



HOUSE OF LORDS

Industry and Regulators Committee

Corrected oral evidence: Building Safety Regulator

Tuesday 24 June 2025

10:00 am

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Members present: Baroness Taylor of Bolton (The Chair); Lord Best; Viscount Chandos; Baroness Harding of Winscombe; Baroness Nichols of Selby; Lord Teverson; Viscount Thurso; Viscount Trenchard; Lord Udney-Lister.

Evidence Session No. 1

Heard in Public

Questions 1 - 13

Witnesses

I: Matt Voyce, Executive Director, Construction, Quintain; Dan Hollas, Director, Building Safety, Clarion Housing Group.

Examination of witnesses

Matt Voyce and Dan Hollas.

Q1 The Chair: Good morning. This is the Industry and Regulators Committee of the House of Lords. This is the first meeting of our new Building Safety Regulator inquiry. Our first witnesses are Matt Voyce, director of retail at Quintain, and Dan Hollas, the building safety director at Clarion Housing Group—one of the largest, I think. Obviously, the Building Safety Regulator and the whole system are new, and we would like to start with your impressions of how it is working, whether it is leading to better safety provisions and what you think of the actual regulatory framework that has been introduced. What is your general overview of the new system?

Dan Hollas: I work for Clarion Housing Group, one of the UK's largest housing associations. To give a bit of context, we own around 125,000 properties across England, and about half of those properties are in flats and half are in houses. We have around 50,000 properties in the London area, and we are also in urban areas such as Manchester, Leeds and Birmingham. The Building Safety Act applies across all the properties, but there are particular requirements for buildings above 18 metres. We own and manage 90 buildings that are above 18 metres, and there are about another 70 that we have some interest in, either as an accountable person under the Building Safety Act or some flats within those properties, so we have a large portfolio of buildings.

My particular area of expertise is managing existing buildings, so there are two areas of the Building Safety Act that I have a real focus on. One is making sure that we take all reasonable steps to manage the buildings that we own and manage, primarily around preparing a building assessment certificate, having a safety case report for those buildings to demonstrate that, having the resident engagement aspects and having a mandatory occurrence regime for those buildings. The second bit is around carrying out works within those high-risk buildings—remediating the external wall system on a building above 18 metres, replacing fire doors, those sorts of things. Those are my area.

On the building safety aspects that we have had since October 2023, we at Clarion have seen a number of our buildings being called in by the Building Safety Regulator to assess the building assessment certificate. We had five buildings called in straightaway last year—they were all like 20-storey tower blocks, mainly built in the late 1960s and then refurbished over that period—and the regulator gave us four weeks to demonstrate that. We wrote our submission regarding those five buildings and submitted it within four weeks. We did a detailed fire risk assessment, a structural survey and an external wall system evaluation for those buildings, we put those together and submitted them.

Then, during the year, we had a number of questions from the Building Safety Regulator. They came back, in two different rounds, and asked us around 15 questions per building asking for further information on things

like the structural survey and whether we had done the right checks. Sometimes they engaged with us and we could have conversations, but for some of the buildings they did not. Then, between March and May this year, we had all those building assessment certificates back and they were all approved. So, it took a significant amount of time to get through that process.

I want to make a couple of points about that. First, the whole process of providing that information was fascinating for finding out how a building has been built, how it has been put together and how the residents interact with it. Generally, I thought the questions then made us coherently justify the work that we had done and the approach we were taking: what the risks were, how we were managing those risks and, broadly, what our safety system was that we operated within. So I thought that worked well. There was something that surprised me: those five buildings are quite similar but we had a number of different questions and slightly different approaches from the BSR. You could see that different teams within the BSR had different approaches, and perhaps some were not as collaborative as other teams have been. But we learned a lot. We think the work we have done as part of that has been positive and made a difference to the buildings, as well as to the way in which we operate as a housing association.

That comes under Part 4 of the Building Safety Act on managing occupied buildings. For buildings where we want to carry out work—if we want to replace fire doors, do some fire stopping in the building, replace the external wall system or do some investigations into that system—we have to go through the building control process by the BSR for those applications to be made. We have made a number of applications for our buildings but I do not think one has been approved as yet on the information that we have submitted. For us, a majority of those pieces of work are taking longer than we would expect. We know that it is a new regime and it is meant to be more difficult because we have to do things differently to make sure it works properly—we are very much in tune with that—but we feel that the progress and information that we have submitted for certain types of work are disproportionately high, and that it is taking longer than we would have anticipated or hoped.

There is a trade-off around providing the information and making sure that you are getting on with the work. To give an example of that, if we wanted to replace the fire doors in a block, which is straightforward work, you have to provide a lot of additional information around it—for example, a map of the curtilage of the estate that it sits within—which is not necessarily material to the work that you are undertaking. If you are replacing fire doors, the critical questions about a fire door are whether it has a primary test to make sure that it will last 30 minutes in a fire test and who is fitting the door. Those are the crucial things that you need to make sure you are getting right, not that you have all that other information. So there are some nuances around how that is operating, and the timescales are problematic for us in making sure that we deliver the work.

The Chair: Thank you. We might want to follow up on some of those points. At the outset, you said you had five buildings called in. Can you say what triggered that?

Dan Hollas: The height of the buildings.

The Chair: They were different from all your other buildings just because of the height?

Dan Hollas: Yes. We have subsequently had one called in afterwards and it is being assessed at the moment. It is not clear why that has been triggered but I think it is because we issued a mandatory occurrence report for the external wall system to say there was a problem there. I think that is why that other one has been submitted.

The Chair: Mr Voyce?

Matt Voyce: I am the executive director for construction at Quintain, which is a developer, owner and operator. We specialise in mixed-use urban regeneration schemes, and we are the company delivering the transformation of Wembley Park on our 85-acre estate around the national stadium. We have master-plan consent for 8,500 homes. We have delivered 6,000 or thereabouts to date with various tenures, and our focus is on build to rent, which we own and operate, for a bit of context.

In terms of my experience, I am a developer so I am at the construction end, as opposed to Dan. My experience of the BSR is challenging, frustrating and costly. We are very different; as I have said, we were operating in the transitional arrangements and our approved inspector went bust part-way through construction. We were 18 months into a three-and-a-half-year build programme but were forced to stop work for seven weeks while we put a gateway 2 application in place to have that validated. We have done everything else on site at risk until we get that gateway 2 application approved, which we still do not have. We completed 185 apartments in November and December last year. We have submitted our gateway 3 applications but communication and transparency about where we were in the process was lacking right the way through. I will say that the behaviour of the BSR over the last four weeks has changed. We have been allowed to talk directly to the MDT (multidisciplinary team), which has enabled quick information flow between our experts and the MDT. That has allowed us to get to a point now where our gateway 2 submission has been approved by the London Fire Brigade for its statutory 15-day consultation, and we are hopeful that we can finally occupy our building in July, six months after we completed 185 of the 487 apartments.

That is my experience of the BSR. In terms of whether it is improving safety within the environment, the scrutiny of design construction operation is a good thing—greater scrutiny can only be a good thing—and I think it will result in safer buildings. That is a real positive, as are some of the things that Dan was talking about that are being asked of

operators now—handover information, the golden thread, being able to demonstrate every component within the construction and how it has been put together. Increased operational inspections and reporting of key building safety elements are important, as is checking fire doors and escape routes on a regular basis. Then there is the mandatory reporting: if an incident happens in your building, you have to do a mandatory report to the BSR. These all enhance and emphasise the importance of building safety throughout a building's lifetime, not just through design and construction but in operation as well. So there are lots of good, positive things from the Building Safety Act through its agent, the BSR, but the three things that I have written down that are hugely frustrating for industry—I talk to a lot of developers and this is the number one topic for all of us when it comes to why we cannot get buildings built—are engagement, collaboration and communication.

The Chair: Thank you. I think we have a lot to follow up there.

Q2 Viscount Thurso: Matt has largely answered my question, which was about how the BSR had impacted on the delivery of buildings. If I can sum up what you said, scrutiny is positive but the organisation is frustrating and holding you back. Is that a correct characterisation?

Matt Voyce: The BSR's ability to engage with the industry within the confines of the regulation—the legal framework—is tying its hands to a degree, and it is not able to work with industry as much as we would like.

We are a collaborative industry. What the industry does really well is bring disparate teams together for the lifetime of a project. We collaborate with a common goal to deliver that project. We can collaborate with the planners through pre-applications as we submit a planning application. But this really important component in making sure that everyone is held to account for making a building safe is just a black hole—you cannot engage with the BSR, and the MDT, who are the experts, are held at arm's length from our experts. That does not feel like a process that is efficient and will allow us to get homes built.

Viscount Thurso: That is the point I wanted to press you on to find out more about. In everything I have had anything to do with, the thing about the teams of my professionals dealing with regulatory professionals or whatever is that they talk. They are both equally qualified and they talk to each other to work out a problem. You are indicating that that has not been permitted, but latterly—in the last four weeks, I think you said—it has been permitted, and that has greatly improved things. Is that a core ask from your side?

Matt Voyce: It is, and it has been from the outset. Most developers and building owners have asked for better engagement. I sit on the task and finish group with the BSR and the Construction Leadership Council, and the intention of that group is to produce some guidance that we can give to industry—so that industry is fed into the BSR's guidance—so that we can try to unlock the impasse that we are currently at. It is clear that something is not working in the system because really competent

developers are having applications rejected, or they are having to wait sometimes for up to a year for approval. We need to unlock that communication and engagement between the experts, which, frankly, is the system that we used to have. I am not saying that there were no flaws in the original system, but the ability to articulate a design or engineering solution to an expert is important. The building regulations allow for some flexibility—they are not prescriptive in every instance—and large urban regeneration schemes do not fully apply the prescriptive building regulations because they are engineered solutions that need to be debated by experts.

Viscount Thurso: What is the impact of all this on the Government's housing strategy?

Matt Voyce: Unless we can build quickly, we are not going to meet the target of 1.5 million homes.

Viscount Thurso: In your project risk register, where you have planning, skills and all the other things that might be barriers to achievement, would it be fair to guess that dealing with the regulator has now gone to the top of the red risks?

Matt Voyce: That is fair to say, yes.

Viscount Thurso: That is in construction. Is it a similar picture on the maintenance side or are there differences that you would signal to us?

Dan Hollas: There are some strong similarities in terms of the timescales. The issue we have is that as the buildings are occupied there are risks and delays associated with the people living there, whereas on the construction side there are financial risks in particular and the delivery risks are different, but broadly yes.

Q3 Baroness Harding of Winscombe: First, out of an abundance of caution, I should declare my interest as the chair of the Jockey Club, as a very large property owner. I want to focus on the scope and nature of the regulatory framework that the BSR is implementing. There is a balance to be struck between a holistic outcomes-based view of safety, as Dan described, but on the other hand ensuring that developers and building owners understand the detail of what they are required to do. Does the BSR strike that balance in the right place?

Dan Hollas: From my perspective, the outcomes-based approach to regulation is right in terms of the guidance and the support that we have had around that. There is definitely more that could be done around that to support us. In particular, what does good look like? It is a new regime so we have to accept that it is not easy to say what good looks like straight away, but if we can focus on that and say, "Look, here's something that is done well" or "This is an approach that we've got", then there are many people out there who really want to hear that. They are a bit confused at the moment about the route they are heading in.

Matt Voyce: I agree. There has been a lot of mention in the press that the industry does not know how to demonstrate that a building is compliant with building regulations. I struggle to understand and indeed believe that that is the case in every instance. There will of course be exceptions, but there are developers that I talk to—well-known developers that build fantastic buildings across the country—and they are stuck, just like a lot of us, in the gateway 2 process, so it is clear to me that the guidance is not clear enough and it needs to be better. It needs to have industry's input, which is where the task and finish group comes into play. At the moment we are in a vacuum where we are guessing what information is required. That asks developers to spend an awful lot more money to progress the design to a point that they believe will be sufficient to submit to the BSR and get an approval, but that is an unknown. There is concern that that increased ask on equity without any certainty of a successful outcome, or indeed of when that outcome will happen, will deter investment into housebuilding and stall projects, and potentially people will lose their jobs.

Baroness Harding of Winscombe: To be clear, I think what I have heard from both of you is that it is about the lack of specificity or visibility of what good would look like, rather than getting the balance of outcome-based versus very prescriptive inputs right.

Dan Hollas: Yes, I would concur with that.

Q4 **Viscount Trenchard:** My question continues to probe the previous questions you have answered. If I am a developer and I want to make an application to the BSR, and I do not understand its requirements, what level of guidance or feedback do you think is necessary? Could the situation be improved if the BSR reviews its approved documents? I think it is having a review of approved documents, but do you expect it is likely that that review will lead to the documents making clearer to applicants how they should apply? Or do you think the key is better communication and better feedback from the BSR in response to applications?

Matt Voyce: It is twofold. It is about producing clearer guidance on the expectations from industry that will support an approval. There are conversations how far we take the design. Do we need to bring an awful lot of specialist design into the process to be able to demonstrate compliance with building regs? Is the design from the engineer enough, or does it need a greater level of scrutiny by a sub-contractor? That is really important.

Communication is a failing of the BSR throughout. There is a failing about allowing applicants to talk to the BSR in advance of making an application. Going to my earlier point, there is an awful lot of expenditure required to make a gateway 2 application now, so when you are making that application, you want to know that investment is going to yield you an approval so that you can get on and start constructing.

Being able to engage with the BSR, perhaps on some key design criteria before the gateway 1, would be really important. Another touch point

would be prior to gateway 2, dropping the application in, where you can just get a level of confidence that the design you have developed following that first meeting is consistent with the feedback you got at the original meeting and that you are now submitting a gateway 2 approval that is likely to be approved in a timescale yet to be determined.

Dan Hollas: I think the answer is both more communication and much clearer engagement. In terms of the regulations, one of the issues is that they are siloed and not seen as a holistic thing. They are seen Approved Document A, Approved Document B—as all of the different bits such as structure, fire, et cetera. If there was some work done holistically on how you get to that performance outcome for building regulations across the piece, that would really help. However, that is not a short-term solution at all—it would take a long time.

Sitting behind all this are the skills that we have got, which is a big limiting factor for us to be able to move forward in construction. Getting good people who really understand the building regulations to prepare that information is really quite difficult. That goes for other disciplines as well. Obviously, we have done a lot of work on the external wall system remediation programme and fire engineering in particular. It is not just fire engineering but all the bits that go behind that to support it, such as the insurance industry who support the fire engineers. It is all those bits, looked at holistically. That is very much a limiting factor for us, as well.

Matt Voyce: The task and finish group working collaboratively with the Construction Leadership Council and with the BSR are looking at putting some guidance into industry on examples of what good looks like. Over time, there is a body of information that is going to be amassed and able to get out into industry. One would hope that this is going to improve the approval rates and the times it takes to get those approvals.

Q5 Lord Best: I think if we had the BSR here—as we will do later—they would say, or at least they would think, that it is the developers not getting their heads around this that is causing the delays, and that they are not producing the applications in the way that we need them. They would say, “Do not blame us—these people have not understood building safety for years”. That does not ring entirely true when there are really professional people on the other side of the table, but possibly for smaller brethren—for the SME builders who perhaps do not do so much high-rise—I can see that the incompetence of some builders and developers themselves might be part of the problem.

Underneath this is an underlying question: are we going through some teething pains that we will get out the other side of fairly soon now? You were saying that, in the last month, things are beginning to change. Are we making a big fuss about something that is going to iron itself out? Are both sides going to understand better what is required of them and will we see our way through this? Is this just a temporary spasm at the beginning of a new enterprise?

Matt Voyce: I hope that is going to be the case, but it is a new enterprise that has been going now for 18 months, so I feel there has been enough time to get through the teething problems. I do not know how up to date this is. Because of the lack of transparency of the BSR, there is this vacuum as to its performance. However, I saw something yesterday that was issued stating that, of 187 high-rise buildings, only 20 have been approved and 18 rejected. So, there are something like 160 which are unknown as to where they are in the process.

In time, we all hope that with more industry guidance and more people passing through the various gateways getting safety cases approved, then all that body of information will get out, industry will understand what is expected of it and we will get going. However, the here and now is that we are not there and those statistics prove that, so 1.5 million homes feels like a long way off when we cannot get building.

Lord Best: Eighteen buildings have got through the system.

The Chair: Twenty.

Matt Voyce: This is what was published yesterday by a consultant: 20 of the 187, so 10% plus another 2% that had been rejected. So 12% have either been approved or rejected from 187 applications.

Lord Best: The rest is just that we do not quite know where it is.

Matt Voyce: Yes.

Lord Best: That says quite a lot; thank you very much indeed.

Q6 **Viscount Chandos:** The BSR has suggested that it would like to move to an organisation-by-organisation process rather than a building-by-building one. How would you see that, and do you think that could be achieved without any reduction in the safety of those individual buildings?

Matt Voyce: For the BSR to understand large developer pipelines and developers that have multi-phased projects, like us, there is a positive to understanding that business, how that business approaches fire safety, design, and building up a confidence level between the two parties that one would hope would then speed up approval. I can see some merit in that, but you would not want to disadvantage for smaller developers that do not have a huge pipeline and create a two-tier system.

Maybe part of the BSR could focus on larger developers with big pipelines and multi-phase projects and get under the skin of how that organisation works. That would hopefully then speed up the process. Equally, we cannot forget smaller developers that also need to go through the process, such as one-off developers building over 18 metres.

Dan Hollas: From my perspective, Clarion is obviously a big organisation, and our systems of management are consistent across the organisation. Once the BSR effectively approves those systems of management, you should be able to do that across the organisation. Then

the critical bits can be evaluated, and the process can be approved, or not.

For something like Clarion, a large housing association, that is a real benefit. It is very different if you are just a smaller organisation pushing the one building through, but that would very much work for us.

The other thing is that there are other methods from a risk perspective about how you might want to evaluate different buildings. For us, a timber-framed building would have a number of different risks associated with it. That could have perhaps greater scrutiny and more focus than something that had a concrete or steel frame. There are different mechanisms that you could use to evaluate and prioritise.

Viscount Chandos: It seems to me that it is most pertinent or challenging in respect of development. Is it fair to say that, even in a multi-phased single development, each high-rise block has its own particular issues? It is not prefabricated or modular. As Lord Best says, we will hear later in the inquiry from the BSR, but does it not end up meaning the BSR has to assess the culture of the organisation, in the way that the FCA more or less successfully focuses on the culture of the firms that it regulates and gives a sort of blanket approval?

Matt Voyce: It would do, and that goes to my point about building a body of confidence between the BSR and the developer around how a developer approaches design, the competency of the people within the developer organisation, and the competency of the designers and the main contractors that they employ. All of that would help to build up an understanding, and from that, maybe a quicker turnaround of approvals; but again, not a two-tier system as that would not be just.

Viscount Chandos: There would have to be ongoing supervision, so how much of a difference do you think it would make?

Matt Voyce: It may be that you bring a project forward and it still needs to be assessed. But because there are some fundamentals that have already been agreed as part of maybe one or two original applications, that process can be quicker as a consequence of looking at an organisation as a whole rather than just as an individual development.

The Chair: I am not sure if we still have Lord Udny-Lister online. Can you hear us?

Lord Udny-Lister: Yes, I can. I switched off my camera because the internet was going up and down.

Just for complete transparency, all my interests are declared in the register, but I am a non-executive director of Stanhope, which is an office developer. I am also chairman of—

The Chair: Can we reconnect? It is so frustrating. We cannot do anything; it is at his end. Oh, are you with us now?

Q7 **Lord Udney-Lister:** My question is around resources and the BSR. Are resources the key problem? If you were to pay more, would that help?

Matt Voyce: That has been declared by the BSR. Its resourcing assumptions did not survive first contact—I think that was the expression it used—so, yes, resources have been a problem. I know there has been additional funding that has been put into the BSR. We need to get resource levels up, but there should also be a move to bring some of the MDT experts in-house to the BSR, particularly if we are going to offer engagement early in the process to developers. Being able to talk to experts in structural engineering or fire engineering, as opposed to a generalist within the BSR, would be positive. That maybe is something that the BSR looks at, along with how it deploys its additional funding.

Would I pay more? An awful lot is being asked of developers at this moment in time. Viability is on a knife edge. But if there was transparency on my application and a certainty on when I could expect to receive an approval, then I probably would pay more at this moment in time.

Dan Hollas: I agree with a number of comments there. I have a couple of points. If you look at the salaries that the people at the BSR are on compared with the open market, you can see that they are not comparable.

The other point is around the limit; I have seen this for quite a number of years. If you do not increase the capacity, you just increase the amount of money you pay people. If you put the resources in, there is certainly some evidence of that that I have seen.

Lord Udney-Lister: Is there an alternative way of funding all this? Is there a better way of funding it, which would give us the same results?

Matt Voyce: I do not know. At the moment, there is no transparency to the costing process. I could not tell you how much it is going to cost for me to get my gateway 2 and my gateway 3. I know what is an hourly charge, through the Building Safety Act. I know what that will be charged at, but I could not tell you whether it is going to cost me £100,000 or £200,000. There needs to be more visibility of that.

As to other mechanisms to fund it, I do not really have a view on that. There are lots of building levies being talked about for other things; maybe that could be a view. But at this moment in time, I do not even know what it is going to cost me.

Lord Udney-Lister: So you cannot get any kind of estimate out of them before you submit anything?

Matt Voyce: That is correct. Again, there was something published yesterday about a consultant trying to work out what an average cost could be for new buildings. It was an average cost of £27,000 up to gateway 2, but it could be as much as £83,000. That would depend on the complexity of the project; it would depend on the amount of time

that the MDT spends. But that disparity between £27,000 and £83,000 suggests that more clarity on what is expected is needed, because there is a huge disparity there.

Viscount Chandos: Are those all high-rise?

Matt Voyce: Yes, they are HRBs (high-rise buildings).

Q8 **The Chair:** We have talked costs. What about the skills involved, in terms of the people who are there? Skills are a big problem on every front. Do you get the sense that the Building Safety Regulator has got a particular problem in skills and attracting people to work there?

Matt Voyce: I can only comment on what I have seen, but we had someone from the BSR who joined my project when we did our gateway 2 application, and that has been a year now while we wait for approval. In that year, that individual has gone from a new entry into the BSR to one of the regulatory leads. So there is probably an issue with the number of experts that they are bringing into the BSR.

To go to Dan's point, salaries are probably not high enough and good-calibre fire safety experts are probably getting a better living in consultancy than they would at the BSR.

Viscount Thurso: To follow up on that, I was struck by what the BSR charges for the—I think—gateway 2 process, which was £189 for the application and then £151 per hour thereafter. I happened to have just signed off with my solicitor in Edinburgh what I should pay, and I do not think a junior paralegal would get out of bed for that. That leads me to suppose that the cost recovery is based on purely admin staff rather than competent professionals. Is it the case that the hourly rate should be much better, and the quality of the people should be much better, and the net result would be quicker and cheaper?

Matt Voyce: You have to bear in mind that the BSR is really a gatekeeper for information from the applicant to the MDT and back. The experts are the MDT, and they are not within the BSR. My view is that the BSR should have experts within it so that applications can be reviewed, but that is quite an important distinction.

Viscount Thurso: I want to pick you up on that distinction because I think it is an important point. The BSR, as it is currently designed, merely says "Thank you for the application" and then turns to building control and says, "Does it meet it? Right, tick that box. Yes, you can have it". That is what would happen if the system worked, but because of the lack of communication the system is not working. Is that where the problem is?

Matt Voyce: It is one of the problems, yes. I am hearing anecdotally that, of the 12 weeks for a gateway 2, it might take eight to 10 weeks to employ an MDT. That is the BSR going out, having validated the application and demonstrated that all the components are there, though the quality is to be determined. That then goes to the MDT, but they have

to acquire that MDT. They have to find an engineer, a registered building inspector and a fire engineering expert. That takes time which could be better spent bringing some of those experts in-house.

Q9 **Baroness Nichols of Selby:** Most of what I was going to ask has probably been answered, but I will ask it anyway. From our point of view, it is about the safety of buildings. I do not come from an area where we have high-rise buildings—the biggest number of storeys is something like three—so I am more interested in the ones that are not high-rise.

What is the relationship like between the BSR and building control in local authorities? Are inspectors working well? I am thinking that you will probably say no. I have a background in a local authority. Planning was never something that I liked to sit on, if I am honest—other people did that more often—but it seemed as if it did not work even then, with just building control. You have alluded to some other issues about staffing. Is it about more staff, or more professional staff? I do not want to get into a discussion about admin people doing this because their role serves a purpose, wherever you are with that. It feels very much as if there needs to be a two-pronged approach where new builds and high rises are separate from the improvements that you talked about in fire safety—I made a note about the doors and things—because it seems a nonsense that you have to go through that process when you want to improve things. We all know sort of where we ended up with that. Is there anything that you want to come back on?

Dan Hollas: On building control in particular, it is about being seen as a profession and getting the right people for that profession. They tend to have an older profile, similar to construction in general, and I know that building control struggles with that. It is also about methods of construction and whether they are aware of contemporary approaches to that. Those are definitely factors. You can see that MDTs are made up of a lot of local authority building control. They are made up of Fire and Rescue Service inspecting officers for the fire element, while structural engineering is more brought in. The lack of transparency is definitely an issue for us to be able to determine exactly what the problems are, but we know that it is definitely slower and perhaps not as collaborative as we would like.

Matt Voyce: I cannot really comment on the relationship with the registered building inspector and the BSR because I do not see any of it, and that goes to my point about better communication. The registered building inspector turns up on site and does inspections but does not communicate with me, and everything goes back up to the BSR, so I cannot really comment on the relationship and how it is performing.

Baroness Nichols of Selby: I have picked up a number of things, but what would you want to see changed?

Matt Voyce: I think it goes back to the three things I said at the beginning: engagement, collaboration and communication. I want the BSR to engage with industry as applications are made so that there is a

degree of certainty that, when an application is made, it will get approved. That really has to happen, but it only happens when there is greater exposure between expert to expert rather than having a gatekeeper. That is really important. Collaboration goes to the point about not having a gatekeeper. We are so good at collaborating—the construction playbook is all about collaboration—but we are losing sight of that. On communication, we want to know where our application is in the process, what the next steps are that need to be adhered to and when we are likely to get a request for information or an approval.

Then there is the performance of the BSR. I quoted information that is probably out of date but it is the only information out there, and it is from a freedom of information request. Why are we not seeing what is happening within the BSR? What is being approved? Where are the 160 high-rise buildings in the process? That is what I would like to see.

Q10 Lord Teverson: One of the things that excited me about this project was a single regulator for this whole area of industry but, the more we have looked into it, the more fragmented I have found it seems to be. One area that is separate is the regulation of construction products. I have been trying to get my head around how the BSR co-operates with the Office for Product and Safety Standards and how that relationship might change with a single construction regulator. Perhaps you could tell us about the future there and what works or does not work at the moment, because clearly product safety standards are critical to building safety.

Matt Voyce: I cannot really comment on how the BSR is getting involved in that side, but the Grenfell tragedy showed us that it is important that we have confidence in the materials that go on to our buildings. It is important that the developer, the consultants and the contractor are competent, but if we do not have confidence in the materials that we are putting on our buildings then the whole system falls apart. So the BSR really needs to be focusing on this area. As I say, I do not know if it has a remit in that area, but I would certainly take comfort if the BSR was scrutinising products in the way that it scrutinises my design.

Dan Hollas: I do not disagree with anything that Matt said. I suppose this is one of the things, if you are looking at this as a problem. We have done 3,000 evaluations of our external wall systems and, of those, we have 236 where we have a problem and we have to fix it. We are doing that with the developers and ourselves with the cladding safety scheme. If you evaluate what is wrong, for 90% of them it is the quality of construction, and for 10% it is the wrong product on the building. From a safety perspective, it is important to recognise that.

Overall, the point around a single construction regulator is that it is important when you can see how all those elements fit together with one holistic look, which it would appear to be much easier to engage with, although I do not think everything that the Building Safety Regulator has done has been wrong. I go back to my original points around the work that it has done on our existing buildings, and the feedback that we have had has generally been a positive experience for us.

The Chair: Let us test our technology again. Lord Teverson, we can see you, so hopefully we can hear you as well.

Lord Teverson: Even the 10% you mentioned seems quite a high number to me when it comes to safety. This organisation deals with everything from hallmarking through to children's toys and construction. It seems to me to be a very wide remit for something quite so important. I would be interested in your comments on that.

I have comments on two other areas that come up. I was really interested in this area of NBTs and access to those. If the BSR people are primarily administrators and just go out to those individual professionals, are not we still in silo management, rather than the overall management of buildings that we want? The other question is this: when we have such long lead times and risks, does that not have a completely stifling effect on innovation in the industry, because everybody knows that that will take even longer? Are we stifling innovation in an industry that is not known greatly for being innovative?

Matt Voyce: Our experience is that we are always looking to innovate and to continue to refine our approach to design and construction. Some of that is being driven by an ageing workforce and skills, and some is around the environments that we operate in and looking at trying to reduce net carbon and embodied carbon. We are always trying to innovate.

Lord Teverson: Sorry, I did not mean to point the finger so much at yourself—I probably posed the question the wrong way. Effectively, do these long lead times and the difficulty getting through gate 2 mean that people will tend to opt for things that are well known and done and not something new? That is, I suppose, the core of the question.

Matt Voyce: Yes, I guess you could make that connection: you default to something that you know will give you the path of least resistance. I could see that.

Dan Hollas: Yes, I think we have definitely seen that. People are nervous, partly because they do not understand what is coming through, and that is making people default to the lowest-risk option, which does not help progress, innovation or better ways of working. It sort of regresses to a reasonable, but safer and more conservative, approach.

Lord Teverson: Coming back to these NBTs, are we still in a situation of silo management, or is that administrative level above at BSR bringing that holistic wish together?

Matt Voyce: It would be unfair to say that it is silo management, but I feel that refinement can take place. In fairness to the regulatory leads in the BSR, who are probably swamped with lots of HRBs, having experts around the table who can then perhaps pick up some of the issues being reviewed would make the whole process more efficient.

Q11 **Viscount Chandos:** Could I just quickly jump back to the question of

affordability? Your two organisations have different focuses. If you are building luxury flats for £1,500 or £2,000 per square foot, affordability should not be the issue, but you can be frustrated by delays. If you are building social or affordable housing, the cost must be a higher proportion of the overall project cost. I just wondered whether the two of you would like to comment on that.

Dan Hollas: From our perspective, the development programme has not been as large in recent years as in previous years. Obviously, some changes are afoot because of that, and that is because it is so difficult to make the schemes work for us. With the pace at the moment, it means that it is another big risk for us in creating a development programme. Obviously, a majority of our housing is affordable housing and social rent, as well as some for private sales.

Matt Voyce: I would say that the delay is reducing investor confidence and leading to a redeployment of investment away from housebuilding. The delays impact affordable housing delivery or developing for sale or for build-to-rent in the same way.

Viscount Chandos: Can I switch back and ask you, Mr Hollas? You have been doing less because the hurdles are so high. Is the process relating to the BSR a very significant part of that or just one extra?

Dan Hollas: The issue is more that we have been doing less because we have had less money as an organisation: we have to spend on building safety and there are other different maintenance areas that we have had to increase our expenditure on. If you are looking about scaling up—for us, now—and saying that it looks like there is a better funding package for advance, one of the risks that we have to consider is the BSR and our ability to do that within a reasonable timeframe.

The Chair: You have already explained that it is a significant risk for investors.

Matt Voyce: Yes, absolutely: the cost of living crisis is still a challenge, and interest rates are still high, so the cost of debt is high. Viability is on a knife edge. You will hear from other developers saying this, I am sure. The BSR delays are just compounding it. Why invest in housebuilding? Go and do something else if you do not have any certainty of when you will be able to start on site.

Q12 **Baroness Harding of Winscombe:** This is not a unique problem to the UK. Many countries in the world try to work out how to build housing. Urban regeneration around a major stadium is not a unique problem to the UK. Are there any other countries and jurisdictions that are getting this balance of safety and growing the housing base right?

Matt Voyce: I am afraid I am not really going to be able to comment on that. We do not operate outside the UK.

Baroness Harding of Winscombe: Dan, I appreciate you do not either.

Dan Hollas: No.

Baroness Harding of Winscombe: Maybe there is another way of answering. I am trying to get you to give us some other options. The last hour has been quite depressing: what I think I have heard is that the system is suffering from fairly extreme indigestion and that the only recipe or treatment to improve that is better communication. Is there anything more radical that we and the Government should be considering to get this right, or is it just that, with a bit of communication and a bit of time, it will sort itself out?

Dan Hollas: Everything came at once—the building assessment certificates for HRBs, carrying out the work to existing buildings, and the new developments. All those three things came within six months. We had to gear up on all three different approaches, and that did not just go for us; the BSR had to do that itself as well. That is the only point I would make.

Matt Voyce: I do not think we are looking at starting from scratch. It just needs refinement. You say that the last hour was depressing, but these are the challenges that we are facing. What I will say in the BSR's defence—I sit with a lot of BSR colleagues on the task and finish group—is that they want to address this impasse. They want to find a way for industry to put applications in place that can be reviewed in an acceptable timeframe and get building. I do not want to leave on the idea that it is not working. The BSR and industry both acknowledge that they have areas to improve. We are all increasing our competence, pushing our designers to be better and asking the right questions to make sure that safety is our number one issue, so I think it is going to get better. But the here and now is that we need to get through this backlog.

Viscount Thurso: I want to follow up on that. In its evidence to the Housing, Communities and Local Government Committee in the House of Commons, the BSR was rather scathing about the industry. It said the industry had "serious failings" and "cannot even get its head around providing basic paperwork", and that developers are "struggling to understand and explain how they are managing their fire and structural safety risks in their buildings". To what extent does the industry therefore need to react to its concerns? In the communication that we are talking about, can the industry step up to reassure the BSR?

Matt Voyce: There is no doubt in my mind that the industry is doing everything it can to be better and to learn the lessons of the Grenfell tragedy—increasing our competence, increasing our designers' competence, making sure that we are on top of innovations in fire safety or whatever it might be. We are doing that already, and the BSR needs to hone in on what it expects from us. We can design and give them so much information. At the moment, we could be giving them 2,500 drawings at the end of a design process that has taken 18 to 24 months, but that is more information than it can possibly digest in the timeframe. It should tell us what is required so we can be more specific to address the immediate concerns that it has, bearing in mind that gateway 2 is

about “This is what we are going to do” and gateway 3 is “We did what we said we were going to do”. We need guidance on exactly what is expected.

We also need consistency from the MDTs in what they are asking in order to address the issue. Yes, some developers need to learn, and this is great because the BSR is forcing them to learn. The Building Safety Act is forcing them to be better, and that is a good thing.

Q13 The Chair: I have a couple of points before we finish. One of you mentioned the insurance industry. I wondered, particularly with upgrading existing buildings, whether the insurance industry comes into this at all. Clearly new fire doors affect insurance potential.

Dan Hollas: We see the insurance industry having an impact in lots of different aspects—for example, we know that the insurance for the fire engineer that we used went up from about £70,000 a year to £300,000, and those costs come to us. There are other bits, such as building insurance and the like.

As an organisation, we found that if we engage with the insurance industry and have that information, and if we demonstrate that we technically understand the issues that we have in managing our buildings and can communicate that in a reasonable, proportionate way, insurers listen and take a reasonable approach, but you have to explain it. If you do not explain that and you do not have the data then you will not get very far.

The insurance industry is behind many of the issues that we have. From my perspective, what I find frustrating is where specialists do not take a proportionate approach but a least-risk one, perhaps because they are worried about their professional indemnity insurance. You want a proportionate, reasonable approach to a solution to get to a better place much quicker. If you engage with the insurance industry then they will support that, but if you do not have the data or the understanding then you will get least-risk options that are not necessarily the right solution for the buildings.

The Chair: The language is quite difficult, though, is it not? If you are talking about “least-risk” then you could still be saying “We are carrying risk”, whereas we are trying to minimise any potential problems for the future.

You have both made it clear that engaging with the BSR is difficult, but Dan is on the building advisory committee, which is supposed to offer advice and information. Apart from engagement on individual projects, I wonder whether the industry or that advisory committee feel that there is a way of getting to the structure and the top of the BSR to make it understand what these problems are all about.

Lord Best: Can I add to that? Matt, you are on the task and finish group, this liaison group, so you are in the group that brings together Government, industry and the BSR. Why has not this group had any

positive effect so far?

Matt Voyce: We have been going since January, and we are at a point where we are looking to issue guidance in the next couple of weeks on seven areas, so guidance is coming. I know that the CLC and the BSR have been communicating; I think they have a weekly meeting at very senior level. So there are lots of conversations ongoing. I do not know how long it took to get the legislation in place, but six months is actually not too bad to get people around the table and start to get some guidance that we can put out to industry, bearing in mind that the BSR can only operate within the regulatory framework and some of what the industry would like is perhaps outside that and would require new legislation. So it has taken some time to get to a point where there is some common ground to submit or to produce some guidance, but that is coming very shortly.

The Chair: Do you think that is why there has been a bit of a change in the last four weeks?

Matt Voyce: I think there has been a behavioural change. The BSR now feels like it wants to find ways to get approvals. I do not know whether pressure is being brought to bear from elsewhere or from the statistics that do not look great, but we are certainly seeing a focus now on trying to find a pathway through to an approval, which until four weeks ago was not something that I had any confidence in. I feel like we are in a better place for the future but we still have some issues to address, as we have discussed over the last hour or so.

The Chair: Dan, what about your committee?

Dan Hollas: I have been on the building advisory committee since March this year, so I am a recent addition along with a colleague from another housing association. That committee has a statutory status; it is there as part of the Building Safety Act. Perhaps its communication has not been as full in the past, but I cannot really comment on that from my very recent experience. I will say that there is a lot going on in this area. People are trying hard to engage, talk and get together. I have seen that all the time over the last six months. That is something that has been identified, and I just want to make sure that it goes in the right direction and is consistent and proportionate in how they approach it.

The Chair: You have given us a lot to think about and reinforced some of what we have been picking up. It has been really useful to listen to both of you and thank you very much for your evidence.

