

Built Environment Forum Scotland (BEFS) is an umbrella body for organisations working in the built environment in Scotland. Drawing on extensive expertise in a membership-led forum, BEFS informs, debates and advocates on the strategic issues, opportunities and challenges facing Scotland's existing built environment. BEFS is a supporting member of the [Climate Heritage Network](#).

Other relevant consultation responses from BEFS can be seen below, as many issues overlap and demand associative consideration:

[MANAGING CHANGE: FIRE AND HISTORIC BUILDINGS \(13/03/2023\)](#)

BEFS notes the importance of a co-ordinated approach to this Managing Change Guidance for decision makers within the planning system, with the related technical guidance

BEFS will be responding only to relevant questions of the consultation, as below:

Consultation Question 1

Which of the above two options is your preferred approach?

Option 1 - Mandate active fire suppression in regulation.

Comments:

BEFS has long advocated for the benefits of use and re-use of existing built environment and infrastructure assets, towards net zero and climate change outcomes – emphasizing the importance of retention and protection of historic fabric. It is recognised however that these buildings can be complex. BEFS considers enhanced technical advice on this subject be essential within re-use and conversion practices, understanding that protecting human life is the primary aim of all fire safety measures. As such and on balance, whilst recognising the benefits of a clear-cut approach, the 'preferred' approach is heavily caveated; this will, as noted by BEFS Members The RIAS *'create technical challenges and need careful introduction. Ultimately, it shouldn't be a one or other choice. A risk-based approach will lend itself to certain buildings. The second option reinforces the role of design professionals, whereas the first option is more product led. Done badly a mandatory approach could have unintended 'fit and forget' consequences if the presence of AFS reduces interest in exploring other risk-based measures'*.

Consultation Question 2

In the context of Option 1, do you consider the term 'hotel' needs to be defined?

Agree

Comments:

Any definition must be reached via consultation with industry and relevant historic and built environment bodies.

Consultation Question 3

If either mandating AFSS or providing guidance on risk-based alternative approaches, do you consider there is a need to define the size and/or complexity of the building being converted?

Agree

Comments:

BEFS supports RIAS view that this will be challenging to achieve in practice and that there should be clear trigger points determined through consultation, regarding how building types will be defined.

Consultation Question 4

Are there any further comments or observations you wish to make on the topic of provision of AFSS on conversion of traditional buildings to hotels or on the options set out?

Yes

Please select only one answer. If yes, please add comments below and any background or evidence you consider useful.

Comments:

When considering risk at all stages of assessment, fire safety works and emergency plans for historic buildings, BEFS would highlight the need to ensure that the appropriate skills for traditionally constructed buildings exist within construction practices, to fully recognise where the risks lie - this is something that BEFS has previously lobbied for with regards to interventions relating to Heat in Buildings and retrofit.

Consultation Question 5

We propose that that the wording of paragraph 2.4 of schedule 5 of the Building (Scotland) Regulations 2004 does not require to be amended. Do you:

Neither agree nor disagree

Comments:

Not additional comments

Consultation Question 6

The Scottish Government publication [Fire safety guidance for existing premises with sleeping accommodation \(2022\)](#) is currently being reviewed. Please provide any comments on the guidance in the text box below with regard to the special risks which existing hotels and similar premises may pose through the presence of hidden cavities or voids, varying standards of workmanship, age, and the variance from current standards (Recommendation 5 of the Cameron House FAI).

Comments:

Not answered

Consultation Question 7

Although planned for review it is proposed that the principles set out in current HES guidance remains suitable guidance for special risks which existing hotels and similar premises may pose through the presence of hidden cavities or voids, varying standards of workmanship, age, and the variance from current standards (Recommendation 5 of the Cameron House FAI). Do you:

Agree

Comments:

No additional comments

Consultation Question 8

We propose to change the guidance in the Non-domestic Technical Handbook to recommend cavity barriers at 10m or 20m centres above fire resisting ceilings depending on the European classification for reaction to fire (A-F) of the surface exposed in the cavity. This provision would not apply to small floor or roof cavities above a fire resisting ceiling that extends throughout the building or compartment up to a maximum of 30 m in any direction. Do you:

Neither agree nor disagree

Comments:

No additional comments

Consultation Question 9

It is proposed that the additional guidance indicated in option 2 of question 1 (clause 2.1.9 of the consultation), on identifying risk and implementing proportionate mitigating measures, be included within clause 2.0.7 (alternative approaches) and clause 2.15.7 (Conversion of traditional buildings to hotel use) of the Non-domestic Technical Handbook to strengthen and add to existing guidance. Do you:

Agree

Comments:

BEFS would here reiterate The RIAS view that *'as well as reference to guidance the skills and experience of the design team and their ability to interpret what is practical will be critical'*.

Consultation Question 10

It is proposed to amend standard 2.15 and/or guidance to recognise the current Direction for low risk extensions and conversions to flats, maisonettes and social housing dwellings. Do you:

Neither agree nor disagree

Comments:

No additional comments

Consultation Question 11

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Please confirm any evidence, contribution or initial comments that would help towards this policy decision.

Comments:

Not answered

Consultation Question 12

The expert panel proposes the existing guidance is fit for purpose and requires no further action in this context. Do you:

Agree

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current guidance could be improved.

Comments:

No additional comments

Consultation Question 13

The guidance provided in BS 5266-1 is considered to provide sufficient illumination to assist in escape at low level and satisfy the mandatory standard. Low level way finding systems may be used to supplement protected or emergency lighting and can be considered on a case by case basis as part of the fire risk assessment. It is proposed that this key message is strengthened in existing fire safety guidance.

Agree

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current guidance could be improved.

Comments:

No additional comments

Consultation Question 14

The expert panel proposes revision of guidance in standard 2.10 to remove the need for a separate and fire resisting escape route lighting circuit? Do you:

Neither agree nor disagree

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current guidance could be improved.

Comments:

No additional comments

Consultation Question 15

It is proposed to insert new guidance clause 2.14.10 External Premises Information as detailed. Do you:

Neither agree nor disagree

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current guidance could be improved.

Comments:

No additional comments

Consultation Question 16

It is proposed to amend the wording in 2.7.1 as detailed. Do you:

Agree

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current guidance could be improved.

Comments:

No additional comments

Consultation Question 17

It is proposed to amend Regulation 8(4) to align with England (and Wales?) on these two exemptions. Do you:

Neither agree nor disagree

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current regulation could be improved.

Comments:

No additional comments

Consultation Question 18

It is proposed to amend the wording in clause 2.9.8 as detailed. Do you:

Neither agree nor disagree

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current guidance could be improved.

Comments:

No additional comments

Consultation Question 19

To avoid conflicting information and recognise current practice, it is proposed to remove the guidance in Annex 2.B of the NDTH and cite SHTM 81 Part 1 for new build hospitals. Do you:

Neither agree nor disagree

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current guidance could be improved.

Comments:

No additional comments

Consultation Question 20

It is also being considered to cite SHTM 81 Part 2 and 3. Do you:

Neither agree nor disagree

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current guidance could be improved.

Comments:

No additional comments

Consultation Question 21

It is proposed to cite BS EN 13637. Do you in principle:

Neither agree nor disagree

Please select only one answer and provide your reasoning in the box below. If you disagree or strongly disagree, please provide any suggestions below on how the current guidance could be improved.

Comments:

No additional comments

Consultation Question 22

Do you have experience of issues affecting development which you consider have arisen from application of current fire safety standards set under building regulations?

No

Consultation Question 23

It is proposed to undertake further research and gather evidence to inform the policy. Please confirm any evidence, contribution or initial comments that would help towards this:

Comments:

BEFS is supportive of further research and evidence gathering.

Consultation Question 24

It is proposed to undertake further research and gather evidence to inform the policy. Please confirm any evidence, contribution or initial comments that would help towards this:

Comments:

BEFS is supportive of further research and evidence gathering.

Consultation Question 25

It is proposed to undertake a literature review to inform the policy on car parks and particularly in relation to electric vehicles. Please confirm any evidence, contribution or initial comments that would help towards this.

Comments:

No additional comments

Consultation Question 26

Are there any proposals in this consultation which you consider to impact or have implications on equality groups? Choose from the following options:

Unsure

Please select only one answer and provide any comments in the box below. If selecting yes, please specify which of the proposals you refer to and why you believe specific groups will be impacted.

Comments:

No additional comments

Consultation Question 27

Do you think that any of the proposals in this consultation have any financial, regulatory or resource implications for you and/or your business (if applicable)? Choose from the following options:

Unsure

Please select only one answer and provide any comments in the boxes below. If selecting yes, please specify which of the proposals you refer to and why you believe financial, regulatory or resource implications will be impacted.

Comment:

No additional comments

Consultation Question 28

Do you think that any of the proposals in this consultation would lead to, for example, increased costs and/or impact island communities significantly different from its effect on other communities (if applicable)?

No

Please select only one answer and provide any comments in the boxes below. If selecting yes, please specify which of the proposals you refer to and why you believe financial, regulatory or resource implications will be impacted.

Comment:

No additional comments

Consultation Question 29

Do you agree with the proposal for amended regulations, standards and guidance to come into force early 2026?

Unsure

BEFS responses to a number of Consultations in relation to the Built Environment can be found at:

<https://www.befs.org.uk/resources/consultations/>

RESPONDENT INFORMATION

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Building regulations – proposed review of fire safety topics: consultation

07/March/2025

Responding on behalf of an Organisation - **BEFS** (Built Environment Forum Scotland)

Address and Postcode: 61 Dublin Street, Edinburgh, EH3 6NL

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference: **Publish response with name**

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise? **YES**

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy. **I CONSENT**