



# LABC Detailed Response to Recommendations

Ref	Report Recommendation	What is the Scope of the Recommendation?	Existing Legislative Provision/Practical Implications	LABC Comment
1.1	<p>The new regulatory framework should apply to residential properties which are 10 or more storeys high in the first instance. New HRRBs should be identified by the Local Planning Authority and notified to the regulator. Existing buildings in scope should be identified through other means, learning from the MHCLG Building Safety Programme experience.</p>	<p>Covers HRRBs only</p>	<p>No current legislative definition of HRRBs. Early identification of relevant buildings is essential, but who is liable if the decision is challenged at a later date?</p> <p>Planning are indicated as the lead regulator, what liability will be placed on the duty holder to correctly identify a building as HRRB?</p> <p>Need to take account of permitted development works which will not involve the LPA</p>	<p>LABC supports this recommendation.</p> <p>LABC would also support a wider definition of relevant buildings – with consideration being given to all buildings currently covered by the Regulatory Reform (Fire Safety) Order. This would align LABC with F&amp;RS and give consistency between different pieces of legislation.</p> <p>HRRBs need clear definition for purposes of identification at key stage 1. 10 storeys (approx 30m) as a ‘hard boundary’ is not necessarily appropriate.</p> <p>The Planning System does not currently allow for identification of buildings aligned to Building Regulations or the RRO. Close working with LPAs will make identifying proposed new buildings a fairly simple process but will need changes to Planning Legislation (once adequately defined) – this could be accommodated via the JCA Portal</p>

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1.2	<p>The government should set up a 'Joint Competent Authority'. This should comprise Local Authority Building Standards, fire and rescue authorities and the Health and Safety Executive, working together to maximise the focus on building safety within HRRBs across their entire life cycle. The optimum model for ensuring effective joint working should be discussed with all relevant parties, but should draw on the model set out above. The JCA should design and operate a full cost recovery model.</p>	<p>Covers HRRBs only</p>	<p>National, regional or local? One body with expectations to deal with every development of relevant buildings.</p>	<p>LABC supports this recommendation.</p> <p>LABC sees this as a process supported by a system. Majority of relevant info already being processed by local authorities. Cloud-based portal would provide access for all regulatory consultees and give a lifetime digital record. MHCLG would need to enable LABC to use UPRNs</p> <p>An additional tier of bureaucracy should be avoided but combined approval of existing regulatory bodies must be obtained at each of the gateways. LABC is working with the NFCC (with MHCLG invited as observers) to formulate proposals for a JCA operational framework. This would provide a tracking and recording system - see LABC Chart.</p>
1.3	<p>The regulatory framework should treat the building as a single entity (a system encompassing sub-systems) and a new over-arching Approved Document should be published describing the system and the holistic analyses that must be completed when undertaking building work. This should define the requirement to understand the interactions of the system and its comprising subsystems in both normal operation and outside normal conditions.</p>	<p>Covers HRRBs only</p>	<p>Requires interaction between separate statutory instruments (Building Regulations, Fire Safety Order Housing Act etc.) Building Regulations currently allow different bodies to oversee requirements (Local Authority, approved Inspector and Competent Person Schemes) with no coordination or overall perspective.</p>	<p>LABC supports this recommendation.</p>

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1.4	<p>a. A system of mandatory occurrence reporting to the JCA similar to that employed by the Civil Aviation Authority should be set up for HRRBs. The requirement to report should be for key identified dutyholders on a no-blame basis. The outputs of these reports (and statistical analysis of this data) should be publicly available. Non-reporting should be regarded as non-compliance and sanctions applied appropriately.</p> <p>b. It would be appropriate for the JCA to be a prescribed person under PIDA.</p> <p>c. For all other buildings the current CROSS scheme should be extended and strengthened to cover all engineering safety concerns and should be subject to formal review and reporting at least annually.</p>	<p>i. Applies to HRRBs (high-rise multi-occupancy residential of 10+ storeys)            ii. Other high-rise multi-occupancy residential of &lt;10 storeys and institutional residential buildings            iii. Other high-rise multi-occupancy residential of &lt; 10 storeys            iv. All building works/residents            v. N/A</p> <p>a. Covers HRRBs only            b. Covers HRRBs only            c. Covers all building work</p>		<p>LABC supports this recommendation.</p> <p>LABC system would set requirements for regular updating of dutyholders, key review dates and aggregated reports for review.</p> <p>There would be need for a 'determinations' channel where there is no professional agreement (eg on innovation)</p>
2.1	<p>Government should specify the key roles that will ensure that the procurement, design and construction process results in HRRBs that are safe. These should be, as a minimum, those identified in the Key Roles Under the CDM Regulations table. The definition of these roles should reflect the definitions in the CDM regulations to avoid unnecessary confusion.</p>	<p>Covers:            • HRRBs and            • Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</p>	<p>These key roles need to equate across all statutory instruments applicable throughout the life cycle of the building.</p>	<p>LABC supports this recommendation.</p>
2.2	<p>Government should allocate broad responsibilities to Clients, Principal Designers and Principal Contractors responsible for HRRBs as set out in Key Roles Under the CDM Regulations table.</p>	<p>Covers:            • HRRBs and            • Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</p>	<p>As above.</p>	<p>LABC supports this recommendation.</p>

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2.3	Government should make the creation, maintenance and handover of relevant information an integral part of the legal responsibilities on Clients, Principal Designers and Principal Contractors undertaking building work on HRRBs. The four information products (the digital record, the Fire & Emergency file, Full Plans and Construction Control Plan) represent a minimum requirement.	<b>What is the Scope of the Recommendation?</b> i. Applies to HRRBs (high-rise multi-occupancy residential of 10+ storeys) ii. Other high-rise multi-occupancy residential of <10 storeys and institutional residential buildings iii. Other high-rise multi-occupancy residential of < 10 storeys iv. All building works/residents v. N/A  Covers: • HRRBs and • Other high-rise multi-occupancy residential of < 10 storeys and institutional residential buildings	This is the intent of Regulation 38 but needs strengthening to clearly identify duty holders, their responsibility and information requirements.  The current 'no mans land' between Building Regulations and the Fire safety Order requires statutory control. Statutory requirements needed for nationally held and accessible storage of relevant data.	LABC supports this recommendation.  LABC has documented concerns over the inadequacy of Building Regulation 38 and its intention. LABC has been working with others in the Fire Sector to develop a working model to improve information flow. Greater clarity of responsibilities supported by effective legislation would be welcomed.  Most developers/contractors update plans and do have document control which would enable the hand-over of 'as built' into the digital record. This would need a formal statutory requirement.
2.4	Government should consider also applying the key roles and responsibilities and information product recommendations to other multi-occupancy residential buildings and to institutional residential buildings whilst bearing in mind necessary adjustments to keep the requirements proportionate.	Explains that recommendations 2.1-2.3 should also apply to other high-rise multi-occupancy residential of < 10 storeys and institutional residential under FSO as well as HRRBs but Govt should consider whether proportionate adjustments are required for these other buildings (eg no digital records mandated for affected non-HRRB buildings).	Once legislative requirements identified for HRRBs it should not be difficult to expand the requirements to other building types including those where public safety has to be considered (theatres, night clubs, sports grounds etc).	LABC supports this recommendation.  Could be implemented using RRO definition which would encompass higher risk buildings except low rise residential and individual dwellings.  A digital process using local authority inputs would provide digital records at low cost.  UPRNs identify all individual buildings and would be the unique identifier for a national cloud based portal and database.
2.5	The LPA should be required by in law to undertake a consultation with the JCA where it identifies that a building is a HRRB. This process should also apply where planning permission for another building in the near vicinity is sought (where such a building might impact on fire service access to a HRRB). This is the first Gateway point.	Covers: • HRRBs and • Other high-rise multi-occupancy residential of < 10 storeys <b>and</b> institutional residential buildings	See comments for 1.1 above.	LABC supports this recommendation, but recognise planners are not necessarily trained in fire safety requirements.  If planning system amended to identify buildings, LABC can conduct the consultation with F&RAs including fire strategy. This would provide the necessary technical expertise and make the combined process more efficient.

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2.6	<p>Government should ensure that there is thorough assessment by the JCA of detailed design plans for HRRBs and sufficient assurance that dutyholders are in place and relevant responsibilities are being met in order to give permission for building work to legally commence. This should be in line with paragraphs 2.29-2.32. This 'Full Plans Approval' is the second Gateway point.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>National, regional or local? One body with expectations to deal with every development of relevant buildings.</p>	
2.7	<p>Government should ensure that: a. the JCA undertakes a thorough test of the dutyholders' as-built construction of HRRBs, supported by clear documentary evidence from the Principal Contractor that the design intent has been delivered as proposed (and any changes are documented and justifiable) and that handover of key golden thread information has occurred. This should be as set out in paragraphs 2.33-2.35; and</p> <p>b. the building owner must have completed a pre-occupation Fire Risk Assessment and resident engagement strategy. All of this must be signed off by the JCA (and a safety case review cycle established) to enable occupation to commence.</p> <p>This 'Completion Certificate' process is the third Gateway point.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>There are practical difficulties with one national body having a requirement to deal with every relevant building. It is essential that local knowledge is harnessed from Planning, Building Control and Fire &amp; Rescue service.</p>	<p>LABC strongly agrees with the principles of these recommendation. We support the strengthening of existing regulations and empowerment of existing regulators within the JCA framework (taking account of our comments on recommendation 1.2 above).</p>

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2.8	Government should consider also applying Gateway Points 2 and 3 to other multi-occupancy residential buildings and to institutional residential buildings	<p><b>What is the Scope of the Recommendation?</b></p> <ul style="list-style-type: none"> <li>i. Applies to HRRBs (high-rise multi-occupancy residential of 10+ storeys)</li> <li>ii. Other high-rise multi-occupancy residential of &lt;10 storeys and institutional residential buildings</li> <li>iii. Other high-rise multi-occupancy residential of &lt; 10 storeys</li> <li>iv. All building works/residents</li> <li>v. N/A</li> </ul> <p>Explains that recommendations 2.6-2.7 should also apply to other high-rise multi-occupancy residential of &lt; 10 storeys and institutional residential under FSO as well as HRRBs but Govt should consider whether proportionate adjustments are required for these other buildings</p>	Once legislative requirements identified for HRRBs it should not be difficult to expand the requirements to other building types including those where public safety has to be considered (theatres, night clubs, sports grounds etc).	LABC supports this recommendation.  The RRO would unify both fire authorities and building control and existing statutes applying to both.
2.9	<p>a. there should be a clearer, statutory change control process that places requirements on the relevant dutyholder to notify the regulators of significant changes post Full plans sign-off. Within that context at two types of changes should be defined – ‘major’ and ‘minor’.</p> <ul style="list-style-type: none"> <li>• ‘Major’ changes would be a limited list of significant changes for example (a) changes in use, changes in number of storeys, changes in number of units or (b) changes which could impact on previously signed-off building safety plans. Major changes would require an update from the dutyholder to the JCA (for reconsideration) before such work is commenced.</li> <li>• ‘Minor’ changes (i.e. all other changes) would need to be recorded and identifiable at the completion of the work for duty-holders to demonstrate that Building Regulations are still satisfied.</li> </ul> <p>b. Government should consider also applying this change control process to other multi-occupancy residential buildings and to institutional residential buildings.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	Building Regulations already define ‘Material Alteration’. Identification of a ‘duty holder’ would enable pursuit through existing provisions of Sections 35 & 36 of the Building Act for failure to notify building work as required by Building Regulation 12.	LABC supports this recommendation.  LABC’s recommendation is for the introduction of mandatory ‘notifications’ to the local authority and the JCA digital portal.

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2.10	In HRRBs, building work that is carried out by 'persons in a competent person's scheme' should be subject to full oversight by the JCA to enable it to fully discharge its duties in line with paragraph 2.38-2.39.	i. Applies to HRRBs (high-rise multi-occupancy residential of 10+ storeys) ii. Other high-rise multi-occupancy residential of <10 storeys and institutional residential buildings iii. Other high-rise multi-occupancy residential of < 10 storeys iv. All building works/residents v. N/A	Skill specific competencies should still be recognised through CPS and other accredited certification schemes however the scope of such work needs to be incorporated into the overall compliance strategy for the whole building and should not be treated in isolation.  Existing notification requirements up to 30 days after completion are inadequate and limit opportunity for verification.	LABC supports this recommendation.  CPS notifications that already go to local authorities can go directly into the JCA digital portal.  All this would be automated based on the UPRN.
2.11	a. It should not be possible for a client to choose their own regulator or for a regulator to be unable to apply sanctions against a dutyholder where such action is warranted. b. As part of the JCA oversight of HRRBs there should be a single, streamlined, regulatory route for the provision of building control as set out in paragraphs 2.43 – 2.45 above with oversight solely provided through Local Authority Building Control c. The Approved Inspector regime should be utilised such that it can: • provide accredited verification and consultancy services to dutyholders ; and also • expand LABCs expertise/capacity (whilst always operating under LABCs rules and standards) d. But no AI can be used to provide both functions in respect of the same building work (i.e. where regulatory oversight is provided the competent resource must be completely independent of dutyholders). e. This avoidance of conflict of interest should apply to all actors in the regulatory system – so no fire and rescue authority should be able to support the JCA in its oversight of a particular building if it (i.e. the individual or the company) has provided professional design services in respect of that building through its commercial arm. f. Recommendations a, b and c should also apply to all other multi-occupancy residential buildings and to institutional residential buildings. Recommendation d and e should apply to all building work. g. Local Authority Building Control should be re-named the Local Authority Building Standards given their new role.	All parts other than d (conflict of interest provisions) covers: • HRRBs and • other high-rise multi-occupancy residential of < 10 storeys <b>and</b> institutional residential buildings  Recommendation (d) applies more broadly to all building work	Will require significant changes to Part II of the Building Act 1984 and Part 3 of the Building Regulations 2010.	LABC supports this recommendation and consider this to be essential if strengthening the regulatory framework is to succeed: • See attached information confirming availability of resources. • LABCs already using new Standards, UKAS accredited independent audit of ISO which includes competencies defined and validated by University of Wolverhampton, CIOB and IFE – it adds up to a comprehensive competency quality system. • LABC use of external staff would be under this framework. • LABCs already make use of shared staff, agency staff, contract staff etc. This can be extended to other providers as necessary. • LABC members are not reporting undue concerns-HRRBs for example would only account for an estimated increase workload of 10%.

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2.12	<p>a. As part of the establishment of the JCA, the fire and rescue authorities need to be engaged in a more consistent manner with a robust dispute resolution mechanism established for use by the organisations within it (as per paragraph 2.46).</p> <p>b. Comparable processes should also be adopted for other multi-occupancy residential buildings and to institutional residential buildings where Local Authority Building Standards and fire and rescue authority will also need to interact to ensure Building Regulation requirements are met.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>The procedural guidance published by DCLG 2007 amended and updated by LABC in association with FSF 2015 provides a route to consistency expected by this recommendation but is not currently mandated by legislation.</p>	<p>LABC has convened a ‘regulator’s’ meeting to discuss digital process and portal:</p> <ul style="list-style-type: none"> <li>• MHCLG invited and attending</li> <li>• LABC pro-active in talks with LGA and NFCC to create closer working and joint recommendations</li> </ul> <p>The use of the updated ‘Procedural Guidance’ is relevant as is aligning building control with the RRO</p>
2.13	<p>The sanctions and enforcement regime should be reinforced so that penalties are an effective deterrent against non-compliance. These stronger enforcement tools should generally look to replicate and align with the approach in the Health and Safety at Work Act. More specifically: a. the JCA/Local Authority Building Standards should have additional powers to issue formal Improvement and Prohibition (or ‘Stop’) Notices to dutyholders where there is a sufficient concern about, for example, the degree of oversight of the work; accurate record-keeping; or the likelihood of meeting Building Regulations requirements; b. the JCA/Local Authority Building Standards should have the clear power to require changes to work that fail to meet the Building Regulations requirements alongside any broader penalties sought; c. time limits for bringing prosecutions against dutyholders should be increased to five or six years for ‘major’ deficiencies in building requirements identified at a later date; d. the JCA cost recovery model should be weighed to appropriately to create a fund for enforcement action to be taken where needed; and e. the new powers should be available, wherever appropriate, to support either the JCA or Local Authority Building Standards in respect of all non-compliant building work.</p>	<p>Covers all building work</p>	<p>Existing sanction of unlimited fine should be an effective deterrent, but is seldom if ever exercised by the judiciary.</p> <p>Adequate penalties together with identification of the dutyholders and simplified cost recovery are essential.</p> <p>Extension of time limits will increase necessity of access to adequate records of past constructions.</p>	<p>LABC strongly supports the recommendation and consider it an absolute necessity.</p> <p>Existing enforcement and powers have no relevance to large client organisations and PLCs.</p> <p>LABC started research with LGA last year and has formed a steering group to provide recommendations and feedback.</p> <p>Cost recovery important</p> <p>Building control is not a cost burden – currently less than £1000, per £1,000,000 of construction costs.</p> <p>Digital JCA portal would use mostly existing information and notifications. As a national system it should offer efficiency and affordability.</p>

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2.14	Where a HRRB has not yet had its first safety case review and seeks to carry out refurbishment work then this should trigger a full safety case review as set out in paragraphs 2.58-2.59. Once the safety case review cycle is established then further major refurbishments may also bring forward the next safety case review.	i. Applies to HRRBs (high-rise multi-occupancy residential of 10+ storeys) ii. Other high-rise multi-occupancy residential of <10 storeys and institutional residential buildings iii. Other high-rise multi-occupancy residential of < 10 storeys iv. All building works/residents v. N/A	Art 9 of the Fire Safety Order requires the responsible person to carry out a risk assessment and keep it up to date particularly where change occurs.  The issues are about who carries out a risk assessment and who checks that it has been done as identified throughout the report.	LABC supports this recommendation.  The digital JCA portal can be designed to track, set reminders, trigger 'alarms' and track progress – anything requiring notification or review on occupied buildings.
3.1	a. Government should specify that responsibility for the safety of all parts of a HRRB must be held by a clear, senior dutyholder which should be the building owner or superior landlord. b. The JCA and residents must be kept notified of the name and UK-based contact information of the dutyholder (whether that is an entity or a named person). c. The dutyholder must nominate a named 'building safety manager' with relevant skills, knowledge and expertise to be responsible for the day to day management of the building and act as a point of contact for residents. The building safety manager's name and contact information must be notified to the JCA and to residents and should be displayed in the building.	Covers HRRBs only	Identification of duty holders and their responsibilities goes further than 'responsible person' under the FSO and legislative changes will be needed to reflect this.	LABC supports this recommendation.  The digital JCA portal would provide the access and place for building owner/managers to update records and mandatory notifications.  This would be an efficient automated self-driven repository. Access could be provided to residents for them to check and observe.

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3.2	<p>Government should allocate clear responsibilities to dutyholders of HRRBs to:</p> <ul style="list-style-type: none"> <li>a. take such safety precautions as may reasonably be required to ensure building safety risk is reduced so far as is reasonably practicable;</li> <li>b. ensure that information management systems are in place in order to maintain relevant documentation and compile and maintain a fire safety case file (see paragraph 3.34)</li> <li>c. ensure that there is a resident engagement strategy and that residents receive information on fire safety in an accessible manner; and</li> <li>d. handover all of the relevant information to a new dutyholder when a building changes hands.</li> </ul>	Covers HRRBs only	As 3.1 above.	<p>LABC supports this recommendation.</p> <p>As above through the JCA portal.</p>
3.3	<p>The dutyholder for a HRRB should proactively demonstrate to the JCA through a safety case at regular intervals (as determined by level of risk) that they are discharging their responsibilities. The safety case must identify the hazards and risks, describe how risks are controlled, and describe the safety management system in place.</p>	Covers HRRBs only	As 3.1 above.	<p>LABC supports this recommendation.</p> <p>As above through the JCA portal.</p>

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3.4	<p>a. The dutyholder for a HRRB should demonstrate that the fire risk assessment for the whole building has been undertaken by someone with relevant skills, knowledge and experience and reviewed regularly (dependent on risk and as agreed with the regulator) so as to keep it up to date and particularly if:</p> <ul style="list-style-type: none"> <li>• there is a reason to suspect it is no longer valid;</li> <li>• they have received a notice from a regulator; or</li> <li>• there has been a significant change to the premises.</li> </ul> <p>b. The dutyholder should ensure that any recommendations/requirements outlined in the fire risk assessment are undertaken and completed in a timely manner. Fire risk assessments should be reviewed at least annually until a first safety case review has been completed, where this applies.</p> <p>c. The government should consider applying this requirement to other multi-occupancy residential buildings.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>As 3.1 above but the three bullet points are contained in Art 9(3) of the FSO.</p>	<p>LABC supports this recommendation.</p> <p>As above through the JCA portal.</p> <p>Tested, competent Fire Risk Assessors who are in an accredited scheme could be become 'notifiers'</p>
3.5	<p>a. For HRRBs, residents should have clearer obligations in relation to maintaining safety of flats and should cooperate with the dutyholder (or building safety manager) to the extent necessary to enable them to fulfil their duty to keep the building safe for all those living there.</p> <p>b. The dutyholder should educate, influence and inspect to ensure residents meet these obligations and the JCA should be able to intervene where there is any immediate risks to persons.</p> <p>c. The government should consider applying this good practice on rights and responsibilities to other multi-occupancy residential buildings.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>Legislative considerations affecting private occupancy obligations.</p>	<p>LABC agree and recommend that it is considered with an improved 'regulation 38' process with links to availability of necessary information being made available to residents.</p>

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3.6	<p>The JCA should be empowered to regulate across all parts of a HRRB, be clearly identifiable to dutyholders and residents, and should have the following roles in the occupation and maintenance phase:</p> <ul style="list-style-type: none"> <li>a. hold a register of dutyholders;</li> <li>b. ensure that dutyholders meet their responsibilities through effective inspection, assessment and enforcement; and</li> <li>c. deal with immediate risk - the JCA should have powers of access to inspect the whole building and take action where necessary.</li> </ul>	<p>Covers HRRBs only</p>	<p>As 3.5 above.</p>	<p>LABC supports this recommendation.</p> <p>This information can be held in the JCA portal which could trigger notification for assessment and inspection to the relevant enforcement body.</p>
3.7	<ul style="list-style-type: none"> <li>a. For HRRBs, Environmental Health Officers should raise any fire and structural safety concerns to the JCA.</li> <li>b. For other multi-occupancy residential buildings, local authorities and fire and rescue authorities should work more closely to ensure that the fire safety of the whole building is assessed and regulated effectively</li> </ul>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>Enforcement powers and identification of 'duty holders' needs to be aligned across all relevant legislation.</p>	<p>LABC strongly supports this recommendation.</p> <p>The portal would have multi-agency access and support.</p> <p>Issue and enforcement could be tracked and require 'case closure'.</p>
3.8	<p>For HRRBs there should be robust sanctions and strong incentives in place to drive compliance by dutyholders during occupation. The JCA should use a staged approach comprising education, statutory notices, fines and ultimately criminal sanctions.</p>	<p>Covers HRRBs only</p>	<p>This principle needs to be encompassed by all necessary legislative changes.</p>	<p>LABC strongly supports this recommendation.</p>

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4.1	<p>a. The dutyholder for a HRRB should have a statutory duty to proactively provide residents with a set of information that supports residents to understand the layers of protection in place to keep their building safe.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>Need to recognise that information provided to residents should be non-technical where possible. Duplication of information provided to regulatory bodies may not satisfy this provision.</p>	<p>LABC strongly supports this recommendation, together with extending to include all buildings covered by the Fire Safety Order.</p>
4.2	<p>a. Residents of HRRBs should have the right to access fire risk assessments, safety case documentation and information on maintenance and asset management which relates to the safety of their homes.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>See 4.1 above.</p> <p>Documents and reports provided for professional assessment are not necessarily easily understood by the lay person.</p>	<p>LABC supports this recommendation.</p> <p>Relevant information can be stored and secure access provided via the JCA portal.</p>
4.3	<p>a. The dutyholder for a HRRB should have a resident engagement strategy in place to support the principles of transparency of information and partnership with residents. The strategy should outline how the dutyholder will share information with residents, how they inform them of their rights and responsibilities, and how they consult residents on changes to the building which could impact on safety.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>Requirements of existing legislation regarding tenancies needs to be investigated.</p>	<p>As above.</p>

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4.4	<p>a. Government should provide funding for organisations working at both local and national level to provide advice, guidance and support to residents, landlords and building owners on effective resident involvement and engagement in order to develop a national culture of engagement for residents of all tenures.</p> <p>b. This recommendation should not be limited to the residents of HRRBs – culture change for the residents of these buildings will only happen as part of a wider process of change across the sector.</p>	All residents		LABC supports this recommendation.
4.5	<p>a. After internal processes have been exhausted, if residents still have safety concerns about their homes, there should be a clear and quick escalation and redress route available for residents of all tenures to an independent body with access to appropriate knowledge, resources and enforcement powers.</p> <p>b. This route of redress should be open to all residents of all tenures, and not limited those living in HRRBs.</p>	All residents	Legislative provision required to trigger effective enforcement by the relevant regulatory body (BC; FRS; HSE; EH)	LABC supports this recommendation.  Both a residents concern/complaint facility and a professional/contractor/ trade whistle-blowing facility could be incorporated into the digital JCA portal. Providing a central repository to allow analysis of areas of concern.

Ref	Report Recommendation	What is the Scope of the Recommendation?	Existing Legislative Provision/ Practical Implications	LABC Comment
4.6	<p>a. The dutyholder for a HRRB should provide residents with clear information about their obligations in relation to building and fire safety, and residents should meet their obligations to ensure their own safety and that of their neighbours.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>Strengthening any existing provisions in legislation should be considered.</p>	<p>LABC supports this recommendation.</p>
5.1	<p>The construction sector and fire safety sector should:</p> <p>a. demonstrate more effective leadership in relation to developing a responsible approach to delivering building safety and integrity;</p> <p>b. work with other sectors to learn and translate good practice and implement it within the sector; and</p> <p>c. develop continuous improvement approaches to competence levels.</p>	<p>N/A</p>	<p>The procedural guidance published by DCLG 2007 amended and updated by LABC in association with FSF 2015 provides a route to consistency expected by this recommendation but is not currently mandated by legislation.</p>	<p>LABC strongly supports this recommendation.</p> <p>New aligned competencies framework and existing links between LABC, NFCC and FSF are already making fast progress supported by LABC.</p> <p>Analysis of JCA issues and reports could be published to the whole industry to provide a focus for industry reviews of practices, products, designs etc.</p>

Ref	Report Recommendation	What is the Scope of the Recommendation?	Existing Legislative Provision/ Practical Implications	LABC Comment
5.2	<p>a. The professional and accreditation bodies working within the construction and fire safety sectors should continue the work started in response to the interim report and present a coherent proposal to government within one year. As a minimum, this proposal should cover the role and remit of an overarching body to provide oversight of competence requirements and support the delivery of competent people working on HRRBs, including:</p> <ul style="list-style-type: none"> <li>• the professional bodies, professions and disciplines in scope;</li> <li>• its membership and governance;</li> <li>• its role in receiving, agreeing and monitoring the individual competence frameworks for those bodies, professions and disciplines in scope for individuals within their membership or on their register, and/or whether a single competence framework for professional bodies in scope should be established;</li> <li>• its role in agreeing and monitoring accreditation and reaccreditation, and the period within which the competence of individuals should be reassessed and reaccredited;</li> <li>• its role in establishing a method for demonstrating or proving competence;</li> <li>• how the correct balance between construction sector skills and fire safety skills should be balanced;</li> <li>and</li> <li>• whether the competence requirements for those working on HRRBs should also be extended to cover other multi-occupancy residential buildings and to institutional residential buildings.</li> </ul> <p>b. Progress should be monitored by government, with the professional and accreditation bodies providing government with quarterly progress reports.</p> <p>c. If government does not consider that the proposed approach provides the necessary assurance to the JCA, or there is evidence that the fragmented approach to the oversight of competence will continue, then government should mandate a body to establish the competence levels required and oversee its implementation.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>	<p>Competency working groups established to investigate future provisions.</p>	<p>LABC strongly supports the recommendation and are actively engaging with members to demonstrate relevant competencies.</p> <p>As well as benefitting competencies relating to higher risk fire safety LABC expects to cascade this back and down through all surveyor learning and competency. Fire safety should be seen as a serious concern in all buildings, including individual single dwellings.</p>

Ref	Report Recommendation	What is the Scope of the Recommendation?	Existing Legislative Provision/ Practical Implications	LABC Comment
5.3	<p>Relevant parties, along with the relevant professional bodies, should: a. Continue to work together to develop a new common approach and competence framework which meets the requirements of the new regulatory framework and the new skills required of Building Standards Inspectors when working on HRRBs, and those offering consultancy and verification services to dutyholders b. This framework should apply to all Building Standards Inspectors whether they are LABs Inspectors and part of the JCA or Als offering their services to Building Standards or to dutyholders. c. Consider whether these competence requirements for Building Standards Inspectors working on HRRBs, and Als, should also be extended to cover those working on other multi-occupancy residential buildings and institutional residential buildings.</p>	<p>Covers:            • HRRBs and            • Other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</p>	As above.	As above.
5.4	<p>Relevant parties should work together, along with the relevant professional bodies, to develop and define a robust, comprehensive and coherent system for:            a. the competence requirements for the role of building safety manager of HRRBs; and            b. the remit of this role in introducing and overseeing the process by which residents in HRRBs would be able to access fire safety awareness training.</p>	Covers HRRBs only		LABC supports this recommendation.
6.1	<p>a. Government should work towards a long term aim that guidance on how to meet the building regulations is to be owned by industry, while government sets out regulatory requirements and provides oversight of the regulatory system.</p> <p>b. Government should reserve the right to create guidance if industry has not proven that it is able or is deemed unable to produce suitable guidance.</p>	Covers all building work	Examples of guidance on procedures (ATTMA - CIBSE) already exist. Guidance from professional bodies and associations could be included provided sufficient government lead scrutiny is available.	<p>The existing process of developing guidance (Approved Documents) already has industry involvement with government control - LABC do not recommend change from this practice.</p> <p>Guidance from industry manufacturers should not be embedded in government guidance.</p>

Ref	Report Recommendation	What is the Scope of the Recommendation?	Existing Legislative Provision/ Practical Implications	LABC Comment
6.2	<p>a. The government should create a new structure to validate and assure guidance, oversee the performance of the built environment sector and provide expert advice.</p> <p>b. There should be a periodic review (at least every five years) of the effectiveness of the overall system of building regulation including accountabilities, responsibilities, guidance the effectiveness of the regulator.</p>	<p>Covers all building work</p>		<p>LABC supports this recommendation.</p>
6.3	<p>a. clear user friendly language and formatting of the guidance, (including Approved Document B).</p> <p>b. multiple points of entry for different users to the document set to provide clear advice for different types of building work;</p> <p>c. facilitating the prioritisation of fire and structural safety while encouraging a holistic approach that considers all building safety objectives; and</p> <p>d. a building regulation manual to explain the role of the Approved Documents.</p>	<p>Covers all building work</p>	<p>Review of approved documents should ensure that writing style is maintained. Clarification of AD B is underway incorporating current departmental style.</p> <p>Greater use of electronic documentation will facilitate cross referencing and integration.</p>	<p>Users of the guidance are professionals and in line with the report should have proven abilities – LABC doesn't believe that it's appropriate for technical guidance to be written for lay people; however the guidance should be clear, non-ambiguous and written in a consistent style. This will not be achieved if guidance is developed by different sections of industry. LABC supports improved integration and cross referencing of all requirements to provide the holistic approach recommended.</p>

Ref	Report Recommendation	What is the Scope of the Recommendation?	Existing Legislative Provision/ Practical Implications	LABC Comment
7.1	<p>a. A clearer, more transparent and more effective specification and testing regime of construction products must be developed. This should include products as they are put together as part of a system.</p> <p>b. Clear statements on what systems products can and cannot be used for should be developed and their use made essential. This should ensure significantly reduced scope for substitution of any products used in a system without further full testing. Until such time, manufacturers should ensure that they adhere to the current limitations set out in classification reports in the current regime.</p> <p>c. The scope of testing, the application of products in systems, and the resulting implications must be more clearly communicated in plain, consistent, non-technical language.</p>	Covers all building work		<p>LABC supports this recommendation.</p> <p>Clear product marking that is visible on site for products/system integral to fire safety moving forward.</p>
7.2	<p>a. Manufacturers must retest products that are critical to the safety of HRRBs at least every three years. Manufacturers should consider the need to test more frequently, focusing especially on the testing of products as they operate in systems rather than individual elements.</p> <p>b. The testing of products that are critical to the safety of HRRBs should be subject to independent third party certification.</p> <p>c. The introduction of the JCA should drive the introduction of reactive testing when particular issues of concern arise regarding products installed that are critical to the safety of HRRBs.</p> <p>d. Additional test houses should be established and certified. e. All test houses should produce an annual report providing summary details of tests carried out and the number of passes and failures reported.</p>	<p>a. Covers HRRBs only</p> <p>b. Covers HRRBs only</p> <p>c. Covers HRRBs only</p> <p>d. N/A</p> <p>e. N/A</p>		LABC supports this recommendation.

Ref	Report Recommendation	What is the Scope of the Recommendation?	Existing Legislative Provision/ Practical Implications	LABC Comment
7.3	A simpler, more streamlined set of standards relating to the testing of products used in HRRBs, and the health and safety of people in and around those buildings, needs to be developed. This should ensure that where new standards are required, these are identified quickly and in the case of conflicting standards, that these are identified and reviewed.	i. Applies to HRRBs (high-rise multi-occupancy residential of 10+ storeys) ii. Other high-rise multi-occupancy residential of <10 storeys and institutional residential buildings iii. Other high-rise multi-occupancy residential of < 10 storeys iv. All building works/residents v. N/A		LABC supports this recommendation.
7.4	Test methods and standards should be maintained under a periodic review process which seeks to drive continuous improvement and higher performance through the development of new test methods and encourages innovative product and system design under better quality control.	Covers all building work		LABC supports this recommendation.
7.5	a. The construction products industry should work together to develop and agree a consistent labelling and traceability system, making use of the digital technologies that are already available and learning from other sectors.  b. The dutyholder for any given HRRB should ensure that the documentation that supports the performance claims for products and systems incorporated within the HRRB should be maintained throughout the life cycle of a building through the golden thread of building information (see chapter 8).	a. Covers all building work  b. Covers HRRBs only		LABC supports this recommendation.

Ref	Report Recommendation	What is the Scope of the Recommendation?	Existing Legislative Provision/ Practical Implications	LABC Comment
7.6	<p>a. Government should ensure that there is a more effective enforcement, complaint investigation and market surveillance regime with national oversight to cover construction product safety.</p> <p>b. Government should consider whether this could be achieved by extending the remit of the Office for Product Safety and Standards.</p> <p>c. The introduction of national level market surveillance should drive the introduction of risk-based testing of products that are critical to the safety of HRRBs.</p>	Covers all building work		<p>LABC supports this recommendation.</p> <p>Systems should be defined to include all fixing/installation components.</p>
8.1	<p>a. Government should mandate a digital (by default) standard of record-keeping for the design, construction and during the occupation of new HRRBs. This is to include any subsequent refurbishments within those buildings.</p> <p>b. Digital records are to be in a format which is appropriately open and non-proprietary with proportionate security controls.</p>	Covers HRRBs only		LABC supports this recommendation and believes the proposals for a digital JCA portal will create this, largely based on adapting information already passing through participants and local authorities.
8.2	Government should work with industry to agree what information must be held in the digital record for new HRRBs.	Covers HRRBs only		LABC supports this recommendation.
8.3	<p>a. Government should work with industry to agree the type of information to be collected and maintained digitally (by default) to enable the safe building management of existing HRRBs.</p> <p>b. Dutyholders must identify and record where gaps in the above information exist and the strategy for updating that relevant information.</p>	Covers HRRBs only		LABC supports this recommendation and believes the proposals for a digital JCA portal will facilitate this.

Ref	Report Recommendation	What is the Scope of the Recommendation?	Existing Legislative Provision/ Practical Implications	LABC Comment
9.1	<p>a. For HRRBs, principal contractors and clients should devise contracts that specifically state that safety requirements must not be compromised for cost reduction.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings and to institutional residential buildings.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>		<p>LABC strongly supports this recommendation.</p> <p>The use of 'full plans' and document control on plans with specifications and product marking will enable building control surveyors to see departures from specifications.</p> <p>A mandatory requirement for notification of design or specification changes would facilitate checking and identification parties making unreported changes.</p>
9.2	<p>a. For HRRBs, tenders should set out how the solution that is proposed will produce safe building outcomes, approaching the building as a system. Those procuring should use the tender review process to test whether this is the case.</p> <p>b. The government should consider applying this requirement to other multi-occupancy residential buildings and to institutional residential buildings.</p>	<p>Covers:</p> <ul style="list-style-type: none"> <li>• HRRBs and</li> <li>• other high-rise multi-occupancy residential of &lt; 10 storeys <b>and</b> institutional residential buildings</li> </ul>		<p>LABC strongly supports this recommendation.</p>
9.3	<p>For HRRBs the information in the contracting documentation relating to the safety aspects should be included in the digital record set out in Chapter 8.</p>	<p>Covers HRRBs only</p>		<p>LABC supports this recommendation. Documents can be stored on the proposed JCA digital portal.</p>
10.1	<p>The Government should re-join the Inter-jurisdictional Regulatory Collaboration Committee (IRCC).</p>	<p>N/A</p>		<p>LABC supports this recommendation.</p>