

Mind the gap!

Despite a raft of new fire safety legislation in relation to Part B (Fire Safety) of the Building Regulations, dangerous gaps still exist, says Bill Parlor of the Association for Specialised Fire Protection (ASFP)



Taking the general overview, Approved Document B (Fire Safety) 2006 (AD/B) is now published in two volumes. Volume One is for dwelling houses and Volume Two for Buildings other than dwelling houses. Various changes have been introduced, such as new comments on the management of premises, the benefits available from product and installer certification schemes and the segregation of guidance for healthcare premises and schools, under HTM 05 Fire code and BB100 respectively as published by other government departments.

Discerning readers may even have spotted the reintroduction of fire division of 'under floor voids' which had curiously disappeared from a previous version; the use of sprinklers in blocks of flats more than 30m high; new guidance for the specification and installation of fire dampers; and that a maximum compartment size has been added for un-sprinklered single storey warehouses.

JOINING THE DOTS

Most AD/B users will have encountered the phrase 'There is no obligation to adopt any particular solution contained in an Approved Document if you prefer to meet the relevant requirement (from Building Regulations) in some other way'.

Now this sounds fairly simple, but the in-built assumption that those choosing a different path will always do so in a responsible manner, may not be valid and may pose an increasing problem to fire safety in the UK.

Not surprisingly, the ASFP is a robust supporter of a holistic approach to fire precautions in buildings, including the need to put out fire quickly and to keep any fire within the compartment of origin or outside the building, if that is where the fire started. But ASFP does oppose trade off introduced without due evidence and does require that all assumptions are clearly laid out on the table, so that we can have reasonable confidence in any risk assessment.

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Consequently, this overview does not intend to dwell on the 'main changes' as summarised on the inside cover of AD/B, but rather to think aloud about some of the real implications of some of the dispensations in this guidance when coupled with other changes. These especially include the amended role of fire authorities to retrospective enforcement duties for risk assessment under the Regulatory Reform (Fire Safety) Order 2005 and duties arising on contractors and designers from the new Building 16B as noted in the new Appendix G of AD/B.

We suggest there may be a growing faction who encourage unsatisfactory 'as built' constructions in the belief that they'll never be brought to court to explain their actions. Concern exists, too for fire safety design motivated solely by business and financial cost savings, especially when those responsible never even set foot on the building site in question!

The ASFP notes that the effectiveness of building control is often determined by the lowest bidder and that unscrupulous builders consider such lowest bidders as an easy way to avoid compliance. The end effect can be minimal control, if any. This is evidenced by the notorious Pacific Wharf development where the multi-storey building displayed little in the way of completed fire compartments or effective fire stopping, or fire resisting ductwork, or fire dampers, etc. All living units were directly linked with the basement car park.

We note the Government's





position that (a) the duty of the 'responsible person' to make a risk assessment in most buildings, as eventually enforced by fire authorities, coupled together with (b) duties on the 'construction team' to provide fire safety information under the Building Regulation 16B, is enough. Unfortunately, experience of the real world leads the ASFP to a very different conclusion.

Our reasoning is relatively simple:

- Some installers are still being pressured into unwanted corners, that curtail the completion or quality of work, or they risk losing future business.
- Previously, for most buildings, the Building Control Officer's (BCO) completion certificate was coupled with the Fire Officer's acceptance of the building - both steps acting together to suggest some sort of 'Permit for Occupation'.
- Today, there is minimal, if

any, fire authority input at pre-occupation stage.

- BCOs cannot prevent occupation even when the fire precautions provided are incomplete or unsuitable!

The ASFP suggests that collectively these issues beckon future disaster. Even if concern is raised, occupation can still occur until a fire authority places a prohibition notice against use of the building – but how many people will be at risk in the interval?

Today, fire authorities can only progressively apply retrospective enforcement of the new requirements to all the buildings in their sector, based on perceived risk to life. Their level of expectation, in case of fire, is not benefitting from a 'permit to occupy' for newly constructed buildings. The ASFP is equally cognisant of the need for such action.

The ASFP understands the need to avoid additional legislation when we've just

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tidied it all up, but all should recognise that this glaring gap still exists. The 'permit to occupy' stage is the one key stage when all stakeholders could usefully congregate, to agree that regulations have been properly complied with, to conclude financial matters and to formally hand over the Regulation 16B information pack to the intended owner/occupier. Without such surety the 'responsible person' could unwittingly jeopardise the life safety of persons within the scope of his or her risk assessment duties.

So, with due regard to all concerned, the ASFP does not call for a new tool box from Government, but we do strongly urge the need for an extra 'spanner' to make the mechanics job attainable. That spanner is a formal requirement for the issue of a 'permit to occupy' document.