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## Response to Consultation on the Construction Products Reform

**Pdf:** [Construction Green Paper consultation - February 2025.pdf](#)

**HTML:** <https://www.gov.uk/government/consultations/construction-products-reform-green-paper>

### Consultation description

The tragedy at Grenfell Tower and the two subsequent independent reviews, conducted by Dame Judith Hackitt and Paul Morrell and Anneliese Day, exposed significant failures in the construction products regulatory system, revealing institutional failures that allowed profit to come before safety.

Despite the significant reforms initiated in response to the Grenfell Tower tragedy, the government is clear that critical gaps persist in the construction products regulatory framework. This government is proposing a series of ambitious and far-reaching reforms aimed at enhancing safety, ensuring accountability, and fostering innovation and growth and therefore confidence across the construction sector.

The green paper supports the government response to the Grenfell Inquiry. It sets out a range of proposals for construction products reform, including proposals that address the Inquiry's recommendations. The green paper also serves as the government's response to the Independent Review of Product Testing and Certification (the [Morrell-Day Review](#)) (PDF, 2.1MB).

The green paper lays the foundations for a regulatory framework that will meet the UK's needs. Trust in UK construction products is vital to support economic growth, infrastructure delivery and our ambition of building 1.5 million new homes over this parliament. Retaining consistency between the UK regulatory framework and the revised European Union requirements, in line with objectives for reform, will contribute to achieving this outcome.

Beyond that, expanding regulatory coverage to include all construction products will address the government's aim to eliminate unsafe materials from the market, enhancing the overall quality and safety of buildings.

Proposals span the breadth of the regulatory and institutional system. They set out how testing and certification will be strengthened and how the regulators will be equipped with enhanced powers and resources to effectively enforce regulations.

The green paper also makes clear that achieving these necessary changes will require significant, long-term effort from both government and industry to deliver confidence in a system that guarantees safe products, safely used.

## Questions

### Chapter 2: An Overview of the Problems

#### Conclusion

1. Do you agree with this problem definition? [Yes/No]. Please explain your answer.

YES.

Historic England recognises many of the failings identified in the Green Paper and supports most of the proposed remedial measures. However, there appears to be an implicit assumption that, because only one-third of construction materials have been subject to testing criteria, all products should ultimately undergo the same level of scrutiny. This comes with the risk of overlooking the specific needs of traditional and historic materials, which may not be compatible with standardised modern testing regimes.

The conservation of historic and traditional buildings has long depended on the principle of using like-for-like materials for repair and renovation—materials that have demonstrated durability over centuries. However, the suppliers of these traditional materials are often small-scale producers who lack the financial capacity for costly product testing and are rarely represented in standards-setting processes. Current construction standards are primarily designed for new buildings, and their application to older structures has, in some cases, led to significant harm. It is essential that any new or revised standards explicitly recognise the distinct needs of traditional building materials, for example hand-made bricks and tiles, thatching reed, lime products, earth mortars, historic roofing slates and stones, heritage ironwork, timber products and so on. These materials are vital for the repair and conservation of historic and traditional buildings and are often produced in small batches, or one-off items, using traditional methods that cannot easily meet modern standardisation or testing regimes. New or revised standards should also ensure that modern materials and design approaches do not inadvertently cause damage or lead to unintended consequences.

The Green Paper is primarily concerned with safety. Some potentially hazardous materials in fires, such as timber and thatch, have performed very well over the centuries but could fall foul of an overzealous application of well-intended safety precautions. A more pragmatic, evidence-based approach is needed—one that considers historical performance and context alongside modern safety objectives.

Bullet point 2.2 identifies ***‘[the lack of] rigour and transparency in key institutions responsible for testing and certification of products; the poor product information and facilitation of misleading marketing and false claims’***. It is imperative that companies are made to provide clear instructions and evidence about the appropriateness of their products for a variety of uses. At present there is

little distinction between a product's intended use between that of modern or traditional construction. As the UK has one of the older building stocks in Europe, it is important that products are tested, specified and installed within the construction typology that they are intended to be used in. Where this is not the case there is potential to cause damage and decay to the existing building, health issues to the occupant, and that the product will not perform as intended. For example, this can be the case for products used for insulation, fire compartmentation and flood prevention, but also impermeable coatings, water-proofing products and the like. In addition, the use of certain terms such as 'breathable', 'sustainable' and 'energy efficient' within manufacturer's product information can be misleading, and has resulted in a market of products thought to be appropriate for buildings of traditional construction (generally constructed prior to 1919) but which have in fact led to damp and decay caused primarily by trapped moisture, causing health concerns for occupants and users. Upgrading fabric through the installation of insulation without considering moisture compatibility or ventilation can lead to unintended consequences such as damp and mould growth. Such risks are relevant to both traditional and modern construction when insulation is not appropriately considered or installed, as seen in in retrofit schemes in Preston and Wales ([Historic England, 2024b \*When Retrofit Goes Wrong\*](#))."

In relation to paragraph 2.5, Historic England agrees that the current system failed to ensure the public safety in relation to Grenfell. However, it is important that Government recognises that product testing should not be solely reviewed in relation to products for fire safety, or only for high-rise buildings. As was seen with the introduction of Awaab's Law to the Social Housing (Regulation) Act 2023, death can occur when poor indoor conditions pose risks to the health of occupants due to the lack of maintenance, appropriate ventilation and / or inappropriate materials being used. Any changes to the legislation must seek to also address public safety in the retrofit sector.

2. Are there particular functions that the sector does well and should be protected or encouraged? [Yes/No]. Please explain your answer.

YES.

The building conservation sector has generally been successful at repairing and maintaining historic buildings using traditional materials and techniques. These should be recognised and protected. Much of this work has been supported by a body of traditional knowledge, specialist skills, use of low-impact materials, small-scale testing and research with advice and guidance provided by bodies such as Historic England and Historic Environment Scotland. These practices are inherently sustainable, supporting repair over replacement, and should be encouraged in any future regulatory framework.

This work has helped to counter recommendations in standards which can cause harm to older buildings. For example, BS 5534 covers tiling, slating and shingle roofing and contains much useful information, but has long recommended the use of

cement mortars which have caused damage on older roofs. Following a failure of cement mortars on new housing estates, the standard was changed to effectively ban the use of mortars altogether, with all ridges, hip and verges to be 'dry fitted' and fixed. Lime mortars have been used judiciously and successfully for centuries on older roofs and continue to be used.

A requirement to test and validate all traditional materials would be prohibitively expensive for the many SMEs and individual producers. Government support is needed to sustain this part of the sector and protect traditional materials. This includes recognition of long-standing use and historical significance of these materials, the development of regulatory pathways tailored to traditional practices and SMEs, and the potential inclusion of such materials in national databases without requiring full retesting.

Where innovative use of traditional building products in new buildings is proposed, these materials may require testing as part of a system prior to use.

## **Chapter 3: Our Vision of Reform**

### *Overlap with other regulatory regimes*

3. What, if any, other potential overlapping rules, regulations or guidance should we consider when designing the construction products regulatory regime?

As identified in our response to question 2, it is important to recognise that different products could have unintended health and safety impacts on occupants of any domestic or commercial building, depending on the appropriateness of their specification and installation. With our changing climate and the drive to reduce carbon emissions by improving energy efficiency, there is a need to ensure that products are labelled in a way that removes any uncertainty of their intended use, and their appropriateness and compatibility with different materials, systems and construction typologies. Products are generally tested for a specific reason, for example their resistance to transfer fire, which is their primary purpose. However, without understanding the performance of buildings of traditional construction, their use could result in unintended consequences such as moisture accumulation in the building envelope, causing mould growth and health issues to the occupants. As the UK has such a varied range of different building materials and construction typologies, it is important that products are clearly identified as being suitable for the intended use. For example, where installing a flood door, it might have only been tested on a masonry building and not on one of timber-framed construction that could either be of heritage value, or of modern construction.

The Building Regulations include a variety of Approved Documents that provide some options that would meet the requirement. However, it is broadly recognised that those methods outlined in the Approved Documents are largely suited to modern construction, and this is outlined in several paragraphs where traditional and heritage

buildings have a clause that they do not need to meet certain standards if it would cause decay or affect the building's heritage value. Similar caveats are also included in retrofit standards, such as PAS 2035/38. A similar approach may be needed to ensure that a proportionate application is required for standards that products need to meet when used for specific purposes in historic and traditional buildings.

Where a proposal to change product regulations and standards is to be put in place, Historic England would be keen to support the government so as that we can ensure that buildings of historic and traditional construction are either not stranded or unintendedly harmed by these changes.

Historic England also recommend that an appropriate time frame for development and implementation is provided, as the implications for large scale change will likely require updating all of the Approved Documents, a variety of British Standards, as well as other laws including the Regulatory Reform (Fire Safety) Order 2005, the National Planning Policy Framework and other policies.

## **Chapter 5: Scope and Definitions of Reform**

### *Definition of a construction product and who should be responsible for safety*

4. Do you agree that the UK should adopt a definition that is consistent with the revised EU-CPR, for construction products in the UK regulatory regime? [Yes/No]. Please explain your answer.  
Not responding.

5. Is there a need to further clarify the regulatory approach to systems of products and or Modern Methods of Construction [Yes/No].

Please explain your answer and propose any additional clarifications.

YES.

It is imperative to differentiate approach and standards between modern construction, modern methods of construction and traditional construction to ensure that targets and standards are achievable and relevant to the typology in question. Where this is not factored in, it may lead to unsuccessful and inappropriate works being undertaken to meet unachievable targets. Where Modern Methods of Construction are being considered as extensions to existing buildings, particularly those of traditional construction or heritage value, the approach needs to be adapted to ensure compatibility.

These differences must be accounted for in standards and guidance to ensure that historic buildings are not inadvertently forced into inappropriate interventions or excluded from regulatory compliance.

6. Does the proposed definition of ‘economic operator’ capture all of those who are responsible for ensuring that products are safe when they are placed on the market? [Yes/No]. Please explain your answer.

YES.

Historic England recognises that the proposed definition (“...the manufacturer, the authorised representative, the importer, the distributor, the fulfilment service provider or any other natural or legal person...”) captures all parties responsible for product safety. However, the complexity of the wording risk obscuring meaning for many in the sector, particularly for smaller operators who may not have access to specialist legal advice.

In the heritage sector, projects often involve a wide range of small-scale operators—such as blacksmiths, joiners, conservators, and other craftspeople—who work on repairing or upgrading existing fabric rather than manufacturing new products at scale. It is vital that the definition clearly includes these individuals when they place products or materials on the market, and that they are not unintentionally excluded due to technical language. Moreover, these groups must be supported through clear, proportionate guidance and accessible training to help them understand and meet compliance obligations without creating undue burden.

## **Chapter 6: Product Requirements – A Regulatory Approach Based on Safety Risk**

### *Product requirements overview*

7. Would the approach detailed above enable a proportionate approach to regulating the safety of products not covered by a designated standard or subject to a technical assessment? [Yes/No].

YES

Historic England supports the principle of a general safety requirement, as it offers the necessary flexibility to accommodate traditional materials and heritage construction practices. This risk-based, proportionate approach is particularly appropriate in heritage contexts, where materials such as timber, earth and lime mortars, or traditional insulation may not be compatible with modern testing regimes but have a proven track record of safe and effective performance. For example, certain insulation products used in non-critical areas—such as away from escape routes—may not require the highest non-combustibility ratings, provided the risks are properly assessed within the actual context of use.

However, the effectiveness of Measure A will depend heavily on how paragraphs 6.6 (a–d) are implemented in practice. Safety assessments must go beyond general

product performance and consider factors such as moisture movement, vapour permeability, and structural flexibility. Products should not be deemed appropriate if they have not been tested—or clearly shown to be compatible—with the specific construction typologies in which they are intended to be used. For instance, a material tested only in cavity wall systems should not be assumed suitable for solid masonry walls. This specificity is essential to avoid unintended consequences such as damp, decay, or compromised indoor air quality.

For Measure C, concerning product information and labelling, Historic England welcomes greater transparency, particularly regarding installation guidance and safety risks. However, caveats should be introduced to ensure that product information addresses traditional construction scenarios. For example, a product designed for fire compartmentation must also include guidance on properties and performance in relation to moisture transfer, for example, to prevent potential unintended consequences such as damp and decay.

In all cases, for all standards and declarations, we suggest that they indicate when a product has not been tested on traditional construction, so that professionals can assess suitability and avoid unintended consequences such as damp or fabric failure in solid-wall buildings.

8. What are the implications, if any, that could arise from introducing obligations on importers and distributors to check product information and associated responsibility for the storage and transportation of construction products under a general safety requirement? If there are any implications, how could they be mitigated and managed? Not responding.

9. What role should technical assessment play in a future regime?

Historic England agrees with the role of technical assessment for new products being introduced into the UK's construction market. We believe that the role could be expanded to ensure that assessments reflect the full range of conditions under which products may be used; for example, the assessment could identify the difference between a product's response to moisture in both liquid and vapour form. This would support in identifying appropriate materials for traditionally constructed buildings being repaired or retrofitted, as well as help identifying how the product will respond to increased wind-driven rain, flood events and higher humidity; all of which are recognised in the Climate Change Risk Assessment for the UK.

Including detailed vapour and liquid moisture performance on product data sheets would also help prevent inappropriate specification, reduce the risk of damp, decay, and occupant health issues, and counter misleading marketing claims.

Additionally, manufacturers should be required to disclose the full list of product ingredients to ensure chemical compatibility with historic building materials. This is essential to support informed specification and avoid adverse reactions with adjoining or underlying fabric.

10. What requirements should apply to products and systems that are critical to safe construction? Not responding

*Strengthening obligations on how products are selected and installed for all products*

11. What types of requirements could be placed on those responsible for building works to enable them to meet safety obligations in relation to the specification, selection and installation of construction products?  
Not responding

12. What, if any, significant implications are there from implementing safety requirements for the specification, selection and installation of construction products and how could they be managed?  
Not responding

13. What other regulatory regimes and measures exist to support the safe installation of products in civil engineering works? Are there any duplications or gaps? Not responding.

*Voluntary routes for placing products on the market*

14. Do you agree that minimum requirements for third-party certification should be required? [Yes/No]. Please explain your answer.

YES.

Third-party certification provides clarity, especially for safety-critical products like intumescent paints, mastics, and fire seals. These assurances assist specifiers and enforcers in verifying suitability. Where third-party certification is not viable, alternative forms of evidence—such as long-standing empirical use or context-specific field testing—should be recognised within the regulatory framework. For example, research and guidance from Historic England and others could be reviewed by the Government and included or referenced.

15. Should upfront approval from the national regulator be required for third-party certification schemes? [Yes/No]. Please explain your answer.  
Not responding.

16. What could help increase the take-up of these types of schemes? Not responding.

### *Product information and labelling*

17. What information would support you to choose the best product that will be safe in its intended use and its normal or reasonably foreseeable conditions of use?

To make informed and safe product choices, the following information would be essential:

1. Clear statement of intended use and tested applications: Manufacturers should provide a transparent description of the product's intended use and performance characteristics, including details of where and how the product has been tested. For example, has it been tested on cavity walls only, or also on solid masonry walls? Have different construction typologies and environmental conditions been modelled or tested?
2. Information on compatibility with other materials and systems: It is important to know whether the product is designed for use in isolation or as part of a broader system. Where relevant, manufacturers should provide evidence of testing in conjunction with a range of substrates, build-ups, or adjacent materials. This is especially important for products related to fire compartmentation or retrofitting, where interactions between components can significantly affect performance and safety.
3. Chemical composition and moisture response: Full disclosure of the product's chemical composition and its response to both vapour and liquid moisture is vital. This helps to ensure compatibility with the surrounding materials and fabric, particularly in traditionally constructed buildings, where the interaction of materials can affect performance and durability.
4. Warranty, life expectancy, and maintenance requirements: Information on the product's expected lifespan, any warranties or guarantees, and required maintenance regimes is crucial for building owners and managers to plan preventative maintenance and ensure long-term safety and performance.
5. Environmental impact and sustainability credentials: Data on the product's environmental performance—including embodied carbon, Environmental Product Declarations (EPDs), repairability, recyclability, and reuse.

For traditional materials, it is important to recognise attributes such as long service life that reduce the need for frequent replacement and therefore help lower the overall environmental impact over the building's lifetime. Where EPDs are not available, particularly for small-scale or craft-based traditional materials, alternative forms of evidence (e.g. long-term field performance) should be accepted. This supports informed decision-making in line with sustainability goals and the UK Government's net zero commitments, without undermining conservation principles. A robust level of information will support specifiers, contractors, and building owners/custodians in making informed choices when repairing, retrofitting or altering

their buildings. It will ensure that products are not only safe but also appropriate for their intended use, preventing unsuccessful works being undertaken that could cause decay or deterioration to the building, or impact the health of the occupants/users.

## Marketing

18. Are you aware of instances where current marketing legislation has been insufficient to take action against misleading marketing practices? [Yes/No]. If yes, please provide details.

YES.

Historic England is aware of multiple instances where marketing practices have led to the inappropriate specification or use of construction products in heritage and traditional building contexts.

For example, issues arise with paints and coatings marketed as 'suitable for historic buildings' or 'breathable' or 'sustainable' or 'energy efficient', but these products may not allow transfer of liquid moisture which is essential in certain heritage applications. These products, once applied to traditional masonry or render, can trap liquid moisture within the building fabric, accelerating decay and deterioration to the building, reducing its resilience to climate change, and can also result in health implications to the occupant due to mould spores released in damp environments.

Historic England also has evidence on the misleading and insufficiently transparent marketing in relation to proprietary lime-based products. Certain proprietary lime products are promoted as compatible with traditional masonry walls, without providing a transparent breakdown of their composition, preparation method, or long-term performance. These products often contain unknown additives or admixtures that have the potential to cause damage to the building due to their incompatibility, resulting in premature failure and inconsistency. In some cases, manufacturers have been known to change the formulation of these proprietary products without notice or advertisement, creating inconsistencies in performance and future repair challenges. A further difficulty arises when failures are pointed out to manufacturers. Invariably the stock response has been to say that small design changes have eliminated the problem, although there are seldom any test results to support these claims.

Marketing claims suggesting that such products are a 'like-for-like' replacement for traditional lime mortars, or are 'appropriate for heritage buildings' can mislead practitioners and homeowners, where there is a lack of specialist knowledge. This not only endangers heritage assets but also buildings of traditional construction that equate to 30% of the existing buildings in England. In addition, these inaccurate claims contribute to the deskilling of the conservation workforce, undermining traditional knowledge and long-term preservation efforts. When misleading claims reduce demand for authentic materials and methods, training opportunities decline, and traditional skills are no longer passed on or valued. Over time, this undermines

both the technical competence of the sector and the long-term sustainability of conservation practice.

More rigorous oversight, clearer product labelling, and requirements for manufacturers to publish full performance and composition data would go a long way to addressing these risks to our heritage and traditional buildings.

#### 19. How is industry addressing gaps in construction product installation competence?

##### Installation skills (including advice from manufacturers)

Vocational training for construction trades is largely focused on new build construction, with little (if any) consideration given to the performance characteristics of traditional buildings, or appropriate products for use in their repair, maintenance and retrofit. This should be remedied, with all trades and installers expected to have a basic understanding of appropriate materials and installation procedures in this context.

The UK's government heritage bodies have been working together to improve the standard of retrofit training delivery in response to known skills and knowledge gaps in the retrofit workforce. A particular focus of this work is a qualification that centres on buildings of traditional construction. The Level 3 Award in Energy Efficiency Measures for Older and Traditional Buildings plays a key role in disseminating heritage knowledge to the retrofit workforce. It is a requirement for certain retrofit roles under PAS 2035 and PAS 2030 for installation of EEM and PAS 2038 – the industry standards that set out good practice for retrofit interventions – where buildings being treated are of traditional construction.

Cadw, Historic England and Historic Environment Scotland have published a new handbook to support learners undertaking retrofit qualifications, following their renewed commitment to helping the nation transition to net zero. The new publication is aimed at learners undertaking the Level 3 Award or other retrofit qualifications and is designed to be used as an additional resource to support training delivered by a registered provider. The qualification gives learners an understanding of how older and traditional buildings perform and the suitability of energy efficiency measures for their construction type.

#### 20. What more can be done to support the improvement of competence in the construction products industry?

At present, there is no universal mandatory mechanism for installers to demonstrate their competence for much of the construction sector. While voluntary schemes (PAS 2035, PAS 2030, PAS 2038) exist, in relation to retrofit and energy efficiency, they currently apply to government funded programmes only. The Building Safety Act's

requirement for the introduction of competence frameworks offers the opportunity to specify competence expectations, but it remains unclear at present how these will be evidenced in practice. The Federation of Master Builders, has been calling for a full licencing scheme for building companies, something MHCLG should consider, as it would give confidence to customers, clients and those commissioning work.

Any changes, however, need to be carefully considered and backed by investment to support installers, particularly the micro businesses and SMEs that make up much of repair, maintenance and improvement sector, to demonstrate their competence.

As noted in response to question 19 above, many existing qualifications and standards do not have sufficient coverage of traditional buildings and how they perform. All trades and installers working on older buildings should be expected to have a basic understanding of appropriate materials and installation procedures in this context. Existing awards such as the Level 3 Award in Energy Efficiency Measures for Older and Traditional Buildings and the Level 3 in Understanding Repair and Maintenance of Traditional (Pre-1919) Buildings could be better utilised to upskill installers.

## **Chapter 7: Clear accessible information**

### *Inquiry recommendations*

21. What test information is necessary to facilitate appropriate selection, safe installation, and to demonstrate that claims made can be evidenced?

As previously mentioned in other questions, it is important that testing of the system/product is not completed in isolation for its intended purpose when it has the potential to cause further decay or deterioration to a building, particularly through moisture accumulation. Any product should not provide a function against for example, fire resistance, but at the same time increase the risk of damp and mould. In addition, tests must show that the material has been tested as a whole system build up, particularly for fire resistant products to ensure that they are not tested in isolation. In addition, due to our changing climate it is important that systems/products/materials are tested against future climate change scenarios (such as increased wind-driven rain, increased solar gain and so on) to ensure that these products are suitable for the future and are not just short-term measures.

Test information for certain products and systems could include moisture transfer behaviour, compatibility with historic substrates, freeze-thaw resistance, and fire performance in relevant real-world applications. Information should not only reflect lab tests but also long-term field performance. This is particularly important because most testing is lab-based and not necessarily reflective of real-world conditions. Context is also important, not just relating to the building and fabric that might accommodate the new installations, but also its siting, geographic location, aspect, use and so on, which is seldom considered.

22. What, if any, significant constraints might prevent disclosure of all test data and how could they be mitigated?

Historic England does not recognise any instances in which test data should not be disclosed. It is imperative that those specifying products/materials are able to do so with all the relevant information if they are to design out risks and to ensure that occupants of the buildings as well as those managing them are able to make informed decisions about repair, maintenance and alteration.

Manufacturers who commission testing might be reluctant to disclose full details of all tests and they would claim ownership. Could it be a requirement of all CABs to furnish the proposed library with full details of all tests carried out (including failures) as a requirement for them to practise?

23. What information would it be useful to include on a construction library and who would it benefit?

Historic England supports the creation of a centralised 'construction library', particularly one that helps to identify appropriate testing standards and product applications for traditionally constructed buildings. However, we have concerns regarding its governance – specifically, who will manage it, how it will be kept up to date and what mechanisms will be in place to ensure compliance and accuracy. These concerns relate to issues highlighted in paragraph 7.3 where the absence of robust oversight contributed to failures. Though section 7.4 does attempt to resolve some of these issues, the proposed system places too much onus on the companies to address this; and places too much reliance on manufacturers voluntarily disclosing accurate information, when requested to do so. Historic England supports the creation of this library in particular around suggesting what testing is appropriate to ensure that those working on and managing traditionally constructed and historic buildings can access the right information to inform specification without the risk of deterioration.

We suggest the library would be more valuable if it included:

- Full test context, including the methodology, conditions, and construction build-up used during testing.
- Information on failed or partial test outcomes, not just the final successful result; any failures in the test by the third-party assessors should be included. (Details of modifications made to the product or test setup in order to achieve compliance).
- Clear identification of construction typologies tested (e.g. solid wall vs cavity wall, modern).

Inclusion of this level of transparency would support better-informed product specification, foster accountability, and enhance trust in the regulatory system. It would also aid researchers and practitioners working in heritage and retrofit contexts

where nuanced performance information is critical to avoid unintended damage to historic fabric.

### *Digital solutions*

24. What benefits or challenges could digital labelling or EU Digital Product Passports bring? Not responding.

### *Traceability*

25. Are the proposals we have outlined to improve access to product information enough to support traceability?

[Yes/No].

Please explain your answer.

NO.

While the proposals offer a step forward, they do not yet go far enough to ensure full traceability of products throughout their life cycle—particularly in ways that support conservation, sustainability, and long-term building stewardship.

For Historic England and those working with traditionally constructed buildings, this is not only important for regulatory oversight but also for the ongoing care, maintenance and repair. Specific traceability needs for the heritage sector include:

- Material provenance and sourcing to ensure continuity of performance, where a product or material must match historic examples in composition, appearance, and performance.
- Environmental impact and location of production to inform embodied carbon and support low-carbon, local sourcing for traditional materials.
- Installation data and managing long-term building maintenance, where it is crucial to know what materials were used for compatibility, where they came from, and how they were installed.
- Conservation planning where traceable product data helps future professionals understand the materials used and any previous interventions.

Many traditional materials are produced by small-scale and craft-based suppliers who may not have access to digital traceability tools. Any future traceability system must therefore be proportionate and accessible, offering flexible recording options suitable for small-scale producers, e.g. manual logs, photographs. Furthermore, traceability must also support circularity, re-use and long-term sustainability, particularly for historic buildings, where lifespans can be measured in centuries rather than decades.

## *Product marking*

26. Should digital labelling be available as an alternative to the UKCA mark? [Yes/No]. Please explain your answer. Not responding.

27. Is there a role for government in establishing voluntary product marks, for example to demonstrate a higher standard has been met? [Yes/No]. Please explain your answer. Not responding.

## **Chapter 8: Assurance and Oversight of Testing and Conformity Assessment**

### *Conformity assessment and accreditation*

28. Do you consider that the measures set out above would provide sufficient oversight of conformity assessment?

Historic England supports the measures outlined in Section 8 as long as the testing of products is expanded to include impact of unintended decay mechanisms which are outside of the intended use of the product's test (i.e. fire resistance could increase moisture accumulation).

CABs could be required to attend Government organised seminars to discuss issues of interest, together with commissioned independent experts/academics to address problems and establish consistency amongst them. This would then stimulate confidence in the testing regimes which is apparently, now lacking.

29. Should the government have the ability to recognise conformity assessment activity undertaken by CABs established outside of the UK?

Government should only accept conformity assessment activity established outside of the UK, when the standard being tested against is equivalent to or more onerous and rigorous than the UK's own standard.

30. What support do UK CABs need to invest, grow and improve their skills? Not responding.

31. What more is needed to address the issues identified with respect to UKAS and the accreditation process? How do we improve the performance and oversight of UKAS?

Historic England supports the recommendations outlined under 8.15 as metrics for supporting the performance and oversight of UKAS. In addition, Historic England recommends that product testing must clearly state in all certificates whether the product has been tested on both modern and traditional construction build ups or products, or whether it has only been tested on modern construction. Further testing

should be carried out on their intended purpose in various contexts (i.e. different situations/environmental conditions) particularly around their potential to cause damp and decay.

### *The British Standards Institution*

32. What are the strengths and weaknesses of the standards development process, and where could it improve?

Historic England recognises the benefits and limitations of British Standards, the main benefit being consistency across the sector.

Though the process for producing a new standard, or revision of an existing, is rigorous and allows (via a public consultation) the wider sector to comment, the process for who is invited onto the panel requires review. To ensure that standards are fair and accurate, all panels should be weighted equally between those with a commercial interest and those who work in the sector but have no commercial interest. This is currently made harder by the fact that the majority of panel members are not paid for their time commitment, which can be substantial over several years, and thus independent experts/academics may not be able to provide sufficient input. If independent experts/academics could be funded to attend committees, this would be beneficial in terms of the issues under discussion and could increase confidence in the veracity of the process.

33. What opportunities are there for government and the national regulator to work more collaboratively with the BSI?

In relation to paragraph 8.18, Historic England recommends that the relationship between BSI and government is extended further than MHCLG, and should be shared with other Government departments based on the criteria of the standard. For example, DESNZ for existing buildings, the Environment Agency for environment and flooding, the Building Safety Regulator for interaction with the Approved Documents of the Building Regulations and Historic England for heritage, conservation and traditional construction. Historic England already supports the development of various standards, most recently BSI 40104, BSI 40101, PAS 2035, PAS 2038 and BSI 7913, and sits on the overarching committee for CB/401, Retrofitting of Energy Efficiency Measures, and would welcome further collaboration with Government, the national regulator and BSI to support the development of appropriate standards for the heritage sector and traditionally constructed buildings.

34. Should mandatory standards be free to access? [Yes/No]. If yes, please provide suggestions on how this could be achieved, including funding.

YES.

The reality is that the cost of BSI standards deters most contractors and many specifiers from using them. It particularly limits access for SMEs or sole practitioners. Historic England supports 8.24 (2), which proposes sponsoring the development of standards, provided that the Government and BSI can ensure the integrity and impartiality of the panel preparing the standards. This must include balanced range of expertise and underpinned by robust and transparent testing and certification.

It is not sufficient to make just the mandatory standards freely accessible; it requires all associated standards referred to in the mandatory standards to be made freely available as well. In the case of British Standards mentioned in the Approved Documents, this would require all of these to be freely available, given their regulatory role.

### *Research and development & public sector testing capacity*

35. Do you agree that an increase in public and private sector testing capacity is required? [Yes/No]. Please explain your answer. If yes, please include information on the gaps this might address.

YES.

Historic England supports the capacity building of public sector provision for testing and conformity and believes that different government departments could support this work to ensure that all technical requirements are considered and products are not tested in isolation or falsely marketed for all situations. A robust, and transparent testing infrastructure is essential to ensure that construction products are not tested in isolation or inappropriately marketed as universally suitable—especially in cases where performance varies significantly across different building types.

Providing additional testing within the public sector will also support innovation with SMEs who otherwise would not be able to afford to get their products tested. Greater public sector provision would allow for more independent, impartial testing, and help close critical gaps in areas currently unconsidered—such as materials used in the repair, retrofit, and conservation of traditionally constructed buildings. Many products on the market today are tested solely for modern construction contexts, which can lead to misuse and unintended consequences—including damp, decay, or poor indoor air quality—when applied to solid-walled, vapour-permeable heritage buildings.

Expanding public sector capacity would also promote innovation among SMEs, many of whom produce traditional or niche materials vital for conservation but are unable to afford the high cost of commercial testing. This would help safeguard the supply of materials such as lime mortars, handmade bricks, or flood-resilient

products suitable for historic fabric—while supporting the government’s aims around both climate resilience and heritage protection.

This is particularly important in the heritage sector where there is finite supply of materials and products that are suitable for the repair, maintenance, retrofit and adaptation of the historic environment. For example, in the flood sector, the majority of products used and marketed are only appropriate for modern construction. Historic England working with the Environment Agency is trying to identify what products are appropriate for traditionally constructed buildings and raise awareness within this sector about the damage non-traditional products can have on traditionally constructed buildings and their occupants. Increased public testing capacity could play a key role in supporting this work and reducing costly retrofit failures.

The suggestion of re-establishing the BRE (or a similar but new model) as a public body would be very welcome as a national centre of testing and applied research. Historic England (prior to 2015 as English Heritage) worked closely with BRE on many research projects and these resulted in a great many advice and guidance notes which were greatly valued. BRE had in-house expertise and memory which also resulted in a great many technical publications that were freely available. Being a public service, advice was freely available. Since privatisation their expertise now has to be bought and many of their research findings are ‘commercially sensitive’ and therefore not available. Restoring a publicly funded centre for applied research and testing would provide a valuable resource for the whole sector—particularly where the market alone cannot support innovation or testing in areas critical to heritage, low-carbon construction, or public safety.

### 36. What should the government’s role be in supporting R&D in relation to construction products and the wider built environment?

The government has a critical role to play in directing and supporting R&D that meets not only the needs of modern construction but also the specific demands of traditionally constructed buildings

Prior to their privatisation, BRE was government funded and carried out many research projects that were of immense benefit in understanding the impact of various measures on the wider environment; often highlighting the unintended harm caused by modern materials/treatments. These were published free of charge as part of their Building Digest series and were highly valued by practitioners. Something similar would be of real benefit to practitioners.

As the government strives to meet Net Zero targets for 2050, it could take steps to drive innovation via funding and resources to support research into identifying materials and systems that are appropriate for traditionally constructed buildings. In addition, the drive should be focused on identifying sustainable solutions and materials with a long-life expectancy. It is important that new systems, products and services are designed with climate resilience in mind as well as fire safety. A one

size fits all solution is not possible and innovation is needed to ensure that existing and new buildings can survive in the future. Collaboration between relevant government departments, as outlined in the National Adaptation Programme (NAP3) should be encouraged to ensure that solutions consider a variety of climate change hazards and impacts on occupants as outlined in the climate change risk assessment.

## Chapter 9: Regulating the Market

### *Overview of the functions of the national regulator*

37. Do you agree with the proposed regulator functions that we have laid out? [Yes/No]. Please explain your answer.

YES.

Historic England supports the need for improved regulatory functions but believes these need to go further. At present the proposed functions satisfy concerns around fire safety and structural capability of new builds. However, it does little to address the risk of health implications to occupants from overheating, damp, or mould growth which is occurring due to inappropriate retrofitting and consideration of moisture movement in structures. This is largely due to lack of knowledge, training and experience in the sector. Evidence from the Preston retrofit scheme, Wales retrofit and the introduction of Awaab's Law to the Social Housing (Regulation) Act 2023, has highlighted the potential risks to health from not undertaking this work adequately. These issues should be given as much consideration as fire and structural stability.

38. We want to consider options for regulator cost recovery. Which of the regulator functions set out could be an opportunity for cost recovery? Please explain your answer. Roles and responsibilities of the regulators.  
Not responding.

39. How much surveillance and enforcement of the construction products sector can and should LATS be responsible for? Please explain your answer.  
Not responding.

40. Should National Trading Standards play a role in overseeing or supporting enforcement of the construction products regime? [Yes/No]. Please explain your answer. If yes, please include what role you think National Trading Standards should play.  
Not responding.

41. Should the national regulator play a stronger role in enforcement of misleading marketing? [Yes/No]. Please explain your answer.



49. If you have suffered a financial loss as a result of building safety defects, have you considered taking action to seek redress from a construction products manufacturer via sections 148 and 149 of the Building Safety Act? [Yes/No]. If yes, did you face any difficulties? Please explain your answer. Not responding.

50. If you have suffered a financial loss as a result of building safety defects, have you considered making a claim against a manufacturer via any other available routes, such as contractual routes? [Yes/No]. If yes, did you face any difficulties? Please explain your answer. Not responding.

51. Do you think that there are improvements that could be made to the current system to ensure that claims against manufacturers can be effectively pursued? [Yes/No]. If yes, please explain your answer  
Not responding.

52. Do you think that there is anything additional that government should do to support effective redress against construction product manufacturers? [Yes/No]. If yes, please explain your answer. Not responding.

## Chapter 10: Environment and Sustainability

### *Addressing environmental aspects for products covered by a designated standard*

53. Should these environmental aspects, as reflected in the revised EU-CPR, cover products subject to a designated standard or a technical assessment? [Yes/No]. Please explain your answer. Not responding.

YES.

Historic England supports the inclusion of environmental aspects within the Construction Regulatory Framework. However, we believe the Framework must also ensure that traditional materials, essential for the repair, conservation and retrofit of traditional buildings, are meaningfully included.

Many of these materials, such as natural slate, thatch, lime mortars, handmade bricks, provide clear environmental benefits: they are often locally sourced, minimally processed, highly durable and repairable. These qualities should be fully recognised within the environmental framework. Further, these characteristics align closely with national objectives on reducing embodied carbon, promoting the circular economy and achieving net zero.

However, many traditional materials are currently not supported by Environmental Product Declarations (EPDs) or formal technical assessments due to the cost and complexity of such processes, especially for small SMEs and craft-based producers. To ensure that they are not excluded or penalised, we suggest that the environmental assessment framework should:

- Recognise the long-term environmental benefits of traditional materials, even where formal certification is not available;
- Accept alternative forms of evidence, including field performance and conservation-led assessments; and
- Apply a proportionate approach to environmental assessment for products appropriate for heritage contexts.

By doing so, the Framework can support environmental and heritage goals, and ensure that construction products regulation recognises and promotes the sustainable use of traditional materials.

### *Products to be covered by a general safety requirement*

54. What, if any, approach might there be to measuring and/or mitigating the environmental impacts for products brought into the regulatory regime through a general safety requirement and should this be mandatory or voluntary?

Historic England supports a proportionate, context-sensitive, risk-based approach to measuring and mitigating environmental impacts for products brought under the general safety requirement.

For large-scale or high-impact products, mandatory reporting such as EPDs may be appropriate. However, for smaller-scale or traditional materials—particularly those with well-established low-carbon profiles—the Framework should allow for voluntary compliance pathways supported by alternative forms of evidence, such as:

- Proven durability and repairability.
- Historic long-term use and low waste generation.
- Environmental benefits tied to local production and traditional craft methods.

Government should not impose one-size-fits-all compliance burdens on small SMEs, as this risks excluding environmentally beneficial heritage materials from the market. Support mechanisms (such as guidance, templates, or advisory support) could be introduced to help small producers engage with environmental requirements proportionately, or even consideration of developing simplified declarations for traditional products, especially where production methods are consistent, established and well documented.

This flexible approach would ensure meaningful inclusion of the heritage sector in environmental benchmarking without creating insurmountable costs or burdens.

### *Further actions to facilitate environmental aspects of construction products reform*

55. Do you support the proposed actions above? [Yes/No].

Are there any other actions that could be taken and by whom (e.g. government/industry)? Please explain your answer.

YES.

Historic England support these proposals. However, additional measures are needed to ensure that environmental reforms meaningfully support the repair, maintenance and retrofit of historic buildings.

These should include environmental life cycle assessments that account for the long service life and reparability/reuse of traditional materials. Government should also incentivise low-carbon practices in conservation—such as repair-first approaches—rather than encouraging unnecessary replacement with “new” green-labelled products that may not be appropriate or long-lasting in heritage contexts.

For example, natural roofing slate produced in the UK has a low waste profile: it can last well over 100 years, is highly repairable, and is routinely reused, supporting the circular economy. Furthermore, the UK slate industry produces valuable co-products from waste from roofing slate such as aggregates and walling, which reduces overall waste and the overall carbon footprint by maximising material efficiency.

Many other traditional materials, such as thatch and timber, demonstrate similarly strong environmental credentials through local sourcing and minimal processing.

These materials should be supported through recognition of non-standard evidence. The Government could explore alternative ways of recognising the environmental value of traditional materials – for example, through long-term field performance, case studies or evidence based on historical precedent. It is also important that funding or policies do not disadvantage low-carbon traditional materials simply because they are small scale and less visible.

## Chapter 11: Further Evidence Requirements

56 Could you share any relevant information about the estimated size of the market as outlined in Chapter 1, and the construction products sector more broadly and its significance. If relevant to our wider reforms please refer to which part it is relevant to. Not responding.

57. What direct or indirect costs could yourself, businesses and wider society have due to our proposed reforms?

Costs and availability of traditional materials could potentially change due to increased testing, documentation, and conformity obligations. Several factors can impact costs, such as the availability of necessary materials, storage fees, and manufacturing expenses, significantly influencing overall prices. Labour costs also vary based on regional demand for specific skills. Skilled labourers often take on

multiple tasks, allowing them to implement various measures, which can further drive up their costs. Additionally, there is a shortage of skilled labour, particularly in heritage-related fields, and this demand is expected to increase. The Government's Heat and Buildings Strategy aims to create 240,000 green-skilled jobs by 2035, while the Construction Leadership Council estimates that 500,000 new professionals and tradespeople will be needed, indicating substantial growth potential in the sector.

References: [PWC, 2024](#) and [Heritage Counts, 2024](#): 'Research by Capital Economics found that retrofitting UK's stock of historic properties could require between 57,000 and 166,000 additional workers annually, between 2021-2050. Significant need is projected for jobs such as scaffolders, planners/designers, plasterers, and window glaziers/fitter. Furthermore, the UK economy would need almost 3 million additional workers by 2050 (relative to 2021 level) to retrofit traditional properties in the UK. Retrofitting traditional buildings will benefit the wider economy by stimulating firms in the supply chain and generating revenues for businesses in the construction and other associated sectors. An additional £35 billion of economic output would be supported annually through retrofit works to historic properties in the UK; this includes an estimated direct output of the construction sector valued at £14.2 billion yearly.

58. Is there anything else you would like to inform us of, that you have not been able to through other questions in this publication?

The Construction Products Framework must not inadvertently penalise traditional skills or materials that underpin the sustainable stewardship of our historic environment which comprises over 6 million pre-1919 buildings. We would welcome continued engagement with relevant departments as reforms progress and propose that a specialist advisory group is convened—drawing from heritage, conservation, and traditional construction sectors—to input into the next phases of the reform.

[sign off with name, job title and email address]