

RIBA Consultation Response to Amendments to statutory guidance on assessments in lieu of test in Approved Document B (Fire Safety) – 9 May 2018

Consultation questions

Question 1	Respondent details
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Please state whether you are responding on behalf of yourself or the organisation stated above	On behalf of the Royal Institute of British Architects

Question 2	Select one
Please indicate whether you are applying to this consultation as:	
Builder / Developer	
Designer / Engineer / Surveyor	
Local Authority	
Building Control Approved Inspector	
Architect	
Manufacturer	
Insurer	
Construction professional	
Fire and Rescue Authority representative	
Property Manager / Housing Association / Landlord	
Landlord representative organisation	
Building Occupier	
Tenant representative organisation	
Other interested party (please specify)	Professional body

Questions 3-12 below	Yes/No/Don't Know
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<p>Question 3</p> <p>Do you agree with the recommendation in Dame Judith Hackitt's interim report to restrict the use of desktop studies to ensure that they are only used where appropriate and with sufficient, relevant test evidence by people with suitable competence.</p> <p>If no, please provide reasons and suggest an alternative approach.</p>	<p>No</p> <p>The RIBA recommends that External walls of buildings over 18m in height to be constructed of non-combustible materials (European class A1).</p> <p>For buildings under 18m in height the RIBA recommends that desktop studies, or assessments in lieu of fire tests, should be prohibited and full-scale tests be required for any untested cladding systems that do not meet the minimum prescriptive requirements in Appendix A of Approved Document B</p>
<p>Question 4</p> <p>Do you agree with the proposed amendment to the text on how to undertake an assessment in lieu of test as outlined in Annex A?</p> <p>If no, please provide reasons and suggest alternative text.</p>	<p>No</p> <p>Desktop studies have been proven to be an unreliable route to compliance and although the proposed assessment in lieu of fire safety seems to require a more rigorous process for extending test results, it is effectively a renaming of a desktop study.</p>
<p>Question 5</p> <p>Do you agree with the proposed amendment to the text on who is permitted to undertake an assessment in lieu of test as outlined in Annex A?</p> <p>If no, please provide reasons and suggest alternative text.</p>	<p>The proposed amendment would require that only 'notified bodies', i.e. Chiltern Fire, Warrington Fire and BRE, could undertake desktop studies (assessments in lieu of tests).</p> <p>The RIBA recommends investigating whether any of the 'notified bodies' have issued desktop studies for any systems on buildings that the MHCLG Independent Expert Panel have advised are unlikely to meet current Building Regulations guidance?</p>

<p>Question 6</p> <p>Do you agree with the proposed amendment to the text on the circumstances under which an assessment in lieu of test may be carried out, as outlined in Annex A?</p> <p>If no, please provide reasons and suggest alternative text.</p> <p>A1 Much of the guidance in this document is given in terms of performance classifications in relation to British or European Standards. In such cases the performance of products and systems should be demonstrated using one of the following methods:</p> <ol style="list-style-type: none"> a. be in accordance with a specification or design that has been shown by specific test to be capable of meeting that performance classification; b. have been assessed in lieu of a specific test from relevant test evidence as being capable of meeting that performance classification; or c. have been designed by using relevant design standards, as meeting that performance classification. 	<p>No</p> <p>Route a: AGREE – all products and systems should be tested and in addition the RIBA recommends that External walls of buildings over 18m in height to be constructed of non-combustible materials (European class A1).</p> <p>Route b: disagree – this route should not be included as it is essentially a desktop study and should be prohibited.</p> <p>Route c: disagree – The RIBA recommends that the approved documents should return to strong prescriptive guidance as opposed to the current outcomes-based route to compliance that enables desktop study fire engineering that cannot be relied upon to ensure a safe building. All successful building control systems around the world, including the International Building Code, rely upon a significant element of prescriptive regulation and guidance.</p>
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<p>Question 7</p> <p>Do you agree with the impact assessment?</p> <p>If no, please provide evidence.</p>	<p>The impact assessment does not take account the impact of prohibiting desktop studies (assessments in lieu of fire tests), nor does it take into account a proposal to require buildings over 18m in height to be constructed of non-combustible (European class A1) materials.</p> <p>It does not show the impact relative to the value of construction which, in 2016, was £4,793M in new public housing and £30,706m in private new housing (new orders for construction from ONS Construction statistics: Number 18, 2017 edition).</p> <p>The impact assessment explains that if a new standard form of desktop study is required then the number of desktop studies will increase. This is in direct opposition to the interim recommendations of the Independent Review of Building Regulations and Fire Safety, which was the catalyst for this consultation.</p>
<p>Question 8</p> <p>The impact assessment is principally focused on external wall construction. Do you consider it will impact any other building features?</p> <p>If yes, please specify.</p>	<p>Yes</p> <p>The RIBA recommends that desktop studies (assessments in lieu of fire tests) should be prohibited for certifying the fire safety classification for all construction products, not just those used in external wall construction.</p>
<p>Question 9</p> <p>Do you think that making this change will achieve the desired outcome expressed in Dame Judith Hackitt's interim recommendation?</p> <p>If not, please explain why and suggest alternatives.</p>	<p>No</p> <p>The rigour of desktop studies may increase but the proportion of these over full-scale tests would also increase.</p> <p>Desktop studies have been proven to be an unreliable route to compliance.</p>

<p>Question 10</p> <p>Do you consider that the use of assessments in lieu of fire tests should be prohibited for all construction products?</p> <p>Please provide an explanation of your answer.</p>	<p>Yes</p> <p>The RIBA recommends that all construction products be tested to ensure safe compliant specification, e.g. RIBA recommends that all colours of products should be tested as BBA certificates only relate to the cladding colours tested.</p>
<p>Question 11</p> <p>Do you consider that the use of assessments in lieu of fire tests should be prohibited for wall systems tested to BS 8414?</p> <p>Please provide an explanation of your answer.</p>	<p>Yes</p> <p>The RIBA recommends External walls of buildings over 18m in height to be constructed of non-combustible (European class A1) materials only. If this recommendation is included in ADB then there will be a significant drop in the need for full scale tests, these would then only be required for buildings under 18m.</p> <p>The RIBA recommends that the results of all full-scale tests, that pass the requirements set out in BR135, are published, to enable designers to specify pre-tested cladding systems.</p>

<p>Question 12</p> <p>Do you have further comments?</p>	<p>All successful building control systems around the world, including the International Building Code, rely on a significant element of prescriptive regulation and guidance. The RIBA recommends the following baseline regulatory requirements:</p> <ol style="list-style-type: none"> 1. External walls of buildings over 18m in height to be constructed of non-combustible (European class A1) materials only (high risk buildings less than 18m tall should be considered for inclusion in this requirement e.g. care homes, hospitals, schools) 2. More than one means of vertical escape from new multiple occupancy residential buildings over 11 metres high, consistent with current regulations for commercial buildings (which are arguably lower risk) 3. Retro-fitting of sprinklers / automatic fire suppression systems to existing residential buildings above 18m from ground level in height as “consequential improvements” where an existing building is subject to 'material alterations' 4. Sprinklers/automatic fire suppression systems in all new and converted residential buildings, as currently required under Regulations 37A and 37B of the Building Regulations for Wales
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