



Review of the ban on the use of combustible materials in and on the external walls of buildings including attachments

A technical consultation paper

G15 response

About the G15

The G15 is the group of London’s largest housing associations. Our members house one in ten Londoners and own or manage more than 600,000 homes across the country. We’re independent, charitable organisations and all the money we make is reinvested in building more affordable homes and delivering services for our residents. Each G15 member is different, but we’re all striving towards the same goal – to solve the capital’s housing crisis and improve the lives of Londoners.

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Introduction

Ensuring our homes are safe for residents is our single greatest responsibility as building owners and landlords. This includes new buildings and those undergoing changes of use or works, which the ban on combustible materials applies to. The ban has an important role to play in making sure that residents of these buildings are safe, and we welcome the opportunity to help the government make the ban work as well as possible for residents and landlords.

While we are broadly supportive of the government's proposals, there are three general points we would like to emphasise:

- As we discussed in our [response](#) to MHCLG's recent call for evidence, 'Fire Safety: Risk Prioritisation in Existing Buildings', fire safety risk is determined by the interaction of multiple factors, and should be assessed as such. We are generally supportive of a risk-based approach to fire safety, which would see the overall safety risk of new buildings assessed at planning stage, throughout construction, and at handover. (For buildings undergoing a change of use or other work, risk assessment would occur before and during the change of use or work.) The risk-based approach is preferable to an approach which focuses only on individual building characteristics in isolation, since the former approach is more likely to reflect genuine building safety risk.
- Government should carefully consider the impact that changes to the ban could have on residents of existing buildings. While the ban does not apply to existing buildings where no work is being carried out, it has indirect implications for such buildings, because Building Regulations are inevitably considered to set the standard for safety in all buildings, whether new or existing. A change in the ban could lead certain existing buildings currently considered safe to be considered unsafe by mortgage lenders. This could have the consequence of trapping many more leaseholders in flats they are unable to sell, a situation which the government should do all it can to avoid. We discuss this issue further in response to Question 4.
- We support the government's proposals to commission further research on the height threshold for the ban and use of laminate glass. In general, Building Regulations should be thoroughly evidence-based, and we would like to see MHCLG commission more research to support policy on building safety and serve as guidance for the sector. We suggested areas for research on building safety in our [response](#) to the call for evidence, 'Fire Safety: Risk Prioritisation in Existing Buildings'.

Q3. Building types

3a. Do you agree that hotels, hostels and boarding houses should be included in the definition of relevant buildings in Regulation 7(4)? Please provide evidence to support your answer.

Yes. Firstly, the fact that occupants sleep in these types of buildings adds to the risk that a swift evacuation in the event of a fire will not be possible. Secondly, some G15 buildings are adjacent to or part of developments containing hotels, hostels or boarding houses. These buildings may therefore pose a fire risk for G15 buildings and residents.

3b. Should any other building types be included within the scope of the ban? Please provide details and evidence to support your answer.

Student accommodation should also be included, as a type of residential building in which occupants sleep and which may be difficult to swiftly evacuate given a high density of inhabitation.

Q4. Height threshold

4a. Do you agree that the height threshold of the ban should be reduced to at least 11m and above?

There are some benefits to this proposal. Most importantly, some buildings just below 18m may have similar levels of risk to some buildings above 18m, which a reduction in the height threshold would reflect.

However, many G15 members would prefer to see a risk-based approach, which would involve keeping the threshold at 18m, and developing a procedure for evaluating a building's overall risk level at planning stage, throughout construction, and at handover. (For buildings undergoing a change of use or other work, risk assessment would occur before and during the change of use or work.)

We are not aware of any evidence to support the 11m threshold. In contrast, there are important considerations in favour of the risk-based approach. As we emphasised in our [response](#) to MHCLG's recent call for evidence, 'Fire Safety: Risk Prioritisation in Existing Buildings', height is only one of several factors which interact to determine building safety risk. This is a reason to apply the ban based on the overall safety risk of a building, as opposed to one factor alone. An 11m threshold could allow combustible materials to be used on buildings below 11m which in fact present a greater safety risk than buildings above 11m, for instance because the lower buildings house people with limited mobility and contain few evacuation routes.

We would also stress that if the height threshold is reduced to 11m, government should carefully consider the impact this could have on residents of existing buildings.

While the ban only applies to new buildings and those undergoing a material change of use or other building work, it has indirect implications for existing stock. Building Regulations are inevitably considered to set the standard for safety in all buildings, whether new or existing. If an existing building has characteristics which mean it could not now be built due to the ban, then it will be considered unsafe by residents, the public, and crucially by mortgage lenders.

Reducing the height threshold to 11m therefore risks trapping many more leaseholders in unsellable flats. An [estimated 600,000](#) leaseholders are already in this situation. Professional assurance of building safety, such as through External Wall System 1 forms, is notoriously difficult to obtain, and even when it is, this is not always accepted by lenders.

For many buildings which would be deemed unsafe if the height threshold were lowered to 11m, the only solution to the 'mortgage prison' problem would be major building works. This could add significantly to the already very high remediation costs facing the sector. The recent announcement of a £1bn government building safety fund is very welcome, but falls short of the [£6.8bn](#) we estimate could be needed to remediate buildings owned by G15 members, or the [£10bn](#) which the

National Housing Federation estimates could be needed across England. Where government support falls short, the costs can fall on individual leaseholders, having a major impact on their finances, or on landlords, who are forced to scale back plans for new development.

If a change in Building Regulations indirectly increases the remediation costs facing the sector, government should be prepared to support landlords to meet these extra costs, so they do not fall on leaseholders or hamper new development.

This concern also connects with the risk-based approach mentioned earlier. If the height threshold is reduced to 11m, this could trap leaseholders in buildings above 11m in unsellable flats, and necessitate remedial works to make these flats sellable. However, since building safety is determined by multiple interacting factors rather than height alone, some buildings above 11m could in fact have lower priority for remediation than other buildings below 11m. Reducing the height threshold to 11m therefore risks bringing about a situation in which landlords are required to prioritise remediation works in a way that is at odds with the genuine safety risk levels of buildings.

4c. Do you agree that an appropriate research project regarding building risk should be carried out to inform further review of the scope of the ban?

Yes. In general, Building Regulations should be based on as much research and evidence as possible.

4d. Please suggest the type of evidence you consider should be included in further review of the height threshold of the ban.

The review of the height threshold should examine the height, use of combustible materials, and type and quality of construction of buildings which have been subject to historically significant fires. As well as informing the height threshold, this evidence could serve as guidance for fire risk assessment in the sector.

Q5. Metal composite materials

5a. Do you agree that metal composite panels with a polyethylene core should be banned from being used in external wall construction of any building regardless of height or purpose?

Yes.

5c. If their use was to be restricted, do you agree with the proposed definition? Please provide evidence to support your answer.

Yes.

Q6. Attachments

6a. Which components, if any, do you consider should be included in the list of specified attachments in Regulation 2(b) and why?

We support extending Regulation 2(b) to solar shading products attached to the external face of walls, including those listed in this consultation document: blinds, shutters, awnings, and brise soleil. We support this for the simple reason that if such products are combustible, they will contribute to the risk of fire spreading, and non-combustible alternatives are available.

Most G15 members do not support extending this regulation to balconies, but instead consider a risk-based approach more appropriate, on which the fire risks posed by balconies are assessed in the light of other factors determining fire risk.

6b. Do you agree with the proposed definition of solar shading products? If no, what other definition would you propose and why?

Yes.

6c. Do you agree that solar shading products need to achieve class A2-s1, d0 or A1 in line with the requirements of the Building (amendment) Regulations 2018?

Yes. Solar shading products attached to the external face of walls should be required to achieve class A2-s1, d0 or A1.

6d. Do you agree that retractable awnings fitted to the ground storey should be exempted? If yes what restrictions, if any, may be placed on these.

Yes. The risk of ground floor awnings contributing to the spread of fire is very low.

Restrictions could include requiring fabric to be of a flame-retardant standard certified to BS7837, or design criteria to ensure fire cannot jump to adjacent surfaces.

Q7. Exemptions

7a. Which components, if any, do you consider should no longer be included in the list of exemptions in Regulation 7(3) and why?

We do not believe that any components currently included in the list of exemptions should be removed. In general, all components included in the list should be exempted either because they represent a very low fire safety risk, or because alternatives are not available, or both.

7b. Which additional components, if any, should be included on the list of exemptions in Regulation 7(3) and why?

See answers to Q8-Q11.

Q8. Cavity trays

8a. Do you agree that cavity trays should, by temporary relaxation for 18 months, be exempted from the requirements of Regulation 6(3) and 7(2)?

Yes. As acknowledged in this consultation document, it is very difficult to procure cavity trays which meet these requirements.

8b. If yes, what if any conditions should be imposed on their use?

Conditions could include fitting intumescent closers on cavity trays passing through compartmentation and barriers, or requiring surrounding materials, such as insulation, to be rated A2 or A1.

Q9. Laminated glass

9a. Do you agree that laminated glass in balcony construction should continue to have to achieve A2-s1, d0 classification or A1?

No. Laminated glass should not have to achieve A2-s1, d0 classification or A1.

9b. Please provide evidence to support your answer where possible and discuss specific materials or products.

Almost no laminated glass meets this classification, so without this exemption it is difficult to use laminated glass in balconies at all. This is undesirable since the safety benefits of laminated glass far outweigh its risks. The benefit of laminated glass is that it does not shatter when broken. It presents a low fire safety risk since only the vinyl interlayer between the two glass layers is combustible.

Q10. Roof components

10a. Do you agree that additional clarification in Approved Document B, that roofing membranes are not required to achieve A2-s1, d0 classification or higher when used as part of a roof connecting to an external wall, is not required?

No. We disagree that this clarification is not required; that is, we believe this clarification is required. Roofing membranes should not be required to achieve A2-s1, d0 classification when used as part of a roof connecting to an external wall.

10b. Please provide evidence to support your answer where possible and discuss specific materials or products.

Effective roofing membranes will inevitably possess some level of combustibility, as it is not possible to have them made from entirely non-combustible materials. However, if installed correctly and isolated from any other combustibile materials, they present a very low risk of contributing to the spread of fire.

As an alternative to A2-s1, d0, a separate test for roofing membranes could be introduced to ensure they adequately resist the spread of fire.

Q11. Materials below ground level

11a. Do you agree with the proposal of expanding the exemption of the use of water proofing and insulation material from below ground level to up to 250mm above ground level?

Yes. This represents a very low risk to fire safety, and it is difficult to find an alternative solution.

11b. If yes, what other conditions should be imposed on their use if any?

Conditions could include encapsulating water proofing and insulation materials to ensure these do not support fire, or design criteria to ensure fire cannot jump to adjacent surfaces (as with Q6).

Q12. Floor testing

12a. Do you agree with the proposed expansion of classifications required for materials used horizontally to include Class A2fl-s1 and Class A1fl?

Yes. This would make the regulations more comprehensive and consistent. However, if 'materials used horizontally' includes roofing membranes, we would not want this expansion to counteract the exemption of roofing membranes from A2-s1, d0, as outlined in our response to Q10.

Q13. Update of BS EN 13501-1

13a. Do you agree that Regulations 7(2) and 6(3) should be amended to reference the current BS EN 13501-1 standard?

Yes.

Q14. Assessment of impacts

14b. Are you aware of any particular equalities impacts for these proposals? How could any adverse impact be reduced and are there any ways we could better advance equality of opportunity or foster good relations between people who share a protected characteristic and those who do not? Please provide evidence to support your response.

No, we are not aware of any equalities impacts.

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