



**Consultation on implementing the new building control regime for higher-risk buildings and wider changes to the building regulations for all buildings**

Dear Department for Levelling Up, Housing and Communities,

Thank you for the opportunity to respond to this consultation. Please see below our response on behalf of Wandsworth Council's Housing and Regeneration department. As a stock holding Local Authority with 146 high-risk buildings and over 35,000 tenants and leaseholders overall, we look forward to the outcome of the consultation and embedding these measures into our housing services.

The Housing and Regeneration Department have responded to the proposals from a client-side perspective in regard to new builds and major works and from the perspective of resident safety.

This response is not intended to respond on behalf of the Local Authorities Building Control and Planning functions, including where technical and process proposals are outside of the remit of the Housing and Regeneration Department.

For any queries or follow up questions, please get in touch with Wandsworth's Housing and Regeneration department through [michael.liu@richmondandwandsworth.gov.uk](mailto:michael.liu@richmondandwandsworth.gov.uk)

Regards, Wandsworth Council

# 1. New dutyholder roles and responsibilities in the building regulations to ensure a stronger focus on compliance with the regulations

## Dutyholder requirements

### General duties in design and construction

Question: Do you agree or disagree with the proposed duties that will apply to all dutyholders during design and construction?

- Agree

### Specific dutyholder requirements

#### Clients

Question: Do you agree or disagree with the proposed duties that will apply to the client during design and construction?

- Agree

#### Designers

Question: Do you agree or disagree with the proposed duties that will apply to designers and the Principal Designer during design and construction?

- Agree

#### Contractors.

Question: Do you agree or disagree with the proposed duties that will apply to contractors and the Principal Contractor during design and construction?

- Agree

### Competence requirements

#### Principal Designer and Principal Contractor

Question: Do you agree or disagree with the proposal for organisations appointed as the Principal Designer or Principal Contractor to take reasonable steps to ensure that the individual/s designated, to manage the functions of the Principal Designer or Principal Contractor for that specific project have the relevant competence to do so?

- Agree

#### Ceasing to be competent

Question: Do you agree or disagree that regulations should include the requirement on individuals or organisations to notify the relevant dutyholders and those who appoint or ask them to carry out the work where they cease to satisfy the competence requirements?

- Agree

### Additional dutyholder requirements for those working on higher-risk buildings

Question: Do you agree or disagree with the additional requirements proposed for dutyholders involved in work on higher-risk buildings?

- Agree

#### **Competence checks on those working on higher-risk buildings**

Question: Do you agree or disagree with the requirement on the client to record the steps they took to satisfy themselves that the appointed Principal Designer and Principal Contractor have the relevant competence for the role and include it with the competence declaration required with the building control approval application for higher-risk building work?

- Agree

Question: Do you agree or disagree that anyone making appointments for building work on a HRB should consider whether a serious infraction might call into question a person's skills, knowledge, experience and behaviours?

- Agree

Question: Do you agree or disagree with the proposed meaning of serious infraction?

- Disagree

Question: Do you agree or disagree that the consideration of serious infractions be limited to the last five years?

- Disagree

Question: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.

We recommend that due to the seriousness and nature of the work undertaken, that this time is extended to 10 years

#### **Dutyholder and competence requirements for domestic clients in all buildings and in higher risk buildings**

Question: Do you agree or disagree that special provisions set out above should be made for domestic clients?

- Agree

#### **Dutyholder and competence requirements for non-notifiable work in all buildings and in higher-risk buildings**

Question: Do you agree or disagree that the dutyholders and competence regulations should not apply to work prescribed in Schedule 4 of the Building Regulations 2010?

- Agree

## **2. A series of robust hard stops (“gateway points”) to strengthen regulatory oversight before a higher-risk building is occupied**

**How building control approval applications should be submitted for higher-risk building work**

Question: Do you agree or disagree that the client, Principal Contractor or Principal Designer should be able to submit the required building control approval application to the Building Safety Regulator for higher-risk building work?

- Agree

Question: Do you agree or disagree with the proposed approach outlined for electronic submission and directions and that it should apply to all forms of building control related correspondence?

- Agree

Question: Do you agree or disagree that the Building Safety Regulator should have the discretion to allow applicants to submit building control applications and notifications in different ways where necessary such as through paper copies?

- Disagree

To avoid inconsistency, there should be no alternative methods of submission.

### **Building control approval application ('gateway two application') information requirements for higher-risk buildings**

Question: Do you agree or disagree with the proposed information requirements for building control approval applications for new higher-risk buildings?

- Agree

### **Competence declaration**

Question: Do you agree or disagree with the proposed information that must be contained within a competence declaration?

- Agree

Question: Do you agree or disagree that when assessing an application for building control approval the Building Safety Regulator should consider the steps taken to determine whether a person has a serious infraction, and the detailed consideration of their previous conduct?

- Agree

### **Planning statement**

Question: Do you agree or disagree with the proposed list of information that must be contained within a planning statement?

- Agree

### **Design and build approach document**

Question: Do you agree or disagree with the proposed list of information that must be contained within a design and build approach document?

- Agree

### **Fire and emergency file**

Question: Do you agree or disagree with the proposed list of information that must be contained within a fire and emergency file?

- Agree

### **Construction control plan**

Question: Do you agree or disagree with the proposed list of information that must be contained within a construction control plan?

- Agree

Question: Do you agree or disagree that the Construction Control Plan should set out plans for how the client will maintain and manage the golden thread?

- Agree

### **Change control plan**

Question: Do you agree or disagree with the proposed list of information that must be contained within the change control plan, including the information requirements in the proposed change control log?

- Agree

### **Description of the mandatory occurrence reporting system**

Question: Do you agree or disagree that a statement describing their mandatory occurrence reporting system should be required as part of a building control approval application?

- Agree

Question: Is there any information set out in the prescribed documents that would not be possible to provide before building work commences.

- No

### **Building control approval applications for new higher-risk buildings following a staged approach**

Question: Do you agree or disagree that the specific requirements for an applicant proposing to build a higher-risk building in stages are sufficient for ensuring dutyholders demonstrate how they will comply with all applicable building regulations requirements?

- Agree

Question: Should there be any additional modifications (beyond those proposed for plans and the design and build approach document) to the prescribed documents where the applicant has provided a “staged work” statement?

- No

Question: Do you agree or disagree with the additional notification requirements imposed on dutyholders constructing a new higher-risk building in stages?

- Agree

### **Partial completion**

#### **Partial Completion Strategy**

Question: Do you agree or disagree with the proposed list of information that should be contained within a partial completion strategy?

- Agree

### **Fire and Rescue Authorities**

Question: Do you agree or disagree that the Building Safety Regulator should consult the fire and rescue authority on compliance with the Fire Safety Order on building control approval applications, change control applications and completion certificate applications?

- Agree

Whilst we support a statutory timeframe of 15 days, this may be challenging for the fire services to provide this information in good time, unless sufficiently resourced.

Question: Do you agree or disagree that a building control approval application must not be determined before 15 working days after the date on which the plans are given to the fire and rescue authority?

- Agree

### **Sewerage undertaker**

Question: Do you agree or disagree that the Building Safety Regulator should consult the sewerage undertaker on Part H of Schedule 1 of the Building Regulations?

- Agree

Question: Do you agree or disagree that an application must not be determined until at least 15 working days after the date on which the plans are given to the Sewerage Undertaker?

- Agree

### **Building Safety Regulator decisions**

Question: Do you agree or disagree with the proposed types of requirements which can be imposed by the Building Safety Regulator when approving an application?

- Agree

Question: Do you agree or disagree with the proposal to enable the Building Safety Regulator to prohibit building work from commencing until a requirement of a type described above have been met by the applicant?

- Agree

Question: Do you agree or disagree with the proposed grounds for rejecting a building control approval application?

- Agree

Question: Do you agree or disagree with the proposed approach outlined for the Building Safety Regulator to provide notice of its decision to applicants?

- Agree

### **Time limit for Building Safety Regulator decisions**

Question: Do you agree or disagree that 12 weeks is an appropriate timeframe to require the Building Safety Regulator to determine a building control approval application?

- Disagree

Question: Please provide an explanation for your answer. If you have answered disagree, please explain what you deem to be an appropriate timeframe.

Applications should be determined within 8 to 10 weeks to avoid delays which may hold up works and the delivery of new supply

### **Use of Competent Person Schemes when creating a new higher-risk building**

Question: Do you agree or disagree that competent person scheme work should be reflected in building control approval applications where such work forms part of a wider higher-risk building work project?

- Agree

### **Commencement notices**

Question: Do you agree or disagree that where building control approval for higher-risk building work is granted, the client, or someone on their behalf, must give notice to the Building Safety Regulator at least five working days before the day they intend to commence higher-risk building work?

- Agree

### **Site inspections during construction**

Question: Do you agree or disagree with the proposed approach to site inspections of higher-risk building work, including the requirement for the Building Safety Regulator to inspect completed higher-risk building work before determining a completion certificate application?

- Agree

Question: Should typical stages of inspection of building work be set out in guidance to help provide industry with more certainty?

- Yes

Comprehensive published guidance must be available to providers to enable a consistent set of standards and expectations for all parties.

### **Completion certificate applications for new higher-risk buildings**

Question: Do you agree or disagree with the proposed requirement that the client, or someone on behalf of the client, must notify the regulator in writing that the higher-risk building work has been completed in addition to making a completion certificate application?

- Agree

### **Deciding when work has been completed for the purpose of submitting a completion notice and making a completion certificate application to the Building Safety Regulator**

Question: At what point should a dutyholder be able to submit a completion certificate application?

- When all notifiable building work has been completed

### **Information requirements for completion certificate applications for new higher-risk buildings**

#### **Compliance declarations**

Question: Do you agree or disagree that the prescribed information and documents outlined above should be required in a completion certificate application?

- Agree

Question Is there any additional information or documentation that may be necessary for a completion certificate application?

- No

**Assessing completion certificate applications**

Question: Do you agree or disagree that the Building Safety Regulator should consult fire and rescue authorities on compliance with the requirements of the Fire Safety Order?

- Agree

Question: Do you agree or disagree that the Building Safety Regulator should consult the sewerage undertaker on Part H of Schedule 1 of the building regulations?

- Agree

Question: Do you agree or disagree that an application must not be determined until at least 15 working days after the date on which the plans are given to consultees unless they have both responded before the 15 working days deadline?

- Agree

Whilst we support the turnaround schedule, there may be concerns that this may be challenging, especially the potential for delay in coordinating information between approval bodies.

**Decisions**

Question: Do you agree or disagree with the proposed reasons for which a completion certificate application should be rejected?

- Agree

**Time limit for determining completion certificate applications**

Question: Do you agree or disagree that 12 weeks is an appropriate timescale to require the Building Safety Regulator to determine a completion certificate application?

- Agree

**Partial completion**

**Additional information required for partial completion certificate applications**

Question: Do you agree or disagree that the proposed requirements and prescribed documents for partial completion certificate applications are sufficient to ensure building work complies with building regulations?

- Don't know

Question: Is there any further information that should be required as part of a partial completion certificate application?

- Don't know

**Assessment of partial completion certificate application**

Question: Do you agree or disagree with the proposed consultation requirements for partial completion certificate applications?

- Don't know



Question: Do you agree or disagree with the proposed approach to inspections for partial completion certificate applications?

- Don't know

Question: Do you agree or disagree with the proposed reasons for which a partial completion certificate application should be rejected?

- Don't know

Question: Do you agree or disagree with the proposed approach outlined for the Building Safety Regulator to provide notice of their decision to applicants?

- Don't know

#### **Time limit for partial completion certificate applications**

Question: Do you agree or disagree that 12 weeks is an appropriate timescale to require the building safety regulator to determine a partial completion certificate application?

- Agree

### **3. Regulator's notices**

Question: Do you agree or disagree with the proposed information that must be included in a regulator's notice?

- Agree

Question: Do you agree or disagree with the proposed grounds on which a local authority could refuse a regulator's notice?

- Agree

Question: Do you agree or disagree that the rejection of a regulator's notice must be issued within five working days?

- Agree

### **4. Building work carried out in existing higher-risk buildings (refurbishments)**

#### **Third-party certification schemes for building work in a higher-risk building**

Question: Do you agree or disagree that notification of building work in Schedule 3A should go to the Building Safety Regulator?

- Agree

Question: Do you agree or disagree with the proposals on the information about building work through third-party certification to be stored in the golden thread?

- Agree

#### **Competent person schemes for building work in a higher-risk building**

Question: Do you agree or disagree that competent person scheme certification notices should be sent to the Building Safety Regulator when work is carried out in a higher-risk building?

- Agree

Question: Should the notification also be sent to the local authority for reasons outside of providing a building control function?

- Don't know

Further detail is required, in the context of building safety, on the conditions in which the local authority (outside of building control) are to be notified

Question: Do you agree or disagree with the proposals on the information about building work through competent person schemes to be stored in the golden thread?

- Agree

**Proposed hierarchy of categories of building work**

**Minimum prescribed documents required in building control approval application**

Question: Do you agree or disagree with the proposed categories of building work and the proposed information requirements for each proposed category?

- Agree

Question: Do you agree or disagree with the prescribed period of eight weeks for the Building Safety Regulator to determine building control approval applications?

- Agree

Question: We intend to establish these categories and non-exhaustive list of what might be in each category in guidance to accompany the relations so that it can be updated over time quickly. Do you agree or disagree that this should be in guidance?

- Agree

Question: Do you agree or disagree with the proposals about the information about building work in an existing building to be stored in the golden thread?

- Agree

## **5. A stronger change control process for higher-risk buildings**

**Record-keeping**

Question: Do you agree or disagree with the contents of the change control log?

- Agree

**Types of changes to building control approval applications**

**'Major changes'**

Question: Do you agree or disagree with the list of major changes?

- Neither agree nor disagree

Question: Do you agree or disagree that categories and a list is the clearest way to display the major changes?

- Agree

Question: What types of horizontal changes to the overall building would you consider should be major?

No answer

Question: Are there some types of horizontal changes that you consider would be notifiable, if so, why?

No answer

Question: What building work on the external wall of the building work you consider should be major?

No answer

Question: Are there certain types of building work on the external wall of the building that you consider to be notifiable, if so, why?

No answer

Question: Do you agree or disagree with the prescribed period of six weeks for the Building Safety Regulator to determine change control applications for major changes?

- Don't know

**'Notifiable changes'**

Question: Do you agree or disagree with the list of notifiable changes?

- Agree

Question: Do you agree or disagree with the prescribed period of 10 working days for notifiable changes before the change can be made?

- Agree

**Change of client**

**Notification to the Building Safety Regulator**

Question: Do you agree or disagree that a notification with the information set out above must be made to the Building Safety Regulator where there is a change of client?

- Agree

**Time limit for notifications**

**New principal contractor or principal designer etc: notification**

Question: Do you agree or disagree that a notification with the information outlined above must be made to the Building Safety Regulator where there is a change of Principal Designer or Principal Contractor for a higher-risk building project?

- Agree

Question: If you answered agree to the question above, do you consider 28 days to be a reasonable timeframe for this notification?

- Yes

## 6. Regularisation of building work

Question: Do you agree with the proposal to apply the current regularisation procedure to higher-risk buildings but with the Building Safety Regulator as the building control authority, rather than the local authority?

- Agree

## 7. Golden thread of information – having the right people at the right time to have information to support compliance with all applicable building regulations

**Dutyholder duties in relation to the golden thread during the design and construction of new builds and building work in existing buildings**

Question: Do you agree or disagree with the proposed duties on the client in relation to the golden thread?

- Agree

Question: Do you agree or disagree with the proposed duties on the client in regard to building work in an existing, occupied, higher-risk building in relation to the golden thread?

- Agree

Question: Do you agree or disagree with the proposed duties on the Principal Designer and Principal Contractor in relation to the golden thread?

- Agree

Question: Do you agree or disagree with the proposal that through the design and construction process there should be a duty on all dutyholders to review the information within the golden thread to ensure it remains relevant and proportionate and supports compliance with building regulations?

- Agree

Question: Do you agree or disagree with the proposed duties on the Principal Designer and Principal Contractor regarding building work in an existing, occupied, higher-risk building in relation to the golden thread?

- Agree

Question: Do you agree or disagree with the proposed duties on other dutyholders in relation to the golden thread?

- Agree

**The new more stringent building control process and the golden thread**

**Building control approval application and the golden thread of information**

Question: Do you agree or disagree with the proposal that all the information to be submitted in a building control approval application should be stored in the golden thread?

- Agree

Question: Do you agree or disagree with the proposal that all the information to be submitted in a building control approval application should be stored in the golden thread?

- Agree

#### **Information handover on building completion**

Question: Do you agree or disagree that with the proposals for the golden thread information that should be handed over to the relevant person?

- Agree

Question: Do you agree or disagree that as part of the building completion certificate application, the client and the relevant person should co-sign a statement confirming that the client has handed over the golden thread to the relevant person, and that the relevant person has received the golden thread?

- Agree

Question: Do you agree or disagree with the proposal that golden thread should be provided to the relevant person for the higher-risk buildings no later than the date of completion?

- Agree

#### **Golden thread and partial completion**

Question: Do you agree or disagree with the proposal for information sharing and access to the golden thread between the client, the principal accountable person and accountable person(s) when a building goes through partial completion?

- Agree

Question: Do you agree or disagree with the need for an ongoing duty to co-operate on the Client the principal accountable person and the accountable person(s) through the process of partial completion?

- Agree

#### **Handover of information in Higher-Risk Buildings (new build and refurbishments) and regulations 38 to 40 of the Building Regulations 2010**

Question: Do you agree or disagree with the proposal that the golden thread requirements will be sufficient and regulation 38, 39, 40 cannot apply to buildings in scope of the more stringent regime?

- Agree

#### **Golden thread principles**

##### **Digital**

Question: Do you agree or disagree with the proposal to not define digital in regulations?

- Agree

Question: Do you agree or disagree with the proposal that not all the information in the golden thread needs to be updated but may still be relevant to enable someone to have a clear

understanding of the building at the present moment in time and support compliance with building regulations?

- Agree

**Single source of truth and ensuring information can be shared and transferred with other people**

Question: Do you agree or disagree with the proposed approach for the golden thread operating as a single point of truth and ensuring the information kept within it is one that allows for transfer of information and interoperability as described?

- Agree

Question: Do you agree or disagree with proposals around ensuring that information is able to be transferred?

- Agree

**Secure**

Question: Do you agree or disagree with proposed approach to ensure the golden thread is secure?

- Agree

**Accessible**

Question: Do you agree or disagree with proposed approach to ensure the golden thread is accessible?

- Agree

**Understandable and consistent**

Question: Do you agree or disagree with the proposed approach to ensuring the language/information in the golden thread is consistent for the building and that the language in the golden thread should be consistent and appropriate for the people who need to use it?

- Agree

Question: Do you agree or disagree with the approach not to mandate that the golden thread needs to comply with a particular British standard or International standard or data dictionary?

- Agree

**Accountability**

Question: Do you agree or disagree with the approach for ensuring accountability?

- Agree

## 8. Mandatory occurrence reporting

Question: Do you agree or disagree that, when a dutyholder has become aware of an occurrence they must report the occurrence to the Building Safety Regulator without undue delay and provide a written report within 10 calendar days?

- Disagree

Question: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.

We suggest that this timeframe is extended to 20 calendar days to allow for time to review and for a fuller understanding of the safety occurrence

Question: Do you agree or disagree with the proposed definitions of safety occurrence and risk condition?

- Agree

Question: Do you agree or disagree that the proposed information required when reporting a safety occurrence is appropriate?

- Agree

## 9. More rigorous enforcement powers. A wider and more flexible range of powers will be created to focus incentives on the creation of reliably safe buildings from the outset. This includes compliance and appeals.

**Enforcement: service and content of compliance and stop notices**

Question: Do you agree or disagree with the contents of compliance and stop notices detailed above? Is it fit for purpose?

- Agree

**Enforcement: notification of interested parties**

Question: Do you agree or disagree that the persons/bodies mentioned above should be notified after a compliance or stop notice is issued?

- Agree

**Enforcement: withdrawal, extension & amendment of notices**

Question: Would you like to provide any comments on our proposed approach for amending, extending and withdrawing compliance and stop notices?

n/a

**Exceptions to enforcement action**

Question: Which proposed option outlined for prosecutions under s35 and compliance notices under s35B do you prefer?

- Option 2: Replicate some or all the exceptions mentioned above as exceptions to enforcement action through compliance notices.

### **Dutyholder and competence requirements – Enforcement**

Question: Do you agree or disagree with the enforcement approaches proposed for non higher-risk buildings, similar to other contraventions under Regulation 18?

- Agree

Question: Should the period for remedying the breaches of the dutyholders' duties and competence requirements be similar to other contraventions under Regulation 18 (three months) or shorter?

- Yes

### **Approach to appeals**

Question: Do you agree or disagree with the government's approach to appeals?

- Agree

### **Section 101A appeals**

Question: Do you agree or disagree that applicants who wish to bring an appeal of this nature must do so within two weeks of the local authority's refusal to consider their application for building control approval, an initial notice or amendment notice?

- Agree

Question: Do you agree or disagree that applicants must submit the plans originally submitted to the local authority to the appeals body considering their appeal?

- Agree

Question: Would you like to provide any comments on who the appeals body for this appeals route should be?

A specialist body, such as a Technology and Construction Court

Question: Would you like to provide any comments on what the time period in which such an appeal must be brought should be?

Within 6 months

### **Review of decisions and appeals**

Question: Do you agree or disagree with making the decisions outlined above eligible for an internal review by the Building Safety Regulator prior to being appealed to the tribunal?

- Agree

Question: Do you agree or disagree with the reviews process outlined above?

- Agree

### **Appeals to the tribunal in relation to reviewed decisions**

Question: Do you agree or disagree with the appeals process outlined above relation to reviewed decisions?

- Agree



## **Section 30A applications**

### **Section 30A applications: procedure**

Question: Do you agree or disagree with the proposed procedure for applications made under section 30A of the 1984 Act?

- Agree

Question: Do you agree or disagree that an application made under section 30A of the 1984 Act must be made in writing to the Secretary of State within six weeks (starting with the day after the expiry of the period for determining the relevant application)?

- Agree

Question: Do you agree or disagree with the proposed document requirements outlined in Regulation 40(3) for section 30A applications?

- Agree

Question: Do you agree or disagree that an applicant should notify the Building Safety Regulator of their intention to make a section 30A application at least two working days before doing so?

- Agree

### **Section 30A applications: electronic submissions**

Question: Do you agree or disagree with the proposed approach taken on electronic submissions for section 30A applications?

- Agree

### **Section 30A applications: determinations**

Question: Do you agree or disagree with the proposed process for determining a section 30A application?

- Agree

Question: Do you agree or disagree that where the Secretary of State requires the Building Safety Regulator to provide specified information, or provide copies of specified documents, the date specified in the notice for providing this must be no fewer than 14 days after the date the notice is given?

- Disagree

Question: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.

A more achievable timeframe would be up to 28 days.

### **Section 30A applications: appointed persons**

Question: Do you agree or disagree with the proposed approach for appointing persons to determine a section 30A application?

- Agree

### **Deemed refusal of applications**

Question: Do you agree or disagree that the original application should be treated as refused by the Building Safety Regulator in the proposed circumstances outlined above?

- Agree

## 10. Wider changes to the building regulations to align the existing system with the new system

### Defining commencement of work in relation to new buildings

Question: Do you agree or disagree with the proposed definition of commencement of work in relation to new building work?

- Agree

### Extending an existing building

Question: Do you agree or disagree with the proposed definition of commencement of work in relation to extending existing buildings? Is it reasonable?

- Agree

### Replacing an external wall system

Question: Do you agree or disagree with the proposed definition of commencement of work in relation to replacing an external wall system? Is it reasonable?

- Agree

### Material change of use

Question: Do you agree or disagree with the proposed definition of commencement of work in relation to a material change of use? Is it reasonable?

- Agree

Question: Are there other types of building work in existing buildings that we should define commencement in relation to?

- No

### New procedures for building control approval applications for buildings that are not higher-risk buildings

Question: Do you agree or disagree that there should be a route of appeal for dutyholders who consider that the timeframe for determining their application has been extended beyond what they consider to be reasonable?

- Agree

Agreed but more details needed on whether the Secretary of State's team has sufficient resources to review appeals – and whether the application process to log an appeal is sufficiently streamlined as to make it worthwhile even doing so. It would be useful to know more details about what may happen if an applicant's appeal is indeed upheld and how long that may take to be issued.

### Building Regulation 2010 provisions not applicable to higher-risk buildings, or only applicable subject to amendment

Question: Do you agree or disagree with our proposed amendments to Regulation 9 of the Building Regulations 2010 in terms of its application to higher-risk buildings?

- Agree

Question: Do you think that the Mayor's Office for Policing and Crime should be exempt from procedural requirements for higher-risk building work?

- No

For consistency and bring in line with all other bodies

Question: Do you agree or disagree that the Building Safety Regulator should not be able to disapply or relax energy efficiency requirements for higher-risk buildings?

- Agree

Question: Do you agree or disagree that it is unnecessary to apply regulations 12-18 to higher-risk buildings as separate procedural requirements for higher-risk building work are being introduced?

- Agree

If this change is made, it is vital there is sufficient resource levels and expertise in the HSE to cope with the additional workload. Would the proposal mean that an entire development would need to be considered by the HSE if one building within a Building Control plans approval application is made when other lower-rise buildings may also be proposed? If not, there could be confusion on roles / responsibilities and differences in the interpretation of regulations, but first and foremost vital that the body is resourced to cope with the volume.

Question: Do you agree or disagree that the notifications currently required under the above regulations should be submitted to the Building Safety Regulator for higher-risk buildings, rather than local authority?

- Agree

Comments as per 17.36 above. If this change is indeed made, it is vital there is sufficient resource levels and expertise in the HSE to cope with the additional workload. Would the proposal mean that an entire development would need to be considered by the HSE if one building within a Building Control plans approval application is made when other lower-rise buildings may also be proposed? If not, there could be confusion on roles / responsibilities and differences in the interpretation of regulations, but first and foremost vital that the body is resourced to cope with the volume.

Question: Do you agree or disagree that as section 33 of the Building Act 1984 is being commenced, regulations 45 and 46 should not be applied to all building work as the Building Safety Regulator and local authorities will have a power under section 33 of the Building Act 1984 for testing and sampling?

- Agree

## 11. Transitional provisions for higher-risk buildings

### Commencement of work

Question: Do you agree or disagree we should apply the same definition of commencement to the transitional arrangements for regulations covering higher risk buildings?

- Agree

### Applying transitional provisions to individual buildings

Question: Do you agree or disagree with the proposal for transitional provisions to only apply to individual buildings as opposed to multi-site projects?

- Agree

### Proposed transitional provisions

Question: Do you agree or disagree with the proposed transitional provisions?

- Agree

Question: Do you consider there to be any potential challenges with requiring local authorities and approved inspectors (registered building control approvers) to notify the Building Safety Regulator when building work has not commenced after the transitional period lapses?

- Yes

## 12. Equalities Assessment

Question: What do you consider to be the equalities impact on individuals with protected characteristics of any of the policy proposals to be included in the regulations? Please give reasons and any evidence that you consider relevant.

No Answer