

Consultation response:

Clarification of Approved Document B

National Housing Federation response

8 October 2018

Summary of key points:

The National Housing Federation welcomes the clarifications made to Approved Document B of the Building Regulations. In our response, we:

- Set out our support for the clarifications made in the new draft of Approved Document B
- Recommend further changes to the guidance that could provide additional clarity
- Ask the Government to consider providing open access to the British and European standards referred to in the guidance, removing all barriers to understanding the routes to compliance

1. Introduction

The National Housing Federation (the Federation) is the representative body for housing associations in England. Our 900 members own and manage more than 2.6 million homes nationally, as well as providing vital care, support and community services. Housing associations are independent, not-for-profit organisations driven by their social purpose - to ensure everyone in the country has the opportunity to live in a quality home that they can afford.

The tragic events at Grenfell Tower have called into question the effectiveness of the legislative and regulatory regime for buildings, particularly high-rise and multi-occupancy residential. In her report, Building a Safer Future, Dame Judith Hackitt identified the potential for ambiguities and inconsistencies in the Approved Documents. The Federation therefore welcomes the Government's consultation on clarifying Approved Document B (ADB) and its commitment to conducting a wider technical review of the fire safety guidance.

The housing association sector will continue to work with the Government and industry partners to make the Hackitt Review's recommendations a reality.

2. Summary

We have developed this response alongside our members, through consultation with relevant member groups and with the National Social Housing Fire Strategy Group. We are in broad agreement that the suggested changes provide the additional clarity that the Government intends.

In our response, we suggest ways that the clarification could go further and we highlight specific suggested changes that will support users in objectively understanding the ADB. These include:

- Providing open access to the European and British Standards referred to in the guidance, removing all barriers to objective understanding
- Considering the benefit of separate specific guidance for high rise residential buildings in particular and buildings providing supported housing, such as hostel accommodation
- Addressing unintended ambiguities and typing errors in the guidance

We look forward to the upcoming review of the technical aspects of the guidance, as a necessary means to address other areas of ambiguity.

3. The Federation's view on clarifying ADB

The Federation welcomes the Government's consultation on clarifying ADB. Our members have reported a range of difficulties in referring to the current guidance when ensuring compliance with the Building Regulations. As well as welcoming this consultation as a means to address these difficulties, we look forward to the wider technical review of the guidance due later in the year.

Overall, housing associations have reported confusion over routes to compliance both internally and when seeking approval from relevant authorities. A clarified ABD would ensure there is certainty around what is and isn't compliant, principally for the sake of residents' safety but also to make best use of housing associations' resources.

Housing associations have raised a particular point, however, that we believe the Government should consider in terms of providing absolute certainty to any organisation using the guidance. Where British and European standards are referred to, an organisation or individual must purchase access to the standards. In the interest of removing barriers to objective understanding of the guidance, the Government should also consider removing cost barriers by providing open access to the standards referred to in ADB.

Our members have also highlighted the benefits of providing separate and specific guidance for certain types of supported accommodation, such as hostel accommodation. The nature of such housing can have specific implications for fire safety, with ADB users reporting a need to make this clearer in a separate section or document.

In addition to answering the consultation questions, we are also submitting some specific changes to the copy, including examples of remaining ambiguities and typing errors that may denigrate from users' objective understanding. These are set out in the appendix.

4. The Federation's responses to the consultation questions

Consultation question	Federation response
<p>3) a) Do you agree that the volumes of ADB should be split between dwellings and non-dwellings?</p> <p>b) If no, how else should they be split?</p>	<p>Yes, we agree with this approach.</p> <p>In addition to the split, we suggest that the numbered sections in each volume align – for example, the section on resisting fire spread over external walls is section 11 in volume 1 and section 13 in volume 2 currently.</p> <p>We believe there is also a case for providing separate and specific guidance in relation to more specialised types of housing, such as hostel accommodation and we suggest the Government consider the benefits of this.</p>
<p>4 a) Do you agree that flats should be included in the same volume of ADB as dwellings?</p> <p>b) If no, please give a reason for your answer.</p>	<p>Yes, we agree with this approach.</p>
<p>5) a) Do you think there are sections of the guidance where the amendments have gone beyond providing clarification?</p> <p>b) If yes, please tell us which section/s and the reason for your answer.</p>	<p>We agree that the amended sections provide greater clarity. However, we suggest the following additional changes:</p> <ul style="list-style-type: none"> • In B4 - External fire spread; Intention (p90) – this section should follow the same sequence as the subsequent sections it refers to • There are some remaining inconsistencies in the application of using European standards • The definition of REI should appear in the key terms section, to support understanding of the requirements for fire resistance • The 'unnecessary information advice' that is reported to have been removed should be stipulated so that users can make an

	informed judgement as to whether its removal aids clarity
6 a) Is the signposting to standards and other documents clear in ADB? b) If no, please tell us how you think it could be presented in a clearer manner.	We agree that this approach is clear.
7 a) Do you think there is any guidance in ADB which should be in an industry standard instead? b) If yes, please tell us which section/s and the reason for your answer.	Yes Clear over-arching standards for all areas covered would provide the absolute certainty users need to ensure compliance. In her review of Building Regulations, Dame Judith Hackitt recommended that guidance on how to meet the Building Regulations be owned by the industry, while the Government set out regulatory requirements and provide oversight of the regulatory system. We agree with this recommendation. We also believe that there should be open, cost-free access to the European and British standards referred to in the ADB, so that there are no barriers to any user fully understanding the guidance.
8) a) Does the “Assessment of Impact” in Appendix B provide a proportionate presentation of the likely impacts of the proposed change? b) Please provide any additional evidence you may have available on the impact of the proposed change.	We have not conducted our own quantifiable impact assessment of the changes. However, our members are in broad agreement that the suggested changes will provide clarity, saving them time in referring to different parts of the document. We also believe that any further clarity provided by the technical review will save resources in deciphering routes to compliance, and in overcoming disagreements over compliance with the controlling authorities.

5. Conclusion

The National Housing Federation agrees with the suggested changes made to the Approved Document B in providing clarity over the guidance. We have suggested further changes to the copy and raised additional questions to provide further clarity, which we ask the Government to consider.

6. Appendix

The below table sets out the Federation’s specific suggested changes to the copy of ADB and has been submitted to the Government alongside our responses to the consultation questions.

Num.	Volume	Section & Subsection	Paragraph/Diagram/Table /Note/Appendix	Comment (justification for change)	Proposed change
1	1	2.1	Paragraph 2.5 (NOTE)	The note refers to diagram D4 for an explanation of ground level. But diagram D4 shows three ground levels with no indication as to which relates to section 2.1	
2	1	3.26	Paragraph 3.26	This note refers to the standard BS9991, however BS9991 still allows combustible materials in access deck soffits regardless of building height: e.g. Reynobond PE ACM would be acceptable as 'Class 0'; no limit on insulation types	
3	1	3.94	Paragraph 3.94 (b)	This is ambiguous - the reference to only one escape stair could feasibly refer to the whole building, or having only one escape stair from the basement.	
4	1	5.5 and 5.8	Paragraph 5.5 and 5.8 (b)	5.5 requires REI60 for compartment wall between houses; 5.8 requires REI30 for compartment walls+ floors where top storey of a building is <=5m above ground level This is ambiguous as to which takes precedence.	The guidance could include a statement that the more onerous of two stated performance requirements should take precedent.

5	1	7.2	Paragraph 7.2(b)	This refers to Appendix B, tables B1 and B2, but this is incorrect.	The correct tables to refer to are B2 and B3
6	1	9.5	Paragraph 9.5	There is a missing word: A pipe with a maximum nominal internal diameter ...may be used with a class A1 sleeving, as shown in diagram 9.1, the pipe is made... Should this read 'if' a pipe is made?	
7	1	10.14	Paragraph 10.14	There is a typing error - it reads at the end of the sentence 'may be used instead purposes' which doesn't make sense.	

8	1	Appendix B	Tables B2 and B3	<p>Table B2 itself includes non-structural elements and is titled 'specific provisions...elements of structure etc.' for that reason.</p> <p>Table B3 also covers non-structural elements (eg non-load bearing external walls) but does not include the extending 'etc'.</p> <p>Also the referring clauses do not differentiate well between Table B2 (tested standards for construction elements) and Table B3 (performance standards for buildings in different Use Class Groups)</p>	
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