

Building a Safer Future – Consultation

On 6th June 2019 the Government published [Building a Safer Future](#), a consultation document that sets out its detailed response to the findings of the Hackitt Review and includes extensive proposals for improving fire safety in high rise buildings.

The measures proposed aim to deliver a new regulatory system for high rise buildings, improve fire and structural safety as well as providing clear mechanisms for residents to raise and escalate safety concerns. These proposals have significant implications for councils and ALMOs as owners and managers of high rise buildings.

The consultation includes detailed proposals that aim to deliver the following:

- **Clearer lines of responsibility and accountability for those building or managing high rise buildings.**

The consultation sets out proposals for ensuring that at all stages of a buildings lifecycle there are identified individuals, known as ‘dutyholders’, who are legally responsible for managing and minimising fire and structural risks.

During the construction phase five ‘dutyholders’ are identified who are legally responsible for ensuring that the building is designed and built so it is safe for its residents. ‘Dutyholders’ must ensure full compliance with building regulations as well as meeting the requirements of a series of ‘gateways’ at key points in the building process.

Once the building is occupied, there will be a further identified ‘dutyholder’ or ‘accountable person’ who is legally responsible for the fire and structural safety of the building when people are living in it. This role includes responsibility to maintain the ‘golden thread’ of key information about the building including any refurbishment or other changes made throughout its life cycle.

- **Better information and a stronger voice for residents**

The ‘accountable person’ in an occupied building will have specific duties to residents who will be empowered by having better access to information about the building and a greater say over decisions made about the fire and structural safety of the building.

There will be clear processes for dealing with safety concerns raised by residents including access to the new regulator if the ‘accountable person’ fails to deal with them properly.

The consultation also proposes a clear obligation on residents to co-operate with the work of the ‘accountable person’ to keep the building safe.

- **Oversight by a new regulator**

The consultation proposes the setting up of a new building safety regulator to oversee the wider building and regulatory system and drive high standards of competence for those involved in building, management and maintenance of high rise buildings. In addition, the regulator will oversee stronger regulation of construction materials and products.

- **Tougher enforcement when things go wrong**

Proposals include creating new criminal offences to underpin a culture of responsibility and compliance on safety at all stages from design and construction through to the longer term occupation of the building.

Other measures include giving the new regulator power to impose sanctions and monetary penalties when the requirements of the new regime are not met.

Types of buildings covered by the new system

The consultation proposes that the new regulatory regime should apply to all multi-occupied residential buildings of 18 meters and above (6 storeys). This goes significantly beyond the recommendations of the Hackitt Review which proposed enhancing regulation for buildings over 30 meters (10 storeys). The government is also consulting on whether to bring other buildings within scope where vulnerable people sleep including sheltered and supported housing, prisons and hospitals.

Buildings covered by the new system will need to be registered with the new regulator and hold a building safety certificate renewable every five years.

Request for Feedback

Although much of the consultation is highly technical and specialist we are keen to hear from members on key issues for the CWAG response.

The closing date for responding to the consultation is 31 July 2019