

# Response ID ANON-54MU-VAPH-T

Submitted to Consultation on fire safety changes to the local Building Regulations  
Submitted on 2023-09-23 15:58:38

## Introduction

What is your name?

Name:  
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What is your email address?

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Are you responding as an individual or representing the views of an organisation?

Organisation

What is the name of your organisation?

If responding on behalf of an organisation, please enter the organisation's name here.:  
Royal Town Planning Institute

The Department of Finance would like your permission to publish your consultation response. Please indicate if you wish your response to be treated as confidential.

No

If you wish your response to be treated as confidential, please provide your justification for doing so.:

We may wish to contact you again in the future, but we require your permission to do so. Are you content for the Department of Finance to contact you again in relation to this consultation exercise?

Yes

## Part A (Interpretation and general)

A1 Do you agree with the proposal to require a building which becomes a 'relevant premises' (as defined in the Fire and Rescue Services (NI) Order 2006) or a building containing one or more flats with a storey more than 11m above ground level, due to a material change of use, to be subject to the requirements of new regulation 37A?

Yes

Comments (if any):

A2 Do you agree with the proposal to require a building which becomes a building on the prescribed list of buildings in regulation 37B due to a material change of use, to be subject to the requirement of new regulation 37B?

Yes

Comments (if any):

## Part E, Fire safety

E1 Do you agree that as built 'fire safety information' should be required to be given under Building Regulations to those responsible for fire safety duties in a building not later than the date of completion of the work, or the date of occupation of the building or extension whichever is the earlier?

Yes

Comments (if any):

E2 Do you agree with the scope of buildings ('relevant premises' as defined under the FRSNIO and buildings containing one or more flats with a storey more than 11m above ground level) for the new regulation to apply to?

Yes

Comments (if any):

E3 Do you agree with the use of the term 'person carrying out the work' in the regulation or do you think a more specific individual should be cited in the regulation and hence responsible for providing this information?

No

Comments (if any):

There needs to be regulations and safeguards in place to ensure that the 'person carrying out the work' at the end of the building lifecycle who is providing the information, actually has a full grasp of all the information relating to building safety and materials relating to the 'relevant premises', as there are many actors involved through the stages of the design and build process and therefore not one single 'person carrying out the work'. Consideration needs to be given to how the person responsible for providing the fire safety information can access all relevant information, particularly in cases of insolvency where any business in the process of design and/or build goes out of business. The absence of good quality building records is a concern, which is especially important with regard to maintenance, alteration and refurbishment works.

There needs to be a safety-focused culture at all stages of a building's lifecycle. Coherent and consistent central and local government policies and guidance can give direction and promote a fire-safety culture through policy levers, encouraging the idea that it is the responsibility of all actors involved in the 'end-to-end process' to create a safe environment for occupants, from commissioning stage through to demolition.

The roles, responsibilities, accountabilities and competence requirements of those involved in the whole process of the building lifecycle need to be clearly identified, defined and understood, with a central system for specifying, recording and monitoring competency requirements and accreditations for all actors involved in the design and build of 'relevant premises'. This system should include a series of integrated 'approval gateways' that any new build 'relevant premises', or existing 'relevant premises' proposing major alterations, need to pass through, in order to proceed to subsequent stages in the procedural system. Many fire and associated building safety issues arise due to a lack of appropriate approval, certifying or inspection in 'the end-to-end process'. This can then go some way to ensuring that fire safety measures are in place and that the fire safety information provided by the 'person carrying out the work' at the end, will be comprehensive, robust and accurate.

## Part E, Fire safety

E4 Do you agree that a new prescriptive regulation requiring the provision of suitable automatic fire suppression systems in certain types of buildings should be introduced under regulation 37B?

Yes

Comments (if any):

E5 Do you agree with the scope of buildings as proposed for now under new regulation 37B?

Yes

Comments (if any):

E6 Do you agree with the height threshold of 11m for buildings containing one or more flats and purpose-built student accommodation as proposed under new regulation 37B?

Yes

If you disagree, state the height threshold you think it should be and your reasons why:

E7 Do you agree with the definition of residential care premises being adopted in building regulations for the application of new regulation 37B?

Yes

Comments (if any):

E8 Do you agree with a transitional period of 6 months?

No

If you disagree, state how long the transitional period should be and your reasons why:

It is unclear why installation of automatic fire suppression systems (e.g. sprinklers) should take as long as 6 months to install.

## Technical Booklet E, Fire safety (TBE)

TBE1 Do you agree with the proposed guidance in Section 7 of the consultation version TBE for 'fire safety information'?

Yes

Comments (if any):

#### Technical Booklet E, Fire safety (TBE)

TBE2 Do you agree with the proposed guidance regarding sprinklers given in Section 8 of the consultation version of TBE?

Yes

Comments (if any):

If other agencies are required to provide input, such as NI Water regarding water supply and pressure, then statutory response deadlines may need to be introduced in order to ensure that the fire safety process is not delayed.

#### Technical Booklet E, Fire safety (TBE)

TBE3 Do you agree with the revised provisions for installation of smoke alarms in all habitable rooms as part of automatic fire detection in new dwellings?

Yes

Please provide any evidence in support to your answer.:

TBE4 Do you agree with the new guidance in relation to fire alarm provision in dwellings subject to an extension and/or alteration work?

Yes

Comments (if any):

#### Technical Booklet E, Fire safety (TBE)

TBE5 Do you agree with the amended guidance regarding smoke ventilation from the common escape routes in buildings containing one or more flats as inserted in TBE?

Yes

Comments (if any):

#### Technical Booklet E, Fire safety (TBE)

TBE6 Do you agree with the proposed change in guidance to require all Purpose Group 5 buildings which have a storey 900m<sup>2</sup> or more in area at a height of 7.5m or more above fire and rescue service access level to have firefighting shaft provision?

Yes

Comments (if any):

TBE7 Do you agree with the amended guidance so that the maximum distance from any point on a storey to a fire main in a firefighting shaft is 60m and in addition, where sprinklers are not fitted, the distance should be a maximum of 45m to a fire main outlet in a protected shaft (not necessarily a firefighting shaft)?

Yes

Comments (if any):

TBE8 Do you agree with the amended guidance to set a storey height limit of 50m above fire service vehicle access level for provision of a dry fire mains?

Yes

Comments (if any):

TBE9 Do you agree with the amended guidance so that a pump appliance can gain access, so that the effective hose penetration distance can reach to within 45m of all points within a dwellinghouse/flat? (for buildings not fitted with a fire main)

Yes

Comments (if any):

#### Technical Booklet E, Fire safety (TBE)

TBE10 Do you agree with requiring an emergency evacuation alert system to be installed in buildings containing flats with a storey more than 18m above ground level?

Yes

Please advise if you think this threshold is not appropriate and why:

TBE11 Do you agree with the new requirement for wayfinding signage in buildings containing flats with a storey more than 11m above ground level?

Yes

Comments (if any):

TBE12 Do you agree with the new requirement for a secure information box in buildings containing flats with a storey more than 11m above ground level?

Yes

Comments (if any):

## Impact Assessment

IA1 Do you agree with the assumptions, costs and impacts set out in the consultation stage RIA?

Yes

Comments (if any):

Building Control applications and approval usually follow the planning application process and therefore it would be prudent for all designers to be aware of the part E requirements at planning stage and to include (or at least design to allow for) any required details as part of the planning application. This would negate the need for revisions/amendments to approved planning drawings to comply with part E requirements at the post planning decision stage, saving time and money. Ensuring designers/architects are aware of part E requirements at planning stage could negate the need for subsequent applications to amend previously approved schemes. There may be the potential for the Department for Infrastructure to issue some guidance/advice to this effect and potentially to clarify that the majority of post-planning changes required to comply with Part E requirements should likely to be considered as Non-Material Changes.

## General comments

G1 Please set out any additional comments you have below.

Comments (if any):

Building Control applications and approval usually follow the planning application process and therefore it would be prudent for all designers to be aware of the part E requirements at planning stage and to include (or at least design to allow for) any required details as part of the planning application. This would negate the need for revisions/amendments to approved planning drawings to comply with part E requirements at the post planning decision stage, saving time and money. Ensuring designers/architects are aware of part E requirements at planning stage could negate the need for subsequent applications to amend previously approved schemes. There may be the potential for the Department for Infrastructure to issue some guidance/advice to this effect and potentially to clarify that the majority of post-planning changes required to comply with Part E requirements should likely to be considered as Non-Material Changes.

Where synergies are evident in central or local government, such as, those between planning policy, building regulations, environmental health and building control functions in local councils, consideration should be given to the co-location of these functions in a single government department to improve communication and efficiencies. Adequate resources (financial, people, etc.) should be allocated to ensure that appropriate knowledge, skills, expertise, and support services are provided to implement the fire safety improvements identified in this consultation.