



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

**Y Pwyllgor ar y Gorchymyn Cwmhwysedd  
Deddfwriaethol arfaethedig ynghylch Diogelwch Tân  
Domestig  
Proposed Domestic Fire Safety LCO Committee**

**Dydd Mawrth, 8 Ebrill 2008  
Tuesday, 8 April 2008**

**Cynnwys**  
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2008 National Assembly for Wales (Legislative Competence) (No. 7) Order 2008

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,  
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.  
These proceedings are reported in the language in which they were spoken in the committee.  
In addition, an English translation of Welsh speeches is included.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Peter Black	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Mark Isherwood	Ceidwadwyr Cymreig Welsh Conservatives
Huw Lewis	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Sandy Mewies	Llafur Labour
Janet Ryder	Plaid Cymru The Party of Wales

**Eraill yn bresennol**  
**Others in attendance**

Ray Cassar	Swyddog Staff Strategol, Gwasanaeth Tân ac Achub Swydd Gaerhifryn Strategic Staff Officer, Lancashire Fire and Rescue Service
Chris Enness	Dirprwy Brif Swyddog Tân, Gwasanaeth Tân ac Achub Gogledd Cymru Deputy Chief Fire Officer, North Wales Fire and Rescue Service
Colin Hanks	Prif Swyddog Tân Cynorthwyol, Gwasanaeth Tân ac Achub Gogledd Cymru Assistant Chief Fire Officer, North Wales Fire and Rescue Service
Ann Jones	Aelod Cynulliad, Llafur Assembly Member, Labour

**Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol**  
**Assembly Parliamentary Service officials in attendance**

Sarah Beasley	Clerc Clerk
Sue Morgan	Cynghorydd Cyfreithiol y Pwyllgor Legal Adviser to the Committee
Lewis McNaughton	Dirprwy Glerc Deputy Clerk

*Dechreuodd y cyfarfod am 9.32 a.m.*  
*The meeting began at 9.32 a.m.*

**Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau**  
**Introduction, Apologies, Substitutions and Declarations of Interest**

[1] **Huw Lewis:** Good morning everyone. I am Huw Lewis and I am the chair of the Proposed Domestic Fire Safety LCO Committee of which we are all part this morning. I will begin by going through some housekeeping and safety issues that are necessary for the smooth running of the committee.

[2] First, I remind you and members of the public in the gallery that the committee operates bilingually. Headsets are available to provide you with translation; they also operate as aids to hearing should you need that. Channel 0 provides a verbatim broadcast that can be amplified and you can hear the translation of Welsh into English on channel 1.

[3] If there is a fire alarm, we will never have felt so comfortable and safe. [*Laughter.*] If there is an alarm, there is a whole host of people who can give us advice, but primarily the ushers will inform us how to best leave the room and the building.

[4] I remind Members and all others concerned to turn off any electronic devices, including mobile phones, pagers and so on because they interfere with the broadcasting and translation systems. Although there are buttons on the microphones in front of you, please fight the temptation to touch them as they will automatically switch on when you speak.

9.34 a.m.

**Gorchymyn Cynulliad Cenedlaethol Cymru (Cymhwysedd Deddfwriaethol)**  
**(Rhif 7) 2008**  
**National Assembly for Wales (Legislative Competence) (No. 7) Order 2008**

[5] I warmly welcome Ann Jones this morning, the Member in charge of the Domestic Fire Safety LCO. It is good to see you here as we begin the legislative process of your interesting proposal. Would you like to introduce your colleagues?

[6] **Ann Jones:** To my right is Colin Hanks, who will be the temporary deputy chief fire officer in north Wales from 1 May. He is currently assistant chief officer. To my left is Chris Enness, the deputy chief fire officer for north Wales. Sadly, he is leaving us to go to Staffordshire, although I have asked him to stay on as my technical and special adviser for the purpose of the LCO and I hope that that will happen. Finally, to Chris's left is Ray Cassar, the officer in charge in Lancashire, who can provide technical advice on the British standards for sprinkler systems and for automatic—sorry, what did you call them, Ray?

[7] **Mr Cassar:** Water suppression systems.

[8] **Ann Jones:** Yes. So, they are here to give me technical support and advice, and to assist me in answering Members' questions.

[9] **Huw Lewis:** I wish to stress that Ann's colleagues are here today in that technical, personal advisory capacity. I know that, as fire officers in their own right, we will be meeting again at some point in the future proceedings of the committee. I will also say, Ann, that some of the questions today may verge on the technical, and if anything cannot be fully addressed here this morning, we might invite you to submit supplementary written evidence later. So, there is no need to be overly concerned if things get a little too technical for us to grasp this morning.

[10] We have decided upon various questions that we feel will explore the issues before us. Members will now ask you those questions, and I will kick off with the first. Why do you think the Assembly should have legislative competence in this area? What can we achieve with the powers in the LCO that we cannot otherwise achieve?

[11] **Ann Jones:** We need this because, across Wales, on average each year, there are something like 20 deaths from fires, and unfortunately, because they are not collective deaths, they are treated as one-offs. People will often look at such an incident and say that it is an

awful tragedy, but the communities and families that suffer the loss are just left to themselves, and we move on without learning any lessons. That is proved by the fact that, year on year, we continue to see deaths from fires.

[12] There was a fatal accident investigation into an incident in Blaenau Gwent in 1996 which would never have happened if sprinklers were fitted in houses. That is the stark reality: by fitting sprinklers in houses, which is what this Domestic Fire Safety LCO is all about, we will protect the lives of people in Wales, as well as making our environment much safer. I feel that there would also be a great economic benefit from having sprinklers in houses, and in public buildings. A fire in a domestic house costs on average £34,000, but the hidden cost of those fires—to the community, to the local authority if it has to re-house people, to social services if they have to take people into care, and to the health service, if you look at the amount of money spent on dealing with fire-related injuries—could all be avoided if we had this legislation.

[13] The Assembly has made good progress on public safety, particularly with regard to fires, and we must recognise that. We have had the ‘Wired for Safety’ report, which said that smoke alarms should be installed in social housing and that they should be hard-wired. That is an excellent initiative, but smoke alarms are only an alert system. A smoke alarm will only alert someone to a fire; I want to take this one step further and ask why, if we are alerting people to fires, we are not installing something that deals with the fire at the time? It is especially important given that the fire service takes, on average, about eight to 10 minutes to get to an incident once it has been reported, and the fire has probably been building up for another minute and a half before that. A sprinkler system would have been triggered by then, and would deal with the fire in that area, whereas a smoke alarm just makes a sound and people simply leave the building.

[14] This Proposed Domestic Fire Safety LCO will make Wales one of the safest places in the UK, because we will be the first to do this. I am hoping that colleagues in England will look across the border and see that this is something that devolution has proved, but regardless of whether colleagues across the border look at devolution and say, ‘This is a good thing’, it is more important that people in Wales will be living in safer and more appropriate accommodation. Hopefully, that is a legacy that the Assembly will be proud of.

9.40 a.m.

[15] **Sandy Mewies:** My question is on the same theme. Did you consider any other means of achieving this particular policy objective? If so, why did you decide to pursue the LCO route?

[16] **Ann Jones:** Obviously I have looked at this, and it is through building regulations that we would expect this sort of thing to be taken into consideration. When I won the ballot for the LCO, I looked at whether we would be seeking building regulations. However, unfortunately, building regulations do not appear to be moving as quickly as I would want. All building regulations would achieve is a transfer of the power to Welsh Ministers; that would not necessarily pass to the Assembly to enable it to pursue a legislative route. Only a Measure based on the legislative competence of this proposed LCO will confer on the Assembly the power to require sprinklers to be installed.

[17] While considering this matter, I have discussed with the fire service and other public services whether we could look at a suggested way for people to make such efforts. ‘Wired for Safety’ suggests that there should be a move to social housing being fitted with sprinklers. However, although that is to be commended and recommended as a good step forward, we must recognise that it is not only in social housing that fires occur. Some social registered landlords are beginning to feel that they are settling down to putting such measures in place,

but that private dwellers and private builders are getting away with not having to make the same provisions.

[18] I have been to Warrington to see a shared estate, where the social housing sector was installing sprinklers as part of a pilot scheme, but the houses that were being built by private developers, to be purchased privately, did not have sprinklers installed. The developers had taken a decision that they were not going to do it because they had no reason to do so; that is how they were describing it. They took a decision not to install sprinklers. However, slowly but surely, people from the private sector of that housing estate are now asking the councils and the housing authorities whether they can have sprinklers installed. They have seen the benefits of the sprinklers in the social housing. Therefore, although it is a good move to start with social housing, that is a narrow approach. I want to see all new home build, all new houses, having sprinkler systems installed.

[19] **Sandy Mewies:** Thank you, Ann; you have answered a great deal of the second question that I was going to ask. Will this Order enable you to achieve all of the policy objectives that you wish to address? Are there matters outside the scope the Order that you would have wished to see included?

[20] **Ann Jones:** I took the decision that I would go for sprinklers in all new home build on the grounds that I think that you have to be realistic about what you can expect the public to go along with. In looking at how we form our legislation, we must ensure that it is effective. For it to be effective, it must concentrate on certain areas, without taking too broad-brush an approach. We can fall into the trap—to use the example of apple pie and motherhood, if you like—of trying to encompass everything and running the risk of not getting anything through. By restricting the LCO to cover all new home build, eventually—although I hope that it will happen as soon as possible—we will be setting in stone the requirement to make buildings safer.

[21] It will not happen overnight, but more and more, as we see houses being refurbished and housing associations doing building work—as we see all of that happening—we will see sprinklers becoming part and parcel of that public safety element. We must be realistic about what we can achieve, and I think that should start with this. For me, it is the most important area, because most people will lose their lives at home, whatever the reason for that is. We have seen sprinklers introduced into schools. We fought for that and achieved it, and we will continue to ensure that that policy persists. However, we should keep this simple, and by targeting that area we will get credit for doing something as a legislature. It is something that will last, and over the years we will see increasing benefits from it.

[22] **Sandy Mewies:** Thank you. Chair, I think that Ann has answered question 4.

[23] **Huw Lewis:** I think that you are probably right. The next question is from Mark Isherwood.

[24] **Mark Isherwood:** In paragraph 14 of your explanatory memorandum, you list lower income deprived demographic groups, which you say tend to be most vulnerable to domestic fire-related injury, including the very elderly, female single parents and the disabled. Do you think that the scope of the Order as proposed is sufficiently broadly drawn to provide for these groups? What other initiatives, not necessarily restricted to new build properties, might have a greater impact on these groups?

[25] **Ann Jones:** Paragraph 14 of the explanatory memorandum is just by way of background. They are examples included to illustrate some of the policy background, if you like, of the LCO. We have looked at these tragic incidents—you look at the deaths and work out where the vulnerability lies. That said, the danger is that we think that it is only vulnerable

people who will be subject to a fire death. I think that we are all guilty of thinking, 'It won't happen to me', and then when a fire does occur, we are devastated. So, there is a danger of our doing that. We took the information from a report of the chief fire officer's task group on accidental dwelling fire deaths. That provided that evidence.

[26] By targeting all new home build, we will cover a range of the most vulnerable, but will also save those who think that it will never happen to them. By doing that, we will see that there is a need and a community basis from which we can work. I think that the scope of the LCO is fine as it is. As I said in response to Sandy, we must be realistic about what we can achieve, and I would rather this be achieved in the area that we are looking at now, than for the LCO to be widened and us to lose the ability to put sprinklers into new home build. As more and more people move into homes of their own—and they are doing so—we will see that happen. That is what I want this to achieve—I want it to be realistic and I want it to save lives, and I think that this is the only way in which we can do that.

[27] I will bring in Chris Enness on this point to give the background on the vulnerability statistics, and why we have picked out those vulnerable people to illustrate those whose lives we are attempting to alter.

[28] **Mr Enness:** Thank you for the opportunity to support you on this issue, Ann. There was a study, 'Learning Lessons from Real Fires: Findings from Fatal Fire Investigation Reports' in 2006, which was sponsored by the DCLG and listed vulnerable groups. In north Wales in particular, we set up a chief fire officer's task group to look at the people who had died in fires over the last five years. We listed not only the vulnerable groups, but also the elements that made a person vulnerable. There were seven of these supporting elements. In all of these incidents, had a domestic sprinkler been installed, these people would not have died, which is why we have picked on these particular groups.

9.50 a.m.

[29] **Peter Black:** What does DCLG stand for?

[30] **Mr Enness:** The Department of Communities and Local Government. It is the Westminster department that governs fire matters for England.

[31] **Mark Isherwood:** Based on that report, Chris, of those deaths that you have looked at over the last five years, are you saying that every one of the people involved fell into one of these vulnerable classifications? If not, what proportion was it?

[32] **Mr Enness:** Yes, you could broadly categorise someone into one of those groups. Of the 45 people who have died in the last five years, you could broadly categorise them into those groups. However, the most important fact arising from all of that is that every single one of those people would have survived had a domestic sprinkler been fitted.

[33] **Mark Isherwood:** In previous meetings, you have highlighted this concern with me and said that we also need to look at better data-sharing across agencies, overcoming data protection barriers, and that we need to target the most vulnerable households with mobile sprinkler systems to ensure that whatever type of property people are living in, this is tackled. Do you not feel that that should still be a priority?

[34] **Mr Enness:** We are doing that now. We have agreements across the local health boards and primary care trusts, with GPs and the unitary authorities. We have mobile sprinkler systems and we are doing all of that now, but that will only go so far. Domestic sprinklers are an investment for generations to come, which will make Wales the safest place in which to live and will allow you to invest the millions of pounds per year saved on wider

social spending back into communities and local services.

[35] **Janet Ryder:** The evidence that you have always put forward is, very clearly, that these are the social groups most likely to be affected by domestic fires. However, are you satisfied, Ann, that by restricting this LCO to just new home build, you are going to bring those people into the remit of this LCO?

[36] **Ann Jones:** Yes. We are seeing more and more estates being built with shared occupancy housing. In the private sector, you have an element of affordable housing, and social housing on estates. So targeting all new home build will cover it. Housing associations will be looking at the elderly, the disabled or the impaired, where there are social contracts with housing associations and with local authorities. Those who have bought homes to let privately may rent to young people. I think that we will cover all of those groups. I can see where you are coming from in wanting to widen the scope of the LCO, but if we start to do that I think that we are in danger of not being able to concentrate on what we are looking at now, which is all new home build. I am confident that, in focusing on all new home build, as Chris has said, we will, for years to come, set the building blocks. At the moment, many people cannot understand why I am pushing this. However, they understand it once they see the benefits. If you are unfortunate enough to have a house fire and you have a sprinkler fitted and it goes off, which means that your home and, more importantly, your family is saved, then you will see sprinklers as your best friend and never speak other than very highly of them.

[37] What we must do is to take that vision forward and say that we will lead the way here in Wales. We know what the vision is and what this can do. We will cover all of this as we move more and more into mixed communities. We will no longer have private home owners in one area and social estates in another. We are looking at mixed communities now, and I think that by targeting all new home build, given the policy of mixed communities, we will touch a wider area than had we just targeted social housing. If we look at social housing, there is a whole raft of people for whom this LCO would never be relevant, because they will never be in social housing, or at least not for a considerable number of years. By doing it the other way, we will cover a cross-section of our communities and protect them through this LCO. Colin, I believe that you wanted to say something on the last point.

[38] **Mr Hanks:** There was a national advertising campaign in the mid 1980s, which was sponsored by the fire and rescue service, with the strapline: 'Fire doesn't discriminate'. That was something of a misnomer, because, clearly, fire does discriminate. From my 30 years of experience in the service, I know that fire does discriminate: it affects particular socioeconomic groups, so a proposal like this, which starts with new build, will ultimately encompass the groups that fire, unfortunately, targets.

[39] **Ann Jones:** To finish off my response to Janet's question, under new build we have also included conversions. So student accommodation and care and residential homes would also be included—we need to put that on the record.

[40] **Huw Lewis:** We are still with you, Mark, should you wish to ask question 6.

[41] **Mark Isherwood:** You have largely answered question 6, Ann, so I will go on to ask whether any particular categories of property would be excluded. You have confirmed that student accommodation, care and residential homes would be included, and I think you have confirmed that social housing would be included, but would caravans and houseboats be included?

[42] **Ann Jones:** Yes, I think that they would be. This is why I have to have my assistants here. They have been trying to get me to remember this number, but I cannot, so I will have to



read it. British Standard 9251:2005, on sprinkler systems in residential and domestic occupancy, has the definition:

[43] ‘individual dwelling for occupation as a single family unit used or constructed or adapted to be used wholly or principally for human habitation, such as individual dwelling houses, individual flats, maisonettes and transportable homes, with a maximum individual room size of 40 sq m’.

[44] So, I think that that covers houseboats and caravans, although I am not an expert on how much 40 sq m is. We would look to include that definition of a dwelling or home. I would like to do that. That is from British Standard 9251:2005.

[45] **Huw Lewis:** You have largely answered the question that I was going to ask, Ann, but I am interested in what constitutes a conversion. Can you expand on that little? When is a conversion a conversion? Are we solely talking about the conversion of a building from some other use to residential use, or the upgrading of existing residential accommodation for a spanking new residential purpose?

[46] **Ann Jones:** I have toyed with this issue as well. It goes back to the issue of being practical and trying to get an LCO through that will have the maximum effect without diluting the focus. In the proposed Order, we have used the word ‘conversion’, but I think that I have put on record that it does not cover converting your utility room into a bedsit for a teenager. I do not think that we would say that that was a new build, because it is not, really. However, converting terraced houses used as offices back into residential accommodation—the office would no longer exist; someone has bought the property and turned it back into a family home—would be considered a new build. It is that element. While we need to know these issues to get the LCO through, they could become the subject of much discussion in terms of the Measures that would follow the LCO. That is probably where we would have to look at what we were doing on this. I would not want to say that putting a conservatory at the back or front of your house or wherever would constitute a new build. In my eyes, that would not be a new build. Lawyers and others might have different views on that but it certainly is not my intention within this LCO; my intention was for it to cover just new build homes.

10.00 a.m.

[47] **Huw Lewis:** This will bear further thought; annexes and granny flats spring to mind, as do conversions—certainly in a constituency like mine, where the conversion of retail premises into residential dwellings is fairly common in an area of primarily Victorian housing.

[48] You are sticking to the residential element of this, are you not?

[49] **Ann Jones:** Yes.

[50] **Huw Lewis:** Is there no scope for looking at community centres, community halls, health clinics, and so on?

[51] **Ann Jones:** Not in my LCO. Having looked at the community fire safety working group’s ‘Wired for Safety’ document, which looks at all of the elements of public safety, I would have expected local authorities to look at the community centres and residential homes that they have now, and at all of the other buildings that come under their charge, and decide that, if they are going to build anew that—as we are now directing with schools—they would see the benefit and would take that on board. Widening the scope into all of those areas would mean a longer legislative process, and it would make the process of getting there less effective. As I said at the start, the deaths that occur in such circumstances are very often

individual deaths, or there may be two or three deaths in a house. They are seen very much as one-offs.

[52] Unfortunately, that is the area in which we have lost out, whereas we have seen the damage in schools and have therefore rectified that weakness, which means that schools will be fitted with those systems. People and authorities will see the best value for their buildings is to put preventative measures in place. I hope that they will do that. What we are doing now is putting in that final piece. No-one has looked at the homes of individuals and at how safe you are in your own home. We have done a lot of campaigning work as an Assembly Government—as the fire service, the police, or any emergency service does—and it is about how we manage it. However, I do not think that the legislation has been in place to put in that preventative measure that will make them safer places to live.

[53] **Huw Lewis:** Thank you, Ann. Janet Ryder has the next question.

[54] **Janet Ryder:** You have touched upon the conversion of properties from commercial to domestic use. What do you think would happen if just the top floor of a property had been converted into a flat—for example, a flat above a shop? Would that be classed as a new residential property?

[55] **Ann Jones:** We are including flats, because more and more apartments are being built.

[56] **Janet Ryder:** It is not a new build; it is above an existing shop.

[57] **Ann Jones:** I understand what you are saying.

[58] **Janet Ryder:** It may previously have been used as a store room.

[59] **Ann Jones:** I have said that, on all occasions where there is a change of purpose and a property becomes a dwelling or home, or has residential domestic occupancy—‘domestic occupancy’ was the phrase that I was looking for—then that will be accommodated. Ray, help me out. [*Laughter.*]

[60] **Mr Cassar:** I think that this is already covered in the existing building regulations. Where a purpose group changes from commercial occupation and activity to residential, that forms part of the building regulations consultation and would be identified almost as a new entity. So, I would suggest, from the description that you gave—a top floor being turned into flats, maisonettes, bed-sits, or a single private dwelling—it would come under the scope of the proposed LCO.

[61] **Janet Ryder:** You also talked about creating a bed-sit for young people, and someone else mentioned that people often create granny flats—even if it is grandpa who moves in. It is not a new build, and it may not be a very big restructure, but could become a separate entity. I am not sure whether that is dealt with under building regulations as a separate entity or just as an extension. Do you envisage this being able to encompass that?

[62] **Ann Jones:** I do not know. Can you answer that one, Ray, and then I will come back on it.

[63] **Mr Cassar:** It is not the easiest one to answer. However, the best way that I can suggest of describing it is that, if it is a separate build—completely separate to an existing structure—it would have to receive planning permission, and then it would have to go through the building regulations process, and I suggest that it would be classed as a new build. If it is an extension to an existing property, whereby you are going to either convert what was a

garage into a bed-sit, or add an extra room, then it would not be classed as a new build.

[64] **Janet Ryder:** So, it would not come into this, even though it would be two residencies within the one.

[65] **Mr Cassar:** On the first description, where it is a separate property, effectively, even though it may be in the same grounds, within the curtilage of the existing property, it would be a new build, and I daresay that it would come into this.

[66] **Ann Jones:** Again, I think that that is something that we would perhaps look at under a Measure.

[67] **Janet Ryder:** However, if we do not ask for the powers under the LCO to do it, we may not be able to specify in the Measure what we want to do. I know that you do not want to widen it out, but is it wide enough to perhaps allow for a series of Measures later on to deal with specific instances?

[68] **Ann Jones:** Yes. I see the point, and I take the point about the granny-flat, or the annexe. On extensions, what I do not want to see is that the conservatory that is added on the front constitutes a new build. That is why I am saying that. When I mentioned converting your utility room, your utility room is usually within the confines of the building that is already up, and you are just altering it. I would have to take advice on the building regulations; we will have to go back and look at that one. We may need to explore that area—whether it is a separate building or not. I believe that Ray said that, if it was seen as a separate building, or as a new build, obviously we would want it to come under this LCO. However, I take your point; that may be one of the points that I will explore further, and perhaps write to the committee on that. I might not do the exploring—someone might do the exploring, and we will write to you.

[69] **Huw Lewis:** That would be helpful. Peter Black has the next questions.

[70] **Peter Black:** I will come back to that later on, but my first question is a slight change of direction. Have you made any assessment of the relative cost impact of the proposed Order on commercial developers, as opposed to individuals?

[71] **Ann Jones:** Commercial developers will bear the brunt, but, as we all know, commercial developers will then reflect that in their final prices. On initial costs, when I looked at the LCO back whenever it was now—it seems a lifetime ago—we averaged it out at the same cost as carpeting a new home build or of installing a central heating system. We think that it is between 1 and 1.5 per cent of the unit cost to the developer. We also need to bear in mind that, if we get this LCO, or when we get this LCO—I should be positive about that—builders and developers will know that they have to put them in. Therefore, they will do the negotiation, and I am sure that, builders being builders, they will negotiate a good price for significant numbers of systems. I would say that we will see the cost coming down.

[72] I have had preliminary discussions with insurance companies, which are keen to see this sort of thing happen, because it means that they do not pay out. There will be a significant reduction for them in terms of pay-outs for fire damage, but it will also mean a reduction for you and me, who perhaps do not claim, because our home insurances will not be as costly, based on the fact that there are fewer claims. Therefore, there is a cost saving there. However, on costs, I believe that we are looking at 1 to 1.5 per cent of the unit build, and we would not necessarily expect that that would be an additional cost in the final asking or selling price. So, I am confident that the costs are there.

10.10 a.m.

[73] I think that it was Janet who asked, in the debate, what cost can be placed on a life; that is true. I visited a new non-residential building during the Easter recess, which does not have any sprinklers. When I asked why that was, I was told that it would probably have added around £200,000 to the cost of the project. So, a developer decided that paying £200,000 for a sprinkler system was not worth it. I was slightly disappointed with that response, but that is where we have to start educating people and say that we cannot put a cost on life. Between 1 and 1.5 per cent of the unit build cost can be judged as being fair. We also have to look at the savings—primarily the saving of lives.

[74] **Huw Lewis:** I have a quick supplementary question. When buying a car, it is common for people to consider the resale value of the extras that the car might have; for instance, it is well known that air conditioning would probably sustain a £200 premium on the resale value of a car. Do you think that that would follow with housing sales, and that someone could confidently expect to recoup some of the outlay for a sprinkler system when they sell a house?

[75] **Ann Jones:** I would hope so and I think that it will. As we get new builds with sprinkler systems, more people will probably look to move to those estates, rather than move somewhere else without sprinkler systems. Competition will drive prices as well. We are working on a stark figure of what an individual sprinkler system could cost, and I think that that 1 per cent will come down. It is interesting that insurance companies are quite keen to look at this as well, and they see an element that could perhaps make it easier to insure your home.

[76] **Peter Black:** All of those points are valid and I think that you are right: we cannot put a cost on life. There are huge advantages to having sprinklers. I want to explore this a bit further, because you did make the point that competition would determine prices. There are issues in different parts of Wales. We like to think of ourselves as a self-contained unit, but we border other countries that will not have the same requirements, so I am interested in how you think that will impact on competition in the border areas, on house prices. Will builders feel that they are being forced to absorb the cost of the sprinklers or will they feel that they are being put at a disadvantage because of that?

[77] **Ann Jones:** I can see where you are coming from. It will be the same for every house builder in Wales, whether they are indigenous and home grown, as we would like to see, or whether they are from elsewhere. Once they step over the border into Wales, they will have to fit sprinklers into all new builds. So, in that respect, I do not see that that would be a problem. That is a level playing field for all builders in Wales. I also hope that—as I mentioned, Chris is going off to pastures new in England—England will look at what Wales has done in terms of sprinkler systems and will very quickly follow suit.

[78] **Peter Black:** Do you think that developers on the English borders will see that houses in Wales have these features so will start including them too?

[79] **Ann Jones:** Yes. Chris, do you want to answer that one, seeing as you are going over to England?

[80] **Mr Enness:** Absolutely, and I will then hand over to Ray. I want to go back to a point that Ann made early on in her submission. Ann visited an estate in Warrington, and some of the houses had sprinklers fitted, but some did not. The people in the houses that did not have them who felt hard done by, because they did not have that added level of security. Look at how you buy a car nowadays; the safety features are important to any new-car buyer. You would not dream of buying a car without an airbag these days. So, domestic sprinklers will be the issue of the future. Whatever the devolved administrations do—and you have a

really good chance of leading the way in Wales—other administrations will follow. England will have to follow Wales once you have brought in domestic sprinklers. Scotland is already bringing them in for high-rise buildings and residential care homes, because of the loss of life seen in such circumstances. We lose lives in homes in Wales, and lives are lost in homes in England, and so England will have to bring it in. Ray, is there anything to add?

[81] **Mr Cassar:** I would just like to return to the point that you mentioned about cost. The United States and Canada, particularly Vancouver, are light years ahead of us. Sprinkler fitting has been mandatory in certain communities for a number of years now. Scottsdale, Arizona is one example, and Vancouver is another. Vancouver is a city of 0.5 million people plus. Their fire death rates were, year on year, in excess of 25. For the past 10 years, their average is one, with numerous years having zero fire deaths. So, from a life-safety benefit, the evidence is unquestionable, in my opinion.

[82] On the cost side of things, the houses in Scottsdale, Arizona are primarily timber-framed, and there is a requirement that premises be compulsorily fitted with sprinklers at the new-build stage, and so the average cost of a fire having taken hold in a home in Scottsdale used to be \$80,000, but is now down to \$3,000. So, whether you are looking at it from the commercial perspective of the insurers, who have to pay out, or from the perspective of the family, in reducing the amount of damage done to the home and the impact on the ecological environment, you will see that there are huge benefits to be had from the introduction of sprinklers, and I applaud this move.

[83] **Huw Lewis:** Colin, did you want to come in briefly?

[84] **Mr Hanks:** Yes, on the point that you made, Chair, about property being an asset, I think that we are looking at a sea change in how properties are sold, albeit that the market seems to be going into a bit of a slump. You will never see anything about the safety features of a house in an estate agent's details about the property. However, those issues will develop in a similar way to that which happened in the automotive vehicle industry. If there are two properties for sale on the same street, and one has additional safety features such as hard-wired smoke detectors and automatic water suppression systems, with time, that may eventually have an effect on the value of the property and perhaps on the purchaser's inclination to buy the property.

[85] **Sandy Mewies:** The corollary to that, for me, is burglar alarms. Twenty years ago, did you see a burglar alarm on a house? No, you did not. Now, you would be hard pushed to find any home, new or old, without one. Of course, you get discounts on your insurance if you have one installed, and they have become cheaper. Have you looked at how that has worked? I would expect this issue to work in much the same way.

[86] **Ann Jones:** That is a good example. I was looking for examples to see whether we needed an LCO for this, or whether we just needed to talk to developers and suggest very nicely that they install them, but the burglar alarm analogy is good. The other example that I thought of was seat belts. Seat belts were not compulsory at one time; it was only advisable to wear one, to be less likely of receiving a severe injury in case of an accident. However, that did not stop people, many of whom did not wear their seat belts until it became law to do so. That is where I am coming from. We can look at all the good measures that we should have in place in our homes, such as smoke alarms, but how many times do we recommend that people have hard-wired smoke alarms to no avail—although I suppose that a battery-powered smoke alarm is preferable to no smoke alarm? Therefore, I went for a legislative competence Order on fitting sprinklers, because of what happened with burglar alarms. People do now take burglar alarms into consideration, and, if you have one, your insurance is cheaper, depending on your postcode. Hopefully, if you have a burglar alarm and a sprinkler system, your insurance will be that much cheaper again. That focuses people's minds on why they should

have these. However, I would like to think that, even if there were no cost benefit in insurance terms—though I am sure that there will be—more importantly, this LCO will save lives.

10.20 a.m.

[87] We tell people that the National Assembly for Wales and the Welsh Assembly Government are here to improve people's conditions in Wales, and this LCO will move us down that route. We have the opportunity to lead the way on this, and to be held up as an exemplar legislature that has thought about what it is doing. We can attribute many other things to the good work of the Assembly, but this will add to that good work. I think that we can lead the way on this. To the housebuilders out there who might be listening to this and thinking, 'Here is another piece of legislation that we do not want', I would say that I hope that they will change their minds when they sit down and look at it, because they live in homes too, and we are attempting to protect everyone with this. If the insurance companies are listening, I want to tell them that Sandy's point on burglar alarms is good, and I ask them to consider offering a discount for homes that have sprinkler systems installed, too.

[88] **Mark Isherwood:** I have a technical point to ask about the insurance aspect. What have insurers said about what would happen when sprinklers were triggered when there was no fire to put out, such as a pan boiling for too long in the kitchen or someone smoking a cigarette? Can that happen? My fire alarm is often triggered at the slightest bit of smoke in the house. What are the insurers' concerns in that regard?

[89] **Ann Jones:** Before going into the technical side of this, I wish to make the point that that is what I always used to say. I will refer to my 30 years in the fire service as a control operator, when smoke alarms or automatic fire alarms used to go off in some premises regularly. Invariably, we would send the firemen out but, when they arrived, they would find no more than someone who had burnt the toast on the grill and so on. That is often down to the location of the detector head on the fire alarms.

[90] With sprinkler systems, I think that a temperature of 68 degrees centigrade is needed to trigger them, so they are less likely to go off when there is no fire to deal with. I will let the technical guys come in on that point, but I am quite happy that sprinklers do not go off regularly and cause huge floods. In films such as *Casino Royale*, you see settees floating out through doors and windows, but that is a myth. In the video that I showed in the Chamber, you could see the effects of a sprinkler, and they often just direct the water over the area of a fire. However, I will let the technical guys tell you exactly what happens.

[91] **Mr Cassar:** The spurious actuations of sprinkler bulbs—that is, letting water through when there is no fire—is virtually unheard of. It is a quartzoid bulb filled with a liquid and a small amount of air. The expansion of that liquid breaks the glass bulb and allows the water through. Only one sprinkler head in 16 million spuriously actuates, so that is almost unheard of.

[92] On the possibility of someone triggering a sprinkler by boiling a kettle, smoking a cigarette, or drying their hair and pointing the hot air up towards the sprinkler, the British Standard requires that the bulb utilised in any room has a rating of at least 30 degrees centigrade above that of the expected ambient temperature. So, in the home environment, Ann is technically right to say that we would use a bulb that would be activated at around 68 degrees centigrade. The lowest bulb activation temperature that you can get is 57 degrees centigrade and the highest is 213 degrees centigrade. So, there is a wide range of availability. However, occasions of false or spurious actuations are almost unheard of.

[93] Ann's point about the myths is a good one. I know that we smile about those, but they cause a degree of resistance to the fitting of sprinklers. People think that if one goes off, the

whole house or hotel will be completely flooded, but that is absolutely wrong; it does not happen that way. Even in the most serious fire, in a commercial environment, very rarely will it involve more than six sprinkler heads. Within the home, it will not involve more than two because two sprinkler heads is the maximum that you will have on a British Standard No. 9251 system in any one room, and that is if you have a large room. I think that I can genuinely allay any fears of the issue of spurious actuation.

[94] **Mark Isherwood:** I thought that I should sort that out.

[95] **Mr Cassar:** Absolutely. We welcome the opportunity to say it, because many people are under the wrong impression that a sprinkler system will cause more damage than a fire. It will not. It will suppress a fire and, on most occasions, put it out. It has not been mentioned yet today, but I would also like to take the opportunity to say that it will make the conditions far safer for the firefighters who turn up. Far too many are injured in fires that have got to the stage of being at or around flashover.

[96] **Huw Lewis:** Okay. We are still with you, Mark.

[97] **Mark Isherwood:** I will just make the economic point that house prices are set by the market, which is in turn set by the elasticity of demand, and a builder cannot just choose to add on costs if a house cannot be sold at a certain price.

[98] I will now move on to the next question, with a slight change of emphasis. What scope is there in the Order to provide for situations in which the capacity and pressure of the existing water mains is insufficient to support the use of a sprinkler system?

[99] **Ann Jones:** To have a sprinkler system, you have to have a decent water system behind it. These questions are also on technical side, and I am glad that Ray, Chris and Colin are here to answer them. However, I will just say that we all rely heavily on water, and most of us have running water systems, and, having spoken to the water companies—one in particular—I know that they do not necessarily see a huge problem with this, although they would want to go away and revisit it, as the LCO comes in. Before I hand over to the guys, I just want to make one point, though they may not like me saying it. A sprinkler system operating on a water system does not use as much water as a firefighter uses with a hose reel. A firefighter with a hose reel uses gallons of water, all of which go into a house, and which also has an effect on the environment. When water is pumped into a house, it has to be pumped back out. It has to go somewhere, but it is usually contaminated. So, I think that a sprinkler system will use less water than any firefighter.

[100] **Mr Hanks:** It is about 1,000 litres versus 15,000 litres to extinguish a compartment fire.

[101] **Ann Jones:** There we are. I will let you deal with the water pressures.

[102] **Mr Cassar:** Within British Standard No. 9251, there are five acceptable water supply methods for the sprinkler system. Supply can come directly from the mains water supply; from a pressure tank or vessel; from a fire pump drawing from a stored water facility; from a fire pump drawing from a mains water supply or an elevated storage system; and from a gravity-fed stored water system, if required. It is probably worth adding that stored water, as described in the British Standard, may also include such things as swimming pools, lakes and wells, as long as a proper survey has been conducted of them. To me, that is of huge benefit in Wales, because you have such wide-ranging areas in rural communities, and it means that you can use options other than the mains system.

[103] The British Standard states that any single sprinkler that actuates requires a flow rate

of 60 litres a minute. For a fire that involves two sprinklers actuating, a flow rate of 42 litres a minute is required. Within that description, the one that the water authorities have a little bit of concern about is the mains supply, because there are occasions when they put the pressure down, to save on leakage and so on, at periods of low water usage. However, you can see from the British standard that there are four other perfectly acceptable alternatives that can be utilised to provide the water that is needed.

10.30 a.m.

[104] **Mark Isherwood:** Remembering that there will always be exceptions to every rule, if that pressure could not be achieved in a particular case, what flexibility would there be to work with the water suppliers?

[105] **Mr Cassar:** To be perfectly honest, looking at those five descriptions, if you take out the mains supply, the others will always give you the necessary flow rate—even the gravity-fed stored water system, provided that it has sufficient pressure of head. The one that may not give you the flow rate, in all honesty, potentially, is the town mains. Other than that, if you are using a fire pump and you have the pressure vessel or the stored water supply, the fire pump will work at the rating that it is set to. If you set it so that it will provide you with more than 60 litres of water a minute, that is what it will do. Obviously, the stored water supply has to be sufficient to provide water for a reasonable length of time.

[106] **Ann Jones:** I have not checked it out, but I would imagine that where people have a power shower in the house, the pressure would be sufficient to drive a sprinkler system. I am going to ask these guys to go away and check that out too. I have just been told that if we looked at a Measure, it would be able to provide exemptions for cases where there were insurmountable practical difficulties. So, that would be something that we would have to look at. I think that what we have to try to do is to get as many in as possible.

[107] **Huw Lewis:** Thank you, Ann. I am anxious that we cover all the various elements today. Perhaps this is one on which we could have some written evidence in terms of technical advice on water-flow issues. Would that satisfy you, Mark?

[108] **Mark Isherwood:** Yes, thank you.

[109] **Huw Lewis:** I think that a little bit of extra background would not do any harm. The next batch of questions concern matter 11.1:

[110] ‘Provision for and in connection with a requirement that the sprinkler system be installed in new residential premises’.

[111] We now have a series of questions from Janet.

[112] **Janet Ryder:** This is going to go back a little bit to what we have just discussed, so it may be something that you will want to take away and re-clarify. In the LCO, you propose inserting sub-paragraphs (c) and (d) on premises converted for single residential use. Are you satisfied that the wording is sufficiently clear to avoid any misinterpretation of what constitutes a single dwelling?

[113] **Ann Jones:** Yes. On the interpretation of the matter, we deliberated long and hard to ensure that the term ‘new residential premises’ included apartments. As I mentioned—as you can see, around here in the bay, all they seem to be building are apartments. I was keen to see those included because they are individual dwellings—they are people’s homes. I think that the four interpretations of the matter in the LCO cover most of what I was after. I will take back your issue about the annexe rather than the granny flat—I hate the term ‘granny flat’. I



am never likely to be a granny so that is probably all right. We will take that issue back, but I am convinced that we have covered virtually every possible place where people will dwell. It is about looking at blocks of apartments and flats. It is also about looking at larger guest houses that are turned into flats or whatever. That is a change of use because a guest house is a business, but if you then turn it into—I would hope—just two or three decent sized flats, that is a change of use that is covered under what we referred to earlier, under the British standard—

[114] **Janet Ryder:** On that, in your area, you know of the problems that arise when large, old Victorian houses are subdivided. You are not talking about retrofitting, but about those properties that are acquired, perhaps by a property developer, and then subdivided. Are you quite happy that that subdivision comes clearly within the realms of this LCO? Although it is not a new build, it involves the creation of new residential properties.

[115] **Ann Jones:** I think that it is covered under

[116] ‘premises converted to use as a single residence by physical subdivision’

[117] or by ‘physical incorporation’.

[118] **Janet Ryder:** Within that, do we need to look any further at, for example, a house that is not physically divided into three floors where there is a series of bedsits on each floor with shared communal facilities? Can you see any difficulties in that regard?

[119] **Ann Jones:** I suppose that there will always be someone who will find a loophole in the housing regulations; someone might create bedsits rather than apartment-style accommodation. I hope that the new houses in multiple occupation legislation will address the issues of substandard houses in multiple occupation, and will address those poor landlords who still do not adhere to a proper system. So, I hope that we will have done that by the time this legislation comes through, but we may need to be go back to check that.

[120] **Janet Ryder:** Are you quite happy that this will address the issue of bedsits with shared communal facilities, rather than only self-contained accommodation?

[121] **Ann Jones:** I think that it will, provided that they are new build—or rather properties where there has been a change of use.

[122] **Janet Ryder:** Not new build, but a renovation.

[123] **Ann Jones:** Yes, a property where there has been a renovation and a change of use, such as if a hotel is converted. I am hoping that such a change of use will be covered. I am happy to go away and look at that; perhaps the committee would like to do the same.

[124] **Janet Ryder:** If you are going to look at that—and this is probably something that will come up in the Measure that I would be very interested in—could we look at where you would put the sprinklers? In the case of bedsits, would the sprinklers be installed only in the bedsits or the communal areas as well?

[125] **Ann Jones:** I do not know where the sprinklers would be fitted. I would love it if we could discuss that today, because it would mean that we had got to the point where we are installing them. However, that would have to be done in consultation with the fire service, builders, people who deal with building regulations and local authorities.

[126] **Janet Ryder:** But we need the powers to be able to do that.

[127] **Ann Jones:** Yes, we would need the powers. I think that we are covered.

[128] **Mr Enness:** British standard specifications set out the distance from the wall and the height drop for sprinklers so that they are situated to cover the area of risk. If you have a shared communal facility, it comes under the definition of a house in multiple occupation, which is slightly different to a domestic occupancy.

[129] **Mr Cassar:** On British Standard 9251, if we are talking about British standards, the answer depends on the type of building. If you fit a 9251 system, the sprinkler protection should be provided in all parts of the dwelling with the permitted exceptions of a bathroom with a floor area of less than 5 sq m, cupboards and pantries with a floor area of less than 2 sq m and where the least dimension does not exceed one metre and where the walls and ceilings are covered with non-combustible or limited combustible materials, non-communicating attached buildings such as garages, boiler houses and so on, and crawl spaces.

[130] **Huw Lewis:** I do not think that we need to get too technical unless Members want to take this up as a hobby in their spare time.

[131] **Janet Ryder:** You mentioned that one would become a house in multiple occupancy and not individual residencies—

[132] **Ann Jones:** I would expect the houses in multiple occupancy legislation to deal with some of the points that you have raised.

[133] **Janet Ryder:** Would we need this LCO to ensure that the houses in multiple occupancy legislation does so?

[134] **Ann Jones:** I think that they could complement each other, but it would be the houses in multiple occupancy legislation, new licensing or a mandatory scheme that would do that.

[135] **Peter Black:** Are you saying that you would expect the Assembly Government to issue separate regulations to complement the houses in multiple occupancy legislation, because that is not covered at the moment?

[136] **Ann Jones:** No, it is not covered at the moment. However, I think that the houses in multiple occupancy legislation is sufficient for it to complement the LCO. What I am keen on is getting this to cover all the new home build. I can see where you are coming from, but I hope that houses in multiple occupancy will be a thing of the past—certainly the sort of houses in multiple occupancy that I have been dealing with and that Mark and Sandy will be aware of. Peter has also seen his fair share of those in the south. We are moving to address those issues and I do not think that that will necessarily be something that we get bogged down with. I do not see it being a problem.

10.40 a.m.

[137] **Huw Lewis:** Thank you. If Janet is happy with those responses, we will move on to question 16.

[138] **Sandy Mewies:** I wish to talk about hybrid properties—live-work units, where there is a residential component. The question does not define that; it simply refers to a unit that offers a combination of residential and employment space. Ann, you will remember, as I do, a horrific pub fire some years ago in our locality, where the family who lived in the pub died. How are these hybrids covered? Do they come under the LCO?

[139] **Ann Jones:** They do not come under my LCO as drafted. However, if a pub were to

change its use to incorporate any residential element, it would be covered under the definition of this wonderful BS9251. Some of the issues that we are looking at are based on what is happening now. I have been very clear not to look at retrofitting because that is something that we would never be able to police. What I want to do is try to move us forward. I think that, in the cases of people living above pubs and where pubs do bed and breakfast and so on, premises are covered under separate legislation and a fire certificate must be issued, or at least that used to be the case—I do not know what the rules are now. So, that is covered. This LCO would apply to any building where there is a change of use that involves new residential accommodation.

[140] **Mark Isherwood:** Your winning ballot referred to new build housing, so why have you chosen to use the term ‘new residential premises’ in the proposed Order?

[141] **Ann Jones:** I have always said ‘new build homes’ because that is how I speak. I was advised that we had to use the term ‘new residential premises’ in order to cover what we wanted to deal with. I have always been quite clear that what I am trying to push for is dealing with new home build. People ask me to define the word ‘home’. The description that was read out from the BS9251 relates to domestic occupancy. With regard to the words ‘new residential premises’, the word ‘residential’ is defined quite clearly for the interpretation of the matter. ‘Residential’ means that someone resides in the building, which is just a posh way of saying that someone lives there. To me, that just means a home. I would like to say that, by the end of this year, anyone who buys a new home in Wales would have to have a sprinkler system fitted in it. That is because it is new build housing. I was told quite clearly that ‘new home build’ would not cover that—it was just my interpretation of what would be meant by ‘new residential dwelling’. In the case of a residential estate for however many houses, if it were a residential estate of 200 houses, it would mean, to me, 200 new homes.

[142] **Huw Lewis:** Mark has a terminology query.

[143] **Mark Isherwood:** Very briefly, Scotland and England were guided by research carried out by the Building Research Establishment, commissioned by the Office of the Deputy Prime Minister, which identified those types of properties where the benefit would be greatest. Can you confirm that all those properties would be included in your definition?

[144] **Ann Jones:** Yes, we have taken that view. Scotland has gone only for high-rise flats, sheltered accommodation and the residential care element. I am trying to put in that final piece in Wales with new build housing—houses for families, single people and whoever else to live in—all based on the definition in the explanatory memorandum; the domestic occupancy definition under BS9251 covers it. I am confident that if this goes through, although there may be a couple of areas that we need to tighten up in a Measure, to ensure that we know exactly what can and cannot be done, we have included virtually everywhere that someone could live in any new build in Wales.

[145] **Huw Lewis:** More on terminology now, from Peter Black.

[146] **Peter Black:** I am trying to be helpful with these questions, so please bear that in mind. We have spent the last hour talking about terminology and definitions, and we referred to BS9251 and building regulations, and we basically tried to work out exactly what (a) to (d) under ‘Interpretation of the Matter’ mean and establish. Why do you need to have these definitions of either residential premises or sprinkler systems in the LCO, when all that we are seeking to do is acquire powers to do things? These definitions could be dealt with in much more detail in a Measure. We had this discussion regarding the LCO about the right to buy as well. If you stuck to the first paragraph under matter 11.1 without adding the definitions, you could deal with a whole range of these technical matters in a Measure and maybe have more scope by dealing with them in that way.

[147] **Ann Jones:** It would be nice if we had the powers, and then we could just do that. We have done it this way because it has to go through Westminster—we are hopeful that this committee will approve the LCO and take it forward. To leave it as such a simple LCO would have raised many more questions. I am trying to say to Westminster that we need this competence Order to be able to do these things. I do not want to get into a ballgame about what is hidden behind this; I want to be totally upfront about what I want, namely, sprinkler systems in all new build housing. I am happy to supply that information to Westminster in the hope that it will see that what we are trying to do is improve the lives of people in Wales. As I have said, I am a simple person and what you see is what you get with me. What I say I want is what I want, and I want sprinkler systems in all new build housing.

[148] I have been advised that we must cover the residential element by saying what is residential and so on. By doing so, we are showing our colleagues in Westminster what the aims and objectives of this LCO are. There is nothing to fear from this LCO, but there is everything to fear if it does not go through, because we will see more and more fire deaths. I am saying that these are the areas that I want to look at, and this is what I want to do through it. Hopefully, by giving that information upfront, we will have covered a lot of the issues about which people could have asked, 'What exactly is meant by this?'. That is good, and it also will be good for the home builders, the water companies, the insurers and anyone else, and for the public, so that they will know exactly what will be expected in years to come. The LCO is quite a narrow LCO, in all honesty, Chair, and it is narrow for a purpose, because I want to see it succeed, and the area where it needs to succeed is in new build housing. If that has to be defined as in (a) to (d), so be it, because that is the essence of it. We have done a fair analysis of what we expect to see in order to get the LCO and the Measures.

10.50 a.m.

[149] **Peter Black:** I certainly accept the reasoning and the need to get this through. I am not convinced that every LCO that has come here has contained definitions in that way. The legal advice that we had on the LCO on the right to buy was that we did not need to include definitions because we were seeking to draw down the powers. Given some of the very detailed questions that we have been asking around the interpretation and the definitions in this meeting, and some of the grey areas that we have identified that need to be clarified as part of that, by putting the interpretation into the LCO in this way, you are narrowing the scope of the LCO further. In addition to this, if at some stage in the future you wanted to pass a Measure to deal with something that you had not anticipated and which was not covered by these definitions, you would have to go back to Westminster to get additional powers. I accept that the scope is narrow, but the interpretation narrows it even further, and you may find yourself being restricted as a result of that. Maybe we should consider whether we need to have definitions in here at all. That is the point that I was making.

[150] **Ann Jones:** That is a fair point and is one that we have thought about. However, in the spirit of openness and transparency to our colleagues in Westminster, I am saying that we need the powers to do this, and this is what we want to do. I hope that they will look at the transcripts when they look at this, and they will see the spirit in which we are trying to do it. I take your point about the future, but we all know that powers are moving and will be devolved. By the time that we have got this through, hopefully that will be the case. People have to start seeing the benefits. The quicker we can get them in and do it, the easier it is. I hope that many people will suddenly think that this is a good idea and would look at the cost of including a sprinkler system if they are installing a new central heating system, say. I hope that many will see the benefit. That is something that will be borne out of the evidence from having the LCO cover all new build housing. I take your point, but if comrades or colleagues in Westminster are listening, I am doing it in the spirit of openness and transparency.

[151] **Peter Black:** I just baulk at the idea that we have to restrict our room for manoeuvre because we are trying to please politicians in Westminster when we may be able to strike a deal without the definitions being included at all, as has happened with other LCOs.

[152] **Ann Jones:** That is an argument for another place.

[153] **Peter Black:** I know, but perhaps the committee should consider it when we come to make our report.

[154] **Huw Lewis:** I have a quick question. I would like to unpick the issue of cost a little further, because it will be gone over with a fine-toothed comb. The figures are quoted as being between 1 per cent and 2 per cent of the total construction costs with maintenance costs of around £75 to £100 per year. How robust do you think those numbers are? Have you involved the manufacturers of sprinkler systems in their ideas of what the costs might be and how the unit cost might be driven down as the number of units manufactured would increase with the rise in demand? How do you feel about that?

[155] **Ann Jones:** Initially, I did a lot of work with the National Fire Sprinkler Network, which provided me with the latest costs. Ray has also done a lot of work in that area. I am confident that the costs are as accurate as we could make them when we submitted the explanatory memorandum. I am confident that the costs will come down as we see more and more being installed and as the competition increases. In terms of the costs, we will see massive savings to the environment, to communities, and to the public purse. There is an element there whereby we could say to developers, and to house builders, that what they are doing is their commitment to their communities and environment.

[156] As I say, the 1 per cent or 1.5 per cent on a unit cost was based on current figures, which will obviously change. However, I am confident that that is fair. Again, as more and more people have sprinklers fitted, I believe that the maintenance costs will come down, because more and more people will understand it and there will be more competition and more work. At present, I believe that maintenance costs are as they are in those areas where sprinklers are fitted because there are so few of them. However, it is all about supply and demand—people will start looking at this, and house builders will be able to almost negotiate prices.

[157] I do not know whether Ray or Chris or Colin have anything to add on the costs.

[158] **Mr Enness:** On research into costs, you have to look at research in places that have done what we are proposing to do, and use their research. That tends to be across the water in Canada or America. We have two pieces of research that we have looked at—from Vancouver and Scottsdale—which talk about the cost benefits of sprinklers. They have actually done it; it is not, 'We think that this will happen', they are saying, 'This is what happened'. Therefore, that is what we have been able to use, or what Ann has been able to use. The United States Department of Commerce's National Institute of Standards and Technology's report, 'Benefit-cost Analysis of Residential Fire Sprinkler Systems' was published in September 2007, so it is as accurate as we can get.

[159] **Huw Lewis:** To round up our formal questioning session, Peter has a few more points.

[160] **Peter Black:** This just underlines my point. Paragraph 35 of the explanatory memorandum mentions the types of property that would be affected by this. Bullet points 3 and 4 of that paragraph appear to be identical. What are the key differences between bullet point 3,

[161] ‘Existing buildings that are converted from a non-residential use to a residential use (eg: office space converted to flats)’

[162] and bullet point 4,

[163] ‘Other changes of use from a non-residential to a residential use, where conversion work takes place.’?

[164] **Ann Jones:** I have written that down somewhere, but I cannot find it now. They are similar. The third bullet point covers large-scale conversions, that is, blocks of flats or apartments, and the fourth one covers smaller changes. The third one is buildings converted from a non-residential use to a residential use, so, for example, office blocks or office space converted into housing—it might be into flats, or a house, or whatever; I would prefer to see such spaces converted into houses rather than flats, but that is just me. Bullet point 4, other changes of use from a non-residential to a residential use, covers smaller changes—that might be the one where we look at converting the garage into the annexe or whatever.

[165] We wanted to include the two to illustrate that we were looking at residential dwellings that were conversions in that way, and the larger blocks of development as well. We have tried to cover both. The points look similar, but when you read into them, they are different.

[166] **Peter Black:** Is the list meant to be exhaustive? It does not appear to cover the consolidation of multiple properties, as covered in matter 11.1 (d).

[167] **Ann Jones:** No. I do not believe that it was meant to be exhaustive. The explanatory memorandum is to give a flavour and some sense of what we are attempting to do.

[168] **Peter Black:** And to reassure the parliamentarians. [*Laughter.*]

[169] **Ann Jones:** Well, there you go. I will work with anyone; I will do anything to get a sprinkler system into a new build home that will save people’s lives in Wales. I am happy to do whatever is needed to do that. You and I can have a debate about how it is done at a later date.

[170] **Peter Black:** I think that we are on the same line there.

[171] **Ann Jones:** I am sure that we are.

[172] **Peter Black:** Thank you for your forbearance, Ann.

[173] **Ann Jones:** That is fine.

[174] **Huw Lewis:** If Members are content, that brings to an end our formal questioning session. I thank Members for their succinct questions and Ann for her thorough answers. I also thank Ann’s colleagues who have taken the trouble to be here today, and those in the background who have helped—the Members’ research service, who are never thanked, and the committee secretariat.

11.00 a.m.

[175] **Ann Jones:** I would like to put on record, Chair, my thanks to the committee for this session, and also for allowing me to have my technical advisers with me. This is an important debate and I hope that we can move forward. I would like to put on record my thanks to Chris, Ray and Colin and to the Members’ research service who have patiently put up with

me—I am not the easiest of people to deal with when I have a goal in sight. I also thank you, as Chair of the committee, for the way in which you have run this session. I hope that we will see sprinklers in all new home builds in Wales in order to protect people's lives, which is what we are here to do.

[176] **Huw Lewis:** Thank you, Ann. It has been a useful morning. I thank our guests again for their attendance. Thank you.

*Daeth y cyfarfod i ben am 11.01 a.m.*  
*The meeting ended at 11.01 a.m.*