

**Rt Hon James Brokenshire MP**

Secretary of State for Housing, Communities and  
Local Government  
Ministry of Housing, Communities and Local  
Government  
4<sup>th</sup> Floor, Fry Building  
2 Marsham Street  
London SW1P 4DF

**Date:** 9 October 2018

Dear James

**Response to the consultation on the clarification of Approved Document B and next steps for part B of the Building Regulations**

I welcome this opportunity to respond to the proposed clarification of Approved Document B. I recognise that the clarification of this document is an interim solution while we await wider reform of the Building Regulations and associated Approved Documents. In the meantime, it is vital that the wording of Approved Document B is accessible, clear and unambiguous to ensure that the existing requirements for building safety are widely understood and complied with.

In her interim report in December 2017, Dame Judith Hackitt highlighted the gaps within the current Approved Documents and criticised them as “open to interpretation and confusion”. The tragedy at Grenfell demonstrated the potential consequences of this lack of clarity. The ensuing discovery of the prevalence of ACM cladding on buildings across London and the rest of England highlights how ineffectual the current Approved Document B is in providing a clear and comprehensive framework for compliance.

The GLA does not have a statutory role in the Building Regulations system and therefore does not have the expertise to respond in detail to the amendments proposed. However, London Fire Brigade will be providing technical feedback on the draft changes and I urge you to consider this carefully. I would like to reiterate the Mayor’s stance on a number of key issues relating to fire safety and take this opportunity to urge you to reflect these positions in your next steps for Part B of the Building Regulations.

In previous correspondence, the Mayor has made clear that assessments in lieu of tests, more commonly known as desktop studies, should be prohibited. In the absence of a compelling justification for their role or any evidence that your Ministry was willing to set strict parameters around their use, the Mayor urged you to implement a total ban on the use of desktop studies for cladding systems. It is therefore disappointing that you have adopted your proposed wording on this issue before publishing any analysis of responses to the previous consultation. I urge you to reconsider this when implementing long-term changes to the Regulations.

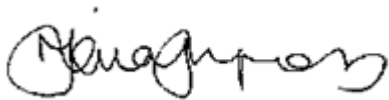
The Mayor welcomed the Government's intention to ban the use of combustible materials. He argued in his response to your consultation that the ban should apply to all buildings regardless of height or use, to ensure the move is comprehensive and straightforward to implement. The wording you have adopted in this consultation does not align with this approach. As with desktop studies, I urge you to adopt this position as part of future changes to the Building Regulations.

Finally, it is important that future reform of the Building Regulations include changes to ensure that automatic fire suppression systems, including sprinklers, are more widely used. The Mayor has made clear his support for London Fire Brigade's long-standing campaign to require sprinklers in all new buildings over 18 metres, rather than the current 30 metres.

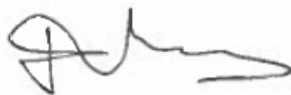
More broadly, I am concerned that the work to reform the overarching systems for building safety is not progressing with the urgency required. A year and a half after the fire at Grenfell Tower, the Building Regulations remain entirely unchanged. Moreover, the clarification of Approved Document B, as set out in this consultation, will only have an impact insofar as the competence of those using them can be relied upon.

Whilst this clarification exercise is welcome, the wider implementation plan to deliver the reform of building safety is urgently needed. I urge you to publish this at the earliest opportunity.

Yours sincerely,



**Fiona Twycross**  
Deputy Mayor for Fire and Resilience



**James Murray**  
Deputy Mayor for Housing and Residential Development