

Background Note on Recent Changes to Part B and Technical Guidance Document (TGD) B of the Building Regulations

Part B and Technical Guidance Document (TGD) B of the Building Regulations deal with Fire Safety. Part B of the Second Schedule of the Building Regulations sets the legal performance requirements of buildings and the associated TGD provides guidance on how to achieve that performance for common building types. Where works are carried out in accordance with the guidance in TGD B, this will, prima facie, indicate compliance with Part B.

The design of apartments, in Ireland, has been evolving over recent years, as design teams learn from best practice around the world. In particular, open plan apartments are becoming increasingly popular.

Technical Guidance Document B – Fire Safety - 2006 did not provide specific guidance on open plan apartment arrangements. In 2018, following liaison with Dublin Fire Brigade (DFB), a working group of experts from DFB and the Department was set up to examine the issue of open plan apartments in Ireland and develop appropriate guidance.

The aim of the additional national guidance is to provide both local authorities and industry with greater clarity on how to achieve and demonstrate compliance with Part B for open plan apartments and to promote consistency across the country.

In developing the additional guidance, standards, tests, engineering approaches were considered and fire safety requirements in a number of jurisdictions, including England, Scotland, America, Australia, Denmark and Hong Kong were reviewed. It should be noted that many countries have few or no explicit requirements inside the entrance door to the apartment. The guidance did not emanate from lobbying as suggested in recent media coverage.

The published guidance was developed to maintain a level of fire safety performance in open plan apartments that is at least equivalent to a traditional apartment with a protected entrance hallway, it also compares favourably with other jurisdictions examined while also aligning with the Irish default policy of evacuation.

In relation to Ireland's evacuation policy, the Fire Safety Task Force established in the aftermath of the Grenfell tragedy to undertake a complete review of the approach to fire safety in Ireland, in its report of May 2018, highlights evacuation of buildings as the default policy in Ireland. This is distinctly different from the "stay put" policy in other countries. The Report also states "The key to life safety in all apartment buildings is a proper two-stage fire detection and alarm system, together with an evacuation strategy..."

Therefore, the additional guidance amending TGD B 2006 published in February 2020 includes the following;

- Clarification with respect to the provision of common alarm systems in buildings containing flats
- Clarification with respect to the provision of refuge spaces generally in the lobby or escape stairs in buildings containing flats
- Inclusion of a new Section specifying provisions for open plan flats:
 - Guidance on the fire protection required for the kitchen area,

- Appropriate maximum travel distance within an open plan flat,
- Provision of sprinkler protection within the open plan flat, sprinklers have a proven international performance in controlling fires,
- enhanced fire detection and alarm systems, smoke detectors in all habitable rooms and risk areas including bedrooms are needed to ensure early detection and warning of a fire,
- clarity on adequate separation of the main kitchen cooking appliances from the escape route, where an open kitchen is proposed, the figure of 1.8m is in line with international research and testing and
- A minimum fire resistance requirement for the exit door from the flat.
- Inclusion of a new Section relating to extended corridor travel distances,
 - Maintaining tenability conditions for escape, in common escape routes; corridors, lobbies, and escape stairs as well as the ventilation of smoke and toxic gases,
 - Provision of appropriate ventilation systems for corridors / lobbies.
- Inclusion of a new Section relating to domestic sprinkler systems, specifying:
 - minimum duration,
 - requirements to ensure the robustness of the system.
- Clarification in respect of the provision of dedicated firefighting lobbies in buildings containing flats (Purpose Group 1(c)) with a floor level over 20 metres.

While some media coverage has identified particular provisions in isolation, all of the guidance should be considered collectively as fire safety must be addressed in a holistic manner, considering building resilience, and ensuring a building is safe for occupant egress and firefighter operations simultaneously.

Some media reports have also suggested a transfer of responsibility for fire safety. There is no change in this respect and the legislative position is very clear. Builder, owners and designers are responsible for compliance with the Building Regulations including Part B. When a building is constructed and occupied, statutory responsibility for safety is assigned by section 18(2) of the Fire Services Acts, 1981 & 2003, to the 'person having control' of the building. The person having control is required to take reasonable measures to guard against the outbreak of fire and to ensure the safety of persons in the event of fire. In multi-unit developments, the "person having control" is generally the Owner Management Company. The local authorities have significant powers of inspection and enforcement in this regard.

All proposed changes to the Building Regulations or amendments to TGDs are formally notified to the European Commission, subjected to public consultation and a Regulatory Impact Analysis. This additional guidance to TGD B 2006 is no different, a draft of the additional guidance to TGD B was published for public consultation from 23 June 2019 to 23 August 2019. A significant number of submissions were received from individuals (2), fire safety consultants (4), housing providers (12), organisations (15), and local authorities (6). The Department's team carefully evaluated all 39 submissions received, which included approximately 400 comments. In addition a number of

meetings also took place with stakeholders such as local authority fire officers, fire safety consultants and construction industry stakeholders.

Finally, it should be noted that a full and comprehensive review of Part B & TGD B 2006 is also under way. Following a consultation process on the Part B/TGD B 2006, in 2014, a decision was made to develop TGD B into two volumes: Volume 1: Buildings other than dwelling houses and Volume 2: Dwelling Houses. In 2017, a new Part B/ TGD B Volume 2 was published and came into force on 1 July 2017. Work is progressing on Volume 1 - Buildings other than dwelling houses at present.

The issues and ongoing reports on the Grenfell fire form an important pillar of this work. In particular the recommendations by Dame Judith Hackitt on the importance of maintaining building resilience by having sufficient layers of protection through the provision additional redundancy to ensure safety of occupants. Equally, our review takes note of, and considers common and emerging building trends, developments and events from a global perspective, matters relating to external fire spread, external fire resistance, internal fire resistance, cladding systems, sprinklers, etc. It is intended to publish a draft for public consultation later in 2020.

Link: [Building Regulations – 2006 Technical Guidance Document B – Fire Safety](#)

27th February 2020