

**Dame Judith Hackitt**  
Independent Review of Building Regulations and Fire Safety

**Ministry of Housing Communities and Local Government**  
Fry Building  
2 Marsham Street  
London  
SW1 4DF

Mr Clive Betts MP  
Chair of the Communities and Local Government Select Committee  
House of Commons  
SW1A 0AA

Dear Clive,

Thank you for your letter of 30 January 2018, and for our subsequent meeting on 28 February 2018. We discussed the points raised in your letter when we met, and I promised to follow up with a letter that could be shared with the Committee.

### **Part P**

Your letter raised concerns about the scope of the Review, and in particular, around the potential exclusion of Part P from the Review's work. As discussed, the Review is considering how to improve the effectiveness of building and fire safety regulations and guidance in the round. Part P will therefore form part of this review of the overall structure of how the suite of guidance and recommendations work as a whole, my aim is to ensure that the package works to deliver building integrity and is proportionate to the type of building work being undertaken. This means that, whilst my remit is to focus on structural and fire safety outcomes, recommendations on other parts of the building regulations, including Part P will be included in the final report.

We also discussed the work that we are undertaking in parallel as part of the review to look at the competence of all those who work in the construction and refurbishment of the fabric of buildings. This will include those doing electrical installation work as well as those who install cladding and other trades/professions.

### **Domestic electrical appliances**

Your letter also expressed disappointment that the Review will not include consideration of the current regime for testing domestic appliances. We discussed the clear focus of my remit which is on ensuring the structural and fire safety of buildings. As I have stated this does include consideration of the standard of electrical installations and the competence of those who do such work. Consideration of products will be limited in my review to those that form an integral part of the fabric of a building, as distinct from appliances. Consideration of the safety of these products fall within the remit of the Department for Business, Energy and Industry Strategy (BEIS) and the Department for International Trade (DIT), as opposed to the Home Office and the Ministry of Housing, Communities and Local Government (MHCLG), who have commissioned my work.

### **Prescription**

Finally, on prescription: my intention is to create a culture where there is a clear focus on building and maintaining safety throughout the lifetime of buildings, together with a system of regulation and enforcement that will encourage everyone to do the right thing and have

appropriate penalties for those who fail to do so. I believe that only an outcomes-based system can deliver this, as opposed to a system that 'tells people what to do', however that does not mean an absence of clear standards which must be achieved.

I do agree that there is a need for some prescription within regulations and guidance, but it is a system with clear roles and responsibilities, clear permission points and strong enforcement and sanctions that will drive the culture change towards intelligent thinking that will in turn deliver safe building outcomes.

For example on the use of cladding materials, there is currently a choice between using products of limited combustibility or undergoing a full system test<sup>1</sup>. Current views vary on whether or not the guidance is clear on this. For the future, my view is clear that the former is undoubtedly the low risk option. Where the person undertaking the work chooses the latter option, not only must they ensure that the full system is tested but they must also ensure that the potential risks are mitigated by ensuring the system is properly installed and maintained throughout its life cycle.

I hope that the Committee finds these responses helpful and clarifies some of the points raised in your letter. I look forward to appearing before the Committee when the final report is published this spring.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Judith Hackitt', with a long horizontal flourish underneath.

**Dame Judith Hackitt DBE FREng**

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<sup>1</sup> Paragraph 12.7 states that: *In a building with a storey 18m or more above ground level any insulation product, filler material (not including gaskets, sealants and similar) etc. used in the external wall construction should be of limited combustibility.*

The scope of paragraph 12.7 extends to cladding, particularly when read in the context of the guidance in paragraph 12.5, which states that: *The external envelope of a building should not provide a medium for fire spread if it is likely to be a risk to health or safety. The use of combustible materials in the cladding system and extensive cavities may present such a risk in tall buildings.*