

Housing, Communities and Local Government

Oral evidence: Work of the Building Safety Regulator, HC 1254

Tuesday 2 September 2025

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[Watch the meeting](#)

Members present: Mr Gagan Mohindra (in the Chair); Mr Lee Dillon; Naushabah Khan; Andrew Lewin; Joe Powell; Sarah Smith.

Questions 1-51

Witnesses

[I](#): Allan Binns, Director at Project Four; Dame Judith Hackitt, Chair, Building Control Independent Panel; and Melanie Leech, Chief Executive, British Property Federation.

[II](#): Andy Roe KFSM, Non-Executive Chair, Building Safety Regulator; and John Palmer, Director of Operations, Building Safety Regulator.

Examination of witnesses

Witnesses: Allan Binns, Dame Judith Hackitt and Melanie Leech.

Q1 **Chair:** Good morning and welcome to the Housing, Communities and Local Government Committee. Florence Eshalomi has given her apologies; she has other parliamentary business, so I will chair today's meeting. This session is focused on the Building Safety Regulator, and we have two panels of witnesses. Will my colleagues please introduce themselves first, and then the panel?

Joe Powell: I am Joe Powell, MP for Kensington and Bayswater.

Mr Dillon: I am Lee Dillon, Member for Newbury.

Andrew Lewin: Good morning. I am Andrew Lewin, MP for Welwyn Hatfield.

Naushabah Khan: I am Naushabah Khan, MP for Gillingham and Rainham.

Sarah Smith: I am Sarah Smith, MP for Hyndburn.

Chair: And I am Gagan Mohindra, the Conservative Member of Parliament for South West Hertfordshire.

Melanie Leech: Good morning. I am Melanie Leech, the chief executive of the British Property Federation, which is the membership association for the commercial property sector.

Dame Judith Hackitt: I am Dame Judith Hackitt. I am the author of the independent review into building safety and fire regulation, and I am currently chair of the industry safety steering group and the independent panel looking at building control improvement following the Grenfell review.

Allan Binns: I am Allan Binns, director of Project Four building safety experts, providing statutory and support services throughout the built environment.

Q2 **Chair:** I welcome our first panel. We will ask a selection of questions; feel free to indicate to me whether you wish to answer them, and do not feel the need to answer every single one if you do not wish to.

Is the Building Safety Regulator complying with its 12-week deadline for decisions on applications? I think we all know the answer to that one.

Melanie Leech: The answer is currently no. Let me bring that to life with a couple of examples. I have spoken to one developer who has a development of around 200 affordable homes—part of a 100% affordable scheme in central London delivering 350 affordable homes—that has been waiting over a year to pass through gateway 2. I have spoken to a second member who provides purpose-built student accommodation, for which there is a particular challenge, because if you miss the beginning of an academic year, you have effectively lost a year. The impact on them has been a two-year delay in the delivery of much-needed student accommodation homes. Those are a couple of examples to bring it to life, but the short answer is no.

Q3 **Chair:** Do we know the main reasons for the delays?

Melanie Leech: I am sure you will ask the second panel too, but from our perspective, everybody recognises that this was a new system, so it was going to take some time to bed in. You have to allow for that. It is clear—and the Government have recognised this—that the Building Safety Regulator was under-resourced for the amount of work that was coming to it. Of course, they were learning, just as the industry was learning, how to respond to the new requirements.

There was a lack of clarity around what was expected—I am sure we will come back to that. Certainly, the industry felt it was operating in the dark and did not really know how to bring forward applications. We will probably come back to what still could be done to improve that situation.

On the lack of transparency and accountability, if what is happening is not visible quickly enough, it is very hard to take the necessary steps to address it. Those would be some of my observations.

Dame Judith Hackitt: First of all, the Building Safety Regulator has done an extraordinarily good job in standing up, as it has, from zero to where we are today. There are an awful lot of positive things we could say about what they are doing and how they are doing it—and it is making a difference.

Are they meeting their deadlines on gateway 2 at the moment? No. That is public knowledge and none of us would dispute that. Why that is happening is a combination of learning processes within the regulator—they having to learn how to do this, and to do it at pace, and how to prioritise the most pressing cases—and also the industry learning how it needs to change to put forward its cases in the right way. I have seen some examples of the gateway 2 applications that the regulator has had to deal with, and some of them are shockingly bad, so it is not surprising that they get pushed back and so on.

It is going to mean change for both sides. The most important thing, and the most important change that has happened, is that the conversations are starting to happen about understanding needs and expectations and how to meet them better. Things are speeding up—that is true—but we are not yet at the point where the deadlines are being met.

Q4 **Chair:** Allan, how do your clients feel about how the system is working? Are there any suggestions from you or them about how to improve things?

Allan Binns: I think it is fair to say that there is frustration there. The statutory timeframe for a new HRB is 12 weeks; on average, based on the freedom of information request we put in and got back on 16 July, it is at about 25 weeks. The lived experience of the approvals we have received is around 30 or 40 weeks. Having worked to factor those 12 weeks into the construction programmes, you can imagine where they are at in terms of the feasibility of projects.

Q5 **Mr Dillon:** Would you advise your clients to build in a longer window than the 12-week approval? Figures released by Sky News this morning said that 32% were approved in the window, by the end of March this year, so nearly 70% are still not. Are you going back to the industry and saying, “Build in a longer process”?

Allan Binns: I think we have to. We are regularly getting statistics on this. Although there is a lag time with those statistics, we have to advise on what is there. We have not seen that number go down, so at this point we are still looking around that 25 weeks as a piece of advice.

Q6 **Sarah Smith:** To what extent do you think the gateway 2 guidance that was published by the Construction Leadership Council will clarify the Building Safety Regulator’s expectations and bring the lower-quality developer applications to an end?

Dame Judith Hackitt: I personally think the guidance is very welcome and long overdue. With hindsight, we can all sit here and say that the regulator and the CLC should have been working together to produce that guidance much earlier, so that industry was more included in the loop as

that process moved forward. But it is very welcome and I think it will make a difference.

As we know, discussions are taking place already about what happens around gateway 2—does it have to be one decision point, or can it be a staged decision? This is all to do with an industry that has operated for many years on a design-and-build contract basis, which—let’s be honest—means “design it as you go”. The fundamental problem here is that the regulator’s expectations of what would be available at gateway 2 have not been matched by where most projects find themselves at the point where they need to seek that approval. The staged process will help to take us through that, when it is put in place.

Melanie Leech: I very much agree with Dame Judith—it is very welcome. On her follow-up points, I hope this is the start of a better quality of dialogue between the industry and the regulator, to build on our learnings as the new system beds in and more cases come forward, so that we can learn what good looks like but also what bad looks like. Everybody can learn from that, and we can co-create further guidance, because there is still a need for more guidance and more detail. We will need that for gateway 3 as well as gateway 2. That culture of working together collaboratively to try to build the guidance and the knowledge base is really important.

Q7 Mr Dillon: Is there an opportunity in the future, once the guidelines are being adhered to and understood, to have a trusted-partners scheme? That way, if you had a developer who had never failed a gateway 2 approval, you could say, “We trust you. You can have slightly lighter regulation than a new developer coming in.”

Allan Binns: That is absolutely something that we would advocate for. If we can get to a position where you have a trusted, licensed developer who undergoes scrutiny annually—something like that—to prove that they are going through the correct processes, that could be a way of expediting these things.

Melanie Leech: To build on that, if you think about some of the large builders, they will have a pipeline of projects that they are going to be bringing forward month after month. I have got one developer with 7,000 homes to be built—they want to bring forward at least an application a month over the next year. What they do not want to find is that every single one of those applications is being dealt with by a different regulatory lead and a different multidisciplinary team. There has to be a better and more efficient way of managing that, so I very much support what has been said.

I suppose the only caveat is that we need to ensure that we do not create barriers to entry for smaller developers or new entrants. We need to make sure that they are not disadvantaged. Certainly, I think we can get efficiencies from relying on the relationship with existing, proven developers with a track record, to make the systems as efficient as we can.

Q8 Sarah Smith: You are suggesting that more opportunities for better support and guidance are coming forward. Are there further ways you would like to see the Building Safety Regulator clarify the application requirements for developers? Are there any more specifics you could talk about?

Dame Judith Hackitt: I think the discussion that is now taking place, and that collaborative working, is the right way to take this forward. For me, it is about a change of approach, rather than loading more pressure on them to produce more guidance. The one outstanding item that they are about to start on is a review of the approved documents. That is a long-overdue piece of work that all of us in this space need.

Allan Binns: One of the things that has changed recently is that we are seeing a lot more of these early engagement sessions happening. We are starting to have conversations with the regulator about the idea of having relationship managers for those developers that have large portfolios. We are working with a number of clients who will be developing 10,000 or more new homes in their pipeline over the next five years, so having that kind of relationship manager would be a great start.

I also think there should be a bit more foresight in the resourcing of multidisciplinary teams. If we know we are going to be putting in gateway 2 applications for several large projects in a particular area, can we actually start looking at a programme for those companies?

Q9 Naushabah Khan: Dame Judith, the Grenfell Tower inquiry recommended introducing a new regulator to help to fix a “complex and fragmented” regulatory regime. How far do you think the regulation of building control has come since then?

Dame Judith Hackitt: That is one of the things we have been looking at on the building control panel. We were very conscious that the public inquiry had taken a view based on how things were in 2017, at the time of the disaster. For a lot of the time in the first two or three months we were in place, we were looking at how much progress we had already made as a result of the Building Safety Act and the role that the Building Safety Regulator now plays in having oversight of building control. That has enabled us to take a stance on what more needs to be done, rather than replaying some of the things that had already been done.

How much progress have we made? A considerable amount, not least in that we now have a much better understanding of the resourcing constraints, which are very significant, and where there is good and bad practice. It is not by any means a simple question of “public sector good, private sector bad”. There is a spread of good performance across all of those areas. That is going to enable us to make some recommendations, which will all be around greater consistency, building on some of the good practice that is out there.

Q10 Naushabah Khan: I am happy for anyone else on the panel to comment on this as well, but on the resourcing side, you can obviously fix a problem at one end by getting more resource in, but my understanding—I am very

happy to be corrected—is that there is a pipeline issue with, for example, not enough surveyors and so on coming in through the system. Do you have any reflections on that?

Dame Judith Hackitt: Yes, you have to look at the whole pipeline here, for sure. You are absolutely right in that sense. One of the things we have seen since the Building Safety Act came into being is, for all the reasons we have already discussed, people leaving building control to become design consultants to developers. What does that mean? It means that we need to widen the funnel at the top end, so that we get more people into building control and into that profession—recognising that their career opportunities lie beyond building control and in that design consultancy field as well, rather than seeing that as a bad thing. I actually think people leaving building control to go into design consultancy is a good move, in the right direction, in the long haul.

Q11 Joe Powell: Dame Judith, I am curious about building control capacity. One of the proposals for evolving the regulator has been to take a more proportionate approach to things like internal high-rise renovations, which currently go to the BSR. If they were not going to the BSR, they would go back to local building control. Do you feel that local building control in general is sufficiently better equipped that it could take on that responsibility, or do you think that should still be with the BSR?

Dame Judith Hackitt: At the moment, I do not think we are close to making those decisions to put things back. In the long haul, I think that is something we should be considering, but we need to bring greater consistency to who does what in building control, because there are big differences between what public and private sectors do.

We need to raise the performance in this area, because there is little to no enforcement taking place out there. We are still on a journey in terms of improving all that. I think we can weed out some of the bureaucracy that has been put on top of that as a result of the changes we have made, but we need to use the data that we now have, make it more transparent and agree the improvements that we can all make towards a long-term plan.

Allan Binns: For me, it is less about where the building control professionals sit—whether we go through the regulator or the local authority. Ultimately, there is a finite amount of class 3 accredited persons who can regulate on these buildings. Regardless of the route, that is the bottleneck. A means of freeing that up, if we are to advance this a bit more, might be looking at utilising people who are class 2F, with supervision.

Q12 Chair: Dame Judith, you mentioned in your reply to Joe the lack of enforcement of some elements. How worried are you about that, and is it something that we as a Committee need to be mindful of? It is all well and good us making recommendations and the BSR creating rules, but if bad actors are caught and nothing happens, you are not going to stop that culture.

Dame Judith Hackitt: Let me be clear: I am talking about a lack of formal enforcement, in the form of prosecution. It is clear that under-resourcing, plus the fact that all enforcement—private sector cannot enforce—falls to local authority building control, which is made up of under-resourced and not sufficiently well funded teams within local authorities, makes it extremely difficult for them to take formal enforcement action.

Chair: Thank you for clarifying that.

- Q13 **Naushabah Khan:** This question is open to anybody who wants to come in. What impact would the ability to assess applications on an organisation-by-organisation basis have on the BSR's resources?

Dame Judith Hackitt: I think that is a question that it is better for the regulator themselves to answer, because I am sure they will have done some work to look at that. We have already identified, in answering the previous question, that it would be helpful for everyone to build up a knowledge of how well organisations perform, rather than doing everything on a building-by-building basis.

Chair: Presumably that is what the representatives from the industry would prefer as well, echoing your previous answers.

Melanie Leech: Yes.

Allan Binns: Yes.

- Q14 **Mr Dillon:** Dame Judith, is there an inherent tension between ensuring a robust building safety regime and the Government's target of 1.5 million new homes?

Dame Judith Hackitt: There should not be. None of us should want to build 1.5 million homes if there is any question about their safety. At the moment, is there a tension? In some cases, yes, because of the delays in relation to high-rise buildings, but it is really important to keep that in perspective. We are talking about somewhere in the region of 30,000 dwellings—not 30,000 buildings—that are caught up in that system right now and being delayed because of gateway 2. When we talk about that whole 1.5 million being at risk as a result of this, there is a part of it that may be at risk, but it is not the whole by any means.

Mr Dillon: Yes, but the target is 1.5 million, so the target is at risk, and if the Government are going to hit that target anyway, house building is going to have to ramp up over the next few years.

Dame Judith Hackitt: Yes, but I suspect that other factors may come into play.

Mr Dillon: You would imagine the gateway 2 number would increase.

Dame Judith Hackitt: All I am saying is that you need to keep all of them in view, rather than pick on one in particular.

Q15 Mr Dillon: As a Committee, we are trying to understand what handcuffs there are on this target being met—from skills to resources to regulation.

Dame Judith Hackitt: My key point is we want 1.5 million safe homes.

Melanie Leech: To add to the question on the 1.5 million homes, I do not represent the volume house builders; I represent a particular part of the residential market—homes for rent, such as build-to-rent and purpose-built student accommodation, which I referred to earlier. That is the part of the housing market that is most significantly impacted, because a lot of build-to-rent is a densified, urban, city-centre product.

Differing slightly from Dame Judith in my numbers, our last piece of research with Savills—we produce data on the build-to-rent sector every quarter—suggests that over two thirds of the current build-to-rent pipeline, which is 110,000 homes, could face significant delays at gateway 2 and gateway 3. We see in that part of the market slightly more impact than the 30,000 homes level suggested, but it is that part of the market that has particular challenges.

Q16 Chair: Is that because your model relies on a September intake?

Melanie Leech: No, it is because a lot of volume house building is delivered in suburban homes on estates of only one or two levels, which are not caught by the new regime, whereas a lot of build-to-rent is delivered in higher buildings. As I say, it is an urban product, using less land, because it cannot compete for land value and so on. It is a different part of the market, primarily, and so it is the most impacted.

Allan Binns: From the statistics we got from a freedom of information request, we understood it was around 40,000 homes, based on 16 July. That number in itself is quite small compared with the housing target we are talking about, but as Dame Judith said, there is a bigger picture. What we do know, from conversations with developers—certainly in the student residential market—is that they are concerned about the September intake. Where we are looking at masterplans below 18 metres, we are not utilising the space we could for the amount of residential units. Some developers are even holding off residential altogether and looking at the commercial market. There is certainly some empirical study that could be done to understand what we are missing out on.

Q17 Joe Powell: I want to understand what you are saying, Allan. We have heard that there is a cliff edge—you either build under 18 metres or you go very high, because of the viability concerns. Is that what your data suggests?

Allan Binns: What I am relaying about people building under 18 metres, that is what our developers are looking at doing, to avoid going through gateway 2. It is not necessarily that there is such an extreme difference between the number of floors.

Q18 Joe Powell: Have you quantified the number of dwellings that could have been built—that we have missed out on the opportunity to build?

Allan Binns: I do not have that data.

- Q19 **Mr Dillon:** To stick with gateway 2, the BSR looks at new builds, but also remediation work. For each of you, what risks does gateway 2 have in the case of simple remediation work, such as fire door replacement—putting residents more at risk because they are not getting the approval through in a speedy way?

Dame Judith Hackitt: I think there are certainly some opportunities to simplify those processes for very straightforward remediation and refurbishment work, such as fire door replacements. Those are some of the quick lessons and quick wins that we ought to be able to achieve pretty quickly, I think. My only caveat to all of this is that we have to remember how we got to this point in the first place. Refurbishment is not always a simple case, and particularly when we are spending public money, we need to be sure we are spending it on the right things, not pre-empting and doing things that then have to be undone again. We have seen some of that in the last seven years, where re-cladding has been done that has not been to the right standard. Having that gateway in place is really important, but I am sure we can streamline the process.

Mr Dillon: Are there any different views from the developers?

Allan Binns: On the split of the applications, we have seen 2,600 gateway 2 applications, and 765 of them were for category B works—for smaller works that were not related to changing the building fundamentally or anything to do with the fire infrastructure. That is quite a large number going through the same process as a new HRB, effectively.

- Q20 **Mr Dillon:** To what extent will the “approval with requirements” process satisfy developers’ wishes for pre-decision engagement with the BSR?

Melanie Leech: I think it is work in progress. We are starting to see a much better quality of conversation on both sides and, over time, that should make a significant difference. Am I going to sit here today and say everything is fine? Of course I am not. But I do think that we are making progress in the right direction, and we need to, quickly, because of the points we have just been discussing.

On one hand, there is investment waiting and wanting to come in to support the building of homes, to help the Government to reach its 1.5 million target, which is not stuck in the system; it is from way back before that. Investors look at the wider market factors, and there are a lot at play. Investors look at the uncertainties, which are the first thing that will frighten them, and they say, “Why would I go anywhere near that?” with all the other pressures upon them.

I think it is about trying to get more confidence, and the only way we can do that is to build it through the evolution of the kinds of developments we have been talking about this morning, which need to happen as quickly as possible for everybody's sake. Of course, that is also going to be really important for the people who will be living in those homes, because they need to have confidence in the process, too.



Q21 Chair: Are all the partners receptive to that model of evolving the culture and, where appropriate, speeding things up? We will hear from the regulator a bit later, but from a Committee perspective, we want to make sure that, while we are hearing that people are receptive, they are receptive in reality to adapting their processes or frameworks in a way that does not affect safety, but makes your lives easier and delivery faster.

Melanie Leech: I suppose the answer is that they have to be, because ultimately these are the rules and they have to follow them, and they should want to follow them. I do not represent a developer who does not want to build a safe building, and I hope I do not represent some of the developers who have put in the kinds of applications that Dame Judith was talking about. Every responsible developer wants to have a system that it can have confidence in in order to drive investment, and its customers—the people who are going to live in the homes—want to have confidence that they have built a decent quality safe home. So the industry as a whole has to learn. It is absolutely right that poor quality applications should be challenged and rejected. We have to raise standards across the industry, and we have to be part of that. We own that challenge just as much as the regulator does.

Dame Judith Hackitt: My own sense—I am quite close to all of this, as you can imagine—is that there has been a sea change on both sides in recent months in terms of that willingness to work together in collaboration. It is a shame we did not see it earlier, but it is there now, and we should be encouraged by that because we have the ability to resolve these issues rather than see the need for large-scale further change.

Chair: Is there anything further you want to ask, Lee?

Mr Dillon: I think we touched on it in Melanie's answer. It was about the impact on investment in the sector, but I think we have covered that.

Q22 Andrew Lewin: Good morning. My substantive question is about the resource challenge and the 12-week deadline. Before we get into that, I want to come back to the 12 weeks and what progress, if any, we are making. As was referenced by a colleague this morning, a Sky News report in the last couple of hours suggests that, on the data they have collated, 12-week assessments are going backwards. They had a figure that just 32% were meeting the target as of March this year. Dame Judith, earlier you said you believed things were speeding up. Before we get into the resources, I just want to understand from the panel whether you think things are speeding up. What do you make of that data from Sky this morning?

Dame Judith Hackitt: I have not seen the detail of the announcement from Sky, so I cannot comment on their numbers or where they came from. I have seen evidence that suggests that things are improving. I do not just mean that I am being reassured of that by the regulator. I have talked to people who are involved in this process who have said to me that

they have learned a lot from their early engagements with the BSR. As a result of what they have learned as part of that process, they are doing things differently and are now seeing that by doing things differently they get a different response, and so the system is learning as it goes and speeding up.

Melanie Leech: I do not think I have much to add to that. I do not think there is a single source of truth that would tell you exactly what the answer to your question is. I could give you anecdotal evidence that suggests that people are seeing things unblock and decisions made. I could also give you anecdotal evidence from people who have still got stuff stuck in the pipeline, so I do not think there is a single source of truth on this.

Allan Binns: From our side, having seen some approvals go through, the more historic ones were 40 or 50 weeks. Now we are seeing applications that we have done more recently getting validation quicker. We are getting engagement from the regulator. There is better dialogue there to keep us abreast of what is happening, and we are getting more and more confident that those times are coming down. I think there is a lag with the data, at the end of the day, because you are only going to see applications that have been approved. On the applications we start putting in today, we hope to see improvements there.

Dame Judith Hackitt: I would add, in support of what Allan has just said, that we must not underestimate the importance of transparency and communication in all of this. A lot of the tension created in the last period has been, in my view, because of the lack of communication and explanation about what is happening and where things are, which has been very frustrating for industry. So this is not just about the regulator speeding up its processes; it is also about better communication and dialogue. As we have already said, I think that has started, but it is absolutely fundamental to all of this that there is good and open communication.

Q23 **Andrew Lewin:** That was an important place to start. I want to come on to the Government's recent commitment to hire 100 new staff to the BSR. I am interested in whether each of the panel thinks that will make a material difference. Also, beyond headcount and people, what other challenges do you see and what other things do you think are needed in the system to effect change?

Melanie Leech: I very much hope that hiring 100 additional staff would make a material difference. For us, the concern is that they are the right staff. We do not need another 100 administrators; we need very specialist skills that can actually move the conversations and get the decisions made. One of the watchouts for us is that those are people in demand, not just in the UK but globally. It is a global market for the kind of specialist skills that the regulator needs to employ. We hope that the Government will recognise that and be prepared to pay the salaries that they may need to pay to get those skills, which may not be wholly consistent with civil service pay scales.



Q24 Andrew Lewin: You say that the Government need to be prepared to pay. Do you think that is true of the industry as well? If the deal were that there needs to be a bigger contribution in BSR gateway fees, is that something you would countenance?

Melanie Leech: Yes, we absolutely would. As ever, though, what we would like to see in return is commitments on delivery, just as with planning fees. The industry has consistently said, "We would pay more for a more consistent and more reliable service." That goes to the transparency point as well. If you are really clear about what can be expected—the timescales, the service levels and the quality of conversation and engagement—my understanding is that a number of developers have suggested different kinds of models on how you would do that. We absolutely recognise that the industry needs to support the better resourcing it is calling for.

Allan Binns: I agree. That kind of investment might help with administration to improve communication, but it is those key skills that we need to free up. At the moment, these multidisciplinary teams are made up of people from select organisations with select abilities. I wonder whether we can broaden that net to help deal with the resource issues.

Q25 Mr Dillon: What is the panel's view on the regulator moving from the HSE back to the Ministry, in effect, as an ALB? What benefits or concerns do you think there are with that move?

Dame Judith Hackitt: My concern is that, with everything we are talking about and the need to improve how the BSR works, I would hate for the move to become a distraction that takes resource and attention away from fixing the real challenge we have now, which is to get the system up and running and working effectively to everyone's satisfaction. That is the priority, so it must not be a distraction from that. Was it envisaged that it would move back at some point? It always was. The logic for putting together the whole regulatory regime, including product regulation and the way in which we regulate buildings in occupation, makes eminent sense. As a first move, I see this as being expected, but it has come early and we must not allow it to be a distraction from the real problem.

Mr Dillon: That is what we said about local government reorganisation. Thank you very much.

Q26 Andrew Lewin: We have covered a lot of ground. We have talked about resourcing and lessons learned in the first few years of the BSR coming together. I invite each of you on the panel to share any final thoughts on further change that you see as a priority so that we can all move to the situation that we want to be in, which is assessments happening within that 12-week window and standards always being met.

Dame Judith Hackitt: For me, there are two. First, I think we have to change the narrative about the role of regulators, and particularly about how attractive and important for society this role of building regulation is, because we have to attract a lot of new people. We cannot just keep

moving the same people around within the system; we have to increase the size of the pipeline, and that requires a different narrative.

Secondly, related to all of this, we need to remember what we are trying to do in the long haul, which is change the culture of an industry that has adopted poor practices unchecked for far too long. In my view, the real need to help that process is to find a way of identifying and accrediting the good performers versus the laggards, so that we can create a differentiation in the system and recognise the good players out there—in particular, those who have embarked on this journey and have changed over the last seven years. There are a number of them, but at the moment there is no way of differentiating them from those who try to hang on to the old poor practices.

Allan Binns: I think the Building Safety Act has been a force for good in promoting the culture change that we have been looking for. We are certainly seeing in design team meetings now that building regulation compliance is at the top of the agenda. That is not so much the case on non-high-risk building projects; I think there is work to do there. In striking the balance on safety and new homes, we ultimately need to look at the system we have, and just put a bit more proportionality in there in how we process applications.

Melanie Leech: I do not have much to add to the conversation we have had over the last 45 minutes or so, in terms of the things that need to flow through so that we start to see the impact of all the positive change that is happening, but can I make a slightly broader point? It goes back to the question about the 1.5 million homes target, but also the investor-sentiment piece. Just to reiterate, there is a lot of investment that wants to come in to support the building and delivery of good-quality homes, particularly in the part of the market I represent, the build-to-rent sector. There are a lot of headwinds at the moment, and if I had one broader plea to the Government, it would be this.

At the moment, we seem to be in a situation where we have our foot on the accelerator but also our hand on the handbrake. We have a lot of planning reform going on, which is great, and a lot of good things happening, but we also have a lot of additional burdens coming at the sector. We have all these delays, which have a massive impact in the build-to-rent sector. We have the building safety levy coming through. We have the delayed homes penalty consultation. There are very mixed messages to the sector at the moment. If we could take our hand off the handbrake and keep our foot on the accelerator, that would be a fantastic contribution towards delivering the 1.5 million homes target.

Q27 Joe Powell: Dame Judith, you just talked about the culture change post Grenfell, but I have heard from Melanie about all these brakes and so on. To take us back to where we started, it sounds like your fundamental belief is that there should not be a tension between the Building Safety Regulator and the execution of the new standards for safety, and the building that we need to do. Would you agree with that, Melanie?

Melanie Leech: I would. Sorry, I was making a broader point. It was not specific—

Q28 **Joe Powell:** It has felt in recent months like there has been almost a campaign in the media about the Building Safety Regulator's role in potentially slowing down house building, so if there are things that you think are blocking that, it is really important that we are specific about them, rather than keeping it in generalities, because we will talk to the new leadership of the regulator. I am really worried about a false trade-off, post Grenfell, between safety and building.

Melanie Leech: Absolutely, and I am absolutely not advocating that. I was begging the Committee's indulgence to make a slightly broader point about all the different pressures on the sector at the moment. In terms of building safety specifically, as we have gone through the conversation we have probably highlighted all the issues that would make a difference.

Chair: Is there anything you wish to tell the Committee that you have not had the opportunity to? If not, let me thank you for this session. I found it really informative. Thank you for your time and your evidence.

Examination of witnesses

Witnesses: Andy Roe and John Palmer.

Q29 **Chair:** Good morning. Will the panel please introduce themselves?

Andy Roe: I am Andy Roe, chair of the Building Safety Regulator.

John Palmer: Good morning. I am John Palmer, director of operations at the Building Safety Regulator.

Chair: Welcome, both of you, to the Committee—again, in the case of Andy. Joe will start the questions.

Q30 **Joe Powell:** Welcome back, Andy, in your new role.

Andy Roe: Different uniform, yes.

Joe Powell: Clearly, you are new in the role and a new CEO is about to start. You said when you were appointed that it was clear in your view that the Building Safety Regulator processes needed to "continue to evolve and improve". The fundamental question we are trying to explore is whether you have the resources to avoid the perceived tension between encouraging building and the 1.5 million, and promoting robust standards. How do you feel about that?

Andy Roe: Perhaps to save the Committee time, I will start by saying that there was not a word said on the previous panel that I would disagree with. I will not speak for John, but I am not sure he would disagree with it either. I thought they were measured and lucid, and they articulated the problems within the system and the things that need sorting. You can take



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as a given, as a starting point, that the analysis we just heard, particularly from Dame Judith, is entirely correct.

I think we can offer something today. With full respect to the gentleman who is sitting at the end—I can imagine how frustrating it is that you are relying on FOI—we have the most up-to-date stats here, sitting in front of me, so I would welcome the opportunity to present those. They tell a more nuanced story and I think we should have them out in the open.

John has come into the director role at the same time as I have come in. Do I think what John and I have been tasked to do is achievable? Absolutely. There was a striking point made by the last panel: yes, it is 30,000 or 40,000 homes—actually, the number I have here is 29,000—but the reality is that, if we are talking about new build, for example, that is spread across 154 applications. Those applications are complicated, but it is not a backlog of tens of thousands of passports or driving licences; this is something we can get to and reasonably turn around. There is some constraint around specialist resource, which we can come to, but I believe it is achievable.

In terms of the brief I was brought in on, if we have not shown very significant change by the end of the calendar year, we run the risk of losing the complete confidence of everyone in the regulatory regime. I personally would not put my name to that. I am here because of my own experiences at Grenfell and what I see to be a necessary focus on safety, without compromise to the numbers of homes. Just to be clear to the Committee, I think it is absolutely achievable and I welcome the chance to talk about what we are actually doing—because it is not words; things are happening—and what we need to deliver on in terms of promise.

Q31 Joe Powell: Is it your intention to put a timeframe on when you expect to have the statutory 12-week target complied with?

Andy Roe: I will give you an early indication. It is hard to give an absolute. I will be held to account because I have said it to a public Committee, but I think by the end of the year you have to see a very, very significant reduction in the backlog of cases. As much as there is a different intent and as much as you have heard testimony about how, over the summer, myself, John and, to their credit, the senior leadership of the BSR have really tried to get out into the industry, into the wider stakeholder community, and seek a more collaborative approach, the reality is that all of that only counts if we start to improve the operational process, particularly in gateway 2, so that we get safe homes built by effectively regulating and processing those applications, and we do not either introduce compromise into the system or hold housing up. I think it is achievable.

Q32 Joe Powell: In terms of the practical steps that you have already identified, you heard some ideas from the first panel, but what is on your priority list?

Andy Roe: We are actually doing pretty much everything that the first panel said, but if you wanted me to name the one thing that keeps me



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awake at night—I seem to spend an awful lot more time as chair on it than I perhaps imagined I would—it would be finding registered building inspectors to form a centralised unit where we take the delays out of the process.

If you wanted me to answer the question about compromise of safety in the context of numbers, I would say that I do not think there has to be one. The new build approval median time, set against the SLA of 13 weeks, is currently 43 weeks. I do not have to compromise safety at all; I have just got to get it back to 13 weeks. To be fair, I think that developers who plan against that financially in terms of their design processes and their hiring of subcontractors will be extremely comfortable with that. In all the conversations I have had with the CLC and individual developers, they have been very supportive. All they want us to do is to keep our promise around the timescales. That is not compromising safety at all; it is just taking delay out of the process.

The reason why we have got to centralise to build this fast-track unit, which is a bit of a misnomer, to be honest with you—it is a different approach that I think will end up being the consolidated long-term approach—is that the locally franchised MDT model does not work. Let us just say that clearly now: it does not work. If you have got a bureaucratic process where you allow for six weeks at the start of that process justifying the people who might be on the team to even consider the application, I have just built a six-week delay into my 13-week target before I even get to the complex application. Just taking that 6 weeks out by having those people immediately available within a more direct system of control is not going to compromise safety, but it is going to speed decisions up.

These are quite tactical operational things. The biggest challenge at the moment is getting to those RBIs. We have been in with all the big providers; we have had the Construction Leadership Council, which has been enormously helpful, leaning in; LABC has leaned in. I have had meetings recently with Greater Manchester and London; they all need to deliver on some promises around giving me some RBIs. If we get those numbers up, I think we will clear the backlog.

Q33 Joe Powell: How many are you trying to recruit?

Andy Roe: We are looking at a centralised team of literally 15 people by the end of September. We are about halfway there now. We would have liked originally to get up closer to around 20 to 25, but the reality is that we will probably have to look at some sort of hybrid model—some sort of contracting model. That will involve us going to the big providers who are already on the HSE framework—some of the big companies that provide building control and technical services—and hive up some of the applications and funnel them back out that way.

I am basically saying that we are looking at every single method. It will not just be numbers of people on seats. What we are not going to do any more is stand up an individual team for an individual application with a



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franchise method of control where, frankly, the regulatory leads inside the BSR, who are working incredible hours, are struggling to control the output of technical resource that is three times removed from their line management chain. It is a dysfunctional model; it does not work. We should not pretend that.

Over time, we will build a different model, and I think that will happen in a number of different ways. Longer term, many of the things that were said by the first panel we are already thinking about and we will get to decision making about. On better use of class 2s under supervision, at the moment there is not a clear enough pathway to become a class 3. It is only class 3s that can sign off within the current system, so you have to ask yourself, "How do the class 2s get the work that is needed to become a class 3?" The only way you are going to do that, for the good of the industry—we have heard this time and again from small and large providers of registered building inspectors—is to enable class 2s to do this work, to grow interest and skills within the sector, and then pass that back through the class 1s as well, effectively, so that we create this pipeline.

I am a born optimist. All I have had throughout the summer is positive support from every single part of the industry. People are very frustrated. I think that is understandable. I think that is fair enough. I am not here to be defensive—I could not disagree with anything that was said on the first panel—but it is all there to be sorted out. I think it is doable. That would be my message.

Q34 Mr Dillon: Why did performance get worse? The data that Sky had this morning—

Andy Roe: I do not think their data is correct, to be fair to them.

Mr Dillon: They quote it, in the bar graph, as being your data. They said it was 47% approved at the end of September, and then 32% at the end of March.

Andy Roe: John, do you want to come in on that? I do not think that is entirely correct. We have the up-to-date figures here. That is not being defensive; I just think it is different. I actually think it is flatlining. I think that it was worse, and it has now stabilised. In remediation we are seeing numbers improve, but not quickly enough. I think it is bit more complicated than that.

John Palmer: The figures that I have seen on Sky News are lagging a little bit. There are two factors there. I think they are March figures, and the figures we have from the last few weeks show that, as Andy said, the numbers are stabilising. As the previous panel said, you have an inevitable minimum 12-week lag from when we introduce changes to when they take effect. That all skews the numbers.

We are already seeing stabilisation with some of the measures that have been brought in. That is about more engagement and approval with requirements, which was mentioned earlier, in order to get things moving on site. That is happening already. Andy mentioned the fast track—



bringing the RBIs into a centralised model. We stood that up on 4 August, so, again, you are not yet seeing the numbers coming through in terms of approvals or rejections, but we are looking internally at the milestones that the applications going through that process are hitting, and so far they are all on time or ahead of the milestones to meet a 13-week SLA.

Q35 Chair: Andy, it would be helpful if you could send across the figures, if you are able to.

Andy Roe: Absolutely. We have a long list of them and, like I said, I do not think there is anything to hide in here. We are happy to provide a context. We will write to you with all the data for live applications that we have today.

Let me say again, in the spirit of full transparency, that I think that we are all well resourced. I have had very good support from MHCLG. I am not here to speak about the genesis of the BSR, but one of the things I do not quite understand is the lack of an IT system that I would reckon is suitable. There is a real challenge around digital and data at the heart of this. We need the ability to segregate data, provide data quickly and understand where applications are in the context of a region, a particular developer or a scheme. Genuinely, all I have met inside in the BSR are really passionate, hard-working people who know they are fundamental to getting houses built as well as keeping people safe, but they are working with a product that I do not recognise as viable.

So one of the other big challenges is that we have to improve our approach to data and digital capture, and then use that, just as the previous panel suggested, to better organise the way we operationalise application approval. We are bringing in account managers. Those hires are happening. We do want to work either regionally, or with big developers, or with a very large remediation scheme, for example. But part of the challenge is that my very hard-working colleagues inside the BSR are having to manually segregate data the whole time to best understand where to put their efforts. That is an unnecessary amount of bureaucracy that has nothing to do with safety. If we radically improved it, that would enable more houses to get built and more applications to be processed without ever compromising the ideology of the Act, which is, let us be frank, in existence because of the death of 72 people and should not be compromised.

Q36 Joe Powell: We have heard from developers who welcome the shift to a more collaborative model with greater predictability and more pre-engagement. Is that something that you think you have the capacity to do across the board?

John Palmer: There are probably two steps. The first is welcoming engagement early, so being happy to talk about applications. There are then the account manager principles for the larger developers, where, as was said earlier, we can look at their pipeline, prepare for that and keep them informed on applications as they move through.



There is possibly a separate next step, which would be a complete pre-application service. We could look at that in time; that is a different thing. What we are looking at is whether there are any technological ways that we can help with that, such as possible AI early screening of applications, to give applicants an indication of whether they are red, amber or green, and to save them and the BSR a lot of time before things get in the door.

- Q37 **Andrew Lewin:** Morning, both. Before I go into my question, I want to come back to the stats on one element. I hugely appreciate you saying that you are going to write to the Committee, which is very welcome, but this is a timely piece of journalism. This morning, Sky said that the number of approvals had fallen from 47% to 32%. I completely appreciate your answer, John—there is a lag—but I want to understand whether that part is true. Was it going backwards before, in your view, it has now stabilised?

Andy Roe: It might well have been. The problem I have—this is why I have been transparent about the ability to segregate data and then capture it in a way that I recognise it—is that I just do not recognise those numbers. I do not know how they have got to them.

All I know is what I have written in front of me, which is something we have to radically improve on: the median approval time, as it stands today, is 43 weeks in the system. If you are promising 13 and you are doing 43, I am not surprised—I think it is fair enough; it is fair cop—that developers are saying, “We cannot plan on that basis. You are creating too much tension in the system.” It is not about safety; it is about having stood up a regulatory regime that is absolutely correct in ideological principle—there is nothing wrong, really, with the legislation—and the practical application for an operational system.

I think that it is our job, in the first instance, to zero in on that, because I think it is creating so much noise around the regulatory regime that we cannot get past it. We will not be able to talk about the fact that actually, when this whole regime was set up, gateway 1 was perceived to be a failure, and we were never going to be able to register and regulate the profession of building control. Well, we have done all those things.

I have had to explain to my colleagues: “You’re not going to get the credit for that while you’ve got this many houses stuck in a pipeline. That’s just reality. So let’s sort the operational problem out and let’s do it as quickly as possible”—and I have said this to them out loud. I think that is achievable. I had better go away with John and my other colleagues and work to keep that promise, find some RBIs, build a team and do all the stuff that we are doing, which is hiring people, doing things and trying to work through those applications.

- Q38 **Andrew Lewin:** Thank you for being really clear on that. I have a bigger-picture question. Philip White said to the Committee, before I was a member, that he thought that the Government needed a five to 10-year strategy for investment in the building safety profession. We have talked a bit about it already this morning. What do you think are the steps the



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Government need to take to ensure that there is sufficient long-term funding for the BSR?

Andy Roe: They have committed funding; for example—I am just looking at my stats—there is £16.5 million that has been dedicated by MHCLG directly into that skills space. It is not necessarily about the money; I think that it is more about the system and the perception of the regulator. It has got to become an attractive place to work.

We are having early conversations about making part of the professional journey to be a class 3 or another class of building inspector to be doing some mandated work for the BSR, so you understand that side of it. I think it is more about where people get educated, and the length of time it takes to get someone out of the other end of the pipeline—nine years to be a class 3 RBI.

Philip is absolutely right that there has to be a 10-year strategy. I have to say, on behalf of the DPM and others who have been very clear about it, that they recognise the value of these people in the system, and that billions of pounds' worth of investment and safe homes for people in the thousands rest on this. I don't think the resourcing or the political decision making around finance are the issue. It is more about who trains them, how they are incentivised to stay in the industry, and how we make sure they don't spend their whole time in consultancy when they become super-skilled. It is about a whole-system approach, which takes into account where they get educated, who is educating them, our regulation of them, making the BSR an attractive place to work, and seeing it in the whole context. Is there anything you would like to add to that, John? You have been as close to this as I have.

John Palmer: That is very much the approach we are taking as we look at forming the internal teams, so bringing the RBIs in. I don't think we want to end up with an ivory tower of RBIs in the BSR. What we want is a sustainable profession, where class 1s and 2s can see how they can progress, class 3s are overseeing that, and the whole profession is moving through the consultancy, the private providers, the local authorities and the BSR, and sharing that experience as they go.

Andy Roe: We do need to do something because the median age of an RBI—although it feels young to me—is 47 years.

Chair: That's my age—young.

Q39 **Andrew Lewin:** I would never have believed it, Chair. Just quickly though, Andy, and this is really important. You said that it is not a battle for money, in your view. Would you characterise it more as a battle for talent? Dame Judith talked about that earlier and you have just touched on it. If so, what steps are you looking to take, as the leadership of the BSR, to make it more attractive for people?

Andy Roe: I think it is about working with industry and the big providers, bringing to the fore a more systemic approach to education, and understanding that it is our role as a regulator, along with the sort of



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Committees that Dame Judith chairs, to set the conditions within which a framework can evolve. So there is the system and governance stuff—the engagement—then there is making sure that we have some sight of and are part of the conversation about where the money goes, and then recognising that this is not just about RBIs; this is about construction skills.

When I was here in my old job, I would have talked about fire engineers and fire inspecting officers as being a scarce resource and there not having been that historical investment, over decades really, in that industry. That is really what we are talking about here—it is a lack of investment historically, and therefore there is a time lag, and there needs to be a very joined-up approach to it.

From my point of view, we are part of that, but it is a wider construction skills issue. It isn't just RBIs. It is plasterers and electricians and plumbers, and people who are competent to put up external wall cladding systems. It is the whole piece. We neglected the home-grown education of people in the construction skills sector for decades and we are reaping that now.

So the answer is: yes, it has to be long term, and yes, we have to be a fundamental part of that because we regulate the profession and we need to encourage people to come in to the BSR, but it is actually a bigger problem than ours to solve. We just need to be absolutely clear about our responsibilities within that system design and our part in encouraging people to take the career up.

John Palmer: I would say that there is not a huge excess of resource—I will be honest—certainly not at class 3. Therefore, it is all about using that resource efficiently and I don't think we are doing that at the moment. The MDT analogy that we are using is you are managing a football team when all your players play for other teams as well, and at the moment we have absolutely no visibility of what those other teams are doing, so we can't necessarily co-ordinate. It is about being smarter about using that resource and it is also, as Andy said earlier, about making best use of career progression so that we can get class 2s coming in to support the class 3s to provide that resource to get the applications processed.

Q40 **Sarah Smith:** Moving on to the single construction regulator, at this stage there is some lack of clarity as to what that will look like. Given the expertise and capacity currently within the Building Safety Regulator, is it reasonable to think that the BSR will be able to exercise the functions of a single construction regulator?

Andy Roe: I think it's too early to say. My focus is on getting the current regulatory system operating in a way that best serves both building safety and the volume of house building, and keeps to the original principles of the Act.

I recognise one of the points made by Dame Judith in the last panel. We need to make sure that we well-resource the creation of a new arm's

length body in a way that does not act as a distraction to that. I want to reassure and assure this Committee that that is what is happening. We are standing up entirely separate project teams staffed with people whose only job is to lift up the ALB to transition the new entity out of the HSE in a way that doesn't disrupt operations. You cannot have the same people doing that because, actually, that would be fatal, and Dame Judith is absolutely right to say that. In creating a new ALB, it would be incoherent not to have one eye on what work my colleagues in MHCLG are doing separately around what the potential form of a new construction regulator might look like.

I think the trick here is to restore confidence in the system by making really tactical changes to what is currently a dysfunctional and inefficient operating system that lots of people have been trying desperately hard to make work, but is not going to. In restoring that confidence, and having a more mature and open approach to what we are there for, I would hope that, in creating a new ALB, we lay the platform for whatever form the new construction regulator might take. But that is some way off. It requires new legislation being laid. What we have to do is to make sure that whatever we are doing in the run-up to the creation of the new body of some kind does not compromise future plans for a single construction regulator.

Q41 Sarah Smith: How much control will you and your board be able to exercise over the strategic and operational decision making and the establishment of a single construction regulator?

Andy Roe: We will not be the arbitrating decision-making forum for that because, quite rightly, the board, which had its first board meeting on 27 August—that is important to note because a lot of tasks and actions came out of that—is really there to make sure the BSR is running correctly, and that the right level of scrutiny and transparency is brought to bear so that we can come to Committees like this and tell you what we are doing with a degree of accuracy.

What that board is, though, is a very important stakeholder in the creation of that new construction regulator. Most usefully, this is the first time that that the BSR has had the opportunity to be led by a board that has colleagues from MHCLG sitting on it and people who represent the views of residents and industry feeding into it through the statutory committees. We will become a statutory part of the creation of that new regulator. That will be transparently recorded and there will be publicly disclosable minutes. You will see where those conversations unfold.

Ultimately, the responsibility to create the new regulator lies with Government and my colleagues in MHCLG who will do that work. Everything I have seen so far leaves me confident that we will be working in co-operation with them. They are integral to what we are doing currently inside the BSR. John is on secondment from MHCLG; he is doing a great job in there.

Q42 Naushabah Khan: I have a couple of questions about the strategic



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direction of the BSR. You have touched on this already, but what are the key areas of focus for the regulator in the short, medium and longer term?

Andy Roe: I will do the top line, and John can fill in anything he thinks I have missed. My immediate focus, which is both tactical and strategic, is the operational challenges, because without it there is no confidence in the regulator. That is not entirely fair, but we are not about fair here—this is about recognising that this a genuine operational problem and the current delays are not good enough. That is the No. 1 priority. If we unlock that—if we start getting safe approvals speeded up—that leads to a greater confidence in the organisation as a whole and allows us to take a new strategic plan forward.

In essence, it is operations first—that includes remediation, by the way; there is no prioritisation of new build only. New build is important but we cannot forget remediation—it has to be done on twin tracks. Then there is setting up the ALB, because that has to be done at pace. We are looking at it being towards the end of the year or into the new year in '26 by the time it starts to become inhabited by people moving across from the HSE. That is a clear strategic strand. We also need to make sure that we do not undermine the journey towards a new construction regulator—that is over there.

Within that operational space, we need to think about the things to come. If we unlock the gateway 2 process, we are already seeing potential challenges within the gateway 3 process in occupation. We need to take rational decisions about who is looking at refurbishment. There are questions around competent persons schemes. There is quite a long list of things in the operational and delivery space. Once we get past gateway 2, we imagine that they will surface and we will need to deal with them.

As Dame Judith referred to, it is important that we do not lose sight of the ideological basis of this regulator, which is to make sure that building regulations are fit for purpose. The BSR is at the heart of what I see as a positive move of building tall buildings with two staircases. That will not be shared by all developers. These are things within the policy and guidance space—the approved documents—that are equally important and must be kept on top of, and where the regulator must bolster its research in terms of horizon scanning and looking at future threats and different methods of construction so that we are not always waiting for the next disaster to look back and wonder how we got there.

To summarise that—sorry—it is about operational, setting up a new ALB, preparing for the new construction regulator and looking for the challenges beyond gateway 2.

Q43 **Chair:** On that, how do you look at building standards across the world and how does that influence the regulation? In the US, you have external staircases and the like.

John Palmer: First, just to make it clear—although I am sure you are aware—the Building Safety Act is all about making sure that people are doing what they are supposed to be doing. It is all about surveillance,



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monitoring and demonstrating compliance. Separately, the building regulations themselves set the standards. As Andy says, it is important that we look at both and make sure that the building regulations are fit for purpose. There have been several changes, many of them Grenfell-driven, particularly in approved document B, with second staircases being one of them.

As Andy says, when MHCLG and the BSR work very closely together to look at what changes might be needed and how to bring them in and when to bring them in, in a proportionate manner that the sector can cope with and in an appropriate timeline, we do look at international comparators. For some of the second staircase work, for example, we looked quite carefully at tall buildings around the world, what sort of levels there were and other methods of fire protection that were in those buildings. That was one of the contributing factors that determined how we introduced second staircases, so that does happen.

As a general principle, we are very aligned with most building regulations across the world in having an outcome-based regime. The regulations themselves, which are the bit that is actually written down in legislation, are relatively broad and outcome focused, whereas the approved documents, which are the statutory guidance that sits behind it, are more prescriptive, but you don't necessarily have to follow that. You can do it in a different way, if you choose to, but still meet the regulations. What that means is that we are catering for a builder who might be building two or three homes a year, who just wants to know, "What do I need to do?"—that is in the prescriptive guidance—versus a large developer who may want to do something innovative and can still comply with the regulations.

Q44 Naushabah Khan: Just a couple more questions from me. Andy, you originally said that the BSR needs to "evolve and improve" its processes. Could you elaborate on that a little?

Andy Roe: I think it goes back to the detail of what I have already laid out to the Committee around operational process. We know that the local MDT model was the starting point for the application of the regulations. To be fair to colleagues who set that up, at the time it may well have looked like the way to approach this. In principle, there is nothing particularly wrong with it. In practice, it has not worked out. Where we are talking about evolving, that is recognising that we have a lot of people who genuinely are working really hard and are really committed to the mission, but the system is setting them up to fail. That applies to both remediation and gateway 2. It's the old adage, isn't it? Don't keep on doing something that isn't working; do something different. Where we are talking about evolving, we recognise that the specialisms that you need within those teams are without doubt. There is no doubt about their necessity to ensure that the applications are assessed in a way that prevents dangerous buildings from being passed. It is your access to those specialists that is causing the delay—along with some poor applications, but let's focus on our own issues before pointing fingers elsewhere.

That is the process I am talking about in that specific comment. We know that the current operational process to approve applications or reject them at speed, with good justification, alongside better communications and liaison with the applicant, has to significantly evolve, because it is not a sustainable system. It is not working for the regulator, society or industry.

- Q45 **Naushabah Khan:** A final question from me. As you obviously know, the current strategic plan expires in 2026. Will the new strategic plan consider revisions to the definition of a higher-risk building?

Andy Roe: Potentially, but what has to happen is that we have a strategic plan that is fit for purpose, is in date, recognises the potential of the emerging single construction regulator, speaks to the challenges of the past and how we are going to keep on evolving, and obviously will sit within the boundaries of a new arm's length body. That is one of the actions that came out of the first board. That strategy is in draft. It will be shared as widely as possible across the whole ecosystem of stakeholders, so that we get to a point of better co-production. John is at the heart of this, so again I think you probably need to hear from him.

John Palmer: On the definition of HRB specifically, that is actually in legislation, so it is something that BSR would need to work, and is working, with MHCLG on. You will be aware that one of the recommendations from the Grenfell inquiry phase 2 report was to review that. That is ongoing. We will be working with MHCLG to look at whether that is necessary, and if so, how.

- Q46 **Joe Powell:** I have one follow-up question. Have you given any thought to how to make the process more progressive so that you avoid a cliff edge decision? Some people have advocated for green, amber and red so that you go through it and you don't get to a point, very late in the process, where you are asked for lots of new information.

John Palmer: Yes. Some of this is about better dialogue as we go through. First of all, if we have RBIs and other experts within the BSR, it is much easier for them to talk directly to and engage with the applicant. In addition, we are bringing in separate communication leads in order to facilitate that communication. As Dame Judith said earlier, there is nothing more frustrating than just hearing silence. Regardless of whether your application is going well or not, if you get told about it, that really helps. We are doing that in parallel. Account managers, as we have already said, will help. We are looking at this sometimes from the point of view of, "Well, it's been 20, 30, 40 weeks or whatever it might be. If we had known earlier, etc." If, as is Andy's and my priority, we get to a point where all applications are within that 12-week SLA, then early rejection, early indication or whatever it might be is much easier for developers to cope with. I think it is a combination of doing things quickly—good or bad, approved or not—but also keeping people informed as we go through.

Andy Roe: We're back to guidance as well. I hope that the Committee would recognise that you have seen that radically improve over the summer. Again, I think John deserves a lot of credit for that, along with

operational colleagues inside the BSR, because there has been real engagement with industry to co-produce and get that over the line. That will make a difference as well. And there needs to be more.

The other thing I need to point to—again, in the spirit of transparency—is if I want to go on Google and look up BSR and how I am going to engage with the process, I have to go to three different sites. I am going to the gov.uk site, the HSE site and the planning portal. That is incoherent. That is not how you should run a single regulator. That has to change as well, because some of this is about absolute clarity at the point you are coming in. You don't bring yourself to a cliff edge, because you know exactly what you need to do and exactly what is expected at each stage, whether we improve the operational process or not. That is another important factor.

John Palmer: Can I also mention approval with requirements, which was discussed earlier? That is where the application is not necessarily quite over the line. Substantially, it is safe and the evidence is there, but there are a few bits of evidence that need to be produced further on. However, it allows developers to start on site.

The other thing, which we are bringing in shortly and discussing in advance with the CLC how it will work, is staged applications. That is slightly different, because we have assessed completely up to a certain point—it might be groundworks or whatever. There is no commitment on the rest of the application, but it allows developers to get started on site, which, again, gives them certainty on timelines, and investor confidence comes from that too.

Q47 **Joe Powell:** When will you be rolling out the approval with requirements?

John Palmer: Approval with requirements is happening already. There are several applications that have already been approved with requirements. With staged applications, we are looking at October or November this year.

Q48 **Joe Powell:** To pivot a little, Andy you will know better than all of us the criticism of the LFB in the Grenfell Tower inquiry and the recommendations that came out of that. Obviously, you led the implementation of those recommendations. With two senior LFB people coming in to the regulator, how would you address some of the criticism out there around whether this will provide the right level of oversight and change to the system?

Andy Roe: That is a fair one, isn't it? Two people from fire coming in. That has been said to me both internally and externally, and I just have to face it head-on. The reality is that I ran one of the largest emergency services in the world. I ran a regulatory business that is one of the largest in the UK, across 3.8 million dwellings, 20,000 listed buildings and 500 transport hubs. We were part of the licensing, from railways through to HRBs. I have had an intimate view of the BSR from the day it was set up, because we were part of that process.

I completely accept the optics of it, and I think I have a leadership challenge to make sure that I am open. I recognise that, while I think I

have quite a lot of skills, and Charlie is an extremely experienced regulator and a very experienced operational lead, with decades, like myself, of really hard miles in the built environment, we ain't got all the answers. I am just not that arrogant. We need a really good mix of professionals inside the BSR. If you look across the spread of professionals inside the BSR, what has been heartening over the summer is finding it is awash with people who have really interesting, really relevant backgrounds, who need to see that there is an opportunity within all this. Actually, with the support we are getting from the Government, and with the recognition that we need to bolster both the size and the structures within the BSR as we evolve into a single arm's length body in preparation for the construction regulator, we will need to demonstrate that it is not just two fire guys getting parachuted in; it has to be more open than that, and that is the sort of organisation that we want to be anyway.

I think it is worth noting that we are time limited; I am not a permanent appointment. I have given you an indication of where my internal deadline is, and I imagine that you will never speak to me again if I do not meet some of those targets. I have come here with an openness, in that I think I have skills to bring to bear, and again I think Charlie is very experienced and has some good skills to bring to bear. But in some ways I would not even seek to defend that: we will have to prove that we are useful, rather than telling you as a Committee.

Q49 Joe Powell: From your perspective, then, it is about ensuring that there is accountability from the board to the—

Andy Roe: Yes, 100%—full transparency. I want you to see my decisions and to see the decisions of John. I want the board to be a place where we can gather information and bring it out into Committees, and I would welcome the chance to come back.

Q50 Joe Powell: As the Chair said, having the data in front of us, so that it is not reactive to FOIs, but is proactive to the whole industry and to Parliament, would go a long way.

Andy Roe: I think so.

Joe Powell: It would also help us play our role of scrutinising MHCLG as well, including any future legislation that may be relevant to the BSR.

Q51 Chair: I will do the final, wash-up question: is there anything that you wanted to bring up that you have not had a chance to during the questioning today?

John Palmer: I have said a lot of this, but my experience, from being in the BSR for a few months now and from having worked closely with the BSR when I was in the MHCLG, is that it is full of people who really want to see the BSR succeed, to get this done and to make sure that safe buildings are built. There is a bit of frustration that it is misfiring a little bit at the moment. Some of that is about understanding what regulation piece is required here, as was mentioned in the previous panel, but it is also

about industry coming to terms with what is needed. I think we have got to that point.

I would also really like to emphasise that the BSR is open for dialogue. We would like to speak to everybody in the sector—all the stakeholders, including developers, providers of RBI, and anybody else—to understand where there are friction points and frustrations, and to work with them to make this work as effectively as possible.

Andy Roe: I would like to go back to the point Dame Judith ended with. I stood in front of Grenfell Tower on 14 June 2017, and I saw—I have said it many times before, but it is worth repeating—the profound failure of everyone involved: the fire service, the regulatory system as it then stood, constructors, improvers, managers of buildings, and Government itself. That is why the Act exists, and why the BSR exists.

Like John, what I found in the summer has actually not been depressing; it has been energising, because there are so many good people in there who just need some support to evolve their systems and engage with the stakeholder community in a different way—to communicate differently. Their passion is real and their work ethic is real. This is entirely doable.

I do not think there is a tension between building that volume of housing and doing it safely. There are plenty of other advanced democracies in the world where they do it, and people still make a profit and people live in houses. So I do not accept that as a tension. I think the tension is in the tactics and the operational process, and I think we will need to bring evidence back to this Committee to demonstrate that we have gripped it and that we are making a difference. I do not expect any sympathy—not that I ever do anyway—or any let-up until we have done that, and I do not think we should expect it.

Chair: Thank you both for attending. In terms of one thing the Committee would like to see going forward, you mentioned data management. I am always a bit nervous that when Government tries to do IT projects, we always seem to get it wrong, irrespective of party colours. So please keep the Committee updated on how that is going, if you think that is one of the big bottlenecks. We are very much here to be a critical friend and support you where we can, in the way of two-way dialogue. Thank you for that, and thank you for attending.

Andy Roe: Thank you very much for the opportunity to come.