



NHBC House, Davy Avenue, Knowlhill, Milton Keynes, Bucks MK5 8FP

Tel: 0844 633 1000 Fax: 0844 633 0022 www.nhbc.co.uk Our Ref: DM / ES

3 September 2010

Claire Griffiths
Deputy Committee Clerk
Legislation Office
National Assembly for Wales
Cardiff Bay
CF99 1NA

Sent via email and post

Dear Sirs

Consultation - Domestic Fire Safety (Wales) Measure

Please find below NHBC response to the National Assembly for Wales Legislation Committee No.1 call for evidence on the general principles on the proposed Domestic Fire Safety (Wales) Measure.

Response to Question 1

Overall NHBC has a neutral position on the requirement for the installation of automatic fire suppression systems in new or newly created homes. Whilst the fire safety protection afforded to occupants will undoubtedly improve, this has to be balanced against technical and cost issues which led the Department for Communities and Local Government to decide that for other than high risk buildings such as care homes and flats over 30 metres high, the costs outweighed the benefits.

Response to Question 2

As stated above, the provisions within the measure will undoubtedly improve the fire safety protection in new and newly created dwellings. However, the explanatory memorandum concludes that "across Wales an average of 18 people lose their lives to fire in dwellings each year. About 80% of fire related deaths and injuries occur in the home."

This figure is subsequently used to estimate cost savings for similar premises with sprinklers installed. Recent changes in the building regulations have progressively improved the provisions within new dwellings in terms of compartmentation and installation of automatic smoke detection and it is not clear whether the premises where these deaths and injuries occurred were fitted with such measures to current standards, which may have had a significant effect on the final outcome of any fire scenario.

The explanatory memorandum also refers to the BRE Report 'Effectiveness of sprinklers in residential premises', but does not refer to some of the key conclusions of that two and a half year study.

- Residential sprinklers are probably cost effective for residential care homes (old persons, children's and disabled persons care homes)
- Residential sprinklers are probably cost effective for tall blocks of flats (eleven storeys and above)
- Residential sprinklers are not cost effective for other dwellings

Raising standards to protect homeowners



This would indicate that evidence exists that the fitting of automatic fire suppression systems to new dwellings may not be cost effective. Costs are open to debate but published data shows indicative costs of £1500 for a new build 3 bed property seem to be the norm. This needs to be balanced against a fragile economic climate, affordability and the need to incentivise housing supply to meet current and future demand projections.

Additionally, NHBC has some concerns in respect of the inclusion of the requirement within the measure to fit automatic fire suppression systems to newly created dwellings when subdividing or amalgamating existing dwellings or converting properties for domestic use. Costs of retrofitting systems in this case could be considerably more than for newly built properties and could be technically more difficult to install and maintain to a suitable standard because of the existing restrictions and infrastructure within the existing building.

Paragraph 8.46 of the memorandum states "In terms of enforcement, this would only be at the point of the completion of building work.....", however, in reality, building control bodies who are responsible for ensuring compliance with the building regulations would need to provide additional training and inspection resource to ensure that systems are correct at the time of installation rather than waiting until the time of completion. It is not considered that this would only add a small additional responsibility or minimal costs. In addition, the Ministers will be aware that Approved Inspectors do not have formal enforcement powers so this section would need modification to take account of private sector involvement.

As a standards setting body and warranty provider, NHBC would expect life safety systems to be designed, installed and commissioned by Specialists. A dedicated Competent Persons Scheme similar to that for Part P of the Building Regulations may be the solution to ensure that the highest standards are being applied.

In respect of the powers to be given to Welsh Ministers within this measure, NHBC is satisfied with the provisions in Section 1 (4), however, in terms of the provision of information, Section 3 (1) and (2), NHBC would question if this section is intended to relate to the giving of an Initial Notice or would ask if an additional section should be added specifically to cover those projects where customers have chosen to use the services of an Approved Inspector rather than the Local Authority. At present, these sections appear to fundamentally alter existing primary legislation in terms of the information required on an Initial Notice and additionally Section 3 (3) alters the grounds for Rejection of an Initial Notice and the relevant time period of 5 days currently prescribed.

Response to Question 3

NHBC has a neutral position on the practical implementation of this measure but would make the following points.

Technically water supplies need to be reliable and of adequate pressure and it is likely that residential sprinklers would not operate effectively in a significant proportion of households, due to insufficient water pressure. This will result in greater expense, as pumps and storage tanks will need to be introduced to achieve the required sprinkler coverage in the event of a fire occurring. This will require investigation to ensure that a practical solution is forthcoming that can be applied to the vast majority of new homes.

On the 26 May 2010 the Building Regulations (Review) Bill received its First Reading in the House of Lords. The revised Bill requires a review of and impact assessment for the amendment of the Building Regulations 2000 with regard to the installation of automatic fire suppression.



It seems reasonable for this bill to reach its conclusion before progressing further with the Proposed Domestic Fire Safety (Wales) Measure, so that account may be taken of the outcome.

Any subsequent amendment of the Building Regulations 2000, as a result of the Bill, should include equivalent amendments to the Building (Approved Inspectors etc.) Regulations 2000, thereby allowing all Building Control Bodies the opportunity to supervise building works for Building Regulations compliance in their entirety.

Response to Question 4

NHBC has limited knowledge of the costs of installation of automatic fire suppression systems other than that which has been mentioned above. However, NHBC would repeat the point made in our response to Question 2 that if Building Control Bodies were to be made responsible for the compliance of these systems it is likely that there would be considerable expense involved in training building control professionals to recognise correct design and installations at the point of installation on site.

I trust that the above comments are helpful and will be taken into consideration by the Committee. I would like to offer NHBC's assistance to the Committee on any aspect of our comments or any further work of the National Assembly for Wales in its desire to improve fire safety or other areas of the building regulations.

Yours sincerely

A handwritten signature in black ink, which appears to read 'D Marshall', is positioned above the printed name.

Diane Marshall
Group Head of Building Control