



Department for
Communities and
Local Government

Triennial Review Report: Building Regulations Advisory Committee

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Triennial Review Report: Building Regulations Advisory Committee

Reviewing the function, form and governance of the Building Regulations Advisory Committee

Executive Summary

On 9th January 2013, the Department for Communities and Local Government announced through a written ministerial statement that it intended to carry out a review of the Building Regulations Advisory Committee. This review followed the triennial review process set out by Cabinet Office for reviewing Non-Departmental Public Bodies. The review had two aims:

- To determine whether there was a continuing need for this advisory committee to continue as a Non-Departmental Public Body and;
- If it was agreed that it should continue, to review the control and governance arrangements in place to ensure it complied with the principles of good corporate governance.

In light of the modest size of this advisory committee, the department adopted a light touch approach and the review was conducted by two departmental officials who were independent of it. They were supported by a further official who worked closely with the Building Regulations Advisory Committee and reported the findings to an internal challenge group comprised of senior officials.

The review team sought views from a wide range of external partners and interested parties. (see Annex E) all of whom were asked a standard set of questions (see Annex F). Most of those surveyed submitted written evidence but a small number were interviewed by the review team.

The review team concluded that this advisory committee performed a technical function which needs external expertise to deliver and so should be retained.

The review team also concluded that this advisory committee did comply with the principles of good corporate governance and represented good Value for Money *'The Buildings Regulations Advisory Committee must be one of the best value £10ks in public life. As a paid-for external consultancy it would be at least ten times that, and it is run at less cost than one additional professional grade civil servant.'*

It was though felt that the department should look at trying to make more use of the expertise of Committee members and consider ways to make the work of the Committee more visible to the public and interested parties.

Introduction

Aims of the review

It is government policy that a non-departmental public body should only be set up or remain in existence, where the model can be clearly evidenced as the most appropriate and cost-effective way of delivering the function in question.

In April 2011, Cabinet Office announced that all non departmental public bodies still in existence following the reforms brought about by the Public Bodies Act would have to undergo a substantive review at least once every three years. The first year of these reviews would be 2011-12. These triennial reviews would have two purposes:

1. To provide a robust challenge of the continuing need for them – both their function and their form, employing the ‘three tests’ discipline; and
2. Where it is agreed that a particular body should remain as a Non-Departmental Public Body, to review the control and governance arrangements in place to ensure that the public body is complying with recognised principles of good corporate governance.

All triennial reviews are carried out in line with Cabinet Office guidance “Guidance on Reviews of Non Departmental Public Bodies”, June 2011. This guidance states that reviews should be:

- **Proportionate:** Reviews must not be overly bureaucratic and should be appropriate for the size and the nature of the Non-Departmental Public Body in question;
- **Timely:** Reviews should be completed quickly – the first stage ideally within three months – to minimise disruption to their business and reduce uncertainty about its future;
- **Challenging:** Reviews should be robust and rigorous. They should evidence the continuing need for individual functions and examine and evaluate as wide a range as possible of delivery options;
- **Inclusive:** Reviews should be open and inclusive. Individual Non-Departmental Public Bodies must be engaged in reviews, and key users, external partners and interested parties should have the opportunity to contribute to reviews. Parliament must be informed about the commencement and conclusions of reviews.
- **Transparent:** All reviews should be announced and all reports of reviews should be published; and
- **Value for Money:** Reviews should be conducted in a way that represents value for money for the taxpayer.

Background on the Building Regulations Advisory Committee

The Building Regulations Advisory Committee for England was originally established in 1962 under Section 9 of the Public Health Act 1961 – now superseded by Section 14 of the Building Act 1984 – to advise the appropriate Secretary of State on the exercise of his power to make building regulations, and on other related matters. Under this legislation the Secretary of State has a statutory obligation to appoint a Building Regulations Advisory Committee (for England) and to consult the Committee (and other relevant bodies) before making any building regulations containing substantive requirements.

This body is classified as an advisory non-departmental public body and is also designated as a Scientific Advisory Committee.

Advisory Non-Departmental Public Bodies are set up to provide independent expert advice to ministers on an ongoing basis. They are usually established administratively - although some are set up by statute. They are formal, standing bodies with a defined remit, membership and terms of reference. (“standing” is defined as a lifespan of at least three years).

The Building Regulations Advisory Committee’s Function / Role

The Committee’s role is to give independent expert advice and views to the Secretary of State and other ministers on matters related to building regulations. In practice, the Committee is also used by the Secretary of State as a sounding board on a wide range of building regulations and other related issues, and its advice is sought on the development of policy proposals (pre-consultation), as part of the formal consultation process and on the implementation of proposals (post-consultation) .

The Committee’s main business is dealt with in three full day meetings per year at the Department for Communities and Local Government (DCLG) in February, June and October. The Committee also assists DCLG in the development of detailed proposals via its working parties. The Committee convenes working parties when appropriate to help formulate its advice and develop policy and technical proposals relating to building regulations. Working parties are usually appointed at a main Committee meeting by calling on volunteers from the membership, who will work alongside departmental officials and co-opted experts from the building industry and other external partners. Members are expected to contribute to the work of working parties, including taking on the role as Chairman.

The Committee also has an annual ‘strategy day’ for members to consider strategic or key topical issues. In addition to its main meetings, working parties and strategy meetings the Committee also proffers advice in response to requests from DCLG in correspondence, usually via email.

Membership and Responsibilities

The Committee consists of 17 members (at annex A) who are appointed by the Secretary of State for the Department for Communities and Local Government (DCLG), under Section 14(1) of the Building Act 1984. Members are appointed on a voluntary and independent basis, so are unpaid for their time, to represent particular areas of expertise and experience, relevant to building regulations, rather than as delegates of particular organisations or interest groups.

Appointments to the Committee (i.e. all members, including the Chairman) are subject to open competition with full regard to the Commissioner for Public Appointments' Code of Practice for Ministerial Appointments to Public Bodies. Members must also abide by the seven Principles of Public Life as set out in the Code of Practice but also covered in the Members Handbook.

Secretariat and Sponsorship of the Committee

Sponsorship of the Committee is the responsibility of DCLG. The Committee is not grant-aided and has no resources of its own (i.e. budget, staff or accommodation) but its running costs are funded by the department's Building Regulations and Standards Division who also provide 'the Secretariat' for the Committee. The current budget for the running costs of the Committee is up to £10,000 per annum, which will be reduced to £7,500 for 2013/14. The actual spend for the last three years has been well below budget (see table below) and expenditure is mainly members' claims for travel to and from meetings, catering for meetings and venue/ room booking.

Year	Spend p/a
2010/11	£7,102.12
2011/12	£6,614.74
2012/13	£3,820.14

The main tasks of the Committee's Secretariat include:

- operating the procedures for recruitment exercises for the ministerial appointment of members,
- making arrangements for main Committee meetings and strategic days, including preparing/co-coordinating and circulating agendas, briefings, papers and minutes;
- arranging for publication of documents in accordance with the publication scheme and co-ordinating production of annual reports and other publications
- processing expenses claims and overseeing the budget

The Building Regulations Division also meets the staff costs of the secretariat duties for this committee from within its staff resources. It is difficult to fully cost the resource required for this secretariat function because it can be cyclical in nature with several DCLG officials having varied levels of involvement and engagement at different times within it, for example, more resource is involved over the month prior to and the weeks immediately after the formal meetings than at some other times. It has though been

estimated to be roughly equivalent to the cost of 1 HEO overall, approximately £32,000 per annum.

Building Regulations Advisory Committee's Recent Work Programme

DCLG issued a consultation in January 2012, on proposals for changes to technical and procedural aspects of the Building Regulations to ensure they remain proportionate and fit-for-purpose and with a particular focus on reducing the regulatory burden and delivering even better levels of compliance. The key aspect of the Committee's work programme over the last 18 months has been to provide advice on the development of the policy proposals (pre-consultation), as part of the formal consultation process and on the implementation of proposals (post-consultation). The Committee has provided oversight, challenge and advice on both the pre and post-consultation policy work and its relevant working parties provided the detailed technical input into the development of policy proposals and post consultation implementation, including changes to guidance in Building Regulations Approved Documents.

There were 5 main meetings of the Committee in the 18 month period from October 2011 to March 2013 at which it was consulted and provided comments and advice on the papers / issues detailed [at Annex B].

During the same period there were also 8 Working Party meetings and informal groups on Part B (Fire Safety), Part L (Conservation of Fuel and Power), Part P (Electrical Safety), and Behavioural Change and The Building Control System. Some case studies highlighting examples of the work and input from the working parties are at Annex C.

The Review: Stage One

Process

This review was conducted by Nick Atkinson (DCLG Head of Arms Length Bodies Reform & Governance) and Matt Prior (Corporate Performance – Project and Programme Management Centre of Excellence & Departmental Gateway Co-ordinator)

Stephen Porter as the Building Regulations Advisory Committee sponsor provided the lead role for the committees input supported by their Senior Responsible Owner Bob Ledsome, Deputy Director Building Regulation & Standards

An Internal Challenge Group was set up to provide independent challenge to the review process and to consider the conclusions and recommendations of the review team. The challengers were Sue Higgins (Director General of Finance & Corporate Services) as Senior Responsible Officer for Reform & Governance of the department's Arms Length Bodies; Jon Bright (Director, Homelessness & Support, Building Standards & Climate Change) and Stephen Aldridge (Director, Analysis & Innovation and Acting Chief Scientist).

The review team also consulted with the DCLG Select Committee as part of its engagement with and evidence gathering from interested parties.

The Building Regulations Advisory Committee was announced with a written ministerial statement on 9th January 2013

The review terms of reference is attached at Annex D

Evidence and Stakeholder Engagement

The full list of external and interested parties consulted is included in Annex E, and the full list of questions all of them were asked is at Annex F. This consultation process also included the relevant Select Committee for DCLG.

Review Findings – (a) Future Need for the Function

Without exception, everyone the review team interviewed or who responded to the consultation felt that there was still a need for ministers to get independent advice on Building Regulations. It was made clear that building regulations are complex and highly technical and it is vital that they are designed properly and are able to be implemented by the construction industry. Respondents were keen to point out that the committees' work has real world implications both in terms of building safety and integrity but also influences the cost of construction. Some respondents also thought that abolishing it could be perceived as government sending a signal that it places less importance on regulations and that compliance would fall as a result.

'In such a complex landscape, without independent advice from a body of experts drawn from industry sectors, DCLG ministers would not be in a position to publish well formed balanced regulations/standards'.

Respondents also made it clear that the role of the Committee was not solely about creating new regulations but it was also playing a big role in helping the government to

deregulate the construction industry by providing advice to ministers on areas where regulations could safely be removed or made less onerous.

'Strong independent advice to DCLG ministers on building regulations is imperative particularly given the drive for regulatory reform and deregulation'

Respondents said that if THIS advisory committee did not exist then effects would begin to be felt quite quickly, with the main impact being that there would be a decreased trust and confidence in building regulations. They said that was a risk that regulations could start to be, or be perceived as, discriminating against or in favor of a certain section of the industry or type of solution which would increase the likelihood of non-compliance eroding building safety.

'This advisory committee acts as a sanity check for proposals'

Respondents said that the key feature of the Committee was that it was comprised of members who actually worked in the building industry and so are up to date with changes in the industry and building practices. They also said that because its role is well understood within the industry and because it attracts some of the leading experts, changes in building regulations are more easily accepted and there are fewer objections to consultations because people understand that the Building Regulations Advisory Committee has already been involved and has reviewed the proposed changes and it had a similar positive impact for the minister being able to say that they have been consulted on any changes they wish to introduce.

In addition to the role set out in statute, the Building Regulation Advisory Committee is also part of the department's Emergency Response and Resilience function. The expertise of Committee members means that they could be called upon to advise ministers in the event of significant building collapse.

A number of interviewees also pointed out that through this advisory committee the department is getting consultancy advice which it would otherwise have to pay for and this should be accounted for if a decision were taken to abolish it. The general feeling was that that there was no justification for reform solely on the basis of cost.

'The Buildings Regulations Advisory Committee must be one of the best value £10ks in public life. As a paid-for external consultancy it would be at least ten times that, and it is run at less cost than one additional professional grade civil servant.'

Review Findings – (b) Assessment of Possible Delivery Models

Any move to a new model would require primary legislation as the role of the Building Regulations Advisory Committee is set in statute where a number of respondents suggested that their statutory nature gives it some additional kudos which means that it attracts a higher caliber of members than may be the case if it became non-statutory.

'There aren't many people who have the credibility and profile to be seen as authoritative and it is important that this advisory committee has the status to attract this type of person'

That said, it is possible to think of a number of alternative delivery models and the review team asked interviewees and respondents to the consultation for their views on what the alternatives might be.

- 1) Abolish – As the section above demonstrates, none of the external partners and interested parties consulted believed that the function could be abolished.

Everybody the review team spoke to was clear that there is a continuing need for ministers to get high quality advice on Building Regulations. A number of respondents stressed that there was even more important to get advice right at a time when the government was pursuing a deregulatory agenda.

It is a useful and effective 'shield' for ministerial decision-takers and it is as cheap as chips. It would be damaging reputationally for this body to be disbanded.

- 2) Bring in-house – This option was thought to be feasible by some interviewees but the reviewers do not consider it to be a viable option because delivery partners raised a number of possible issues with its operation such as the fact that DCLG would need to substantially increase its staff resources in order to replicate the expertise that the Committee currently provides and that building practices can change rapidly, so the knowledge held by Civil Servants is likely to quickly go out of date, which will detrimentally affect the quality of the regulations which are produced in-house. The interviewees who suggested this model also felt that the department would need some form of external Committee of outside experts to support it which would probably cost more than the current committee and would quickly turn into a Non Departmental Public Body if it ended up becoming a standing committee.

'There is a risk with any alternative model that we will end up re-inventing this advisory committee'

- 3) Merge with another body – A number of respondents thought that it might be possible for this advisory committee to be merged with one of the Trade Associations. Although they were sure this would be welcomed by the association with which it was merged, other associations may come to believe that the Committee was not impartial and acting in the best interests of everyone. Respondents also thought that there was a risk that public confidence in building regulations would become damaged over time. Based on these discussions the reviewers feel that this option isn't a viable alternative to the current model either principally because of the reputational nature of most of the issues raised.

Servicing the Building Regulations Advisory Committee from DCLG has the advantage of very short lines of communication between them and departmental experts. Transferring its servicing to another body at the same cost must inevitably lead to less activity, simply because of the notional level of costings at present would be very unlikely to be achievable, and there would be an additional communications step introduced.

- 4) Stakeholder Committee – Some respondents suggested that the function that this advisory committee provided could be delivered via a stakeholder committee. These committees could be convened on a one-off basis to consider a particular issue or a Committee could be set up as a Ministerial Sounding Board. The advantage outlined here would be that it would not have Non-Departmental

Public Body status and so would not create the same burdens associated with the running of these organisations though respondents reiterated the above points about the limited nature of these burdens. They also felt that this option would not deliver the impartiality that this advisory committee is seen to bring and as they would be temporary organisations they could fade away over time and may struggle to attract the big hitters that this committee does. Although there could be an advantage the reviewers felt that the potential disadvantages raised were significant enough for it not to be a viable alternative option.

- 5) Delivery via a new Executive Agency – The reviewers completely endorse the views of respondents where nobody questioned thought that this was a realistic option given the small size and part time nature of the Committee. It would not be a cost effective option even if the department spun out all of its Building Regulations team into a separate agency. This would also suffer from the same problems with currency of knowledge that bringing the work in house would create.
- 6) Continued delivery by a Non-Departmental Public Body – This was the option which was favoured by everyone we interviewed and everyone who responded to the consultation, and although a number of alternative models were suggested, the reviewers agree with that assessment based on the evidence gathered and discussion held.

'I can't believe that DCLG are able to get so much for so little'

It is clear that under the current arrangements, the department is getting extremely good value from the Committee and a considerable amount of free consultancy advice.

'This committee has already been streamlined and the model works, so if it isn't broke don't fix it'

The Three Tests

Cabinet Office has set three tests for continued delivery by a Non-Departmental Public Body and any organisation must pass at least one of these tests in order for it to continue to function in that manner. The three tests are:

- 1) The body performs a technical function (which needs external expertise to deliver)
- 2) The body performs a function which needs to be, and be seen to be, delivered with absolute political impartiality (such as certain regulatory or funding functions);
- 3) The body performs a function which needs to be delivered independently of ministers to establish facts and/or figures with integrity.

In the Public Bodies Review of 2010 the Business Regulations Advisory Committee was seen as clearly meeting the first test. In this review respondents were unanimous that this advisory committee continued to meet the first test. A number of respondents also felt that they also met the second and third tests, particularly the second – that this committee performed a role which needed to be politically objective rather than neutral.

'It is self evident that DCLG does not have the necessary expertise within the department'

Conclusions of Stage One

The review team does not believe that it is possible for DCLG to deliver robust building regulations without some degree of external support. It is clear from the feedback we gathered during the review that the department does not have the necessary expertise and experience in-house and so a technical advisory committee will continue to be required. It was also clear that an organisation of independent members carried a number of advantages over the possible alternatives – such as merging the Building Regulations Advisory Committee with an organisation outside of central government. The current model also presents a significant advantage in pure cost and VFM terms and it is unlikely that we would be able to leverage the same level of what is in effect free consultancy advice if we moved to a different model.

It is the opinion of the review team that this advisory committee fulfills at least one of the three tests – it performs a technical function needing external expertise to deliver, which Cabinet Office has set as necessary for a body to continue as a Non-Departmental Public Body.

Given the extremely low costs of the current arrangements, the valuable work which the Building Regulations Advisory Committee has done and continues to do, the expertise of its membership, and the disadvantages of alternative options **the review team recommend that it is retained as an Non-Departmental Public Body**

The review team does believe that there is an opportunity to make more use of the knowledge and expertise of the members and some recommendations for improvement are set out in the second section of this report.

In undertaking this triennial review, the review team has sought to make the process as light touch as possible, proportionate to the size and spend of the body. Nonetheless, even a very light touch approach could be seen as disproportionate given the extremely small level of spend - only £3,820 in 2012/13. In addition, the outcome of this review has been very conclusive with an extremely strong case for retention of the body as a Non-Departmental Public Body

The review team therefore recommend that the value for money case is considered before embarking on future reviews and that where reviews are undertaken, these should be initially confined to a desk based review of previous evidence with more detailed work only being undertaken where there is reasonable evidence that the position may have changed since the last review.

The Review: Stage Two

As the recommendation of stage one was that the Building Regulations Advisory Committee should be maintained as a Non-Departmental Public Body the review moved on to stage two and considered their adherence to the principles of good corporate governance. To do this the review followed the guidance published by the Cabinet Office in December 2012 on good corporate governance for Advisory Non-Departmental Public Bodies which sets out the principles of accountability, roles and responsibilities, communications and conduct and behaviour against which this committee was considered. The guidance can be found by following the links:

http://old.cabinetoffice.gov.uk/sites/default/files/resources/Advisory_NDPBs_corporate_governance_arrangements_Dec12.pdf

Accountability

Principle: The minister is ultimately accountable to Parliament and the public for the overall performance, and continued existence, of the advisory Non-Departmental Public Body

The review considered that the Building Regulations Advisory Committee complies with this principle. The minister and sponsoring department applies scrutiny and oversight of this advisory Non-Departmental Public Body where appropriate. All appointments to this committee are made in line with statutory requirements and follow the Code of Practice issued by the Commissioner for Public Appointments. The minister appoints the chair and all members, and has the ability to remove individuals whose performance or conduct is unsatisfactory. They also meet the committee chairman on a regular basis to discuss key issues. Where appropriate, Parliament and the public will be informed about the work carried out by them and this committee publishes an annual report. The Building Regulations Advisory Committee also complies with all Data Protection legislation together with the Public Records Acts.

Roles and Responsibilities

Principles: The departmental board ensures that there are appropriate governance arrangements in place for the advisory Non-Departmental Public Body. There is a sponsor team within the department that provides appropriate oversight and scrutiny of, and support and assistance to this committee.

The review considered that the Building Regulations Advisory Committee complies with this principle. All members are required to follow the member's handbook which sets out the expectations and requirements for membership. Within that this advisory committee operates under a formal terms of reference which is kept under regular review. The Building Regulations Advisory Committee Secretariat is the dedicated sponsor team, and within the members handbook these roles and responsibilities are clearly set out. There is also regular and ongoing dialogue between the sponsoring department and the advisory committee in the form of meetings, e-mails and, when needed, phone calls.

Role of the Chairman

Principle: The chairman is responsible for leadership of the advisory Non-Departmental Public Body and for ensuring its overall effectiveness.

The review team considered that this principle is met as the Non-Departmental Public Body is led by a non-executive chairman who is appointed following a formal, rigorous and transparent process which is compliant with the Code of Practice and where the role and responsibilities of the chairman are clearly defined from the outset. They will ensure that all new members undergo a proper induction process, and are responsible for assessing members' performance. A key responsibility of the chairman is to ensure the committee carries out its business efficiently and effectively taking proper account of advice given on guidance provided by the department or ministers. The Chairman also has the responsibility for ensuring that the views of the Non-Departmental Public Body are available to the general public when required.

Role of Other Members

Principle: The members should provide independent, expert advice.

The review team considered that the Building Regulations Advisory Committee met this principle as there is a formal and transparent process for the appointment of new members which is compliant with the Code of Practice and Office of the Commission for Public Appointments guidance. All members are appointed independent from the department. As far as possible members are drawn from a wide range of diverse backgrounds, for example, when new positions on the committee become available DCLG will try and reach as wide an audience as possible. The key duties, terms of office and remuneration of members are clearly set out in the members' handbook, which is provided to all members on joining the committee. Members are also made aware that they must be able to allocate sufficient time for serving on this committee and playing a full role in its work.

Communications

Principle: The advisory Non-Departmental Public Body should be open, transparent, accountable and responsive.

The review considered that this advisory committee complies with this principle as the advisory Non-Departmental Public Body operates under the requirements of the Freedom of Information Act 2000. This includes a commitment to openness and transparency that ensures clear and effective channels of communication are set with key external partners and interested parties. This may be done by written communication or in the form of annual meetings which are made available to the public when the information can be downgraded and made publicly available. As part of this all members political activities are declared upon their appointment to this advisory committee.

Conduct and Behaviour

Principle: Members should work to the highest personal and professional standards. They should promote the values of the advisory Non-Departmental Public Body and of good governance through their conduct and behaviour.

The review considered that this advisory committee complies with this principle as all members are made aware of the Code of Conduct which is in place and sets out the standards of personal and professional behaviour expected. This is also available in the members' handbook, which, in addition, sets out the clear rules and procedures for

managing conflicts of interest, the rules governing the claiming of expenses (where the secretariat also has effective systems in place for managing and monitoring them), the rules and guidelines in place on political activity monitoring and the rules for members to follow regarding the acceptance of appointments.

Conclusions

This section should set out clearly the conclusions and recommendations from stage two of the review.

Areas for further consideration:

Make more use of the expertise of Committee Members

'The Building Regulations Advisory Committee could become an even more effective gatekeeper for a holistic and robust review of any suggested changes to Building Regulations/Approved Documents'

A number of respondents to the review suggested unprompted, that the department could make more use of the knowledge and expertise of the members of this committee. They pointed out that because this committee covers such a broad range of topics, some members will have expertise which would be useful to officials who are, for example, developing housing policy or working on the Green Deal.

Officials should give further thought about areas where input from the Building Regulations Advisory Committee as a whole or individual Committee members would be welcome.

Publicise the Committee better

Some interviewees suggested that the Buildings Regulations Advisory Committee could be given more publicity and thought that if there was greater awareness of the areas which this committee was examining then it might cut the risk of duplication with work being carried out by related bodies such as trade associations. One of the difficulties in carrying out this review was that not many external people or organisations felt that they knew enough about the work to want to contribute to a review.

'It's not an issue for [my organisation] but people must wonder what this advisory committee do'

This is not a significant concern as the Committee is clearly meant to be departmental facing and is set up to advise ministers. However, some interviewees said that they would like to know more about the broad areas the Committee is working on – they accepted that some of the Committee's work was confidential but pointed out that if they knew the broad areas of work then it might mean that other bodies focused their attention on different areas. The department does put the papers from the meetings and the Annual Report on the .gov.uk website but this may not be enough.

Officials should give some further thought to ways in which they can make the work of the Committee more visible.

Support the Building Regulations Advisory Committee to become even more effective

'This committee can be reactive – it sometimes waits for us to suggest things for it to look at'

The Building Regulations Advisory Committees role is clearly set out in statute to advise ministers but a number of interviewees felt that they should be able to set their own agenda to a greater extent than it has been doing. A number of interviewees supported the recent move made by the Committee to take a more strategic approach and this should be encouraged. Everyone the review team spoke to was very positive about the work that this advisory committee does and the recent changes it has made, and the department should ensure that it has the support to continue with this. This might include providing them with some additional support from officials.

Officials should work with the chairman of this committee and its members to consider ways in the Committee can be supported in order to maximise its effectiveness

Annex A: Current Committee Membership

Member	Current Business	Area(s) of expertise
Neil Cooper (Chairman)	Managing Director MLM Building Control Ltd; Member CIC Approved Inspector Management Board	Private Sector Building Control; Chartered Surveyor
Tracey Aarons	Corporate Manager - Built Environment, Mendip District Council	Public Sector Building Control; Housing
Prof Keith Bright	Emeritus Professor of Inclusive Environments (The University of Reading)	Access and Inclusion Consultant on issues relating to the Built Environment
Peter Caplehorn (Deputy Chairman)	Technical Director, Scott Brownrigg (architectural practice)	Architecture (particularly commercial & non-domestic)
Alan Crane, CBE	Chairman, 3C's Construction Industry Consultants. President of Chartered Institute of Building	Construction Industry; Builder & Chartered engineer
Nicholas Cullen	Research and Development Partner, Hoare Lea & Partners, Chartered Engineer; Fellow CIBSE	Building Design Engineering; Sustainable Construction
Andrew Eastwell	Chief Executive Officer of Building Services Research & Information Association (BSRIA)	Sustainability, Research & Development, Chartered Engineer, Air Tightness
Clifford Fudge	Technical Director of H+H UK Ltd Product Manufacturer.	Chartered Structural Engineer, Construction Products, BSI & CEN Committees
Trevor Haynes	Operational Director, ACIVICO Ltd	Building Control, Chartered Surveyor, Chartered Builder, Chartered Environmentalist
Adrian Levett	Consultant in Change Management	Consumer Protection; Trading Standards
Emma Clancy	CEO at Ascertiva Group (3rd party certification company which runs Quality Management, CPS and Microgeneration Certification Schemes). Director of Trustmark	Electrical Safety, Consumer Issues

David Mitchell	Technical Director, Home Builders Federation	Housebuilding
Andrew Shipley	Policy Manager, Equality and Human Rights Commission	Access needs of disabled people and the Built Environment
Neil Smith	Group Research and Innovation Manager at National House-Building Council (NHBC)	Sustainability, Research & Innovation, House Building, Chartered Surveyor, Chartered Builder, Chartered Environmentalist
John Tebbit	Industry Affairs Director, Construction Products Association. Non Executive Director, Robust Details	Construction Products; Chartered Civil Engineer
Paul Timmins	Managing Director of Approved Inspector Services Ltd. Member of the CIC Approved Inspector Management Board	Private Sector Building Control, Chartered Surveyor
Stephen Wielebeski	Divisional Development Director for Miller Homes. Chartered Environmentalist. Chair of the HBF National Technical Committee.	Construction and Housebuilding Industry; Chartered Builder; Professional Engineer

Annex B: Papers Issued from October 2011 to February 2013

Paper Ref. (P) = protected (U) = unclassified	Title
Building Regulations Advisory Committee (11)P24(P)	Building Control System: Update on Proposed Changes
Building Regulations Advisory Committee (11)P26(P)	Report by THIS ADVISORY COMMITTEE Technical Working Party on the Review of Part P (Electrical safety in dwellings) of the Building Regulations
Building Regulations Advisory Committee (11)P27(P)	Report by THIS ADVISORY COMMITTEE Technical Working Party on the Review of Part L (Conservation of Fuel and Power) of the Building Regulations
Building Regulations Advisory Committee (11)P28(P)	Update on the Review of all Technical Parts of the Building Regulations (other than Parts L and P)
Building Regulations Advisory Committee (11)P29(P)	Progress Update on the Development of Policy on Zero Carbon Buildings
Building Regulations Advisory Committee (11)P30(P)	Updates Related to Building Regulations / Standards from Northern Ireland, Scotland and Wales Administrations
Building Regulations Advisory Committee (11)P31(U)	Building Regulations and Standards – information updates (information paper)
Building Regulations Advisory Committee (11)P32(U)	Casework – Statutory Determinations and Appeals (information paper)
Building Regulations Advisory Committee (12)P1(P)	Update on 2012 Consultation on Changes to the Building Regulations
Building Regulations Advisory Committee (12)P2(P)	Red Tape Challenge: Update on Progress
Building Regulations Advisory Committee (12)P3(P)	Building Regulations & Standards Division Research and Development Programme 2012/13
Building Regulations Advisory Committee (12)P4(P)	Part L (Conservation of Fuel and Power) Consultation : Consequential Improvements for Existing Buildings
Building Regulations Advisory Committee (12)P5(P)	Encouraging Behaviour Change to Reduce Household Energy Use and Support Take-Up of the Green Deal
Building Regulations	Competent Person Schemes and the Green Deal – Proposals for

Advisory Committee (12)P6(P)	new conditions of authorization
Building Regulations Advisory Committee (12)P7(P)	Updates Related to Building Regulations / Standards from Northern Ireland, Scotland and Wales Administrations
Building Regulations Advisory Committee (12)P8(U)	Building Regulations and Standards – information updates (information paper)
Building Regulations Advisory Committee (12)P9(U)	Parliamentary Questions (information paper)
Building Regulations Advisory Committee (12)P10(P)	Red Tape Challenge: Further Update on Progress
Building Regulations Advisory Committee (12)P11(P)	Responses to the 2012 Consultation on Proposed Changes to the Building Regulations- Section 1
Building Regulations Advisory Committee (12)P12(P)	Responses to the 2012 Consultation on Proposed Changes to the Building Regulations- Section 2: Conservation of Fuel & Power
Building Regulations Advisory Committee (12)P13(P)	Report by THIS ADVISORY COMMITTEE Technical Working Party on the Review of Part P (Electrical safety in dwellings) of the Building Regulations
Building Regulations Advisory Committee (12)P14(P)	2012 Consultation on Changes to the Building Regulations - updates to the Building Control System
Building Regulations Advisory Committee (12)P15(P)	Update on Overheating – The Case for Action
Building Regulations Advisory Committee (12)P16(P)	Update on Building Regulations & Standards Division Research and Implementation Programme 2012/13
Building Regulations Advisory Committee (12)P17(P)	Updates Related to Building Regulations / Standards from Northern Ireland, Scotland and Wales Administrations
Building Regulations Advisory Committee (12)P18(U)	Casework – Statutory Determinations and Appeals (information paper)
Building Regulations Advisory Committee (12)P19(P)	Building Regulations and Standards – information updates (information paper)
Building Regulations Advisory Committee (12)P20(P)	Amendments to Building Regulations for October 2012
Building Regulations Advisory Committee (12)P21(P)	Competent Persons Schemes
Building Regulations Advisory Committee	Competent Persons Schemes – Fit for Purpose?

12)P22(P)	
Building Regulations Advisory Committee (12)P23(P)	Proposed Building and Approved Inspectors (amendment) Regulations Including update on the Building Control
Building Regulations Advisory Committee (12)P24(P)	Update on the 2013 Review on proposed technical changes to the Building Regulations
Building Regulations Advisory Committee (12)P25(P)	Report by Technical Working Party for the Part L (Conservation of Fuel and Power) 2013 Review
Building Regulations Advisory Committee (12)P26(P)	Report by Technical Working Party for the Part P (Electrical Safety – Dwellings) 2013 Review
Building Regulations Advisory Committee 12)P27(P)	Triennial Review of THIS ADVISORY COMMITTEE
Building Regulations Advisory Committee (12)P28(P)	Updates Related to Building Regulations / Standards from Northern Ireland, Scotland and Wales Administrations
Building Regulations Advisory Committee (12)P29(P)	Building Regulations and Standards – information updates (information paper)
Building Regulations Advisory Committee (12)P30(P)	Competent Persons Schemes and the Gas Safe Register – update
Building Regulations Advisory Committee (12)P31(P)	Transposition of Recast of The Energy Performance of Buildings Directive
Building Regulations Advisory Committee (12)P32(P)	Cancelled paper
Building Regulations Advisory Committee (12)P33(U)	THIS ADVISORY COMMITTEE meetings in 2013 – dates and information
Building Regulations Advisory Committee (13)P1(P)	Update for the 2013 Review on Proposed Technical Changes to the Building Regulations
Building Regulations Advisory Committee (13)P2(P)	The Building Control System: Introducing Appointed Persons on a Voluntary Basis
Building Regulations Advisory Committee (13)P3(P)	Red Tape Challenge: Local Authorities carrying out Building Control Functions outside their boundaries
Building Regulations Advisory Committee (13)P4(P)	Update on the Housing Standards Review
Building Regulations Advisory Committee (13)P5(P)	Updates Related to Building Regulations / Standards from Northern Ireland, Scotland and Wales Administrations

Building Regulations Advisory Committee (13)P6(P)	Triennial Review of THIS ADVISORY COMMITTEE – Update
Building Regulations Advisory Committee (13)P7(U)	Casework – Statutory Determinations and Appeals (information paper)
Building Regulations Advisory Committee (13)P8(P)	Building Regulations and Standards – information updates (information paper)
Building Regulations Advisory Committee (13)P9(P)	Review of The Construction Industry Council Approved Inspector Register

Annex C: Case Studies

Building Regulations Advisory Committee Part P Technical Working Party

The Part P Technical Working Party played a key role in ensuring that DCLG proposals to reduce the bureaucracy and costs imposed by Part P on electrical contractors, building control bodies and consumers would be practical and cost-effective, and that the savings achieved would not undermine electrical safety in homes.

One of the major benefits of Part P has been to persuade around 40,000 electrical installers to register with competent person schemes so that they can self-certify compliance with the Building Regulations. To be allowed to register, installers must first show that they are competent to carry out electrical work in homes - that they have the necessary qualifications, knowledge and experience. To pass the assessment, many installers must first gain additional qualifications, the effect being to raise the overall competence of those engaged in domestic electrical work for gain. Part P also provides a route for DIYers to have work they carry out checked and approved by their local authority. DCLG were keen to ensure that proposals for cutting Part P red tape would not reduce the incentive for installers to register with competent person schemes or lead to an increase in electrical accidents. The high regard in which the Building Regulations Advisory Committee is held by the construction industry enabled us to assemble a working party with representatives from a broad cross-section of electrical, building services and house building bodies to provide expert advice.

The Technical Working Party was chaired by a consultant engineer from Hoare Lea and Partners (mechanical and electrical consulting engineers), with members drawn from:

- the Electrical Safety Council, a charity active in raising electrical safety standards in the home
- the Institution of Electrical Engineers, the professional body responsible for maintaining the UK standard for electrical installation work, BS 7671
- the DCLG-authorized competent person schemes responsible for assessing the competence of electrical installers and maintaining the scheme registers
- local authority building control bodies responsible for inspecting and approving electrical work by DIYers, jobbing builders and other unregistered electricians
- electrical engineers and consultants with experience of inspecting and testing electrical installations, sometimes on behalf of local authorities
- economists employed by DCLG to advise on the costs and benefits of proposed amendments to Part P.

The Outcomes of the Technical Working Party's Contribution to the Part P review were:

- greatly simplified and easier to understand Part P regulations and guidance
- improved compliance with Part P - through simplification of the rules, focusing on inspection and testing of riskiest jobs, and introduction of a third party certification route by qualified electricians
- annual savings to business of £14 million, and overall annual savings of £22 million

2013 Review - Approved Document A (Structure)

The department had identified that current specific guidance relating to the minimum depth of strip foundations in clay soils was outdated against current industry practice and acceptability. Strip foundations in cohesive soils make up a significant proportion of foundation types provided to new build construction and in particular housing construction. The departments original amendment proposals included a single minimum depth for adequacy of foundation against subsoil movements and clay heave/shrinkage. The Approved Document A (Structure), Advisory Group comprising expert external partners was able to advise that a graduated minimum depth approach was preferable comprising three graduations of depth of foundation based upon clay type. The department adopted this suggestion in the revised draft guidance that formed a part of the 2012 Consultation thus reducing cost of application of the revised guidance. The Consultation subsequently endorsed this proposal 100% of those external respondents replying to it.

In this way the Advisory Group was able to inform and input into proposed technical guidance changes improving the cost/benefit in an advantageous way and more closely aligning the proposed new technical guidance with current practice

2010 Review – Approved Document C (Site Preparation and Resistance to Contaminants and Moisture)

Although the 2010 Review of Approved Document A (Structure) and C (Site preparation and resistance to contaminants and moisture) was aborted in 2009 due to the need to await further pending input, the Working Party did provide very useful stakeholder input into the provision of basic radon membranes and their extent of use and particularly into the cost of providing basic radon membranes to new build housing. Previous information gleaned by the department suggested that the cost was £100 (with one or two commentators suggesting £500) per membrane installation whereas the working party was able to refine this to £250 per installation based upon stakeholder information. This information was taken through into the Impact Assessment for the 2013 Review and was confirmed by a later independent study as being more appropriate to the cost base for the proposed change of radon guidance. This cost base subsequently was applied to the Impact Assessment for the Approved Document C 2013 review.

In this case the Working Party helped resolve a critical issue relating to proposed change guidance and the associated cost of changing that guidance which has been carried through to the Approved Document C 2013 Review

The Building Regulations Advisory Committee Panel Support for Competent Persons Schemes Applications

In June 2012 DCLG invited applications to operate new Competent Person Schemes or to extend an existing scheme. Competent Person Schemes allow individuals and enterprises to self-certify that their work complies with the Building Regulations and so does not require approval by a Building Control body. The applications were assessed against specified conditions of authorisation, in particular considering whether the business models proposed are robust and technical competence adequately demonstrated. A panel of members taken from this advisory committee considered the assessments made by DCLG officials, providing an independent and well-informed challenge and thus ensuring that the recommendations were robust and technically sound. Legislation has subsequently been updated to include the successful applications. This means there is now a greater choice of work covered by Competent Persons Schemes and so now if a home owner chooses to employ an installer that is registered with a Competent Person Scheme to do such work then they will no longer not have to submit a building notice or full plans application and pay a fee to have Building Control inspect the work carried out.

Annex D: Terms of Reference of the Review

Review of the building regulations advisory committee a non departmental public body sponsored by dclg

Objective of the Review:

To carry out a “Triennial Review” of this Building Regulations Advisory Committee in accordance with Cabinet Office guidelines.

Background

A Triennial review is the Cabinet Office mandated process for reviewing the form and function of Non-Departmental Public Bodies, the appropriateness of the body’s delivery mechanism and its governance arrangements.

The two principal aims for Triennial Reviews are:

- To provide a robust challenge of the continuing need for individual Non-Departmental Public Bodies – both their functions and their form; and
- Where it is agreed that a particular body should remain as a Non-Departmental Public Body to then review the control and governance arrangements in place to ensure that the body is complying with recognised principles of good corporate governance.

In 2011 DCLG Secretary of State wrote to the Minister for the Cabinet Office confirming that the Building Regulations Advisory Committee will be reviewed during the second year of the triennial programme starting in November 2012.

Scope:

A Triennial Review consists of two stages - as per Cabinet Office guidance:

Stage 1: Assessment of continuing need for the advisory committee.

The review will:

- Identify and examine the key functions of the Building Regulations Advisory Committee and assess how these functions contribute to the core business of DCLG and, where appropriate, other government departments.
- Assess the requirement for these to continue.
- If continuing, then assess delivery options and where the conclusion is that a particular function is still needed; examine how this function might best be delivered, including a cost and benefits analysis where appropriate.

- If one of these options is continuing delivery through this advisory committee then make an assessment against the government's "three tests": technical function; political impartiality; need for independence from ministers.

Stage 2: Review of Control and Governance Arrangements

If the outcome of Stage 1 is that delivery should continue through this advisory committee, the second stage of the project will be to review Control and Governance arrangements. Working with the chairman of this committee, and their sponsorship team within DCLG, the review team will ensure that it is operating in line with the recognised principles of good corporate governance, as set down by Cabinet Office, covering:

- Accountability
- Roles/Responsibilities
- Financial Management
- Communications
- Conduct & Behaviour
-

All of this to be carried out in accordance with the Cabinet Office "comply or explain" standard approach.

Review Approach

Governance

The review is conducted on behalf of the Secretary of State and will be overseen by the minister responsible for Building Regulations and the DCLG Exec Team (represented by Director General of Finance & Corporate Services)

The review will include interviews with the Building Regulations Advisory Committee Sponsorship team, contributions from their key external partners and interested parties (e.g. individual committee members and industry representation as necessary) together with a review of relevant supporting documentation including relevant information from the outcome of the recent Building Regulations Red Tape Challenge. The review will also take account of any views expressed by the DCLG Select Committee and the Parliamentary Ombudsman

Emerging findings will be discussed with the Sponsorship management-team during the course of the review. At the end of the fieldwork an exit meeting will be held to bring the main findings of the review to management's attention at and to agree next steps and any action plan for implementing any recommendations made.

The review team will consist of:

Nick Atkinson (Head of Arms Length Bodies Reform & Governance) - Reviewer
Matt Prior (Corporate Performance – Project and Programme Manager Centre of Excellence & Departmental Gateway Co-ordinator) - Reviewer
Stephen Porter – Sponsor and lead role for input from this advisory committee.
Flora Orukpe – for Triennial Review process Assurance & Project Management.
The Building Regulations Advisory Committee Senior Responsible Owner: Bob Ledsome, Deputy Director Building Regulation & Standards

Internal Challenge Group: Findings will be reported to Sue Higgins (Director General of Finance & Corporate Services) as Senior Responsible Owner for Reform & Governance of the department's Arms Length Bodies; Jon Bright (Director, Homelessness & Support, Building Standards & Climate Change) and Stephen Aldridge (Director, Analysis & Innovation and Acting Chief Scientist).

The make up of the team for the **second stage** of the review may need to be different if necessary (i.e. finance input).

Communications:

Press Officer, Communications Directorate, Parliamentary Unit

Internal Delivery Partners and Interested Parties:

Permanent Secretary, through Private Secretary
Eric Pickles, Secretary of State, through Private Secretaries/Special Advisors
Don Foster, minister responsible for Building Regulations through Private Secretaries/Special Advisers

Peter Schofield - Director General – Neighborhood Groups
Jon Bright, Director, Homelessness & Support, Building Standards & Climate Change
Bob Ledsome, Deputy Director, Building Regulation & Standards
Sue Higgins, Director General - Finance & Corporate Services
Stephen Aldridge, Director, Analysis & Innovation and acting Chief Scientist
Dawn Brodrick, Director People Capability & Change
Elizabeth Whatmore, acting Director, Strategy and Performance Team

External Delivery Partners and Interested Parties

The Building Regulations Advisory Committee Membership
Cabinet Office – Payment by Results Programme Team, Triennial Review Team
Departmental Select Committee
Building Industry Groups
Chief Construction Advisor to government – (Peter Handsford from Dec 2012)
Scottish and Welsh – Business Regulation Advisory Committee Officials
Others whom The Buildings Regulations Advisory Committee may suggest

Major Deliverables

Initial scoping and planning complete and agreed
Terms of reference
Project plan / tracking timetable and high level risk register
Written Ministerial Statement
Final Report
Secretary of State writes to Cabinet Office Minister seeking his approval of the final report (before it is published)

Stage 1

A report to the Internal Challenge Group identifying whether the function of the Building Regulations Advisory Committees functions is still needed and, if so, how they could best be delivered.

Stage 2

If the outcome of the first stage of the review is that the Non-Departmental Public Body will remain, at the end of stage 2 - produce a final report to Parliament with recommendations regarding any aspect where delivery can be improved.

Review Project Schedule

Stage 1: Nov 2012 – End Jan 2013.
Stage 2: End Jan 2013 – March 2013

Project Methodology

The Review team will agreed the review plan and key milestones.

A Written Ministerial Statement will be laid in the Commons and Lords announcing the commencement of the Review. The departmental select committee will be informed at the same time.

A risk register will be developed.

This will be a relatively light touch review, since the Building Regulations Advisory Committee is a small advisory Non-Departmental Public Body of unsalaried Board members and a small sponsorship team in DCLG.

The draft report will be shared with Cabinet Office colleagues (Sara Rowden – Triennial Review Lead, Paula McDonald Deputy Directory – Payment by Results Programme and Emily Clarke – Account Management) to give them an opportunity to feed in any comments at official level, as and when appropriate their comments will be sought on interim reports.

Stage 1

Evidence gathering for Stage 1 will comprise of:

- a) A documents review encompassing papers from 2010 Public Bodies Review exercise, the Building Regulations Advisory Committee relevant statute, annual report etc;
- b) Meetings/teleconferencing with external partners and interested parties identified above;
- c) Written request for comments from departmental select committee, and Cabinet Office.

Opportunity for the Building Regulations Advisory Committee and sponsor team to comment on findings and factual accuracy of Stage 1 Report.

Stage 1 report written by Lead Reviewer to Internal Challenge Group.

Stage 2

If Review proceeds to Stage 2 evidence gathering will involve:

- a) Meeting of the reviewers and sponsor to go through Cabinet Office guidance and the Building Regulations Advisory Committee compliance with it;
- b) Further meeting/teleconference of the reviewers with the Chairman of the committee will cover any issues emerging from meeting with sponsor, and any advice the Chairman might have on challenges and risks to the effectiveness of this advisory committee.

Opportunity for the Building Regulations Advisory Committee and sponsor team to comment on findings and factual accuracy of draft report of Review.

Draft report of Review to the Internal Challenge Group in Feb 2013.

Consultation with Cabinet Office on draft report, submission of report to ministers, letter from DCLG Secretary of State to the Minister for the Cabinet Office seeking approval of the report before publication.

Inform departmental select committee of outcome.
Written Ministerial Statement laid
Copies of report laid in both Houses
Lead Reviewer to write up a “lessons learned” from the Review.

Timing and Costs

The pre-review will start in November 2012 and the final review report will be laid in both Houses in early 2013. The costs of the review are expected to be met from within existing budget. This is expected to be monitored and reported.

Annex E: List of External Partners and Interested Parties Consulted

David Silbert (Fire Brigades Union)
Paul Overall (Chief Executive, Local Authority Building Control)
John Slaughter (Executive Chairman, Home Builders Federation)
Nigel Barr (Chairman, Association of Consultant Approved Inspectors)
Michael Brown (The Chartered Institute Of Building)
Professor Jeremy Watson (Arup)
DCLG Select Committee
Rt Hon Nick Raynsford, MP
Rt Hon Andrew Stunell, MP
Hywel Davies (The Chartered Institution of Building Engineers)
Graham Perrior (National House Building Council)
Jo Allchurch (Local Government Association)
Graham Watts (Construction Industry Council)
UK Green Building Council
Royal Institute of British Architects
Department for Energy and Climate Change
Department for Environment, Food and Rural Affairs
Home Office
Louis Armstrong (The Royal Institution of Chartered Surveyors)
David Gibson (Association of Building Engineers)
Dennis Walker (Department for Business, Innovation & Skills)
Peter Whittington (Department for Business, Innovation & Skills)
Francois Samuel (Welsh Government)
Bill Dodds (Scottish Government)
Seamus McCrystal (Northern Ireland)
Stephen Wielebeski (Building Regulations Advisory Committee member / Miller
Homes Ltd)
Clifford Fudge (Building Regulations Advisory Committee member / H+H Homes Ltd)
Emma Clancy (Building Regulations Advisory Committee member / Chief Executive
Officer, Ascertiva Group)
Neil Cooper (Building Regulations Advisory Committee member / Chairman / Managing
Director of MLM Building Control Ltd)
John Tebbit (Building Regulations Advisory Committee member / Construction Products
Association)
Stephen Porter (Building Regulations Advisory Committee Secretariat)
Anthony Burd (Head of Technical Policy, DCLG)
Bob Ledsome (Deputy Director, DCLG)
Peter Schofield (Director General for the Neighborhoods Group, DCLG)
Shona Dunn (Director, Planning, DCLG)
Jon Bright (Director, Homelessness and Support, Building Standards and Climate Change,
DCLG)
Stephen Aldridge (Director of Analysis and Innovation, DCLG)

Tracey Aarons (Building Regulations Advisory Committee Member / Corporate Manager – Built Environment, Mendip District Council)

Keith Bright (Building Regulations Advisory Committee Member / Emeritus professor of Inclusive Environments)

Peter Caplehorn (Building Regulations Advisory Committee Deputy Chair / Technical Director, Scott Brownrigg)

Alan Crane (Building Regulations Advisory Committee Member / Chairman 3C's Construction Industry Consultants)

Nicholas Cullen (Building Regulations Advisory Committee Member / Research and Development Partner, Hoare Lea & Partners)

Andrew Eastwell (Building Regulations Advisory Committee Member / Chief Executive Officer of Building Services Research & Information Association)

Trevor Haynes (Building Regulations Advisory Committee Member / Operational Director, ACIVICO Ltd)

Adrian Levett (Building Regulations Advisory Committee Member / Consultant in Change Management)

David Mitchell (Building Regulations Advisory Committee Member / Technical Director, Home Builders Federation)

Andrew Shipley (Building Regulations Advisory Committee Member / Policy Manager, Equality and Human Rights Commission)

Neil Smith (Building Regulations Advisory Committee Member / Group Research and Innovation Manager at National House Building Federation)

Paul Timmins (Building Regulations Advisory Committee Member / Managing Director of Approved Inspector Services Ltd)

Annex F: List of Questions Asked

Question 1:

Is there a need for a body to provide independent expert advice to DCLG Ministers on matters relating to building regulations and if so why?

Question 2:

Bearing in mind the annual costs of running this committee (see background note above) do you consider the provision of its function is a justifiable use of taxpayers' money?

Question 3:

What do you consider would be the effect and cost, both actual and perceived, of not delivering the independent advisory role currently carried out by the Building Regulations Advisory Committee?

Question 4:

The Building Regulations Advisory Committee members are appointed on an independent basis to represent particular areas of expertise and experience, relevant to building regulations, rather than as delegates of particular organisations' or interest groups. Do you consider that level of independence is appropriate or necessary for the advisory function currently carried out by them?

Question 5:

Could the independent advisory role of this advisory committee be carried out by a different organisation or in a different way, for example by a non-statutory stakeholder forum or less formal ad hoc arrangements? What are the risks and benefits of moving the role or merging it with a different organisation, or with changing to a different type of model?

Question 6:

As part of its previous review of all Non-Departmental Public Bodies the government concluded in October 2010 that this advisory committee met one its "three tests" for continued delivery by a Non-Departmental Public Body, specifically that this advisory committee provides a technical function which needs external expertise to deliver. Do you consider that this advisory committee and its function still meets this test and/or one of the other tests.

Question 7:

Are there any other comments you wish to make about this advisory committee?