Build UK Response to the Government Consultation Paper: *"Banning the use of combustible materials in the external walls of high-rise residential buildings"*

Executive Summary

Build UK recognises the concerns of those seeking legislation to ban the use of combustible cladding on high-rise residential buildings and we share their overwhelming desire to ensure that an event, like that at Grenfell Tower, never happens again in the UK.

Build UK fully supports Dame Judith Hackitt's report 'Building a Safer Future' and agrees that there are failings in the construction and regulatory system.

Addressing the use of unsuitable and combustible cladding is key to achieving our shared objective of high quality buildings in which residents are safe and feel safe. However, it must be considered as part of the overall system and not in isolation as materials that are non-combustible or of limited combustibility combined in an unsuitable system, or designed and installed incorrectly, can create other significant problems.

The Build UK recommendation is:

To only permit the use of systems, materials or products as cladding in buildings over an agreed height that meet the following criteria.

1. **Cladding Systems**

a) A system must have a certificate of testing to BS 8414 (or a recognised EU equivalent standard) issued by an approved testing authority; and

b) The system must have clear (pictorial) installation instructions, specific to the project, including the particular fixtures, fittings and any safety features that must be used, certified by a competent designer.

or

2. **Materials and/or Products**

a) All materials or products must be certified as BS EN 13501 Class A2 or better by a manufacturer/supplier; and

b) The combination of those materials specified must have clear (pictorial) installation instructions, specific to the project, including the particular fixtures, fittings and any safety features that must be used, certified by a competent designer.

Whichever height is deemed to be most appropriate for high-rise residential buildings, 10 storeys or 18 metres, the new requirements should be implemented consistently for all new buildings and any retrospective work.

They should also be applied throughout the entire height of the wall.

Build UK believes this would achieve the objective of eliminating the use of unsuitable materials or systems for cladding without compromising safety, standards or innovation. Information is provided in this response on how we reached this position.

Introduction

This response is submitted by Build UK, which is the leading representative organisation for the UK construction industry, bringing together Clients, Contractors, Trade Associations, Specialist Contractors, and Professional Services.

Build UK plays a leading role, alongside the CIC and CPA, on the Industry Response Group, which has provided a coherent, consistent and collective response from industry to the events at Grenfell Tower.

Build UK fully supports the findings of Dame Judith Hackitt's report, 'Building a Safer Future'. We agree that there are failings in the construction and regulatory system and addressing the use of unsuitable and combustible cladding is key to achieving our shared objective of high quality buildings in which residents are safe and feel safe. However, it must be considered as part of the overall system and not in isolation to avoid creating other significant problems such as structural safety issues, cold bridging and moisture penetration.

The Current Regulatory System

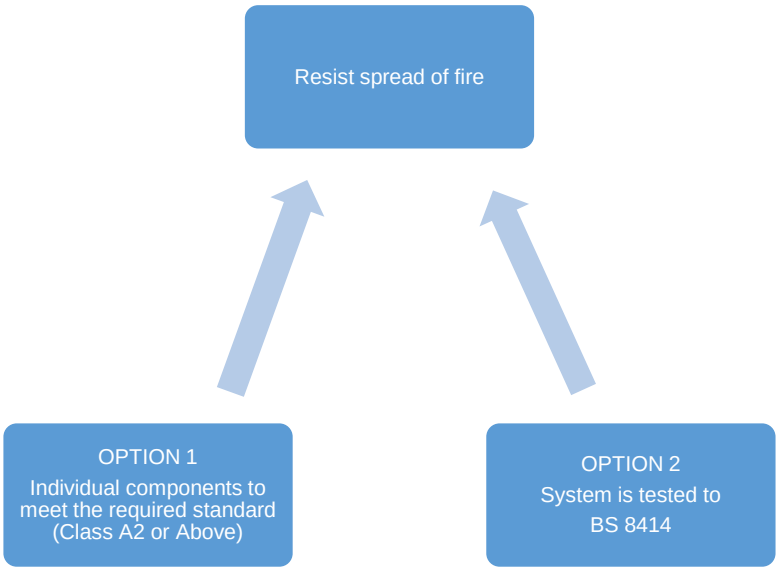
In considering any changes to the current regulatory system, it is essential to consider the construction of buildings holistically. The external walls of buildings are required to meet a number of 'standards' particularly:

a. Fire safety
b. Structural safety
c. Resistance to moisture penetration
d. Energy efficiency

They are also required to specifically comply with Building Regulations.

In respect of fire safety, the current regulatory system requires external walls on buildings to adequately resist the spread of fire over the walls and from one building to another.

There are two ways to demonstrate compliance with that that requirement.



Option 1 is the only recommendation within the consultation paper.

Option 2, on the advice from the Expert Panel which is supported by the Government, is that systems which have passed the BS 8414 test can be considered to be safe if they have been installed and maintained correctly.

If applied correctly, both these options achieve the standard required in the Building Regulations 2010 (as amended), which is that external walls on all buildings adequately resist the spread of fire over the walls and from one building to another.

The issues with the current system that have led to doubt over its robustness are:

1. **The ability to use technical assessments (desk top studies) for cladding systems in lieu of an actual test**.
   This issue is being dealt with under a separate consultation

2. **The quality of the design or specification of a combination of materials or products to create a cladding system, which includes:**
   a) the need for manufacturers to provide comprehensive information on their materials or products and the circumstances in which they should be used; and
   b) the competence of those designing or specifying the combination of materials suitable to be used as a cladding system

3. **The incorrect installation of cladding either as a combination of materials or as a system.**
   The correct installation of any system, materials or products, including those that are non-combustible or of limited combustibility, is essential to their safety and performance and the implications of incorrect installation of cladding are not just limited to fire. This issue is being dealt with by the IRG Competence Steering Group and its various Working Groups.

Example implications of incorrect installation

	Performance required	Example of implication of incorrect installation
a.	Fire safety	Spread of fire
b.	Structural safety	Falling materials
c.	Resistance to moisture penetration	Damp, mould, water ingress
d.	Energy efficiency	Unsuitable temperatures, interstitial condensation.

Consultation Questions – Build UK Responses

Question 3

a) Do you agree that combustible materials in cladding systems should be banned?
b) Should the ban be implemented through changes to the law?
c) If no, how else could the ban be achieved?

Build UK recognises the concerns of those seeking legislation to ban the use of combustible cladding on high-rise residential buildings and we share their overwhelming desire to ensure that an event, like that at Grenfell Tower, never happens again in the UK.

Build UK fully supports Dame Judith Hackitt's report 'Building a Safer Future' and agrees that there are failings in the construction and regulatory system.

Addressing the use of unsuitable and combustible cladding is key to achieving our shared objective of high quality buildings in which residents are safe and feel safe. However, it must be considered as part of the overall system and not in isolation as materials that are non-combustible or of limited combustibility combined in an unsuitable system or designed and installed incorrectly can create other significant problems.

To only permit the use of systems, materials or products as cladding in buildings over an agreed height in the following circumstances:

1. Cladding Systems

a) A system must have a certificate of testing to BS 8414 (or a recognised EU equivalent standard) issued by an approved testing authority; and

b) The system must have clear (pictorial) installation instructions, specific to the project, including the particular fixtures, fittings and any safety features that must be used, certified by a competent designer.

or

2. Materials and/or Products

a) All materials or products must be certified as BS EN 13501 Class A2 or better by a manufacturer/supplier; and

b) The combination of those materials specified must have clear (pictorial) installation instructions, specific to the project, including the particular fixtures, fittings and any safety features that must be used, certified by a competent designer.

This would achieve the objective of eliminating the use of unsuitable materials or systems being used for cladding without compromising safety, standards or innovation.

If this can be implemented through current legislation and Building Regulations that would be the most effective and efficient way of introducing any change.

Question 4. Do you agree that the ban should apply:

a) **To buildings 18m or over in height?**
b) **Throughout the entire height of the wall i.e. both below and above 18m?**
c) **To high-rise residential buildings only?**
d) **To all high-rise non-residential buildings, e.g. offices and other buildings, as well as residential buildings?**

'Building a Safer Future' refers to 10 storeys as the threshold for high-rise residential buildings (HRRBs), a height determined since the incident at Grenfell Tower, whilst the Building Regulations refer to 18 metres. There are a variety of views on which height is more appropriate, however, there is a consistent view that there should be one definition for HRRBs.

The reasoning behind both height requirements should be reviewed and the most appropriate of the two for today's environment be implemented consistently for all new buildings and any retrospective work.

For buildings above the agreed height any requirements should apply throughout the height of the building.

The requirements should apply to high-rise residential buildings only.

Question 5.

a) **Do you agree that the European classification system should be used and do you consider that Class A2 or better is the correct classification for materials to be used in wall construction?**
b) **If no, what class should be allowed in wall construction and why?**

In accordance with the advice from the Expert Panel, the European classification system and Class A2 or better is the correct classification.

Build UK has two comments to make on this:

1. As the UK is leaving the European Union, there should be complete transparency over how it will continue to influence the European classification system if any requirements are to be aligned to it.

2. It does raise the issues highlighted in questions 6 & 7 around exemptions and any requirement related to materials needs to be worded appropriately.

Question 6

a) **Do you agree that a ban should cover the entire wall construction?**
b) **If no, what aspects of other wall should it cover**
c) **Should a ban also cover window spandrels, balconies brise soleil and similar building elements?**

This question seems to move the proposal to ban combustible materials, products and systems used in cladding systems to a proposal to ban combustible materials, products and systems in other elements of a building, in this case the complete wall system. This is a significant difference and it should be clearly consulted on if that is indeed the intention.

Build UK has no reason to believe that the standards currently applied to wall construction, windows, balconies etc. are no longer appropriate. Therefore the focus of this exercise should remain on addressing the standards and requirements in relation to cladding unless the Government has identified serious concerns over the combustibility of external walls, windows etc. on HRRBs across the UK.

Question 7

a) **Do you agree that a limited number of wall system components should, by exception, be exempted from the proposed ban?**
b) **If yes, what components should be included on an exemption list and what conditions should be imposed on their use?**
c) **Would you recommend an alternative way of achieving the policy aims stated above?**

Exemptions in any circumstances are extremely difficult to set out in a way that does not cause confusion or can be circumvented. They also do not accommodate new materials, products or systems easily.

Any fixtures or fittings used should not contribute to the spread of fire, must meet current standards and be specified in the installation instructions.

Question 8. Do you agree that:

a) **A risk based approach is appropriate for existing buildings?**
b) **The ban should apply to proposed alterations to existing buildings including over-cladding?**
c) **The ban should extend to projects that have been notified before the ban takes effect but work has not begun on site?**
d) **The ban should not affect projects where building has begun?**

Build UK agrees that a risk based approach is appropriate for existing buildings and any requirements introduced should apply to proposed alterations, including projects where work has not yet begun.

Question 9.

a) **Which wall elements are likely to be affected by the proposed change – i.e. where they would pass as part of a cladding system in a BS 8414 test but would not meet the proposed Class A2 or better requirement (e.g. sheathing boards or vapour barriers)?**
b) **We understand that since the Grenfell Tower fire, a high proportion of relevant building work is already using elements which meet Class A2 or better. How frequently are elements which do not meet the proposed requirement, as identified in question 3, currently being used on buildings in scope?**
c) **What the impact of removing access to the BS 8414 for those buildings affected by the ban test is likely to be?**
d) **What types of buildings 18m or over are likely to be affected by this change (e.g. hotels, residential, student accommodation)? What proportion of each type would likely be affected by the proposed change?**
e) **How much extra cost would typically be involved in meeting the proposed new requirements over and against a building which meets the current requirements? (Please provide any further details.)**
f) **Please provide any further comments on the likely impact of this change for construction (eg supply chains).**

Build UK would suggest that the cost comparisons contained in the consultation paper are related simply to the direct construction costs, which is not the full cost incurred in the development of a new cladding system. They do not take into account the costs of research, development and testing of systems that do not pass the BS 8414 test, which are incurred by those that eventually do successfully pass the BS 8414 test.

Please direct any comments or queries regarding this response to:

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