



# **BPF RESPONSE TO MHCLG'S CONSULTATION ON THE SINGLE CONSTRUCTION REGULATOR PROSPECTUS**

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**PREPARED AND SUBMITTED BY**

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## British Property Federation

The British Property Federation (BPF) is the voice of the real estate industry, which accounts for one in thirteen jobs across the UK, contributes 5% (£110 billion) of UK GVA, and pays £14 billion in direct and indirect tax each year. Our members include pension funds and institutional investors who invest for the long term in homes, workplaces and communities.

Our members are directly affected by the operation of the current building safety regime. They are on the front line of delivering Build to Rent, student accommodation, and mixed use developments, many of which are high rise and therefore subject to the new Gateway process overseen by the Building Safety Regulator. Members are also engaged in the remediation of existing buildings with unsafe cladding.

As a result, the BPF and its members are uniquely placed to provide insight into how the current system is functioning in practice, and how proposals for a future Single Construction Regulator may impact delivery, investment and building safety outcomes.

## Chapter 1: Our vision for a future regulatory system

The BPF supports the overarching ambition set out in the consultation, particularly the focus on delivering safe, high-performing buildings, ensuring that construction products are fit for purpose, and building a system that is trusted by residents. The emphasis on safety as the primary objective of the regulatory system is appropriate and strongly supported.

However, there is significant uncertainty around the institutional model proposed to deliver these outcomes. In particular, there is concern regarding whether the proposed Single Construction Regulator is intended to be the existing Building Safety Regulator or whether government is considering establishing a new body. Clarity on this point is essential. Industry confidence would be undermined if there were a move to create a new regulator rather than building on the framework and expertise already established within the BSR.

More fundamentally, there is a question as to whether framing the regulator as a “construction” regulator accurately reflects the scope of the challenges it is intended to address. For many asset owners, particularly those holding residential buildings over the long term, the most significant safety risks arise not during construction but during occupation and ongoing management. These include issues such as resident behaviour, maintenance practices, and post-completion alterations.

As such, there is a risk that the proposed model does not fully align with the lifecycle nature of building safety. If the regulator’s remit is intended to extend meaningfully into occupation, government should consider whether a broader framing, potentially closer to a residential or built environment regulator, would better reflect this reality.

## Chapter 2: Scope, functions and powers of the regulator

### Integration and digital first regulation

There is strong support in principle for the ambition to create a more integrated regulatory system, underpinned by digital processes and improved data sharing across the lifecycle of buildings. Industry recognises the potential benefits of a digital-first approach, including improved transparency, better decision-making, and more efficient compliance.

However, this ambition will only be credible if it is matched by appropriate levels of government investment. Experience with the current Building Safety Regulator systems, particularly the gateway process, demonstrates the consequences of underinvestment in digital infrastructure. Existing systems have struggled to accommodate the volume and complexity of information required and have not been designed in a way that aligns with how industry actually operates.

At present, there is a significant gap between the digital capabilities of industry and those of government systems. For example, while projects are routinely developed using coordinated 3D BIM models, current regulatory platforms are not capable of meaningfully ingesting or utilising this level of information. As a result, applicants are often required to simplify or reformat data in ways that reduce its value and create inefficiencies.

If the future regulator is to operate on a genuinely digital-first basis, this gap must be addressed. Government systems need to be capable of receiving, processing and interacting with industry-standard digital information. This will require early and sustained investment, and consideration should be given to funding mechanisms, including fee-based models, to ensure that systems are fit for purpose from the outset.

There are also practical challenges associated with delivering an integrated digital system across the built environment. Achieving interoperability between multiple legacy systems, organisations and datasets will be complex, and the consultation does not yet provide sufficient detail on how this will be delivered in practice. While the ambition is welcomed, greater clarity is needed on implementation, governance and cost.

## Chapter 3: Roles and responsibilities in an integrated regulatory system

### Clarity of proposals and system design

A consistent theme across our discussions with members was that the consultation is currently too high level to enable meaningful engagement. While the principles set out are broadly supported, they are expressed in terms that are difficult to disagree with, and there is insufficient detail on how the proposed system would operate in practice.

In particular, the consultation refers to a model in which functions are distributed across a network of public, private and regulatory bodies. However, it does not clearly define which organisations would be involved, how responsibilities would be allocated, or how accountability would be maintained across the system. This lack of specificity makes it challenging for stakeholders to provide informed feedback.

There is also a perception that some elements of the consultation repeat existing policy language without advancing a clear set of new proposals. The BPF would therefore encourage government to bring forward more detailed and concrete proposals in due course, supported by further engagement with industry.

### **Culture change and industry readiness**

The emphasis on culture change towards a more safety-led system is supported. However, the consultation does not fully address the practical steps required to achieve this or the extent to which industry is currently prepared for further change.

While the sector is committed to improving standards, there is a need for clarity, consistency and stability in the regulatory framework to enable effective implementation. Uncertainty around future requirements risks undermining progress.

### **Wider policy landscape and implementation certainty**

Beyond the content of the consultation itself, there are broader concerns regarding the pace and coordination of regulatory change. The volume of consultations and ongoing reforms creates challenges for organisations seeking to engage both collectively and individually.

More importantly, there is a lack of clarity around when proposed changes will be implemented and how they will be phased. For industry, certainty over implementation timelines is more critical than visibility of consultation timetables. Without a clear understanding of when rules will change, it is difficult to plan investment, delivery and operational processes effectively.

The BPF therefore recommends that government provides greater transparency on the forward pipeline of regulatory changes, including indicative timelines for implementation. A more coordinated and predictable approach would support industry in adapting to reforms and delivering improved outcomes.