



HOWARD  
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# Building safety

What to expect in 2026



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# Scheduled changes

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## BSR becomes a standalone body

27 January 2026

### Legislative & regulatory changes

The Building Safety Regulator became a standalone body on 27 January 2026, moving from the Health and Safety Executive to an arm's length body under MHCLG.

### What does this mean?

The transition aims to restore public confidence and align the regulator, construction sector and government behind large scale, safe housing delivery. In practice, it will mean the industry will interact with a more centralised regulatory system involved in the gateway approval process.

### Who will it affect?

All involved in the development of HRB's and living developments.

### Further reading

Recent operational improvements include an Innovation Unit and efficiency measures to accelerate regulatory delivery. This follows the House of Lords Committee's criticisms of Gateway 2 approval delays, summarised [here](#).

## Residential Personal Emergency Evacuation Plans

6 April 2026

### Legislative & regulatory changes

From 6 April 2026, the first statutory framework will come into force requiring responsible persons to identify vulnerable residents who may need support to evacuate during a fire and take proportionate steps to assess and mitigate their risks.

### What does this mean?

Building owners ought to understand and prepare for these regulations, proactively engaging with the Regulations and seeking legal advice on their responsibilities, where necessary.

### Who will it affect?

Landlords and managers of 18m+ buildings (and 11m+ buildings with simultaneous fire evacuation strategies) and residents with disabilities who require assisted evacuation.

### Further reading

For a summary of the new regime and what it means in practice, read [here](#).

# Scheduled changes



## Second Staircases

30 September 2026

### Legislative & regulatory changes

For residential buildings of 18m+, projects submitted for building control approval after 30 September 2026 must include a second separately protected staircase.

### What does this mean?

This will impact the design and viability of many schemes. It also may mean redesigning schemes which fall within the transitional period.

### Who will it affect?

Developers, investors, architects and all consultants involved in the design of residential buildings over 18m tall will be affected by this.

### Further reading

For more information, read [here](#).

## Building Safety Levy

1 October 2026

### Legislative & regulatory changes

The Building Safety Levy (the Levy) will come into force on 1 October 2026, following a 12-month delay in its scheduled implementation. The Levy applies on the creation of new residential floorspace, the rates for which it is calculated have been set by local authorities.

### What does this mean?

For some developments, the Levy will make schemes financially unviable, potentially reducing housing supply. Developers and investors ought to prepare for the Levy by factoring in the Levy's cost implications into their financial projections and profitability calculations as well as the impact on project timelines.

### Who will it affect?

Developers, contractors, investors, and local authorities.

### Further reading

For information on the Building Safety Levy, read [here](#).

The [NPPF Consultation](#) considers an uplifting of the Levy for the small development exemption threshold to fewer than 50 dwellings (fewer than 120 bedspaces for PBSA). The implications of the consultation and its importance are summarised [here](#).



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# Further changes expected



# Further changes expected



## Consultation on the government's proposal for a single construction regulator

### Legislative & regulatory changes

In consideration of the Grenfell Inquiry highlighting major failings in the construction product regulatory regime and the need for significant reform, Government published a consultation seeking industry comment on the Single Construction Regulator.

### What does this mean?

The single construction regulator aims to bring together functions currently split across bodies such as the BSR and the National Regulator for construction products, with a primary objective to improve construction standards and product regulation.

### Who will it affect?

This will affect manufacturers, importers, distributors of construction products on the UK market as well as contractors.

### Further reading

More information on the government's proposals and how to provide feedback regarding this proposal can be found [here](#).

## The construction products white paper – Consultation now live

### Legislative & regulatory changes

The UK government's Construction Products Reform White Paper sets out a comprehensive overhaul of the regulatory system to address safety gaps exposed after Grenfell. It introduces universal product regulation, stronger testing and information standards, and tougher enforcement to ensure safer construction practices.

### What does this mean?

The reforms will significantly raise compliance expectations for manufacturers, distributors, designers and contractors, requiring better testing, transparent product data and clearer safety accountability. Over time, this shift is likely to drive higher-quality products, stronger oversight and a culture that prioritises safety over minimal compliance.

### Who will it affect?

Manufacturers, distributors, importers, designers, contractors, developers and building owners (i.e. the party seeking redress) will all be directly affected.

### Further reading

For a summary of the new regime and what it means in practice, read [here](#).

# Further changes expected



## Staged Application Guidance

### Legislative & regulatory changes

The BSR and Construction Leadership Council published updated guidance on the application for building control approval for higher-risk buildings.

### What does this mean?

Staged applications allow HRB projects to split Gateway 2 approvals into phases, enabling groundwork and foundations to start earlier while ensuring each stage is fully reviewed and approved before work begins.

### Who will it affect?

This impacts duty holders delivering new higher-risk buildings, as well as developers, contractors and investors affected by such applications.

### Further reading

The staged application guidance is accessible [here](#).

## Remediation Acceleration Plan

### Legislative & regulatory changes

The Remediation Acceleration Plan was published with the following objectives: fix buildings faster, identify all 11m+ residential buildings with unsafe cladding (so they can be fixed), and support residents through the remediation process.

### What does this mean?

Government intends to introduce a Remediation Bill establishing a deadline for completing works and creating a new legal duty to remediate, implementing powers to prosecute landlords upon missing timelines. Where landlords do not remediate, new measures such as a remediation backstop would enable the Government to ensure works are completed.

### Who will it affect?

This affects landlords responsible for buildings over 11m which require works to remediate fire safety defects.

### Further reading

For more information, read [here](#).

# Further changes expected



## Streamlining The Court System

### Legislative & regulatory changes

The BSA Working Group, whose aim is to ensure that disputes about building-safety issues are handled with consistency, considered whether amendments to the Technology and Construction Court Guide 2022 (TCC Guide) are required to address practical issues for building-safety proceedings.

### What does this mean?

The amendments to the TCC Guide will likely include a streamlined resolution process when a single dispute needs decisions from both the TCC and the First-tier Tribunal.

### Who will it affect?

In practical terms, a more consistent and streamlined process should help reduce duplication, procedural delays, and uncertainty affecting parties involved in building-safety disputes, including developers, contractors, building owners, and their legal teams, as well as the courts and tribunals that handle such cases.

### Further reading

For more information on the BSA Working Group and the proposed amendments to the [TCC Guide 2022](#), read [here](#).



## Key Contacts

If you have any questions or comments for the team, or if you would like to learn more about any of the topics covered in this brochure, please feel free to email us at [Realestateinfo@howardkennedy.com](mailto:Realestateinfo@howardkennedy.com)

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