

<b>Report on</b>	Consultation on Proposed Amendments to Fire Safety Measures of the Building Regulations
<b>Date of Meeting</b>	10 <sup>th</sup> October 2023
<b>Reporting Officer</b>	Terry Scullion, AD Property Services
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<b>Is this report restricted for confidential business?</b>  If 'Yes', confirm below the exempt information category relied upon	Yes	
	No	X

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To advise Members on the Consultation by the Department of Finance, inviting a response on the proposed amendments to the fire safety measures of the Building Regulations under Part A (Interpretation and general) & Part E (Fire Safety) guidance of the Building Regulations
<b>2.0</b>	<b>Background</b>
2.1	The Department of Finance (the Department) has policy responsibility for maintaining the Building Regulations. The Building Regulations apply to new buildings and to buildings being altered, extended or subject to a material change of use and are made principally to secure the health, safety, welfare, and convenience of people in or about buildings; further the conservation of fuel and power; further the protection and enhancement of the environment and promotion of sustainable development.
2.2	Intended work that is subject to the provisions of the Building Regulations (Northern Ireland) 2012 (as amended) must be notified to the District Council. The Building Regulations are enforced by building control departments in each District Council through the existing mechanisms and sanctions provided through the Building Regulations (Northern Ireland) Order 1979 (as amended).
2.3	Following the Grenfell Tower fire tragedy in 2017 there have been calls to increase fire safety in domestic buildings (principally blocks of flats) to reduce risk to life. There is evidence that the construction industry has become more risk averse since the Grenfell Tower fire. However, there is a risk that over time this risk aversion will fade, and the industry may revert to being less cautious at an increased risk to public safety, therefore the Department are compelled to act. The Grenfell tragedy and Phase 1 report to the Public Inquiry highlighted the potential benefits of some of the items proposed in policy changes such as sprinkler usage, wayfinding signage, evacuation alert systems, smoke ventilation systems and premises information boxes to improve resident safety. Sprinklers

<p>2.4</p> <p>2.5</p>	<p>and smoke ventilation systems in particular have been proven to be very effective fire protective measures for saving lives in residential type buildings.</p> <p>These proposed amendments will result in changes to the following parts of the Building Regulations:</p> <ul style="list-style-type: none"> <li>• Part A (Interpretation and General) of the Building Regulations defines certain terms used in the regulations and establishes processes which relate to the application of the regulations.</li> <li>• Part E (Fire Safety) of the Building Regulations sets out requirements for ensuring adequate means of escape, adequate limitation of internal fire spread to linings and internal structure, adequate limitation on external fire spread and adequate facilities and access for the Fire and Rescue Service.</li> </ul> <p>The proposed policy changes are to improve life safety for residents/occupiers of a various range of building types (primarily dwellings and principally blocks of flats) and provide greater firefighter security in tackling fires and effecting rescue operations. The intended effect is to reduce the consequences of fire through saving lives and preventing injuries.</p>
<p><b>3.0</b></p>	<p><b>Main Report</b></p>
<p>3.1</p> <p>3.2</p> <p>3.3</p>	<p>Correspondence has been received from the Department of Finance regarding consultation seeking the views of the Council in relation to proposals for amendment of fire safety measures under Part A (Interpretation and general) and Part E (Fire Safety) of the Building Regulations.</p> <p>.Part A amendments primarily relate to the following:</p> <ul style="list-style-type: none"> <li>• A building due to a material change of use and becomes a ‘relevant building’ as defined in the Fire and Rescue Service (NI) Order 2006 (i.e., predominantly all non-domestic buildings) or a building containing one or more flats with a storey more than 11m above ground level will be subject to <i>New Regulation 37A – Provision of fire safety information</i>.</li> <li>• A material change of use of a building to a building on the prescribed list of buildings under <i>New Regulation 37B – Provision of suitable automatic fire suppression systems (i.e., sprinklers)</i>, such as flats or purpose-built student accommodation with a storey more than 11m above ground level or residential care home, nursing home, children’s home and family resident centre will be subject to this New Regulation.</li> </ul> <p>Part E amendments and revisions will include the following:</p> <ul style="list-style-type: none"> <li>• <i>New Regulation 37A – Provision of fire safety information</i> applicable to new buildings as defined in the Fire and Rescue Service (NI) Order 2006 (i.e.,</li> </ul>

predominantly all non-domestic buildings) or a building containing one or more flats with a storey more than 11m above ground level.

- *New Regulation 37B – Provision of suitable automatic fire suppression systems* applicable to flats or purpose-built student accommodation with a storey more than 11m above ground level or residential care home, nursing home, children's home and family resident centre will be subject to this New Regulation.

3.4 A Transition period of 6 months is proposed to allow industry to adjust to New Regulation 37B.

3.5 Technical Booklet E guidance document proposed to have the following amendments/ revisions:

- Details on what fire safety information should be provided, when it should be available and who is responsible for providing this information under New Regulation 37A.
- Prescriptive list of new buildings that will be applicable to New Regulation 37B such as flats or purpose-built student accommodation with a storey more than 11m above ground level or residential care home, nursing home, children's home and family resident centre will be subject to suitable automatic fire suppression systems (i.e., sprinklers)
- Smoke alarms proposed in all habitable rooms in a dwelling (or extended/ altered dwelling) in lieu of principal habitable room under current guidance with the view that this should benefit all occupants but particularly those who may be elderly/ vulnerable/ asleep and tend to react slower.
- Clarification on smoke ventilation systems (Natural and mechanical) and requirements to common escape routes (i.e., lobbies, corridors, and stairways) of buildings containing flats.
- Firefighting shaft required to Places of Assembly buildings over 7.5m high with a storey over 900m<sup>2</sup>. Current guidance already has this in place for Shops, Factories and Storage Buildings.
- Firefighting shaft to be within 60m of fire main (45m if building is not sprinklered), with wet fire main required in buildings over 50m high. Before the requirement was 60m high
- Fire main to be able to reach within 45m of all points within a dwelling or flat for a building not fitted with a fire main.
- Flats over 18m will require an emergency evacuation alert system with sounders in each flat – not linked to the flat fire alarm system.
- Wayfinding signage to be present in all buildings over 11m high containing a flat to assist attending firefighters identifying floors and individual flats.

- Secure/ Premise Information Box will be required in buildings over 11m high containing a flat to assist attending firefighters. The information should include a single page building plan identifying key fire fighting equipment and contact details of person in charge.

3.6 There are three questions on the consultation we have agreed in principle to, but have not agreed or had no view on the proposed way of implementation:

- Question E3 – We have the view that the person carrying out the works should not be fully responsible for the provision of Fire Safety Information. The person with overall responsibility for design and construction would be more appropriate.
- Question E6 – We have no view on the proposal that sprinklers would be installed in buildings with flats over 11m as recent research indicates that fatal flat fires are more likely in flats no higher than 2<sup>nd</sup> floor level.
- Question TBE4 – We have the view that it may be considered onerous that an automatic fire alarm system will be required for any extension & alteration to a dwelling. Perhaps further clarification and guidance on this matter would be beneficial as so this requirement could be more targeted. (i.e., guidance as it stands would appear to result in an automatic fire alarm system being required in a dwelling when carrying out a minor alteration such as removing a wall or a minor extension to a dwelling).

3.7 Generally, the proposed amendments to Part A and Part E and associated Technical Booklet E guidance to enhance fire safety measures in a range of buildings taking into consideration the Grenfell fire tragedy and the associated Phase 1 report recommendations are welcome.

3.8 There is a need to ensure that not only do people feel safe in their homes and places of work or entertainment but that they actually are as safe as possible from the risk of fire. The proposed amendments should reduce the risk of fire, and where a fire does occur, ensure there are measures in place to restrict the growth of fire and smoke to enable the occupants to escape safely and fire fighters to deal with fire safely and effectively.

3.9 The changes implement similar changes introduced in other jurisdictions particularly England through their equivalent Part B and Approved Document B (ADB) of their building regulations.

3.10 Building Control Northern Ireland (BCNI) is a voluntary umbrella grouping of the Building Control Departments of the 11 local councils. The Lead Building Control Manager within each Council is a member of BCNI. The proposed amendments have been reviewed and discussed within BCNI and have broadly been

3.11	<p>welcomed. BCNI have forwarded a separate consultee response to the Department of Finance with these findings - which are similar to our response.</p> <p>Due to tight turnaround timeframes the Consultation Document Response on the proposal for these amendments of the Building Regulations has been issued and included in section 6.1.</p>
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<p><b>Financial, Human Resources &amp; Risk Implications</b></p> <p>Financial: Within Current Resources</p> <p>Human: Depending on the outcome of consultation, it may be necessary to support officer experience with training in should changes to the regulations be implemented in the future.</p> <p>Risk Management: None</p>
<b>4.2</b>	<p><b>Screening &amp; Impact Assessments</b></p> <p>Equality &amp; Good Relations Implications: None</p> <p>Rural Needs Implications: None</p>
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	Members are requested to note the content of this report.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1: MUDC Consultation Response to Department of Finance