

Building Safety Bill

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

Clause 3

LORD STUNELL
BARONESS PINNOCK

Page 2, line 22, at end insert—

“(3A) In exercising a building function (other than an excepted function) the regulator may exercise the powers given by virtue of section 8 (certification of work) and section 9 (Appointed Person and management of works) of the Sustainable and Secure Buildings Act 2004.”

Member’s explanatory statement

This amendment would pass certain powers of the Secretary of State contained in the Sustainable and Secure Buildings Act 2004 to the regulator.

Clause 4

LORD STUNELL
BARONESS PINNOCK

Page 3, line 19, at end insert—

“(3A) In any higher-risk building within the meaning of subsection (3)(a) where works are proposed to be carried out that would require the regulator to be the building control authority by virtue of Part 4 the regulator shall be deemed to be the building control authority for all of those works.”

Member’s explanatory statement

This amendment would require that in any higher-risk building the whole of any works undertaken are within the scope of one building control authority only.

Clause 5

LORD STUNELL
BARONESS PINNOCK

Page 3, line 26, at end insert –

- “(2) The regulator must within two years of this section coming into force carry out and publish an assessment of the benefits and costs of measures on improving the safety of people in or about buildings relating to –
- (a) fire suppression systems;
 - (b) safety of stairways and ramps;
 - (c) certification of electrical equipment and systems;
 - (d) provision for people with disabilities.
- (3) The regulator’s assessment may –
- (a) make proposals in accordance with section 7(2) for regulations in respect of any of these matters, and
 - (b) identify and give notice of such other matters relating to safety of people in or about buildings that they determine require further examination.”

Member’s explanatory statement

This amendment seeks to ensure that major issues of public concern about safety in buildings are addressed in a timely way.

Clause 9

LORD STUNELL
BARONESS PINNOCK

Page 4, line 20, at end insert “(and any other function that the regulator considers appropriate)”

Member’s explanatory statement

This amendment seeks to allow flexibility in the operation of the Building Advisory Committee.

Clause 12

LORD STUNELL
BARONESS PINNOCK

The above named Lords give notice of their intention to oppose the Question that Clause 12 stand part of the Bill.

Clause 31

LORD STUNELL
BARONESS PINNOCK

Page 23, leave out lines 14 to 21 and insert –

- “(2) A proscribed connection in subsection (1) means any works that engage in whole or in any part the regulator as the building control authority by virtue of Part 4.
- (3) Where any works fall under subsection (2) the regulator must immediately give notice to the relevant local authority of the regulator’s appointment as the building control authority for those works.”

Member’s explanatory statement

This amendment would require that in any higher-risk building the whole of any works undertaken are within the scope of one building control authority only.

After Clause 129

LORD STUNELL
BARONESS PINNOCK

Insert the following new Clause –

“Public register of fire risk assessors

- (1) The Secretary of State must, by regulations, make provision for a register of individuals who are qualified to make fire risk assessments under article 9 of the Regulatory Reform (Fire Safety) Order 2005 (S.I .2005/1541) (risk assessment).
- (2) Those regulations must provide that only persons on the register may make such assessments.
- (3) Those regulations must provide that the register is –
 - (a) publicly available, and
 - (b) kept up-to-date.
- (4) Regulations under this section are –
 - (a) to be made by statutory instrument; and
 - (b) subject to annulment in pursuance of a resolution of either House of Parliament.”

Member’s explanatory statement

This new Clause would enable building owners and accountable persons to verify the competencies of fire assessors before appointing them to conduct fire safety assessments required by this Bill, and would enable government and industry to assess the numbers of assessors to be trained.

BARONESS FINLAY OF LLANDAFF

Insert the following new Clause –

“Carbon monoxide detectors and alarms

- (1) Where necessary (whether due to the features of the premises, the activity carried on there, any hazard present or any other relevant circumstances) in order to safeguard the safety of relevant persons, the responsible person in relation to any premises must ensure that the premises are, to the extent that it is appropriate, equipped with carbon monoxide detectors and alarms.
- (2) “Relevant persons” means –
 - (a) any person (including the employer) who is or may be lawfully on the premises; and
 - (b) any person in the immediate vicinity of the premises who is at risk from a fire on the premises.
- (3) “Responsible person” means –
 - (a) in relation to a workplace, the employer, if the workplace is to any extent under their control;
 - (b) in relation to any premises not falling within paragraph (a) –
 - (i) the person who has control of the premises (as occupier or otherwise) in connection with the carrying on by them of a trade, business or other undertaking (for profit or not); or
 - (ii) the owner, where the person in control of the premises does not have control in connection with the carrying on by that person of a trade, business or other undertaking.”

Member’s explanatory statement

This would place a duty on the responsible person to ensure that CO detectors and alarms are provided where appropriate.

After Clause 133

BARONESS HAYMAN OF ULLOCK

Insert the following new Clause –

“Property energy efficiency

The Secretary of State must, in making regulations under section 1 of the Building Act 1984 for the purpose building safety, have consideration for the impact on energy efficiency.”

After Clause 135

LORD SHIPLEY

Insert the following new Clause –

“Permitted development

Nothing in the Town and Country Planning (General Permitted Development) (England) Order 2015 (S.I. 2015/596) permits development which would convert offices to residential accommodation if such development is contrary to the provisions of this Act.”

After Clause 1

LORD STUNELL
BARONESS PINNOCK

Insert the following new Clause –

“Report on safety of people in or about buildings

- (1) The Secretary of State must –
 - (a) for the period of two years beginning with the commencement of this section, and
 - (b) for each succeeding period of two years,prepare a report on progress in England during the period in connection with the purposes set out in section 1(1).
- (2) A report under this section must in particular deal with –
 - (a) building regulations made during the period for any of those purposes;
 - (b) proposals current at the end of the period to make building regulations for any of those purposes;
 - (c) effects or likely effects of regulations or proposals dealt with in the report under paragraphs (a) and (b);
 - (d) proposals submitted by the building safety regulator to the Secretary of State but not proceeded with during the period;
 - (e) overall changes during the period in –
 - (i) the building types and number of buildings deemed higher-risk by virtue of section 62;
 - (ii) the proportion of higher-risk buildings without a building assessment certificate displayed in accordance with section 79;
 - (iii) the efficacy of the building regulatory system for buildings other than higher-risk buildings in achieving the purposes set out in section 1(1);
 - (iv) the number of persons who are currently certified Fire Risk Assessors and Building Safety Managers.
- (3) The Secretary of State must lay before Parliament a copy of each report prepared under this section.”

Member’s explanatory statement

This new Clause seeks to ensure transparency and accountability to Parliament of the enhanced building regulation regimes.

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11 February 2022
