



Building Safety Programme and Building Regulations technical update

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**HBF Technical conference
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Outline

- Building Safety Programme overview
- Building Safety Bill update
- Technical update:
 - Part B
 - Parts L and F
 - Part M
 - Other technical issues



Building Safety Programme Overview

1 Making buildings safer now

- Testing and remediation of ACM cladding.
- £1.6 billion provided to support remediation of unsafe ACM and non-ACM cladding for the private and social sector.
- Wider research and testing of Non-ACM cladding.
- Testing of Fire Doors.
- Data collection and analysis of wider risks to high rise buildings.
- Improvements to Approved Document B (fire safety guidance) and additional guidance reflecting emerging issues.
- Support from Independent Expert Advisory Panel and Industry Response Group.

2 Reforming the system

- Implementing reforms identified by the Independent Review to ensure the building safety system is 'fit for purpose'.
- Trialling early implementation through trusted stakeholders and driving industry and regulator culture change.
- Support from Joint Regulators Group.
- Drafting Building Safety Bill to legislate for system reform.
- Setting up the new Building Safety Regulator within the HSE.



Making buildings safer now: progress to date

It was clear within hours of our investigations into Grenfell that ACM cladding was a significant factor in the spread of the fire

Unsafe ACM Remediation

June 2017: Screening programme to help identify unsafe ACM cladding.

July/August 2017: BS8414 tests of ACM.

May 2018: £400 million available for ACM remediation in social sector.

May 2019: Announced a further £200m to fund remediation in the private sector.

April 2020: Appointed the Government's construction expert, Dr David Hancock, to review ACM remediation, and Faithful & Gould to provide additional programme management capability.

As of July 2020 the majority of ACM buildings have now started or completed remediation (313 of 455), with over 50% completion in the social sector.

Building Regulations & Guidance

December 2018: Banned combustible cladding for new build residential builds >18m.

August 2019: Published clarified version of Approved Document B.

September 2019: Started full review of Approved Document B, with consultation on sprinklers, signage and evacuation alarms.

January 2020: Consultation on lowering combustible cladding ban to 11m and banning ACM (PE) on any residential builds; call for evidence on risk factors; and consolidation of 22 Advice Notes. .

April 2020:

- Announced plans to update Approved Document B
- Published the latest results of tests into non-ACM cladding;
- Announced a new industry led online portal to clarify the mortgage valuation process through the RICS external wall system form.

Wider Risks

Programme started with unsafe ACM but has identified wider risks in existing stock including:

- sub-standard fire doors,
- Misuse of other types of (non-ACM) cladding,
- poor workmanship, and
- structural issues.

Programme response has been to conduct research and testing, issue advice notes, gather data and promote good practice.

Focus has turned to ensuring that these wider defects are addressed.

March 2020: Announced a £1 billion fund through 2020/21 to support the remediation of unsafe non-ACM cladding materials on high rise buildings over 18 m in the social and private sectors.



Implementing the reforms set out in Dame Judith Hackitt's Independent Review

The Government response to the *Building a Safer Future* consultation was published in April 2020 and outlines how we will implement the reformed building safety system as called for in the Independent Review.

An enduring shift in culture will take time – but it needs to start now.

- A significant culture change in industry and greater competence are required.
- A Building Safety Bill later this year will change the law to implement the reformed building safety system.
- This will place stronger requirements on building development and upkeep, and introduce tougher sanctions for those that do not comply.
- The Home Office has introduced the Fire Safety Bill to clarify the Fire Safety Order, in response to the Phase 1 Report from the Grenfell Tower Public Inquiry.

Scope

- The reformed building safety system will cover the performance of all buildings as well as the management of fire and structural safety risks in new and existing buildings in scope.
- The scope of the more stringent regulatory regime will apply to all multi-occupied residential buildings of 18 metres or more in height, or more than six storeys (whichever is reached first).
- Over time, the scope may change based on emerging risk evidence.

Residents

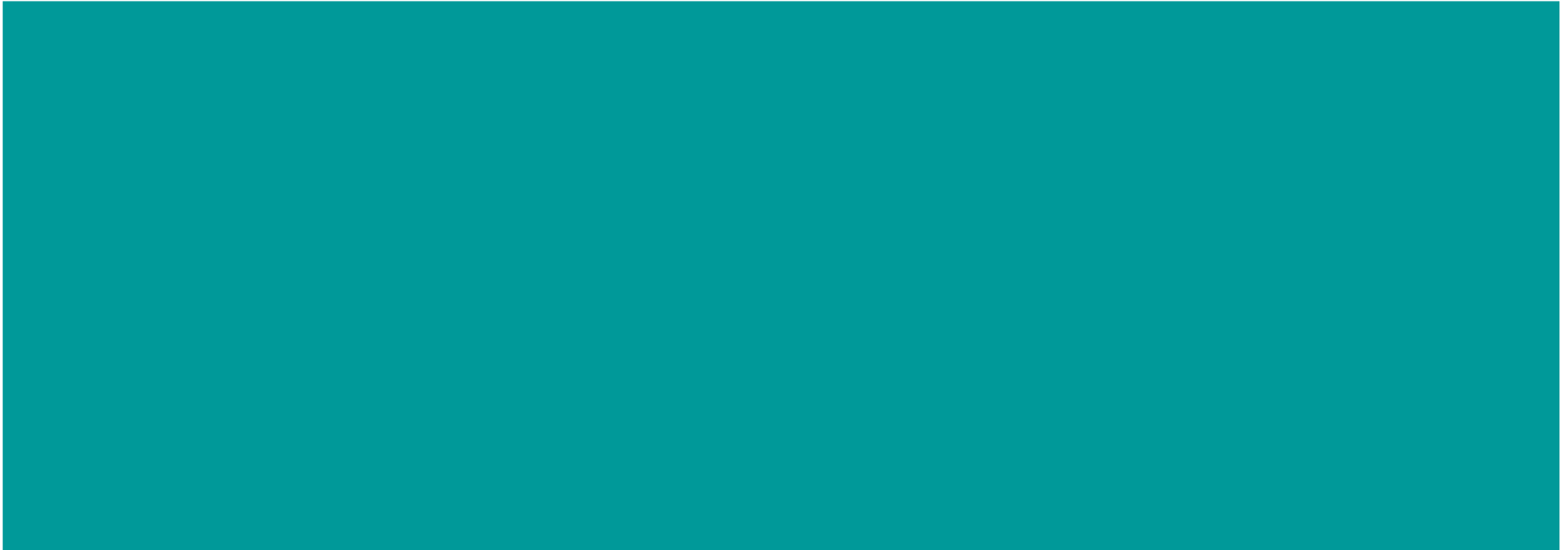
- For buildings in scope, residents will have a stronger voice to ensure that their views and concerns are not ignored.
- They will be entitled to receive a core set of information about the protections in place.
- The Building Safety Manager will be required to proactively engage and communicate with residents through the Resident Engagement Strategy

The new regulator

- A new Building Safety Regulator is being established within the Health and Safety Executive. It will be responsible for implementing the more stringent regulatory regime for buildings in scope, overseeing the safety and performance of all buildings and promoting the competence and organisational capability of professionals, tradespeople and building control professionals working on all buildings



Building Safety Bill





What's happened



The draft Building Safety Bill was published on 20 July 2020.
The broad structure is in five parts:

Part 1 – Introduction

Details the structure over five parts and deals with provisions intended to secure the safety of people in or about buildings and to improve the standard of buildings.

Part 2 – Regulator & its functions

Establishes a new Building Safety Regulator within the Health and Safety Executive. It also defines the scope of the regime with respect to the definition of risks that it is intended to manage and creates a power to set out in secondary legislation the buildings that are included in the scope of the regime.

Part 3 – Building Act 1984

Deals with amendments to the Act as it applies to England, setting out the provisions for the new regulatory regime during the design and construction phase for buildings in scope and provides for the registration of building inspectors and building control approvers to improve competence levels in the building control sector through better regulation.

Part 4 – Higher risk buildings

Concerned with buildings in scope when they are occupied, defines and places duties on the Accountable Person and building safety managers in relation to building safety risks in their building, including resident engagement.

Part 5 – Supplementary & general

Details provisions requiring a New Homes Ombudsman scheme to be established; creates powers to make provision about construction products; strengthens the powers available to the Architect Registration Board; removes the 'democratic filter' requiring social housing residents to refer unresolved complaints to a 'designated person' or wait eight weeks before they can access redress via the Housing Ombudsman.



What's next



Draft Building Safety Bill

CP 204

- Housing, Communities and Local Government Select Committee conducting pre-legislative scrutiny.
- Oral evidence sessions with key stakeholders, before publishing their report and recommendations (dates TBC – end of November).
- The extent of any recommended changes will dictate when the Bill will be ready to be introduced; the aim is to be ready as soon as possible in 2021.
- Expect the Bill to achieve Royal Assent by the end of 2021 at the latest.
- Alongside this, we are working with the HSE on setting up the **Building Safety Regulator**, and on transition planning - the necessary secondary legislation will be laid after Royal Assent.



Technical updates





What's happened

Assessments in Lieu of Tests

Consulted
April 2018

Implemented
December 2018

Combustibles Ban – reg 7

Consulted
June 2018

Implemented
November 2018

Reviewed
Jan-May 2020

Clarification

Consulted
July 2018

Implemented
August 2019

Technical review

Announced
July 2018

Call for evidence

Published
December 2018

Summary
September 2019

Sprinklers, Alert Systems and
wayfinding

Consulted
September 2019

Implemented
May 2020



What's next

- Research
- Response to the consultation on the review of the combustibles ban

Technical Review of Approved Document B - workplan overview

- MHCLG is undertaking a programme of research to inform policy options for changes to Approved Document B.
- This research programme covers a series of discrete, but interconnected, workstreams that reflect the range of advice covered by Approved Document B.*
- All workstreams are being taken forward as a priority but due to the nature of work involved, outcomes are expected to be delivered in phases. The sequencing of research outcomes is shown by theme and anticipated duration of research in the table below.**

Aspect of ADB to be reviewed	Anticipated duration of the research being commissioned to inform the review		
	Short term	Medium term	Longer term
Property protection Purpose groups Age distribution Construction details			
Access and facilities for the FRS Balconies Specialised housing and care homes Trigger heights and thresholds Means of escape for disabled people			
Means of escape in blocks of flats Smoke and toxicity Classification of external wall construction review Compartmentation and fire resistance Construction technologies and design Basements Space separation			

*The scope of the review was informed by responses received to the Government's call for evidence:

<https://www.gov.uk/government/consultations/technical-review-of-approved-document-b-of-the-building-regulations-a-call-for-evidence>

** In some instances, initial research may indicate a need for further investigation.



What's happened



- **Future Homes Standard Consultation – Oct 2019 – Feb 2020**

	Option 1- 2020	Option 2- 2020	2025
	Future Homes Fabric	Fabric improvements with on-site renewables	Future Homes Standard
Purpose	20% improvement on Part L 2013	30% improvement on Part L 2013	Phase out fossil fuels to achieve net-zero carbon ambitions
Improvements	Building services and fabric to Future Homes standard	Building services, slightly improved window and roof u-values + PV	Future Homes standard fabric + low carbon heating

- New approach to transitionals - to reduce the “build out” time lag
- New style compliance report - easier to check/inspect
- Changes to metrics



What's next



- Response to Future Homes Standard consultation – Autumn
- Second consultation:
 - Overheating
 - Work to existing dwellings
 - New and existing non-domestic



What's happened

- 8 Sept: launched consultation which considers options for making higher accessibility standards mandatory for all new homes.
Options:
 - Mandating M4(2) as minimum, with exceptions
 - Removing M4(1) entirely
 - Minimum percentage of M4(3)
 - Uplifting M4(1)
- Changing Places Toilets - amended AD M to require 4m x 3m CP toilets in a wide range of public buildings



What's next

- Consultation open until 1 December 2020



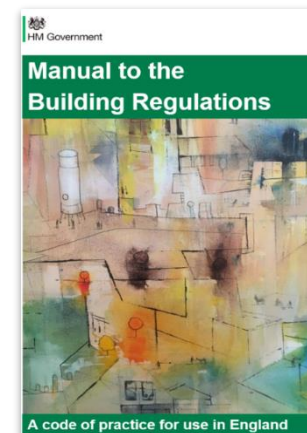
Ministry of Housing,
Communities &
Local Government

Raising accessibility standards for new homes

A consultation paper



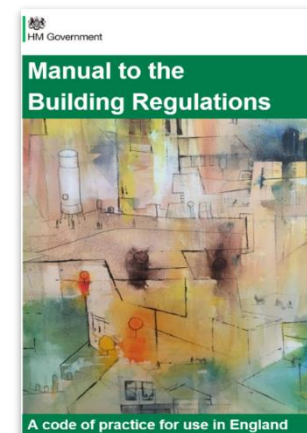
What's happened – other areas



- July 2020 - published manual to the Building Regulations
 - The key stages in the building control process;
 - How the functional requirements interact with each other;
 - What all stakeholders responsible for compliance must have regard to.



What's next – other areas



- **Electric Vehicle charging**
 - OLEV consultation on new requirements for Charging Points in Building Regulations ran last autumn.
 - Government response in November.
- **Broadband**
 - Announced requirement to install gigabit-capable infrastructure and, subject to a cost cap, a gigabit-capable connection in March.
 - Technical consultation proposals to come.



Thank you

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