Single Construction Regulator Prospectus Consultation

Construction Plant-hire Association response

(See Prospectus here)

Consultation Questions

Chapter 1: Our vision for a future regulatory system

1. Where do each of the proposed outcomes for the system sit on a scale from very useful to not useful at all?

Very useful
Useful
Neutral
Not useful
Not at all useful

2. What role would you and/or your organisation play in achieving these outcomes?

The CPA is the trade association representing over 1,900 members from the UK construction plant-hire sector. As a collective, the CPA's members contribute £14 billion to the economy, and support over 190,000 jobs.

The CPA's members supply the machinery and equipment - like excavators, cranes and generators - that keep construction sites running safely and efficiently. Rather than purchasing this equipment outright, construction firms hire it as needed, helping them manage costs, reduce risk, and keep projects moving.

The CPA and its members would contribute to these outcomes in the following ways:

- Continuing to develop and publish industry-leading safety guidance referenced across the sector.

- Working with Health, Safety, and Environment (HSE) specialists embedded in our operations to maintain and raise safety standards.

- Engaging constructively with the new regulator to ensure plant hire-specific practices are properly understood and reflected in regulatory guidance.

- Continuing to champion construction plant-hire's industry-leading safety culture.

3. What will be the most important factors to achieving the proposed outcomes?

- Proportionality: Regulation must be targeted at those actors who represent the greatest risk to safety, not applied uniformly across a sector with widely varying risk profiles.

- Resourcing the regulator adequately: Outcomes will not be achieved if the regulator lacks the capacity to deliver its functions effectively. The BSR's current difficulties at Gateway 2 (discussed further below) demonstrate what happens when regulatory ambition outstrips operational capacity.

- Clear allocation of responsibility in the supply chain: Safety obligations must sit with those who are best placed to manage them. Where Main Contractors are discharging their responsibilities under the Construction (Design and Management) Regulations and Local Authorities are signing off the correct build specifications, the supply chain - including plant hire - is already operating within a clear safety framework. Regulatory reform should reinforce rather than duplicate this.

- Cultural change at the top of the supply chain: Driving cultural change in the right places will be more effective than layering new requirements across the whole supply chain.

4. What are the most important barriers that could prevent the proposed outcomes from being met?

The CPA identifies the following key barriers:

- Regulatory overreach and disproportionate burden: If the new regulator attempts to regulate across the entire supply chain with equal intensity, it risks overwhelming compliant, lower-risk sectors whilst lacking the capacity to focus on genuinely high-risk actors. Prioritisation and proportionality are essential.

- Insufficient regulator capacity: As evidenced by the BSR's performance at Gateway 2, which has created significant delays in high-rise construction, establishing ambitious regulatory functions without adequate resourcing leads to delays that harm the industry and residents alike. Streamlining processes and increasing resources for the BSR would accelerate Gateway 2 approvals, unlock stalled projects, support housing delivery, reduce holding costs for developers, and strengthen employment in plant-hire, construction, and wider supply chains. Similarly, the new regulator must be properly funded and staffed from the outset.

- Fragmented accountability: Where responsibilities are unclear or duplicated between regulators, industry bodies and supply chain actors, it becomes easier for bad actors to evade accountability. The new regulator must establish a clear accountability framework that does not create perverse incentives.

- Failure to engage meaningfully with industry: If consultation processes are superficial, the regulator risks designing requirements that are technically impractical or commercially unworkable for parts of the sector. The CPA is committed to constructive engagement and would welcome ongoing dialogue.

5. What data would be needed to demonstrate whether the outcomes are being achieved?

The CPA suggests the following metrics would be valuable:

- Number and rate of building safety incidents, disaggregated by stage of lifecycle.

- BSR Gateway 2 approval times - a critical indicator of regulatory effectiveness.

- Industry compliance rates across product manufacturers, contractors and building managers, to track cultural change.

- Rate of enforcement actions and their outcomes, to demonstrate consequences for non-compliance.

- Economic indicators for the sector, including project delays attributable to regulatory processes, to track the proportionality of the system.

Chapter 2: Integrating the regulatory system (2.4 Digital, Data and Efficient Regulatory Delivery)

6. Have you experienced any challenges with providing information via government digital services when complying with current regulatory requirements across products, professions and buildings?

CPA members have not experienced any significant challenges with providing information via government digital services when complying with current regulatory requirements across products, professions and buildings.

7. How should the new regulator promote consistent digital standards and interoperability across the lifecycle of a building (including products, professions and buildings)?

The CPA supports the development of a common information architecture that links building control records, product information and professional accreditations.

8. What digital tools and platforms do you find most effective for ensuring you meet regulatory compliance and why?

N/A

9. What are the opportunities and risks associated with automating regulatory compliance checking (e.g. AI-driven assessment), and how should oversight, accountability and human review be retained within automated systems?

Automation of routine compliance checks could meaningfully reduce administrative burden on both industry and the regulator, freeing resources for higher-risk scrutiny.

10. Should the regulator play a role in setting behavioural standards and providing foundations for enforcement? If so, how should it do this e.g. via powers or duties?

The CPA supports the regulator playing a role in setting clear behavioural standards, provided these are directed at the relevant duty holders. Behavioural standards should align with existing frameworks, such as the Construction (Design and Management) Regulations, and avoid duplicating or extending duties to compliant supply chain sectors who do not exercise control over site-wide safety management.

It is important that the role of the regulator balances oversight with proportionality, recognising that many parts of the industry, including plant hire, already operate with high safety standards and a strong culture of self-regulation.

Any powers to issue guidance, conduct inspections, or take enforcement action should be balanced with the duty to act proportionately, avoid unnecessary burdens and maintain timely decision-making.

11. How can the regulator protect residents, enabling them to effectively exercise their rights to seek redress to make their homes safe, without fear or confusion?

The regulator can protect residents by ensuring accountability for relevant duty holders. We would note that for plant-hire companies, interaction with residents is typically indirect.

12. How can the regulator monitor the impact the regulatory system has on the safety of residents?

The CPA supports the development of a robust monitoring framework, but urges that it be designed in a way that is proportionate and focused on those parts of the system with the most direct bearing on resident safety.

13. What should the regulatory system do to better share information between regulatory bodies to inform and support the delivery of resident-based outcomes?

The CPA strongly supports improved information-sharing across the regulatory system, including the establishment of a common information architecture.

14. How can the regulatory system better support and advise residents?

Note that for plant-hire companies, interaction with residents is typically indirect. An efficient, proportionate regulatory system focused on ensuring accountability for the relevant duty holders would be best suited to supporting residents long term.

Chapter 3: Roles and responsibilities in an integrated regulatory system
We would welcome your views on the roles of actors within the ecosystem.

15. Do you agree with the principles set out in this chapter, and the proposed roles and responsibilities for government, regulatory bodies and industry?

The CPA broadly agrees with the principles and proposed roles set out in Chapter 3. However, roles must reflect actual control and responsibility. Where a principal contractor and site management are properly discharging duties under Construction (Design and Management) Regulations and related legislation, and when Local Authorities are signing off the correct specifications on build, the supply chain should already be operating within a

compliant safety framework. Safety issues typically arise where upstream dutyholders are not acting scrupulously. Strengthening accountability at principal contractor level is therefore critical.

16. What are your views on how the new regulator can work with industry to support culture change, towards a quality and safety-led culture? What sort of incentives or sanctions do you feel would be effective in supporting this change?

The CPA supports a regime that:

- Recognises good practice through positive recognition, accreditation and potential regulatory benefits (such as reduced compliance burdens for consistently high-performing operators).

- Imposes meaningful, proportionate consequences for persistent non-compliance - particularly on those at the top of the supply chain who are best placed to drive systemic change.

17. What are your views on how the industry can best drive the culture change and respond effectively to the changes proposed in this prospectus? In your view, how prepared are individuals and businesses for these changes? What would support industry to be more prepared?

The CPA's experience in the plant-hire sector offers a practical perspective on what drives genuine, sustained cultural change in construction.

Culture change in construction has historically been most effective when it is championed by those at the top of the supply chain - major contractors, developers and clients. When principal contractors demand high standards from their supply chains and are prepared to make commercial decisions on that basis, the effect cascades downward. The regulator should work with major clients and contractors to encourage this top-down commitment.

Importantly, culture change must also be supported by a proportionate and efficient regulatory framework.