

**Committee:** Cabinet **Date:** Tuesday, 17 February 2026  
**Title:** Building Safety Regulator (BSR) Inspection of Building Control Function

**Portfolio Holder:** Cllr John Evans, Cabinet Member for Planning, Infrastructure and Stansted Airport **Key Decision:** No

**Report Author:** Dean Hermitage, Strategic Director of Planning  
[dhermitage@uttlesford.gov.uk](mailto:dhermitage@uttlesford.gov.uk)

## Summary

1. This report outlines the inspection and actions taken as a result of the Health & Safety Executive (acting as the Building Safety Regulator) carrying out an inspection of the Council's Building Control Service under the Building Act 1984, as amended by the Building Safety Act 2022.
2. An Action Plan identifying five improvement areas was developed during the inspection, with all but one action now completed. The council will submit its formal response to the BSR by the required deadline, confirming the actions taken and timescales for completion.

## Recommendations

3. That Cabinet notes the measures set out in the Action Plan attached and endorses its submission to the BSR by 28 February 2026.

## Financial Implications

4. Within existing budget.

## Background Papers

5. HSE Operational Standards Rules (Updated March 2025) [Operational standards rules - GOV.UK](#)

## Impact

Communication/Consultation	N/A
Community Safety	NA

<p>Equalities</p>	<p>The Council has a statutory duty to comply with the provisions set out in the Equality Act 2010. In summary, the Council must in the exercise of all its functions, “have due regard to” the need to comply with the three arms or aims of the general equality duty. These are to:</p> <ul style="list-style-type: none"> <li>• eliminate unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the Act;</li> <li>• advance equality of opportunity between people who share a protected characteristic and people who do not share it; and</li> <li>• foster good relations between people who share a protected characteristic and people who do not share it.</li> </ul> <p>There are no direct equality implications present in the report</p>
<p>Health and Safety</p>	<p>The Building Safety Regulator (BSR) inspected our building control services to check we are meeting our legal responsibilities under the Building Act 1984 and Building Safety Act 2022.</p>
<p>Human Rights/Legal Implications</p>	<p>Positive, in that further strengthening of processes further reduces any risk of legal challenge in the future.</p> <p>The Building Safety Regulator (BSR) undertakes inspections to ensure that Building Control Bodies (BCBs) i.e., Local Authorities (LA’s) and Registered Building Control Approver’s (‘RBCAs’) are complying with the Building Act 1984 and associated legislation. All BCBs are subject to ongoing monitoring and at least one inspection over a five-year period.</p> <p>The Building Safety Regulator is the regulator for Building Control. Local Authorities (LA’s) and Registered Building Control Approver’s (‘RBCAs’) must comply with the Building Act 1984 and associated legislation.</p>
<p>Sustainability</p>	<p>N/A</p>

Ward-specific impacts	N/A
Workforce/Workplace	Minor changes to internal working practices.

## Situation

### ***Background and Overview***

6. On 2 December 2024 the Health & Safety Executive, acting as the Building Safety Regulator (BSR), contacted the council to advise that it was to carry out an inspection of its statutory building control functions.
7. The BSR carries out inspections under Section 58Z8 of the Building Act 1984, as amended by the Building Safety Act 2022. The Building Safety Act fundamentally reformed the building control system following the Grenfell Tower Inquiry. One of its key objectives was to create stronger oversight, consistency, and accountability in the sector. Building control oversight was largely self-regulated prior to 2022 but is now overseen and enforced by the BSR.
8. The purpose of the BSR's inspection was to ensure that the council is safely carrying out all its building control functions and responsibilities set against its legal duties and Operational Standards Rules (see background papers). Inspections are carried out at random and Uttlesford is in the first tranche of local authorities to be inspected by the, relatively new, BSR.
9. Following inspection, the BSR can issue a 'letter of contravention' and require improvements in areas identified. For more serious contraventions, a 'Formal Improvement Notice' or 'Serious Contravention Notice' can be issued, and in extreme cases, the BSR can use direct intervention powers.

### ***The Inspection Process and Outcome***

10. The Building Control service was required to produce a comprehensive suite of documentation covering the full scope of its operations ahead of the inspection itself. This included the preparation of bespoke reports to extract and present information relating to our portfolio of work. In total, 31 separate documents were uploaded to the BSR's portal at the initial stage.
11. An introductory meeting with the inspector took place on 9 January 2025, at which it was advised that the inspection would be conducted in the spring. However, the first of six planned inspection meetings (each lasting approximately two hours) did not take place until 1 July 2025.
12. The inspection examined the Building Control service across the following key areas:

- **Governance:** The governance review considered the effectiveness and robustness of the council's Corporate Plan, Scheme of Delegation, and Key Performance Indicators (KPIs). Relevant documentation and supporting evidence were provided to demonstrate compliance.
- **People:** The inspector reviewed staffing structures and workforce management arrangements, including corporate support arrangements; staff resources and capacity; staff qualification and registration status; succession planning; training provision; job descriptions and role clarity; Continuing Professional Development (CPD); appraisal processes; supervision arrangements; and content and frequency of team meetings. For each of the above areas, evidence and practical examples were supplied.
- **Systems and Policies:** The inspection assessed the adequacy and application of systems and policies, including the council's Quality Management System (QMS), including certification and audit arrangements; IT systems, including data back-up provision; document retention policies; conflict of interest arrangements; and business and service plans.
- **Operational Processes:** A detailed examination was undertaken of the following individual processes, each reviewed from initial receipt through to completion:
  - Initial Notices
  - Domestic Building Notices
  - Domestic Full Plans applications
  - Non-domestic Full Plans applications with statutory Fire and Rescue Service consultation
  - Reversion applications (projects returned to the Local Authority by private sector providers)
  - Regularisation applications (work carried out without a prior application)

For each process, a list of relevant application reference numbers was generated. The inspector randomly selected two or three examples from each list, which were then fully audited for compliance with the Operational Standards Rules.

- **Enforcement activity:** This was also reviewed, covering the full process from initial notification through to legal action under Section 36 of the Building Act. Full documentation was provided to evidence compliance and procedural robustness.
- 13.** In addition to the initial documentation, a further 98 documents were uploaded to the BSR's portal as supporting evidence throughout the course of the inspection.

14. A closing meeting was held with the inspector on 22 October 2025. This was attended by the Strategic Director and Building Control Manager. During this meeting, the Inspector outlined areas of non-compliance identified during the inspection. In addition, many positive findings and outcomes from the audit were verbally shared. The quality of the Building Control Service Plan, officer appraisals, use of IT, CPD, officer succession planning and 'grow your own' approach to staff, documentation, and information sharing within the team were highlighted. It was, however, made clear that these positive observations would not be referenced in the final written report.
15. The final inspection letter was received on 21 November 2025 detailing six areas requiring improvement. A formal response addressing the matters raised is required to be submitted to the BSR by 28 February 2026. The letter is attached as **Appendix A**.

### ***Action Plan and Response***

16. An Action Plan was developed during the course of the inspection (see **Appendix B**). This Action Plan identifies five areas requiring improvement and sets out the actions necessary to achieve full compliance. Officers drafted the Action Plan immediately following the closing meeting on 22 October. At the time of writing, all actions have been completed with the exception of one (Item 1.4), which remains in progress.
17. Under item 1.4, it was identified that the Council had not been actively monitoring the overall progress of live projects. While officers routinely inspect works at key stages (typically in response to inspection requests from builders) there was no systematic process for proactively tracking project progress. To address this, officers have introduced a new approach whereby they will proactively check-in on all projects a minimum of every three months, unless an inspection has already been carried out within that period. This measure will ensure that the Council maintains an accurate understanding of the status of each project, reduces the risk of works progressing beyond approved stages, helps prevent costly remedial work, and enables the early identification of stalled sites.
18. Officers are currently undertaking this process manually for the 127 non-domestic projects that have not been inspected within the last three months. During Quarter 1 of 2026, an automated (AI-enabled) solution will be developed and implemented to manage this task more efficiently on an ongoing basis.
19. Officers will formally write to the Building Safety Regulator by 28 February 2026, setting out the actions taken to date and confirming the status and anticipated completion of the remaining action described above. On this basis, no further action is expected from the BSR.

## Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
The council fails to respond to the BSR in time and it takes further action.	1 – Unlikely. The actions are not problematic and response is ready (i.e. the Action Plan).	2 – Reputational damage and risk of further intervention.	The team is properly resourced and briefed to ensure compliance.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

### Appendix A: BSR Letter

### Appendix B: Building Control BSR Action Plan