

Response ID ANON-GQZC-BA8U-5

Submitted to Building standards (fire safety) - a consultation on external wall systems
Submitted on 2021-10-06 08:41:56

Ministerial Foreword

Questions

1 It is proposed to remove the words "is inhibited" in the mandatory standard which is considered to be ambiguous and replace the words with "does not unduly promote fire spread taking into account the height and use of the building" to provide clarity of intent in the supporting guidance. Do you:

Not Answered

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current standard could be improved. :

2.1 Do you agree with the proposed definition for MCM category 3 ?

Not Answered

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on an alternative definition. :

2.2 Do you think that the ban on MCM (category 3) materials should be in guidance or regulation?

Not Answered

Please select only one answer and provide your reasoning in the box below.:

3 Which of the four options is your preferred choice?

Not Answered

Please select only one answer and provide any reasoning in the box below. :

4 Do you think that the current list of exemptions should be amended to include other penetrations e.g. cavity wall vents, boiler condensate pipes, drainage and overflow pipes, ventilation extract ducts, balanced flue liners etc. ?

Yes

Please select only one answer and provide your reasoning in the box below. :

HHIC support unambiguous statutory guidance, which makes clear what the expectations are for different products which might pass through a wall of this type (e.g. service penetrations through A1/A2 cladding/insulation). We would be willing to work with BSD to help clarify the intent of the guidance for certain heating industry products, whilst ensuring safety, and a proportionate, risk-based approach.

Currently, we find this somewhat of a confusing consultation proposal, as our reading of the technical handbook, and parallel dialogue with BSD, would lead us to believe that, certainly in the case of "flue liners", they are already exempt? This in the context of the specific circumstances under consideration here (buildings >11m with external wall cladding systems, attracting requirements for A1/A2 classification; or BS 8414 test alternative).

This is because where such systems are present, the handbook (reaction to fire annex) talks of current exemptions for materials "used as part of such a wall". Whilst the current list is very similar to those held in England & Wales as exemptions from the A1/A2 requirement for anything used to construct, "or housed within..", the external wall, the language in the handbook is more ambiguous, and does not make clear if the focus in Scotland is on materials used to construct the wall only, or also on otherwise unrelated services which may pass through it (e.g. flue liners)?

But we understand the remit in Scotland is not currently to look at the entire external wall, but the cladding/insulation only, which would lend itself to the former?

We note that the "new" 2019 handbook requirement in these regards was and is focused on external wall cladding systems specifically. Where separate work is undertaken, for example boiler flues (flue liners) replaced with a new appliance, the regulatory requirement is for that work to comply with the regulations, and to ensure that other parts of the building are left no less compliant than they were before. So we don't see that the current text introduces a requirement for the boiler flue to be A1/A2 compliant itself, nor should it.

Subject to adherence with other separate requirements of the handbook (and regulations), compliance will be achieved for boiler replacements, and the flue itself. Then, considering the new flue will generally either be a like for like replacement (i.e. non A1/A2 material before and after), or potentially a new A1/A2 compliant flue, it's interaction with other parts of the building, e.g. any cladding systems present (even if they attract an A1/A2 requirement), should ensure that these parts remain "as good as or better", in terms of compliance.

In summary we would support flue liners as a specific exemption, if it aids clarity, but the questions raised above also have pertinence to other heating sector products, e.g. the boiler condensate pipes mentioned in the consultation question. We would support this addition also, but the question is whether we should require an exhaustive list, or whether clarity on policy intent/application is required, and might be equally as effective?

5.1 Are there any proposals in this consultation which you consider to impact or have implications on equality groups? Choose from the following options:

Not Answered

Please select only one answer and provide any comments in the box below. If selecting yes, please specify which of the proposals you refer to and why you believe specific groups will be impacted:

5.2 Do you think that any of the proposals in this consultation have any financial, regulatory or resource implications for you and/or your business (if applicable)? Choose from the following options:

Not Answered

Please select only one answer and provide any comments in the boxes below. If selecting yes, please specify which of the proposals you refer to and why you believe financial, regulatory or resource implications will be impacted.:

About you

What is your name?

Name:

Neil Macdonald

What is your email address?

Email:

neil@hhic.org.uk

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

The Heating & Hotwater Industry Council (HHIC)

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response only (without name)

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Please enter comments here.: