



Presentation ——— October 2020

Building Safety Bill: an Overview

Mark Robinson, Partner, Projects & Construction

Pioneering — Bahrain — Construction — Public sector — Energy — Real estate — London — Tax — IT — Dubai — Manchester
Connecting — Knowledge — Pragmatic — Malaysia — Exeter — Thought leadership — Housing — Agile — Creative — Connecting — Private equity
Local government — Manchester — Environment — Focused — Islamic finance — Projects — Abu Dhabi — Corporate finance — Passionate — Teamwork
Employment — Regulation — Procurement — Expertise — Specialist — Planning — Investment — Committed — Delivery — IT — Governance
IP — Corporate — Infrastructure — Value — Development — Private wealth — Oman — Governance — Birmingham — Corporate finance
Dynamic — Pensions — Dispute resolution — Insight — Banking and finance — Arbitration — Diverse — Regeneration — Care — Communication

Building Safety Bill: an Overview

- Current Position
- Overview
- Issues

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Current Position

- 20 July 2020: publication of:
 - Draft Bill
 - Explanatory Notes
 - Impact Assessment
- When will the Bill be enacted into law?
 - Scrutiny by parliamentary process
 - Finalised version of Bill
 - Building Safety Act -2021
- Query: timetable for implementation of provisions?

Current Position

- Elements of the Bill require “secondary legislation” to be operative
 - e.g. planning and construction stage obligations
- Explanatory Notes useful for “filling in gaps”
 - e.g. table of proposed Dutyholder duties

Overview

- The Draft Bill is lengthy: 5 parts comprising
 - Part 1: Overview of Draft Bill
 - Part 2: Building Safety Regulator: “higher risk buildings”: scope of regime
 - Part 3: Amendments to the Building Act
 - Part 4: Accountable Person & Building Safety Manager roles: in-occupation obligations
 - Part 5: Supplementary provisions: New Homes Ombudsman: Regulation of construction products: Registration of architects
- What is **not** in the Bill is important

Overview

- Role of Regulator
 - Not established until after Royal Assent
 - Will sit within HSE – reports to Secretary of State
 - Responsible for:
 - “higher rise buildings”
 - all buildings, for certain other matters
 - enforcement
 - other matters
- Competency for identified roles: see now “Setting the Standard” published 29 September 2020
 - Accreditation – a requirement, or a recommendation?
 - British standard?
 - Competency of clients?

Issues

- Timeline & Parliamentary process
- Absence of secondary legislation – for how long
- Definitions, e.g. “higher risk buildings”
- Resourcing of Regulator?
- Competency requirements
- Recovery of building safety charges
- Implied terms and Leases
- Application of Act to:
 - new projects
 - existing higher rise buildings

Issues

- Prepare for Act
 - What do you need to anticipate?
 - Will your Project / Building be caught by the Act?
 - To what extent?
 - What does this require / imply?
- Options:
 - Do nothing?
 - Light touch drafting?
 - Back to back drafting?

Issues

- Drafting issues will include:
 - Change in law provisions
 - Variation provisions
 - Extensions of time and loss and expense
 - Impact on practical completion
 - Creation, storage, maintenance and updating of Building Safety information
 - Competency
 - Insurance requirements
- Additional considerations where the PCR 2015 apply

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Incorporating The New Building Safety Bill

19th October
2020

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Director of Energy and Programme
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whg in numbers



96% stock located in Walsall



Stock Transfer 2003



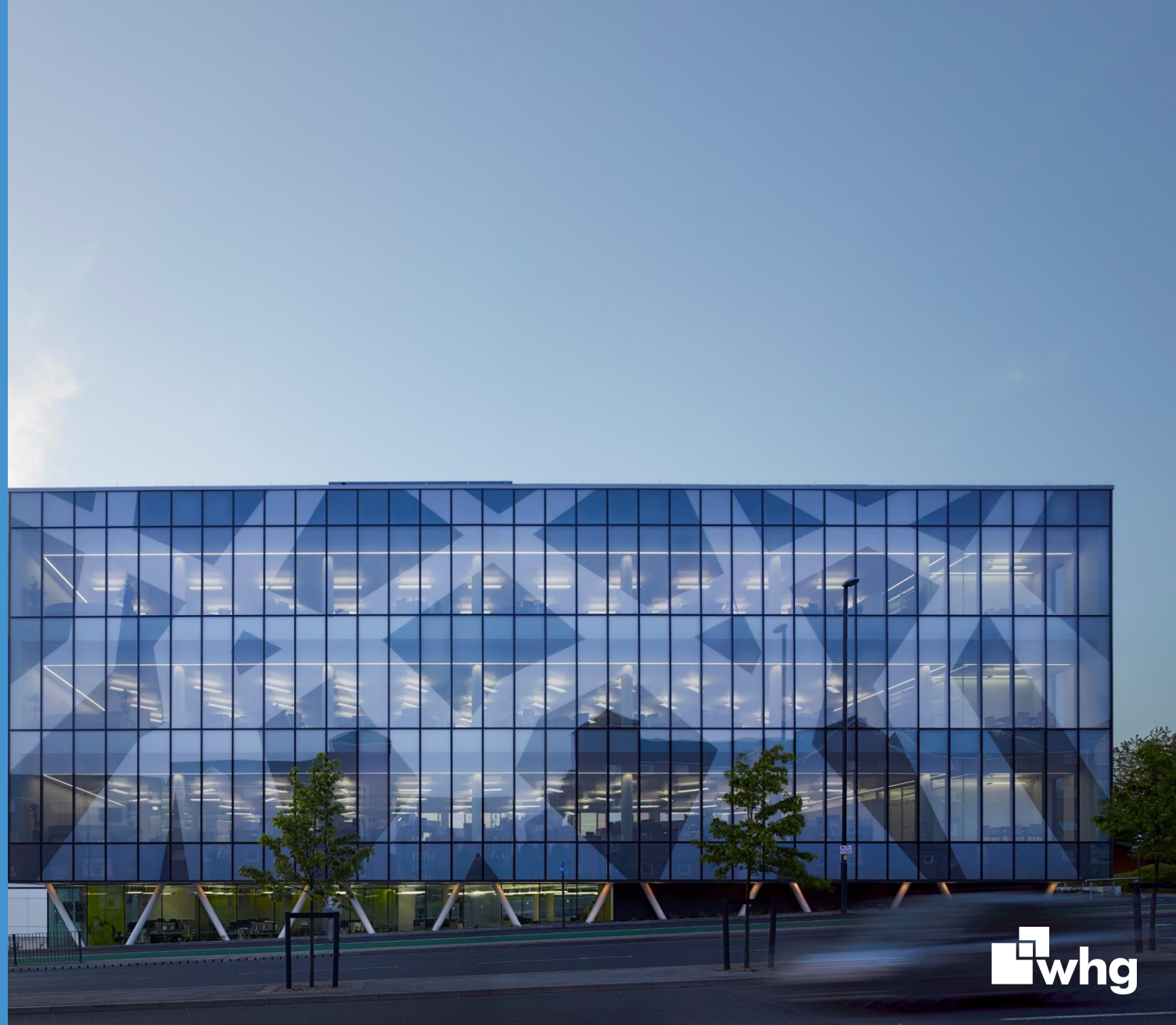
21,000 homes



17 high rise blocks



600 employees



Scope of the Bills

- Need to look at all the Bills together
- Building Safety Bill
- Fire Safety Bill
- Building Regulations
- Transition period
- Impact of Phase 2 of the Grenfell Inquiry



The Duty Holder; The Building Safety Manager and The Building Safety Regulator

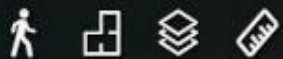
- The new Regulator – enforcement and collaborative approach
- Ultimate responsibility – single point of contact
- Skills; competency and Qualification
- How many?
- What does that look like for whg?



The Building Safety Case

- Proving the building is safe
- Testing and confirming
- Building Safety Certificate
- Building information in one place
- A solution – DIGITAL TWINS
- Correlation with Hackitts recommendation to create the golden thread of building information
- Supports the building safety statement, argument and substantiates the building safety case
- Recognised as best practice from the sector by ISSG (Independent Safety Steering Group)





Resident Responsibilities

- Section 82 requirements – accountability of developing a strategy (Duty Holder)
- Resident Engagement Strategy - whg
- Knock Knock
- Spot Light Group
- WMFS
- Measuring effectiveness
- Dealing with complaints
- Duties on Residents
- Charges to residents/ leaseholders



Going forward...

- Getting on with it!!!
- Collaboration – working together
- Members of the NHF National Building Safety Group
- Build and maintain great partnerships
- It's a challenge but we can and will do it





Thank You

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Building Safer Homes

Peter Hordley, Head of Partnerships





Ignorance,
Indifference,
Lack of clarity on roles/responsibilities Inadequate
regulatory oversight and enforcement tools

“The above issues have helped to create a cultural issue across the sector, which can be described as a race to the bottom. There is insufficient focus on delivering the best quality building possible, in order to ensure that residents are safe, and feel safe”

01

The Building Safety Regulator

Part 2

Who will be the Regulator?

“Chief Inspector of Buildings and Director of Building Safety and Construction

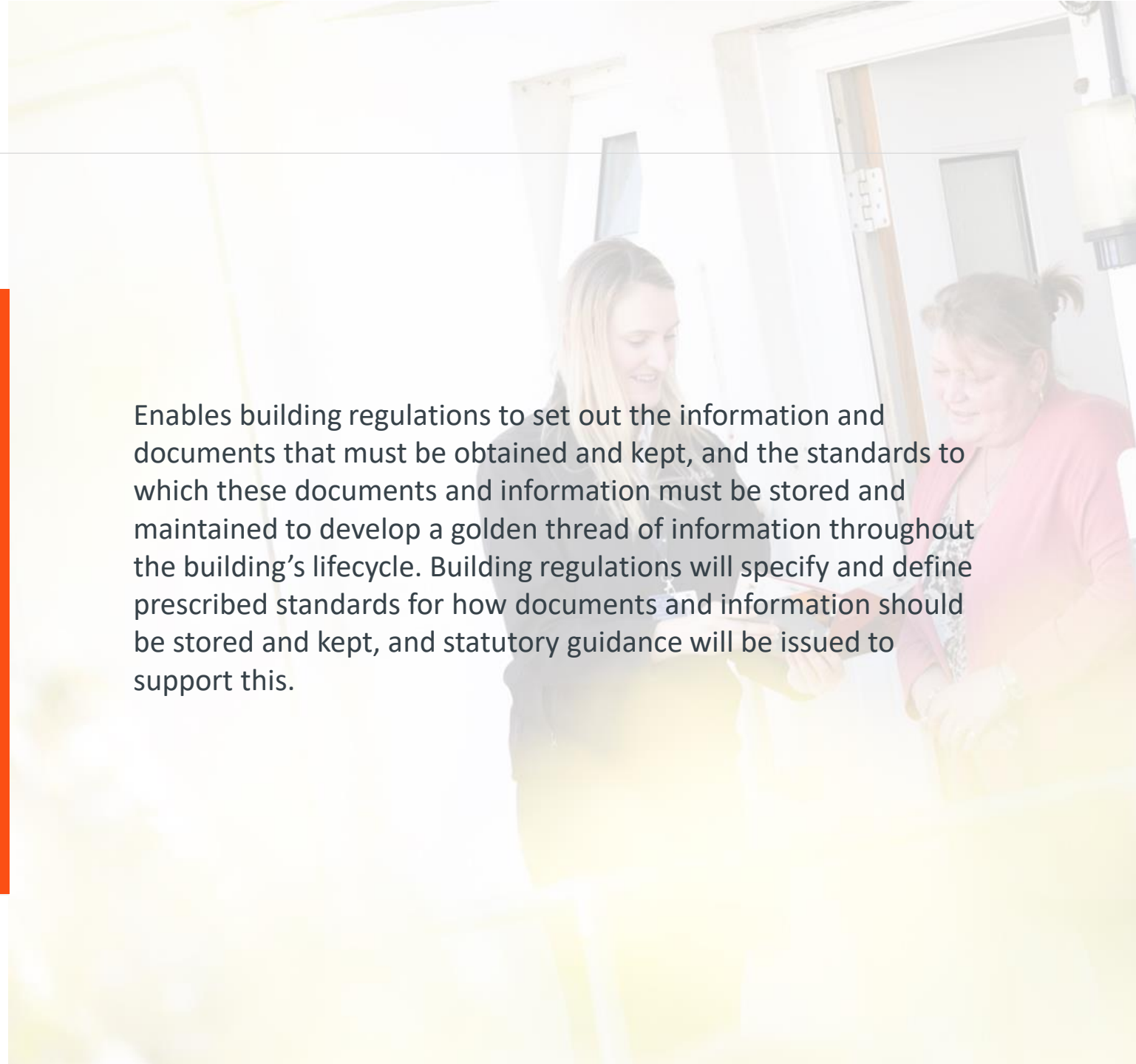
Health and Safety Executive are looking for an outstanding and successful senior leader who has a proven track record of achieving change in safety behaviour and culture within either the construction industry, a comparable high-risk industry or someone with a relevant regulatory background.”

02

Building Act 1984 Amendments

Part 3

Enables building regulations to set out the information and documents that must be obtained and kept, and the standards to which these documents and information must be stored and maintained to develop a golden thread of information throughout the building's lifecycle. Building regulations will specify and define prescribed standards for how documents and information should be stored and kept, and statutory guidance will be issued to support this.



03

Scope

Part 4 Higher Risk Buildings



How do you explain to residents that their home will not be managed to the same standards as others just because it isn't tall enough or doesn't have enough storeys?

And it isn't just flats that burn.....



04

Building Safety Manager

Part 4 Higher Risk Buildings



BUILDING SAFETY MANAGER

05

Scale of the Challenge

Time available to be compliant?
Funding available to become compliant?

>6,500 existing residential high rise blocks in UK
>500 buildings need cladding remediation
How many buildings need fire barrier remediation?

Enhanced Fire Risk Assessment process, but not enough suitably qualified and experienced assessors to do them – more intrusive?

Information – collation, storage, distribution and updating (personal to every resident over 16)

Enhanced inspection & maintenance regimes

06

An example of why it's necessary



Thank you

For listening, I welcome your questions.....



FIRE DOOR REPLACEMENT



George Boyd

ARCHITECTURAL IRONMONGERY
& COMMERCIAL DOORSETS

Introduction - George Boyd AI & Commercial Doorsets

- Jewson Specialist Brand for Ironmongery and Commercial Doorsets
- Established 1848 over 170 years experience of serving the Market
- Main Customers - Public Sector, Facility Management, House Builder, Large Contractors and installation contractors
- True National branch Network and expanding
- Main Distribution Centre with £1m of Stock to service our Customers Next Day Delivery
- Doorset experts for over 18 years with a management team with over 120 years of combined experience covering the whole of UK
- Doorset Solution specialists with 6 partnering manufacturers, we offer the right solution for clients to give what is needed and not force sell what we make



George Boyd

ARCHITECTURAL IRONMONGERY
& COMMERCIAL DOORSETS

What created the current demand for Fire Doorsets. A tragic accident -

- Grenfell Tower – June 14th 2017
- Fire Door failure a contributing Factor
- MHCLG tested a GRP door from the Tower and failed within 15min. A further 15 GRP manufacturers were tested and all failed.
- MHCLG tested 15 timber doorsets from different manufacturers and all passed.
- Maintenance and repairs behind schedule – only 17% of Door Closers were present and working
- Urgent need to improve standards
- **August 2020** - *Dame Judith Hackitt has blasted the industry's professional bodies for failing to rise to the moral obligation of improving safety ahead of planned tough new building laws in the wake of the Grenfell disaster.*



FIRE DOOR STANDARDS

- BS476 Series– Fire Resistance Test – being superseded by –
- BS EN 1634- 1, 2 and 3 Fire Resistance Tests
- BS EN 13501 Fire Classification
- BS EN 16034 – Harmonised Fire and Smoke control
- CE Marked using above BS EN certification

It is important to note that under the Harmonised European standards that all European test houses are equal to UKAS.



- **FIRE DOOR DEFINITIONS.**
- Primary test certification – product tested in a UKAS or European certified test house for fire resisting capabilities
- Global Certification – product manufactured by an entity using someone else's primary test evidence
- Third Party Certification – a certified professional body that checks and certifies that all test data is correct and legitimate

CURRENT MANDATORY REQUIREMENTS

- Currently certification to BS476 as a minimum with preference to BS EN certification
- Fire Test from onerous Side for timber and dual certification for GRP composite sets
- Door Screen and Fanlights tested with the doorset as a complete assembly (became law 18/12/2019)



FUTURE MANDATORY REQUIREMENTS

- ?? – But as Hackitt states -*planned tough new building laws.*
- *The Draft July 2020 Fire safety reform act clearly lays out that certain products which includes Fire Doors will be subjected to new safety regulations.*

What we anticipate the MHCLG will make mandatory for new and replacement Fire Doors -

- A. All fire doors will have to be supplied as Doorsets (All components are supplied by 1 single source).
- B. All Front entrance fire doorsets including side and fan lights will have to be tested and certified to BS EN standards in all respects which already includes Bi directional for fire, hot & cold smoke, thermal, acoustic and weather (No global assessments will be allowed)
- C. External doorsets already from 1st November 2019 have to be CE marked and CE certified but this will be extended to Internal flat entrance doorsets from 2023.
- D. All Fire Doorsets will have to be 3rd party certified for not only the product but also for the entire manufacturing process with yearly checks or every 30,000 sets whichever is soonest.
- E. By 2024 All communal fire doorsets will have to be bi directionally tested unless symmetrical in design. All glass with have to have insulation as well as Integrity to the same level of fire resistance.

What can you do to ensure you purchase Fire Doorsets with the correct certification

- A. Only except products that are primary burns tested in the name of the manufacturer and are also 3rd party certified for product and production.
- B. Only allow Doorsets and do not allow Door assemblies or Door kits.
- C. Only use suppliers who offer products to BS476 when no alternative supplier offering BS EN certified products is available.
- D. Ensure the supplier is reputable and financially stable in all respects.
- E. Use the CHIC Fire Doorset Framework.

As the top scoring supplier of CHIC we welcome the opportunity to assist and support all CHIC clients.

QUESTIONS

