



The Building Safety Bill: Why Lord Crisp's amendment is vital to the future of people's health and wellbeing

Summary

The Grenfell disaster is a tragic example of the human costs of getting regulation wrong. The Building Safety Bill is a unique opportunity to secure healthy places which enhance people's life chances. As it stands, that opportunity will not be realised because the Bill focuses on a narrow definition of safety and only for a minority of buildings.

Lord Crisp, with cross-party support, has tabled a simple amendment to Clause 3 of the Building Safety Bill which clarifies that building 'safety' is not just the absence of immediate physical harm but also includes the consideration of people's wider health and wellbeing. You can find it [here](#).

If adopted this would be the start of a new approach to the creation of places which meet everyone's need for a decent home in a healthy neighbourhood. This short briefing answers six questions about the amendment and supplements the more detailed TCPA briefing on the Building Safety Bill, [here](#).

What is the wording of Lord Crisp's amendment?

Clause 3
LORD CRISP
LORD YOUNG OF COOKHAM
LORD BLUNKETT
LORD STUNELL

Page 2, line 33, at end insert—

“(6) In this Part “safety” means risk of harm arising from the location, construction or operation of buildings which may injure the health and wellbeing of the individual.”

What does the amendment do?

The proposed amendment to clause 3 clarifies the meaning of 'safety' to include health and wellbeing. The amendment makes clear that the building safety regulator should consider human health and wellbeing in discharging its building functions. In practice this means that the regulator, part of the Health and Safety Executive, needs to consider health and wellbeing as part of 'safety' when it exercises building functions under sections 4, 5 and 6 of the Bill and its functions under the Health and Safety at Work Act 1974 or the Building Act 1984. The amendment achieves two objectives:

- It clarifies the existing meaning of 'safety' contained in the Bill to ensure it includes human health and wellbeing; and

- It applies the definition not only to tall buildings at risk of fire but to all responsibilities of the building safety regulator.

Why is the amendment important?

'Safety' is currently **undefined** in the Bill so it is simply not clear whether people's health and wellbeing should be considered by the building regulator. This lack of clarity is unhelpful because the **'safety of people' is generally defined as an absence of health risks or harms**. Both 'health' and 'wellbeing' have definitions in UK legislation, so their insertion into law would not be novel. This broader definition allows for the consideration of people's basic and common-sense needs such as freedom from pollution and damp, safety, access to natural light, accessibility including safe stairs, and thermal comfort. While the amendment is limited to clarifying the scope of responsibility of the building regulator it does enable the beginning of a new approach to regulation in which human health and wellbeing are core to the delivery of building safety.

Aren't these issues dealt with by other regimes, such as planning?

The Levelling Up White Paper recognises the vital role that the quality of homes and communities play in people's life chances. However, the Government has so far rejected attempts to clarify the meaning of safety in the Building Safety Bill to include health and wellbeing. It has done this on the basis that these issues are dealt with in other regulatory regimes such as town and country planning. But planning legislation has no legal obligations of any kind that relate to the health and wellbeing of people. The national planning policy requirements that do exist on health are weakly expressed and do not apply to the many thousands of substandard homes converted from commercial premises [without planning permission](#).

Who supports the amendment?

More than 50 organisations have publicly supported the need for a new approach to building standards as set out in the ['Healthy Homes Principles'](#). The need to consider human health as part of building safety was widely supported in the Commons committee stage of the bill.

What can I do now?

We very much hope that Peers will support Lord Crisp's amendment in the committee stage of the Building Safety Bill. **This begins on Monday 21 February**. We recognise and support the vital contents of the Bill on fire safety, but the proposed amendment is a vital complement to that agenda and reflects our understanding of the role that homes and neighbourhoods play in tackling health inequality.

Further information

For more information about the [Healthy Homes campaign](#) please contact:

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