

An abbreviated version of this 46 page document

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/877628/A_reformed_building_safety_regulatory_system_-_gvt_response_to_the_Building_a_Safer_Future_consultation.pdf

A reformed building safety regulatory system

Government response to the 'Building a Safer Future' consultation

Government's proposals for a reformed building safety system covering the performance of all buildings as well as the management of fire and structural safety risks in new and existing buildings in scope

The Government will legislate for these reforms in new primary legislation through the Building Safety Bill and further secondary legislation where necessary

Establishing a new, **national Building Safety Regulator** responsible for implementing and enforcing a more stringent regulatory regime for buildings in scope, providing stronger oversight of safety and performance of all buildings and increasing the competence of those working on building safety

All multi-occupied residential buildings of 18 metres or more in height, or more than six storeys (whichever is reached first) from the outset but will, in due course, **extend to include other premises**

For buildings within scope, the Building Safety Regulator will oversee a new duty-holder regime operating over a building's life span. This will place greater responsibility on those designing and constructing buildings to explain how they are managing safety risks and demonstrating to the regulator that the building is safe to be occupied.

The Government will **remove the ability of the duty-holder to choose which building control body oversees the construction or refurbishment of buildings in scope.**

The skills, expertise and capacity of local authority building control will provide the main support for the new regulator and be complemented by Approved Inspectors where required.

specific obligations on an **Accountable Person** who will be responsible for understanding fire and structural risks in their buildings and taking appropriate steps and actions to mitigate and manage those risks on an ongoing basis so the building can be safely occupied. A **Building Safety Manager**, appointed by the Accountable Person and approved under a system established by the Building Safety Regulator, will deliver the day to day functions on behalf of the Accountable Person.

The Building Safety Manager will be required to proactively engage and communicate with residents through a mandated **Resident Engagement Strategy**

Alongside the new Building Safety Regulator, the Government will strengthen the oversight and enforcement of the existing construction products regulatory regime by establishing a new **national Construction Products regulatory role**.

The Building Safety Regulator will be established in the **Health and Safety Executive**.

Work has already begun to establish the Building Safety Regulator and key early priorities for the shadow Building Safety Regulator are to appoint a **Chief Inspector of Buildings** and to prepare the necessary infrastructure within the Health and Safety Executive so that the fully-fledged regulator can operate at scale as soon as possible after its powers come into effect

The Building Safety Regulator will undertake several regulatory functions that will **apply to all buildings**:

- ensure that those who design and construct buildings are able to access cutting-edge advice on best practice in delivering safe, high-performing buildings.
- Overseeing and publishing reports on **the performance of Building Control Bodies – both local authority building control teams and Approved Inspectors** – and the professionals who work in those teams, with sanctions available where building control services are failing to meet standards set by the Building Safety Regulator; and
- Advising on current and emerging risks to building safety and performance,

Duty-holders will have formal responsibilities for compliance with building regulations, clear duties to support the development of safer buildings, both in the form of general responsibilities and specific requirements to allow them - in particular the Client, Principal Designer and Principal Contractor - to demonstrate compliance with the more stringent regulatory regime.

Duty-holders during the design and construction phase of buildings in scope will also be responsible for meeting the requirements at two of three new key sign off points - Gateway two (before construction begins) and Gateway three (before the building's occupation)

All three Gateway points will apply to all multi-occupied residential buildings of 18 metres or more in height, or more than six storeys

The first gateway point (Gateway one) will be **before planning permission is granted when fire safety issues which impact on planning should be considered**, including emergency fire vehicle access to a building and whether there are adequate water supplies in the event of a fire. **To aid**

the local planning authority in their decision as to whether to grant planning permission, the developer will be required to submit a **Fire Statement** setting out fire safety considerations specific to the development with their planning application.

National guidance will be published to help developers prepare effective Fire Statements to support local planning authorities

The second Gateway point (Gateway two) will be before construction begins at the current 'deposit of full plans' stage under the Building Regulations 2010. Under the new regime, the Building Safety Regulator will take on the role of the Building Control Body and be legally responsible for regulating in-scope buildings in respect of building regulations. The Building Safety Regulator will bring together teams to deliver its regulatory functions, including local regulators. **Assessing the full plans and associated information against all the requirements of the building regulations**

The Building Safety Regulator gives permission for construction to begin and in discussion with the Client, **set an appropriate site inspection programme** for specific stages of the construction work. The Principal Contractor will not be permitted to begin work on other parts of the building until an inspection of the previous stage by the Building Safety Regulator has been successfully passed and the plan(s) for the subsequent phases of work have also been approved.

The third and final gateway point (Gateway three) is before occupation of the building at the final completion certificate/final notice stage, the Client will be required to submit to the Building Safety Regulator information on the final, as-built building. This will include:

- updated as-built plans indicating any agreed variations since Gateway two;
- a complete construction control plan;
- an updated fire and emergency file; and
- a complete key dataset.

At Gateway three, the Client, Principal Designer and Principal Contractor will also be required to produce and co-sign a **final declaration** confirming that to the best of their knowledge the building complies with building regulations.

The **Accountable Person** will be legally responsible for ensuring that they understand fire and structural risks in their buildings and to take appropriate steps and actions to mitigate and manage these fire and structural risks on an ongoing basis. The Accountable Person will be required to appoint a **competent Building Safety Manager**

The Building Safety Regulator will ensure that the **regulatory teams overseeing the buildings** in scope of the more stringent regulatory regime **are competent to perform their roles**.

The Building Safety Regulator will be responsible for oversight of the **competence and performance of building control professionals** and the building control bodies in which they work, taking a wider view of the professionalism and culture that needs to **support building safety in all classes of work, not just in-scope buildings**. A unified professional structure for building control covering both local authority staff and Approved Inspectors.