

BUILDING A SAFER FUTURE

INDEPENDENT REVIEW OF BUILDING REGULATIONS AND FIRE SAFETY: FINAL REPORT

Here is a summary of the recommendations, initial reactions and responses to and some thoughts on what lies ahead produced by TNL Consulting Ltd for HSLA.

The report sets out an ambitious vision for a new regulatory framework that will improve standards for both new and existing higher-risk residential buildings. At the heart of the new system will be greater accountability and responsibility to ensure that those undertaking building work make careful judgements about how to make the building safe, rather than waiting to be told what to do.

KEY RECOMMENDATIONS OF THE REPORT INCLUDING:

- A less prescriptive, outcomes-based approach to the regulatory framework to be overseen by a new regulator that can drive the right behaviours;
- Clearer roles and responsibilities throughout the design and construction process and during occupation, to ensure real accountability for building safety;
- Residents to be consulted and involved in decisions affecting the safety of their home and listened to if they have concerns;
- A more rigorous and transparent product testing regime and a more responsible marketing regime;
- Industry to lead on strengthening competence of all those involved in building work and to establish an oversight body.

REACTION TO THE REVIEW:

Survivors and bereaved family members of the Grenfell Tower blaze have said they are “saddened and disappointed” that Dame Judith Hackitt ignored their calls for a ban on combustible cladding.

Amongst industry and professional bodies and politicians the response ranges from complete inadequacy and disappointment to full support:

David Lammy MP dismissed the report as a “betrayal and a whitewash”. Shadow housing secretary John Healey MP slammed the review for failing to recommend a ban on the use of combustible materials in buildings saying some steps were the recommendations are too weak to overhaul the current system or give the public full confidence that their homes are safe.

The outcomes-based approach to regulations rather than a prescriptive approach receives support in other quarters including the Building Engineering Services Association (BESA) who back the recommendation to focus on the broader system.

The National Fire Chiefs Council (NFCC) welcomed the report but does believe that there are areas where more detail is needed. The Royal Institute of British Architects (RIBA) described the review as a “major missed opportunity”. While welcoming some elements, RIBA say the review should have been a defining moment - a set of findings to bring real and meaningful change to the complexity and confusion surrounding core building regulations guidance.

London Fire Brigade welcomes new proposals to increase the role of the fire service in the safety of buildings and urges the government to take new recommendations on board quickly. Similarly, the Institution of Occupational Safety and Health (IOSH) encouraged the government to act on the

recommendations, stressing the importance of effective enforcement. The Association for Specialist Fire Protection (ASFP) welcomed the concept of a dedicated dutyholder in coordinating fire safety throughout the construction process.

GOVERNMENT RESPONSE SO FAR:

The government considers the report a watershed for everyone who has a stake in ensuring that the people living in buildings like Grenfell Tower are safe – and feel safe, agreeing with the principles behind the report's recommendations for a new system.

It will ensure that those responsible for a building must demonstrate they have taken decisive action to reduce building safety risks and will be held to account. It agrees that the system should be overseen by a more effective regulatory framework, including stronger powers to inspect high-rise buildings and sanctions to tackle irresponsible behaviour.

As part of its commitment to bring forward legislation that delivers meaningful and lasting change and gives residents a much stronger voice in an improved system of fire safety, it is asking for stakeholder input by the end of July in shaping cladding assessments and building regulation and fire safety guidance.

While the review resisted knee-jerk calls for certain building products to be banned, the government looks prepared to submit to public pressure. Secretary of state for housing James Brokenshire stated the cladding believed to be on Grenfell Tower was unlawful under existing building regulations. Having listened carefully to concerns, the government will consult on banning the use of combustible materials in cladding systems on high-rise residential buildings.

SO WHAT?

Although major disasters like Grenfell are thankfully rare, the review findings point to multiple weaknesses in regulation, competence and allocation of responsibility on building projects. Industry's inability to assure and demonstrate that all parties, owners, constructors or operators have taken responsibility for their part in the process lies at the heart of the broken business model highlighted by the Grenfell tragedy.

This has undermined confidence in the integrity and safety of buildings, and this trust needs to be rebuilt as quickly as possible. Both government and industry need to maintain this momentum. Industry needs to act quickly, focusing on how we change the way responsibility is divided on projects, working with the government and the supply chain to ensure that everyone understands how to properly fulfil their role.

The final report has made a number of recommendations that will have significant implications for the construction industry if or when they are passed into law. The report has laid the groundwork for a new regulatory framework, overseen by a new authority. Changes to product testing, documentation requirements and points at which a building must be approved safe, could also all have big ramifications on industry. It is difficult to think of any part of industry remaining unchanged post-publication – assuming of course that government acts on the review and that industry does its part in driving its own change.

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