

CONSULTATION ON PROPOSALS FOR AMENDING PART B OF THE BUILDING REGULATIONS 2000 AND APPROVED DOCUMENT B

1. This letter invites you to comment on the Government's proposals for amending Part B of Schedule 1 to the Building Regulations 2000 (as amended) and the accompanying technical guidance in Approved Document B (AD B).
2. The key proposals on which your views are particularly sought are summarised below (paragraphs 8-16) and their potential impact set out in the partial Regulatory Impact Assessment (RIA) at Annex X. The detailed drafting changes to AD B are set out in a track-changed format in the separate volumes which accompany this letter. A response questionnaire is at Annex X.
3. **The deadline for receiving responses to this consultation is xx July 2005.**

Background

4. AD B provides technical guidance on ways of demonstrating compliance with the requirements set out in Part B (Fire safety) of the Building Regulations 2000 as amended. The last substantive revision of AD B was published in January 2000. It was subsequently amended in 2002 to take account of the development and adoption of new European technical specifications, and supporting standards, that underpin the Construction Products Directive.
5. However, this did not amend any of the existing technical guidance in the 2000 edition of AD B. A major review of the wider technical elements of the fire safety aspects of the Building Regulations and AD B was announced in the Government's White Paper "Our Fire and Rescue Service" in June 2003. This sets out the Government's desire to reduce the number and consequence of fires by moving much more towards a fire prevention strategy. In particular, ODPM's Public Sector Agreement (PSA3) target, calls for a 20% reduction in the number of accidental fire deaths in dwellings by 2010. Building Regulations is seen a key strand for delivery of this strategy, in terms of designing in fire safety into new and altered buildings, alongside Community Fire Safety and the Reform of Fire Law.
6. This review of AD B was begun in 2003 and has drawn upon recent experience and taken into account the findings of relevant research. (The main research projects are listed in Annex X, together with details of where they may be obtained.) It has considered fire safety in all types of premises including dwellings, residential homes, schools and warehouses. The review has also considered the important role that sprinklers and other types of fire protection measures may have and matters raised by stakeholders.
7. Where there are any issues common to more than one Part of the Building Regulations, this will be looked at in the review of each Part as required. In this way guidance on a particular issue is consistent in all the relevant Approved Documents.

Proposals – Regulations

8. The Government is proposing to introduce a new general Regulation into the Building Regulations, which will apply to non-domestic properties. This will require that sufficient information should be provided for persons to operate, maintain and use the

building in relative safety before a completion certificate can be issued. In practice, this is likely to mean that the Building Control Body will need to satisfy themselves that the developer has passed on relevant fire safety information to the owner/user of the building. This is seen as particularly important given the increasing use of building designs which rely, at least in part, on fire safety management strategies. There would also be potential cost savings as drawing this information together at the construction stage would reduce future costs of sourcing and assessing this information at a later date. It could particularly assist owners/occupiers in the production of their risk assessment under the terms of the Regulatory Reform (Fire Safety) Order, expected to come into force at about the time that the revised AD B is published.

9. It is not proposed to make any changes to the requirements of Part B of Schedule 1 to the Building Regulations 2000. However, the questionnaire asks whether you would wish to revise functional requirement B3 to address fixed fire fighting equipment (eg sprinklers).

Proposals – Format of AD B

10. Following representations from a number of stakeholders, AD B has been split into two volumes: “Dwellings” and “Buildings other than Dwellings”. This change was intended to make the guidance more accessible for smaller firms that specialise in domestic work. However, due to the amount of technical information that is common to both, neither volume is particularly small.
11. Another formatting change is the intention to more clearly highlight the proposed changes and the reasoning behind them. For the purposes of consultation, we have used a different colour for amended text, as well as strikeout where the change is a deletion. Text boxes have been used to identify the reasoning behind significant changes. Further consideration will need to be given as to how the changes could be highlighted in the final document.

Proposals – Guidance in AD B

12. The proposed changes to the guidance in AD B fall into four main categories:
- (i) responses to changes in construction practice or to fire experiences that indicate that present guidance may not give sufficient protection;
 - (ii) updating to take account of changes to British Standards and other technical references (such as the recent publication of BS 9251 on residential sprinklers);
 - (iii) updating to take account of changes to associated legislation and;
 - (iv) deregulatory measures that clarify an area that experience has shown is subject to misunderstanding, or to lessen a particular provision in the existing guidance that is now considered to be onerous.
13. The most significant changes the Government intends to make include:
- *Amend the provisions for smoke ventilation of common access areas in apartment buildings*
 - *Provide for an additional smoke alarm in apartment buildings and dwellinghouses*

- *Provide for a suitable system of smoke alarms where an extension is proposed*
- *Provide for cavity barriers in dwellings and non-dwellings*
- *Introduce provisions for measures on inclusive design*
- *Introduce a national maximum unsprinklered compartment size for warehouses (and repeal the relevant parts of Local Acts)*
- *Design compartment walls to take account of deflections during a fire*

14. In addition, the Government is minded to introduce the following provisions but is explicitly seeking further information on the potential impacts, particularly the costs and benefits, of these proposals before deciding on the way forward:

- *Provide for sprinkler protection in high rise apartments and residential care homes*
- *Provide for fire protection of corridors in warehouses*
- *Amend the provisions for fire fighting shafts*
- *Provide additional dry rising mains in certain tall buildings*
- *Discounting stairs in tall buildings with phased evacuation procedures*
- *Remove the separate guidance on loft conversions in dwellinghouses*
- *Remove provision for self-closing devices within apartments and dwellinghouses (except garage doors and those opening onto common escape routes)*

15. It is proposed that AD B will, in future, cross-refer to the DfES Building Bulletin 100 (BB100) on "Designing Against the Risk of Fire in Schools BB100. A copy of this document is available....[details to be added once publication date/website is known].

16. As well as the proposed amendments set out above, there are a number of proposed amendments which will provide alternatives to existing provisions. For example, the potential to provide sprinkler protection instead of an alternative escape route where currently provided in both houses (typically 4 storeys and above) and multi-storey apartments. These new options will provide greater design freedoms and promote innovation and may, in some cases, produce a cost saving compared to current guidance.

17. It should be noted that, although all these proposals are being consulted on as part of a package of measures, they are not mutually exclusive, ie one or more of them could be disregarded or amended in the light of the consultation exercise.

Consultation

18. Copies of this consultation have gone directly to all those organisations and individuals on the list at Annex X. Copies may also be obtained from...

19. Comments are welcome on any aspect of Part B and AD B or the RIA. However, to assist in our analysis of responses, we would appreciate it if you would complete the questionnaire at X. If you prefer, an electronic version may be downloaded from our web site www... Please feel free to submit additional comments, evidence and/or supporting documentation.

20. Please return your response to this consultation as soon as possible, and in any event no later than xx July 2005 to ... (address/e-mail)

21. You should note that all responses may be made available for public inspection unless a respondent specifically asks for their responses to be treated as confidential. Confidential responses will nevertheless be included in any statistical summary of numbers of comments and views expressed, although individuals will not be identified. Names and addresses may be held in an electronic database of interested parties for the purpose of distributing future consultation documents on similar issues. However, any such details will not be given to any third party.
22. To ensure that written consultations are fully effective, the Government has introduced a code of practice on how they should be carried out. This code includes seven criteria that a consultation should satisfy, and these criteria are listed in xx of this document. In my opinion this consultation satisfies the first five criteria, and the remaining two will be covered at the end of the consultation period. If you have any complaints or comments about the way this consultation has been conducted please contact XXXX.

Anne Hemming
Head of Buildings Division

Annex X – List of Relevant Research Projects

[Detailed references and details of where available/internet links to be provided]

- Effectiveness of Sprinklers in Residential Premises
- Smoke Ventilation of Common Access Areas of Flats and Maisonettes
- Fire Suppression in Buildings using Water Mist, Fog or Similar Systems
- Relationship Between Stair Width and Evacuation Requirements
- The Integrity of Compartmentation in Buildings During a Fire
- A Review of the Guidance in AD B on the Provision of Cavity Barriers
- Fire Resistance Requirements for Dampers and Ducts
- The Production of Smoke and Burning Droplets
- BDAG – Operational Physiological Capabilities of Firefighters
- BDAG – Physiological Assessment of Firefighting, Search and Rescue in the Built Environment
- BDAG – Collection and Analysis of Human Behaviour Data
- BDAG – Collection and Analysis of Emergency Services Data
- BDAG – Firefighting in Under Ventilated Compartments
- BDAG – Effect of Reduced Pressures on Performance of Firefighting Branches in Tall Buildings
- BDAG – Hydraulic Calculation of Wet and Dry Risers, Hoses and Branches
- *[Rosepark Reconstruction – if available – dependent on outcome of Procurator Fiscal's inquiry in Scotland]*