

Rt Hon James Brokenshire MP

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

Date: 01 March 2019

Dear James,

We welcome the opportunity to respond to the technical review of Approved Document B of the Building Regulations. Following the release of 'Building a Safer Future - An Implementation Plan' before Christmas, we have been keen to see the Government make progress with substantive changes. It is vital that we get these reforms right to achieve the highest standards of building safety.

We are pleased to note the continued involvement of the London Fire Brigade (LFB) in the work your Ministry is leading - the LFB's expertise, knowledge and experience have an important role to play. As you know, City Hall is not involved in setting or enforcing fire and building safety regulations. In the main, we therefore defer to the technical submission from the LFB and urge you to pay due regard to the issues they raise.

Whilst it does not have building control responsibilities, the Greater London Authority (GLA) holds strategic planning powers. Currently, the Mayor's draft London Plan is going through Examination in Public (EiP) and contains a number of policies relevant to this consultation. They demonstrate the role that planning could, and should, play in ensuring buildings include the necessary fire safety measures and in delivering on Dame Judith's recommendation that fire safety should be considered at every stage of the building's life cycle. These areas and other relevant issues are highlighted below.

Trigger heights and thresholds

The Mayor was disappointed that Dame Judith's recommendations focused on buildings of 10 storeys or more and we urge Government to adopt a broader approach ensuring safety improvements to all buildings and developments. England needs a consistent, evidence-based definition of 'high risk' which takes into account the height of residential building as well as the building users. We note that the Scottish Government is seeking to amend its Building Regulations to use 11 metres as the threshold for high-rise, based on the practicalities of fighting fires at this height.

Combustible materials ban

In his response to the consultation in August, the Mayor made clear our preference for a ban on combustible materials which applies to all buildings, regardless of use or height. We were disappointed that this was not adopted in the regulations laid in December and continue to be concerned about the use of combustible materials on buildings not covered by this ban, particularly residential buildings which only marginally avoid the 18 metres threshold. As part of this technical review, we urge you to pay careful attention to how the safety of materials is guaranteed on the external walls of all buildings.

Automatic fire suppression systems

The need for greater use of automatic fire suppression systems, including sprinklers, is clear. London Fire Commissioner Dany Cotton has spoken frequently about the benefits of sprinklers and the difference they can make in extinguishing fires, raising the alarm, and, most importantly, saving lives. The current regulations in England mandate their use in new residential blocks over 30 metres. This height threshold should be lowered at least to 18 metres (or lower, depending on the eventual trigger height) for residential buildings of all kinds, including student accommodation and hotels. Furthermore, automatic fire suppression systems should be required in buildings of any height intended to be used as a care home, specialist older persons housing or school.

Recent research by the Labour Party found that only 4% of council owned tower blocks over 30m have sprinklers installed. Given the retrofitting of sprinklers to existing tower blocks was one of the coroner's recommendations after the Lakanal House fire, it is concerning that their use is not more widespread. Whilst retrofitting is of limited relevance for Approved Document B, we would still like to take this opportunity to impress upon you and the Ministry how vital this work is. Councils and housing associations need dedicated funding from central Government to ensure existing tall buildings are safe for residents, without impacting on funding for new build programmes or repairs and maintenance to existing stock.

Means of escape

Policy D3 of the draft London Plan requires that buildings are designed to incorporate safe and dignified emergency evacuation for all building users and, where lifts are installed, at least one lift per core should be a suitably sized fire evacuation lift adequate to evacuate people who require level access. The evacuation of disabled people and those who require level access must be addressed by this technical review to ensure that buildings are safe and usable for a diverse population, and that their evacuation arrangements do not present a barrier to inclusion.

Access and facilities for Fire and Rescue Services

Policy D11 in the draft London Plan requires that development proposals achieve the highest standards of fire safety at the planning stage. This would specifically include demonstrating the provision of unobstructed space outside for fire appliances to be positioned on and for use as an evacuation assembly point. In addition, it requires the provision of suitable access and equipment for firefighting which is appropriate for the size and use of the development.

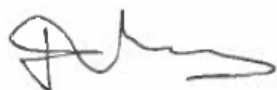
Following the conclusion of this call for evidence, we urge you to move quickly into developing and implementing more robust standards. The Implementation Plan released before Christmas was a useful roadmap for future consultations, but it failed to commit to a timeframe for the primary legislation needed for fundamental reform beyond Approved Document B. On behalf of the Mayor, we echo concerns across the sector that this work is not proceeding with appropriate urgency.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fiona Twycross', written in a cursive style.

Fiona Twycross

Deputy Mayor for Fire and Resilience

A handwritten signature in black ink, appearing to read 'James Murray', written in a cursive style.

James Murray

Deputy Mayor for Housing and Residential Development

A handwritten signature in black ink, appearing to read 'Jules Pipe', written in a cursive style with a horizontal line underneath.

Jules Pipe

Deputy Mayor for Planning, Regeneration and Skills