

**Future Proof- David Sugden, Chairman of the Passive Fire Protection Federation, reviews current fire safety regulations and looks to the future of fire safety**

There have been important revisions to fire safety regulations over the past year. In October 2006 the Regulatory Reform Order, Fire Safety (RRO) came into effect. The RRO is fundamentally different from previous regulations, focusing on fire prevention. Nominated individuals must take responsibility for the safety of staff and buildings by conducting a risk assessment of both active and passive fire protective elements. Passive fire protection measures should be built into buildings to ensure safe escape routes and prevent fires spreading, and risk assessments under the RRO must expressly cover these. In April this year a new version of Approved Document B (AD B), which regulates fire safety in new buildings came into force. Issued by the Department for Communities and Local Government (DCLG) the document is an important set of guidelines that has, over the years significantly progressed fire safety in England and Wales.

Broadly speaking there is much to be welcomed in the current guidelines, and overall they represent a positive step on the road towards improved fire safety. For the first time AD B makes reference to The Regulatory Reform Order (RRO). The cross referencing of AD B and RRO gives architects, specifiers, builders, owners and occupiers a new platform from which to consider the importance of fire safety when designing, constructing and occupying a building. Specifically, the new version of AD B requires developers to pass on information regarding the fire safety strategy, and products used, to the owner/occupier (See Appendix G of AD B). A good deal of ink has been used in describing the advantages of “joined up” regulations - this is a good example of the idea in practice and the benefits it can bring.

### **Recognising the role of Third Party Accreditation**

The importance AD B gives to Third Party Accreditation is also to be welcomed. To this end the General Introduction of AD B (0.15) states: “when products supplied and installed by companies that are members of Third Party Certification schemes the Building Control Body (BCB) may accept such Certification as evidence of compliance

with the regulations.” Recognising the role third party accreditation can play is an important step in the right direction. However the latest revisions to AD B simply don’t go far enough.

### **Will there be any new fire regulations from April 07?**

I do not expect there to be any major changes to fire laws in the short term. With the RRO and AD B both coming into force recently, it would not make sense for another set of regulations to appear so soon. However, in my view we need a fundamental review of our current fire safety laws. It stems from the UK style of building regulation - particularly where Fire Safety is concerned. Guidance at present is just that: guidance. Much of AD B is concerned with setting out ultimate goals rather than describing, in concrete and prescriptive terms, what must be done to make these goals achievable. Consequently while requiring developers to construct a “fire safe building”, AD B sometimes overlooks the details of how this should be done.

### **Tall buildings: a massive omission**

No discussion on fire safety regulations would be complete without mention of what is a massive omission. Current regulations for tall buildings are really not up to the job. As things stand, the guidance for the construction of a building 31m in height and one which stands 331m is the same. Yet clearly buildings of very different heights represent very different propositions - particularly in the event of a fire. Modern multi-storey buildings tend to offer a complex mix of occupation. Many include offices, a hotel, residential, retail and leisure areas. AD B places a building’s function into a neat box which is simply not good enough. It is unrealistic to class a tall building as having one function, such as residential, office or recreational. While the current recommendations for these are based on the same principles, they will differ according to the building’s function. We can no longer take this simplistic view.

All floors in tall buildings are required to be “fire compartments” and this includes the outer walls which, in current regulations need two hours integrity and load bearing capacity. This requirement may be met by the frame of the building and cladding systems hung from the frame. It is essential that fire sealing between floor edges and

the cladding system is rated at two hours, even under current regulations. Occupants of upper floors are likely to expect any fire outbreak on lower floors to be contained and for the load bearing capacity of the steel or concrete frame not be compromised. It has been shown that fire can break out of a building, and then break back in higher up the structure. Integrity requirements for external walls are rated from one side only, the inside. Is this adequate? Is two hours long enough?

### **A lack of advice from the DCLG**

One of the most contentious areas from AD B is the removal of the requirement for self closing mechanisms on fire doors in domestic situations. A fire door can only be a fire door when it is closed. If left open, there will be no fire containment and the stark reality is that fire will spread. The industry was promised by The Department for Communities and Local Government that there would be a press campaign highlighting the need to keep all doors, especially fire doors closed at night and whenever a building is unoccupied. Details of this campaign are not yet available, yet AD B has now been in force since April. Much advice is given on the importance of smoke alarms, yet a smoke alarm on its own will not save a building from burning to the ground. Only when used with passive fire protection measures, such as closed fire doors can smoke alarms be truly effective.

### **Change is needed, but when and how will it happen?**

The industry will continue to develop themes based on the last two sets of guidelines. There will be a review of how both AD B and the RRO have been interpreted, and their practical success will be monitored. As mentioned earlier, there is new importance placed on Third Party Certification (TPC), and there is now a need for the regulators to decide on what constitutes a suitable TPC scheme. All sectors of the Passive Industry support the use of both TPC for products and for installers and have agreed the basic requirements that should be sought by users and regulators when work is undertaken that involves passive fire Protection (PFP). The use of such schemes is just as important to the maintenance of PFP in existing buildings as it is in new construction and so the "Responsible Person" under the RRO should require work to be done by such contractors and with TPC products.

The Passive Fire Protection Federation has outlined the essential elements of TPC as:

- Independence - the certification body must be independent, so that it cannot be influenced by buyers, sellers or manufacturers, thus avoiding any conflict of interest.
- Experience - the certification body must have demonstrable experience of product testing and evaluation, with access to appropriate and independent test facilities, and be able to show that it understands the products and installation requirements it evaluates.
- Accreditation - the certification body must itself be accredited to deal with the product or service in question by a recognised international body, such as UKAS, to the applicable standards.
- Publication - the technical requirements for certification and their method of evaluation must be published and publicly available.
- Endorsement - the certification scheme and its technical requirements should reflect accepted industry principles and practice and, for passive fire safety systems, be endorsed by the Passive Fire Protection Federation as the passive fire industry's representative body.

**The benefits of the changes and legal updates, and how will they effect the industry**

The industry spends time and money developing products that improve the safety of buildings and allow the owner and /or developer to meet legislative requirements. It is now clear that Government legislation is placing responsibility for fire safety firmly on the shoulders of building owners and occupiers by the use of "Risk Assessment" at all stages in the process. There are recent examples of well installed products saving lives in a fire situation and of badly detailed buildings suffering more damage and putting people at risk. The emphasis on TPC is a major benefit to the client and help to the responsible person in meeting their "Duty of Care". Interestingly, the risk assessment principle even extends to the Brigade response as part of their "Integrated Risk Management" planning where they decide the level of response required to certain buildings should fire occur.

All the guidance in AD B, both on the construction of the building and the information to be passed on to the Responsible Person, as defined in Appendix G will benefit UK plc. If the regulations are followed we shall have a more sustainable building stock, and reduced loss of life from fire. The legal sanctions available to the regulators against those who ignore the guidance are very real and could result in the closure of buildings or even criminal action for non compliance.

As long as those in the industry are doing their jobs there is no need for them to panic as they will not feel any effect from the changes. But, all must consider how they are working, and more specifically if their work complies with the regulations as personal responsibility is part of the mandate for all new guidance.

The current regulations have, in there various connotations through the decades done much to advance the cause of fire safety, and the latest versions offer further improvements. However, I believe guidance has gone about as far as it can in its present form. Instead of revising and re-revising documents, the government should now undertake a wholesale review. We need to challenge the preconceptions on which much of the existing regulations are based. To do this we must have an open debate on the future of fire safety and the successor to AD B. I believe the time for this debate has now come.

**ENDS**

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Editors notes: The Passive Fire Protection Federation (PFPF - [www.pfpf.org](http://www.pfpf.org)) is dedicated to growing awareness and giving advice on fire protection, and the Regulatory Reform (Fire Safety) Order 2005 (RRO). Our members include the Chief Fire Officers Association, the Department of Communities and Local Government (previously the ODPM), the Royal Institute of Chartered Surveyors and the Building Research Establishment. Our website carries advice on what to check and best practice in all passive fire protection measures