

## Client: What you need to know

As a Client instructing the design and construction of a new residence of multiple occupancy over 18m in height or 6 stories and above, the new Building Safety Act introduces increased accountability and assigns various duties on your organisation to ensure that risks are managed and mitigated throughout the design, construction and occupancy phases.

### The following general duties will be assigned to the Client under the Act:

- Co-operate and share information with the Building Safety Regulator
- **Ensure compliance with the building regulations**
- Comply with the specific regulatory requirements imposed upon them
- **Ensure they and the people they employ are competent to do the work they are undertaking**

### In addition to the above general duties, the Client will be required to:

- Ensure the scope of service for the Principal Designer and Principal Contractor cover both the requirements of the CDM Regulations 2015 and the Building Safety Act
- **Ensure those appointed to work on the scheme are competent and that they can demonstrate they have the skills, knowledge and experience of working on similar schemes. This should include consideration of the enhanced requirements for ensuring compliance with the building regulations over and above the CDM Regulations requirements for competence**
- Submit to the Regulator full plans, the Construction Control Plan, Fire and Emergency File and other supporting information to the Buildings Safety Regulator
- **Ensure a Change Control Plan is in place prior to works commencing on site**



- Agree a site inspection programme with the Building Safety Regulator for specific stages of the construction
- **Register the premises with the Building Safety Regulator upon completion and prior to occupancy**
- Upon completion, issue the building safety regulator with:
  - updated as-built plans indicating any agreed variations since Gateway two;
  - a complete construction control plan;
  - an updated fire and emergency file; and
  - a complete key dataset.
- **Issue a jointly signed (by PD and PC) conformity declaration to the Regulator at project completion and prior to occupancy**

For most buildings in scope the identity of the Accountable Person will be clear. The Accountable Person will be the individual, partnership or corporate body with the legal right to receive funds through service charges or rent from leaseholders and tenants in the building. The Accountable Person will also be identifiable by their legal responsibility for the upkeep and maintenance of the structure and outside of the building, and the plant room and common parts within. In the case of complex building ownership models, there could be more than one Accountable Person. The Accountable Person will therefore in most cases be the freeholder or head lessee.

The Act clearly states that Duty Holders can utilise the skills of consultancy services to help them with the discharging of their duties stemming from the Act.

With over 20 years of experience in assisting Clients to discharge their duties stemming from the CDM And Building Regulations, CHPK are ideally placed to assist you in complying with the new requirements.

The new Building Safety Regulator's powers to stop work, delay occupation and issue unlimited fines may cause unacceptable delays and add extra financial burden to your project – contact CHPK to discuss how we can assist you ensuring you and your project comply with your duties on all buildings currently in scope.