

PRIVATE MEMBERS' BILL

LORD HARRISON

BUILDING REGULATIONS (REVIEW) BILL

LORDS 2ND READING, DEBATE SPEECH

22 SEPTEMBER 2010

Introduction

- My Lords I congratulate Lord Harrison for securing this Private Members' Bill. Fire safety is clearly a matter of concern to us all and I know that the Noble Lord has taken a considerable personal interest in the subject.

Fire Safety

- Fire Safety strategies are starting to succeed. Fire deaths in the home in England have halved since the 1980s. The long-term trend is downwards: whilst it is still too many, in 2008, 213 people perished in accidental fires in the home.

- Of course, one fire death is one too many - We will all remember the events of 3rd of July last year when we saw the devastating fire in Lakanal House, Camberwell in which 6 residents tragically lost their lives, and on 6 April this year Fire-fighters James Shears and Alan Bannon died in the line of duty at Shirley Towers in Southampton.
- Recent statistics, suggest that the long term downward trend is beginning to plateau and we are, of course anxious to see in how deaths can be reduced further still.

Community Fire Safety

- My Lords, since 1997, the key strategy to reducing preventable fire deaths has been through Community Fire Safety activities – this involves efforts to reduce the incidence of fire through education, information and publicity.
- The installation of properly maintained smoke alarms in every household is at the centre of these efforts as they provide the vital early warning of fire enabling people to escape.

- The “Fire Kills” campaign has, for some time now, conducted high profile campaigns promoting smoke alarms and maintenance messages, which have proved very successful. Whilst building regulations have an important role to play, this kind of campaign benefits the whole population, not just the occupants of newly built properties. Ownership of smoke alarms in England now stands at 85% of households and they can be bought relatively cheaply. We are seeking to raise awareness of their value as evidence suggests that those who do not have them are often in those groups who are most at risk from fire.
- Initially, a freeze was imposed on all Government awareness campaigns whilst their effectiveness was assessed. However, I am pleased to say that the Cabinet Office’s Efficiency and Reform Group has recognised that the ‘Fire Kills’ media campaign delivers measurable public safety benefits and we are therefore continuing to support this important and effective programme

- The national campaign, developed by CLG, will work with in the Fire and Rescue Services and the commercial and voluntary sectors to seek out new opportunities, creating hooks that can be utilised at the local level.

Regulatory policy

- My Lords, in these difficult economic times, an important part of the Government's strategy for financial growth is to support business by adopting a de-regulatory policy.
- The Government will only regulate to achieve a policy objective if it can be shown that regulation is the last resort.
- In addition, the 'one-in-one-out' rule for regulation means that when the Government introduces a new regulation, it must first identify an existing one to remove so that the number of regulatory does not increase.
- This groundbreaking approach makes clear that all non-regulatory routes must be exhausted before any new regulation is brought in.

Building Regulations

- My Lords, the Government is determined to make it easier to build the homes this country needs. Appropriate building standards, applied sensibly, help both builders and communities, but they can only be effective if they are easier to understand. That's why we are committed to simplifying the process for house builders to meet the standards communities demand.
- This work to cut red tape will complement the review of building regulations launched by my colleague Andrew Stunell earlier this year.
- We have called for views on how building regulations can be improved, added to, or slimmed down. We have also asked for suggestions as to how we can deliver even better levels of compliance in the future. We will listen to these ideas, those from the Cabinet Office's 'Your Freedom' and my own Department's 'Cut Red Tape' exercises and we plan to announce the results from these around the end of the year.

- Several of the respondents have suggested that there should be greater requirement for sprinkler protection in building regulations for residential and domestic buildings and also for public and commercial buildings. These comments will be given due consideration but there is at present little new evidence to suggest a need for change.

Sprinklers in the Building Regulations

- My Lords, I am therefore well aware of calls for the Building Regulations to be amended to require sprinklers to be provided in new dwellings, and other new domestic buildings. We certainly do recognise the significant role they can play in life and property protection, on public safety. We do not consider that it is necessarily for the Government to dictate to the business sector how to manage their business risks. If the fire industry or fire and rescue service consider that greater fire protection would be good for UK businesses they should take the case direct to building owners, rather than to Government.

- Having said that, there are already provisions in building regulations for the use of sprinkler protection. Part B of the regulations deals with fire safety and Requirement B3 covers internal fire spread within a building. This already sets out that, subject to the size and intended use of the building, suitable fire suppression systems, such as sprinklers, and sub-division by fire-resisting construction should be provided.
- The Department of Communities and Local Government also issues guidance in the form of Approved Document B. This document sets out what is considered to be a reasonable provision to satisfy the requirements of Part B.
- Sprinkler protection for certain non-residential buildings has been included within this guidance for some time to cover those premises where such a provision is considered proportionate to the risk to people in and around the building, from fire.

- Provisions for sprinkler protection in domestic and residential buildings are now also given in the latest edition of Approved Document B which was published in 2006. This included provision for sprinklers to be installed in tall blocks of flats (over 30m in height) and included their use as an option in residential care homes – this option offers an alternative to an otherwise more onerous set of standards for care homes introduced at the same time.
- This is just one of a range of measures that can be varied where sprinkler systems are installed. The benefits that such installations can offer are explained in the Approved Document, and the guidance structured such that those benefits are realised in reduced construction costs.

Research

- The changes made in 2006 drew on an extensive 4 year research project looking at the issue of residential and domestic sprinklers from both an effectiveness and cost/benefit perspective.
- Since then the last Government also commissioned a project looking at the installation of sprinklers as an active protection measure where large numbers of houses were being built at one time.
- It had been suggested, at the time, that sprinklers might provide an option to address the fire and community safety needs of areas such as the Thames Gateway and perhaps avoid the need for increased fire and rescue service resources. This study concluded that this was not a cost effective solution.

- You will appreciate, given the work that has already been done in this area and the absence of compelling new evidence, that the Government is reluctant to commit more time and energy revisiting the same question. However we do note the news that the Chief Fire Officers Association has commissioned a further review, funded by industry, to update and expand the available evidence base.
- Officials from the Department of Communities and Local Government are fully engaged with the project team working on this new review and have offered their assistance in delivering as robust an analysis as is possible. We await the results of this work with interest.

- We will continue to monitor the situation and the effectiveness of the various strands of fire safety policy. I accept that this is an issue to which we are likely to return and we recognise that the issues listed in the Noble Lord's Bill are amongst those matters that are likely to be addressed.
- However, I do question if it is either wise or prudent for any government to commit itself to a specific timeframe to commence a review given the inevitable need to respond to changing priorities. I would also question whether it is not more appropriate for industry and the insurance sector to consider some of these matters for themselves.

Conclusion

- In conclusion my Lords, the Government takes fire safety issues very seriously indeed. We all understand the injury and damage that fire causes and we are keen to explore new and innovative ways to reduce the toll.

- However, at present, we must focus on our priorities.

Whilst we do agree with the desire to answering the questions set out in this Bill we must express strong reservations about the provision in this Bill of a statutory commitment for the Government.