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Client Guidance Note

Building Safety Levy

Information for Clients of Registered Building Control Approvers (RBCAs)

Version 1.0

The Building Safety Levy is a new statutory charge introduced by the UK Government to help fund the remediation of historical building safety defects across England.

The levy applies to residential developments and will come into force on 1 October 2026. It will be administered and collected by local authorities, regardless of whether building control services are provided by a Local Authority Building Control, the Building Safety Regulator, or a Registered Building Control Approver (RBCA).

As your Registered Building Control Approver, we have a duty to ensure that clients are aware of their obligations and understand how the levy may affect their project.
This guidance note provides a summary of the key requirements.

What is the Building Safety Levy (England) Regulations 2025?

The Building Safety Levy is a charge payable on certain residential developments that create:

- New dwellings;
- New residential floorspace through change of use;
- New purpose-built student accommodation (PBSA) bedspaces.

When does the Levy apply?

The levy applies to applications for building control approval submitted on or after 1 October 2026 where the development meets the statutory charging conditions.

The levy may apply where:

- New residential units are being constructed;
- Existing buildings are converted into residential accommodation;
- Additional residential floorspace is created;

- Purpose-built student accommodation is developed.

Who Pays the Levy?

The legal responsibility for payment rests with the Client identified within the building control application or Initial Notice.

For projects where an RBCA is appointed, the client named within the Initial Notice will be responsible for any levy liability.

Failure to make payment may affect the completion and certification process.

How is the Levy Calculated?

The levy is calculated using:

1. The location of the development;
2. The applicable local authority levy rate;
3. The amount of chargeable residential floorspace.

The Government has established different levy rates for each local authority area across England.

The charge is calculated on a pounds-per-square-metre basis.

Developments on previously developed ("brownfield") land benefit from a reduced levy rate equal to 50% of the standard rate.

Clients should allow for the levy at the earliest stages of project feasibility and financial appraisal.

Small Site Exemption

The Government has introduced a significant exemption for smaller developments.

The levy does not apply to developments involving:

- Fewer than 10 new dwellings; or
- Fewer than 30 PBSA bedspaces.

However, developers should be aware that multiple building control applications cannot be used to avoid the levy where the overall planning permission constitutes a major residential development.

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Exempt Development Types

A number of residential development categories are exempt from the levy.

These include:

Affordable and Social Housing

Including:

- Social rent;
- Affordable rent;
- Intermediate rent;
- Shared ownership;
- First Homes (subject to statutory requirements).

Supported Housing

Provided by:

- Local authorities;
- Housing associations;
- Registered charities;
- Voluntary organisations.

Other Exempt Development

Including:

- Hotels and hostels;
- Hospitals;
- Care homes;
- Hospices;
- Children's homes;
- Residential family centres;
- Accommodation for victims of domestic abuse;
- School boarding accommodation;
- Military accommodation;
- Prison and secure accommodation;
- Almshouses;
- Temporary homeless accommodation;
- Certain Crown and Ministry of Defence developments.

Registered Providers of Social Housing

Non-profit Registered Providers of Social Housing and their wholly owned subsidiaries are exempt people under the regulations.

Where an exempt person is the client, their developments are generally exempt from levy regardless of the nature of the residential development being undertaken.

What Does This Mean for Clients Using an RBCA?

Although the levy is administered by the relevant local authority, projects overseen by an RBCA will still be subject to levy procedures where applicable.

Clients should expect to:

- Provide development information relating to levy liability;
- Confirm whether exemptions apply;
- Supply supporting evidence where required;
- Engage with the relevant collecting authority regarding levy assessments;
- Ensure levy obligations are discharged before project completion.

As your RBCA, we may be required to provide information or facilitate communications between the client and the collecting authority as part of the statutory process.

Information We May Request

To assist with levy compliance, we may request:

- Planning permission references;
- Site location details;
- Number of proposed dwellings;
- Gross Internal Floor Area calculations;
- Affordable housing schedules;
- Social housing exemption evidence;
- Brownfield land evidence;
- Purpose-built student accommodation details;
- Client declarations.

Providing this information promptly will help avoid delays to the building control process.

Potential Project Risks

Failure to properly consider the Building Safety Levy may result in:

- Delays in project completion;
- Delays in certification processes;

- Additional administrative requirements;
- Unexpected development costs;
- Project cashflow impacts.

Clients are therefore strongly advised to obtain levy advice during project feasibility and budgeting stages.

Recommended Actions for Developers

We recommend that all clients:

1. Review whether their project creates new residential floorspace.
2. Confirm whether any statutory exemptions apply.
3. Establish whether the project meets the major residential development threshold.
4. Obtain an early estimate of levy costs.
5. Allow for the levy within development appraisals and funding arrangements.
6. Discuss levy implications with planning, legal and building control advisers at the earliest opportunity.

We recommend that as part of your assessment of your liability under the Building Safety Levy (England) Regulations 2025 you use all available guidance available.

Please find below hyperlinks to key documents.

The Building Safety Levy (England) Regulations 2025

Building Safety Levy: Guidance - Guidance - GOV.UK

Building Safety Levy Process Where an RBCA is Appointed

Overview

Where a development is being overseen by a Registered Building Control Approver (RBCA), clients should note that the Building Safety Levy is **still administered and collected by the relevant local authority** in whose area the development is situated.

The appointment of an RBCA does not remove or alter the client's levy obligations.

The RBCA acts as an important facilitator within the process by:

- ensuring the necessary levy information accompanies the Initial Notice;
- advising clients of potential levy liabilities and exemptions;
- reminding clients of their obligations to submit information to the collecting authority;
- monitoring the status of levy payments as part of the building control process; and
- ensuring that completion processes are not delayed due to unpaid levy liabilities.

The legal responsibility for payment remains with the Client or Developer.

Stage 1 – Initial Project Assessment

At project inception, the RBCA will ask the client to provide information to determine whether the development may be liable for the Building Safety Levy.

This information is likely to include:

- Site address;
- Planning reference number;
- Number of proposed dwellings;
- Number of student accommodation bedspaces;
- Gross Internal Area calculations;
- Details of any affordable housing provision;
- Details of any exemptions claimed;
- Confirmation as to whether the site qualifies as previously developed land.

At this stage, the RBCA may provide an indicative assessment of potential levy liability. However, only the collecting authority can determine the final levy amount.

Stage 2 – Submission of the Initial Notice

Where an Initial Notice is submitted for residential development, the notice must include prescribed Building Safety Levy information.

Failure to include the required information may result in the local authority rejecting the Initial Notice within the statutory acceptance period. This could delay project commencement and the appointment of the RBCA.

For this reason, clients should ensure that all levy-related information is provided to the RBCA at the earliest opportunity.

Stage 3 – Submission of the First Commencement Notice

When the first Commencement Notice is submitted to the RBCA for works involving new dwellings or purpose-built student accommodation, further levy information must also be provided.

The client is then required to provide a copy of the Commencement Notice and the supporting levy information directly to the collecting authority within two working days of submitting it to the RBCA.

The information provided enables the local authority to:

- determine whether the development is chargeable;
- consider whether exemptions apply;
- assess whether any reduced levy rates apply;
- calculate the final levy amount.

Stage 4 – Levy Assessment by the Local Authority

Following receipt of the levy information, the collecting authority will assess the application and issue one of the following:

Levy Liability Notice

Confirming:

- the development is liable for the levy;
- the amount payable;
- payment instructions;
- any rights of review or appeal.

or

Notice of No Charge

Confirming that:

- the development is exempt; or
- no levy is payable.

The local authority may also request additional information or supporting evidence before issuing its determination.

Stage 5 – Payment of the Levy

The levy is paid directly to the local authority and not to the RBCA.

Payment arrangements are determined by each individual authority and may include:

- bank transfer;
- online payment;
- telephone banking; or
- other approved payment methods.

Once full payment has been received, the collecting authority must issue a **Levy Payment Certificate**.

Where an RBCA is appointed, the local authority will also provide a copy of this certificate to the RBCA.

Stage 6 – Completion and Certification

Clients should be aware that an unpaid Building Safety Levy may delay the completion of the building control process.

Accordingly, the RBCA may request evidence that:

- the levy has been paid in full; or
- a Notice of No Charge has been issued.

As part of our internal quality assurance procedures, we reserve the right to request a copy of the Levy Payment Certificate before issuing final certification documentation.

Recommended Client Workflow

To minimise project delays, we recommend that clients follow the process below:

Step 1 – Determine whether the development may attract the levy.

Step 2 – Provide all levy information to the RBCA before the Initial Notice is submitted.

Step 3 – Submit the required levy information to the local authority when the first Commencement Notice is served.

Step 4 – Review the Levy Liability Notice issued by the local authority.

Step 5 – Arrange prompt payment of the levy.

Step 6 – Provide the RBCA with a copy of the Levy Payment Certificate.

Step 7 – Ensure all levy matters are concluded prior to seeking completion certification.

Our Role as Your RBCA

Our role is to support our clients in navigating the levy process and to help minimise delays and compliance risks.

However, we do not:

- calculate the statutory levy;
- determine exemptions;
- collect levy payments; or
- administer the levy on behalf of Government.

Those functions remain the responsibility of the collecting authority.

Early engagement and timely provision of information will be essential to ensuring that projects progress efficiently under the new Building Safety Levy regime.

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