



Subject:	The Building (Amendment) Regulations (NI) 2023 - Draft consultation response
Date:	19 th September 2023
Reporting Officer:	Kate Bentley, Director of Planning and Building Control
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Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	To consider a draft response to a consultation on proposed amendments to Parts A (Interpretation and general) and E (Fire Safety) and subsequent guidance changes to Technical Booklet E of the Building Regulations (Northern Ireland) 2012. These amendments will be titled The Building (Amendment) Regulations (NI) 2023
2.0	Decision(s) required and recommendations
2.1	To consider the draft response to the Department of Finance consultation and agree, subject to any amendments, a response on behalf of the Council.
2.2	The closing date for responses to this consultation is 25 th September 2023. If agreed, the response will be submitted, but subject to ratification by full Council in October.

3.0	Main report
	<p data-bbox="252 219 408 250"><u>Key issues</u></p> <p data-bbox="165 286 1461 385">3.1 The Buildings Standards Branch of the Department of Finance (Department) is seeking the views of the Council on their proposals to amend the Building Regulations (Northern Ireland) 2012 (as amended).</p> <p data-bbox="165 421 1461 555">3.2 Building regulations apply to most building work and are made principally to ensure the health, safety, welfare and convenience of people in and around buildings, the conservation of fuel and power, the protection and enhancement of the environment and the promotion of sustainable development.</p> <p data-bbox="165 591 1461 725">3.3 The Building Regulations set mainly functional requirements (i.e. they identify a reasonable standard that should be attained) and are supported by Technical Booklets giving guidance, including performance standards and design provisions, relating to compliance with specific aspects of the Building Regulations for the more common building situations.</p>
	<p data-bbox="252 792 584 824"><u>Proposals and Purpose</u></p> <p data-bbox="165 860 1461 958">3.4 The Department is committed to considering the recommendations of the Grenfell Tower Inquiry and some of the changes proposed as part of this package focus on those recommendations where the Inquiry called for changes.</p> <p data-bbox="165 994 1461 1326">3.5 The proposals in the main relate to fire safety changes in buildings containing flats to provide assurance and additional safety measures to residents. Other measures are aimed specifically at assisting the Fire and Rescue Service to ensure they can provide an effective operational response. Where appropriate, the opportunity has been taken to extend some of the new requirements further beyond just buildings containing flats. For example, requiring automatic fire suppression in care homes, nursing homes, children’s homes and student accommodation, where the evidence is clear they offer a substantial benefit to life safety in comparison to the costs involved. Through these proposals, the Department is seeking to implement some of the Inquiry’s recommendations and meet its objectives in the most practical, proportionate and effective way.</p>
	<p data-bbox="252 1397 450 1429"><u>Main changes</u></p> <p data-bbox="165 1496 1461 1630">3.6 Sprinklers – The Introduction of a new mandatory requirement to install a sprinkler system in all new built flats and purpose-built student accommodation over 11m in height and to all new residential care premises irrespective of height. The requirement will also apply where these premises are created by a material change of use.</p> <p data-bbox="165 1666 1461 1765">3.7 Smoke Alarms – A proposal to update guidance in Building Regulations to require smoke alarms in all habitable rooms within a new build dwelling house or flat. Current guidance calls for alarms in the hallway, principle habitable room and kitchen only.</p> <p data-bbox="165 1800 1461 1935">3.8 Fire Safety Information – The introduction of a new mandatory requirement to provide as-built fire safety information to the person managing fire safety for buildings in occupation. This requirement will apply to most non- domestic premises of any height and to flats more than 11m in height when constructed as new or created by a material change of use.</p> <p data-bbox="165 1971 1461 2033">3.9 Smoke Ventilation Standards in Flats – Proposed changes to outdated guidance in relation to smoke ventilation in the common area of new flats. This also includes stipulation of the</p>

product standards for smoke vents and updates to the operating protocols for smoke vents in smoke shafts.

3.10 **Facilities and Access for the Fire and Rescue Services** - A change in building regulations guidance is being proposed to require the following additional facilities.

- A requirement to provide wayfinding signage in buildings containing flats over 11m in height to assist fire fighters identify floor level in a fire situation.
- Amendments to the guidance with respect to the design of firefighting shafts to reduce hose laying lengths in a fire situation and to increase the requirement in assembly and recreation buildings.
- Reduce the height at which a wet fire main should be installed.
- A new requirement for the installation of an emergency evacuation alert system in new blocks of flats with a storey more than 11m above ground level to assist the Fire and Rescue Service implement a full evacuation if required.
- Introduction of new guidance to require the provision of a secure information box in buildings containing flats with a storey more than 11m above ground level. The purpose of which is to store information which may assist with the firefighting and rescue operation in a fire situation.

Belfast City Council Response

3.11 The Building Control Service have reviewed the consultation proposals in detail and the proposed response on behalf of Belfast City Council is included in Appendix 1. The new and amended requirements have been broadly welcomed, particularly the mandatory requirement for sprinkler protection in residential buildings and the increased standards for smoke detection in new dwellings. These measures will help to protect and keep the citizens of Belfast living in new flats, purposes-built student accommodation, residential care premises and in dwellings safe during a fire situation.

An opportunity has also been taken to provide some feedback on the proposals where the new guidance is unclear or could be improved.

The full package of consultation documents can be found on the Department's website: - <https://www.finance-ni.gov.uk/consultations/consultation-fire-safety-changes-local-building-regulations>

Financial & Resource Implications

3.12 The Department of Finance have carried out a Regulatory Impact Assessment to establish the financial impact of these changes to Industry.

The changes will affect all those dealing with relevant building work, typically the erection, extension or alteration of a building and buildings created as a result of a material change of use. This may include Architects, Surveyors, Engineers, Developers, Builders, Contractors, District Council Building Control Departments, Property owners/occupiers, Insurers etc.

The economic costs to business of these changes have been estimated by the Department at £4.855m per annum with an initial familiarisation cost to industry of £173,627 (Year1) and

	<p>cost to Building Control Departments of £18,800 (Year 1) for training. Training and familiarisation will be carried out in house within Belfast at no additional cost to BCC.</p> <p>The total monetised benefits established by the Department are associated with the lives saved and injuries prevented (social benefits) per annum and the potential averted property damage. Savings due to reductions in deaths and injuries has been estimated at £420,710 per annum based on 3 lives saved and 136 injuries prevented in a 25-year period. Reductions in property damage are estimated at £1.44m per annum. There will be other social benefits associated with reducing the severity and incidence of fires, such as reducing the distress and disruption caused by fire including the upset at the loss of a person's home and belongings. In the case of very large fires the negative impact on the local community/business could be significant however it was not possible for the Department to put a value on the other social, economic and environmental benefits of the changes especially those relating to sprinkler protection and the increased standards of smoke detection.</p> <p>The impact of not implementing these changes would mean that resident safety would remain at the current level and would leave this region exposed in lagging behind fire safety standards already implemented in other regions of the UK and ROI.</p> <p>Given the majority of the changes relate to dwellings and to residential buildings the cost impact of these changes to Belfast City Councils building programmes would be minimal.</p> <p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p>
3.13	<p>The proposed amendments have been screened out by DoF in relation to the need to carry out an equality impact assessment. The equality impact screening assessment is published separately on the Departmental Website.</p>
4.0	Appendices
4.1	Appendix 1: – Draft BCC Consultation Response