

## **Evidence to Member Proposed Legislative Competence Order on Domestic Fire Safety**

### **Introductory Statement**

Community Housing Cymru is the representative body for housing associations and community housing mutuals in Wales, which are all not-for-profit organisations. Our members provide 95,000 homes and related housing services across Wales. Our members employ 4,000 people and spend over £300m in the Welsh economy every year. We are also active in community regeneration throughout Wales, including some of its most deprived communities. We aim to enable members to work effectively and flourish in Wales by:

Positively promoting housing associations as non-statutory, non-profit, ethical providers of affordable housing, support and community regeneration services

Seeking to develop a political, regulatory and financial framework that supports housing association activities

Developing, supporting and disseminating good practice

Encouraging and enabling members to provide accessible homes in sustainable communities throughout Wales

Working in partnership with key bodies in Wales.

We take the issue of safety very seriously. In the past we have worked with the Assembly Government and other stakeholders to advise and guide our members on issues such as the hard wiring of smoke detectors, following concerns about the failure of battery powered detectors. Hard-wired smoke detectors with a 10 year battery back-up are now part of the Welsh Housing Quality Standard and all existing housing association homes are fully fitted with smoke detectors.

On safety in the home more generally we are working hard to encourage the Assembly to more effectively resource the programme of adaptations in the sector's homes. Most accidental deaths in homes are a result of falls (HASS/Royal Society for the Prevention of Accidents), and so improving the design of homes and fitting adaptations such as stair lifts, grab rails and showers (instead of baths) is a key way in which housing associations are able to reduce the risk of falls to their tenants and residents. We have also been working closely with the Royal National Institute for the Blind on initiatives to improve the quality of housing association homes for people who are visually impaired.

### **Community Housing Cymru's evidence**

We have some limited experience of the issue. Under our previous name (the Welsh Federation of Housing Associations) we were represented on the Community Fire Safety Working Group which issued its final report 'Wired for Safety' in 2001 and which is referred to in the Draft Explanatory Memorandum. In its conclusions the Working Group recommended that the National Assembly 'amends its Development Quality Requirements, so that, from March 2002, all new social housing in Wales has domestic sprinkler systems installed during construction'.

Our evidence is in 3 parts:

#### **1. Principles of legislative competence**

As a Welsh organisation representing the interests and concerns of Welsh housing organisations we believe that Welsh Housing policy is best made by the National Assembly for Wales. On the issue of sprinkler systems in new residential premises, however, Community Housing Cymru believes that efforts would be better spent on enabling the issues of fire safety to be considered alongside other aspects of safety in the home and policy and practice in the design and construction of all homes through the Building Regulations.

We would therefore argue that any changes to improve safety for the occupiers of all homes in Wales would be better made by having Building Regulations functions transferred in order that they be determined by the National Assembly. We believe that the introduction of sprinkler systems would be best considered as part of a regular process of review and consultation through a body focused on broad issues of construction, maintenance and refurbishment where changing standards, the experience of building owners, commissioners, construction specialists and housing consumers as well as the changing needs and aspirations of all stakeholders can be weighed up in the consideration of new policy.

We accept that it may take some time for a transfer of Building Regulations functions to Wales, but we believe it will enable better consideration of the many and sometimes competing standards and regulations controlling housing design and construction to be brought under the control of one organisation focused on the quality of all buildings. It would further enable issues of health, safety and welfare to be considered alongside issues such as the conservation of fuel and power and sustainable development.

#### **2. The terms of the proposed order**

Community Housing Cymru is committed to seeing the continuous improvement in the quality of all homes in Wales. The safety of occupants has to be a prime objective in any consideration of quality. However, Community Housing Cymru remains to be convinced by the evidence that the introduction of residential sprinkler systems in all new homes is the most effective way of reducing the incidence of death and injury from fires in new build housing. We believe that the current terms of the order may not be the best way in which the National Assembly can legislate in order to secure the outcomes it seeks.



Rather than consider installation of sprinklers in all new homes as an issue in isolation from other aspects of safety in the home, particularly fire safety, we believe it's important to consider the evidence available. As a result of the work of the Community Fire Safety Working Group an Assembly Government funded pilot scheme was undertaken in Aberafon by Cymdeithas Tai Dewi Sant, a Port Talbot based Housing Association. The objective of the pilot was to research the technical difficulties and cost of domestic sprinkler installation. The scheme comprised nine new bungalows for people aged over 55, one of which included adaptations for a disabled user. The total cost of the sprinklers was approximately £46,000 - over £5,100 per bungalow (£2,200 for the sprinkler system, £626 for the related electrical work, £237 for related building work and £2,039 for the incoming water main). The scheme proved to be enormously complicated and negotiations with the water authority on meeting its requirements became prolonged.

The costs of installing sprinkler systems will be a significant addition to construction costs. There will also be a continuing cost involved in testing, servicing and maintaining equipment. For housing associations this will mean extra costs at construction and during the lifetime of the home. Without additional grant from the Assembly this will mean additional borrowing and higher rents to tenants as well as higher service charges to cover the on-going maintenance costs. So there will be a resultant cost to the public purse, either in additional grant or through housing benefit.

We understand that there have been a number of other sprinkler installations in Houses in Multiple Occupation across Wales (Llandrindod Wells, Welshpool, Wrexham and Newport for example) but we are not aware of any research into their effectiveness. We think appropriate research would be helpful.

In 2005 the Building Research Establishment concluded a two year research project on the effectiveness of sprinklers in residential property. Its findings included:

The addition of residential sprinkler protection proved effective in potentially reducing casualties in the room of fire origin and connected spaces;

Sprinkler protection was not found to be a complete panacea, slow growing and shielded fires can be a problem;

Smoke alarms fitted in the room of fire origin, responded typically in half the time required by sprinklers and well before the conditions became life threatening;

Residential sprinklers are probably cost effective for residential care homes and tall blocks of flats but are not cost effective for other dwellings;

In order for sprinklers to become cost effective, high risk buildings may be targeted and justified on a case by case basis using the cost benefit approach developed in this project;

In order to be cost effective in a broad range of dwellings, installation and maintenance costs need to be minimal, and/or trade-offs may be provided to reduce costs by indirect means;

In general the cost benefit conclusions from other countries' experiences were the same as this project, i.e. that sprinklers were not cost effective, unless systems were low cost or trade-offs could reduce cost.

We feel that it is important for the Committee to consider the findings of this relatively recent and extensive research and if possible to take direct evidence from the Building Research Establishment.

The Scottish Parliament has looked into the issue of sprinklers. In November 2003 Michael Matheson, a Member of the Scottish Parliament, introduced the Fire Sprinklers in Residential Premises (Scotland) Bill. The Bill would have required fire sprinkler systems to be fitted in all new sheltered housing complexes and existing buildings that were converted to sheltered housing as well as certain Houses in Multiple Occupation (HMOs). The purpose of these proposals was to prevent fire deaths and injuries in types of property at a high risk from fire. The Bill was referred to the Communities Committee as the lead committee in December 2003 and the Committee formally 'parked' its consideration of the Bill at its meeting in March 2004. Michael Matheson MSP withdrew the Bill on 29 September 2004 as he had secured a commitment from the Scottish Executive to amend Building Regulations to achieve much of what he was aiming to do through the Bill. In March 2004 the Deputy Communities Minister announced a consultation on changes to Building Regulations, requiring the installation of fire sprinklers in all new or converted residential care buildings, sheltered housing and high rise flats. The new requirements were included in the Building (Scotland) Regulations 2004, which came into force on 1 May 2005.

We feel that the Committee could usefully consider the experience of the Scottish Parliament in dealing with many of the same issues.

We think that it is important to weigh-up the merits of installing sprinklers in all new homes against a more targeted approach which seeks to install sprinklers in homes housing the most vulnerable in society, in order to meet their needs first. These might include nursing homes, sheltered housing, housing designed to meet the needs of people requiring support, Houses in Multiple Occupation, homes for people with limited mobility who might find it hard to escape from a fire quickly etc.

It may be that measures to increase the fitting of hard-wired smoke detectors in existing homes could be a more cost effective solution to reducing the number of deaths and accidents caused by fires in the home.

The most recent statistics show that in Wales 9,334 new homes were completed during 2006/07, 96% of which were made by the private sector. The newest housing is likely to be most capable of providing better fire safety as it is built to much higher standards than older housing, in terms of the regulations controlling design, the combustibility of building materials and means of escape. We feel that it is our older homes which pose the greater risk and it may be more beneficial to consider proposals to tackle fire safety in these homes,



which would be more effective.

We also think it's important to consider whether there are other more effective initiatives which could be taken to reduce deaths in the home. Provisional figures from the Office for National Statistics for 2006/07 show that in Wales there were 1,300 excess winter deaths amongst people aged 65+. Older people occupy much of the substandard housing in Britain, and the link between ill health and housing is well understood, particularly for this group in the population. This is particularly important because many older people spend such a lot of time at home. Respiratory diseases are often caused or made worse by damp and cold conditions at home. Inefficient heating and insulation are factors driving the high level of winter deaths in Britain: there are 30,000-40,000 more deaths in winter than summer months, and older people make up the vast majority of that excess.

Rather than looking to install residential sprinklers in all new homes, the Assembly could reduce deaths in the home by doing more to reduce fuel poverty through energy efficiency improvements to existing homes, improving pensions and winter fuel payments etc. The following facts and figures (from Age Concern Cymru) show how significant an issue this is in Wales:

Pensioners living alone and married pension-age couples make up 36% of the 167,000 homes in fuel poverty;

Half of the households with persons aged 75+ live in fuel poverty;

75% of those living in sub-standard housing are older people on a low income;

Around 20% of pensioners are living in poverty;

The excess winter mortality rate is 3 times higher than countries with very cold winters such as Germany, Finland and Sweden.

### **3. Meaning of terminology**

We are concerned that there may be a problem with the terminology in the order. Our view is that if the Assembly proceeds with the Order then it will be important to be specific about the kinds of residential property to be included. We are concerned to see consideration of residential homes and HMOs as much as new build homes and it may be that some forms of homes will be excluded.

Equally we understand that there are a number of different kinds of sprinkler systems. We understand there were discussions during consideration of the Bill in Scotland of mist systems and it is interesting to note the reference in the Building (Scotland) Regulations 2004 to 'automatic life safety fire suppression systems'. There is also a reference in the Building Regulations to the fact that 'there are many alternative or innovative fire suppression systems available' (Approved Document B Fire Safety). The Committee may want to consider whether alternative terminology is necessary to avoid any complications in designing a suitable measure to comply with the order in the future.

## **Community Housing Cymru**

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