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26th June 2023

Dear Ministry of Housing Communities and Local Government

Re: Decent Homes Standard

Thank you for the ongoing opportunity to comment on the review of the Decent Homes Standard, in this case, your final paper outlining proposed changes to criterion D of the Decent Homes Standard covering both the PRS and SRS.

Upon careful review of the material, we would like to offer the following response.

DHS Review Part 2.1 - Private Rented Sector Proposals

Consideration 1 – Cross Reference Minimum Energy Efficiency Standards in the Private Rented Sector

Proposal -

- 1 To meet expectations of decency, private landlords must also be compliant with existing MEES.
- 2 This requirement applies to any further iterations of MEES that may come into legislation in the future.

Questions

1.1 *Are you in agreement that the DHS should refer to existing MEES legislation rather than adding further requirements for PRS landlords?*

Yes. Establishing a unified and uniform set of standards for residents, irrespective of their housing situation, is crucial in reducing societal disparities and providing secure housing to all individuals. Every individual should feel protected and secure in their homes, and this can

only be achieved by setting up standardized guidelines for residents, both in the social and private rented sectors.

1.2 Are there any further thermal comfort requirements beyond MEES and basic requirements set out above that you believe would be beneficial to tenants or landlords in the PRS?

The following responses are for both Social Rented Sector and Private Rented Sector considerations.

Consideration 2 - Streamline and update other fundamental thermal comfort requirements to sit alongside MEES

Proposal –

- The requirement that properties need to have a certain types of heating system be removed and that this is replaced with a new Minimum Energy Efficiency Standard (MEES) for the SRS and an indication to existing MEES for the PRS.
- The requirement that properties need to have levels or types of insulation be removed and that this is replaced with a new MEES for the SRS and an indication to existing MEES for the PRS.

We think we should either *retain* or *update* several minimum requirements as a basic level of protection for residents across both rented tenures, including:

- A dwelling should have both efficient [programmable] heating; and effective insulation [...] the primary heating system must have a distribution system sufficient to provide heat to two or more rooms of the home.
- Programmable heating is where the timing and the temperature of the heating can be controlled by the occupants. However, this is not a requirement in supported housing or housing for older persons where it is necessary for health and safety reasons for landlords to ensure adequate levels of heating are maintained.
- Where new heating systems are being installed or existing system replaced, landlords should take the opportunity to increase the energy efficiency of the dwelling if possible.
- If new heating or insulation is being installed, it is important that steps are taken to ensure the dwelling is adequately ventilated.

Note: Some of the content we propose removing, such as that outlining available and related energy efficiency commitments and programmes, we feel would be better placed outside of a standard in associated guidance.

We have included a mark-up of the current criterion D in Annex A indicating the content we would like to remove and that which we propose to retain or update. We would welcome views as to whether the words crossed out should or should not be included in future iterations of the standard.

Questions –

2.1 Do you agree that the above parts of the standard should remain or be updated – are there any you disagree with?

NFCC fully appreciate the significance of retaining the sections of the standard and revising them to encompass all aspects of building and fire safety for both the Private Rented and Social Rented Sectors, as well as their enforcement. It is essential to implement measures that guarantee the preservation of compartmentation and other fire safety provisions during the installation of new heating or insulation, or the upgrade of existing ones. These measures must ensure proper fitting and good working order.

2.2 Are there any further parts of the current criterion D (see Annex A) that you think should be included beyond the above (assuming that MEES is also in place)?

2.3 Are there any of the above requirements that you think should be updated from their current wording?

Yes. NFCC suggests that for the second bullet point - *“However, this is not a requirement in supported housing or housing for older persons where it is necessary for health and safety reasons for landlords to ensure adequate levels of heating are maintained”* the following addition: *“This could also be relevant to individuals of any age who have a medical condition or health concern.”*

On the fourth bullet point - “If new heating or insulation is being installed, it is important that steps are taken to ensure the dwelling is adequately ventilated”. NFCC suggests the following addition: *“It is important to receive further guidance on the safety of the insulation material used and how it may react with other building materials in case of a fire, which could potentially endanger the residents.”*

Efforts must be made to ensure that systems do not vent into service ducts or lift shafts, which can provide a path for the spread of smoke and fire. Vents need to be appropriately fire-stopped wherever they pass through any compartment lines, for example via the use of intumescent collars. All of which should form part of the building's fire risk assessment.

2.4 Specifically, do you think the requirement for heating to cover two or more rooms of the home should be strengthened? For example:

- a. To cover the entire home or the entire home barring hallways, corridors, staircases, and other thoroughfares*
- b. To cover at least 3 or 4 rooms in the home, unless this exceeds total number of rooms*
- c. To cover all bedrooms and living spaces*
- d. To cover a certain % of the home e.g. 50% or 75%*
- e. Stay the same (2 or more rooms)*
- f. Other*

Although we may not be the most qualified to address this concern, we highly recommend taking preventive measures to avoid the growth of mould and damp in households. This

approach can ultimately lead to a decreased dependence on heating methods that potentially pose a higher risk of fire.

2.5 Is there anything further that you think should be included in the thermal comfort criterion beyond the above and MEES.

Consideration 3: Water Efficiency

Proposal –

Requiring all toilets, showers, basin taps, sink taps and baths within an agreed timeframe do not exceed specified maximum consumption levels in order to limit the average amount of water consumed daily per person to 110 litres.

OR

Requiring all toilets, showers, basin taps, sink taps and baths to not exceed specified maximum consumption levels in order to limit the average amount of water consumed daily per person to 110 litres without a set deadline for compliance (e.g. part of planned replacement programmes)

OR

Providing non-statutory guidance on water efficiency (covering, for example, options for improving water efficiency and the support available for retrofitting water saving fittings)

Questions –

3.1 Do you think that we should add regulatory measures to improve water efficiency to DHS or provide guidance on how to improve water efficiency?

3.2 Do you think a fittings-based approach explored here is appropriate for inclusion in DHS? Which option do you prefer and why? Please consider any issues to implementation such as costs and how it will be measured and monitored in your reply.

3.3 Do you think we should consider more water efficiency measures? If so, what other measures should we consider?

3.4 Do you think suggested proposal would benefit tenants? Please consider tenant safety, health and wellbeing in your response.

We think it would be more appropriate for other consultees to give feedback on this aspect of the review, apart from repeating the points already mentioned regarding wall penetrations that may be needed for pipe installation. Our request is to ensure that compartmentation and other fire safety measures are not compromised during retrofitting or installation. Compromising fire protection in this manner can cause smoke or flames to spread uncontrollably to other areas of the building, which could endanger the safety of residents and firefighters.

When water flow rates are affected, it is important to consider possible unintended consequences that could impact the fire service's ability to access sufficient water supply or to have the appropriate pressure and flow rate to effectively combat fires. NFCC would also encourage partners to take due regard to the climate-related implications of any

requirements within the standard, particularly in the context of the Government's Net Zero agenda.

It is widely acknowledged that receiving guidance can be very helpful. It's crucial for landlords in both the social and private rented sectors, as well as residents, to comprehend the significance of safety measures in place, whether they are built-in or retrofitted, to maintain the safety of residents and their dwellings. Modifications made without proper consideration could potentially jeopardize the safety of residents and increase the likelihood of fire hazards, structural flaws, or health disparities.

NFCC believe it essential to provide unified and dependable housing standards to all residents, regardless of whether they rent from the public or private sector. This will help tackle social inequalities and ensure that everyone has access to safe and secure housing.

Consideration 4 – Climate change adaptations

Proposal –

- Providing and/or collating information on best practice for inclusion in non-statutory guidance as to how landlords might best mitigate against the effects of climate change in their housing stock, for example:
- What interventions could be put in place to prevent over-heating. The Climate Change Committee recommend active cooling measures (e.g. ceiling fans) and passive cooling measures (e.g. shutters, reflective surfaces)
- how to build resilience to extreme weather. In 2008 the Greater London Authority outlined the potential for 'living roofs' to improve resilience to climate change by reducing storm water run-off and by increasing cooling.

Questions –

4.1 Do you think that we should include climate change adaptations in DHS? If so, do you think that inclusion in non-statutory guidance is the best approach to addressing climate change adaptations in the DHS? If so, please state your reasons why?

4.2 4b Do you think suggested proposals would benefit tenants? Please consider tenant safety, health and wellbeing in your response

NFCC understands the importance of providing guidance, but we acknowledge that relying solely on statutory guidance may not always be feasible due to associated costs and enforcement considerations. Our goal is to ensure that both social and private landlords, as well as residents, understand the safety measures in place that are designed to keep their buildings safe. We want to emphasize that altering these safety measures could jeopardize the safety of residents and increase the risk of fire, structural defects, and health concerns.

We would like to emphasize our earlier point regarding fire safety measures in response to Criterion A, B, and C. It is crucial to ensure that these measures are not compromised to meet the standard.

Therefore, we recommend that DLUHC provides clear and sufficient guidance to building owners, landlords, and installers. The guidance should specify the standards for fire stopping

that must be met while making penetrations in any wall that is a fire separation wall or forms part of a fire compartment.

The guidance should outline the standards of fire resistance that fire-stopping materials or products must meet and testing requirements to demonstrate their performance. The guidance may also need to include details on how appropriate fire stopping has been evidenced, such as photographs, particularly for areas such as the Golden Thread and Safety Cases, which overlap with the new Building Safety Regime.

We suggest that consideration be given to the climate-related effects of any requirements in the standard, especially regarding the Government's Net Zero agenda.

It is vital to construct buildings with a higher safety standard. Such "better" buildings not only safeguard residents from fire hazards but also help firefighters respond more effectively to emergencies. The sector needs to undergo a cultural shift to prioritize the creation of safer buildings through design and construction.

The NFCC's goal is to promote a contemporary approach to tackling climate change, but it must be done through a reliable process that guarantees the safety of individuals, communities, and firefighters. Sustainability and climate change adaptation should not compromise fire safety measures.

Solar panels

NFCC hold concerns around issues with standard solar panels given they pose a significant challenge for FRS from an operational perspective. An increase in solar panels may also lead to an exponential increase in associated Battery Energy Storage Systems (BESS) across the built environment and all the issues that bring not only the risks from BESS but the risks from 2nd hand installations, DIY installs, incompetence amongst other risks. Whilst NFCC understand that this may help people decrease their power bills from the grid as a way to cope with the cost of living and meet net-zero targets, NFCC is concerned that Government is making efforts to make it easier to implement these types of technologies into the built environment without due consideration of the potentially disastrous unintended consequences to building and fire safety.

We are concerned where new technology has been introduced into the built environment by law, perhaps with good intention, but at risk of creating unintended consequences with no guidance to support how it can be integrated safely or mitigate the potential impact (in the event of fire).

Living Walls/ Rooftop Gardens

The National Fire Chiefs Council (NFCC) supports the Government's ambition to build homes quickly and sustainably, reducing the environmental impact wherever possible, and recognises the role that Modern Methods of Construction (MMC) can play in achieving this.

A focus on sustainable building approaches has shown an increased interest in MMC and in the use of materials such as timber as well as the incorporation of features such as living walls and roofs. There should not be a conflict between sustainability, improved building standards, and fire safety.

Assurance is needed that the fire performance of materials, elements, and systems has been fully considered, tested appropriately, suitably evidenced, and provides the level of safety that residents and firefighters should expect. We have repeatedly expressed concerns about the lack of large-scale fire test research and data. Any situation where design teams specify their own test standards should not be seen as acceptable in any competent building standards process. Fire and rescue services (FRS) have also reported cases where they believe insufficient information has been provided to demonstrate that new methods can meet the functional requirements, or that the fire performance is fully understood or demonstrated.

We recommend that the Government should elevate the status of the “Building regulations and fire safety procedural guidance” to an Approved Document and ensure via this process, information is provided to FRSs on the construction methodology they need to know to intervene in a fire event effectively and safely.

Consideration 5: Environmentally sustainable behaviours

Proposal –

- Providing and/or collating information on best practice for inclusion in non-statutory guidance about where landlords and tenants can access information and support for the installation of electric charging points. For example, guidance for landlords and tenants to help them navigate the installation process and what grant funding is available.

Questions –

5.1 Do you think that non-statutory guidance is the most appropriate approach to supporting the installation of electric charging points in rented homes? If not, why?

5.2 Are there any barriers to installing electric charging points in rented homes that you think should be considered in guidance?

5.3 Do you think that guidance for landlords and tenants on installing electric charging point would benefit tenants? Please consider tenant safety, health, and wellbeing in your response

5.4 Are there any other environmentally sustainable behaviours we should consider including in non-statutory guidance such as recycling, encouraging zero emission transport (cycling and walking), and provision of secure cycle storage facilities?

Electric Vehicles

NFCC believes given the lack of guidance and research on how to incorporate EVs (Electric Vehicles such as cars, bikes, scooters, and mobility scooters) into the built environment for which the sector is calling, this is an area that requires further research and consider – guidance alone will not be sufficient to identify and manage any potential unknown risks, let alone the known risks.

Whilst the current Approve Document B (ADB) and British Standards Institutions (BSI) fire design guidance documents in 9999/9991 are appropriate fire safety design documents when considering the risks posed by EVs in an enclosed space, as well as the risks posed

by modern Internal Combustible Engine Vehicles (ICEV), only a performance-based design/fire engineered design will suffice.

We would highlight that the last technical rewrite of ADB was in 2006, and the BRE research BRE Group: Project: Fires In Enclosed Car Parks with the report published in 2010, tested vehicles from the early 1990s (which were not EVs or representative of today's ICEV) so neither vehicle is considered in ADB.

NFCC considers the main risks from EVs (in fire) can be not limited to:

- Directional (focused) jet flames of many hundreds/thousands of degrees.
- Uncontrolled fire development due to the proximity of other EV and ICE vehicles.
- The production of toxic products – and uniquely for EVs, Hydrogen Fluoride.
- The production of a potential explosive vapor cloud – also impacts the access of firefighters into enclosed spaces.
- Very difficult to extinguish and can take many hours if not days.
- Potential for reignition, again, hours, or even days after, leading to complexity with vehicle recovery from enclosed spaces.
- They require very large amounts of water to cool.

Our members have seen an increase in the number of EV (Mobility Scooters and E-bikes) fires within residential buildings and we have concerns about the safety of our members and the residents within the tackling of EV fires, particularly ones within enclosed spaces. We do not want fire commanders to be in a position where they must decide around the tackling of the blaze where there could be pressure to put their firefighters at risk. We have outlined earlier that for EV fires in enclosed spaces, it is necessary to suppress the fire by using copious amounts of water to protect surrounding property/infrastructure whilst the EV burns. The production of a vapour cloud may pose a risk where there is a lack of proper ventilation, preventing firefighters from safely accessing the fire. Not being able to access the fire could create a situation where the fire spreads uncontrollably or causes structural damage before it burns out. There is also the concern about the amount of time that these fires take to extinguish and the prolonged exposure of operational crew and potentially the residents, to the fire and the dangerous gases and heat.

We welcome the opportunity to respond to this consultation and are happy to discuss our response or help further if required.

Yours sincerely



Nick Coombe

Head of Protection

National Fire Chiefs Council