

**Kit Malthouse MP**

*Minister of State (Housing and Local Government)*

***Ministry of Housing, Communities and Local Government***

4th Floor, Fry Building

2 Marsham Street

London SW1P 4DF

Tel: 0303 444 3430

Email: kit.malthouse@communities.gov.uk

[www.gov.uk/mhclg](http://www.gov.uk/mhclg)

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**Clive Betts MP**

ChairHousing, Communities & Local

Government Select Committee

House of Commons

London

SW1A 0AA

**Building Safety Progress Report to the Housing, Communities & Local Government Select Committee: January – March 2019**

Dear Clive,

At the Housing and Communities Select Committee on 28 January 2019, I committed to providing the committee with regular progress updates from the Building Safety Programme. This is the first update and provides an overview of the programme’s key achievements from **January to March 2019**.

As you will be aware, our Implementation Plan, published in December 2018, frames our approach and sets out our commitments to achieving the recommendations made in Dame Judith Hackitt’s Independent Review of Building Regulations and Fire Safety. See Annex 1 for our table of commitments.

The programme is preparing our public consultation, which will set out our vision for the fundamental reform of high rise residential buildings and inform policy for necessary primary legislation.

Ahead of the necessary changes to legislation we are acting now to fix existing problems; trial new approaches; and encourage industry to lead the necessary culture change.

Remediation

At the end of March 2019, remediation of private and social residential buildings over 18m with Aluminium Composite Material (ACM) cladding systems unlikely to meet Building Regulations, was: remediation is complete in 87 buildings (20%); remediation has started in 105 buildings (25%); there are plans and commitments in place to remediate a further 186 buildings (44%). For further information, the latest Building Safety Programme data release is available at: [Building Safety Programme March Data Release](https://www.gov.uk/government/publications/building-safety-programme-monthly-data-release-march-2019)

The Ministerial Remediation Taskforce met again in February to continue its oversight of the remediation progress. We continue to reinforce the message that leaseholders must be protected from bearing any cost. We have seen success with a number of buildings where the building developer/ owner has agreed to fund remediation; most recently with a development in Manchester that contained two unsafe tower blocks with 345 flats in total.

We have released the results of Glass Reinforced Plastic (GRP) composite fire door testing. The Association of Composite Door Manufacturers (ACDM) are developing their industry-led plan of action to improve standards and remediate GRP composite doors which have been found not to meet the required standard. They will publish their plan when finalised.

Standards and Guidance

Work continues on the review of Approved Document B (ADB - fire safety). The Building Regulations Advisory Committee (BRAC) is currently reviewing comments and improving diagrams based on the responses received on our consultation on clarifying Approved Document B.

The call for evidence on the technical review of ADB closed on 15 March 2019 with 155 responses received. We are now analysing those responses to determine next steps.

Unfortunately, the Building Research Establishment (BRE) research programme into the fire performance of non-ACM cladding materials has not yet commenced because the test rig was damaged during a calibration test and has needed to be repaired.  The schedule for the tests is being reappraised in the light of the delay to the start of the programme. We will be monitoring results closely. A report will be published once the results have been fully analysed. If the results of individual tests raise matters of immediate concern, however, we will take appropriate action and communicate this

Regulatory and Accountability Framework

The Joint Regulator Group (JRG) met on 28 February to agree their work plan and terms of reference. The JRG membership includes representation from the Home Office, Local Government Association, Health & Safety Executive, and National Fire Chiefs Council. The JRG will provide coordinated regulatory leadership to help develop and begin to shadow the functions of a stronger regulatory regime for safety in buildings in scope; to trial aspects of the new regulatory regime with early adopters and other partners in the construction and housing sectors; and begin preparations for a transition to a new regulatory regime.

Engagement with Residents

In order to put residents at the heart of the regulatory system we are investing time in collecting evidence to ensure policy changes are grounded in the experiences of those who live in high-rise buildings. MHCLG has commissioned Involve, a public participation charity, to run a Residents’ Reference Panel to help inform government decisions on building safety.

The Panel includes up to twenty residents and will meet four times in total. The Panel has met twice (Nov-18 and Jan-19) and their views, feedback and ideas have been collected for use within the programme. Topics explored to date include: escalation and redress; residents’ responsibilities; and the idea of having building safety managers.

Our call for evidence to identify best practice of how residents and their landlords or building managers can work together to ensure the structural and fire safety of their building closed on 12 February 2019. The responses are being analysed.

Engagement with Industry

Close engagement, support and challenge with industry is at the centre of our work to deliver meaningful change to building safety practice and culture. Meetings this quarter took place with the Industry Safety Steering Group (ISSG) and The Early Adopters (EA) Group.

The ISSG is chaired by Dame Judith Hackitt. The purpose of the group is to provide constructive challenge to industry and hold to account those who are responsible for driving forward specific elements of the building safety portfolio. The ISSG meets bi-monthly and they last met on 4 February under the theme of ‘vison for culture change and best practice’. There were presentations from Build UK, L&Q, and Willmott Dixon, and the Construction Leadership Council (CLC). By summer recess, Dame Judith will report to the Secretary of State regarding whether industry is capable of change and its progress so far. The next meeting is scheduled for 1 April.

The latest meetings of the EA Group took place on 31 January and 14 March. Industry membership of the group includes: Barratt Homes, Kier, L&Q, Peabody, Wates, Willmott Dixon, Salix Homes, and United Living. The purpose of this industry led group is to promote culture change and best practice by implementing changes across their organisations prior to changes in regulations and legislation. The group has agreed a Building Safety Charter which has five principles outlining key behaviours integral to building safety. A forward work plan has been agreed with the EA Group to pilot new approaches to gateways, safety case reviews and the golden thread ahead of legislation. The next meeting is scheduled for 25 April.

Next steps

The programme continues to work on a number of areas to facilitate the delivery of the reform we all agree is needed. Focus over the next few months will be our continued drive to ensure the remediation of ACM-clad buildings, consultation on our reform proposals and next steps on Approved Document B.

I am depositing this letter in the library of both Houses.

**kit malthouse MP**

The **implementation plan**, published in December 2018, sets out the Government’s programme of work to deliver a fundamental reform of the building safety system over the next few years.

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| Commitment | Steps to take |
| Create a stronger and more effective regulatory and accountability framework | We have established a **Joint Regulators Group** to pilot new approaches and assist with the transition to a **new regulatory framework**. We are working with industry **Early Adopters** to trial aspects of the proposed new regulatory framework in advance of legislation.We will consult on:* the scope of the new regime and whether we should go further than the initial scope set out by the Review, to include other multi-occupied residential buildings where a significant fire or structural failure could put many people’s lives at risk;
* options for a more effective regulatory framework to oversee the new regime, including the option of establishing a statutory **Joint Competent Authority** (as recommended by the Review) that would sit at the centre of a stronger regulatory framework for buildings in scope;
* **proposals for managing the provision of building control** within a new regulatory framework and the role of Approved Inspectors in supporting dutyholders for buildings in scope;
* **making Fire and Rescue Authorities statutory consultees** in the planning process for multi-occupied residential buildings of 30 metres or more (10 storeys or more) in advance of the establishment of a new regulatory framework;
* **proposals for a ‘digital by default’ standard of record keeping** for the design and construction of buildings in scope and to ensure that this digital record is maintained throughout the occupation of buildings for buildings in scope;
* **proposals for how dutyholders would collect, hold, analyse and make available the data that constitutes the ‘golden thread’**; and
* for all buildings, **proposals to clarify and strengthen existing regimes to ensure that fire safety is adequately prioritised**, and risks are addressed.
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| Clearer standards and guidance | **In December 2018 we launched a** **call for evidence to form a base for a technical review of Approved Document B (Fire Safety).****We welcome evidence on any issues that are, or should be, covered by the Approved Document.****High Profile key topics we anticipate receiving increased views and evidence on include the following; Purpose groups, Compartmentation and Sprinkler systems. A full list of key topics was published in Annex A of the call for evidence.**We **laid regulations in November 2018 to give effect to the ban on the use of combustible materials** on the external walls of new buildings over 18 metres containing flats and other places where people sleep. We published **amended guidance alongside the implementation plan which restricts the use of assessments in lieu of tests** following consultation in spring 2018. The implementation plan also makes clear the intention to consult in the spring on options for a **new governance structure for the oversight of building regulations and guidance.**The implementation plan sets out **the intention to establish, during 2019, a ‘standards committee’** to advise the Secretary of State on new and existing construction product and system standards; bring forward proposals to establish **consistent legislative powers which cover construction products**; and consider **options for national regulatory oversight of construction products** to ensure that construction products are manufactured to the standards they should perform at.  |
| Ensure that we put residents at the heart of a new regulatory framework | Alongside the implementation plan, we launched **a call for evidence inviting views on how residents are supported to meet their responsibilities to keep their homes and buildings safe.**The Government will consult in the spring on **requirements for dutyholders to proactively provide residents with critical safety information** about their building **and to put in place a resident engagement strategy**. We will also consult on **options for a clear and quick escalation route for building safety concerns**, including the relationship with a new regulatory framework for building safety and the interactions with existing regulators and redress schemes.  |
| Drive cultural change to encourage greater responsibility for building safety | **Early Adopters working with the Government will**:* **sign a new Building Safety Charter**, demonstrating their commitment to spearhead culture change and put building safety first.
* **trial and adopt a range of policy options to implement the recommendations of the Review in advance of legislation**, including through working with the Joint Regulators Group.
* **establish standards, guidance, and training for commercial professionals involved in building projects** to raise awareness and protect incentives that drive improved safety within the procurement and contract management of large residential projects.

**By summer 2019, the Government will:*** **review industry’s proposals for an overarching competence body and competence framework** and take a view on whether they deliver a robust, coherent and comprehensive approach to assessing competence across all disciplines in scope and provide assurance that those working on multi-occupied high-rise residential buildings are sufficiently competent, in line with Dame Judith’s vision; and
* **consider whether legislation is necessary to underpin a new system to assure competence.**
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