

Part 2: Does the building sector need regulation to achieve sustainability?

A summary of the issues raised in The Built Environment Exchange, Regulation V. Self-regulation debate

The current Conservative government is seeking to de-regulate the building industry with a one policy in, three out approach. With the sustainability challenge imperative for the building industry, LSBU, CIBSE and the All-Party Parliamentary Sustainable Built Environment Group debated whether regulation is needed to drive sustainability across the sector.

In a vote held prior to the debate the audience were 70% in favour of regulation. As Paul Everall, Local Authority Building Council, and Nicole Lazarus, Bioregional, argued, regulation provides a level playing field and sets the minimum standard to be achieved by the sector as a whole. However, Mat Colmer, freelance, and Martin Townsend, BRE, reasoned that the minimum standard may be too low and that industry should be aspiring beyond the minimum needed to comply with regulation. They also argued that the people best placed to direct regulation are the people already working in industry, rather than those outside it.

Nonetheless, inspiring the industry to go beyond minimum standards requires a cultural change and as Paul Everall stated, regulation is a helpful tool to enforce change. Paul continued that although in an ideal world the industry wouldn't need regulation, it is far from it. In contrast, Mat Colmer explained that as regulation is only reviewed every three years, a self-regulating industry would be more dynamic and responsive when it comes to changes to the operating

environment. Self-regulation, however, is faced with the notion that complying with building regulations is enough and Martin Townsend stressed that professionals need to be inspired to be creative and tackle the sustainability challenge.

Nicole Lazarus then put forward a counter-argument that good regulation, when well thought out and properly enforced, can be highly successful. She cited the PPS (Planning Policy Statement) on Eco-Towns as a good example of an outcome-based approach, which is not overly prescriptive and allows the industry to respond freely.

Paul Everall then stated that without Part L the approach to tackling climate change in the industry would be much weaker. Mat Colmer added that, as a whole, the industry has moved on from what building regulations tried to achieve and highlights poor building performance as proof that regulatory efforts are failing. Nevertheless the speakers were in consensus on the need for regulation in certain elements in the sector, for example health and safety. Martin Townsend claimed that while regulation is good for setting long-term visions and baseline standards, it is the gap between these two points where industry self-regulation can flourish. Both Martin and Mat maintained that self-regulation releases talent that needs to be nurtured and enabled, to drive the sustainability agenda without the burden of excess regulation.



In conclusion it became apparent that regulation has its place in enforcing sustainable design and practice in the industry, however it can limit progress due to low benchmarks and the creation of unnecessary requirements. The self-regulation team produced a compelling argument, almost swaying the audience in the final poll for a final result of 52% for regulation 48% for self-regulation.

Thank you to Paul King of Lendlease for being an excellent chair.