some modern building materials, particularly breeze and thermal block walls, are not particularly suited to conventional fixing devices and require special consideration – see below.

When security devices are being fitted, consideration should be given to varying the method of fixing. For example, in buildings with only partition internal walls and modern insulation block lining or random stone walls, it can be perfectly acceptable to fix cabinets horizontally, as long as appropriate fixing devices are used. This will also assist when fastening into suspended wooden flooring, as it spreads the load more evenly. In this case, coach screws of at least 3/8" (8mm) diameter and not less than 2.5" (63mm) long will provide a suitable anchorage. Such fixings must of course be made into joists and not simply to the floor boarding.

3. STORAGE OF AMMUNITION

Ammunition for section 1 firearms must be kept secure from unauthorised access equally to actual firearms. As a matter of best practice, it should be stored in its own individual secure storage e.g. an integral, lockable compartment within a gun cabinet or a separate small safe. Although secure storage of shotgun cartridges is not a requirement of the Firearms Acts, it is sensible that they should be locked away for both security and safety, especially where there are children in the house.

Although ammunition is not a serious fire hazard, it is advisable that ammunition containers are not in an area exposed to a risk of fire, nor should they be in the area of an escape route where there is a fire risk.

INSURANCE CONSIDERATIONS

There are no specific insurance implications for the property owner or landlord if a tenant were to store firearms in their property. Owners of firearms are responsible for insuring firearms (as with any possessions) and adhering to the terms and conditions of their policy.

ADDITIONAL RESOURCES

The British Association for Shooting & Conservation (BASC) are consultants to Her Majesty's Government and have been actively involved in the drafting of legislation and current security guidance. BASC works with all stakeholders including The Association of Chief Police Officers.

For landlords; free and impartial advice may be obtained from BASC's Firearms Department
Tel: 01244-573010 Email: firearms@basc.org.uk Web: www.basc.org.uk

For information on the storage of sporting ammunition please contact 01244-573010 or Email: explosives@basc.org.uk

For further information on security see the following documents available, from the Home office Website www.homeoffice.gov.uk or www.basc.org.uk

- Firearms Law: Guidance to the police 2013 (Home Office)
- Firearms Security Handbook 2005 (Home Office)

REFERENCES

Firearms Act 1968

Firearms (Amendment) Act 1988

Firearms (Amendment) Act 1997

The Manufacture and Storage of Explosives Regulations 2005

Crime and Security Act 2010

ENQUIRIES TO:

BASC's Firearms Department -

Phone: 01244-573010
E-mail: firearms@basc.org.uk
Web: www.basc.org.uk

BASC is a national representative body for sporting shooting. Our mission is to promote and protect sporting shooting and the well-being of the countryside throughout the United Kingdom and overseas. We represent our members' interests by providing a voice for sporting shooting which includes wildfowling, game, and rough shooting, deer stalking, target shooting and air gunning, pigeon shooting and pest control, gun dogs, promoting practical habitat conservation, training and the setting of standards and undertaking appropriate research. We have five strategic objectives:

- A effective and unified voice for shooting
- All party backing for shooting
- Balanced comment in the media
- Continued opportunity to go shooting i.e. having place, quarry and gun, and opportunity
- High standards
- Good governance

National Landlords Association –

Phone: 020-7840-8900
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Web: www.landlords.org.uk

The National Landlords Association is the pre-eminent organisation in the UK for landlords of private residential property. It represents the views of its members to government, local authorities and the media. It aims to improve standards in the private-rented sector by providing information to help make landlords aware of their statutory rights and responsibilities, and guidance to help them make a success of their lettings.

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