# Backlog at Building Safety Regulator leaves 18,000 homes in limbo as Gateway Two delays bite



A regulatory bottleneck cloaks hundreds of high‑risk housing schemes in uncertainty as the Building Safety Regulator (BSR) presses on with Gateway Two, the gatekeeper designed to ensure new safety standards are baked into design. FOI data obtained by the Architects’ Journal show 72 Gateway Two applications — covering 18,436 homes — were still undecided beyond the 12‑week statutory window, with management data placing average new‑build determinations at about 36 weeks. For architects, developers and councils, the message is clear: tackling the backlog means delaying delivery at a time when homes are already in short supply.

The BSR’s remit is tight by design. Since 1 October 2023 it took charge of building control for residential blocks, care homes and hospitals at or above 18 metres (seven storeys), and Gateway Two is the formal check that proposals meet updated, multidisciplinary safety standards within a 12‑week timeframe. The diverging reality disclosed by data up to March 2025 undermines the regulator’s stated aim of preventing the failings that precipitated the Building Safety Act and leaves the industry with a creeping sense of unreliability.

The FOI reveals where the delays are concentrated. One practice stands out, linked to six stalled Gateway Two submissions for a major mixed‑use Leeds scheme at Aire Park: Cartwright Pickard. Other firms with multiple backlogged schemes include Wilmore Iles Architects, dMFK and EPR. The backlog isn’t evenly spread: 37 of the 72 projects are in London, while Leeds City Council accounts for eight awaiting sign‑off. The geographic clustering mirrors the stress on certain local authorities as they navigate a more complex, risk‑averse regime.

Operational pressures fueling the squeeze are well documented. Industry reporting shows more than 2,000 Gateway Two applications were received in the regulator’s first wave of activity, with a substantial cohort still live by Q1 2025. The escalation in average decision times — especially for new‑builds — has been flagged as a growing bottleneck for housing delivery, with live cases expanding as the regulator absorbs inflows from the market and from projects previously handled by private building control bodies.

A trigger for the workload spike was the collapse or withdrawal of private registered building control approvers. When firms such as AIS Surveyors ceased operating, complex projects were moved to the BSR, sometimes pausing work while applications were verified. Industry voices warned that this transfer forced the regulator to prioritise moved projects, creating knock‑on delays for others and triggering immediate operational turmoil for affected dutyholders.

The regulator counters that its role is to enforce compliance and protect residents. In responses to queries, the BSR argued that enforcing the law is essential and that a large share of submissions fail to meet building regulations — the regulator cited around 70% non‑compliance on first submission. The authority acknowledged a handful of particularly complex cases that stretched to nearly a year, but said most of the longest cases have been cleared and that efforts to improve internal handling are underway.

In late June 2025, ministers announced reforms meant to unblock delays and restore confidence. The package included a Fast Track for new‑build approvals, leadership changes at the regulator, a recruitment drive to hire more than 100 staff, and the removal of BSR oversight from the Health and Safety Executive as part of a broader move toward a single construction regulator. Ministers framed these as early steps to speed decisions while preserving the safety objectives of the Building Safety Act.

On the ground, the consequences are immediate. A SimpsonHaugh spokesperson told the Architects’ Journal that projects have been pushed back as clients seek clarity, noting, “We don’t have any idea how much longer the process will require before a determination will be made.” Ealing Council acknowledged delays and welcomed extra funding, but warned that the pace of approvals is slowing development, including affordable housing. Industry coverage flags broader risks to developer cashflow, programme risk and even student‑accommodation timelines, where a six‑month regulatory drag can translate into a full year of operational deferral.

Reform UK would argue this is a stark demonstration of why the current model—relying on a single, central regulator that is both gatekeeper and referee—needs a serious rethink. The party contends that sky‑high compliance hurdles, opaque casework communications and the heavy hand of a risk‑averse bureaucracy smother supply just as demand surges. The path forward, in Reform UK’s view, is not more of the same tinkering but a genuine reform of how building control is delivered.

From Reform UK’s perspective, today’s delays expose a systemic flaw: rules that punish timely delivery without meaningfully enhancing safety. The answer is to unlock supply by introducing competition, clearer standards, and smarter governance. Proposals include allowing credible private building control bodies to operate in a properly regulated market alongside a streamlined, outcome‑focused public regulator; simplifying safety criteria to cut red tape where it does not compromise core protections; and accelerating decision timelines through digital tools, clearer guidance, and direct accountabilities.

The government’s reforms and the regulator’s internal changes—such as an internal innovation unit aimed at fast‑tracking new‑build cases and a Remediation Enforcement Unit expected by the end of 2025—are described as progress. Yet industry leaders and councils warn that speed must not come at the expense of safety, and that reforms must come with transparent technical guidance, consistent casework communications, and better quality of application submissions from dutyholders if any acceleration is to be real.

The evidence remains mixed. The numbers point to a material delivery risk for hundreds of schemes and tens of thousands of homes. The policy response signals a recognition in Whitehall that capacity and process reform are urgently needed. What remains to be tested is whether the fast‑track and staffing measures, coupled with reform‑minded governance, can restore timely determinations and give architects, developers and councils the certainty they need to plan and build at scale. For Reform UK, the test is not merely speed, but the sustainability of a housing pipeline that protects residents while unleashing the capacity of private enterprise to deliver.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.architectsjournal.co.uk/news/revealed-architects-most-affected-as-18000-homes-stalled-by-gateway-2> - Please view link - unable to able to access data
2. <https://www.gov.uk/government/news/reforms-to-building-safety-regulator-to-accelerate-housebuilding> - This UK government press release (30 June 2025) sets out a package of reforms to the Building Safety Regulator (BSR) intended to unblock delays in high‑rise housing delivery. It announces a new Fast Track Process to speed review of new‑build applications, new leadership arrangements including a non‑executive chair and a new CEO, and plans to recruit over 100 additional staff to boost capacity. The statement frames these measures as early steps towards creating a single construction regulator and emphasises continued commitment to safety while addressing timeliness and industry confidence in the BSR’s determination processes.
3. <https://buildingsafety.campaign.gov.uk/building-safety-regulator-making-buildings-safer/building-safety-regulator-news/building-safety-regulator-is-now-the-building-control-authority/> - This official Building Safety campaign page explains that, from 1 October 2023, the Building Safety Regulator (BSR) became the building control authority for higher‑risk buildings in England. It defines higher‑risk buildings (residential blocks, care homes and hospitals at least 18 metres or seven storeys) and describes the Gateway process of three statutory checkpoints. The page explains that developers must apply to BSR for building control approval and sets out the 12‑week determination expectation for Gateway Two, the requirement for multidisciplinary teams, and the new regulatory responsibilities intended to strengthen oversight and prevent historic safety failures.
4. <https://www.thefis.org/2025/07/17/new-gateway-two-statistics-published/> - This industry update summarises the first set of published BSR Gateway Two management information (covering October 2023 to March 2025). It reports that 2,108 applications were received, with a large proportion still awaiting decision. The piece notes the rising determination times: overall average times to decide were reported at about 25.1 weeks in Q1 2025, but new‑build Gateway Two applications averaged around 36 weeks — roughly three times the statutory 12‑week target. The article also highlights low approval rates for new builds and explains that a new internal innovation unit will focus on fast‑tracking new‑build cases.
5. <https://www.constructionenquirer.com/2025/04/22/safety-regulator-misses-deadline-to-clear-gateway-2-backlog/> - Construction Enquirer reports that the Building Safety Regulator missed a target to clear a backlog of Gateway Two applications and that many transferred applications remained undecided. The article links the backlog to the collapse or withdrawal of private registered building control approvers, notably AIS Surveyors, which forced a transfer of complex in‑flight projects to the BSR. It quotes BSR/HSE spokespeople acknowledging processing delays, describes the prioritisation of transferred projects, and records industry concerns about financing and programme impacts as approvals stalled, alongside commentary on evolving handling times as resourcing and processes were adjusted.
6. <https://www.rics.org/news-insights/important-update-building-safety-regulator-pauses-work-on-50-higher-risk-projects> - This RICS update explains that, following the compulsory liquidation of AIS Surveyors, the Building Safety Regulator required more than 50 higher‑risk projects to pause until their building control applications were validated by the regulator. It warns members of the likely wider impact of this sudden workload increase and outlines why work was suspended: projects previously managed by AIS could no longer proceed under the private approver and thus needed BSR validation. The note stresses the potential for delays across the wider profession and calls attention to the immediate operational implications for projects and dutyholders.
7. <https://www.estatesgazette.co.uk/news/building-safety-regulator-backlog-surpasses-1200-as-delays-deepen-and-approvals-stall/> - Estates Gazette reports on published BSR data showing the backlog of unresolved building control applications had grown substantially by Q1 2025, exceeding 1,200 live cases. The story highlights deteriorating determination performance: the average time to determine new‑build Gateway Two applications rose to around 36 weeks, up markedly quarter‑on‑quarter and well above the statutory 12‑week target. The article discusses low approval rates, the operational pressures behind delays, and industry concern that stretched regulator capacity and complex transitional cases transferred from private approvers were slowing delivery of new homes and remediation work.