POLICY NOTE

THE BUILDING (SCOTLAND) AMENDMENT REGULATIONS 2025

SSI 2025/312

The above instrument was made in exercise of the powers conferred by sections 1 and 54(2) and schedule 1 of the Building (Scotland) Act 2003. The instrument is subject to negative procedure.

Summary Box

The purpose of the instrument is to lay regulations delivering planned changes to building regulations. These changes extend the scope of the installation of automatic fire suppression systems in traditional building converted to hotel use, extend the ban of combustible external wall cladding systems to include hotels, guest houses, hostels and boarding houses, and extend the list of exemptions to Regulation 8(4).

Policy Objectives

Following the tragic fire at Cameron House hotel in December 2017 during which Simon Midgley and Richard Dyson lost their lives and the subsequent fatal accident inquiry (FAI) published in January 2023, the Scottish Government undertook a review of the FAI outcomes through the Ministerial working group on building and fire safety and so Scotland's building and fire safety regulatory frameworks. As part of the group's actions, two expert panels were created. Firstly, a short life working group to review the FAI recommendations (which reported in October 2023) and secondly the ongoing fire safety expert panel was created to look at the long-term commitments outlined within the Cameron House hotel short life working group (SLWG) report and to review other aspects of Scottish building standards and fire safety guidance.

Recommendations (short term) from the SLWG review have already been implemented including amending guidance in the technical handbooks to promote the use of automatic fire suppression systems for historic building conversions to hotels, introduction of a requirement for local authorities to notify the Scottish Government where future conversions of historic buildings are to be used as hotel accommodation, promoting to industry (through workshops) the dangers of historic construction techniques, materials and fire spread in hidden voids.

This review for the longer-term recommendations has seen a panel of experts consider mandating automatic fire suppression systems where historic buildings are being converted into hotels, consider the special risks which existing hotels and similar premises may pose through the presence of hidden voids, historic construction techniques, varying standards of workmanship, age, and variance from current standards/guidance and other building fire safety issues.

This SSI seeks to implement changes to regulations.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, the Building (Scotland) Amendment Regulations 2025 is compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

To comply with the requirements of section 1(2) of the Building (Scotland) Act 2003 a public consultation took place from 13 December 2024 to 7 March 2025. We engaged The Lines Between to provide analysis of the consultation responses. Across 29 questions, of which 24 contained a quantitative element, the consultation sought views on various aspects of fire safety regulations and addressed the two recommendations directed at the Scottish Government made by the Fatal Accident Inquiry (FAI) report into the Cameron House Hotel fire. In total, 40 consultation responses were received, with six from individuals and 34 from organisations. The Lines Between report provided an analysis of these consultation responses.

As a result of that consultation the following changes to regulations are proposed. Changes extending the scope of the installation of automatic fire suppression systems in traditional building converted to hotel use, extending the ban of combustible external wall cladding systems to include hotels, hostels and boarding houses, amending building standard 2.15 relating to automatic fire suppression for low-risk extensions and conversions of buildings in scope and extend the list of exemptions to Regulation 8(4).

A full list of those consulted and who agreed to the release of this information is attached to the consultation report published on the Scottish Government website, it includes

- Arup Fire
- Association of Specialist Fire Protection
- Astute Fire Engineering
- British Automatic Fire Sprinkler Association
- Built Environment Forum Scotland
- Chartered Institute of Architectural Technologists (CIAT)
- City of Edinburgh Council
- Historic Environment Scotland
- Local Authority Building Standards Scotland (prepared by SBSH for LABSS).
- Moray Council Building Standards
- North Lanarkshire Council
- Rockwool Ltd
- Scottish Fire and Rescue Service
- The Highland Council
- The Institute of Fire Safety Managers
- The National Trust for Scotland

Impact Assessments
Impact assessments have been completed on the draft SSI as indicated below:

- *Child Rights and Wellbeing IMPACT Assessment (CRWIA)*
- *Data Protection Impact Assessment (DPIA)*
- *Equality Impact Assessment (EQIA)*
- *Islands Communities Impact Assessment (ICIA)*
- *Strategic Environment Assessment (SEA)*
- *Fairer Duty Scotland*

Financial Effects

A Business and Regulatory Impact Assessment (BRIA) has been completed and is attached. The impact of this policy on business is based upon engagement and by reducing the severity of fires there will be indirect benefits including:

- Reduced costs of firefighting including associated environmental costs (e.g. reduced water run-off).
- Reduced remedial costs.

It was also determined that the impact of costs on small and micro businesses would not disproportionately affect small businesses.

Scottish Government
Housing Directorate

October 2025