

10 May 2018

Mr Clive Betts MP
Chair, Housing, Communities and Local Government Committee
House of Commons
London
SW1A 0AA

Dear Mr Betts

I write in response to your letter of 30 April 2018 regarding the use of combustible materials in the cladding of high rise buildings.

It is our view that paragraph 12.6 of Approved Document B Volume 2 (ADB2), cross-referenced with Diagram 40, **allows for materials that are not of limited combustibility to be used on the external surface of a building with a storey 18m or more above ground.** The uncertainty is whether this applies only to decorative finishes such as paint or the full thickness of a cladding panel.

Prior to 2014 it was widely interpreted that paragraph 12.6 was the only requirement relating to the combustibility of cladding panels. Paragraph 12.7 was interpreted as applying to insulation materials/products and filler materials. Cladding panels are not regarded as either insulation materials/products or filler materials, as they serve neither purpose.

Paragraph 12.7 is headed 'Insulation materials/products'. This could be interpreted as **either** 'insulation materials' and 'insulation products' **or** as 'insulation materials' and 'products generally'. However, since the text of paragraph 12.7 specifically refers to 'insulation products', the former option has generally been interpreted as the intent. It can also be argued that if the application of paragraph 12.7 was intended to include 'products generally', then the heading only had to say 'Products', since that would include insulation along with everything else.

By 2014 there were growing concerns regarding the use of combustible cladding in tall buildings. The Centre for Window and Cladding Technology (CWCT) formed a group to discuss fire performance of facades including the issue of combustible materials. The group comprised representatives of the cladding industry and fire experts including a representative from the Building Research Establishment (BRE) and Brian Martin of DCLG.

On the use of the term 'filler material' we were told by Brian Martin that it had been introduced into ADB2 in 2006 as a 'catch-all' intending to stop the overuse of can-applied foam and similar materials to fill gaps within the façade. Cladding materials had not been considered when this term was introduced. The consensus was that, as written, paragraph 12.7 did not apply to the cladding and therefore the only requirement was to follow the guidance provided in paragraph 12.6, which allows combustible materials to be used. It was agreed that the requirement for limited combustibility should be extended to cladding panels and that this could be dealt with by means of an FAQ on the Planning Portal website. BRE agreed to draft this, but despite repeated requests, this did not materialise.

CWCT welcomed the publication of Technical Guidance Note (TGN) 18 by the Building Control Alliance (BCA), which extended the scope of paragraph 12.7 to 'all key components' of the cladding, as providing authoritative guidance on the requirement for cladding panels to be manufactured from limited combustibility materials.

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Since 2014 CWCT has, through its meetings and industry training, been advising against the use of combustibile cladding and ACM in particular. Formal guidance was published by CWCT in early 2017 as 'TN98, Fire performance of facades – Guide to the requirements of UK Building Regulations' (copy attached to covering email).

The extension of the scope of Paragraph 12.7 to include the cladding still requires Paragraph 12.6 to ensure that decorative finishes on a limited combustibility panel do not create an unacceptable risk of fire spread.

A letter from Melanie Dawes, Permanent Secretary to the Department for Communities and Local Government on 22 June 2017, states 'The important point to note is that Paragraph 12.7 does not just apply to thermal insulation within the wall construction, but applies to any element of the cladding system, including, therefore, the core of the ACM.' The current consultation on the use of assessments in lieu of test (ie desktop studies), says that the linear route to demonstrating compliance 'requires that 'all elements of the façade construction' are of limited combustibility or better....'. Whilst we support the principle of extending the scope of Paragraph 12.7 we consider that the inclusion of *all* elements is a step too far. There is clearly a conflict with what is written in the Paragraph 12.7, which specifically excludes 'gaskets, sealants and similar' from the requirement for limited combustibility.

The issue around the use of combustible materials in cladding and façade systems is complex and an outright ban on such materials would have serious consequences. Materials such as membranes to provide a waterproof barrier (to comply with the guidance in ADC), plastic spacers to thermally isolate support brackets (ADL), thermal breaks in aluminium glazing frames that are required to meet thermal performance targets (ADL) and laminated glass for safety (ADK) are used extensively, and for good reason in modern facades. They perform very important functions and their use is not thought to increase the risk of fire spread in the façade system. We have extensively used PVCu (and to a lesser extent timber) window frames in tall buildings, which are also combustible. No-one has questioned their use previously. The extension of the scope of Paragraph 12.7 to all elements of the façade system requires a more extensive list of exclusions and this issue requires urgent clarification by Government.

It is not sufficient to say that Approved Document B allows testing as an alternative means of demonstrating compliance. The BS8414 test that is referenced in Approved Document B is not appropriate for all façade systems. For example BR135, 'Fire performance of external thermal insulation for walls of multi-storey buildings' which provides the guidance on assessment of the results of BS 8414 tests, states that 'curtain walling systems are not addressed in this guidance document'.

I trust the information above is useful. If you require further information or clarity on any of the points raised, please do not hesitate to contact me.

Yours sincerely



David Metcalfe
 Director



Dr Stephen Ledbetter
 Consultant