

BUILDING REGULATIONS ADVISORY COMMITTEE (BRAC)

MINUTES OF THE FIRST 2009 MEETING HELD AT 10.00AM ON THURSDAY 26 FEBRUARY AT COMMUNITIES AND LOCAL GOVERNMENT (CLG), ROOM G/L&M, ELAND HOUSE, BRESSENDEN PLACE, LONDON SW1E 5DU

PRESENT

10 A list of those present is at **Annex A**.

ITEM 1: INTRODUCTION AND WELCOME

1.1 Following introductions, the following membership developments were raised:

- BRAC congratulated Michael Finn on his recent reappointment as Chair to the Committee.
- 20 • BRAC congratulated Neil Cooper who had been selected as the new BRAC Deputy Chair from 1 February 2009 and thanked his predecessor, Alastair Soane, for the sterling work and support given to the Chair and the Committee over seven years. It was noted that Dr Soane had been recently reappointed as a member.
- BRAC also thanked Frank Sheehan, who had formally stood down as a member from the Committee, for his eight years service.

1.2 The following staff developments within Sustainable Buildings Division (SBD) were also raised:

- 30 • BRAC welcomed Sarah Sturrock as the new Deputy Director and head of SBD.
- BRAC wished Mike Johnson well, who was retiring from CLG after 13 years service to SBD.

ITEM 2: APOLOGIES FOR ABSENCE

2.1 An apology had been received from one member – Tracey Aarons.

40 **ITEM 3: MINUTES OF THE THIRD 2008 MEETING HELD ON THURSDAY 9 OCTOBER AND MATTERS ARISING** **[BRAC(08)M3]**

3.1 The minutes of the last meeting were agreed, subject to the following amendments:

- The first sentence of the first bullet under paragraph 5.4 should read "The status of the proposed project guides for loft conversions and domestic extensions needed to be clear, *as they would not be CLG publications.*"
- The words "*which was the responsibility of HSE*" should be added after the words "but excluding the CORGI registered scheme" in lines 5 & 6 of paragraph 12.1.

50 3.2 There were the following matters arising:

- *Item 5.4, sixth bullet:* CLG advised that a paper on flooding would be prepared for the next meeting of the BRAC Parts A and C Working Party (WP). This would also be made available to main BRAC for consideration. [Action: CLG]
- *Item 9.1:* Hard copies of the minutes of recent Part M WP meetings had been made available to all BRAC members.
- *Item 14.1, first bullet:* CLG reported that a landmark database on energy consumption of buildings had been developed and would come on stream in April 2009; information would be made available incrementally and BRAC would be kept updated.
- *Item 14.1, second bullet:* CLG reported that the Construction Industry Council was investigating the allegations about a rogue Approved Inspector and would advise the Department of the outcome.

ITEM: 4: FUTURE OF BUILDING CONTROL – IMPLEMENTATION PLAN [BRAC(09)P2]

4.1 CLG introduced paper P2 and said that the latest draft of the implementation plan incorporated BRAC comments made at the last meeting. Ministers had agreed to the main messages to be highlighted in the implementation plan which was now awaiting other Government Departments' input. The implementation plan would announce the intention to produce a one year on progress report.

4.2 CLG explained that ongoing research projects were progressing well:

- BRAC members were thanked for their attendance at the risk assessment project workshops. As local authorities (LAs) and Approved Inspectors (AIs) formed the majority in the workshops, effort would be made to reach builders, architects and other users of building control in the next stage of the project.
- Six project types had now been decided for the mapping regulations project. Once the first maps had been produced – the first being a large mixed-use development - BRAC's involvement to test the maps would be welcomed. The aim was not to come up with solutions but to identify inefficiencies and overlaps in terms of administration and of policy.
- RIBA was the preferred bidder for the Approved Document (AD) review; the key outcome would be a style guide that all ADs would need to adhere to.
- BERR was taking a very close interest in the work on proposed new civil sanctions and had a stringent set of requirements that LA building control would need to meet before drawing on the new powers.

4.3 BRAC noted progress and the following comments were raised by members in discussion with CLG:

(i) **Research Projects**

- It was considered that AIs already followed the model for risk assessment guidance relating to inspections and that this would be of more interest to LAs. It was noted that at the last workshop there was a good cross section of LAs, AIs and other stakeholders with good and open discussion.
- CLG agreed with BRAC's view that risk assessment guidance needed to be kept simple. There was high level stakeholder engagement in the project as it was important

that there was buy-in by all stakeholders. The draft method would be circulated to BRAC for comments. [Action: CLG]

- The mapping project was regarded as an important piece of work. BRAC hoped there would be opportunities for all stakeholders, particularly design professionals, to be involved. This would help the identification of policy/regulatory overlaps which would inform decisions around improving efficiency. CLG explained that the mapping project currently had a steering group with representatives from Fire, Planning, BERR and DEFRA. It would be kept practical and identify solutions to simplify the regulations surrounding construction. BRAC would also be consulted. [Action: CLG]

(ii) **Compliance and enforcement**

- CLG stressed that the key driver of the implementation plan package was to improve compliance with building regulations. The Public Accounts Committee had asked questions about compliance. There was a need to consider the case for the proposed periodic review cycles and the burden of regulation and to be transparent about this early on. The research programme should provide the evidence base to help inform the reviews.
- BRAC supported CLG's emphasis on compliance. The key was to get industry to self regulate and develop its performance management. There was a need for more testing, although this was not popular because of the expense involved.
- Some members felt that the industry did not only want compliance, but consistent enforcement, particularly to tackle illegal construction. More resources were needed in relation to enforcement. But it was also considered that there were more successful means of ensuring compliance than direct enforcement action through the courts, which was currently happening regularly. This included providing preventative advice and education. The increasing importance of obtaining completion certificates could also be a key factor.

ITEM: 5: SUSTAINABLE BUILDINGS DIVISION RESEARCH AND DEVELOPMENT PROGRAMME 09/10 [BRAC(09)P3]

5.1 CLG presented paper P3 and invited BRAC's views on the key priorities for SBD's new projects. An evidence base was needed for SBD business objectives and the programme was a combination of both technical and non technical research and development. The non technical projects were an evolving aspect of the programme.

5.2 CLG would let BRAC have a list of new and current projects after the planning process had been completed, expected to be the end of March 2009. The budget for 09/10 was £6.9 million - £3.7 million for new projects and £3.2 million for existing projects. New framework agreements were now in place involving a larger number of contractors who collectively provided a large amount of technical expertise. There was a choice of between two and four contractors for each agreement. [Action: CLG]

5.3 BRAC welcomed the research proposals in the paper, particularly the plans to do backward looks, the work in progress on the periodic reviews and the intention to circulate more information. Members raised the following comments in discussion with CLG:

- For the project on how the Code for Sustainable Homes (the Code) and building regulations may need to adapt in the long term to climate change, it was important to identify the impact of climate change on existing design parameters for temperature, flooding and wind resistance.

- BRAC was pleased to learn about the research on ventilation and indoor air quality and suggested there should be a random selection of domestic and non domestic buildings to get an idea of what the entire building stock looked like. The long term effects of indoor air quality were a key area with the move to air tight buildings.
- Carbon Vision and UCL were monitoring homes built to Code levels. The CLG was aware that the Code monitoring project would have to respect people's privacy.
- 10 • It was noted that there was no mention of a Code for Sustainable Non Domestic Buildings and it was suggested there was a need for this and the current Code to be worked on together.
- BRAC felt that CLG needed to address as a matter of priority the issue of the sustainable refurbishment of the existing stock. There was a scoping study in progress about whether there was a need for a Code for Sustainable Refurbishment. However, CLG had no commitment to such a Code. CLG explained that the £6.9 million research budget covered the sustainability of existing as well as new buildings.

20 5.4 In response to other comments raised by members, CLG also explained that:

- There was no Part P (Electrical Safety) backward look in the research programme as a decision had yet to be taken whether to include it in the next round of reviews in 2013.
- The timetable for the Building Regulations Handbook was 2010 and it would be for seasoned users. Another guide was planned for customers.
- 30 • It was important to achieve a balance between the marketing and communication activities and research. There was a need for greater education and consumer awareness about building regulations and the Code, hence the need to invest in communications and marketing.
- To achieve consistency of output on similar projects given they could be done by different contractors, CLG explained that framework contractors were asked to work together where necessary and specifications were carefully drawn up to ensure consistency.
- 40 • With regard to the possibility of a contingency fund to accommodate increases in costs for projects, CLG explained that all contracts were fixed price. It was always the practice to over commit by around 15 per cent to accommodate unavoidable slippages.

ITEM 6: DEVOLUTION OF BUILDING REGULATIONS TO WALES

[BRAC(09)P4]

6.1 CLG introduced paper P4, which set out the current state of discussions on the devolution to Welsh Ministers of the power to make building regulations for Wales and other executive powers in the Building Act 1984 and Sustainable and Secure Building Act 2004. BRAC was asked to note the current state of the discussions and to observe strict confidentiality until a public announcement of the transfer was made.

6.2 CLG explained that some energy infrastructure buildings would likely be exempted from the transfer of powers. Defining which was not straightforward. CLG saw this mainly as power stations but other Government Departments proposed to exempt a wider range of buildings. It was a difficult area and many lawyers were involved in the process.

6.3 It was still intended that collective agreement to the transfer of functions order would be sought in March 2009, to come into effect on 2 October 2009. BRAC would be kept up to date with developments.

6.4 Some members questioned the rationale for devolution which in their view could increase costs and create a burden on business, although it was appreciated that the decision to go ahead had been made by Ministers.

10 6.5 BRAC raised its concern about changing the name of the Committee following devolution as it had taken a long time to raise its profile. CLG responded that there would sometimes be a need to refer to the Committee with its full legal name, ie Building Regulations Advisory Committee for England, with the acronym BRAC(E), but saw no difficulties in continuing to refer to the Committee as 'BRAC'.

ITEM 7: REVIEW OF PART A (STRUCTURE) AND PART C (SITE PREPARATION AND RESISTANCE TO CONTAMINANTS AND MOISTURE) AND FLOODING [BRAC(09)P5]

20 7.1 The Chair of the combined Parts A and C WP introduced paper P5. There had been four meetings held to date which considered technical aspects and recently completed backward and forward look studies. A key driver for the changes was the introduction of the Eurocodes in 2010. The key issues considered by the WP to date, set out in paragraph 10 of paper P5, were outlined.

7.2 The following comments were added in discussion with BRAC members and CLG officials:

- More liaison with planning colleagues was needed to deliver the sustainability agenda.
- 30 • Flood resilience and accessibility (Part M - Access to and use of buildings) needed to be considered together.
- There had been about one death a year since 1950 from collapses of freestanding and retaining walls; there were at least 1,000 collapses a year of old walls; and there was about 250,000 miles of such walls in the country. Regulating for the erection of new walls would not be sufficient and it was proposed that the AD for Part A would include guidance on assessing and maintaining old walls, highlighting the seriousness of such walls, and building new walls. This would be a new approach for ADs and it was suggested that this should be aimed at DIY level.
- 40 • BRAC noted progress and that the timetable for the Parts A and C review was challenging but the WP Chair was confident that targets would be met. Consideration was being given to combining and simplifying Parts A and C and their ADs, although this would be difficult, and how to consult on this.

ITEM 8: REVIEW OF PART L (CONSERVATION OF FUEL AND POWER) AND PART F (VENTILATION) [BRAC(09)P6]

50 8.1 The Chair of the Parts L and F WP introduced paper P6 which gave an update on the review of Parts L and F and sought members' views on proposed changes that had reached the stage considered prudent to seek Ministerial agreement to proceed with public consultation. BRAC welcomed the Minister to the meeting to participate in the discussion on this item.

8.2 BRAC noted progress on the review and there followed a discussion on the key areas of paper P6 which included the following comments by the Chair of the WPs, other members and the Minister:

(i) **New Build Target setting**

- It was noted that a 25% aggregate approach was suggested for new build targets, ie aim to achieve a 25% improvement overall rather than per building. The logic for going for 25% on aggregate was that it was more cost effective than a flat 25% approach for individual buildings. Regardless of approach, user interface would be unchanged.
- It was felt that such a change in approach could be seen as moving the goal posts for Part L and the Code for Sustainable Homes and the Minister considered that communication of this was important. However, members felt that if the approach had been well thought through then the sceptics would be converted and industry would respond positively.

(ii) **National Calculation Methodology**

- It was noted that SAP and SBEM needed to be revised. There had been a big lobby to make SAP more sensitive as a measurement tool for compliance. Key issues like recognising casual solar gains had been taken into account.
- Design flexibility – the notional building was not prescriptive and it was suggested that people generally go for energy efficiency as the first step but as the targets were emissions based, builders were free to consider using renewable technologies to demonstrate compliance.
- It was considered critical to get the software up and running. Draft software must be available during consultation and should be tested to ensure it produced the results expected. Simple answers should be provided for builders.
- SAP and SBEM procedures were based on carbon emission calculations. There were concerns that the proposed consultation did not include a table of factors; currently it just referred to the information contained in other documents.

(iii) **Consequential Improvements**

- It was noted that removal of the 1,000m² threshold for consequential improvements was being proposed for the consultation.
- It was felt that designers had difficulty understanding consequential improvements so clear guidance was needed for them to work to.

(iv) **Conservatories**

- It was noted that the proposal in the consultation to "de-exempt" conservatories from the requirements of Part L had received broad support from the industry support group. There was buy-in from industry and an acceptance of the need to regulate as long as this was carried out appropriately. BRAC had long argued the case for controlling the building of conservatories, particularly relating to energy performance.
- The Minister advised that there was no strong political will regarding the control of conservatories. There was a need to minimise red tape and costs and let planning and building control focus on major issues. He welcomed BRAC's views which included:

- there was a need to review the current exemption floor area threshold for conservatories of 30m² as it was too large;
- the number of extensions being built had dropped recently because of the current economic climate but this had been replaced by an increase in the number of new conservatories. There was concern that this had led to conservatories being used as 'cheap' extensions which further undermined the energy performance of dwellings;
- 10 - people should be educated on the use and purpose of conservatories;
- the impact of bringing conservatories under building control needed careful consideration, including the cost to householders;
- a clear steer and stepped approach was needed on controlling conservatories to avoid wiping out an entire industry - significant numbers of glazing companies could go bust;
- 20 - new planning permitted development rights were causing confusion and there was a lack of clarity; LAs were erring on the side of caution and advising that an application had to be put to them. But there was also a need to guard against relaxing planning and building regulations requirements which would lead to more substandard buildings - it would be perverse if carbon emissions in buildings were not minimised.
- BRAC supported the possibility of introducing a new requirement whereby the increase of carbon footprints within dwellings affected planning rights.
- It was noted that CLG/SBD officials would be meeting with press office colleagues to discuss presentational issues relating to the consequential improvements and conservatories proposals.
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(v) **Part F - Ventilation**

- More feedback was needed about air tightness in homes. Members said that people wanted draught proof homes and suggested that it was not advisable to use the term "air tightness". There was also a concern that air tight homes could lead to a build up of Radon. Smarter design was needed.

40 (vi) **Improving Compliance**

- Levels of compliance in refurbishment work were anecdotally poor; there was a need to look at how to improve compliance with building regulations, particularly Part L. Regulation alone would not change people's behaviour and automatically mean that people would comply.
- The issue of compliance could be more due to ignorance rather than someone not wanting to comply, therefore more communication and simple guidance was needed.
- 50 • The Minister took the view that more complexity in the building control regime would increase non compliance in all areas and that other options should be considered. He thanked BRAC for all the Committee's work, especially on the review of building control and said that he would like a further discussion with members to discuss the role of building regulations in the current economic climate, with a view to improving the skills base and prosperity in the construction industry. BRAC welcomed this proposal and

thanked the Minister for attending this part of the meeting, at which point he left.
[Secretary's note: A specific BRAC meeting with the Minister has been arranged for 5 May 2009.]

(vii) **Impact Assessment (IA)**

- Modelling of the new build target setting options had been carried out using the existing version of the Government's Standard Assessment Procedure (SAP2005). BRAC supported the proposal that for consistency and accuracy the analysis should be re-run using the proposed revised version of SAP (SAP2009) to be consulted upon by DECC alongside the Part L one.
- BRAC was also content to delegate the final decisions on the IA to the Part L WP.

ITEM 9: REVIEW OF THE CODE FOR SUSTAINABLE HOMES

[BRAC(09)P7]

9.1 CLG introduced paper P7 which informed BRAC and sought views on the proposed changes to the Code for Sustainable Homes (the Code) in 2010.

9.2 A review of the Code had taken place in the last six months of 2008 and industry's feedback had informed the planned Spring policy consultation which would take place at the same time as the Part L consultation, as well as the later technical consultation that would take place in the Autumn following the zero carbon consultation. A revised Code Technical Guide would be introduced alongside the changes to Part L in 2010.

9.3 The two specific advisory groups for the Code – on technical and policy issues – had recommended that there should not be any significant changes to the Code's structure in 2010. The main policy question for the Code consultation would be whether to adopt the 2016 definition of zero carbon, that emerged from the current consultation, into the Code and continue with the 'regulatory escalator' link that currently existed. (no 1 in paper P7). The seven main areas that CLG was seeking to consult on during the first policy consultation, explained in paper P7, were outlined.

9.4 BRAC noted developments and members made the following comments in discussion with CLG:

- Concern was expressed about the possibility of reducing Lifetime Homes requirements in the Code. CLG explained they were fully committed to Lifetime Homes but needed to raise the planned change in requirements in the forthcoming Code consultation.
- It was questioned whether it was appropriate to change the Code again given that only thirty four Code certificates had been issued and there had already been three changes to the Technical Guide. Some members felt that there was a risk that the Code would lose credibility and consumers would be confused about its status. However, other members agreed with CLG's view that the Code would lose credibility if it did not evolve and keep pace with changes to regulations including Part L, the definition of zero carbon and other relevant regulations.
- There was a suggestion that the process for Code assessments was inconsistent, expensive and took too long. CLG said they had received similar feedback from the recent review. It was difficult at this stage to be sure whether this was because the feedback had been from those using the Code for the first time and they were therefore unfamiliar or if it was genuinely an issue. However, CLG had asked BRE to look at the evidential requirements and how they could be streamlined together with the possibility of highlighting where information was required in the Code that was also required by planning and building regulations.

- CLG accepted members' views that an aggregated approach to energy should be adopted into the Code, if it was adopted in Part L. More guidance was also considered necessary on the use of private wire systems.
- Members asked for more information on how the powers in the Housing and Regeneration Act (no 7 in paper P7) would be used. CLG explained that this in many respects duplicated the existing requirement for mandatory ratings set out in the Home Information Pack (HIP) Regulations, however it would set the mandatory ratings policy on an independent footing from HIPs and provide the supporting mechanisms such as accreditation schemes, register of certificates, etc. These changes had already been included in an Impact Assessment prior to the introduction of the legislation. More generally, there would be a full consultation stage Impact Assessment accompanying the forthcoming Code consultation.

ITEM 10: SUSTAINABILITY POLICY UPDATES

[Presentation to replace paper P8]

10.1 CLG gave a presentation and provided a sustainability policy update as part of the wider context for building regulations. BRAC was informed of some key recent developments in cross-government and CLG including an update on the Energy Performance in Buildings Directive, the Committee on Climate Change and Carbon Budgets, and the Heat and Energy Savings Strategy launched on 12 February 2009.

10.2 Copies of the presentation were made available to BRAC and a few comments were made.

ITEM 11: PRESENTATION ON "THE COST BURDEN OF REGULATION"

11.1 A BRAC member gave this presentation and spoke about the problems to industry surrounding the cost burden of regulations in the current economic climate and the profound effect this would have on housing delivery going forward to 2016. A graph shown illustrating the net additions of new housing each year assumed the market to bottom out at the end of the year and then was projected forward with the best historical growth rate previously achieved. This showed that the industry would not get back to the housing output levels achieved prior to the market crash before 2019.

11.2 The presentation highlighted that costs to build to various Code for Sustainable Homes levels was a lot higher than recent studies had suggested. The example shown indicated that the actual extra cost above building regulations requirements for two recently completed apartments which had been awarded Code level 5 certificates, was in excess of £40,000 each.

11.3 BRAC noted that the current business model would not appear to work and that perhaps there was a need to move away from land value led houses. It was suggested that organisations such as the Homes and Communities Agency should purchase land for contractors to build zero carbon homes.

11.4 CLG drew attention to the need to be conscious of wider policy issues. Ministers were aware of the current agenda including the cumulative impact of regulation and were not taking a simplistic view. There was no blueprint or easy route. But there was a strong economic case for building regulations and sustainability because of health and safety and other benefits and it was a question of balance and timing.

[Secretary's note: Copies of this presentation are available to members on request.]

ITEM 12: UPDATES FROM NORTHERN IRELAND, SCOTLAND AND WALES ADMINISTRATIONS [Oral reports]

12.1 **The Department of Finance and Personnel (DFP) – Northern Ireland (NI)** observer reported on developments in Northern Ireland:

- Energy Performance of Buildings Directive (EPBD) and Energy Performance Certificates (EPCs) - requirements in relation to rentals sales of non-dwellings and Display Energy Certificates came into operation on 30 December 2008.
- 10 • Inspection of air-conditioning systems - As with the England and Wales requirements, the long stop for inspection of air-conditioning systems would be 4 January 2011.
- Building Regulations Primary Legislation - The amendment to the NI Building Regulations primary legislation had completed all of its legislative stages. There were no further changes to the contents of the Bill outlined at the last BRAC meeting. Royal Assent was expected in the next few weeks.
- Technical Amendments to the Building Regulations - The most significant amendment arising from the amendments to the primary legislation was the commitment to move from regulations providing deemed-to-satisfy provisions in support of functional requirements to regulations supported by guidance.
- 20 • Scotland went through the above process a few years ago. The original intention of making the transition without any technical uplift (as Scotland had done) was no longer possible. The Minister had given a commitment to making an amendment to the equivalent to Part L (Conservation of fuel and power) and Part F (Ventilation) in 2010 in line with England and Wales. Technical amendments would also be taken forward in the same timescale to the equivalents of Part C (Site preparation and resistance to moisture) and to Part E (Resistance to the passage of sound).

12.2 **The Welsh Assembly Government (WAG)** observer reported on developments in Wales:

- In response to the action point from the previous BRAC meeting, WAG advised that finalising the Planning Technical Advice Note (TAN)12 – Design, had been affected by the consultation on national planning policy for climate change and would now be published around the end of March.
- Revisions to the TAN, in addition to reflecting climate change policy would cover design and access statements which would become a planning requirement later in the year.
- 40 • The Sustainable Development Commission (SDC) held a built environment summit in Cardiff in November 2008 at which the Green Building Charter from Wales was launched with an initial 42 signatories. The charter provided a way for companies and organisations to demonstrate their commitment to the drive to achieve low carbon buildings. Following the summit and acting on an SDC recommendation, a zero carbon hub for Wales had been established.
- The Assembly Government's Code level 4 and 5 pilot programmes were being established comprising 22 Registered Social Landlord (RSL) schemes of some 400 units. Discussions were taking place with the NHBC and other industry bodies about the data and experience needed to be extracted to inform future Welsh building regulations.
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12.3 The Building Standards Division (BSD) of the Directorate for the Building Environment of the Scottish Government (SG) observer reported on developments in Scotland:

- The Scottish Minister for Transport, Infrastructure and Climate Change had recently confirmed his commitment to the Government's two main manifesto pledges relating to building standards, ie, improvement of energy standards and ensuring better compliance with building regulations. He also confirmed that the BSD's existing workstreams should be progressed, relating to new Noise and Fire (Means of Escape) provisions and a range of sustainability items.
- It was intended to consult on proposals for new energy standards and compliance issues in the summer of 2009. It was expected that the Minister would issue a press release shortly indicating the high level targets for carbon dioxide reductions. This followed a recommendation in the Sullivan report to signal these to industry as soon as possible to enable them to prepare for change. It was intended that all proposed regulations would come into force in the autumn of 2010.
- BSD was presently analysing the responses to a consultation held last year on improving the energy performance of existing non-domestic buildings. The intention was to introduce powers in the upcoming Climate Change Bill to have owners of existing buildings undertake an assessment of their properties and identify measures to improve energy performance.
- The final part of Scotland's implementation of the EPBD took place on 4 January 2009 with the provision for EPCs for houses for sale or rental and display in certain public buildings. There had been some teething problems with address matching but it was hoped that software upgrades would address this issues. There were now 13 approved organisations able to issue EPCs in Scotland.
- BSD was on target to introduce Crown buildings into the main Building Standards system on 1 May 2009. There had been some issues with Ministry of Defence and Security Services buildings but BSD had been working with colleagues in England and Wales to overcome these.

ITEM 13: ANY OTHER BUSINESS

13.1 The following points were raised by BRAC members and CLG officials:

- CLG reported that the 'BRAC Member's Handbook' had been updated and could be found on the BRAC web pages on the CLG website.
- CLG explained that with regard to the review of Part G (Hygiene), there had been a debate on the removal of the word "competent" from the requirement in the proposed revised requirement G3, but officials were working towards a solution that would deal with installation within the workmanship section of the introduction of the AD. Thermostatic mixer valves and water calculators were being looked at. It was explained that 48°C was the highest safe temperature for mixer valves. The speed at which serious injury could occur increased rapidly as temperatures rose above 50°C.
- CLG added that as part of the rollout of the new Part G there would be a circular letter setting out the bigger changes; practitioners would have to sit down and read the document and it would be a natural evolution.

- CLG/BRAC referred to the change of name from CORGI to Capita explained in paper P12. It was accepted that CORGI was probably the best recognised of the competent persons schemes. BRAC expressed concern about insufficient publicity and awareness of the change and suggested that HSE needed to make more effort. CLG advised that HSE was planning an extensive publicity and awareness campaign in March advising the public that CORGI was no longer the name or operator of the approved gas safety scheme. All installers would be automatically transferred to Capita.
- A member raised concern about being able to map changes to ADs and suggested that they should be clearly identified on the CLG website.
- Members commented on the usefulness of the regular information papers on Parliamentary Questions relating to buildings (P10) and Building Regulations Casework (P11).

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13.2 BRAC was reminded that the rearranged date of the next main Committee meeting was **Friday 5 June 2009**. The meeting closed at approximately 3.30 pm.

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BRAC Secretariat
Sustainable Buildings Division, CLG

PRESENT (for all or part of the meeting)**BRAC Members**

Michael Finn	Chair
Neil Cooper	Deputy Chair
Ziba Adrangi	Member
Keith Bright	"
Peter Caplehorn	"
Alan Crane	"
Nick Cullen	"
Trevor Haynes	"
Adrian Levett	"
David Mitchell	"
Thiru Moolan	"
Andrew Shipley	"
Alastair Soane	"
Lynne Sullivan	"
John Tebbit	"
Peter Warburton	"
Stephen Wielebski	"

CLG - Minister and Officials

Iain Wright MP	Minister responsible for the Building Regulations
Sarah Sturrock	Deputy Director, Sustainable Buildings Division (SBD)
Anthony Burd	Head of Technical Policy, SBD
Guy Bampton	Sustainable Buildings Division
Sylvia Burns	"
Paul Decort	"
Ian Drummond	"
Jeanette Henderson	"
Paula Higgins	"
Mike Johnson	"
Stephen Penlington	Climate Change & Sustainable Development Division
Kevin Flanagan	BRAC Secretary SBD
Evonne Hopwood	BRAC Secretariat "
Robbie Allen	BRAC Secretariat "

Observers

Bill Dodds	Building Standards Division (BSD), Scottish Government (SG)
Seamus McCrystal	Department of Finance and Personnel (DFP), Northern Ireland (NI)
Francois Samuel	Welsh Assembly Government (WAG)
Osami Sagisaka	Deputy Director, General of the Japanese Ministry of Environment
Naomi Inoue	Senior Officer of the Japanese Ministry of Environment
Eitaro Kawamoto	Senior Officer of the Japanese Ministry of Internal Affairs and Communications