

Fire Safety: Risk Prioritisation in Existing Buildings - A Call for Evidence

Local Government Association response

About the LGA

1. The Local Government Association (LGA) is the national voice of local government. We work with councils to support, promote and improve local government. We are a politically-led, cross-party organisation, which works on behalf of councils to ensure local government has a strong, credible voice with national government.
2. We aim to influence and set the political agenda on issues that matter most to councils so they are able to deliver local solutions to national problems. The LGA covers every part of England and Wales, supporting local government as the most efficient and accountable part of the public sector.

QUESTION 3.

Do you agree that a case by case risk-based approach should be taken for existing buildings?

3. Yes, every building is unique and a case-by-case risk-based approach therefore makes sense.
4. Several recent fires referred to elsewhere in this response (and at The Cube student residence in Bolton), have illustrated the dangers to residents in buildings under 18m, while the Expert Panel's recommendation that ACM cladding should be removed from buildings of any height, illustrates the practical need to consider issues other than height.
5. At the same time the LGA recognises that a lack of capacity in the existing regulatory system means that addressing the crisis in building safety that has become apparent since the Grenfell Tower fire poses a significant challenge to existing regulators (councils and fire and rescue services). The creation of a new regulator will not alter this and while additional funds and more effective powers and sanctions will help, there is a national shortage of fire engineering and other expertise that cannot swiftly be overcome.
6. We support the government's lowering of the height threshold at which automatic fire suppression systems are required and combustible cladding materials banned in new buildings, as these will remove risks to safety in future. However, a more sophisticated approach is required to existing buildings.
7. Focussing on risk rather than height will help regulators focus limited resources on the most dangerous buildings, while also meaning that building-owners are not burdened

unnecessarily where their building is low-risk. A building over 18m is not automatically a high-risk building and a low-rise building is not automatically low-risk.

8. Any new regulatory system has to be flexible enough to allow the regulator to alter its inspection plans in future to cover newly-emerging risks and to recognise that the risk profile of buildings alters in response to the development of new materials and design ideas and in response to regulation. WE suspect that there is a significant number of dangerous buildings in the 17-18 metre range that have been constructed to be of the maximum height permissible before the tougher regulation of buildings over 18m kicks in.

QUESTION 4.

What factors, aside from height, do you think should be considered when classifying building risk? Please provide evidence to support your answer.

9. A great deal of work on this topic is being done by the Joint Regulators Group and the Fire Protection Board. From our involvement in this work we believe the factors to be considered should include the following:

Occupants:

10. Does the building have a higher than average number of residents who need significant assistance with evacuation? For example, care homes are considered to be of particularly high risk by the NFCC. We are also aware that the NFCC is concerned that some premises which are effectively care homes and which carry the same fire risks as care homes are able to bypass the fire regulations that apply to traditional care homes.

Use:

11. Does the building have mixed use and if so, what non-residential premises are housed within it?

Construction:

12. Does the building have a car park underneath residential premises? We are aware of at least one premises under 18m designed to have car parking at ground level which has been prohibited for fire safety reasons.
13. Is the building a large panel system building? WE are aware of concern at the approach being taken by some engineers to assess the risk of disproportionate collapse due to fire in LPS buildings.¹

¹ <https://www.structural-safety.org/publications/view-report/?report=12676>

14. Is the building timber framed? Several recent fires have involved timber-framed buildings under 18m in which fire-stopping appears to have been inadequate, for example Richmond House, Worcester Park; Beechmere care home, Crewe; and Pankhurst Avenue, Brighton
15. Does the building have cladding or balconies and if so, what materials have been used in their construction? The need to consider cladding is self-evident in the current context, while the fire at Barking emphasises the dangers posed by balconies. It is worth adding that as the fire at Knowsley Heights, Liverpool, illustrated in 1991 even cladding systems that do not contain combustible material can assist fire spread if cavity barriers are not properly installed.
16. How many staircases/exit routes does the building have?
17. Does the building have an automatic fire suppression system (e.g. sprinklers)? The Government implicitly accepted the evidence the LGA and others have submitted about the effectiveness of sprinklers when the Secretary of State he announced his intention to lower the height at which they are required in new buildings. We repeat our call for him to require them to be retrofitted in existing buildings where there is a risk-based case for doing so and to fund retrofitting in council-owned properties.

Management:

18. Are there concerns about the management of the building? For example, where one company owns several sites and there are known to be management failings at one and have previous inspections revealed shortcomings in fire safety measures?
19. Was the building constructed by developers whose work has been found to be inadequate elsewhere?

QUESTION 5.

**How significant do you consider height to be when classifying building risk?
Please provide evidence to support your answer.**

20. It is not possible nor advisable to give a generic answer to this question. Height is certainly a significant factor because it is a factor in determining the difficulty of evacuating a building and of fighting a fire on the external walls. However, in both cases height is not the only factor. The number and nature of escape routes and the vulnerability of occupants will affect evacuation times while the design of the building and the materials used in construction will affect firefighting. This is why a case-by-case risk-based approach is necessary. The expert panel has recognised this by calling for ACM cladding to be removed from buildings of any height.

QUESTION 6.

Please specify areas the research on the prioritisation of risks in buildings should consider.

QUESTION 7.

Please specify approaches and evidence the research should consider when prioritising action between different buildings.

QUESTION 8.

Please provide innovative ideas and supporting evidence of approaches to assessing risk in existing buildings

General response to Qs 6-8

21. As the body charged with overseeing firefighting and evacuation by fire services across the UK, we recommend that the Government allow the NFCC to advise on this point. We suggest areas for research below on the basis of issues that have arisen in our policy work.
22. We are aware of anecdotal evidence that cavity barriers are rarely installed correctly in cladding systems. As any cladding system with ineffective cavity barriers risks a breach of compartmentation this is an area worthy of further investigation.
23. Timber framed buildings are not necessarily a fire risk and have advantages from a sustainability point of view. It would be useful to be able to narrow down the factors that make one timber-clad building more dangerous than another and establish whether ALL timber clad buildings are a fire risk, or whether cross-laminated timber is a higher-risk factor and whether fire risk in timber-framed buildings owes more to inadequate fire-stopping, than inherent material properties.
24. The LGA has previously called for Government to fund retrofitting of Automatic fire suppression systems. It would be useful to know the extent to which this might mitigate other risk factors in order to judge the relative costs and benefits of sprinkler installation versus the remediation, for example, of inadequate fire doors.
25. Finally, research could usefully consider how best to include resident concerns in assessments of risk.