

Ref:

Called in

Yes/No

THE THANET DISTRICT COUNCIL

RECORD OF DECISION OF CABINET

Cabinet Member

Councillor Helen Whitehead

Relevant Portfolio:

Deputy Leader and Cabinet Member for Housing

Date of Decision:

15 June 2023

Subject:

Building Safety Act 2022

Key Decision

Yes

In Forward Plan

Yes

Brief summary of matter:

The report seeks the authority for the council to delegate new building safety responsibilities as set out in the Building Safety Act 2022 and to adopt a revised fire risk assessment policy that has been affected by the Building Safety Act 2022. Cabinet is was asked to:

1. Approve the recommendation to name Thanet District Council as the Accountable person, as described in the Building Safety Act 2022;
2. Approve the recommendation to name the Director of Place as the Principal Accountable Person, as described in the Building Safety Act 2022;
3. Approve the adoption of the revised fire risk assessment policy;
4. Delegate authority to the Director of Place to approve future minor amendments required to the fire risk assessment policy.

Decision made:

Cabinet agreed the following:

1. To approve the recommendation to name Thanet District Council as the Accountable person, as described in the Building Safety Act 2022;
2. To approve the recommendation to name the Director of Place as the Principal Accountable Person, as described in the Building Safety Act 2022;
3. To approve the adoption of the revised fire risk assessment policy;
4. To delegate authority to the Director of Place to approve future minor amendments required to the fire risk assessment policy.

Reasons for decision:

The requirements are set in legislation and are dependent on individual organisations structures as to who is best placed to fulfil these roles. The TLS has sought legal advice prior to making the above legislation to ensure the correct interpretation.

The fire risk assessment policy has been updated to incorporate the new requirements

of the Building Safety Act 2022 and revision in the Regulatory Reform (Fire Safety) 2005.

Alternatives considered and why rejected:

The alternative is to do nothing which would leave us open to legal challenge as we would not be compliant with the new legislation.

Details of any conflict of interest declared by any executive Member who has been consulted and of any dispensation granted by the Standards Committee:

None

Author of Officer report:

Sally O'Sullivan, TLS Manager

Background papers

15_6_23 Cabinet Building Safety Act - Google Docs
Annex 1 - V2 Building Safety report MAR23 - Google Docs
Annex 2 - FSO revision recommendations - Google Docs
Annex 3 - information needed for registering HRB's - Google Docs
Annex 4 - FEB 22 Edit V1 Thanet Fire Risk Assessment Policy - Google Docs

Statement if decision is an urgent one and therefore not subject to call-in:

None

Last date for call in: 23 June 2023