

John Griffiths AM  
Chair, Equality, Local Government and Communities Committee  
National Assembly for Wales  
Tŷ Hywel  
Cardiff Bay  
CF99 1NA

25 January 2018

Dear John

**P-05-777 Application of the Automatic Fire Suppression Systems Legislation within the current Building Regulations for Wales.**

The Petitions Committee has been considering the following petition from Nick Harding, which was submitted with 62 signatures:

***Petition text:***

*We call on the National Assembly for Wales to urge the Welsh Government to review and amend the current implementation of the Fire Sprinkler Regulations, within the current Building Regulations, that came into force in January 1st 2016 (Wales).*

*The review to amend should specifically take into consideration how the regulation has been integrated into the current Building Regulations with regards to projects that fall within the "Material Change of Use" category (Regulation 5) and the requirement to retrofit Automatic Fire Suppression Systems. The review should primarily take into consideration what is actually achieved when 2 properties are amalgamated into 1 given that:-*

*1) Where 2 dwellings become 1 the actual building process should be deemed no different from what would be considered as an Extension to a dwelling. Under the current Building regulations Extensions do not require an automated fire suppression system to be installed regardless of size.*



*2) The requirement is to install an automatic fire suppression system into the building as a whole and not just the developed part.*

*3) The Regulation does not take into account any substantial fire reduction measures already taking place as a result of the building project, such as reducing the number of kitchens within a property (70 – 80% of all domestic fires start within kitchens – Firesafe.org.uk).*

*4) The current costs for “Retrofitted” automatic fire suppression systems make the requirement not cost effective, a fact backed up by every commissioned and independent study undertaken thus far. (Collected costs and quotations range from £5000 to over £10000 depending on flow availability, number of heads actuating and tank plus infrastructure requirements).*

*5) The Legislation has been implemented without sufficient infrastructure being in place. Within the whole of Wales there are only 7 registered BAFSA companies. This is highly likely to lead to non-competitive pricing.*

***Additional information:***

*The review should also look at the wider implications of how this Legislation has been implemented now that it has been in place for some time. Considerations should include:*

*1) Maintenance of the Systems – The Legislation does not include anything for any ongoing maintenance requirements once the system has been installed. The Welsh Assembly’s approach to this is to provide the public with a “Leaflet” which is supposed to provide information to the home owner regarding the maintenance requirements of the system; however this falls short of what would be achieved if it was part of the legislation to ensure ongoing maintenance of the system. However the knock on effect of this is to further burden homeowners with higher home owning and running costs, with ongoing maintenance costs estimated at over £2000 per year.*

*2) Legionella Risk (due to lack of maintenance) – It is widely thought that in general sprinkler systems are not a source of Legionella (FPA RC63), however as Wales is the 1st country in the world to legislate Domestic Sprinkler Systems as a*



*requirement for all new build and converted homes we believe that more investigation is required especially as the regulation negated to include the maintenance of the system. We believe that as systems age and are not maintained due to costs, Legionella risk will become more prevalent putting the public at a higher risk of infection.*

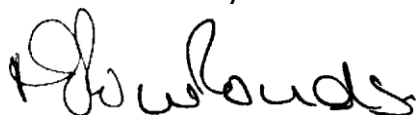
*3) Costs – Due to the tight margins for House Builders and Developers, some have now stopped or will be stopping House building in certain areas of Wales (Persimmon & Redrow) as a direct result of this Legislation.*

*4) Cost Benefit Analysis – During the initial investigation it was estimated that the system would cost £1500 – £2500 per household. In reality the cost are between £5000 and £10000 per installation. Additional equipment is often required because Dwr Cymru cannot guarantee minimum water flow and pressure.*

The Petitions Committee considered the petition most recently on the 9 January 2018 when Members agreed write to the Equality, Local Government and Communities Committee to ask whether you intend to undertake any post-legislative scrutiny of the *Building Regulations &c. (Amendment No. 3)* and *Domestic Fire Safety (Wales) Regulations 2013* during this Assembly.

I would be grateful if you could send your response by e-mail to the clerking team at [SeneddPetitions@assembly.wales](mailto:SeneddPetitions@assembly.wales).

Yours sincerely



David J Rowlands AC/AM  
Cadeirydd/ Chair

