

Petition: P-05-858 – Fire sprinklers are for life, not a fast buck!

Y Pwyllgor Deisebau | 15 Ionawr 2019
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Research Briefing:

Petition number: P-05-858

Petition title: Fire sprinklers are for life, not a fast buck!

Petition text:

Call upon the Welsh Government to amend paragraph 2.6 of Approved Document B in such a way as to make it mandatory that the design, installation and maintenance of residential and domestic fire suppression systems is conducted only by those that are members of appropriate third party certification schemes. This will ensure that such life saving systems are correctly designed, installed and maintained by suitably qualified personnel. Sadly this is currently not the case.

Background

Building Regulations

The *Building Regulations 2010* (as amended) are made under powers provided in the *Building Act 1984* (as amended) and cover the construction of new buildings and the alteration or extension of existing buildings

Building Regulations are concerned with the way in which the building is constructed, its structural stability, means of escape and fire precautions, weather resistance, energy conservation, sound insulation, access and facilities for people with disabilities.

Technical guidance on how to comply with the Building Regulations is provided within a suite of '[Approved Documents](#)'.

Automatic fire suppression systems

[Approved Document B](#) for Wales provides technical guidance on Building Regulations and fire safety.

Approved Documents are issued under the Building Regulations in separate forms for each of England and Wales. The UK Government issues the Approved Documents for England and the Welsh Government issues the Approved Documents for Wales. Both Approved Documents B have recommended that fire sprinklers, or other fire suppression systems, be installed in new residential buildings, typically with four floors or more, in England and Wales since 2007 (although the Approved Document B for Wales has since been amended to deal with the requirement to install fire sprinklers, as described below).

Acting within the devolved area of fire safety, the Assembly passed the *Domestic Fire Safety (Wales) Measures 2011*. This was implemented by the *Building Regulations &c. (Amendment No. 3) and Domestic Fire Safety (Wales) Regulations 2013*, which made automatic fire suppression systems (i.e. fire sprinklers) compulsory in Wales for care homes and certain rooms for residential purposes from 30 April 2014, and for new dwellings from 1 January 2016.

There is no requirement for sprinklers to be fitted retrospectively to housing constructed before 1 January 2016.

Compliance and enforcement

Building Control Bodies are responsible for monitoring compliance with Building Regulations.

There are two types of Building Control Body – Local Authority Building Control and private sector Approved Inspectors. A developer has the option of choosing either of the two types of Building Control Body to ensure that building work complies with the Building Regulations.

Local Authority Building Control has a statutory duty to see that building work complies with the Building Regulations and will seek to do so by informal means wherever possible. If informal enforcement does not work, the local authority has enforcement powers which it can use.

Installation of automatic fire suppression systems

Paragraph 2.6 of Approved Document B for Wales states:

... It is essential that automatic fire suppression systems are properly designed, installed and maintained. Where an automatic fire suppression system is installed, an installation and commissioning certificate should be provided. Third party certification schemes for fire protection products and related services are an effective means of providing the fullest possible assurances, offering a level of quality, reliability and safety.

The Committee received a letter from the then Cabinet Secretary for Energy, Planning and Rural Affairs, Lesley Griffiths, in relation to this petition on 5 December 2018. The letter states:

As guidance [referring to Approved Document B], it is possible for compliance with the requirements of the building regulations to be met in some other way, other than third party accreditation, such as proving competence of installing and commissioning fire suppression systems to the building control body (local authority building control or private approved inspector), even though not registered with a third party certification scheme.

Hackitt Review

Following the Grenfell Tower fire the UK Government commissioned the [Independent Review of Building Regulations and Fire Safety](#) in England. The Review was led by Dame Judith Hackitt.

An [interim report](#) was published on 18 December 2017 and the [final report](#) was issued on 17 May 2018. The interim report identified that the current system of Building Regulations and fire safety is not fit for purpose and that a culture change is required to support the delivery of buildings that are safe, both now and in the future. The final report built on this conclusion and proposed a new regulatory framework to address the weaknesses in the system to ensure a stronger focus on creating and maintaining safe buildings.

Welsh Government action

Although the Hackitt Review was commissioned in the context of the systems of Building Regulations and fire safety in England, the systems in Wales are very similar. The Welsh Government responded to Dame Judith's recommendations and the then Minister for Housing and Regeneration, Rebecca Evans, set out her initial response in a [written statement](#) on 23 May 2018. The Minister chaired an expert group to develop the recommendations into workable law, policy and practice changes for Wales. A detailed plan for implementing the recommendations is expected to be in place in the new year.

While Dame Judith's recommendations refer to buildings of 10 storeys or more, the Welsh Government has indicated that it will focus on buildings of seven storeys or more.

In her letter to the Committee, the then Cabinet Secretary states that:

Fire suppression systems form a crucial part in the fire safety provisions within buildings, particularly in high rise buildings. We will therefore investigate, as part of this work [the Welsh Government's plan for implementing changes discussed above], whether there is sufficient evidence to justify that those registered with third party certification schemes should be considered as the only method of meeting compliance with the requirements of the building regulations for the installation and commissioning of fire suppression systems.

National Assembly for Wales action

There has been much discussion in the Assembly on the issue of automatic fire suppression systems, and fire safety more generally, in the wake of the Grenfell Tower fire. This includes

the Equality, Local Government and Communities Committee's work which culminated in its report - [Fire safety in high-rise buildings \(private sector\)](#) - published in November 2018. However, none of this discussion has focused specifically on whether or not third party certification should be mandatory for those installing and commissioning fire suppression systems.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.