



Llywodraeth Cymru
Welsh Government

PUBLICATION, DOCUMENT

Automatic fire suppression systems in care homes for children (WGC 010/2024)

Guidance for stakeholders on regulations for automatic fire suppression systems in care homes for children.

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Building regulations circular

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Issued by: Colin Blick, Building Regulations Policy

Addressed to:

Local Authority Chief Executives
Welsh Local Government Association
Association of Building Control Approvers
Competent Persons Forum

Please forward to:

Local Authority Building Control Managers
Members of the Senedd
Care Inspectorate Wales

Summary:

In accordance with the requirements of the Building Regulations 2010 this circular informs stakeholders of the regulations for automatic fire suppression systems in care homes for children in Wales.

For further information contact:

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Circular

The Building Act 1984

The Building Regulations 2010 (“the 2010 Regulations”)

1. On behalf of Welsh Ministers, I draw your attention to the Building (Amendment) (Wales) Regulations 2024 (“the Amendment Regulations”) which were made on 7 June 2024. The Amendment Regulations will come into force on 17 December 2024.
2. In accordance with section 14(7) of the Building Act 1984, the Amendment Regulations were made after consultation with the Building Regulations Advisory Committee for Wales.
3. The purpose of this circular is to:
 - draw attention to the amendments and explain the changes they make to the 2010 Regulations

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4. This circular does not give advice on the technical requirements in the 2010 Regulations as these are matters covered by Approved Documents.
5. This circular sets out the changes to Regulation 2 (Interpretation) and Regulation 37A (Provision of automatic fire suppression systems) of the 2010 Regulations as amended. Links to the regulations: [The Building \(Amendment\) \(Wales\) Regulations 2024 \(legislation.gov.uk\)](#); [The Building \(Amendment\) \(Wales\) Regulations 2024 \(legislation.gov.uk\)](#)
6. The references to Regulation 37A of the 2010 Regulations in the Approved Documents will be updated in due course.

Scope of the amendments

7. The Amendment Regulations apply only to buildings and building work in Wales.
8. The Amendment Regulations amend the 2010 Regulations to replicate provisions contained within the Domestic Fire Safety (Wales) Measure 2011. To achieve this, the provisions in the 2010 Regulations now require:
 - automatic fire suppression systems under Regulation 37A of the 2010 Regulations to apply to care homes for children
 - automatic fire suppression systems under Regulation 37A of the 2010 Regulations to apply where there is a change of use from a care home for children to a care home for adults and alternatively from a care home for adults to a care home for children

Amendment to interpretation in Regulation 2 of

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the 2010 Regulations

9. Regulation 2(2) of the Amendment Regulations amends the definition of “institution” in Regulation 2 (interpretation) of the 2010 Regulations. The change provides greater clarity as to the buildings captured by the definition. The main change being the removal of “children under the age of 5 years” and replacing with “under the age of 18”. This will ensure that children’s homes are included within this interpretation.

Amendments to Regulation 37A of the 2010 Regulations

10. Regulation 2(3)(a) of the Amendment Regulations amends Regulation 37A (provision of automatic fire suppression systems) of the 2010 Regulations to explicitly include care homes for children in new sub-paragraph (aa). Sub-paragraph (a) covers care homes for adults. Therefore, this amendment provides parity between care homes for children and care homes for adults.
11. Regulation 2(3)(b) of the Amendment Regulations substitutes paragraph (2) so that for the purposes of regulation 37A a material change of use in a building includes a material change of use from a care home for children to a care home for adults or from a care home for adults to a care home for children.
12. The newly inserted paragraph (2A) confirms the requirements set by Regulation 6 of the 2010 Regulations will not apply to a material change of use described in paragraph (2)(b) of the amendment regulations.

Transitional arrangements

13. The Amendment Regulations do not apply in any case where a building notice or an initial notice has been given to, or full plans deposited with, a local authority before 17 December 2024.
14. Please note: The requirement for automatic fire suppression systems in children's homes will continue to apply in relation to the Domestic Fire Safety (Wales) Measure 2011 prior to this date.

Enquiries

Any enquiries on this Circular Letter should be addressed to:

Building Regulations, Welsh Government, Rhydycar, Merthyr Tydfil, CF48 1UZ.

E mail: enquiries.brconstruction@gov.wales

Yours faithfully,

Mark Tambini

Head of Building Regulations Policy

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