

Building Safety Bill

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

Clause 3

LORD CRISP
LORD YOUNG OF COOKHAM

Page 2, line 33, at end insert—

“(6) In this Part “safety” means risk of harm arising from the location, construction or operation of buildings which may injure the health and wellbeing of the individual.”

Member’s explanatory statement

This amendment defines “safety” within this part of the Bill.

After Clause 1

LORD BLENCATHRA

Insert the following new Clause—

“Implementation of Act: the building safety objectives

- (1) The Secretary of State must, in implementing the provisions of this Act, have regard to the building safety objectives.
- (2) Any person on whom functions have been conferred under or by virtue of this Act must, in exercising those functions, have regard to the building safety objectives.
- (3) The building safety objectives are as follows.
- (4) The time objective is that high-rise buildings in England and Wales which are fitted with dangerous and unsafe cladding should be made safe with regard to that cladding as soon as is practicable.
- (5) The accountability objective is that mechanisms should be in operation which enable persons in England and Wales who have manufactured products which have endangered the safety of high-rise buildings, and persons in the United Kingdom who have developed dangerous high-rise buildings, to be held accountable for those actions.

After Clause 1 - continued

- (6) The building assessment objective is that assessments of building safety should be proportionate.
- (7) The leaseholder protection objective is that leaseholders should –
 - (a) not pay a disproportionate amount of the costs of remedying building safety defects with regard to their leasehold property,
 - (b) not suffer disadvantage from those failures with respect to being able to sub-let their properties, and
 - (c) be protected from forfeiture and eviction due to those costs.
- (8) The building safety mitigation objective is that where a high-rise building can be made safe through the use of mitigations such as water sprinklers and fire alarms, these mitigations should be used in preference to remediation work where that remediation work would be more costly than the mitigations, and in preference to waking watches where those watches would be more costly than the mitigations.
- (9) The developer responsibility objective is that where persons in England and Wales have developed dangerous high-rise buildings, they should be responsible, in financial and practical terms, for the mitigations or remediations required to make those buildings safe.
- (10) The leaseholder information objective is that leaseholders who own leasehold property in dangerous high-rise buildings should have access to comprehensive information about their rights with regard to those buildings being made safe.
- (11) The building assessor indemnification objective is that building assessors who conduct external wall assessments should be audited and indemnified in such a way that they can exercise balanced professional judgement about external walls.
- (12) The building industry responsibility objective is that persons in England and Wales who have manufactured products which have endangered the safety of high-rise buildings, and persons in England and Wales who have developed dangerous high-rise buildings, should as far as possible meet the costs arising from that endangerment and from making those high-rise buildings safe.”

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7 February 2022
