

CLIENT BULLETIN: BUILDING SAFETY ACT 2022

Requirements for High Rise Residential Buildings

In response to fast approaching deadlines, landlords and operators must meet fresh obligations under the Building Safety Act 2022 which create a new regulatory regime for high-risk residential buildings.



WHAT IS THE BUILDING SAFETY ACT 2022 AND WHICH BUILDINGS ARE AFFECTED BY THE NEW RULES?

The Act is intended to improve both building safety and ongoing resident communication with leaseholders. It introduces new legal requirements, roles and responsibilities for the registration, document submission and ongoing resident engagement of residential buildings.

The Regulations apply to all new and existing buildings in England comprising two or more residential units, and 18 metres or seven storeys or more in height. According to government estimates, there are 12,500 existing buildings which will fall under this new regime and will require registering.



WHO IS RESPONSIBLE FOR COMPLYING WITH THE NEW REGULATIONS?

For relevant buildings, a Principal Accountable Person (PAP) will need to be identified.

The PAP can be an individual, a partnership or a company. It's most likely that the PAP would be the building owner, with the Accountable Person the building operator in the case of Purpose-Built Student Accommodation (PBSA).

Where there is more than one Accountable Person, they and the PAP will have a duty to cooperate with each other.

WHAT ARE THE KEY RESPONSIBILITIES OF THE PAP?

The PAP will be required to register qualifying high-rise buildings by 1 October 2023. The register for such assets opened on 6 April 2023.

In addition they will be required to create a Building Safety Case Report (BSCR) which needs to include a resident engagement strategy.

This will need to be completed by April 2024 and submitted to the new Building Safety Regulator (BSR) when requested. This role sits within the existing Health and Safety Executive (HSE), and from October 2023, the BSR will be the new building control authority for high-rise residential buildings.

Further information on the Act and the new regulations can be found here in an interview with Steven Rodd, Head of the Fire Safety Group at Workman.

WHAT STEPS SHOULD BE TAKEN NOW?

Building owners need to assess their portfolio now to establish which assets are in scope.

Below is a summary of the steps owners should now take with key deadlines;



The key deadlines to be aware of are:

October 2023:

All 12,500 high-rise residential buildings need to be registered. Registering buildings in scope will be a legal requirement and owners and managers who fail to comply by October 2023 will be investigated and may face prosecution. From 1st October 2023 developers must apply to the BSR for building control approval before commencing building work on any high-rise buildings.

April 2024:

A Building Safety Case Report will need to be completed by then, as from this date the BSR will begin to call in buildings for assessment and issue Building Assessment Certificates. At this point, the requirements related to registration for building inspectors and building control approvers becomes enforceable.

WORKMAN FIRE SAFETY GROUP – HOW WE CAN HELP

As shown above, the Building Safety Act creates specific deadlines that owners of qualifying buildings must meet. Our Fire Safety Group are able to support owners meet these deadlines by assisting with the registration process and then managing the preparation and ongoing review of the Building Safety Case Report.

To support owners meet these obligations, we will follow a 5-step process illustrated below to complete the registration, preparation and on-going review of the information required.



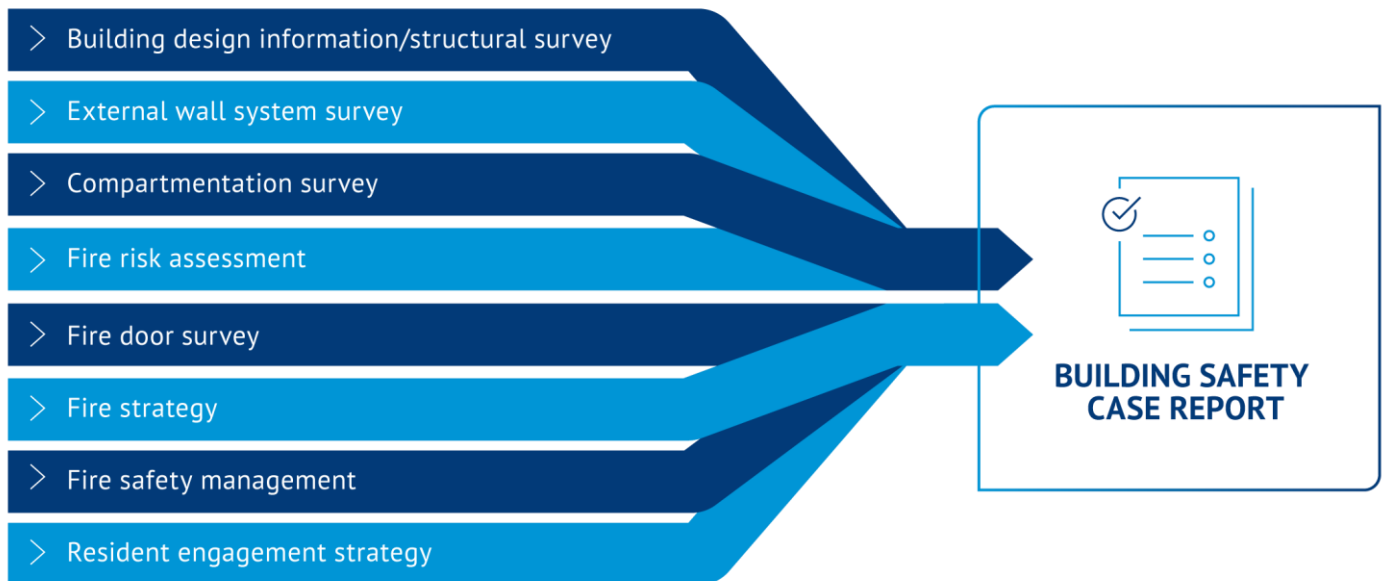
WHAT SHOULD BE INCLUDED IN A BUILDING SAFETY CASE REPORT?

Building Safety Case Reports should describe building's safety information in full, detailing how the building safety risks should be managed.

Compiling the report could involve contributions from a number of expert sources and specialists, including external wall survey, fire door and compartmentation surveys and fire management strategy.

The report also needs to show how building safety is communicated to residents via an engagement strategy, and how residents' feedback will be attended to.

We will identify what information is required and procure the necessary surveys and reports to complete the BSCR.



For further information on the Building Safety Act, or if you need support in meeting the new regulations on high-rise residential buildings, including preparation of a Building Safety Case Report, please contact our Fire Safety team;

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