From: [redacted]@debono.me.uk>
To: "Andy Burnham MP" <enquiries@greatermanchester-ca.gov.uk>,
"Alexandra Parish MHCLG" <correspondence@communities.gov.uk>,
"Emma Reynolds MP" <emma.reynolds.mp@parliament.uk>,
"John Healey MP" <john.healey.mp@parliament.uk>
Cc: "Jade Age UK" <re-7P28-31AJE-35IWMN-CV7SU-C29HZ@emails.ageuk.org.uk>
Date: Thu, 1 Oct 2026 16:30:01 +0100

For the attention of:

* Andy Burnham, Mayor of Greater Manchester
* John Healey MP, Chancellor of the Exchequer
* Alexandra Parish, Director of Building Safety, MHCLG
* Emma Reynolds MP, Chief Secretary to the Treasury

Dear Mayor Burnham, Minister Healey, and Ms Parish,

I am writing to you as an independent builder who has firsthand experience with the structural realities of the UK construction framework dating back to 1979. I am deeply concerned by a profound legal and financial double standard embedded within the government's approach to housing regulation, which has been brought into sharp focus by the recent funding announcements.

The Ministry of Housing, Communities and Local Government (MHCLG) recently launched its £70 million Building Professional Workforce Programme <https://www.gov.uk/government/news/70m-funding-to-address-building-safety-professional-shortages> , allocating £55 million specifically to boost workforce capacity within Local Authority Building Control (LABC) and train hundreds of Registered Building Inspectors []. My urgent question to you is this: Why is the state investing tens of millions of pounds into an administrative system that successive governments and judiciaries have completely absolved of any financial responsibility?

The History of the Liability Trap
The current system has forced UK builders into a regulatory trap with no escape, the roots of which lie in a decades-long policy shift:

* The 1979 Turn: Following the 1979 general election, an aggressive political trajectory was set in motion to deregulate building control, slash the prescriptive structural rulebook, and commercialise risk. This culminated in the Building Act 1984, breaking the state monopoly and introducing private "Approved Inspectors" (such as the NHBC).
* The Total Shield (Murphy v Brentwood, 1991): The House of Lords completely overturned the historic Anns v Merton LBC (1978) precedent. The court ruled that local authority building control cannot be sued in negligence for the economic cost of repairing latent structural defects, classifying a crumbling structure discovered before an accident as an unprotected "pure economic loss."
* The Private Mirror (Lessees of Herons Court, 2019): The Court of

Appeal finalized the trap by ruling that private sector inspectors inherit the exact same common law immunity as councils, explicitly stating that their role is merely regulatory and that they owe no duty under the Defective Premises Act 1972.
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The Systemic Double Standard
This historical evolution has created an unconscionable contract between the state and the citizen. Builders are legally compelled by statute to pay hefty fees into a mandatory inspection pathway (whether LABC or private) to obtain an official final pass certificate.

Yet, under the law, that certificate is treated as a meaningless piece of paper if a defect is missed. If an inspector acts with gross negligence and fails to spot a catastrophic flaw, they walk away with 100% immunity. Under Section 1 of the Defective Premises Act 1972 <https://www.legislation.gov.uk/ukpga/1972/35/section/1> , 100% of the strict financial liability remains locked entirely onto the builder, who is barred from seeking any contribution from the very inspector they were forced to pay.

A Misallocation of Taxpayer Funds
If the state and its inspectors carry absolutely zero civil accountability to homeowners or builders for their regulatory errors, then the building control framework is operating as an expensive administrative rubber stamp.

Faced with a massive national deficit and a heavily strained social care system, it is an insult to taxpayers to spend £70 million on expanding an inspectorate that is legally designed to bear no consequences when it fails. If all civil risk is permanently offloaded onto the private building sector, this public money would be far better spent directly financing the national social care plan, supporting vulnerable citizens instead of demanding more tax revenue from them.

The core promise of the Rule of Law—dating back to the Magna Carta—is that justice should not simply depend upon the will of the entity exercising power. If the state forces compliance to verify safety, the state must logically be legally bound by the validity of its own sign-off.

I urge you to look closely at this historic imbalance. We do not need millions more spent on an insulated, unaccountable inspectorate. We need a system where authority is balanced by mutual responsibility.

I look forward to your formal response regarding how the Ministry justifies this funding structure.

Yours sincerely,

Malcolm Debono

Cc: Jade Age UK