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CIH Northern Ireland response to Building (Amendment) Regulations (Northern Ireland) 2023 - Consultation

Overview of our response

CIH welcomes the consultation on fire safety changes to the local building regulations. We have written our response following consultation with CIH members in Northern Ireland.

It is a fundamental objective of the housing sector to ensure that all residents are safe and feel safe in their homes. The tragic Grenfell Tower fire highlighted significant safety issues in the structure and management of high-rise buildings.

This consultation contains amendments to uplift fire safety protection measures in a range of buildings. They are mainly focused on residential buildings and in particular domestic multi-residential buildings, to provide assurance and additional safety measures to residents.

The intended effect of the proposals is to reduce the consequences of fire through saving lives and preventing injuries, but we feel it is important to express our views on a missed opportunity that this consultation does not consider, and that is the

associated risk factors and therefore mitigating measures that need to be considered for those residents who are disabled or mobility impaired and if they fall outside the scope of sprinkler systems, wayfinding signage, evacuation alert sounder systems, smoke ventilation systems and secure information boxes.

Proposals also need to be practical and attainable for the sector to deliver. They must be mindful of the ripple affect they could have on other targets the sector is working to achieve. Due consideration must be given to how these changes will be funded. Language needs to be carefully scripted as the proposals cannot be open to interpretation.

Ultimately, housing organisations are striving towards making every home safe and we welcome the consultation proposals with reference to fire safety changes to the local building regulations.

Part A, interpretation and general: questions

In summary to the questions in part A of the consultation, we support the proposed changes. We would seek further clarity if A2 needs to be applied retrospectively.

Part E, fire safety: questions

We agree that adequate 'fire safety information' should be given to those with responsibilities for fire safety in a building, but this should not hold up the receipt of the Building Control completion certificate. We also agree with the proposed scope of buildings, that is 'relevant premises' as defined within the Fire & Rescue Services NI Order 2006 and buildings containing one or more flats with a storey more than 11m above ground level.

We would like to draw more attention to some of the questions in this section, namely E3, E4 and E6.

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?”

One of the main findings of the Hackitt Report warned that a lack of clarity on roles and responsibilities when it comes to building safety was one of the circumstances that left to the Grenfell Tower disaster. A lack of prescription in terms of responsibility had allowed a complete abdication of responsibility for building safety issues.

We would like to note that more prescription on this part of the regulation might be helpful, and so we suggest a duty holder is named.

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?”

Regulation 37 currently states, ‘A building shall be designed and constructed with such reasonable facilities as are necessary to assist the Fire and Rescue Service in ensuring the safety of people in and about the building in the event of a fire’ and automatic fire suppression systems are a vital provision and we agree these should be mandatory.

We would like to ensure there is consideration made to improve the safety of disabled and mobility-impaired residents in high-rise buildings and therefore ask to ensure the suitable automatic fire suppression systems take this into consideration. This includes people with a range of support needs, including people with hidden

disabilities and impairments, people with sight or hearing loss, people with cognitive impairments and people with substance misuse problems etc.

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?”

CIH agrees with the height threshold of 11m for buildings containing one or more flats and purpose-built student accommodation. There is evidence in the Hackitt report to support this; the report suggests sophisticated sprinkler systems could help mitigate risk.

However, our members feel it is important to note that this suggested change will have significant impact on the sector as the costs to facilitate this could impact the viability of projected schemes. It was proposed that there could be a ‘middle-ground’ of a 18m threshold introduced initially so the costs could be managed and forecasted more accurately whilst maintaining delivery of scheme numbers.

The Hackitt report also highlights the practical challenges to the introduction of sprinkler system usage in existing buildings that fall within the threshold of 11m. There may be a need to consult with residents, and the time implications of such processes need to be considered.

Technical booklet E, fire safety (TBE); questions

The technical nature of these questions largely fall outside our area of expertise but we would like to raise the following points.

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?”

We agree that the installation of smoke alarms in all habitable rooms should be mandatory in new builds, but there may be viability considerations of such installations in existing homes. We also believe consideration should be given to the possibility of increased false alarms and how to manage these.

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, but an emergency evacuation alert system needs to ensure it considers the needs for residents with long-term illnesses and disabilities. CIH has noted in previous responses, that the best way to ensure that disabled residents are and feel safe in their homes is to engage residents in discussions about their own safety.

The law states that ‘responsible persons’ must take reasonable steps to ensure that their residents would be safe in the event of a fire and that they could evacuate should they need to do so. In simultaneous evacuation buildings, where residents’ safety relies on being able to leave the building in the event of a fire, responsible persons must take reasonable steps to ensure that all residents can evacuate. This must include disabled residents. We believe the only way to achieve this is to offer a personal emergency evacuation plan to all residents who would not be able to evacuate by themselves independently, and to take reasonable steps to make any adjustments needed.

About CIH

The Chartered Institute of Housing (CIH) is the independent voice for housing and the home of professional standards. Our goal is simple - to provide housing professionals and their organisations with the advice, support, and knowledge they need to be brilliant. CIH is a registered charity and not-for-profit organisation. This means that the money we make is put back into the organisation and funds the activities we carry out to support the housing sector. We have a diverse membership of people who work in both the public and private sectors, in 20 countries on five continents across the world. Further information is available at: www.cih.org.

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