

CLIENT INFO SHEET #10

INTRODUCTION

This fact sheet provides insights into how the Building Safety Act 2022 (BSA) interacts with the process of obtaining a Licence to Alter for building modifications.

RESOURCES

Key Building Safety Act 2022

DISCLAIMER

This document is a summary based on our understanding as of 4 March 2024 and does not serve as legal advice.

IMPORTANT DATES



Gateway 1: Implemented in **August 2021**.

Gateways 2 and 3: Came into effect in **October 2023**.

OBLIGATIONS

Lease and Licence to Alter: Most leases restrict modifications to the structure or interiors of a building without written permission, known as a Licence to Alter. The scope of modifications requiring this licence varies by lease, ranging from minor to significant alterations.

BSA and Licence to Alter: The BSA introduces three "gateways" to enforce new safety standards in higher-risk residential buildings (HRRBs) during the design, construction, and completion stages. These gateways aim to enhance oversight from the Building Safety Regulator (BSR) by requiring detailed safety, design, and structural information submissions.

Significant alterations that impact the building's fire safety strategy or structural integrity, such as removing a protected stairway or adding another floor, may necessitate a Licence to Alter. These changes might fall within the scope of the gateway requirements if they significantly alter the building's safety profile.

High-Rise Residential Building Register: For registered buildings, any changes that affect the building's registered details due to a Licence to Alter need to be updated on the HRRB register. This could include modifications like combining two flats into one, which would change the number of residential units and potentially the count of front doors. However, unless these changes affect the building's structural safety, they would not trigger the gateway process.

The BSA applies to residential buildings that are 18 meters in height or greater, or have seven or more storeys, and contain two or more dwellings. These are classified as HRRBs.