



Building Control Update

Chris Stanbury
Group Leader – Building Control

Grenfell Tragedy June 2017



“

‘It shattered the lives of many people and shook the trust of countless more in a system that was intended to ensure the most basic human need of having a decent and safe place to live.’

”

Building a Safer Future

“ *This is NOT just a ‘big’ building issue....* ”

“

Poor practices, poor ethics and poor competence have been found to be endemic. ”



Dame Judith Hackitt's report

- Culture change – issues with testing, accreditation, competency, conflicts of interest etc.
- Right Behaviour
- Risk owned and managed by those who create it
- New regulatory framework focussed on HRRB's 10 stories or more in height
- Suggested that this scope should be extended



Building a Safer Future

Independent Review of Building
Regulations and Fire Safety:
Final Report

May 2018
Dame Judith Hackitt DBE FREng

Cm 9607

Dame Judith Hackitt's report

“...helped to create a cultural issue across the sector, which can be described as a ‘race to the bottom’ caused either through ignorance, indifference, or because the system does not facilitate good practice.”



“...the ability for duty holders to choose their own regulator must stop and regulators must be able to enforce as regulators.”

Implementation

In December 2018 the government confirmed that Dame Judith's report and all 53 recommendations would be implemented in full.

Far reaching overhaul of the system over the coming years – four key areas:

1. Stronger, more effective regulatory and accountability framework – trialling elements through a Joint Regulators Group ('JRG')
2. Clearer standards and guidance ('clarified' Part B, call for evidence etc.)
3. Stronger resident's voice (informed, empowered, engaged)
4. Working with industry to lead and implement cultural change.

Joint Regulators Group (JRG)



NFCC
National Fire
Chiefs Council



Brought together in 2018 to:

1. Help develop and pilot new approaches and, in due course, to assist with the transition to the new regulatory framework
2. Work at pace with early adopters to trial aspects of the proposed new regulatory framework in advance of legislation
3. Assess the resources needs of the future regulator.



So what has changed so far?

The Key Things for Building Control.....

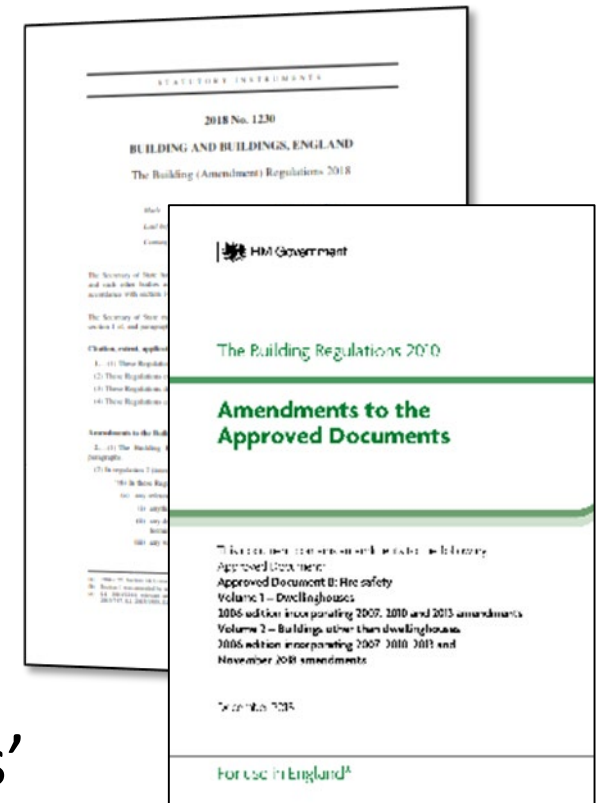
Updates in guidance

November 2018 amendment:

Update to Regulation 7(2) and Approved Document(s) B:

- ‘Ban on combustible materials’ in external wall construction AND ‘specified attachments’ (e.g. balconies etc.) for most residential buildings over 18m (except certain listed components like cavity trays, windows, gaskets etc.)

Beware: the colour of a product can make the difference between it being non-combustible or not!!

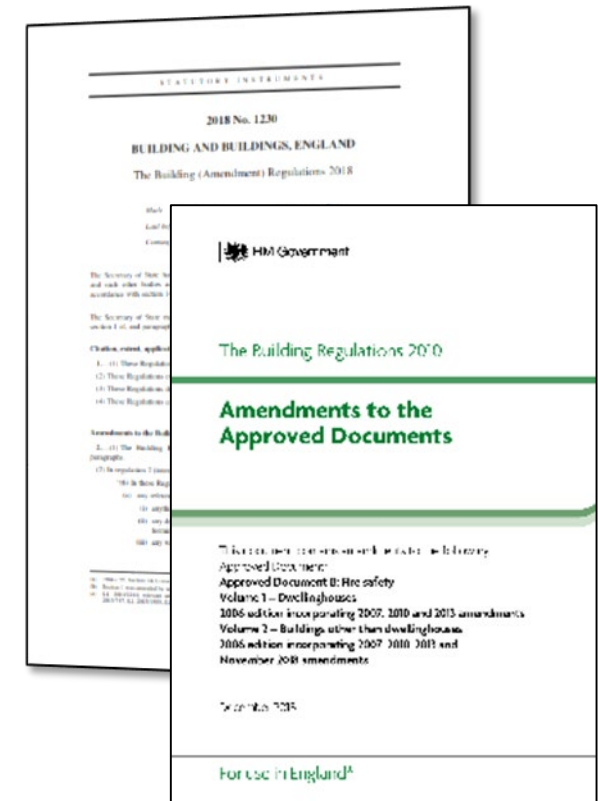


Updates in guidance

December 2018 amendment:

Approved Document(s) B:

- Clarified definition of external walls
- Fire doors must be tested from both sides
- Test standards for certain products
- Limited scope for proof of materials by 'desktop assessment'



30 August 2019

'Clarified' versions of Approved Document B volumes 1 and 2 published

- Incorporating the Nov and Dec 2018 amendments
- New style format – flats moved from V2 to V1
- Eurocodes now in main body text
- But in some places, the 'clarified' words seem to mean something different to the previous versions, and in some places seem to not make sense where they used to...



May 2020 amendment

Approved Document(s) B:

Applies to applications deposited after 26 November 2020 and where works have not started before 29th January 2021:

Mandatory sprinklers in flats now triggered at 11m:

- 7.4** Blocks of flats with a top storey more than 11m above ground level (see Diagram D6) should be fitted with a sprinkler system throughout the building in accordance with Appendix E.

NOTE: Sprinklers should be provided within the individual flats, they do not need to be provided in the common areas such as stairs, corridors or landings when these areas are fire sterile.



May 2020 amendment continued...

Approved Document(s) B:

Amendments to tables of fire resistance

Amendment to wording in respect of boundary separation

New way finding signage in flats now triggered at 11m:

Wayfinding signage for the fire service

15.13 To assist the fire service to identify each floor in a block of flats with a top storey more than 11m above ground level (see Diagram D6), floor identification signs and flat indicator signs should be provided.

July 2020 amendment

Approved Document M (volume 2):

Introduction of requirement for changing places toilet in some buildings (takes effect from 1 January 2021 for projects not started before 1 March 2021)

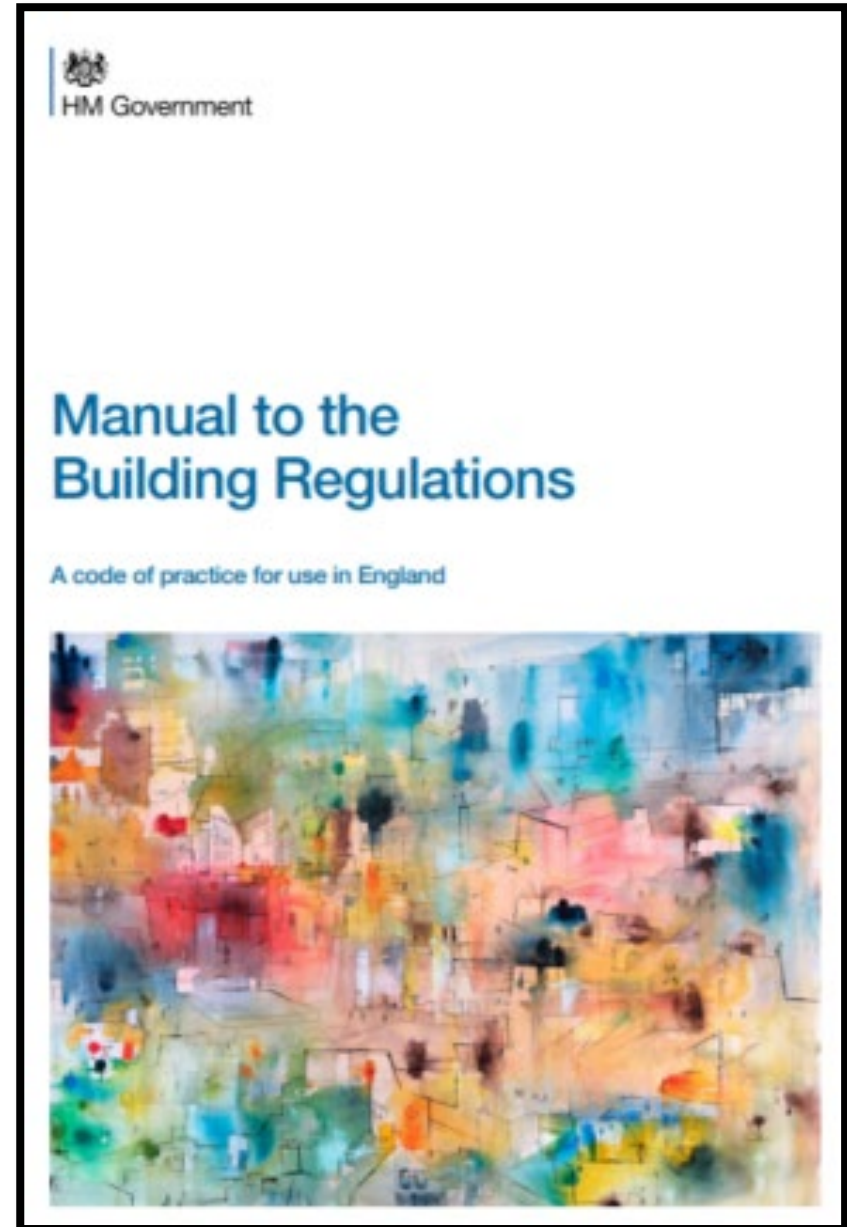
- e. at least one changing places toilet is provided in the following types of building:
 - i. assembly, recreation and entertainment buildings (see note) with a capacity for 350 or more people; or a collection of smaller buildings associated with a site used for assembly, recreation or entertainment, such as zoos, theme parks and venues for sport and exhibitions, with a capacity of 2000 people or more;
 - ii. shopping centres/malls or retail parks with a gross floor area of 30,000m² or more;
 - iii. retail premises with a gross floor area of 2500m² or more;
 - iv. sport and leisure buildings with a gross floor area more than 5000m²;
 - v. hospitals and primary care centres;
 - vi. crematoria and cemetery buildings.



July 2020

The 'Manual to the Building Regulations' was brought back into existence!

- Definitely worth a look – some useful flow charts to help you understand the Regulations and what's required when etc.
- Some handy tables to explain what applies in different change of use situations etc.



What else is in the pipeline?

We understand that MHCLG are working on revisions to:

- **SAP (SAP 10 – out in Beta version to play with)**
- **Part L (factoring in climate change emergency etc.)**
- **Part F (possibly will be simplified again!)**
- **Part M (in line with Equality Act : Non-binary philosophy)**
- **A complete revision of Part B (not expected for a few years yet...)**

And what about the Draft Building Safety Bill?

The Building Act 1984 – 36 years out of date?



The Building Act 1984

Draft Building Safety Bill – Regulators

- Enormously significant – biggest improvement to building safety in 40 years
- Health & Safety Executive (HSE) are now the '**Building Safety Regulator**' (BSR) for **ALL building work falling under the scope of the Building Regulations.**

The bill proposes that:

- HSE (BSR) will also be the mandated Building Control Body for “in-scope” buildings with **Local Authority Building Control** as their partner of choice for support in delivering the Building Control function, as well as the Fire Service. The BSR also enforce ongoing safety management of existing in-scope buildings.
- Concept of “in scope” buildings, initially high-rise residential – **current** ‘working definition’: containing two or more dwellings/rooms for residential purposes with a top storey of 18m or more above ground level OR more than 6 stories high (but allows Regulator (HSE) to broaden definition of “in scope” – care homes, schools, hospitals?)

Draft Building Safety Bill – Regulators

- **4 Gateway Principal for in-scope buildings (lifecycle safety - the golden thread):**
 1. BSR is statutory consultee at planning stage
 2. BSR (working through multi-disciplinary team) must give consent to **start** construction following submission of detailed plans and agreement of detailed design
 3. BSR (working through multi-disciplinary team) inspect work on site and approves decision to **occupy**. Prescribed documents involved in proving safety to occupy/part occupy.
 4. 'Safety case' documentation assessed by BSR before issue **of building safety certificate** : the onus is on the responsible person/developer to prove to the BSR that the building is safe to occupy (much like Scotland's current Building Control system) and that once occupied what provisions are in place to continue safe operation

The 'safety-case' principal is already used by the HSE as the structure used to manage the safety of certain high-risk/low probability industrial sites, e.g. chemical plants. It's very involved....

Draft Building Safety Bill – Regulators

Other key principles of the bill for Regulators for all controlled Building Work:

‘Radical and systematic change’

- **Competency-based** accreditation for those inspecting and/or signing off controlled building work, including both individuals and organisations for all levels and types of building work. In effect licences to practice/operate – the concept of individuals being ‘Registered Building Inspectors’
- For LABC, other inspectors and building owners- real personal and corporate liability
- BC providers will have operational performance set and monitored by the BSR
- BC providers will have code of conduct, with financial penalties, sanctions etc.
- Introduction of Stop notices for any type of work, with sanctions for those carrying out the work
- Extended enforcement powers under Building Act from 2 to 10 years including custodial sentences...!?

Draft Building Safety Bill –Residents

- Mandatory ‘Accountable Person’ (Building Safety Manager) responsible for keeping residents safe in ‘in-scope’ buildings.
- Residents and leaseholders will have access to vital safety information about their building
- A new ‘building safety charge’ will make it easy for leaseholders to see and know what they are being charged for when it comes to keeping their building safe
- For the first time, new build homebuyers will have their right to complain to a New Homes Ombudsman, protected in legislation, and developers will be required to be a member of the scheme. The New Homes Ombudsman will hold developers to account, including the ability to require developers to pay compensation

<https://www.gov.uk/government/publications/draft-building-safety-bill>

So what is Cornwall Council Building Control doing?

Building Control – our response so far

What is competency?

- Qualifications?
 - Experience?
 - Knowledge?
 - Continuing Professional Development?
 - Confidence?!?!
 - Third Party Accredited?
 - Assured?
-
- **How recent...? How relevant...?**

Building Control – our response so far

- Cornwall Council Building Control (CCBC) - one of the first Local Authorities to get LABC Quality Assurance ISO 9001 accreditation
- 6 surveyors with LABC 'Level 6 fire safety specialist' competency validation to be able to work on 'in scope' buildings.
- LABC qualifications and competency systems now validated under ISO 17024 'competence assessment of persons'
- Surveyors with specialist certification in Healthcare fire safety and event safety as well as specialism in other areas
- Under new Bill, in future all surveyors may have to pass regular external competency assessments to retain their licence to sign work off at all levels of complexity – we will be doing this as assessments become available.

Building Control – our response so far

- New training packages to support staff progression
- New group leader focussing on assurance, training and corporate advice
- Engaged within LABC and working closely with Fire Service – joint aspiration for joined-up approach
- Two Building Control Surveyor apprentices on LABC's brand new degree level apprenticeship programme
- Four further surveyors on structured LABC training programmes proceeding towards diploma and degree level qualifications and competency
- Building Control technical support apprentices

And finally: Comings and goings.....

A sad goodbye to:

- Danny Butler – Technical support apprentice
- Sarah Peabody – Technical support
- Roger Bowden – Senior surveyor
- Richard Rowe – Chief building control surveyor

A warm hello to:

- Phil Rowse – Senior surveyor
- Glenn Lowe – Senior surveyor (stolen from planning!)
- Kate Gibbs - Technical support (formerly tech support apprentice)
- Helen Dalton – Building control apprentice
- Andy Ibbotson – Building control apprentice

Congratulations to our new BC management team:

- Neil Read – Group leader : site team and nominated chief BC surveyor
- Sarah Williams – Group leader : assurance
- Chris Stanbury – Group leader : plan check team



Thank you / Meur ras

If you have any further questions or comments,
please email:

buildingcontrol@cornwall.gov.uk