



Ministry of Housing,
Communities &
Local Government

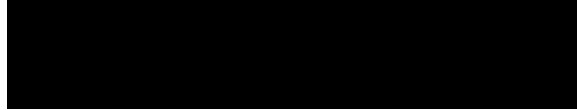
Rt Hon Robert Jenrick MP

*Secretary of State for Housing, Communities and
Local Government*

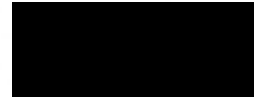
**Ministry of Housing, Communities and Local
Government**

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14th

February 2021

Dear Mr McLoughlin,

Thank you for your letter of 20 January enclosing a Regulation 28 Report in relation to the inquest touching the death of Philip Noel Sheridan.

I am saddened to hear of Mr Sheridan's death in these tragic circumstances. The Government is very clear that unauthorised development and failure to comply with Building Regulations is unacceptable.

Day to day responsibility for planning control rests with local planning authorities. We have recently funded the National Association of Planning Enforcement (NAPE) to produce guidance to help authorities carry out their enforcement functions. This guidance sets out the wide range of powers available and provides advice about their use in practice. In particular, local authorities have various powers to request information about the ownership and use of land. NAPE's guidance contains examples of sources of information that authorities may draw upon, including things such as housing and council tax records.

As part of our reform of the planning system, we are keen to see a stronger emphasis on planning enforcement. Our recent '*Planning for the Future*' White Paper sets out our intention to introduce stronger enforcement powers and to look at ways of supporting more enforcement activity.

The Building Regulations can be contravened by not following the correct procedures or not meeting the required technical performance requirements. Under Sections 35, 35A and 36 of the Building Act the local authority has the power to take enforcement action against the building owner and those carrying out the works. This can include requiring that the works are pulled down or removed.

We are currently consulting on proposals to extend the Smoke and Carbon Monoxide Alarm (England) Regulations 2015. We are proposing to mandate smoke alarms in all socially rented homes. Social landlords would be obliged to provide a smoke alarm on each storey of the premises on which there is a room used wholly or partly as living accommodation. This would bring requirements in line with those for private landlords.

We are also proposing to amend the legislation to create an obligation for social and private landlords to repair or replace smoke alarms, once informed that they are faulty. We are not proposing to require landlords to test smoke alarms throughout the life of a tenancy. The consultation ran for 8 weeks from 17 November 2020 and closed on 11 January 2021. We are currently analysing the responses and will publish our response in due course.

Yours,
Robert Jenrick

RT HON ROBERT JENRICK MP