



Joint Competent Authority

(Different departments & geographical coverage but models exist to allow collaborative working)

Consisting of	Government Department	Relevant Legislation	Geographical Coverage	Comments
Local Authority Building Standards (<i>recognising the role of Approved Inspectors</i>)	MHCLG	Building Act Building Regulations	Local Authority boundaries, also shared services encompassing two or more council areas	Provide a framework for existing organisations to work together (procedural guidance for BC & F&RS an example).
Health & Safety Executive	BEIS	CDM Gas Safety Regulations	National & Local Authority boundaries	Create a virtual gateway system that requires consent/agreement/confirmation from ALL relevant regulatory bodies before continuing to next gateway. This to be an electronic process and operate within the JCA framework. (LABC development of existing CPS notification system).
Fire & Rescue Services	Home Office	Regulatory Reform (Fire Safety) Order	Regional - covering more than one Local Authority boundary area or part	Regional and/or local scrutiny committees consisting of representatives from the three identified services with support from LPA and Environmental Health as necessary can be activated for mediation.
Local Planning Authority (would need access to and provide advice to the JCA prior to key stage 1)	MHCLG	Town & Country Planning Acts	Local Authority boundaries, Unitary Authorities, shared County/District services and shared services encompassing two or more council areas (but not necessarily the same as building standards)	LABC recognise that this should be a structured and auditable approach, not just an electronic approach to existing practices. It will need robust testing against case studies.
Environmental Health (overlap with HSE) Would need access to relevant information held by the JCA for inspection and enforcement of occupied premises.	MHCLG/DEFRA	Housing Act 2004	Local Authority boundaries, also shared services encompassing two or more council areas (but not necessarily the same as building standards)	For risk to be minimised a national JCA will require local service delivery.

Key Stage	Report Recommendation	Current Provisions	Potential Issues	Comments
Local Planning Authority to Identify HRRB	Definition of HRRB	None	Definition and requirement to consult needs to be provided by government	Changes to Planning Policy Guidelines?
LPA required to identify HRRB	LPA to notify JCA	None	JCA to consist of the three bodies indicated above but each operates in different geographical area. LPA will need ready access to the JCA. A national JCA body will not have the necessary local knowledge.	Lead requirement at this stage is for external site access for F&RS therefore consult direct with local F&RS who in turn create a record for future reference with the JCA. Notifications and subsequent records can be facilitated by development of the existing LABC schema recognised and required by MHCLG for notification of work undertaken through Competent Persons Schemes. Identification of key issues at an early stage has potential to avoid delays in the construction process.
LPA to consult with JCA	Essentially for F&RS access to site (Para 2.27)	None	Involvement of local F&RS essential, national body should not impose provisions affecting local operation. No input necessary from other members of the JCA at this stage. Access provisions may need to be introduced as a relevant planning conditions. LPA records will need to reflect access provision for any future applications that may impact on them.	As above. May be necessary to introduce statutory provisions for consultation limitations and response period. Consider regional model.

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<p>Duty holder to submit plans to JCA</p>	<p>JCA to assess key safety risks, compliance with Building Regulations and 'golden thread' information</p>	<p>Notification required to be given to local authority (including by Initial Notice). For Local Authority, full plans required and compliance with Local Authority Charges Regulations.</p> <p>RRO requires BCB to consult with F&RS.</p> <p>Building Regulation 16 enables a local authority to notify the stages of work that require inspection.</p>	<p>No requirement for plans to be approved before work commences.</p> <p>No requirement for F&RS to respond to consultation.</p> <p>No requirement for HSE style identification of duty holders.</p>	<p>Change in legislation required to direct application to local authority, identify duty holders and prevent work starting prior to approval.</p> <p>Change in legislation or government directive to F&RS to respond appropriately and in a timely manner to consultations.</p> <p>Consultation process between BCB and F&RS adequately documented in the 2015 Edition of the Procedural Guidance. This may need stronger government directive to formally adopt.</p> <p>Notification procedure and document storage can be facilitated by development of the LABC XML schema. Legislative changes required for JCA to ensure all parties satisfied prior to commencement of work.</p>
<p>JCA gives permission to commence work and risk based inspection program agreed. Engagement between duty holder and JCA to be chargeable with full cost recovery.</p>		<p>Although there is a requirement to notify the local authority (including by Initial Notice), there is no requirement for approval before work commences.</p>	<p>It is not practical or necessary in the short to medium term to create a new national or local regulatory body to 'approve' an application for a HRRB. Currently there is no requirement for a BCB to recognise any recommendations that may be made by other parties. During construction local regulatory providers will be necessary and will need to agree the inspection schedule.</p>	<p>Existing regulatory bodies already identified have some if not all powers to approve. The report recognises that greater coordination is required which could be the function of the JCA. Even that would not be required if statutory requirement for greater coordination were introduced.</p> <p>The report recognises that building control should take the lead for this phase of a project. This follows what is already documented in the procedural guidance.</p> <p>Changes to legislation required to ensure all parties forming the JCA are satisfied before approval under the Building Regulations is issued and work can commence.</p>

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<p>JCA to assess if dutyholders construction work and control process are in accordance with approval.</p>		<p>Current building regulation inspection process. CDM Regulations in relation to duty holders.</p>	<p>No current requirement for plans to be amended in line with construction changes.</p> <p>No requirement for design stage fire safety strategy to be followed and difficult to assess compliance accordingly.</p> <p>Any failure to comply with new legislation as a result of the introduction of a JCA will be dependent on local inspection likely carried out by or triggered by building control.</p> <p>F&RS and HSE will be required to assess future compliance under the RRO and current and future compliance with CDM and housing legislation during construction.</p> <p>The JCA will need to monitor and be able to react to local inspection.</p> <p>Any prohibition notice served by the JCA will need a local delivery mechanism.</p>	<p>Change legislation to require significant changes to be approved before execution of that part of the work. Failure to do so to result in a notice to stop work.</p> <p>Change legislation to require duty holder to document changes to design stage drawings and fire strategy. (This may be already covered by CDM regs or they may be easily amended). <i>Note: Building Regulation 27 already requires this for energy efficiency requirements.</i></p> <p>Change legislation to require F&RS to agree and/or inspect work at certain stages.</p> <p>Strengthen existing Building Regulation 38 to support documentation and any necessary enforcement which could be triggered by the JCA.</p>

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<p>JCA to give approval for occupation of the building</p>		<p>Building Regulation 16(4) requires notice of completion 5 days prior to occupation. The regulation makes provision for inspection and notice to be given for remedial work but is difficult to enforce. (Not sure how CDM and that inspection/enforcement works?)</p>	<p>This is the most important stage of the construction phase and identified in the report. Where the 'golden thread' needs to be coordinated to ensure adequate and correct information is gathered from the previous gateway points and made available to those responsible for future continued safety of the building.</p> <p>This point more than any other needs to recognise and coordinate the requirements and provisions of the separate legislators and separate legislation.</p> <p>Need to create a local delivery mechanism with national oversight.</p>	<p>Building Regulations and the building control process need to be strengthened (possibly in line with CDM?) to enable 'as built' information to be collated and stored for future (indefinite?) use. Development of the LABC XML schema and CPS process could accommodate this.</p> <p>The BCB needs to be satisfied construction is as documented.</p> <p>Duty holders for the occupied phase need to be formally identified, they and F&RS need to establish that the information is 'fit for purpose' Duty holder for occupied building in conjunction with F&RS required to provide and agree future fire safety strategy is compatible with design stage strategy, documented accordingly and in accordance with provisions of the RRO.</p> <p>All the above required to be embedded in legislation and coordinated by the JCA.</p>