

Building Regulations & Fire safety – Discussion led by members of the Hackitt Review Team

Present:

Paul Everall (PE) Acting Chair

Regional Representatives:

Anthony Oloyede (AO) London

Heather Jones (HJ) LABC Cymru & East Anglia

Dawn McQuillan (DM) Northern

Bernard Saunders (BS) East Midlands

Ben Langford (BL) Central

Steve Pearce (SP) West of England

Ian Berrington (IB) North West

Basil Parylo (BP) Yorkshire

David Pickles (DP) Yorkshire

Phil Deacon (PD) Yorkshire

Derek Terry (DT) North West

Nigel Hunt (NH) South West

Calvin Bradley (CB) West Midlands

Raymond Sullivan (RS) Northern

Ric Patterson (RP) London

Tim Gillooly (TG) London

Wayne Timperley (WT) North West

Board of Directors:

Chris Griffith-Jones (CGJ) Board Director and South West

Phil Mansfield (PM) Board Director

Peter Baker (PB) Board Director and East Midlands

Guests:

Andrew Pattison (AP) Hackitt Review Team

Ben Stayte (BS) Hackitt Review Team

LABC Staff:

Phil Hammond (PH) Managing Director

Louise Williams (LW) Policy and Strategic Executive

Lorna Stimpson (LS) Deputy Managing Director

Kirsty McKee (KM) Team Assistant

Toral Malde (TM) Online Content Developer

Barry Turner (BT) Director of Technical Policy

Kirsten Wiltshire (KW) Development & Engagement Manager

David Ewing (DE) Head of Guidance

Discussion

PE invited the room to introduce themselves to AP BS so they could get an idea of who their audience was and geographical location.

AP provided a verbal overview of the topic on the agenda to the room. AP also explained what they were trying to achieve from the meeting mentioning that the points raised will be kept confidential and will help to write the review. AP explained the three areas of discussion for the meeting:-

1. Market Place
2. FRA –Statutory Points Fire & Rescue Authority
3. Enforcement & Sanctions

BS provided background information to the room on the first topic Market place informing the room that they are aware the current system at the moment is not working and he wants to break down the market place into three main areas for discussion:

- How does it feel when competing for jobs
- What challenges / resources are needed/ independence risk when applying for jobs
- What is the differences between Approved Inspectors (AI) and Local authorities (LA)

Due to confidentiality of the comments made, the main themes were as listed below regarding the Market Place.

- Prices of quotes
- Lack of resources due to funding being cut in LA 's
- AI manage their clients differently, LA's have a lot more to check and prove compared to AI's
- LA's find it hard to recruit good staff and then keep them due to the differences AI can offer (higher salary, better benefits etc)
- There is a shopping culture among developers and contractors for not only the best price but for also the AI or LA that provides them with the answer they want
- AI's need to improve their standards to match with LA's to enable a competitive industry

PE moved the discussion onto point 2 (FRA – Statutory Points Fire & Rescue Authority)

BS provided background of the topic and lists the below areas for consideration:

- *What is the relationship between your building control team and your local Fire and Rescue service?*
- *Are the Fire and Rescue service becoming relied upon more and requiring to have a more detailed input?*
- *Is there input at full plan stage by Fire and Rescue officers and then no input until the fire and safety section? Would you want them to be more involved?*
- *Do the views from Fire and Rescue officers views have to be taken on board?*

BS then opened the floor for discussion, led by PE moving the discussion on where appropriate. The main themes arose are listed below:-

- Fire and rescue resources are reduced and stretched.
- Fire and Rescue services are not experienced in building control so they come to building control teams more for advice
- There is a lack of understanding with the Fire and Rescue service and building control
- Things are constantly being changed to an unnoticeable level this can be dangerous

PE moved the discussion onto the third topic, Enforcements and Sanctions, BS verbally explained the area and wanted the room to pay special attention to these sub groups:

- Enforcement powers and ability legally
- More understanding on what building control can enforce

The discussion was led by PE with moving the discussion on when appropriate. The main theme arose are listed below:

- There is no competition in HSE only enforcement, if building control was like this then it would be the same.
- There is no fear culture when getting to court the punishments are not hard enough
- Once at court there should be a monetary fine in addition to the cost to rectify the problem

- There is a lot of enforcement taking place in a non-legal manner
- Lack of resources time and money to take someone to court.

BS asked the room if they share the concerns that this would be problematic in the future for existing buildings. BS also gave a verbal report of how enforcement and sanctions currently works in New Zealand.

The main points that emerged are listed below:

- Transitional arrangements – Mass applications the day before a change in regulation, to then start building years on, this is because once they have the application approved they can be built to that regulation even if a newer version has been produced
- Quality is an issue building are not lasting as long as they are supposed to
- Legislation drives council properties

AP moved the discussion forward and asked the room what they would like to see from this review.

The major points raised are listed below:

- The need for a Building Act fit for purpose
- The need for the systems to match in public and private sectors
- The power to stop buildings at that stage of non-complying and do not resume building until it complies
- For DCLG to recognise that the competition is not just between AI's and LA's, it is between all AI's and all LA's.
- LA's no longer have to prove that something is wrong before taking the contractor/developer to court
- The power that if no EPC certificate is produced no completion certificate can be issued
- The ability to refuse an application based on structural design

PE thanked AP & BS for attending the meeting.

AP thanked everyone for being honest and offering their opinions.

BP asked AP & BS what the time scales are for the review.

AP explained the time scales for Christmas and Spring reports due dates. The overall wish is that everyone should feel safe in their homes.