

Communities and Local Government Committee

House of Commons, London SW1A 0AA

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Dame Judith Hackitt
Chair, Independent Review of Building Regulations and Fire Safety
c/o Department for Communities and Local Government
2 Marsham Street
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9 January 2018

Dear Dame Judith,

Independent Review Building Regulations and Fire Safety

Thank you for taking the time to provide evidence to the Committee on 18 December following the publication of the Interim Report of the Independent Review of Building Regulations and Fire Safety.

It is clear that your conclusions have received broad support from across the sector and within government. However, during our evidence session, the Committee raised some concerns that we wanted to highlight again with you, and to request that you reflect on these issues as the Independent Review progresses into its second phase.

During the meeting, Mr Hollinrake expressed concerns that the Independent Review might focus on an outcomes and risk-based regulatory system in its final report, rather than an approach which includes some elements of prescription. It is a concern that a risk-based system might leave the regulations too open to interpretation by an industry that you have already concluded requires a significant change in culture, moving away from an ethos of doing the minimum required for compliance as cheaply as possible. While you were clear that a risk-based approach would retain some fundamental standards that would underpin its framework, it is nevertheless the view of the Committee that, in some areas, prescription is vitally important. For example, in particular it cannot be right to continue to permit the use of combustible materials on high-rise buildings. In relation to this point when raised during the evidence session, you said that you would provide further detail regarding countries that have adopted a successful risk-based system of regulation. We look forward to receiving this information.

Mr Amesbury asked whether current systems and processes for testing electrical appliances would form part of the Independent Review's work. You said that you were not aware of the extent to which this has been a focus for the Independent Review thus far, but would write to us with information on this. We believe this issue is both relevant and important, given that the Grenfell Tower fire started in a fridge-freezer and, according to the Home Office, between 2010 and 2015, there were over 36,000

accidental dwelling fires in England where the source of ignition was “Electrical Distribution” or “Other Electrical appliances”.

Similarly, Mr Prisk asked whether Part P of the building regulations was to be considered as part of the Independent Review. This is an issue into which the Committee carried out an [inquiry](#) in 2014. And we raised concerns around those carrying out electrical works in domestic homes, concluding that the present competent persons’ scheme has the effect of branding as competent some who are plainly incompetent. We urged the Government to change the competent persons’ schemes, such that all those carrying out domestic electrical work should be brought up to the competency level of those who meet the requirements for a qualified supervisor. In recent correspondence with the Committee (available on the Committee’s [website](#)), the Secretary of State told us that any future review of Part P would need to take account of the findings of the Independent Review. As such, we also hope that this issue will form part of your considerations.

Finally, you highlighted concerns regarding the partial privatisation model in the building control system, where there are both Local Authority Building Control Inspectors and private sector Approved Inspectors. As you noted, there are concerns around the independence of private sector inspectors and their inability to take enforcement action, while local authority inspectors could be reluctant to take formal enforcement action due to the cost of pursuing cases through the courts. We urge you to continue your focus on this issue in the second phase of the review and are keen to hear your recommendations in this respect.

We look forward to taking evidence from you again when the Independent Review’s final report is published in the spring.

A handwritten signature in black ink, appearing to read 'Clive Betts', with a stylized flourish above the name.

Clive Betts MP
Chair, Communities and Local Government Committee