

The Building Safety Bill

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Engineers, Designers, Consultants

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YOUR PRESENTER



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CIBSE
West Midlands region

CPD learning opportunities in CIBSE West Midlands region

Please get in touch if there's something you'd like to learn
more about
papers@cibsewm.org

We're currently looking for knowledgeable organizations and
companies to share their expertise in legislation, guidance,
best practice and the latest products and services relevant to
building services.

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CIBSE
West Midlands region

Get involved

If you're interested in contributing to the region or joining the committee, please get in touch
committee@cibsewm.org

Getting involved and making a contribution provides a meaningful way to enhance your personal professional development and CV, whilst making a positive difference within the building services industry.

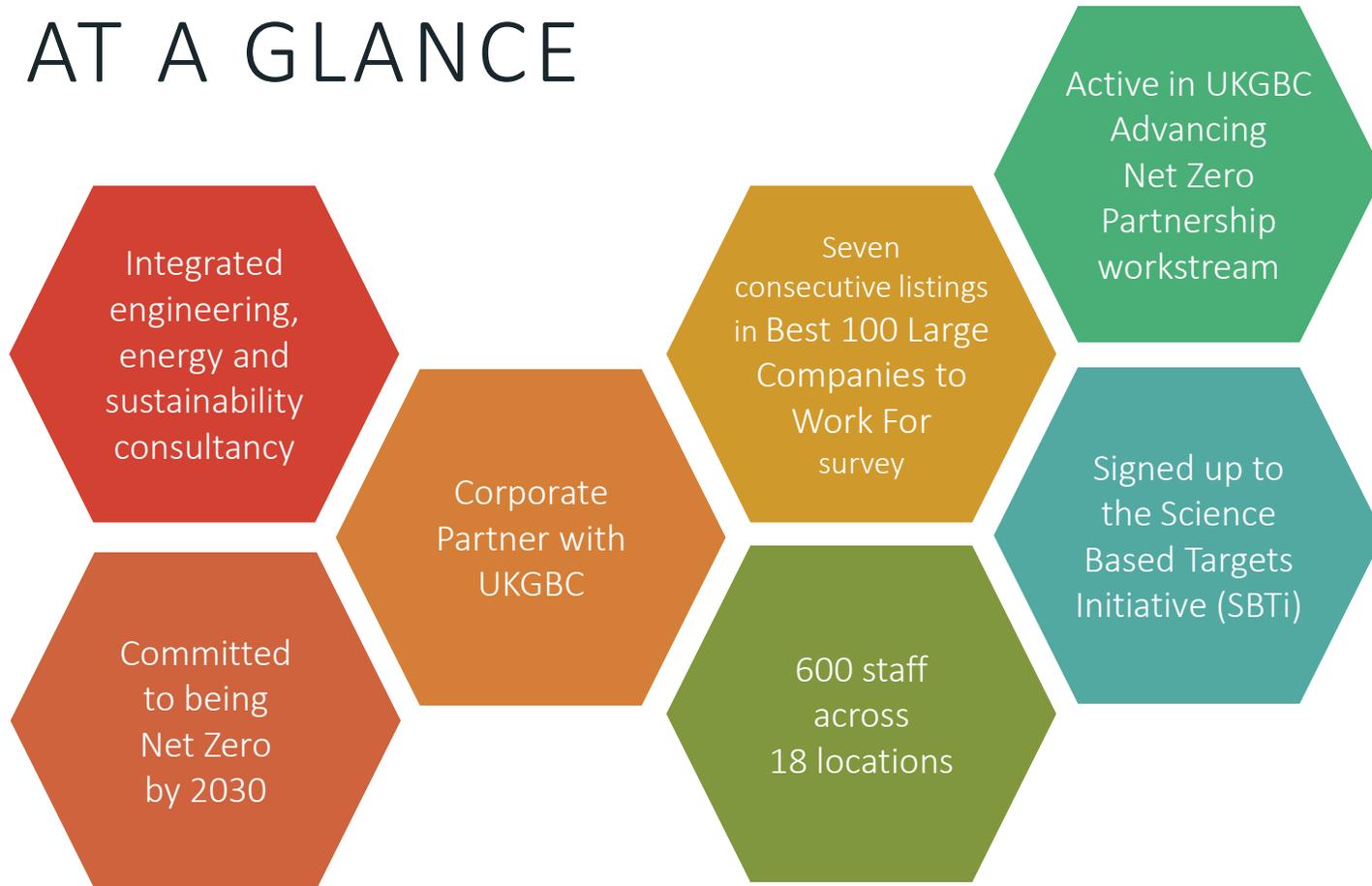
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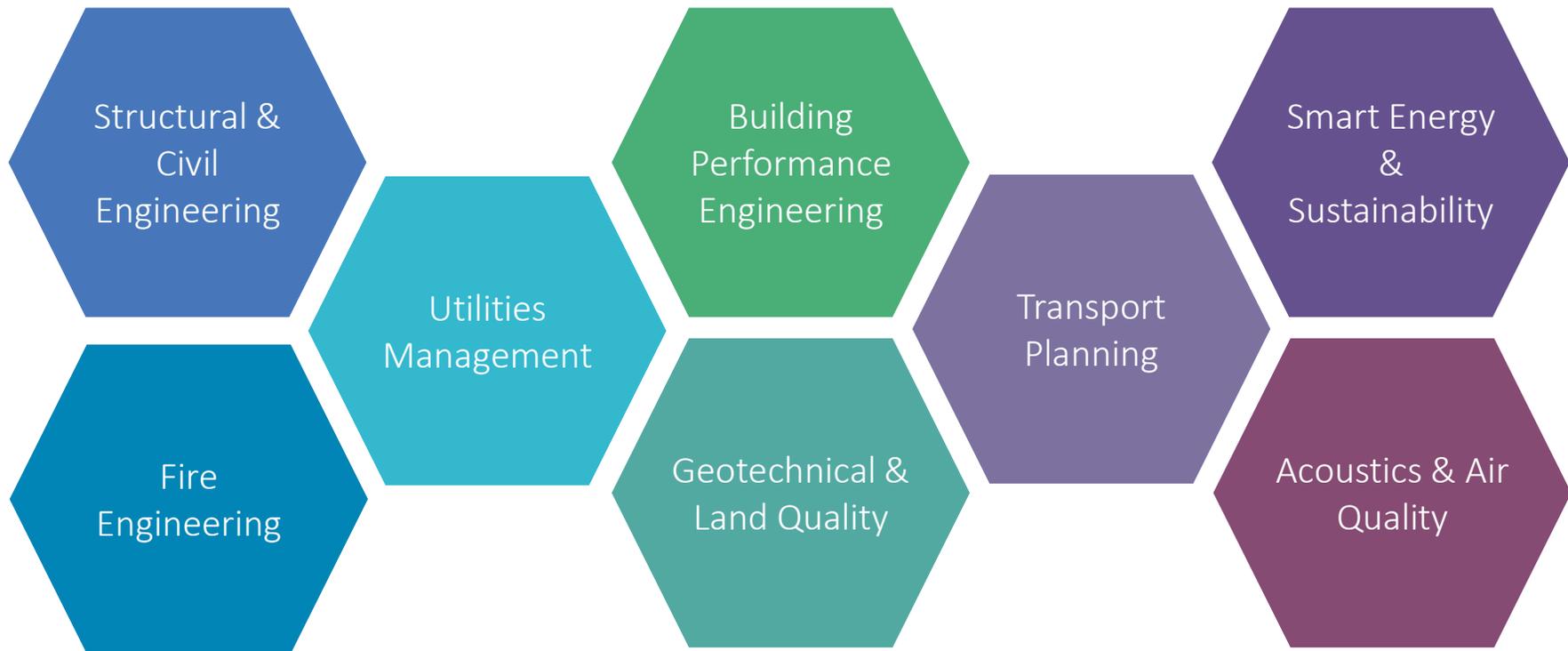
STRUCTURE

- Hydrock
- Introduction
- Timeline of significant events
- Proposed Building Safety Bill
- Building Safety Regulator and Committees
- Impact on Construction Industry
- Building Control System Reform
- Safety Case and Report in Construction Industry

AT A GLANCE



OUR INTEGRATED SERVICES





WHERE WE ARE

HYDROCK'S OFFICES:

- Almondsbury, Bristol
- Birmingham
- Bristol
- Camborne
- Cardiff
- Edinburgh
- Glasgow
- Gloucester
- Hale, Manchester
- Leeds
- London
- Lutterworth
- Manchester
- Newcastle
- Northampton
- Plymouth
- Plymouth KTA
- Southampton
- Stoke on Trent
- Taunton



Our Fire Safety Division was founded in 2017 and now has 70 fire safety professionals working in many of the UK's regional capitals

INTRODUCTION



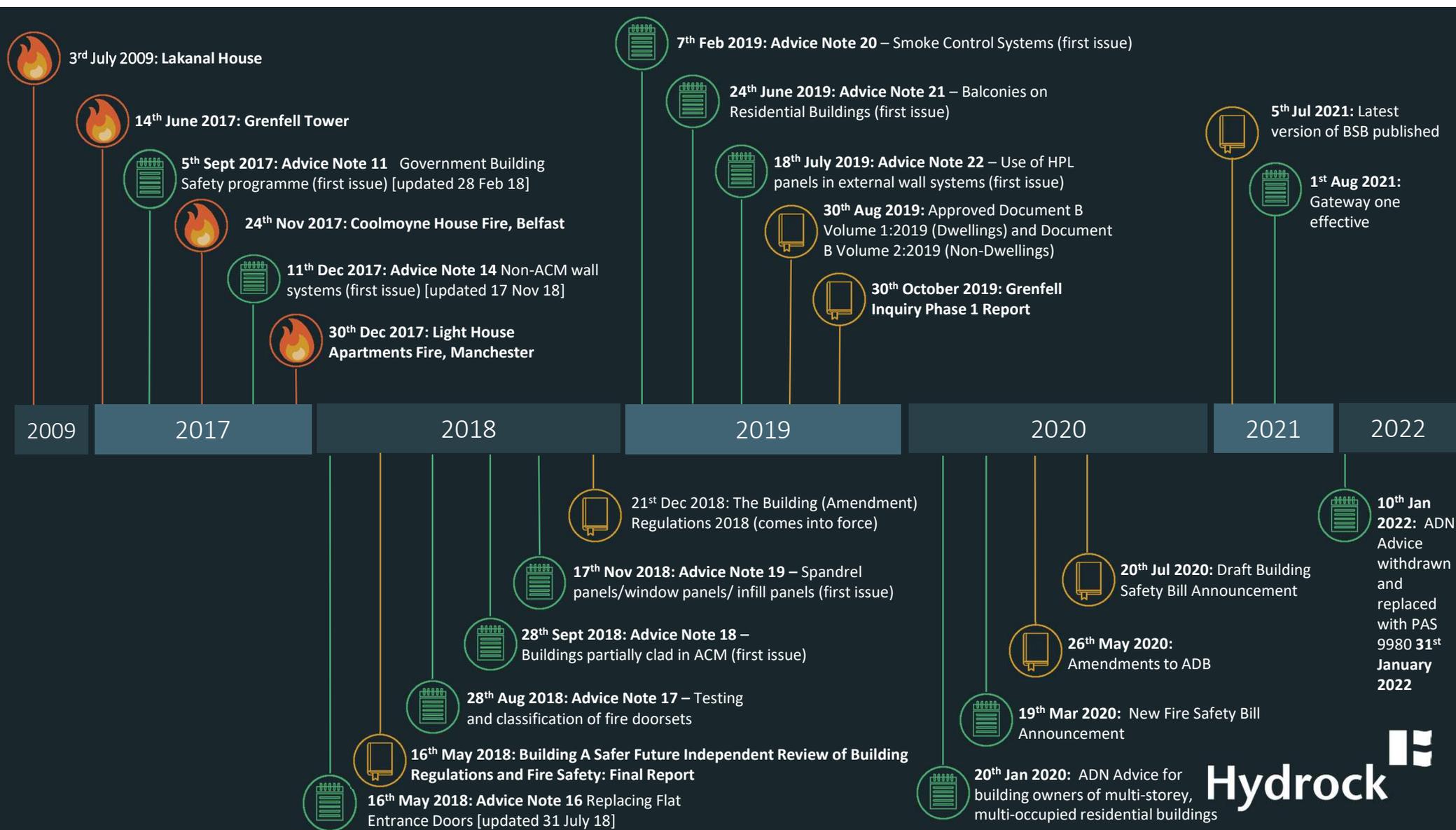


PRESENTATION OBJECTIVES

This presentation aims to provide an review and highlight the most important and significant developments in the bill influencing the building construction industry.

TIMELINE OF SIGNIFICANT EVENTS







BUILDING A SAFER FUTURE

Independent Review of Building
Regulations and Fire Safety: **Final Report**

“[...]the current system of building regulations and fire safety is not fit for purpose.

“[...] a culture change is required to support the delivery of buildings that are safe, both now and in the future.”



SUMMARY

- Most existing buildings have a poor asset database
- Meaning during occupation, decisions are made without an appreciation of the design intent
- Resulting in occupant safety being potentially compromised



Draft Building Safety Bill

Presented to Parliament by the Secretary of State for
Housing, Communities and Local Government by Command
of Her Majesty July 2020



PROPOSED BUILDING SAFETY BILL





Proposed Building Safety Bill

- Objectives
- New, more stringent requirements on the built environment
- Introduction of a new Building Safety Regulator
- Main Sections
 - Building Safety Regulator
 - Building Control System Reform
 - Higher Risk Building
 - Supplementary and General Provision



Proposed Building Safety Bill

- Latest version published 20th January 2022
- Currently at 'Committee Stage' House of Lords
- Expected to receive Royal Assent in 2022
- First round of provision expected 6-12 months after Royal Assent
- Bulk of provisions expected to be enforced 12-18 months after Royal Assent
- Gateway One was enforced from 1st August 2021

BILL PASSAGE



Bill started in the House of Commons

- 1st reading
- 2nd reading
- Committee stage
- Report stage
- 3rd reading



Bill in the House of Lords

- 1st reading
- 2nd reading
- Committee stage**
- Report stage
- 3rd reading



Final stages

- Consideration of amendments
- Royal Assent

Key



Complete



In progress



Not applicable



Not yet reached

Credit: <https://bills.parliament.uk/bills/3021>



Higher Risk Buildings

- Power to change the scope
- Above 18m in height or more than 6 storeys above the ground level
- Contain two or more dwellings, rooms for residential purposes or student accommodation.
- Excludes secure residential institutions and temporary accommodation (e.g. hotels)
- Care homes and hospitals will be included (exempt from occupation-stage obligations)

BUILDING SAFETY REGULATOR AND COMMITTEES



More Stringent Regulatory Regime

- Dutyholders System
- Gateway Points
- Golden Thread – Safety Case
- Building Registration and Certificate
- Accountable Person (Occupation)
- Residents

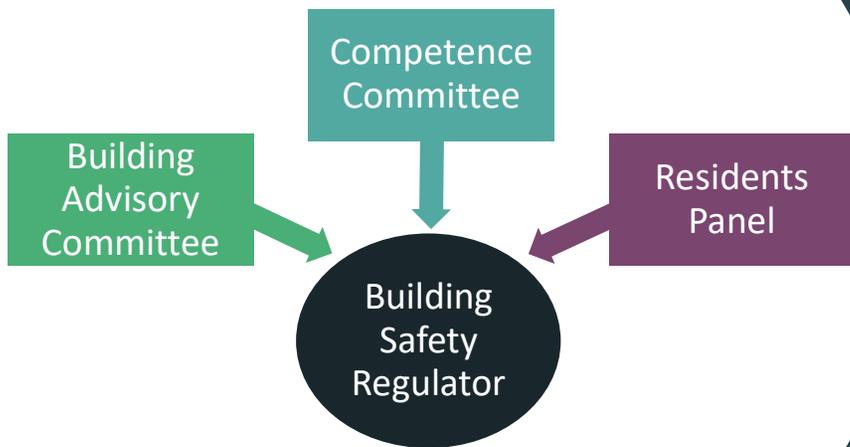


Building Safety Regulator

Housed in HSE

Broad Functions:

- Implement the stringent regulatory regime
- Overseeing building safety and performance
- Industry competence
- Issue Direction to Local Authorities
- Regulations and Guidance



Committees

- Building Advisory Committee
- Industry Competence Committee
- Residents Panel

BUILDING SAFETY REGULATOR

Design/Construction			Occupation			Building Control Body		
Duty Holder			Accountable Person			System Reform		
Competence	Golden Thread	Gateways	Registration and Certificate	Building Safety Manager	Resident Engagement	Registered Building Control Approver	Registered Building Inspector	Higher Risk Building

IMPACT DURING DESIGN AND CONSTRUCTION

BUILDING SAFETY REGULATOR

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A pair of hands, one on the left and one on the right, are shown holding several small, light-colored wooden figures. The figures are arranged in a loose circle on a dark, textured surface. The hands are positioned as if they are presenting or supporting the figures. The background is a dark, textured surface, possibly a table or a mat.

DUTY HOLDER

- Person or entity that creates a building safety risk should be responsible for managing the risk
- Duty holders under CDM: The Client, Principal Designer, Principal Contractor and other designer and contractors



INDUSTRY COMPETENCE

- Powers to prescribe in building regulations competence requirements on the Principal Designer and Principal Contractor, and any prescribed person, and to impose duties on the persons appointing them to ensure they meet the competence requirements
- Clients would be required to sign a declaration that they are satisfied that the Principal Designer and Principal Contractor are competent

GOLDEN THREAD

- Duty holders to co-operate and share information
- Ensure the work complies with building regulations
- Goes significantly beyond the current requirements of the CDM 2015
- Held digitally and ensure that the original design intent and any subsequent changes to the building are captured, preserved and used to support safety improvements
- Mandatory reporting system

RS2
RS3

Slide 33

- RS2** fire safety file
Ruirui Sun, 08/09/2020
- RS3** Hackitt report list of files
Ruirui Sun, 08/09/2020

The background of the slide is a close-up photograph of architectural blueprints. A purple pen is resting diagonally across the top right portion of the blueprints. The blueprints show various technical drawings, including floor plans and sections, with numerous dimension lines and numerical values. The text 'GATEWAYS' is overlaid in white on a dark grey rectangular background in the upper right quadrant.

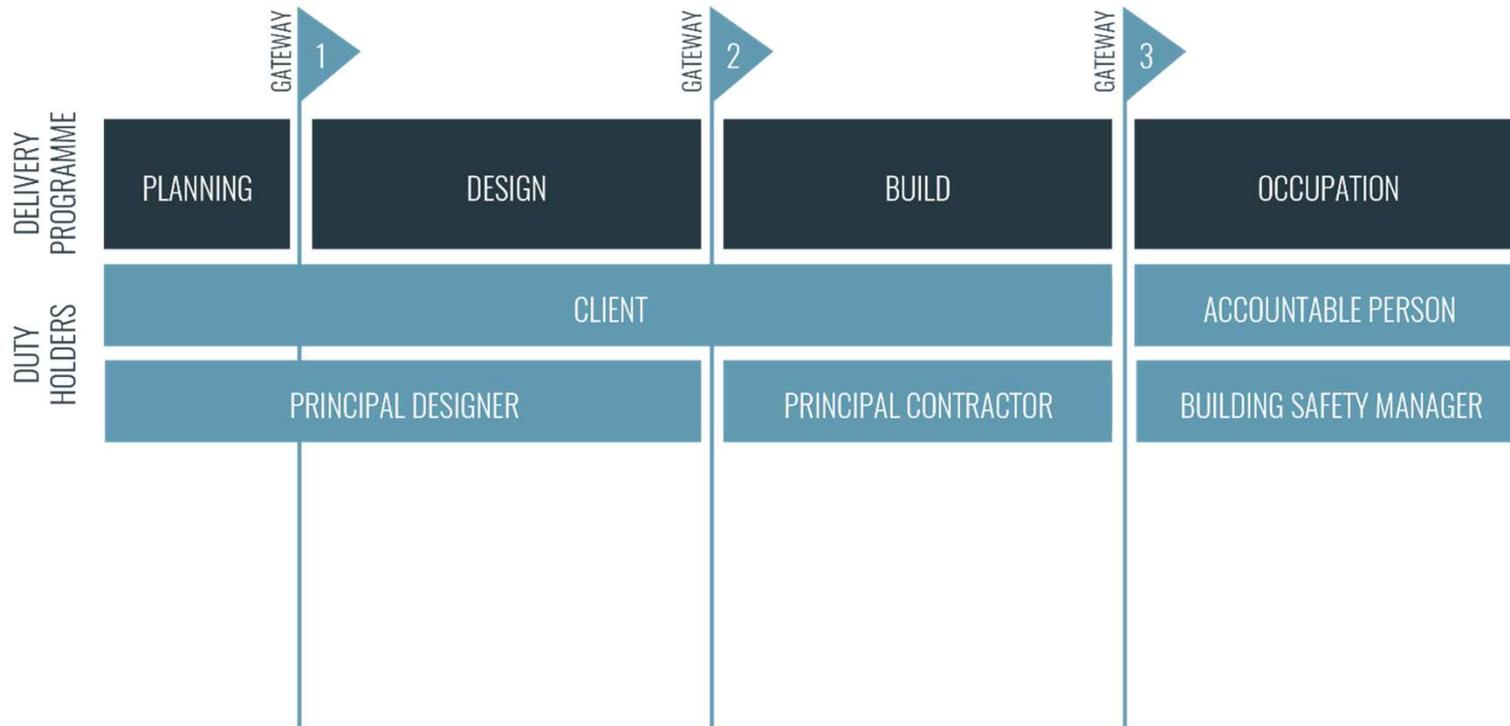
GATEWAYS

- Gateway One: Planning Permission Application
- Gateway Two: Commencement of the Construction
- Gateway Three: Completion or Final Certificate Phase



The design and construction of buildings in scope will be controlled by 3 Gateways, each providing a check point or 'hard stop' to ensure the integrity of fire and building safety.

- Gateway 1 – Planning Stage
- Gateway 2 – Before Construction
- Gateway 3 – Before Occupation





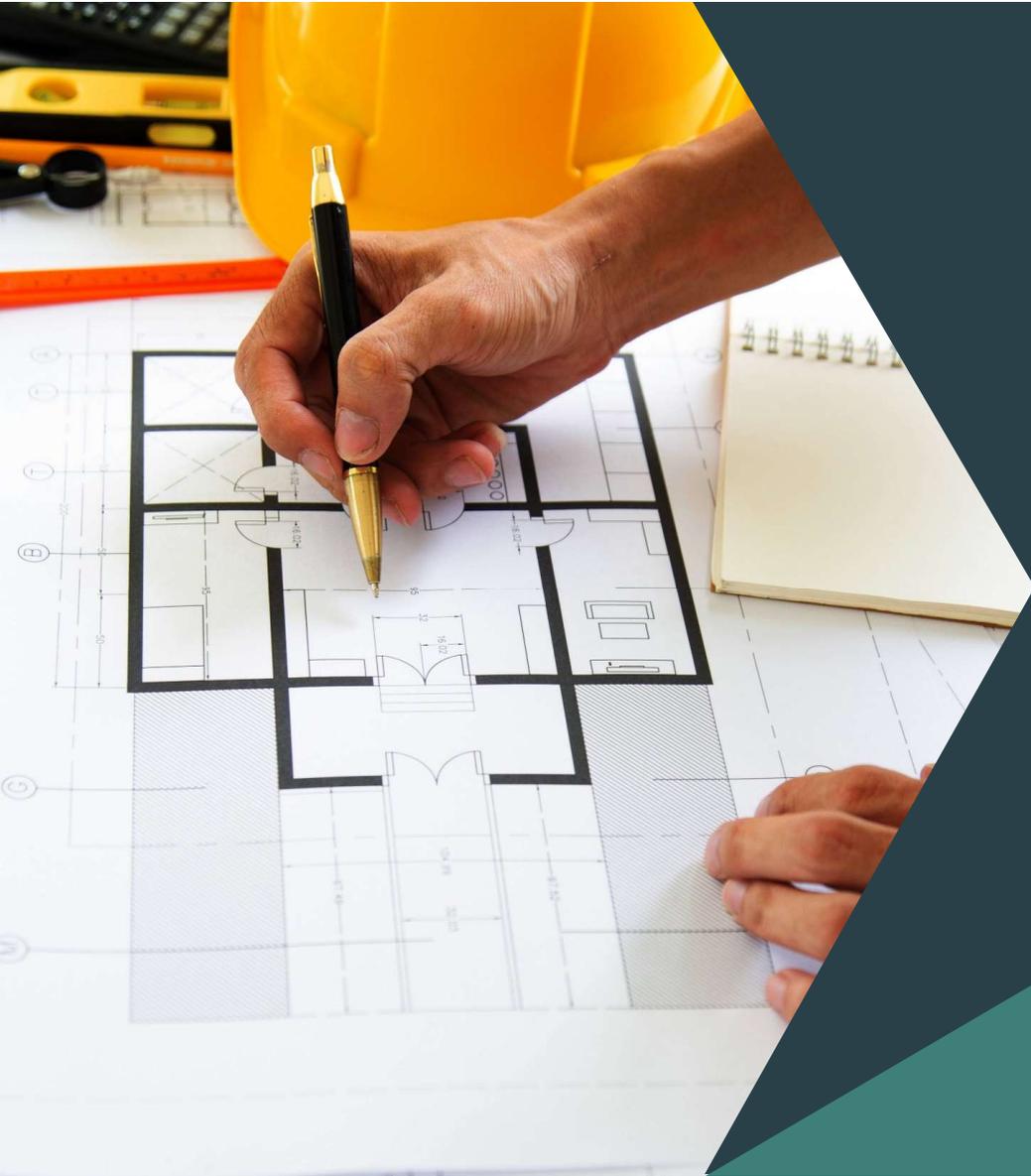
Gateway 1 Objectives

- Land Use Planning matters reviewed at planning stage for high risk buildings
- ‘Before planning permission is granted, planning applicants should submit a fire statement and that local planning authorities should consult the fire and rescue authority to ensure early consideration of fire safety.’



Buildings in Scope

- Residential buildings containing
 - 2 or more dwellings; and
 - A storey more than 18m above ground level or 7 or more storeys
- Includes boarding houses and student accommodation



The Fire Statement

- Only to consider items relevant to land use planning (e.g. site layout and fire tender access, etc.)
 - Not to contain full fire strategy review of all fire safety items (i.e. B1-B5)
- Fixed format
 - To achieve consistency of responses
 - Guidance on word count for responses



Competency Requirements

'Suitably qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed in terms of fire safety'

- Approximately only 300 chartered fire engineers in UK
 - Considering insurance market there may be less with ability to work on high risk residential developments
- Building Safety Bill Impact Assessment estimates a required increase of 50% in fire engineering capacity



Earlier Involvement

- Earlier involvement required due to competency requirements of the Fire Statement
- Earlier involvement recommended for pre-consultation with the HSE

IMPACT DURING OCCUPATION



BUILDING SAFETY REGULATOR

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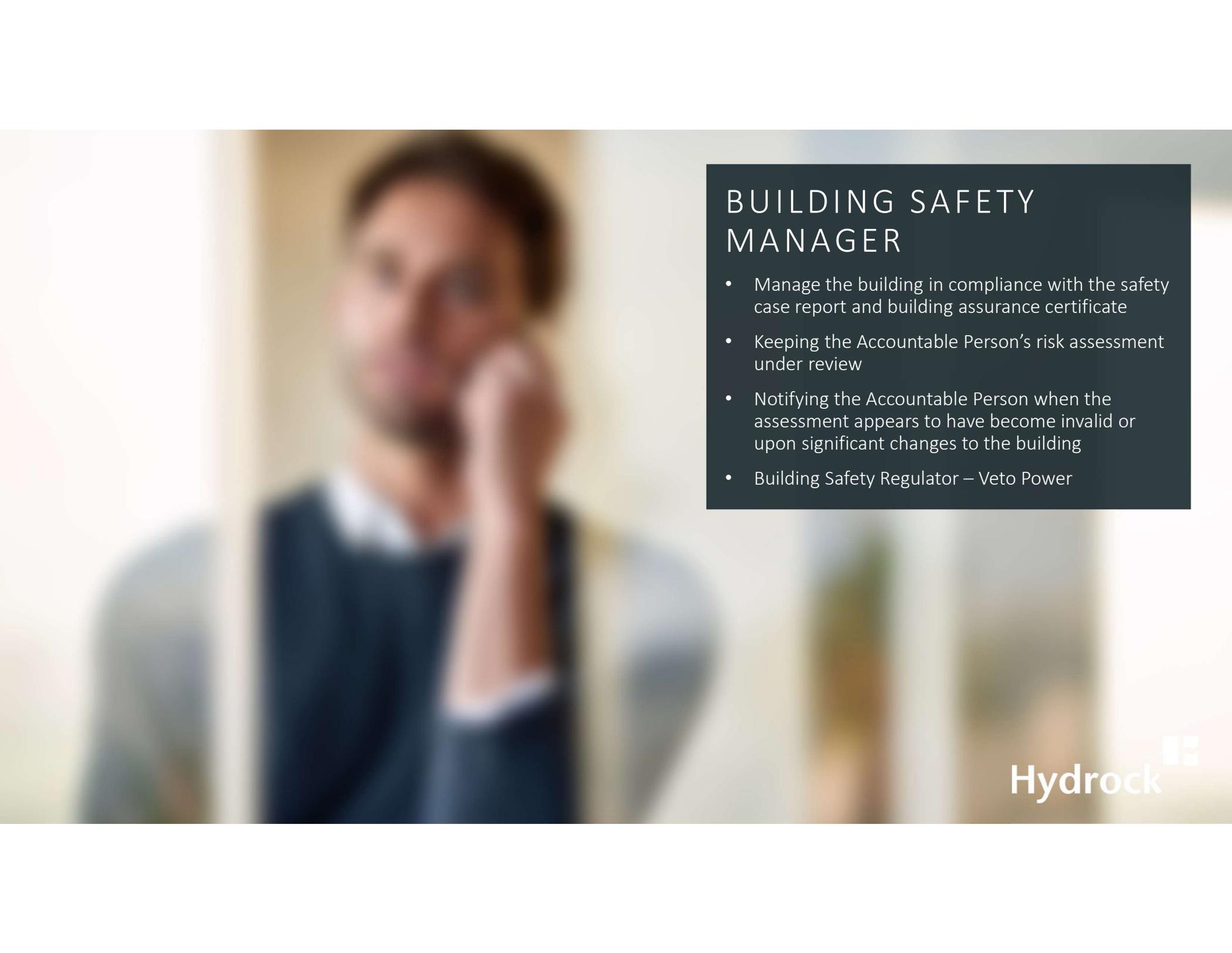
ACCOUNTABLE PERSON

- A person who holds a legal estate in possession in any part of the common parts
- A person who is under a relevant repairing obligation relation to any part of the common parts
- Broad Responsibilities, including:
 - Register Building and Obtain Certificate
 - Building Safety Manager
 - Residents Engagement
 - Manage and Retain Safety Case
 - Prevent Major Incident and Building Insurance

A close-up photograph of a person's hand in a blue suit jacket touching a wooden model of a house on a dark wooden desk. In the foreground, another person's hands are clasped on the desk. A fountain pen lies on a document in the center. The background is softly blurred, showing a window and a wall.

BUILDING REGISTRATION AND ASSURANCE CERTIFICATE

- Register with Building Safety Regulator after completion
- Building Assurance Certification before occupation
- Existing building already occupied



BUILDING SAFETY MANAGER

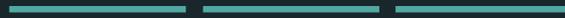
- Manage the building in compliance with the safety case report and building assurance certificate
- Keeping the Accountable Person's risk assessment under review
- Notifying the Accountable Person when the assessment appears to have become invalid or upon significant changes to the building
- Building Safety Regulator – Veto Power



RESIDENT ENGAGEMENT

- Obligation to maintain a residents engagement strategy
- Residents encouraged to participate in decisions about the safety risks through a Residents' Engagement Strategy
- Complaints Procedure
- Residents' Responsibility

BUILDING CONTROL REFORM



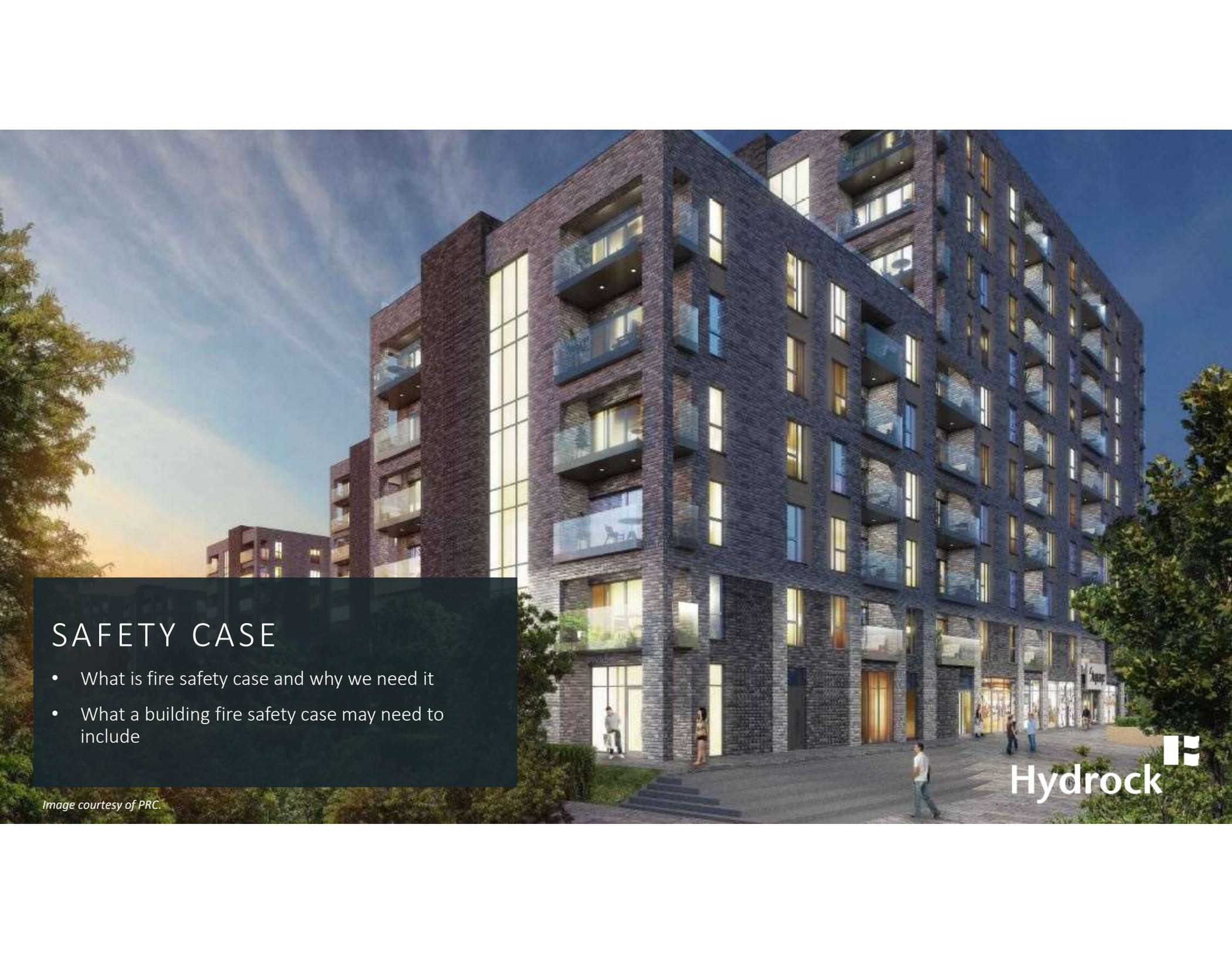


BUILDING CONTROL REFORM

- Unified Professional and Regulatory Structure
- Registered building control approvers, Registered building inspector
- Higher risk building – Building Safety Regulator
- Power to amend the framework

SAFETY CASE

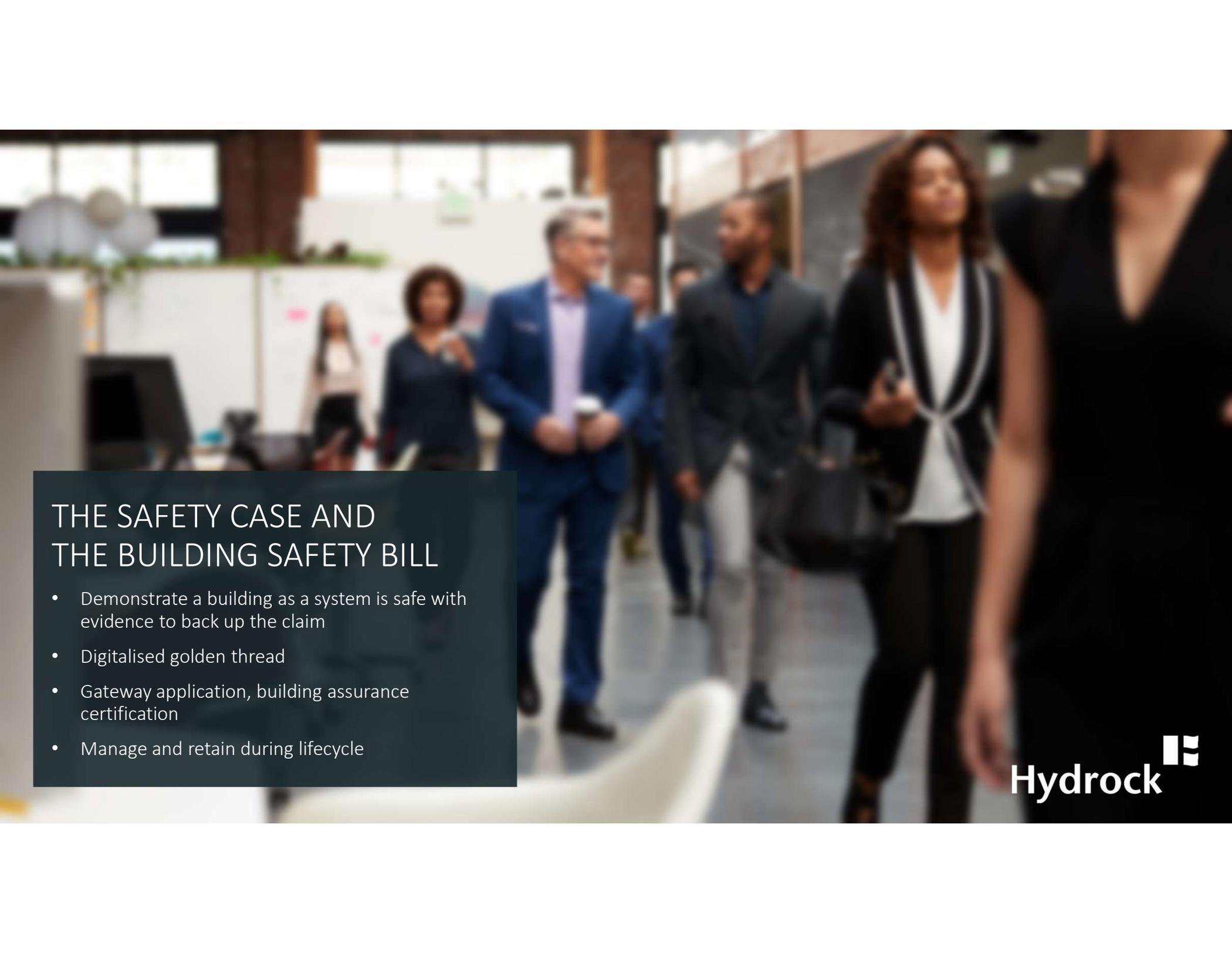




SAFETY CASE

- What is fire safety case and why we need it
- What a building fire safety case may need to include

Image courtesy of PRC.



THE SAFETY CASE AND THE BUILDING SAFETY BILL

- Demonstrate a building as a system is safe with evidence to back up the claim
- Digitalised golden thread
- Gateway application, building assurance certification
- Manage and retain during lifecycle



FIRE SAFETY CASE IN THE CONSTRUCTION INDUSTRY

- Preparing the Fire Safety Case – Fire hazard identification, risk assessment, control mitigation measures, record finding and monitor the implementation;
- Common buildings – fire safety design and approval
- Complex buildings – QDR, ALARP, all stakeholder involved, document findings;
- Construction – Fire safety audits and evidence
- Post-occupation – Building management information. Maintenance/inspection/testing, resident enjoyment strategy, fire and emergency files, fire safety inspection and risk assessment;

EMBRACE THE CHANGES



EMBRACE THE CHANGES

Safety standards across the industry will be raised with this fundamental reform of the industry

- Competence
- Design/construction and project management
- Safety case
- Building management system
- Proactive to adopt the changes

Q&A



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LOCATIONS

BRISTOL
BIRMINGHAM
CARDIFF
CAMBORNE
GLASGOW
GLOUCESTER
LONDON
MANCHESTER
NORTHAMPTON
PLYMOUTH
SOUTHAMPTON
STOKE-ON-TRENT
TAUNTON
WETHERBY