



Construction and Building Safety Insight

A Brief Overview Vol.1



Welcome to the Construction Special Interest Group's (SIG) Brief Overview series, a round-up of recent key events within the construction and building safety sectors:

1

Building Safety (Wales) Bill

In response to the Grenfell Tower tragedy, positive steps have been taken by the Welsh Government to enact a landmark bill much like the Building Safety Act 2022 (BSA); with its focus to transform the safety for those who reside in multi-occupancy buildings within Wales. The BSA still applies in both England and Wales, but this bill is a separate framework, paving the way for a devolved approach.

The bill is expected to come into force either by 2026 or 2027. Whilst the bill shares core principles with the BSA, it does not create an identical building safety regime to that implemented in England. There are several important distinctions & detailed guidance can be seen here:

[Read more](#)



Brief examples of such divergence principles include (a) the broader scope of building types and (b) governance led by Local Authority rather than a centralised Building Safety Regulator.

It is obviously important that those responsible for multi-occupancy buildings within Wales familiarise themselves with these subtle changes before they come into force. The committee is expected to report back by 29 November 2025.

2

BSA Working Group proposes amendments to the Technology & Construction Court Guide (TCC)

Proposed amendments to the TCC court guide are being considered to hopefully address practical issues where proceedings rely on Part 5 of the BSA i.e. (Remediation Order (RO) / Remediation Contribution Order (RCO) / Building Liability Order (BLO)). In addition, claims under the Defective Premises Act 1972 (DPA) against a developer / landlord / construction professional / sub-contractor are also subject to proposed amendments. Presently, the First Tier Tribunal (FTT) hears applications for RO's and / or RCO's whilst the TCC hears claims for BLOs and / or DPA claims.

Proposed amendments to the TCC Guide include (but are not limited to):

- Referencing BSA-related claims in the definition of "TCC Claims"
- Clarifying the application of the Pre-Action Protocol for Construction and Engineering Disputes to BSA-related claims and the expected use of ADR.
- Providing guidance on procedural issues that may arise in respect of BSA-related claims, particularly where these may span the jurisdiction of both the FTT and the TCC.

These amendments are welcomed to streamline a growing number of BSA claims, which are often highly technical and legally complex. A date for when these proposed amendments are expected to be added to the TCC Guide is still awaited - watch this space.

3

Implementation of a Building Safety Levy

The Building Safety Levy (England) Regulations 2025 has now been published and is set to come into force on 1 October 2026. This levy will apply to all new residential developments that require building control approval, regardless of height. Its aim is to (i) help fund remediation works to existing residential buildings where building safety defects have been identified and (ii) encourage future developers to prioritise building safety.

4

UK Building targets and The Building Safety Regulator (BSR)

The BSR deals with applications for new-build schemes and remediation projects for all “higher risk” buildings. Under the system, developers must get BSR sign-off at three stages, known as “gateways”. It is at Gateway 2 where consent must be given by the BSR before a programme of work can commence, and that is when problems seem to have arisen.

Official building control data shows just 28,180 homes were started in the first quarter of the year, a long way short of the annual 300,000 government target. A significant factor for the shortfall is said to be a considerable backlog of Gateway 2 applications awaiting determination. Consequently, the Ministry of Housing, Communities and Local Government has announced a range of reforms to hopefully improve the system.

5

And finally - Playing with Fire Battery Energy Storage Systems (BESS)

Concerns around the safety of BESS continue to mount across the U.K, Europe and beyond. Following serious fires recently in California and Essex, experts call for stronger regulation and safer technology. As the UK and Europe strive for net zero targets, demand for BESS facilities is increasing all the time but they are not without their risks. Fires are typically caused by thermal runaway, a chain reaction triggered by short-circuits, defects or damage.

‘We are Playing with Fire’: Growing Concerns Over Battery Storage Safety

Read more



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