

# Kingspan lobbies for continued use of combustible materials on high rises in Scotland

**NEWS** 28.03.22 10:00 AM GMT **BY LUCIE HEATH**

The firm responsible for manufacturing insulation used on parts of Grenfell Tower has lobbied the Scottish government to continue to allow the use of combustible insulation on tall buildings, provided it passes a large-scale test.



Picture: Getty

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Kingspan urged ministers to continue to allow for the use of large-scale testing as a route to compliance ahead of changes to the building regulations expected this week #UKhousing

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In a response to a Scottish government consultation on changes to the building regulations, Kingspan urged ministers to continue to allow for the use of large-scale testing as a route to compliance.

It comes as others, including Scottish Labour and Conservative politicians, put pressure on the Scottish National Party to ban combustible materials as part of changes to the building regulations, which are expected to be laid this week.

Building regulations guidance was amended in England in 2018 to ban the use of all combustibles above 18 metres and scrap the large-scale testing route following sustained lobbying by a group of experts and bereaved and survivors of the Grenfell Tower fire.

But with building regulations devolved, high rises in Scotland can still be built using combustible materials if the external wall system passes a 'BS 8414' test, which tests the fire performance of the facade in laboratory settings.

Fire experts have [raised concerns about the rigour of BS 8414 tests](#), arguing that the conditions under which the test fires are measured are not representative of real-world scenarios.

Meanwhile, the Grenfell Tower Inquiry has highlighted concerns around the use of BS 8414 test results in marketing materials.

It has revealed that Kingspan [advertised its combustible insulation as suitable for use on high-rise buildings for years before the Grenfell Tower fire based on a single test](#) that had been carried out on a version of its insulation that was no longer on the market, and in a system unrepresentative of those used in the real world.

In a further test in 2007, a cladding system containing the product was said to have burned like a "raging inferno" in [an internal Kingspan summary](#). Under the heading "why did it fail", the report said the K15 insulation "burned very ferociously" and was "very different in a fire situation to the previous technology".

It did not make this latter test public until the Grenfell Tower Inquiry revealed its existence in late 2020.

After the fire, it hired PR consultants to lobby for the continued use of testing in England and presented evidence in support of its position, which led to its staff being asked if the firm had “done its best to ensure that science was secretly perverted for financial gain”. They denied this.

The [inquiry also revealed](#) an email from a senior director, which said the firm’s chief executive “was very clear we need to pull out all the stops to convince the [government]... that large-scale testing is the ‘right and only’ solution”.

Kingspan has emphasised that it has since passed tests on numerous other systems containing K15.

In April last year, the Scottish government removed references to BS 8414 tests from its technical handbooks, but it still allows for the tests to be used as long as the government’s building standards division is notified.

As part of a wider review of the building regulations, the government last year published a consultation asking stakeholders their opinion on how BS 8414 tests should be used in the future.

Respondents were given a number of options, including the “managed use” of BS 8414 tests or a regulatory ban.

The latter option would only allow for the use of non-combustible materials or materials of limited combustibility on buildings above 18 metres tall.

In its response to the consultation, Kingspan called for the “managed use” of BS 8414 tests, which would see the tests reintroduced to the handbook. However the government’s building standards division would still need to be notified when the test is used to ensure compliance above 18 metres.

A Kingspan spokesperson said the firm “strongly believes” that large-scale testing is the only way to “properly assess” the fire safety of a tall building’s walls (see full statement below).

This option was also supported by Homes for Scotland, the trade body representing house builders in Scotland.

In its response, it said that it was “understandable” that confidence in the industry and systems in place to protect public safety had been undermined, but that “our judgements of some behaviours should not taint objectivity in decision-making”.

Homes for Scotland said that it “strongly supports” the continued use of BS 8414 tests, arguing that shortages of bricklayers and reduced apprenticeship intakes means the industry must be able to “explore use of alternative cladding systems”.

However, a number of local authorities – including Glasgow City Council, South Lanarkshire Council and South Ayrshire Council – and the Scottish Tenants Organisation called for a ban on the use of BS 8414 tests on buildings above 18 metres tall.

Others called for the Scottish government to go further, including the Fire Protection Association (FPA), which called for a complete ban on the use BS 8414 tests on buildings of any height.

The consultation also proposed a ban on metal composite material cladding, such as the aluminium composite material cladding used on Grenfell Tower, and asked respondents how this should be defined.

Jonathan O’Neill, managing director of the FPA, said that the organisation supports the Scottish government’s proposals, but remains concerned about the use of “trigger heights”.

Patrick Harvie, the Scottish government minister responsible for building safety, [has previously said](#) that the amendments to the building regulations will be laid in parliament by the end of this month and will come into force in October.

The Scottish Conservatives and Scottish Labour are calling on the Scottish government to tighten building regulations in line with the changes introduced in other parts of the UK.

Scottish Labour MSP Mark Griffin said the SNP has “dragged its feet for years on the BS 8414 route to compliance”, adding that Scotland is “falling behind” the rest of the UK for failing to ban “dangerous cladding”.

Scottish Conservative MSP Miles Briggs said: “Flammable cladding was banned in England over three years ago, yet the SNP have still not followed suit. There is no excuse for this dangerous oversight. The SNP must urgently ban combustible materials in all future building, or risk another dreadful tragedy like the Grenfell fire.”

A Scottish government spokesperson said: “We are shortly introducing new legislation to further strengthen safeguards, having introduced precautionary measures in 2021 to manage cladding risks in the interim.”

“We have further tightened controls over combustible cladding and introduced additional fire safety measures since the Grenfell fire based on the recommendations of the Ministerial Working Group on Building and Fire Safety.”

**Update: at 3.45pm on 28.3.2022**

This story was updated with additional information about Kingspan’s 2007 test

## Kingspan statement

“Kingspan strongly believes that the safety of a building façade on a tall building can only properly be assessed by a large-scale fire test of the complete assembly of products being used.

“Scotland should avoid copying the regulatory regime used in England and Wales which now permits the construction of cladding systems which would fail a large-scale fire safety test despite their using only Euroclass A1/A2 insulation and cladding materials.

“The small-scale fire tests used to decide combustibility are conducted on product samples about the size of a golf ball. They should not be relied upon as the basis for compliance on a tall building without a large-scale test of the system in which the products are to be installed.

“Independent testing has clearly demonstrated that systems comprising products with Euroclass A1/A2 (classed as non-combustible under Scottish regulations) classifications can still present a fire risk on buildings over 18m.

“We hope this important point of public safety will be considered in the consultation process.

“There is also a risk that residents of high-rise buildings in Scotland will be unnecessarily alarmed if a ban on the use of combustibles is introduced. This is exactly what happened when a ban was introduced in England and Wales, even though more recent government guidance (PA 9980) recognises that combustible insulation can be used safely in the appropriate tested systems, allowing for its retention in certain circumstances.

“The unintended consequence of unnecessary alarm, and inherent contradiction of both banning something and allowing it, can be avoided if the appropriate benchmark for safety of large-scale testing for all systems on tall buildings is used in Scotland.”