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LORD HARRISON'S PRIVATE MEMBER'S BILL: BUILDING REGULATIONS (REVIEW) BILL

1. Please find enclosed a background briefing package in connection with the Second Reading of Lord Harrison's Private members Bill which is scheduled for 22 October at 11.30 am.
2. If Lord Harrison's Bill were to be enacted the Government would be required, within 12 months of the Bill taking effect, to conduct a review of and impact assessment for amendment of the Building Regulations with regard to the installation of automatic fire suppression systems in all new residential buildings and when current homes or other buildings are converted in England and Wales.
3. Baroness Hanham wrote to Sir George Young on 17 June seeking clearance to express strong reservations about this Bill proceeding to law. There were nil returns from the subsequent clearance ring round.
4. The briefing package consists of:
 - Flag A Speech
 - Flag B Associated Q&A and briefing
 - Flag C A short biography of Lord Harrison.
 - Flag D A copy of Lord Harrison's draft Bill
 - Flag E A copy of the briefing note given by CFOA to Lord Harrison & associated correspondence.
 - Flag F The handling letter of 17 June to Sir George Young and his reply.
 - Flag G A copy of the Hansard report from the previous 2nd reading
 - Flag H Speakers list
 - Flag I Written Statement from Angela Smith in 2006

Parliamentary Procedure

5. Assuming the debate runs along normal Lines, Lord Harrison will introduce his Bill with a short speech. This will be followed by comments from other peers. So far Baroness Smith of Basildon and Lord Tope are registered on the speakers list for this Bill. You will speak last and your speech at **Flag A** will address the points made by the previous speakers and set out the Government's view on the proposed Bill.
6. Parliamentary protocol provides that Governments do not oppose Private Members Bills in the Lords. Instead the government expresses "strong reservations" about the bill and then opposes the bill in the Commons. The debate closes with a vote on taking the bill forward to committee stage.

Background

7. Last November Lord Harrison proposed a Bill which sought to mandate the installation of automatic fire suppression systems (e.g. fire sprinklers) in all new homes and when existing homes or other buildings are converted. This received its 2nd Reading on 15 January and a Hansard Extract is enclosed at **Flag F** for information. At Committee stage on 5 March amendments were proposed by Lord Best and Earl Cathcart. The Bill was scheduled to proceed to Report stage on 22 March but fell due to lack of parliamentary time.
8. Lord Harrison's latest Bill, attached at **Flag C**, seeks to make provision for a *review* of the Building Regulations with regard to the installation of automatic fire suppression systems in all new residential properties. This effectively follows what was proposed as an amendment to the Lord Harrison's original Bill by Lord Best.
9. This issue was considered at length when Part B of the Building Regulations (Fire safety) was reviewed in 2006/2007. The review, which included public consultation, concluded that it would **not** be cost effective to provide sprinklers in all new homes but that it would be reasonable to provide them in blocks of flats over 30m in height where the risks were shown to be greater and a change to this effect was made to the guidance supporting the regulations in 2006.
10. Further research into the cost effectiveness of sprinklers in new homes in the Thames Gateway was also commissioned by Fire and Resilience Directorate. This research (which concluded in 2009) also found that sprinklers would not be cost effective in new dwellings.
11. Since then, an update of the earlier Building Regulations study has been commissioned by the Sprinkler industry and overseen by the Chief Fire Officers Association. This work is due to report in two stages; the first report is expected January 2011.

Brian Martin

