

Fulkers
Bailey
Russell



Building Safety Regulator

WPQ Report

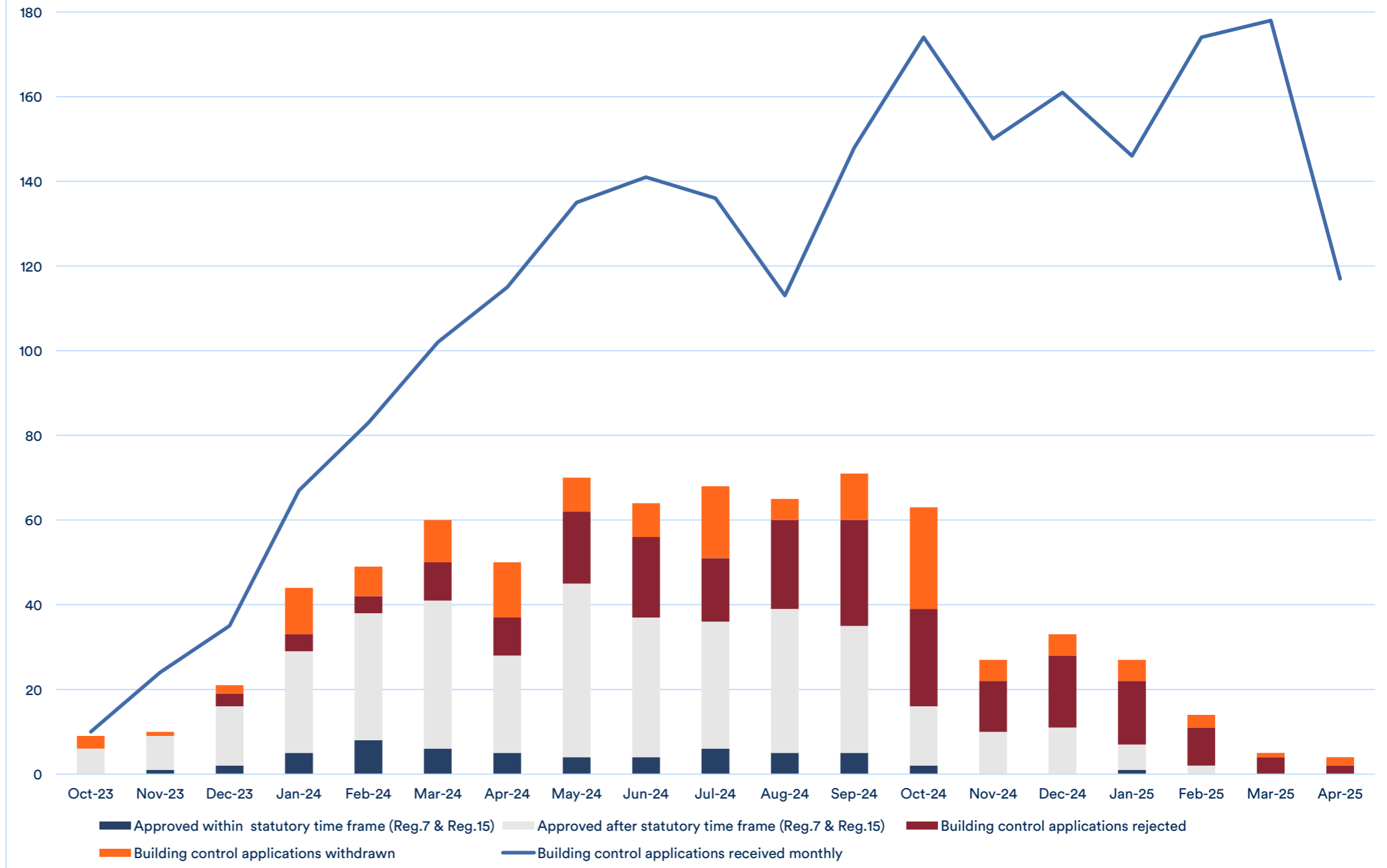


Summary.

Data provided by the MHCLG appears to show:

- The Building Safety Regulator (BSR) has only approved 2.4% of applications within its statutory timeframe since the regulations became active in October 2023.
- Of applications received since November 2024 it has only approved one application within the statutory timeframe.
- The BSR has approved 18.3% of applications it has received so far. However, the percentage of applications the BSR has approved is declining:
 - 2023 – 44.9% of applications approved
 - 2024 – 23.9 % of applications approved
 - 2025 – 1.5% of applications approved

Alex Norris MP Parliamentary Under-Secretary of State at the Ministry of Housing notes “The BSR will shortly be publishing quarterly data demonstrating the volumes of applications received, recorded outcomes and decision times for determination”. Which is good for the industry and will reduce the reliance placed on freedom of information requests and parliamentary questions to gather data about expected determination times.



How We Can Help.

Fulkers Bailey Russell (Fulkers) consult extensively on the Building Safety Act. Led by architects, the team has a strong focus on understanding the legislation and only placing limited trust in non-statutory guidance. Consequentially the team can take a robust approach to the Act by reinforcing their advice with citations to the relevant sections of legislation.

Services provided by the Fulkers compliance team include:

- Building Regulations Principal Designer – Discharging the statutory role.
- Building Safety Act Advisor – Advising on Gateway 2&3 application strategy and assisting clients in discharging their duties under the regulations.
- Advising on if proposed construction work requires gateway 2&3 applications.
- Advising on the independent sections provision in The Higher-Risk Buildings (Descriptions and Supplementary Provisions) Regulations 2023, and if commercial areas of an HRB should be included in the registration.
- Advising other duty holders (including designers and contractors) in relation to their duties regarding the construction aspects of the Building Safety Act.



If you require advice on the Building Safety Act, please contact us.

Meet the Team:



Michael Bailey
Associate Director of Compliance

Michael leads the Fulkers Compliance service. He is a Chartered Architect with experience in client-side development roles and prop-tech. In addition to his work at Fulkers he is a visiting Lecturer in Management Practice and Law at University of Sheffield, School of Architecture and a RIBA Part III Oral Examiner at University of Westminster: School of Architecture & Cities.



Marta Garcia Jimenez
Senior Technical Manager

Marta is a Senior Technical Manager with over 15 years of experience as a registered Architect working on all RIBA stages in projects ranging from large-scale mixed-use residential developments to education and commercial use. Leveraging her experience coordinating complex projects, she enhances her role as BR-PD by providing valuable technical advice. Additionally, she offers clear regulatory advice to support developers and contractors on the new requirements introduced by the Building Safety Act, particularly regarding the gateway process for higher-risk buildings.



Nick Grimmett
Technical Manager

Nick is a registered architect with 10 years' experience delivering a wide range of residential and commercial projects. He has extensive experience with RIBA Stage 4 & 5, specialising in technical design, project team co-ordination and overseeing project delivery through the construction phase. Leveraging his expertise, Nick advises on technical matters in his role as Building Safety Advisor and Building Regulations Principal Designer.

Data.

Andrew Rosindell MP for Romford asked a series of written parliamentary questions regarding the performance of the BSR. Alex Norris MP Parliamentary Under-Secretary of State at the Ministry of Housing has answered these questions. His responses are summarised in the table below.

	GW 2 Applications Received	GW 2 Applications Withdrawn		GW 2 Applications Rejected		GW2 approved		GW2 approved within statutory time frame	
		No. of Applications	% of Applications	No. of Applications	% of Applications	No. of Applications	% of Applications	No. of Applications	% of Applications
Oct-23	10	3	30.0%	0	0.0%	6	60.0%	0	0.0%
Nov-23	24	1	4.2%	0	0.0%	9	37.5%	1	4.2%
Dec-23	35	2	5.7%	3	8.6%	16	45.7%	2	5.7%
2023	69	6	8.7%	3	4.3%	31	44.9%	3	4.3%
Jan-24	67	11	16.4%	4	6.0%	29	43.3%	5	7.5%
Feb-24	83	7	8.4%	4	4.8%	38	45.8%	8	9.6%
Mar-24	102	10	9.8%	9	8.8%	41	40.2%	6	5.9%
Apr-24	115	13	11.3%	9	7.8%	28	24.3%	5	4.3%
May-24	135	8	5.9%	17	12.6%	45	33.3%	4	3.0%
Jun-24	141	8	5.7%	19	13.5%	37	26.2%	4	2.8%
Jul-24	136	17	12.5%	15	11.0%	36	26.5%	6	4.4%
Aug-24	113	5	4.4%	21	18.6%	39	34.5%	5	4.4%
Sep-24	148	11	7.4%	25	16.9%	35	23.6%	5	3.4%
Oct-24	174	24	13.8%	23	13.2%	16	9.2%	2	1.1%
Nov-24	150	5	3.3%	12	8.0%	10	6.7%	0	0.0%
Dec-24	161	5	3.1%	17	10.6%	11	6.8%	0	0.0%
2024	1525	124	8.1%	175	11.5%	365	23.9%	50	3.3%
Jan-25	146	5	3.4%	15	10.3%	7	4.8%	1	0.7%
Feb-25	174	3	1.7%	9	5.2%	2	1.1%	0	0.0%
Mar-25	178	1	0.6%	4	2.2%	0	0.0%	0	0.0%
Apr-25	117	2	1.7%	2	1.7%	0	0.0%	0	0.0%
2025	615	11	1.8%	30	4.9%	9	1.5%	1	0.2%
Total	2209	141	6.4%	208	9.4%	405	18.3%	54	2.4%

Notes:

The number of applications received, is significantly higher than the total of applications, approved, rejected and withdrawn. This is partially explained by applications that are still being determined. However, we also suspect that the BSR does not record applications that are not valid (under regulation 5 or 13) as Rejections. Unfortunately, the BSR has not provided data for rejected validations.

The Minister's answers do not make it clear if rejections and approvals are recorded in the month the application was received or determined. We suspect that these are recorded in the month the application was received.

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