FACT SHEET - Higher Risk Buildings (HRBs)

Following the Grenfell Tower fire, the Government introduced the Building Safety Act 2022 and a raft of subsequent secondary legislation. The legislation allowed for the creation of a new body within the Health and Safety Executive (HSE) to oversee building safety. This new body is known as the Building Safety Regulator (BSR) and services the whole country.

A requirement of the legislation is to identify existing Higher Risk Buildings (HRBs). Higher Risk Buildings are defined as buildings with at least two residential units which are at least 18 metres in height or have at least 7 storeys.

The regulations define that a 'Principal Accountable Person' who is directly employed by the Building Owner (which could be an individual, private company or a public body) needs to be identified as the person responsible for formally registering the building as an HRB. HRBs needed to be formally registered with the Building Safety Regulator by September 2023.

The Act also changed the process for the approval of proposed design work to HRBs. Previously, Building Regulation applications could be processed in a number of ways (Local Authority Building Control, Approved Inspectors etc), but now the Building Safety Regulator is solely responsible for approving the design for all building works to HRBs. The level of information required is far greater than previously required, and must be made in a single submission, known as a Gateway 2 application. For a Gateway 2 application to be made a Principal Designer and Principal Contractor must be appointed and all design work must already be complete. The Gateway 2 application must be made (and formally approved) prior to any construction work starting on site.

Once the Gateway 2 application is made it should take a statutory eight weeks to process and determine the application, although at present applications are taking a minimum of six months due to a) the volume of enquiries/applications and b) insufficient resources within the BSR to handle the workload, which is being generated on a national scale.

Turner and Townsend were already appointed by the City of London as fire risk assessors for its housing when they were asked to verify the status of the buildings on the Golden Lane Estate. Consequently, they have determined that all the buildings, apart from Cuthbert Harrowing, are deemed to be HRBs. Although Crescent House and Stanley Cohen are below the height/storey threshold, they are currently classified as HRBs, because they share communal 'means of escape' staircases and are directly connected to other defined HRBs on the estate.

In December 2024, formal HRB registration applications were submitted to the BSR for all the buildings on Golden Lane (excluding Cuthbert Harrowing which is not deemed to be an HRB and Great Arthur House, which was already registered).