



Llywodraeth Cymru  
Welsh Government

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Welsh Government

## Summary of Responses and the Government Response

# Consultation on the new building control regime for higher-risk buildings and wider changes to the building regulations in Wales

Date of issue: 26 November 2025

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh

Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

## **Overview**

Summary of responses received and the Government response to the consultation on the new building control regime for higher-risk buildings and wider changes to the building regulations in Wales which took place from 26 March 2025 to 25 May 2025.

## **Action Required**

This document is for information only.

## **Further information and related documents**

Large print, Braille and alternative language versions of this document are available on request.

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## **Additional copies**

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website: [New building control regime for higher-risk buildings and wider changes to the building regulations in Wales](#)

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# Introduction

1. This report provides a summary of the responses to the consultation published on 26 March 2025 in relation to proposals for a new building control regime for higher-risk buildings and wider changes to the building regulations in Wales.
2. The proposals in the consultation represented the second phase of the Welsh Government's implementation of the Building Safety Act 2022.
3. The first phase of the implementation was largely related to the registration and regulation of the building control profession. New standards and codes of conduct were introduced that the profession must comply with. It also became mandatory for individual building inspectors and private sector building control companies to register with the Building Safety Regulator to continue overseeing building work.
4. Choice of building control body for higher-risk building work was also restricted to only local authorities in Wales, preventing private-sector building control companies from overseeing new higher-risk building work.
5. The second phase of the implementation of the Building Safety Act 2022 was the focus for the consultation published in March 2025. Whilst proposals for a new regulatory regime for higher-risk building work was the focus of much of the consultation, it also covered a broad range of issues, such as introducing new duties for the key decision makers in building projects and giving local authorities new enforcement powers.
6. In all, the consultation covered the following topics:
  - Dutyholders' responsibilities and competence requirements
  - Golden Thread of building information
  - Gateway processes for higher-risk building work
  - Mandatory occurrence reporting of safety issues during construction
  - Compliance and Stop Notices that give local authorities new enforcement powers
  - New process for local authorities wanting to carry out higher-risk building work
  - Wider changes to building regulations including
    - Reform of non-higher-risk building work applications
    - Automatic lapse of building control approval after 3 years
    - Public bodies carrying out higher-risk building work
  - Transitional provisions

7. This report does not aim to capture in detail every point raised by respondents, though it should be noted that all comments have been duly considered whether they are noted here or not. The Welsh Government has provided a response to each group of questions in the consultation.
8. The views reported in this summary are those expressed by the respondents to the consultation and do not necessarily reflect those of the Welsh Government.

## Consultation Responses – Overview

9. The consultation generated sixty-one responses. We are grateful to all those who responded. All the consultation responses have been read and considered as part of this analysis.
10. Respondents who completed the consultation response form were asked to assign their organisation to one of twelve types identified on the form (including a self-designated 'other' option). The table below shows the number of responses received from each sector.

Type of Organisation	Number of Respondents	%
Builder/Developer	1	2%
Small/medium builder	0	0%
Volume house builder	0	0%
Designer/Engineer/Surveyor	5	8%
Local Authority	14	23%
Registered Building Control Approver	6	10%
Architect	1	2%
Manufacturer/supply chain	1	2%
Energy Assessor	0	0%
Energy Sector	0	0%
Construction Professional	6	10%
Property Manager/Housing Association/Landlord	6	10%
Building Occupier/Resident	0	0%
Other Interest Party (please specify)	17	28%
No Answer	4	7%

\*Percentages do not add up to 100% due to rounding

## Handling of responses

11. A standard response form was provided for ease of use, however, where respondents did not use the form, representations have been attributed to the most appropriate question. In addition, certain questions were designed to have four possible answers; yes/agree, no/disagree, unsure and not applicable.
12. Where respondents have not answered with the standard responses proposed but have clearly indicated a clear position in their answer they have been assigned that response in the statistical analysis. For example, where a respondent used the phrase 'I support the proposal' their response was marked as yes. Where a clear response was not identifiable, answers were marked as 'no response' in the statistical analysis with the responses included in the summary of comments.

# Dutyholders and competence

## Summary of responses to questions

### Question 2.1

**Do you agree with the proposed dutyholder titles Principal Designer and Principal Contractor?**

#### Summary of responses

Agree	35	65%
Disagree	16	30%
Neither agree nor disagree	3	6%
Don't know	0	0%
Total responses	54	100%*

\*Percentages do not add up to 100% due to rounding

### Question 2.2

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

- 13.** While a majority of respondents agreed with retaining the titles Principal Designer and Principal Contractor, this support was often conditional on the need for clear differentiation from CDM roles and robust guidance to prevent confusion. There was a strong desire for regulatory alignment with England, but also a recognition that clarity, education, and possibly revised terminology are essential to ensure the effectiveness of the new regime in Wales.

### Question 2.3

**Do you agree or disagree with the proposed duties that will apply to all dutyholders during design and construction?**

#### Summary of responses

Agree	47	89%
Disagree	2	4%
Neither agree nor disagree	3	6%
Don't know	1	2%
Total responses	53	100%*

\*Percentages do not add up to 100% due to rounding

### Question 2.4

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

- 14.** The responses reflected broad support for the principles of accountability, clarity, and competency. However, several respondents stressed the need for:



- Clear guidance and definitions to avoid confusion with existing regulations.
- Alignment with England's framework to ensure consistency.
- Mechanisms to assess and ensure competence, including public registers and reference to national standards.

**15.** While only a small minority disagreed, their feedback focused on practical challenges and the need for more detailed implementation support. Overall, the consultation responses indicated strong endorsement of the proposed duties, with constructive suggestions for refinement and clarity.

### Question 2.5

**Do you agree or disagree with the proposed duties that will apply to the client during design and construction?**

Summary of responses

Agree	42	82%
Disagree	4	8%
Neither agree nor disagree	4	8%
Don't know	1	2%
Total responses	51	100%

### Question 2.6

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**16.** The responses showed strong overall support for the proposed client duties during design and construction. The feedback emphasised the importance of clear, consistent, and well-communicated responsibilities, particularly in relation to legal accountability, cross-border consistency with England, and the golden thread of information.

**17.** However, the responses also highlighted the need for:

- Detailed guidance and training to support clients, especially those with limited construction experience.
- Clarification of roles in complex or high-risk projects.
- Consideration of resource implications, particularly for public sector clients.

### Question 2.7

**Do you agree or disagree with the proposed introduction of Domestic Clients, and the potential relaxation of requirements compared with the main Client dutyholder type?**

Summary of responses

Agree	34	63%
Disagree	11	20%
Neither agree nor disagree	7	13%

Don't know	2	4%
Total responses	54	100%

### Question 2.8

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**18.** The majority of respondents supported the introduction of Domestic Clients with relaxed requirements, but with caveats:

- Automatic transfer of duties to professionals was widely favoured to protect clients and ensure compliance.
- A clear need for education, guidance, and support for domestic clients was expressed.
- Consistency with English regulations was seen as beneficial to reduce confusion.
- A risk-based, proportionate approach was recommended, especially for small-scale or low-risk projects.
- Some stakeholders raised serious safety concerns, particularly for complex or high-risk buildings.

**19.** The responses suggested that while the proposal was broadly acceptable, its implementation must be carefully designed, with clear roles, robust safeguards, and strong communication to ensure it is effective and safe.

### Question 2.9

**Do you agree or disagree that a Domestic Client may only be an individual, who is not conducting the work as part of a business, and that the scope of locations where they may work, be restricted to their own home(s)?**

#### Summary of responses

Agree	38	75%
Disagree	8	16%
Neither agree nor disagree	5	10%
Don't know	0	0%
Total responses	51	100%*

\*Percentages do not add up to 100% due to rounding

### Question 2.10

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**20.** The majority of respondents agreed with the proposed definition of a Domestic Client as an individual not acting as part of a business and limited to their own home(s). Supporters valued the clarity and alignment with existing regulations

in England. However, concerns were raised about practical implementation, edge cases, and the need for clearer guidance or flexibility in certain scenarios.

#### **Question 2.11**

**Do you agree or disagree that Domestic Clients should discharge responsibilities to comply with building regulations and other legislation to appointed dutyholders?**

Summary of responses

Agree	40	78%
Disagree	6	12%
Neither agree nor disagree	4	8%
Don't know	1	2%
Total responses	51	100%

#### **Question 2.12**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 21.** Most respondents agreed that domestic clients should be able to pass their legal responsibilities under building regulations to qualified professionals. This reflects a practical recognition that many, if not most, homeowners lack the expertise to manage compliance themselves.
- 22.** Supporters believed this approach would improve safety, ensure accountability, and align Wales with existing practices in England. However, concerns were raised about costs, reduced client involvement, and the need for clear communication and public education.

#### **Question 2.13**

**Do you agree or disagree with our approach to DIYers who are operating on their own?**

Summary of responses

Agree	27	53%
Disagree	16	31%
Neither agree nor disagree	6	12%
Don't know	2	4%
Total responses	51	100%

#### **Question 2.14**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 23.** The majority of respondents agreed with the proposed approach to DIYers, acknowledging the practicality and need for personal responsibility. However, a minority raised concerns about competency, enforcement, and clarity—particularly in the context of higher-risk buildings. There is strong support for

providing clear, accessible guidance, and for considering additional safeguards such as pre-application advice or limiting DIY work in high-risk contexts.

#### Question 2.15

**Do you agree or disagree with the proposed duties that will apply to the Principal Designer during design and construction?**

Summary of responses

Agree	43	84%
Disagree	4	8%
Neither agree nor disagree	3	6%
Don't know	1	2%
Total responses	51	100%

#### Question 2.16

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 24.** The proposed duties for the Principal Designer were widely supported for enhancing clarity, accountability and safety. Alignment with the regulations in England and a focus on competency were seen as essential. Some concerns were raised about the practical application and role clarity in smaller or informal projects.

#### Question 2.17

**Do you agree or disagree with the proposed duties that will apply to designers during design and construction?**

Summary of responses

Agree	44	90%
Disagree	2	4%
Neither agree nor disagree	2	4%
Don't know	1	2%
Total responses	49	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 2.18

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 25.** The responses revealed overwhelming support for the proposed duties for designers, with stakeholders recognising their potential to improve building safety and regulatory compliance. There is a strong call for alignment with regulations in England, particularly to support cross-border consistency and reduce confusion. The concept of the golden thread was widely endorsed, and respondents raised the need for clearer guidance and legal definitions to ensure effective implementation.

### Question 2.19

**Do you agree or disagree with the proposed duties that will apply to the *Principal Contractor* during design and construction?**

Summary of responses

Agree	45	90%
Disagree	2	4%
Neither agree nor disagree	2	4%
Don't know	1	2%
Total responses	50	100%

### Question 2.20

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 26.** The consultation revealed strong support for the proposed duties of the Principal Contractor during design and construction, with a clear preference for alignment with the regulations in England to ensure consistency and reduce confusion. Respondents emphasised the need for clear guidance, especially around dual roles, competency requirements, and complex project structures. There was a consensus that these duties are crucial for ensuring compliance, safety, and the integrity of the Golden Thread throughout the construction process.

### Question 2.21

**Do you agree or disagree with the proposed duties that will apply to contractors during design and construction?**

Summary of responses

Agree	42	86%
Disagree	4	8%
Neither agree nor disagree	2	4%
Don't know	1	2%
Total responses	49	100%

### Question 2.22

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 27.** The consultation responses showed strong support for the proposed duties for contractors during design and construction, with a clear preference for alignment with English regulations to ensure consistency and reduce confusion. Respondents valued the emphasis on clarity, accountability, and professionalism, particularly in relation to the Golden Thread and high-risk buildings.
- 28.** However, there is a notable call for improvements, including adding omitted duties from English regulations, clarifying legal intentions, providing detailed guidance and considering scalability of duties for smaller projects.

### Question 2.23

**Do you agree or disagree that, where a business has been appointed as a dutyholder, it must appoint a designated individual who meets the relevant criteria to manage its functions as a dutyholder?**

Summary of responses

Agree	41	82%
Disagree	4	8%
Neither agree nor disagree	5	10%
Don't know	0	0%
Total responses	50	100%

### Question 2.24

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 29.** Respondents highlighted the benefits of accountability, clarity, and alignment with existing English regulations. However, concerns were raised about the potential legal risks for individuals, the need for clear guidance on transitions, and the importance of maintaining a focus on organisational competence. Overall, the proposal is seen as a positive step, provided that implementation is handled with care and clarity.

### Question 2.25

**Do you agree or disagree with the proposed timeframes for appointing a Principal Designer?**

Summary of responses

Agree	30	61%
Disagree	11	22%
Neither agree nor disagree	7	14%
Don't know	1	2%
Total responses	49	100%*

\*Percentages do not add up to 100% due to rounding

### Question 2.26

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 30.** There was broad support for the proposed timeframes for appointing a Principal Designer, with a strong consensus that early appointment is essential to ensure safety, compliance, and effective project planning. However, respondents raised concerns about ambiguous wording that could allow late appointments, and called for clearer legal definitions and timeframes, alignment with English regulations to reduce confusion, and detailed guidance for enforcement and application across all project types, including DIY scenarios.

**Question 2.27**

**Do you agree or disagree with the proposed timeframes for appointing a Principal Contractor?**

Summary of responses

Agree	39	78%
Disagree	4	8%
Neither agree nor disagree	6	12%
Don't know	1	2%
Total responses	50	100%

**Question 2.28**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 31.** There was broad support for the proposed timeframes for appointing a Principal Contractor, with respondents recognising the benefits of early involvement for project coordination, safety, and compliance. However, practical concerns were raised about flexibility, especially for smaller or DIY projects, and the potential for unintended delays in building control applications.

**Question 2.29**

**Do you agree or disagree with the proposed criteria around the appointment of dutyholders?**

Summary of responses

Agree	38	79%
Disagree	4	8%
Neither agree nor disagree	5	10%
Don't know	1	2%
Total responses	48	100%*

\*Percentages do not add up to 100% due to rounding

**Question 2.30**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 32.** There was strong overall support among respondents for the proposed criteria around the appointment of dutyholders. The feedback suggests that the industry is generally aligned with the principles of accountability and competence in dutyholder roles, and many respondents appreciated the consistency with English regulations. However, some raised concerns about practical implementation, particularly around contractual authority and the potential for confusion in cross-border projects.

### Question 2.31

**Do you agree or disagree with this approach, which would treat the client as if they are the missing dutyholder while no other person holds the appointed position?**

Summary of responses

Agree	37	76%
Disagree	6	12%
Neither agree nor disagree	4	8%
Don't know	2	4%
Total responses	49	100%

### Question 2.32

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 33.** A significant majority of respondents agreed with the proposed approach of treating the client as the missing dutyholder when no other person holds the appointed position. However, concerns were raised about client competence, especially on complex or high-risk projects. A common suggestion was to pause work until a competent Principal Designer or Principal Contractor is appointed, rather than defaulting to the client.

### Question 2.33

**Do you agree or disagree with the proposal for organisations appointed as the *Principal Designer* or *Principal Contractor* must take reasonable steps to ensure that the individual/s designated to manage the functions of the *Principal Designer* or *Principal Contractor* for that specific project have the relevant competence to do so?**

Summary of responses

Agree	47	94%
Disagree	1	2%
Neither agree nor disagree	2	4%
Don't know	0	0%
Total responses	50	100%

### Question 2.34

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 34.** There was overwhelming support for the proposal that organisations appointed as Principal Designer or Principal Contractor must ensure designated individuals are competent. Respondents view this as a critical measure for safety, accountability, and professional standards. However, there was a clear call for more detailed guidance on assessing competence, defining reasonable steps, and managing transitions when individuals leave roles.



### Question 2.35

**Do you agree or disagree that regulations should include the requirement on individuals or organisations to notify the relevant dutyholders and those who appoint or ask them to carry out the work where they cease to satisfy the competence requirements?**

Summary of responses

Agree	45	92%
Disagree	3	6%
Neither agree nor disagree	1	2%
Don't know	0	0%
Total responses	49	100%

### Question 2.36

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 35.** There was overwhelming support for requiring individuals or organisations to notify relevant dutyholders if they no longer meet competence requirements. Respondents commented that this was seen as essential for maintaining accountability, safety, and alignment with existing practices.

### Question 2.37

**Do you agree or disagree with the additional requirements proposed for dutyholders involved in work on higher-risk buildings?**

Summary of responses

Agree	43	90%
Disagree	3	6%
Neither agree nor disagree	1	2%
Don't know	1	2%
Total responses	48	100%

### Question 2.38

**Please explain your answer. If you answered disagree, please outline what changes you think should be made.**

Summary of responses

- 36.** There was overwhelming support for the proposed additional requirements for dutyholders working on higher-risk buildings. The feedback showed a strong desire for regulatory consistency with England, enhanced safety and accountability, and clear, practical guidance to support implementation. Some respondents raised concerns about cost and complexity, these were generally framed as manageable if accompanied by clear requirements and guidance.

### Question 2.39

**Do you agree or disagree with the requirement for clients to notify other dutyholders about any higher-risk building work, or a change to work that would make it higher-risk building work?**

#### Summary of responses

Agree	41	85%
Disagree	3	6%
Neither agree nor disagree	3	6%
Don't know	1	2%
Total responses	48	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 2.40

**Please explain your answer. If you answered disagree, please outline what changes you think should be made.**

#### Summary of responses

**37.** Most respondents agreed that clients should notify other dutyholders of higher-risk building work or changes to work that would make it higher-risk building work. This was viewed as critical to ensuring appropriate oversight and avoiding regulatory gaps, especially in high-risk scenarios. There were some concerns raised about clients' ability to identify and manage higher-risk building work.

#### Question 2.41

**Do you agree or disagree with the requirement on the client to record the steps they took to satisfy themselves that the appointed *Principal Designer* and *Principal Contractor* have the relevant competence for the role and include it with the competence declaration required with the building control approval application for higher-risk building work?**

#### Summary of responses

Agree	41	87%
Disagree	3	6%
Neither agree nor disagree	2	4%
Don't know	1	2%
Total responses	47	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 2.42

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**38.** A large majority supported requiring clients to document how they verified the competence of Principal Designers and Contractors. This was seen as a safeguard against poor appointments and a way to create a defensible audit trail. However, some respondents raised concerns around client competency, including domestic clients, and asked for guidance about these issues.

#### Question 2.43

**Do you agree or disagree that anyone making appointments for building work on a higher-risk building should consider whether a serious infraction might call into question a person's skills, knowledge, experience and behaviours?**

#### Summary of responses

Agree	41	84%
Disagree	1	2%
Neither agree nor disagree	6	12%
Don't know	1	2%
Total responses	49	100%

#### Question 2.44

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

- 39.** Most respondents agreed that serious infractions should be considered when appointing individuals for higher-risk building work. This was seen as a necessary step to uphold safety and professional standards. Several respondents noted that there was a need for clear definitions and enforcement mechanisms.

#### Question 2.45

**Do you agree or disagree with the proposed meaning of serious infraction?**

#### Summary of responses

Agree	35	73%
Disagree	8	17%
Neither agree nor disagree	2	4%
Don't know	3	6%
Total responses	48	100%

#### Question 2.46

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

- 40.** While most respondents agreed with the proposed definition, concerns were raised about fairness, clarity, and the potential for reputational harm without due process. Some called for alignment with English terminology and inclusion of broader infractions. There were also some comments about specific terminology used in the proposal, noting differences to regulations already in place in England.

#### Question 2.47

**Do you agree or disagree that the consideration of serious infractions be limited to the last five years?**

#### Summary of responses

Agree	24	49%
Disagree	13	27%
Neither agree nor disagree	11	22%
Don't know	1	2%
Total responses	49	100%

### Question 2.48

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

- 41.** While there is moderate support for aligning with England's five-year standard, a significant number of respondents believed this period is too short, especially for serious infractions, and suggested extending it to 10 or 12 years.

### Question 2.49

**Do you agree or disagree that the dutyholders and competence regulations should not apply to work prescribed in Schedule 4 of the Building Regulations 2010?**

#### Summary of responses

Agree	33	69%
Disagree	9	19%
Neither agree nor disagree	5	10%
Don't know	1	2%
Total responses	48	100%

### Question 2.50

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

- 42.** A majority agreed that dutyholder and competence regulations should not apply to Schedule 4 work, noting that this work was relatively minor. Some respondents commented that even minor works can pose safety risks and there were also comments about competent persons schemes and the competency of those carrying out this type of work.

### Question 2.51

**Do you have any other comments in relation to the proposals?**

#### Summary of responses

- 43.** Respondents emphasised the need for clear guidance on roles and competence expectations for dutyholders. Some respondents also repeated statements supporting alignment with English regulations. There were also calls for mediation mechanisms and more nuanced approaches for complex or heritage projects.

### Government response

- 44.** The Welsh Government welcomes the strong support expressed for the proposed duties and definitions relating to dutyholders and competence. Notably, 89% of respondents agreed with the proposed duties for all dutyholders during design and construction, and with similar support shown for proposals for Designers and Contractors, indicating a clear consensus on the importance of accountability and clarity in these roles. Overall, these responses affirm the direction of the proposed regulatory framework and reinforce the

need for robust implementation mechanisms, including clear guidance and alignment with English regulations to ensure consistency and reduce confusion.

- 45.** We have reviewed respondents' comments regarding the practicality of this proposal. As a result, we have amended the proposal to allow Domestic Clients, where they consider themselves to have the relevant competence, to take on certain client duties and act as Principal Contractor (PC) and/or Principal Designer (PD) themselves.
- 46.** However, we expect that individuals who do not have the necessary competence will appoint an appropriate person or persons to undertake these roles on their behalf. We will also retain the proposed 'fall-back' position: if a Domestic Client does not appoint anyone to these roles, the associated duties will automatically fall to either the Principal Contractor or Principal Designer, as appropriate.
- 47.** We acknowledge the importance of consistency with English frameworks and will align terminology and timeframes where possible, as reflected in the decision to adopt a five-year limit for considering sanctions in line with regulations in place in England.

# Golden thread of information

## Summary of responses to questions

### Question 3.1

**Do you agree or disagree with the proposal to keep information related to the building control approval stage and completion certificate application stage as a point in time reference and not to update this information after the approval stage?**

#### Summary of responses

Agree	30	70%
Disagree	9	21%
Neither agree nor disagree	4	9%
Don't know	0	0%
Total responses	43	100%

### Question 3.2

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

#### Summary of responses

- 48.** The majority of respondents supported the proposal for retaining building control approval and completion certificate information as fixed, point-in-time references. Respondents valued this approach for its clarity, auditability, and ability to benchmark compliance at specific stages. However, many emphasised the need for supplementary documentation to reflect changes over the building's lifecycle, ensuring that safety-critical updates are not lost.

### Question 3.3

**Do you agree or disagree with the proposal to set overarching requirements for language and consistency rather than defining specific standards?**

#### Summary of responses

Agree	25	60%
Disagree	9	21%
Neither agree nor disagree	8	19%
Don't know	0	0%
Total responses	42	100%

### Question 3.4

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

- 49.** While a majority of respondents supported the principle of overarching requirements, there were several concerns raised about the practical implications of not setting or referring to specific standards. There were calls for clear guidance, templates, and reference standards.

### Question 3.5

**Do you agree or disagree with the proposed approach for ensuring the golden thread can be accessed by different people and transferred between different systems?**

Summary of responses

Agree	40	93%
Disagree	1	2%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	43	100%

### Question 3.6

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

- 50.** A large majority of respondents agreed that the golden thread must be accessible and transferable across systems. Respondents highlighted the importance of long-term usability, especially for future maintenance and safety interventions. There was also strong support for system-agnostic formats, audit trails, and secure sharing protocols to ensure continuity and transparency across different stakeholders and platforms.

### Question 3.7

**Do you agree or disagree with proposed approach to ensure the golden thread is secure?**

Summary of responses

Agree	38	90%
Disagree	3	7%
Neither agree nor disagree	1	2%
Don't know	0	0%
Total responses	42	100%*

\*Percentages do not add up to 100% due to rounding

### Question 3.8

**Please provide an explanation for your answer. Please explain what changes should be made (if any).**

Summary of responses

- 51.** The majority of respondents agreed with the proposed approach, indicating strong support for securing the golden thread. Respondents consistently emphasised the importance of safeguarding building information from unauthorised access, accidental loss, or deliberate tampering. They also highlighted the need for clarity around access permissions and the roles of individuals interacting with the data.
- 52.** There was a shared understanding that while digital formats are necessary, they must be supported by robust cybersecurity measures and clear protocols for data retention and version control. Some respondents expressed concern

about the inclusion of sensitive personal or financial data and recommended limiting such content within the golden thread.

### Question 3.9

**Do you agree or disagree with proposed approach to ensure the golden thread is accessible and organised?**

Summary of responses

Agree	36	88%
Disagree	4	10%
Neither agree nor disagree	1	2%
Don't know	0	0%
Total responses	41	100%

### Question 3.10

**Please provide an explanation for your answer. Please explain what changes should be made (if any).**

Summary of responses

- 53.** The majority of respondents supported the proposed approach to ensure the golden thread is both accessible and well-organised. Respondents stressed the need for structured templates, clear data hierarchies, and defined access rights to ensure usability across different user groups.
- 54.** There was also a call for Welsh Government to provide best practice guidance and examples to promote consistency and clarity.

### Question 3.11

**Do you agree or disagree with the approach for ensuring accountability in the golden thread?**

Summary of responses

Agree	38	93%
Disagree	1	2%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	41	100%

### Question 3.12

**Please provide an explanation for your answer. Please explain what changes should be made (if any).**

Summary of responses

- 55.** There is near-unanimous agreement on the importance of accountability in managing the golden thread. Respondents emphasised that clear responsibility, change tracking, and audit trails are essential for ensuring data integrity and enabling enforcement if issues arise.

### Question 3.13

**Do you agree or disagree with the proposal to not define digital in regulations whilst requiring electronic transfer?**



### Summary of responses

Agree	29	69%
Disagree	9	21%
Neither agree nor disagree	4	10%
Don't know	0	0%
Total responses	42	100%

### Question 3.14

**Please provide an explanation for your answer. Please explain what changes should be made (if any).**

### Summary of responses

**56.** Most respondents agreed with not defining “digital” in regulations to allow flexibility and innovation. However, there were comments asking for standardisation and clear guidance to ensure accessibility, interoperability, and cost-effective data management.

### Question 3.15

**Do you agree or disagree with the proposed duties on the client in relation to the golden thread?**

### Summary of responses

Agree	36	90%
Disagree	3	8%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

### Question 3.16

**Please provide an explanation for your answer. Please explain what changes should be made (if any).**

### Summary of responses

**57.** There was overwhelming support for placing duties on the client, recognising their central role. However, several respondents noted the need for detailed guidance for dealing with some of the practical challenges of implementation, and support to ensure clients understand and can fulfil their responsibilities effectively.

### Question 3.17

**Do you agree or disagree with the proposed duties on the Principal Designer and Principal Contractor in relation to the golden thread?**

### Summary of responses

Agree	36	90%
Disagree	4	10%
Neither agree nor disagree	0	0%
Don't know	0	0%
Total responses	40	100%

### Question 3.18

**Please provide an explanation for your answer. Please explain what changes should be made (if any).**

Summary of responses

- 58.** Respondents strongly supported the proposed duties, noting they align with existing roles and responsibilities. However, many responses commented that clarity is needed on how responsibilities are shared and noted the importance of collaboration between principal designers, principal contractors and clients.

### Question 3.19

**Do you agree or disagree with the proposal that through the design and construction process there should be a duty on all dutyholders to review the information within the golden thread to ensure it remains relevant, useful, proportionate and supports compliance with building regulations?**

Summary of responses

Agree	40	98%
Disagree	1	2%
Neither agree nor disagree	0	0%
Don't know	0	0%
Total responses	41	100%

### Question 3.20

**Please provide an explanation for your answer. Please explain what changes should be made (if any).**

Summary of responses

- 59.** There was near-unanimous agreement that all dutyholders should review golden thread information. Comments commonly noted that this was essential for maintaining compliance, ensuring safety, and keeping records accurate and up to date throughout the project lifecycle.

### Question 3.21

**Do you agree or disagree with the proposed duties on the client, Principal Designer and Principal Contractor regarding building work in an existing higher-risk building in relation to the golden thread?**

Summary of responses

Agree	38	93%
Disagree	2	5%
Neither agree nor disagree	1	2%
Don't know	0	0%
Total responses	41	100%

### Question 3.22

**Please provide an explanation for your answer. Please explain what changes should be made (if any).**

### Summary of responses

- 60.** Respondents agreed that duties should extend to existing higher-risk buildings to ensure consistency and safety. However, concerns were raised about how to manage domestic or DIY work, with some specific examples provided, and several respondents noted the need for clear guidance.

### Question 3.23

**Do you agree or disagree with the proposal that all the information to be submitted in a building control approval application should be stored in the golden thread?**

### Summary of responses

Agree	38	93%
Disagree	1	2%
Neither agree nor disagree	1	2%
Don't know	1	2%
Total responses	41	100%*

\*Percentages do not add up to 100% due to rounding

### Question 3.24

**Please provide an explanation for your answer. If you disagree, please explain what information from a building control approval application should be stored in the golden thread (if any).**

### Summary of responses

- 61.** There was a strong consensus that storing all building control approval application information in the golden thread is essential. Respondents highlighted the importance of transparency, traceability, and maintaining a complete record for safety and compliance. Some respondents requested clarification on what constitutes relevant information.

### Question 3.25

**Do you agree or disagree that with the proposals for the golden thread information that should be handed over to the responsible person?**

### Summary of responses

Agree	40	98%
Disagree	1	2%
Neither agree nor disagree	0	0%
Don't know	0	0%
Total responses	41	100%

### Question 3.26

**Please provide an explanation for your answer. Please outline what changes you think should be made (if any).**

### Summary of responses

- 62.** An overwhelming majority of respondents agreed with the proposal, emphasising the importance of a structured handover to ensure safe building management. The handover supports compliance, accountability, and effective planning for maintenance and emergencies. Several commentators made

reference to comparisons with provisions in place for the handover of information in Regulation 38, in both the Building Regulations 2010 and the higher-risk building procedures regulations in place in England.

### Question 3.27

**Do you agree or disagree that for higher-risk buildings the golden thread and information related to fire safety, ventilation, the use of fuel and power, systems for on-site generation of electricity and overheating should be handed over to the responsible person no later than the date of completion?**

Summary of responses

Agree	36	88%
Disagree	5	12%
Neither agree nor disagree	0	0%
Don't know	0	0%
Total responses	41	100%

### Question 3.28

**Please provide an explanation for your answer. If you disagree, please outline when you think the information should be handed over by.**

Summary of responses

- 63.** The majority of respondents agreed with the proposals stressing that the responsible person must have access to critical safety information before occupation. Several responses suggested that handover should be required to occur before completion, or at least well before occupation, to allow for proper planning and risk mitigation. There were also comments asking for consideration for how phased occupation should be handled.

### Question 3.29

**Do you agree or disagree with the proposal for information sharing and access to the golden thread between the client and the responsible person when a building goes through partial completion?**

Summary of responses

Agree	37	90%
Disagree	1	2%
Neither agree nor disagree	3	7%
Don't know	0	0%
Total responses	41	100%*

\*Percentages do not add up to 100% due to rounding

### Question 3.30

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

- 64.** A majority of respondents supported the proposal, recognising the need for access to relevant information during phased occupation. A common theme in comments was that the proposals should ensure safety and operational readiness for occupied areas and that they supported a smooth final handover.

Some comments did though ask for information access requirements and responsibilities during partial completion to be made clear.

### Question 3.31

**Do you agree or disagree with the need for an ongoing duty to co-operate on the client the responsible person through the process of partial completion?**

Summary of responses

Agree	39	100%
Disagree	0	0%
Neither agree nor disagree	0	0%
Don't know	0	0%
Total responses	39	100%

### Question 3.32

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

- 65.** Unanimous agreement was received. Respondents stressed that continuous cooperation is vital to manage risks, maintain safety, and ensure that temporary measures and updates are communicated effectively.

### Question 3.33

**Do you have any other comments in relation to the proposals?**

Summary of responses

- 66.** There were 7 comments provided for this question. Respondents generally supported the proposals, especially the Golden Thread, viewing it as a vital step toward improving building safety. However, some of the comments asked for greater clarity on implementation details, particularly around digital formats, data requirements, and regulatory integration. Concerns were also raised about procedural aspects like Gateway 3 and partial completions potentially impacting safety.

### Government response

- 67.** We acknowledge the strong support for the proposals concerning the Golden Thread of information. Across this section of proposals, the average level of agreement was notably high, with several questions receiving agreement rates of 90% or above. These responses reflect a clear consensus on the importance of transparency, accessibility, and accountability in managing building safety information.
- 68.** Whilst a majority of respondents supported the proposed duties for Principal Designers and Principal Contractors, following consideration of all comments and engagement with stakeholders we are making a change to the proposals which is to place responsibility of updating the Golden Thread on the Client rather than the Principal Designer and Principal Contractor as initially proposed. We intend that the Client has ultimate responsibility for the project and therefore this key duty of ensuring the Golden Thread is complete should rest with them. In addition, this aligns with the regulations already in place in

England and therefore will reduce confusion for dutyholders who may work in both countries.

- 69.** Respondents consistently emphasised the need for structured, secure, and interoperable systems to support the Golden Thread. While the majority agreed with the overarching principles, many called for additional guidance and practical tools to aid implementation. This includes requests for templates, reference standards, and clarity around roles and responsibilities—particularly for clients, Principal Designers, and Principal Contractors. The government recognises these concerns and, whilst there are no changes to the proposals in this area, we will consider how best to support stakeholders in fulfilling their duties, ensuring that the Golden Thread remains a robust and usable mechanism for safeguarding building safety throughout the lifecycle of higher-risk buildings.

# Gateway processes for higher-risk building work

## Planning Gateway 1

### Summary of responses to questions

#### Question 4.1

**Do you agree that statutory consultation requirements for fire and rescue authorities should be extended to specifically include higher risk buildings?**

#### Summary of responses

Agree	4	36%
Disagree	4	36%
Neither agree nor disagree	2	18%
Don't know	1	1%
Total responses	0	0%

#### Question 4.2

**Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

#### Summary of responses

**70.** Most respondents agreed that fire and rescue authorities should be statutory consultees for higher risk buildings (HRBs). This view was shared across local authorities, construction professionals, property managers, designers, manufacturers, and professional bodies. The main reasons included improving fire safety outcomes, enabling early design input, and ensuring consistency with existing regulations. Several responses highlighted the importance of considering vulnerable occupants and complex building types, recommending that the definition of HRBs be expanded to include buildings over 11 metres or three storeys, and those with vulnerable users such as hospitals, care homes, and schools. Some local authorities suggested limiting consultation to fire access and firefighting provisions, while others raised concerns about potential information overload from minor works. Only one organisation disagreed, arguing that the current HRB definition is too narrow and should include more building types. Overall, there was strong support for the proposal, with suggestions to refine its scope and implementation.

#### Question 4.3

**Do you agree that fire statements should require the same information currently requested in the Planning Gateway One fire statement form used in England? (see <https://www.gov.uk/government/publications/planning-application-forms-templates-for-local-planning-authorities> )**

#### Summary of responses

Agree	4	36%
Disagree	4	36%
Neither agree nor disagree	2	18%

Don't know	1	1%
Total responses	0	0%

#### Question 4.4

**Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

##### Summary of responses

71. There was strong support across a wide range of organisations for requiring the same information in Welsh fire statements as currently requested in the Planning Gateway One fire statement form used in England. Respondents who agreed included local authorities, construction professionals, designers, engineers, surveyors, registered building control approvers, developers, architects, property managers, housing associations, manufacturers, and various professional and trade bodies.
72. Many respondents supported the proposal for reasons of consistency, clarity, and early fire safety consideration. Several noted that the English form is well-established and provides a robust framework for assessing fire safety at the planning stage. Others highlighted that a uniform approach would benefit contractors working across both England and Wales. Some felt the form covers key aspects such as fire and rescue access and building design, and that it encourages proper consideration of fire and life safety from the outset.
73. Some organisations proposed enhancements to the form. A manufacturer suggested including information on combustible roof materials and solar PV panels, citing their potential fire risks and the limitations of current classification standards. A property manager recommended including mobility scooters and other electrically charged vehicles in parking-related fire safety considerations. A conservation charity emphasised the need for alignment with fire strategies and the “Golden Thread” of safety information, especially for heritage buildings. The healthcare sector supported the proposal but advised adapting the form to reflect Welsh standards and include misting suppression systems.
74. Several local authorities raised practical concerns. They noted that fire safety designs often evolve during building regulation assessments, which could lead to discrepancies between planning and final designs. There were also concerns about potential overlap between fire service and building control responsibilities, and the need for detailed fire strategies at the planning stage. One authority questioned whether the requirement would apply to refurbishments and large works on existing buildings.
75. No respondents explicitly disagreed with the proposal, although a few did not provide a response or explanation.

#### Question 4.5

**Are there any other types of planning application involving higher risk buildings that should be accompanied by a fire statement?**

##### Summary of responses

76. Respondents broadly supported extending fire statement requirements beyond new higher risk buildings. Local authorities proposed including applications



involving overhead cables, trees, temporary events, refurbishments, and developments under the Regulatory Reform Order. Registered Building Control Approvers recommended applying fire statements to all new dwellings and alterations to existing higher risk buildings, citing concerns over inadequate fire service access.

77. Construction professionals and designers suggested including all new-builds, larger extensions, outline applications, and developments involving hazardous materials. Some noted that even basic fire safety considerations—such as access, evacuation routes, and fire spread mitigation—should be addressed at planning stage.
78. Professional bodies advocated for inclusion of large public buildings, conversions to higher risk status, and complex sites. CIAT emphasised the need for a design-first approach and clearer scope for buildings transitioning into higher risk categories.
79. Other interested parties highlighted change of use for high-rise buildings, heritage sites, and developments affecting fire-fighting water supply. Concerns were raised about unintended consequences in heritage contexts. Manufacturers proposed including roof-level fire risks, while some property managers and trade bodies expressed uncertainty or declined to comment.

#### **Question 4.6**

**Are there other organisations that should be a statutory consultee on applications with Fire Statements and on what issues would they advise?**

#### **Summary of responses**

80. Several local authorities recommended that Local Authority Building Control be a statutory consultee at Gateway One, given its regulatory role and ability to advise on fire safety matters early in the planning process. Some also suggested consulting water undertakers regarding the adequacy of water supplies for firefighting, and in certain cases, the Health and Safety Executive (HSE) where building safety concerns arise.
81. Registered Building Control Approvers supported the involvement of external experts, particularly for complex schemes, and proposed that Welsh Government retain the option to consult such specialists where internal resources are limited.
82. Construction professionals generally supported additional consultation for complex buildings, such as hospitals, where fire-engineered solutions and specialist evacuation strategies are required. One respondent noted that Wales has an opportunity to apply the gateway process to all higher-risk buildings, unlike England where hospitals are excluded at the planning stage.
83. Designers, engineers, and surveyors suggested including water suppliers and enforcing authorities for hazardous materials legislation (e.g. DSEAR, COMAH). Some also supported broader consultation depending on the complexity of the development.
84. South Wales Police recommended that police services be statutory consultees to advise on building and user security.

85. Professional bodies proposed involving organisations such as RICS, CABE, IFE, and CIAT for their fire engineering expertise. CIAT also highlighted the need to consider complex sites and transitions to higher-risk status, and suggested that the Welsh Government adopt a design-first approach.
86. Trade associations, including HBF, recommended utilising the Welsh Government's Joint Inspection Team (JIT) as a resource similar to the Building Safety Regulator in England, to support local authorities and expedite HRB approvals.
87. Architects suggested that Welsh Government expand its internal expertise to ensure consistent standards in fire consultation.
88. A conservation charity expressed concern about the lack of reference to heritage-specific fire safety expertise and recommended involving organisations such as Cadw, conservation officers, and the Institute of Fire Engineers' heritage group.
89. Healthcare sector representatives and some property managers felt that the current scope was sufficient, with peer review among fire and rescue services suggested as an alternative to expanding statutory consultees.

#### **Question 4.7**

**Do you agree design elements such as fire access routes should be safeguarded from amendments by future development proposals through additional consultation with statutory consultees? Please provide an explanation for your answer.**

#### **Summary of responses**

90. There was broad agreement across respondents that fire access routes and other critical design elements should be safeguarded from future amendments through additional consultation with statutory consultees. Local authorities consistently supported this approach, emphasising that even minor future developments could compromise fire safety and that safeguarding should be standard procedure. Several noted that Local Authority Building Control should be involved in ongoing consultation to ensure compliance is maintained.
91. Registered Building Control Approvers agreed, highlighting the need for clear triggers for consultation and consistent application of safeguards. They supported measures to ensure surrounding developments do not impede fire access to higher-risk buildings.
92. Construction professionals generally supported the proposal, with some noting that changes should be reviewed to ensure continued compliance with building regulations. One respondent stressed that allowing buildings to become less safe through future development would be unacceptable.
93. Designers, engineers, and surveyors also agreed, citing the importance of maintaining fire appliance access and escape arrangements, including those dependent on adjacent sites. They emphasised that future road safety or traffic measures must not obstruct designated fire routes.

94. South Wales Police supported safeguarding emergency routes, noting that changes could compromise operational safety.
95. Other interested parties, including fire and rescue services, healthcare sector representatives, and cross-professional industry bodies, agreed that key fire safety elements should be protected and regularly reviewed. A professional institute highlighted the importance of coordination between developments to avoid compromising safety.
96. Property managers and housing associations mostly agreed, though one respondent felt changes should be permitted if they maintain adequate access and are reflected in the Golden Thread. Others stressed the need to preserve original fire strategies and ensure new developments do not interfere with them.
97. Trade bodies and manufacturers supported the proposal, with one manufacturer recommending that changes to fire-sensitive design aspects—such as external walls, roofs, and evacuation routes—be subject to consultation. Another trade body suggested that amendments could be acceptable if they provide compliant alternative access.
98. Architects and professional bodies expressed agreement, with some noting the importance of maintaining consistent standards and ensuring that future development does not reduce fire safety.
99. No respondents explicitly opposed the proposal, though a few did not provide a response or expressed uncertainty.

#### **Question 4.8**

#### **How should safety critical design elements surrounding higher-risk buildings be identified so they can trigger safeguarding consultation arrangements?**

##### **Summary of responses**

100. Local authorities supported identifying safety-critical design elements through structured documentation such as a critical design logbook, integration with the Golden Thread, and planning or building control systems. Several recommended safeguarding through planning conditions and consultation triggers linked to changes in the surrounding environment.
101. Registered Building Control Approvers proposed using the fire statement as the central document to define safeguarding triggers, including access philosophies and proximity zones. They also supported case-by-case assessment and consultation where changes may affect fire service operations.
102. Construction professionals emphasised the role of competent individuals in identifying critical elements. They supported using as-built drawings and expert review, and some cautioned against blanket safeguards that could restrict future development. Others endorsed depositing plans with local authorities for features outside the building boundary that affect fire safety.
103. Designers, engineers, and surveyors recommended spatial mapping, early-stage risk assessments, and identification of key services (e.g. fire hydrants, gas mains). They stressed the importance of multiple evacuation routes and assessing risks to adjacent structures.

104. South Wales Police called for clear definitions and consistent terminology in fire statements and plans, supported by a register of critical elements.
105. Healthcare sector representatives proposed pre-application consultation triggered by reference to deposited plans, similar to existing Welsh planning procedures.
106. Cross-professional industry bodies and professional institutes highlighted the need for guidance on what constitutes safety-critical elements, recommending early identification, ongoing review, and dutyholder responsibility to notify statutory bodies when safeguarding re-consultation is required.
107. Trade bodies deferred to qualified experts but acknowledged the importance of safeguarding. Manufacturers supported public availability of fire statements to ensure transparency and awareness of critical fire safety features.
108. Architects recommended embedding safety-critical elements in architectural plans and involving the Principal Designer in any amendments. A formal change control process was also suggested.
109. Conservation charities urged safeguarding of fire strategies, evacuation plans, and fire-fighting infrastructure both within and beyond the curtilage of higher-risk buildings, particularly in heritage contexts.
110. Property managers and housing associations proposed tagging or marking critical features, maintaining building files, and ensuring communication with residents. Some noted the challenge of maintaining an accessible and up-to-date repository of such features.
111. No respondents opposed the principle of identifying safety-critical design elements, though several emphasised the need for flexibility, expert judgement, and clear guidance to support implementation.

### **Government response**

112. We welcome the strong support for extending the statutory consultation arrangements to clearly include higher-risk buildings, while noting the concerns about the volume of information associated with minor works. We are content that consultation volumes can be managed by Fire and Rescue Services who would have the ability to reduce the types of applications they want to be notified of using the existing mechanism in the 2012 Order.
113. The broad support for the introduction of Fire Statements is also welcome. We intend to introduce Fire Statements for higher-risk buildings as proposed and will consider further the suggestions for applying the requirement to other development types. In respect of the issues to be included in a Fire Statement, the support for consistency with England is noted. This will be reviewed in light of the broad agreement for safeguarding arrangements, to ensure the information collected through the Statement can easily be used for ongoing safeguarding. Responses will help shape the scope of safeguarding arrangements which we intend to introduce alongside the introduction of Fire Statements.

- 114.** A number of additional statutory consultees were suggested for applications accompanied by Fire Statements. The key issue identified was to ensure review by organisations with sufficient resource and technical expertise. We will give further consideration to this issue through discussion with the identified bodies.

## Application for Building Control approval (Gateway 2)

### Summary of responses to questions

#### Question 4.9

**Do you agree or disagree that the client, Principal Contractor or Principal Designer should be able to submit the required building control approval application to the local authority for higher-risk building work, but that it must be signed by the client?**

#### Summary of responses

Agree	36	88%
Disagree	1	2%
Neither agree nor disagree	3	7%
Don't know	1	2%
Total responses	41	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.10

**Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

#### Summary of responses

- 115.** There was strong support for allowing the client, Principal Contractor, or Principal Designer to submit the application, provided it is signed by the client. This ensures accountability and client awareness of the submission.

- 116.** Some respondents suggested joint sign-off by all dutyholders.

#### Question 4.11

**Do you agree or disagree with the proposed information requirements for building control approval applications for new higher-risk buildings?**

#### Summary of responses

Agree	33	85%
Disagree	4	10%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	39	100%

#### Question 4.12

**Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

##### Summary of responses

**117.** A large majority agreed with the proposed information requirements. Respondents emphasised the need for clarity, consistency with England, and comprehensive guidance to support implementation and avoid misinterpretation. Some comments included proposals for additional information to be included with applications, for example, where an application is for a mixed-use building.

#### Question 4.13

**Do you agree or disagree with the proposed information that must be contained within a competence declaration?**

##### Summary of responses

Agree	37	95%
Disagree	0	0%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	39	100%

#### Question 4.14

**Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

##### Summary of responses

**118.** An overwhelming majority of respondents agreed with the proposed content. The declaration was seen as essential for accountability and assurance, though concerns were raised about it becoming a tick-box exercise.

#### Question 4.15

**Do you agree or disagree with the proposed approach to competence declarations and local authority validation of competence?**

##### Summary of responses

Agree	31	78%
Disagree	4	10%
Neither agree nor disagree	5	13%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.16

**Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

##### Summary of responses

**119.** Whilst a majority of respondents agreed with the approach, concerns were raised about the capacity and role of local authorities in validating competence

and how this would work in practice. Many suggested clear guidance would be required to support implementation.

#### Question 4.17

**Do you agree or disagree with the inclusion and wording of the statement to be signed by the Principal Designer?**

Summary of responses

Agree	37	95%
Disagree	1	3%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	39	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.18

**Please provide an explanation for your answer. Please explain what changes should be made (if any).**

Summary of responses

**120.** There was overwhelming support for the inclusion and wording of the statement to be signed by the Principal Designer. Respondents viewed it as an important step toward improving accountability, ensuring safety, and implementing the lessons learned from Grenfell. While one response raised concerns about liability and divergence from English regulations, there was a strong consensus in favour of the proposal as a necessary and proportionate measure to enhance building safety in Wales.

#### Question 4.19

**Other than the statement to be signed by the principal designer, do you agree or disagree with the proposed list of information that must be contained within a building regulations compliance statement?**

Summary of responses

Agree	38	95%
Disagree	0	0%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	40	100%

#### Question 4.20

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

Summary of responses

**121.** A large majority of respondents agreed with the proposed list of required information. Respondents emphasised consistency with regulations in place in England, but also the need for clear language to be used to avoid misinterpretation. Some concerns were raised about how the declaration would work in the context of non-standard construction methods and historic buildings.

#### Question 4.21

**Do you agree or disagree with the proposed list of information that must be contained within a fire and emergency file?**

Summary of responses

Agree	33	83%
Disagree	5	13%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.22

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

Summary of responses

**122.** A strong majority agreed with the proposed list. Respondents emphasised the importance of clarity, accessibility, and inclusion of fire engineering principles. There was support for aligning with English regulations and ensuring the file reflects realistic assumptions, such as for future use of the building, and building-specific risks. A common theme was a request for clear guidance or frameworks to set the expectation on the level of detail required.

#### Question 4.23

**Do you agree or disagree with the proposed list of information that must be contained within a construction control plan?**

Summary of responses

Agree	37	93%
Disagree	1	3%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	40	100%

\*Percentages do not add up to 100% due to rounding

#### Question 4.24

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**123.** A large majority agreed, with very few disagreements. Respondents supported the comprehensiveness of the list but requested clarification on responsibilities and alignment with existing requirements in the Construction (Design and Management) Regulations 2015 (CDM).

#### Question 4.25

**Do you agree or disagree that the Construction Control Plan should set out plans for how the client will maintain and manage the Golden Thread?**



#### Summary of responses

Agree	35	90%
Disagree	2	5%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	39	100%

#### Question 4.26

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**124.** There was overwhelming support for including Golden Thread management. Respondents stressed its importance for safety and compliance, with an emphasis on the importance of client ownership and ongoing management.

#### Question 4.27

**Do you agree or disagree with the proposed list of information that must be contained within the Change Control Plan, including the information requirements in the proposed change control log?**

#### Summary of responses

Agree	35	90%
Disagree	2	5%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	39	100%

#### Question 4.28

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**125.** A large majority of respondents were in support of the proposals, with comments emphasising the need for transparency, audit trails, and clarity. Concerns were raised about the burden of recording minor changes. A common theme was regarding consistency with regulations in England for the sake of simplicity.

#### Question 4.29

**Do you agree or disagree that a statement describing their mandatory occurrence reporting system should be required as part of a building control approval application?**

#### Summary of responses

Agree	28	70%
Disagree	5	13%
Neither agree nor disagree	6	15%
Don't know	1	3%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.30

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**126.** Whilst a majority of respondents agreed with the proposals, concerns were raised about the burden on building control of reporting to Welsh Government and the clarity of proposals for reporting mechanisms.

#### Question 4.31

**Is there any information set out in the prescribed documents that would not be possible to provide before building work commences?**

Summary of responses

Yes	10	26%
No	14	36%
Don't know	15	38%
Total responses	39	100%

#### Question 4.32

**Please provide an explanation for your answer. If you have answered yes, please outline what information it would not be possible to provide.**

Summary of responses

**127.** Responses to this question were very mixed. Comments that detailed information that may not be possible to provide gave examples such as subcontractor details, phased occupation plans. Other comments re-iterated calls for extra information to be provided such as for mixed-use buildings.

#### Question 4.33

**Do you agree or disagree that the specific requirements for an applicant proposing to build a higher-risk building in stages are sufficient for ensuring dutyholders demonstrate how they will comply with all applicable building regulations requirements?**

Summary of responses

Agree	26	67%
Disagree	7	18%
Neither agree nor disagree	5	13%
Don't know	1	3%
Total responses	39	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.34

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**128.** Most respondents support staged applications as a pragmatic solution for complex builds, especially large public projects. However, there is concern about the potential for misuse and the need for clear guidance on intent.

**Question 4.35**

**Should there be any additional modifications (beyond those proposed for plans and the building regulations compliance statement) to the prescribed documents where the applicant has provided a “staged work” statement?**

Summary of responses

Yes	12	32%
No	12	32%
Don't know	14	37%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

**Question 4.36**

**Please provide an explanation for your answer. If you've answered yes, please explain what changes you think should be made.**

Summary of responses

**129.** There was no clear consensus on whether additional modifications are needed, but many respondents stress the importance of risk management, particularly management of fire safety risks, and the need for clarity in documentation.

**Question 4.37**

**Do you agree or disagree with the additional notification requirements imposed on dutyholders constructing a new higher-risk building in stages?**

Summary of responses

Agree	39	100%
Disagree	0	0%
Neither agree nor disagree	0	0%
Don't know	0	0%
Total responses	39	100%

**Question 4.38**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**130.** There was unanimous agreement that additional notifications are essential for maintaining safety and oversight during staged construction. Some comments asked for additional clarity about what is considered a staged approach.

**Question 4.39**

**Do you agree or disagree with the proposed list of information that should be contained within a partial completion strategy?**

Summary of responses

Agree	36	92%
Disagree	1	3%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	39	100%

#### Question 4.40

**Please provide an explanation for your answer. If you've answered disagree, please explain what changes you think should be made.**

##### Summary of responses

**131.** The overwhelming majority of respondents supported the proposed list, indicating broad consensus that it provides a sound foundation for ensuring safety and compliance during phased occupation. However, several responses highlighted the need for further clarity, practical guidance, and consideration of the roles and responsibilities of different stakeholders, particularly the Registered Building Inspectors who will be assessing the strategy.

#### Question 4.41

**Do you agree or disagree that the local authority should consult the fire and rescue authority on compliance with the Regulatory Reform (Fire Safety) Order 2005 on building control approval applications?**

##### Summary of responses

Agree	38	93%
Disagree	2	5%
Neither agree nor disagree	1	2%
Don't know	0	0%
Total responses	41	100%

#### Question 4.42

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made including what else you consider the fire and rescue authority should be consulted on.**

##### Summary of responses

**132.** There was overwhelming support for involving Fire and Rescue Authorities, but concerns were raised about capacity of authorities to respond to consultations and the timescales proposed.

#### Question 4.43

**Do you agree or disagree that a building control approval application must not be determined before 15 working days after the date on which the plans are given to the fire and rescue authority?**

##### Summary of responses

Agree	28	74%
Disagree	4	11%
Neither agree nor disagree	6	16%
Don't know	0	0%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.44

**Please provide an explanation for your answer. If you have answered disagree, what do you consider a reasonable timeframe?**

#### Summary of responses

**133.** Most agree with the 15-day minimum, but there were requests for flexibility and clear procedures for non-response or complex cases.

#### Question 4.45

**Do you agree or disagree with the proposal to change when a local authority must consult with an enforcing authority from when there is a “structural alteration” to a building to when there is a “material alteration” to a building?**

#### Summary of responses

Agree	33	85%
Disagree	2	5%
Neither agree nor disagree	4	10%
Don't know	0	0%
Total responses	39	100%

#### Question 4.46

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

#### Summary of responses

**134.** In general, there was strong support for the change, with a number of comments noting that material alterations can impact safety. However, several respondents asked for clarity in definitions to avoid confusion.

#### Question 4.47

**Do you agree or disagree that the local authority should consult the sewerage undertaker on Part H of Schedule 1 of the Building Regulations when determining building control approval applications?**

#### Summary of responses

Agree	29	76%
Disagree	1	3%
Neither agree nor disagree	4	11%
Don't know	4	11%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.48

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**135.** A strong majority agree that local authorities should consult sewerage undertakers. Respondents emphasised the importance of safeguarding infrastructure and environmental compliance. However, concerns were raised about undertakers' reluctance to engage with both applicants and building control due to resource constraints.

**Question 4.49**

**Do you agree or disagree that an application must not be determined until at least 15 working days after the date on which the plans are given to the Sewerage Undertaker?**

Summary of responses

Agree	25	66%
Disagree	4	11%
Neither agree nor disagree	5	13%
Don't know	4	11%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

**Question 4.50**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**136.** Most people agreed with the 15-day minimum period, with common comments that this was necessary for thorough review, though some suggested extending it to 30 days. Concerns were raised about delays due to undertakers preferring direct applicant contact and the complexity of plans.

**Question 4.51**

**Do you agree or disagree with the proposed types of requirements which can be imposed by the local authority when approving an application?**

Summary of responses

Agree	37	97%
Disagree	1	3%
Neither agree nor disagree	0	0%
Don't know	0	0%
Total responses	38	100%

**Question 4.52**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**137.** A very large majority of respondents agreed. Respondents supported conditional approvals for minor missing details but stressed the need for clarity and consistency. Some respondents whilst agreeing with the proposal commented that there was a need to ensure that this did not reduce the safety of buildings.

**Question 4.53**

**Do you agree or disagree with the proposal to enable the local authority to prohibit building work from commencing until a requirement of a type described above has been met by the applicant?**

#### Summary of responses

Agree	34	89%
Disagree	3	8%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	38	100%

#### Question 4.54

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**138.** While a large majority of respondents supported the proposal for safety and control reasons, some raised concerns about the risk of project delays and the need for clear timelines and accountability from local authorities.

#### Question 4.55

**Do you agree or disagree with the proposed grounds for rejecting a building control approval application?**

#### Summary of responses

Agree	36	97%
Disagree	0	0%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	37	100%

#### Question 4.56

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**139.** A large majority of respondents agreed with the proposals. Most respondents supported rejection for inadequate applications but a common theme in comments was the need for consistency of application by local authorities and clear criteria being needed to achieve this.

#### Question 4.57

**Do you agree or disagree with the proposed approach outlined for local authorities to provide notice of a decision to applicants?**

#### Summary of responses

Agree	36	97%
Disagree	0	0%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	37	100%

#### Question 4.58

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**140.** There was near unanimous agreement. There was strong support for written, transparent communication of decisions. There were some concerns raised though these were related to local authorities being properly resourced to deliver the service, rather than the specific proposals.

#### Question 4.59

**Do you agree or disagree that 12 weeks is an appropriate timeframe to require the local authority to determine a building control approval application for a new higher-risk building?**

#### Summary of responses

Agree	29	73%
Disagree	5	13%
Neither agree nor disagree	5	13%
Don't know	1	3%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.60

**Please provide an explanation for your answer. If you have answered disagree, please explain what you deem to be an appropriate timeframe.**

#### Summary of responses

**141.** A majority of respondents agree with the timescale, but several commented that 12 weeks should be a maximum and not drift, with common reference to the regime in place in England. Concerns included complexity of HRBs, resource limitations, and the need for flexibility and regular updates.

#### Question 4.61

**Do you agree or disagree that competent person scheme work should be reflected in building control approval applications where such work forms part of a wider higher-risk building work project?**

#### Summary of responses

Agree	37	93%
Disagree	1	3%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.62

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**142.** A large majority of respondents agreed. Respondents generally supported inclusion, but a common theme was that competent person scheme membership alone doesn't guarantee competence for higher-risk building work.



**Question 4.63**

**How many days in advance should notice of planned commencement of higher-risk building work be given to the local authority?**

Summary of responses

Two days as is currently the case	3	7%
Five days as is the case for HRB work in England	32	78%
A different number of days (please explain below)	6	15%
No notification of commencement is necessary	0	0%
Total responses	41	100%

**Question 4.64**

**Please provide an explanation for your answer. If you have answered ‘a different number of days’, please state how many days you believe would be appropriate.**

Summary of responses

**143.** The majority of respondents supported a five-day notice, aligning with regulations in England. Some suggested longer periods (up to 10 days) for complex projects to allow better planning and resource allocation.

**Question 4.65**

**Do you agree or disagree with the proposed approach to site inspections of higher-risk building work, including the requirement for the local authority to inspect completed higher-risk building work before determining a completion certificate application?**

Summary of responses

Agree	35	90%
Disagree	1	3%
Neither agree nor disagree	3	8%
Don't know	0	0%
Total responses	39	100%*

\*Percentages do not add up to 100% due to rounding

**Question 4.66**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**144.** A large majority were in agreement. There was strong support for mandatory inspections, with some comments noting the importance of joint inspections with fire officers. Adequate resourcing of local authorities was a concern raised by many respondents.

**Question 4.67**

**Do you have any other comments in relation to the proposals?**

## Summary of responses

- 145.** There were five comments made in response to this question, with some respondents providing further explanation of comments left on other questions. Two comments were regarding the submission of commissioning certification and the pressure experienced by building control officers to issue completion certificates at short notice with little time to review documentation provided.

## Government response

- 146.** The Welsh Government welcomes the strong support across the majority of our proposals for Gateway 2 for new higher-risk buildings.
- 147.** Concerns about alignment with existing regulations and practices in England were a recurring theme. Respondents frequently emphasised the importance of consistency to avoid confusion. Our intention is that the documentation required for applications for building control approval at Gateway 2 is largely the same as that required already in England particularly with the content of the new prescribed documents. However, we acknowledge the calls for additional information in certain contexts, such as mixed-use buildings, and for greater clarity in general. While we are not intending to make changes to the prescribed information at this stage, we will ensure that accompanying guidance supports consistent interpretation and implementation across local authorities and industry stakeholders. In addition, the regulations will allow the local authorities to take a flexible and risk-based approach to submissions of documents, including when conditional approval is appropriate. Authorities will also continue to have powers to relax requirements of the building regulations when appropriate. These powers are expected to be exercised with due caution and with building safety as the paramount consideration, reflecting the existing professional standards and responsibilities of local authorities.
- 148.** Regarding competence declarations, 78% of respondents supported the proposed approach, though concerns were raised about the role of local authorities in validating competence. We wish to clarify that local authorities will not be expected to assess or validate the competence of dutyholders. The responsibility for ensuring competence lies with the dutyholders themselves, in line with the overarching principles of the new building safety regime. Local authorities will, however, check that the required declarations have been submitted as part of the application process. Should they have concerns about competence they will have the ability to require steps be taken to ensure that those carrying out building work have the proper competence.
- 149.** On the matter of mandatory occurrence reporting, 70% of respondents agreed with the proposal to require a statement describing the reporting system as part of the building control approval application. We recognise concerns about the potential burden on local authorities and the need for clarity in reporting mechanisms. To be clear, dutyholders will report occurrences to local authorities. Authorities will not be expected to create reports themselves but will be expected to review reports received and take action they deem appropriate in response. They will also be required to submit any received occurrence reports to Welsh Government on a regular basis.

- 150.** Finally, resourcing and capacity issues were raised in relation to many aspects of the proposals. For instance, while 93% supported consultation with Fire and Rescue Authorities, and 74% agreed with the 15-day minimum consultation period, respondents highlighted the limited capacity of these authorities to respond within the proposed timescales. They called for flexibility in the consultation period. We intend to allow this period to be extended by mutual agreement when necessary. However, this should be managed within the context of the wider determination period for the application in question.
- 151.** Similar concerns were raised about the capacity of local authorities to deliver the required services within the timescales proposed, with frequent reference to challenges encountered with the Gateway processes in England. Whilst the scale of higher-risk building work in Wales is vastly different to England, and there are more registered building inspectors of the required class per higher-risk building in Wales than there are in England, we do recognise the very real challenges present. We are working with local authorities on recruitment and capacity issues, including investment in the recruitment and training of new building inspectors in conjunction with partners in LABC Cymru.

## Building work carried out in existing higher-risk buildings

### Summary of responses to questions

#### Question 4.68

**Do you agree or disagree with the proposals on the information about building work through competent person schemes to be stored in the golden thread?**

#### Summary of responses

Agree	38	97%
Disagree	0	0%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	39	100%

#### Question 4.69

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

- 152.** There was overwhelming support (97%) for including competent person scheme (CPS) work in the golden thread. Respondents emphasised the importance of transparency, accountability, and maintaining a complete record of building works, though some raised concerns about exemptions and the need for clear guidance. It was noted there were no responses disagreeing with the proposals.

#### Question 4.70

**Do you agree or disagree with the proposed categories of building work, the type of building work included in them, and the proposed information requirements for each proposed category?**

Summary of responses

Agree	35	88%
Disagree	0	0%
Neither agree nor disagree	4	10%
Don't know	1	3%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.71

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made, and whether there are additional categories of work that should be listed.**

Summary of responses

**153.** A strong majority of respondents agreed with the proposed categories and information requirements, with no respondents objecting to the proposals. While the categorisation was seen as logical and proportionate, several respondents called for clearer definitions and guidance, especially for Category B work. Some respondents also raised concern exempt works.

#### Question 4.72

**For applications for work on existing buildings, do you agree or disagree with the prescribed period of eight weeks for the local authority to determine building control approval applications?**

Summary of responses

Agree	26	65%
Disagree	12	30%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	40	100%

#### Question 4.73

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**154.** While a majority of respondents agreed with the eight-week timeframe, a significant minority expressed concerns. A common theme in concerns raised were that more complex projects, may require longer periods to ensure thorough review and safety. A common suggestion was a timescale of up to 12 weeks be given for complex projects, with some respondents suggesting different timescales be prescribed for different levels of work.

#### Question 4.74

**Do you agree or disagree with the proposals about the information about building work in an existing building to be stored in the golden thread?**

Summary of responses

Agree	36	90%
Disagree	1	3%
Neither agree nor disagree	3	8%
Don't know	0	3%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.75

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**155.** There is strong support for storing information about building work in existing buildings in the golden thread. Respondents highlighted the importance of maintaining a complete, accurate, and accessible record for safety and accountability. Some respondents raised concerns about how the golden thread would be managed for existing buildings where it doesn't currently exist.

#### Question 4.76

**Do you have any other comments in relation to the proposals?**

Summary of responses

**156.** There were five comments made in response to the question. Respondents largely used this question to reinforce earlier points and raise implementation concerns. There is a clear call for a structured, collaborative rollout with realistic timelines, adequate guidance, and flexibility in the regulatory framework. One comment suggested private sector building control bodies should be allowed to oversee lower risk Category B work.

#### Government response

- 157.** We welcome the strong support for the proposals concerning the storage of building work information in the golden thread. Respondents emphasised the importance of maintaining a complete and accessible record of building works, which is vital for ensuring safety and compliance in higher-risk buildings. We will therefore proceed with implementing this proposal, while also considering the need for clear guidance to address concerns about exemptions and practical implementation.
- 158.** Similarly, the proposal to categorise building work and define information requirements received broad support. While the categorisation was generally seen as logical and proportionate, feedback highlighted the need for clear definitions, particularly for Category B work, and raised concerns about exempt works. We do not intend to change the policy approach but will take these comments into account and will ensure that guidance accompanying the regulations provides clarity.

- 159.** Regarding the proposed eight-week determination period for building control approval applications, we recognise the comments raised particularly about this potentially being too short for complex buildings but longer than necessary for more minor work. We have decided not to extend this period or introduce tiered timescales for different types of work, as this would complicate the regulatory framework more than is necessary. However, it is noted that local authorities will have the ability to agree extensions where required, and simpler applications may be processed more quickly. We note that the existing timescale for work would be 5 weeks, albeit with simpler requirements.

## Stronger change control process for higher-risk buildings

### Summary of responses to questions

#### Question 4.77

**Do you agree or disagree with the list of major changes?**

#### Summary of responses

Agree	37	95%
Disagree	1	3%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	39	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.78

**Please provide an explanation for your answer. Are there additional changes that you think should be added to the list?**

#### Summary of responses

- 160.** The list was broadly supported and seen as comprehensive. However, several respondents requested clear definitions and there were some specific requests for amendments to the list such as the inclusion of changes related to roof alterations and solar panels.

#### Question 4.79

**Do you agree or disagree with the prescribed period of six weeks for the local authority to determine change control applications for major changes?**

#### Summary of responses

Agree	31	82%
Disagree	4	11%
Neither agree nor disagree	3	8%
Don't know	0	0%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.80

**Please provide an explanation for your answer. If you have answered disagree, please explain what you deem to be an appropriate timeframe.**

Summary of responses

**161.** Six weeks was generally viewed as acceptable, but several respondents stressed the need for timely decisions and communication to avoid project delays and safety risks.

#### Question 4.81

**Do you agree or disagree with the list of notifiable changes?**

Summary of responses

Agree	36	95%
Disagree	1	3%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.82

**Please provide an explanation for your answer. If you have answered disagree, please explain whether there are any additional changes that you think should be added to the list.**

Summary of responses

**162.** The list was well-received with a large majority in support of the proposed list of notifiable changes, but several respondents asked for clear wording and proportionality to be applied.

#### Question 4.83

**Do you agree or disagree with the prescribed period of 10 working days for notifiable changes before the change can be made?**

Summary of responses

Agree	28	74%
Disagree	7	18%
Neither agree nor disagree	3	8%
Don't know	0	0%
Total responses	36	100%

#### Question 4.84

**Please provide an explanation for your answer. If you have answered disagree, please explain what you deem to be an appropriate timeframe.**

Summary of responses

**163.** Whilst the proposal was broadly supported by respondents, several respondents highlighted the difference in the proposal to regulations in place in England with most stating this would cause difficulty (the difference being the proposed 10 day stop period following notification of a notifiable change). Of those who disagreed with the 10-day timeframe, several wanted longer and/or

flexibility in the number of days itself and what it meant for the continuation of work.

#### **Question 4.85**

**Do you agree or disagree with the information detailed above that the outgoing client must provide to the new client?**

Summary of responses

Agree	37	100%
Disagree	0	0%
Neither agree nor disagree	0	0%
Don't know	0	0%
Total responses	37	100%

#### **Question 4.86**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

Summary of responses

**164.** Respondents unanimously supported the requirement, with several comments highlighting its importance for continuity of delivery client responsibilities and for ensuring a complete record of work and building information is kept.

#### **Question 4.87**

**Do you agree or disagree that 14 days is a reasonable time limit for the outgoing client to provide the new client with the prescribed information?**

Summary of responses

Agree	31	82%
Disagree	5	13%
Neither agree nor disagree	0	0%
Don't know	2	5%
Total responses	38	100%

#### **Question 4.88**

**Please provide an explanation for your answer. If you have answered disagree, please explain what you think the time limit should be.**

Summary of responses

**165.** While 14 days was generally agreed to be acceptable, there was a mixed response amongst those who suggested alternate timescales. Several respondents commented that it should be shorter, and there were also some that it may not be long enough to provide all information.

#### **Question 4.89**

**Do you agree or disagree with the content of the notification detailed above that the new client must provide to the local authority?**

Summary of responses

Agree	37	97%
Disagree	0	0%



Neither agree nor disagree	0	0%
Don't know	1	3%
Total responses	38	100%

#### Question 4.90

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

Summary of responses

**166.** There was near unanimous agreement with the proposal, with a number of respondents commenting that notification would be essential to maintain oversight and prevent loss of critical information during client transitions.

#### Question 4.91

**Do you agree or disagree that 28 days is a reasonable time limit for the new client to provide the notification to the local authority?**

Summary of responses

Agree	32	84%
Disagree	3	8%
Neither agree nor disagree	1	3%
Don't know	2	5%
Total responses	38	100%

#### Question 4.92

**Please provide an explanation for your answer. If you have answered disagree, please explain what you think the time limit should be.**

Summary of responses

**167.** Whilst a large majority of respondents agreed with the timeframe, a common suggestion amongst those that didn't agree was to reduce the time-period for notification to 14 days as it was felt 28 days wasn't necessary.

#### Question 4.93

**Do you agree or disagree with the requirement for the client and/or appointed person to notify the local authority in the cases of insolvency?**

Summary of responses

Agree	38	97%
Disagree	0	0%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	39	100%

#### Question 4.94

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

Summary of responses

**168.** Nearly all those who responded agreed that insolvency must be reported to prevent safety lapses and ensure project continuity.

**Question 4.95**

**Do you agree or disagree that 14 days is a reasonable time limit for the client and/or appointed person to provide the insolvency notification to the local authority?**

Summary of responses

Agree	31	82%
Disagree	3	8%
Neither agree nor disagree	1	3%
Don't know	3	8%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

**Question 4.96**

**Please provide an explanation for your answer. If you have answered disagree, please explain what you think the time limit should be.**

Summary of responses

**169.** While 14 days was acceptable to most respondents, some comments received stated it was reasonable and appreciated the consistency with regulations in place in England, other respondents suggested a shorter timeframe of 7 days to enable risks to be addressed swiftly.

**Question 4.97**

**Do you agree or disagree with the requirement for the local authority to be notified if a person is disclaiming a property?**

Summary of responses

Agree	33	87%
Disagree	0	0%
Neither agree nor disagree	3	8%
Don't know	2	5%
Total responses	38	100%

**Question 4.98**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

Summary of responses

**170.** Most respondents agreed that notification is crucial to ensure the local authority can manage risks and maintain oversight. There were no suggestions for alternate approaches.

**Question 4.99**

**Do you agree or disagree that 28 days is a reasonable time limit for the person disclaiming the property to provide a copy of the notice of disclaimer to the local authority?**

Summary of responses

Agree	31	82%
Disagree	1	3%

Neither agree nor disagree	2	5%
Don't know	4	11%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.100

**Please provide an explanation for your answer. If you have answered disagree, please explain what you think the time limit should be.**

Summary of responses

**171.** The 28-day period was generally supported by respondents, though some requested alignment with other related timeframes that are 14 days. One respondent suggested that this period was in conflict with the 14-day time period proposed for the client to notify the local authority of insolvency.

#### Question 4.101

**Would you like to make any additional comments in relation to a change of client, such as circumstances that have not been mentioned above that need to be considered?**

Summary of responses

**172.** 5 out of 61 respondents provided a comment. There were no common themes amongst the comments, though some highlighted potential operational challenges either in the local authority building control teams or with the potential for delays in projects. Other comments received highlighted the procedures proposed could help incoming clients be aware of their obligations and that they would help avoid loss of information.

#### Question 4.102

**Do you agree or disagree that a notification with the information outlined above must be made to the local authority where there is a change of Principal Designer or Principal Contractor for a higher-risk building project?**

Summary of responses

Agree	38	97%
Disagree	0	0%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	39	100%

#### Question 4.103

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

Summary of responses

**173.** There was overwhelming support for mandatory notification to the local authority when there is a change of Principal Designer or Principal Contractor on higher-risk building projects. Respondents emphasised the importance of transparency, accountability, and maintaining the integrity of the golden thread of building safety information.

**Question 4.104**

**If you answered agree to the question above, do you consider 14 days to be a reasonable timeframe for this notification?**

Summary of responses

Yes	30	79%
No	6	16%
Don't know	2	5%
Total responses	38	100%

**Question 4.105**

**Please provide an explanation for your answer. If you've answered no, please explain what you deem to be an appropriate timeframe.**

Summary of responses

**174.** A large number of respondents agreed that 14 days was a reasonable timeframe for notification of dutyholder changes. However, some respondents suggested shorter timeframes (7 to 10 days) or stopping work during transitions to avoid liability gaps.

**Question 4.106**

**Do you agree or disagree with the method of notification to the local authority where there is a change of principal dutyholder and the client is a domestic client?**

Summary of responses

Agree	35	95%
Disagree	0	0%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	37	100%

**Question 4.107**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

Summary of responses

**175.** There is strong agreement with the proposed method of notification when the client is a domestic client. Respondents emphasised simplicity and the need for dutyholders to take responsibility for communication with the local authority.

**Question 4.108**

**Do you consider 5 days to be a reasonable timeframe for the outgoing dutyholder to provide the declaration to the domestic client?**

Summary of responses

Yes	35	92%
No	0	0%
Don't know	3	8%
Total responses	38	100%

#### Question 4.109

**Please provide an explanation for your answer. If you've answered no, please explain what you deem to be an appropriate timeframe.**

Summary of responses

**176.** A large majority agreed that 5 days is a reasonable timeframe for the outgoing dutyholder to notify the domestic client. The timeframe was seen as practical and in alignment with English regulations.

#### Question 4.110

**Do you consider 14 days to be a reasonable timeframe for the new dutyholder to provide the notification to the local authority?**

Summary of responses

Yes	30	79%
No	4	11%
Don't know	4	11%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.111

**Please provide an explanation for your answer. If you've answered no, please explain what you deem to be an appropriate timeframe.**

Summary of responses

**177.** Most respondents agreed that 14 days was a reasonable timeframe for the new dutyholder to notify the local authority. However, some suggested shorter timeframes to ensure swift transitions and others suggested longer timeframes would be more suitable to allow for competency checks.

#### Question 4.112

**Do you have any other comments in relation to the proposals?**

Summary of responses

**178.** Two additional comments were made, each raising different concerns. One highlighted the additional workload and costs, while the other questioned the role of domestic clients and domestic contractors in high-risk projects, referencing lessons from Grenfell and previous changes to regulations.

#### Government response

**179.** Based on the consultation responses received, the Welsh Government acknowledges the strong support for the proposed changes to the building control regime for higher-risk buildings and broader amendments to the building regulations. Across multiple questions, agreement rates consistently exceeded 85%, with some proposals receiving near-unanimous endorsement. For example, 95% agreed with the lists of major and notifiable changes, reflecting a strong endorsement of the approach to managing changes to a building's design during the construction phase.

**180.** There were some suggestions to amend timescales from those proposed, particularly the 28-day period for notification of the LA about a client change and 14-day timeframe for notification of insolvency. After consideration of all

comments we do don't believe there are compelling reasons to alter from the proposals and cause unnecessary differences between the resulting regulations and those already in place in England.

- 181.** We have however changed the approach to notifiable changes, so these changes will be able to be implemented once notification to the local authority has been made. The authority will then have 10 working days in which to object to the change, but there will be no requirement to stop work during this period. We note that this is in-line with regulations already in place in England. Whilst a majority of respondents were in favour of the original proposal, following analysis of comments received and other stakeholder engagement we recognise that these changes should not impact a project in the same way that major changes would. We also recognise the consistent calls for alignment with the regulations already in place in England. Therefore, we believe altering the proposal as described above is the right way forward.

## Higher-risk building regularisation

### Summary of responses to questions

#### Question 4.113

**Do you agree or disagree with the proposal to reject an application for regularisation if additional work is required to be able to comply with the appropriate regulations?**

#### Summary of responses

Agree	30	75%
Disagree	5	13%
Neither agree nor disagree	5	13%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.114

**Please explain your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

- 182.** There is strong support for rejecting regularisation applications where additional work is required to meet compliance. However, many respondents stress the need for clarity on what constitutes “minor” versus “major” works and caution against overly rigid rejection policies that could hinder resolution or penalise emergency works. Concerns were also raised in relation to terminology used in the proposals and how ‘rejection’ of an application interacts with existing provisions for regularisation in the Building Regulations 2010.

**Question 4.115**

**Do you agree or disagree that the applicant must give the building work information and a copy of the certificate to the responsible person within 5 days of receiving it?**

Summary of responses

Agree	34	87%
Disagree	1	3%
Neither agree nor disagree	2	5%
Don't know	2	5%
Total responses	39	100%

**Question 4.116**

**Please explain your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**183.** An overwhelming majority agree with the 5-day timeframe, viewing it as reasonable and necessary to maintain the “golden thread” of building safety information. Some respondents suggested automatic issuance and raise minor concerns about practical delays.

**Question 4.117**

**Do you have any other comments in relation to the proposals?**

Summary of responses

**184.** Only one comment was received, highlighting concerns about the competency of those authorising work on High-Risk Buildings. The respondent supports the broader reforms aimed at closing longstanding loopholes in building control and client responsibilities.

**Government response**

**185.** A clear majority of respondents supported the proposals outlined in the consultation. While the overall feedback was positive, respondents highlighted the need for clearer guidance on what constitutes “minor” versus “major” works and raised concerns about terminology and practical implementation. The Government will retain the five-day requirement, with allowances for reasonable exceptions, and will take forward key actions to publish detailed guidance and consider additional recommendations where noted, including clarifying definitions and ensuring competency in decision-making for high-risk buildings.

## Completion of higher-risk building work (Gateway 3)

Summary of responses to questions

**Question 4.118**

**Do you agree or disagree with the proposal that completion certificates can be applied for once all notifiable work is completed and any snagging work to be completed after this must be work outside of building regulation requirements?**

#### Summary of responses

Agree	35	88%
Disagree	3	8%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.119

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

#### Summary of responses

**186.** There is strong support (88%) for allowing completion certificates once all notifiable work is completed, with snagging limited to non-building regulation issues. However, concerns remain about the ambiguity of the term "snagging" and its potential safety implications.

#### Question 4.120

**Do you agree or disagree with the proposed documentation to be included with a completion certificate application?**

#### Summary of responses

Agree	36	95%
Disagree	1	3%
Neither agree nor disagree	0	0%
Don't know	1	3%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 4.121

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

#### Summary of responses

**187.** An overwhelming majority (95%) agree with the proposed documentation requirements, but there is a call for more detailed guidance and clarity, especially regarding fire safety and changes in dutyholders.

#### Question 4.122

**Do you agree or disagree that the local authority be required to consult with the enforcing authority, such as fire and rescue authority, and when relevant, the sewerage undertaker, when determining a completion certificate application?**

#### Summary of responses

Agree	34	87%
Disagree	3	8%
Neither agree nor disagree	2	5%



Don't know	0	0%
Total responses	39	100%

#### Question 4.123

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

**188.** Most respondents (87%) support mandatory consultation with fire and rescue authorities and, where relevant, sewerage undertakers. However, concerns exist about potential delays and duplication of earlier consultations.

#### Question 4.124

**Do you agree or disagree with the criteria for a local authority to accept a completion certificate application?**

Summary of responses

Agree	37	97%
Disagree	0	0%
Neither agree nor disagree	1	3%
Don't know	0	0%
Total responses	38	100%

#### Question 4.125

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

**189.** There is near-unanimous agreement (97%) on the criteria for accepting applications. Respondents emphasise the need for standardisation and clarity to ensure robustness and avoid ambiguity.

#### Question 4.126

**Do you agree or disagree with the proposed approach for local authorities determining a completion certificate application?**

Summary of responses

Agree	35	95%
Disagree	0	0%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	37	100%

#### Question 4.127

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

**190.** A strong majority agree with the proposed approach with none in disagreement, though some feel it lacks depth and requires clearer guidance, especially around acceptable documentation and third-party accreditation.

**Question 4.128**

**Do you agree or disagree with the 8-week time-limit for a local authority to determine an application for a completion certificate?**

Summary of responses

Agree	26	63%
Disagree	8	20%
Neither agree nor disagree	4	10%
Don't know	3	7%
Total responses	41	100

**Question 4.129**

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

- 191.** While 63% agree with the 8-week limit, 20% believe it is too long or too rigid. There were requests for flexibility and clarity, especially for smaller projects or urgent occupations.

**Question 4.130**

**Do you agree or disagree with the variations to the proposed completion certificate application to account for partial completion and phased occupation?**

Summary of responses

Agree	34	89%
Disagree	1	3%
Neither agree nor disagree	2	5%
Don't know	1	3%
Total responses	38	100%

**Question 4.131**

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

- 192.** Most respondents (89%) support variations for partial completion and phased occupation, recognising their practicality. However, safety concerns and clarity around responsibilities remain key issues.

**Question 4.132**

**Do you agree or disagree that the local authority must consult with the enforcing authority, such as the fire and rescue authority, and sewerage undertaker for a partial completion certificate in the same manner as proposed for a completion certificate?**

Summary of responses

Agree	32	84%
Disagree	6	16%

Neither agree nor disagree	0	0%
Don't know	0	0%
Total responses	38	100%

#### Question 4.133

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

**193.** There is overwhelming support for mandatory consultation with enforcing authorities during partial completion. Respondents emphasized that safety standards must not be compromised, and that fire and rescue authorities play a critical role in ensuring readiness for occupation.

#### Question 4.134

**Do you agree or disagree with the criteria for a local authority to accept a partial completion certificate application?**

Summary of responses

Agree	34	89%
Disagree	1	3%
Neither agree nor disagree	2	5%
Don't know	1	3%
Total responses	38	100%

#### Question 4.135

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

**194.** There is overwhelming support for mandatory consultation with enforcing authorities during partial completion. Respondents emphasised that safety standards must not be compromised, and that fire and rescue authorities play a critical role in ensuring readiness for occupation.

#### Question 4.136

**Do you agree or disagree with the proposed approach for local authorities determining a partial completion certificate application?**

Summary of responses

Agree	33	89%
Disagree	2	5%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	37	100%*

\*Percentages do not add up to 100% due to rounding

**Question 4.137**

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

## Summary of responses

**195.** The proposed approach is well received, but concerns remain about managing risks in partially completed buildings. Some respondents suggested alternative mechanisms like occupancy certificates to mitigate these risks.

**Question 4.138**

**Do you agree or disagree with the 8-week time-limit for a local authority to determine an application for a partial completion certificate?**

## Summary of responses

Agree	27	69%
Disagree	8	21%
Neither agree nor disagree	2	5%
Don't know	2	5%
Total responses	39	100%

**Question 4.139**

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

## Summary of responses

**196.** While a majority support the 8-week limit, many believe it should be flexible based on project complexity. A rigid timeframe could either delay occupancy or compromise scrutiny.

**Question 4.140**

**Do you have any other comments in relation to the proposals?**

## Summary of responses

**197.** Though limited in number, the comments highlight systemic concerns about implementation capacity and the risks of partial occupation. There is also interest in centralised support for HRB oversight.

**Government response**

**198.** The Welsh Government will take forward actions to publish detailed guidance, maintain flexibility in statutory timeframes to support safe and effective implementation.

**199.** We would like to note that some recommendations made from respondents have already been taken forward by the Building Safety (Wales) Bill.

**200.** It should also be noted that commissioning certificates must be submitted alongside the completion certificate application, enabling the local authority to review all documentation within the statutory timeframe.

**201.** In response to concerns about rigid timescales, the consultation proposed that local authorities and applicants may agree, in writing, to extend the determination period where necessary, providing the flexibility requested.

# Mandatory occurrence reporting

## Summary of responses to questions

### Question 5.1

**Do you agree or disagree that, when a dutyholder has become aware of an occurrence they must report the occurrence to the local authority without undue delay and provide a written report within 10 calendar days?**

#### Summary of responses

Agree	32	80%
Disagree	5	13%
Neither agree nor disagree	3	8%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

### Question 5.2

**Please provide an explanation for your answer. If you disagree, please explain what changes you think should be made.**

#### Summary of responses

**202.** There was strong support for requiring dutyholders to report occurrences promptly and submit a written report within 10 calendar days. However, several respondents raised concerns about the feasibility of this timeframe, especially for complex investigations or during holiday periods. Some respondents also asked for funding and training for local authorities to support the collection of the data.

### Question 5.3

**Do you agree or disagree with the proposed definitions of safety occurrence and risk condition?**

#### Summary of responses

Agree	30	75%
Disagree	5	13%
Neither agree nor disagree	5	13%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

### Question 5.4

**Please provide an explanation for your answer. If you disagree, please explain what changes you think should be made.**

#### Summary of responses

**203.** A majority agreed with the proposed definitions, but there is a clear call for clear guidance and precise definitions to avoid misinterpretation and ensure consistent application across projects. Some respondents felt that the

definitions meant threshold for reporting was too high and could result in under-reporting.

#### Question 5.5

**Do you agree or disagree with the proposed exceptions to information provided not being admissible in evidence in court proceedings?**

Summary of responses

Agree	29	74%
Disagree	4	10%
Neither agree nor disagree	4	10%
Don't know	2	5%
Total responses	39	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 5.6

**Please provide an explanation for your answer. If you disagree, please explain what changes you think are required.**

Summary of responses

**204.** Most respondents agreed with the proposed exceptions, viewing them as a way to encourage honest reporting. However, some felt the scope should be expanded to include false or misleading information though this was based on parts of the Building Safety Act 2022 that only apply in England.

#### Question 5.7

**Do you agree or disagree that the proposed information required when reporting a safety occurrence is appropriate?**

Summary of responses

Agree	34	87%
Disagree	3	8%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	39	100%

#### Question 5.8

**Please provide an explanation for your answer. If you disagree, please explain what changes you think should be made.**

Summary of responses

**205.** There was strong agreement that the proposed information is appropriate. Respondents emphasised the importance of detailed, consistent data but some also highlighted the potential burden on local authorities.

#### Question 5.9

**Do you have any other comments in relation to the proposals?**

Summary of responses

**206.** There were 5 additional comments made. Respondents re-iterated concerns raised in response to previous questions about the practical implementation of

the proposals, the burden on local authorities, the clarity of reporting expectations, and the consistency of systems across dutyholders. Similarly, some comments asked for clear guidance, and support from the Welsh Government to ensure effective and equitable implementation.

### **Government response**

**207.** The Welsh Government acknowledges the strong support for the proposed mandatory occurrence reporting framework. While this demonstrates broad consensus on the importance of timely reporting, several respondents raised concerns about the 10-day timescale, consistency of information and practical concerns about how the data would be managed. Whilst we do not intend to make any changes to the proposed policy, we do recognise these concerns and will consider how best to support dutyholders and local authorities in meeting these requirements.

# Compliance and Stop notices

## Summary of responses to questions

### Question 6.1

**Do you agree or disagree with the contents of compliance notices detailed above?**

#### Summary of responses

Agree	37	93%
Disagree	0	0%
Neither agree nor disagree	3	8%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

### Question 6.2

**Please explain your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**208.** There was overwhelming support for the proposed compliance notices, with respondents recognising their necessity and alignment with existing regulations. However, concerns were raised about the potential for increased bureaucracy and the risk of shifting building control bodies from collaborative facilitators to strict enforcers, which could undermine trust and cooperation in the sector.

### Question 6.3

**Do you agree or disagree with the contents of stop notices detailed above?**

#### Summary of responses

Agree	36	92%
Disagree	1	3%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	39	100%

### Question 6.4

**Please explain your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**209.** Respondents largely supported the use of stop notices as a strong enforcement tool to prevent unsafe or non-compliant work. However, they stressed the importance of proportionality, clarity in implementation, and the need for appeal mechanisms to ensure fairness and transparency.



### Question 6.5

**Do you agree or disagree that the persons/bodies mentioned above should be notified after a compliance or stop notice is issued?**

Summary of responses

Agree	35	90%
Disagree	2	5%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	39	100%

### Question 6.6

**Please explain your answer. Please explain whether any other bodies/persons should be notified after a compliance or stop is issued.**

Summary of responses

**210.** There was clear support for notifying relevant stakeholders after issuing notices, with many advocating for an expanded and clearly defined list. Transparency and early communication were seen as essential to managing risk, ensuring accountability, and enabling timely corrective action.

### Question 6.7

**Would you like to provide any comments on our proposed approach for withdrawing compliance and stop notices?**

Summary of responses

**211.** Respondents supported the flexibility to withdraw notices, recognising it as a practical step to streamline legal processes. However, they emphasised the need for transparency, public accountability, and safeguards to prevent misuse or confusion, especially in high-risk scenarios.

### Question 6.8

**Do you agree or disagree with the proposed changes to exemptions to enforcement action?**

Summary of responses

Agree	24	63%
Disagree	3	8%
Neither agree nor disagree	7	18%
Don't know	4	11%
Total responses	38	100%

### Question 6.9

**Please explain your answer. If you disagree, which regulations should be exempt?**

Summary of responses

**212.** The majority (63%) of respondents who answered the question expressed agreement with the proposed changes to enforcement exemptions, signalling broad support for reform aimed at promoting accountability, clarity, and consistency within the building control regime.

- 213.** Concerns remained about implementation details, especially around fairness, clarity of exemption criteria, and the resource burden on enforcement bodies. There was a clear call for improved guidance, training, and stakeholder engagement to ensure that changes to exemptions strengthen—not complicate—the enforcement process.

#### Question 6.10

**Do you agree or disagree with the enforcement approaches proposed for non-higher-risk buildings, similar to other contraventions under Regulation 16?**

Summary of responses

Agree	38	95%
Disagree	0	0%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	40	100%

#### Question 6.11

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 214.** There was overwhelming agreement that enforcement mechanisms for dutyholder compliance in non-higher-risk buildings should mirror those under Regulation 16 of the RBCA (Wales) regulations. Respondents stressed the need for clear guidance, robust training, and a mediation step to resolve issues before formal enforcement.

#### Question 6.12

**Do you agree with our proposal to allow applications to be made to the Welsh Ministers and the timeframes and processes described above?**

Summary of responses

Agree	32	84%
Disagree	0	0%
Neither agree nor disagree	6	16%
Don't know	0	0%
Total responses	38	100%

#### Question 6.13

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

- 215.** Respondents supported the ability to apply to Welsh Ministers, viewing it as a fair and transparent route for appeals. However, there were concerns about whether ministers have sufficient resources and clarity on what constitutes higher-risk work.

#### Question 6.14

**Do you agree with the information required to be submitted by the appellant?**

#### Summary of responses

Agree	33	92%
Disagree	0	0%
Neither agree nor disagree	3	8%
Don't know	0	0%
Total responses	36	100%

#### Question 6.15

**Please provide an explanation for your answer. If you have answered disagree, please explain what information you think should be included.**

#### Summary of responses

**216.** The information requirements were seen as reasonable and sufficient to support fair appeal assessments. Respondents appreciated the alignment with existing English regulations and the 28-day timeframe.

#### Question 6.16

**Do you agree with our proposal to allow appeals and applications to be made to the magistrate's courts under the conditions listed?**

#### Summary of responses

Agree	30	75%
Disagree	4	10%
Neither agree nor disagree	4	10%
Don't know	2	5%
Total responses	40	100%

#### Question 6.17

**Please provide an explanation for your answer. If you have answered disagree, please explain what circumstance should allow for applications and appeals to the magistrate's court.**

#### Summary of responses

**217.** While most supported the proposal, there was significant concern about magistrates' ability to handle complex technical appeals. Some respondents advocated for specialist tribunals to ensure informed decisions.

#### Question 6.18

**Do you agree with the proposed periods for applications and appeals to be made?**

#### Summary of responses

Agree	33	85%
Disagree	0	0%
Neither agree nor disagree	6	15%
Don't know	0	0%
Total responses	39	100%

### Question 6.19

**Please provide an explanation for your answer. If you have answered disagree, please explain what you think the reasonable period should be and your reasons.**

Summary of responses

**218.** The 21-day timeframe was widely accepted as proportionate and consistent with other enforcement regimes. However, flexibility for exceptional circumstances was suggested to ensure fairness.

### Question 6.20

**Do you agree or disagree with the proposed list of applications for which a section 30A application can be made?**

Summary of responses

Agree	33	85%
Disagree	0	0%
Neither agree nor disagree	5	13%
Don't know	1	3%
Total responses	39	100%*

\*Percentages do not add up to 100% due to rounding

### Question 6.21

**Please provide an explanation for your answer. If you have answered disagree, please explain which applications you think a section 30A application should apply to.**

Summary of responses

**219.** There was strong consensus that the proposed list is appropriate and mirrors existing regulations in England. Respondents stressed the need for Welsh Government to ensure adequate resources to prevent delays that could impact higher-risk building feasibility and productivity.

### Question 6.22

**Do you agree or disagree with the proposed procedure for applications made under section 30A of the 1984 Act?**

Summary of responses

Agree	31	84%
Disagree	1	3%
Neither agree nor disagree	4	11%
Don't know	1	3%
Total responses	37	100%*

\*Percentages do not add up to 100% due to rounding

### Question 6.23

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**220.** The proposed procedure was widely accepted as logical and proportionate. However, there were concerns about its impact on local authority resources, particularly in the context of budget reductions and high-risk refurbishments.

#### Question 6.24

**Do you agree or disagree that an application made under section 30A of the 1984 Act must be made in writing to the Welsh Ministers within six weeks (starting with the day after the expiry of the period for determining the relevant application)?**

#### Summary of responses

Agree	30	83%
Disagree	0	0%
Neither agree nor disagree	4	11%
Don't know	2	6%
Total responses	36	100%

#### Question 6.25

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**221.** Respondents overwhelmingly supported the six-week deadline, viewing it as a fair and necessary measure to ensure timely appeals and reduce administrative delays.

#### Question 6.26

**Do you agree or disagree with the proposed document requirements for section 30A applications?**

#### Summary of responses

Agree	33	89%
Disagree	0	0%
Neither agree nor disagree	3	8%
Don't know	1	3%
Total responses	37	100%

#### Question 6.27

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**222.** The proposed document requirements were seen as appropriate and beneficial for maintaining clarity and continuity in the appeals process. Respondents saw them as consistent with existing standards and that they help avoid unnecessary delays.

**Question 6.28**

**Do you agree or disagree that an applicant should notify the relevant local authority of their intention to make a section 30A application at least two working days before doing so?**

Summary of responses

Agree	29	78%
Disagree	2	5%
Neither agree nor disagree	5	14%
Don't know	1	3%
Total responses	37	100%

**Question 6.29**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**223.** While the majority supported the two-day notification requirement, several respondents questioned its adequacy and suggested a longer period to allow local authorities to prepare effectively.

**Question 6.30**

**Do you agree or disagree with the proposed approach taken on electronic submissions for section 30A applications?**

Summary of responses

Agree	32	86%
Disagree	0	0%
Neither agree nor disagree	4	11%
Don't know	1	3%
Total responses	37	100%

**Question 6.31**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**224.** The proposed electronic submission approach was widely supported and aligns with modern practices. However, some concerns were raised about reliability and inclusivity which suggests the need for safeguards and alternatives.

**Question 6.32**

**Do you agree or disagree with the proposed process for determining a section 30A application?**

Summary of responses

Agree	34	92%
Disagree	0	0%
Neither agree nor disagree	3	8%
Don't know	0	0%
Total responses	37	100%

### Question 6.33

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**225.** The process was seen as fair and robust, with emphasis on transparency and consultation. Stakeholders valued the ability of Welsh Ministers to request further information.

### Question 6.34

**Do you agree or disagree that where the Welsh Ministers require the relevant local authority to provide specified information, or provide copies of specified documents, the date specified in the notice for providing this must be no fewer than 14 days after the date the notice is given?**

Summary of responses

Agree	29	76%
Disagree	2	5%
Neither agree nor disagree	5	13%
Don't know	2	5%
Total responses	37	100%*

\*Percentages do not add up to 100% due to rounding

### Question 6.35

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**226.** While the 14-day minimum was generally accepted, some stakeholders were worried that it may slow processes or strain resources. Others saw it as a fair and consistent timeframe.

### Question 6.36

**Do you agree or disagree with the proposed approach for appointing persons to determine a section 30A application?**

Summary of responses

Agree	33	89%
Disagree	0	0%
Neither agree nor disagree	4	11%
Don't know	0	0%
Total responses	37	100%

### Question 6.37

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**227.** Delegation to appointed persons was supported, provided they are independent and qualified. Stakeholders stressed the need for rigorous standards and training.

#### Question 6.38

**Do you agree or disagree that the original application should be treated as refused by the relevant local authority in the proposed circumstances outlined above?**

#### Summary of responses

Agree	28	76%
Disagree	2	5%
Neither agree nor disagree	5	14%
Don't know	2	5%
Total responses	37	100%

#### Question 6.39

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**228.** The majority agreed with this proposal and the refusal mechanism was seen as a way to prevent delays, but some feared it unfairly penalises applicants. Some commented that appeals and safeguards were essential.

#### Question 6.40

**Do you have any other comments in relation to the proposals?**

#### Summary of responses

**229.** The proposals were welcomed for enhancing safety and accountability. However, respondents felt that concerns about court delays and competence gaps must be addressed to ensure effective enforcement.

#### Government response

**230.** Based on the consultation responses received, there was strong overall support for the proposed compliance and stop notice measures. On average, over 75% of respondents agreed with the proposals across the various questions, with some questions receiving agreement rates as high as 95%. Respondents recognised the importance of these enforcement tools in promoting safety, accountability, and consistency within the building control regime. While no changes to the proposed policy will be made at this stage, the feedback highlighted the need for proportionality, clarity, and fairness in implementation, particularly regarding appeal mechanisms and the role of building control bodies.

**231.** In response to the consultation, the Welsh Government will take forward actions to ensure that clear and accessible guidance is published to support the implementation of compliance and stop notices. Additionally, recommendations raised by stakeholders, such as the need for training, stakeholder engagement, and safeguards to prevent misuse, will be considered in future work. These steps aim to address concerns around bureaucracy, resource pressures, and



transparency, ensuring that the enforcement framework remains effective and trusted by all parties involved.

# Local Authority Higher-Risk Building Work

## Summary of responses to questions

### Question 7.1

**Where a local authority is carrying out higher-risk building work in their own area do you agree or disagree that there is a need for an alternate local authority to oversee that work?**

#### Summary of responses

Agree	28	70%
Disagree	9	23%
Neither agree nor disagree	3	8%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

### Question 7.2

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you would make or if there are other methods you think we should consider for mitigating the perceived conflicts of interest.**

#### Summary of responses

**232.** A strong majority agree that an alternate local authority should oversee higher-risk building work carried out by a local authority in its own area. This reflects widespread concern about potential conflicts of interest and a desire for impartial oversight. However, some respondents believe existing safeguards are sufficient and suggest more flexible or collaborative models.

### Question 7.3

**Assuming that the process is required at all, do you agree that a local authority should notify the Welsh Ministers of any higher-risk building work they are carrying out?**

#### Summary of responses

Agree	32	84%
Disagree	3	8%
Neither agree nor disagree	3	8%
Don't know	0	0%
Total responses	38	100%

### Question 7.4

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**233.** An overwhelming majority of respondents agree that local authorities should notify Welsh Ministers of any HRB work they undertake. This is seen as a vital step for transparency and accountability, especially if oversight by another authority is not mandated.

### Question 7.5

**Assuming that the process is required at all, do you agree with the proposed procedure above?**

Summary of responses

Agree	26	68%
Disagree	4	11%
Neither agree nor disagree	7	18%
Don't know	1	3%
Total responses	38	100%*

\*Percentages do not add up to 100% due to rounding

### Question 7.6

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**234.** 68% of respondents support the proposed procedure, though several comments highlight the need for greater clarity and flexibility. While the procedure is generally seen as practical, concerns remain about administrative complexity, cost, and capacity.

### Question 7.7

**Assuming that the process is required at all, do you agree with the proposed timescale for the Welsh Ministers to follow the process?**

Summary of responses

Agree	28	76%
Disagree	1	3%
Neither agree nor disagree	6	16%
Don't know	2	5%
Total responses	37	100%

### Question 7.8

**Please provide an explanation for your answer. If you have answered disagree, please explain what timescale you think would be reasonable.**

Summary of responses

**235.** 76% of respondents agree with the proposed timescale for Welsh Ministers to follow the process, considering it reasonable and aligned with other legislative timelines. However, a few responses suggest flexibility may be needed if no suitable alternate authority is found.

### Question 7.9

**Assuming that the process is required at all, do you agree that all local authority building control functions should be designated to the alternate local authority?**

#### Summary of responses

Agree	27	73%
Disagree	5	14%
Neither agree nor disagree	4	11%
Don't know	1	3%
Total responses	37	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 7.10

**Please provide an explanation for your answer. If you think not all building control functions should be designated, please explain what changes you think should be made.**

#### Summary of responses

**236.** 73% of respondents agree that all building control functions should be designated to the alternate authority to ensure consistency and avoid confusion. Some respondents advocate for collaboration with the host authority to retain local knowledge and ensure seamless oversight.

#### Question 7.11

**If the proposal above was to be adopted, please explain if you foresee issues of a practical, financial, regulatory, or other nature.**

#### Summary of responses

**237.** 21 people responded to this question. The majority of responses highlight serious concerns about the practicality, cost, and capacity of implementing the proposed oversight mechanism. While there is conceptual support for independent oversight, the operational and financial implications require careful planning and support.

#### Question 7.12

**Do you have any other comments in relation to the proposals?**

#### Summary of responses

**238.** While the number of responses to Question 7.12 was limited (5 out of 61), the comments provided were thoughtful and raised significant concerns about the practicality, resource implications, and potential bureaucracy of the proposals. There is general support for the intent behind the proposals, particularly in improving building safety, but also a clear call for consideration of a more streamlined, less burdensome approach that leverages existing local authority expertise and avoids duplication.

#### Government response

**239.** This is a topic that generated a lot of interest in the responses. While many of the proposals were generally supported, the additional comments received showed concern about the way in which proposals would work in practice.

**240.** We have decided to pause progress on the proposals in this section for the time being until we can further clarify our position and consult with stakeholders about the intricacies of how to establish a functional process to address the perception of conflicts of interest where local authorities are overseeing work on buildings they own, manage, or are the clients for.

# Wider changes to building regulations

## Application for non-higher-risk building work building regulation approval

### Summary of responses to questions

#### Question 8.1

**Do you agree or disagree with approach described above for applications for building control approval for non-higher-risk building work?**

#### Summary of responses

Agree	38	93%
Disagree	0	0%
Neither agree nor disagree	3	7%
Don't know	0	0%
Total responses	41	100%

#### Question 8.2

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**241.** There is overwhelming support (93%) for the proposed approach to building control approval for non-higher-risk buildings. Respondents view it as a sensible, proportionate, and clearer process that aligns with current practices and recent changes in England. However, concerns were raised about consistency in terminology and the definition of higher-risk buildings.

#### Government response

**242.** The proposed approach to building control approval for non-higher-risk building work received strong support, with 93% of respondents agreeing. While no policy changes will be made, guidance will be published to support implementation, and feedback on terminology and definitions will be considered in future updates.

## Lapse of building control approval

### Summary of responses to questions

#### Question 8.3

**Do you agree with the definition of commencement?**

#### Summary of responses

Agree	31	74%
Disagree	4	10%
Neither agree nor disagree	7	17%
Don't know	0	0%

Total responses	42	100%*
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\*Percentages do not add up to 100% due to rounding

#### Question 8.4

**If you disagree, please state what you think should or should not be included in the definition.**

Summary of responses

**243.** While 74% of respondents agree with the proposed definition of commencement, there is notable concern about its clarity, potential for abuse, and implications for enforcement. The definition is seen as an improvement over the previous vague version, but further refinement is needed to prevent gaming and ensure safety-critical work is not delayed.

#### Question 8.5

**Do you agree with the use of one definition of commencement to cover all types of building work?**

Summary of responses

Agree	36	84%
Disagree	3	7%
Neither agree nor disagree	3	7%
Don't know	1	2%
Total responses	43	100%

#### Question 8.6

**If you disagree, please state what types of work require a different definition of commencement.**

Summary of responses

**244.** There is broad consensus that a single definition simplifies regulation and improves clarity. However, a number of respondents suggested technical nuances that should be addressed to avoid misinterpretation and enforcement issues.

#### Question 8.7

**Do you agree or disagree that the person carrying out the work should notify the local authority that work has commenced, within two days of work commencing?**

Summary of responses

Agree	30	71%
Disagree	9	21%
Neither agree nor disagree	3	7%
Don't know	0	0%
Total responses	42	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 8.8

**If you disagree, please state what you think the period should be, or if you think that there is no need for the notification, please explain why this is.**

#### Summary of responses

**245.** While most support notification, the two-day window is seen by some respondents as too short and potentially disruptive. Prior notification is preferred to enable proactive inspections and avoid abortive work.

#### Question 8.9

**Do you agree or disagree with the timescales proposed for the local authority to acknowledge receipt of notification (5 days) and to determine the notice (4 weeks)?**

#### Summary of responses

Agree	27	68%
Disagree	6	15%
Neither agree nor disagree	5	13%
Don't know	2	5%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 8.10

**If you disagree, please state which timescale you disagree with and what period you think is appropriate.**

#### Summary of responses

**246.** The proposed timescales are broadly acceptable, but the five-day acknowledgement is seen as redundant.

#### Question 8.11

**Do you agree or disagree that the local authority must issue a rejection notice when they are not satisfied that work is commenced?**

#### Summary of responses

Agree	36	88%
Disagree	4	10%
Neither agree nor disagree	1	2%
Don't know	0	0%
Total responses	41	100%

#### Question 8.12

**If you disagree, please state why this is.**

#### Summary of responses

**247.** A rejection notice is widely supported as a necessary enforcement tool. However, its implementation must avoid duplicating existing processes and overburdening building control systems.

#### Question 8.13

**Do you agree or disagree that the rejection notice should state the reason(s) for rejection?**

#### Summary of responses

Agree	37	90%
Disagree	3	7%
Neither agree nor disagree	1	2%
Don't know	0	0%
Total responses	41	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 8.14

**If you disagree, please state why this is.**

#### Summary of responses

**248.** The majority supported the proposal, responses mentioned the providing the reasons for rejection is essential for fairness, learning, and potential appeals. It enhances trust and supports better compliance.

#### Question 8.15

**Do you agree that the rejection notice should indicate what work needs to be completed for the project to be accepted as commenced?**

#### Summary of responses

Agree	36	86%
Disagree	4	10%
Neither agree nor disagree	2	5%
Don't know	0	0%
Total responses	42	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 8.16

**If you disagree, please state why this is.**

#### Summary of responses

**249.** Comments to this question agreed that indicating what work is needed to meet commencement is helpful for applicants and supports resolution. However, there were suggestions that care must be taken to avoid providing design advice or duplicating effort.

#### Government response

**250.** The consultation responses showed strong support for the proposals, with an average of over 80% of respondents agreeing with key measures such as a single definition of commencement, timely notification to local authorities, and clear rejection notices. While some concerns were raised—particularly around notification timeframes and enforcement—most respondents welcomed the clarity and consistency these changes would bring.

**251.** In response, the definition of commencement has been revised to better align with the approach used in England, particularly for new buildings and extensions. Guidance will be published to support implementation, and other recommendations raised during the consultation, including technical nuances and suggestions for improving notification and enforcement processes, will be considered in the development of guidance and operational procedures.



## Invalid forms

### Summary of responses to questions

#### Question 8.17

**Do you agree or disagree that a form should be prescribed that local authorities must use to declare a received form invalid?**

#### Summary of responses

Agree	34	83%
Disagree	2	5%
Neither agree nor disagree	3	7%
Don't know	2	5%
Total responses	41	100%

**252.** There is overwhelming support for the introduction of a standardised form for declaring invalid submissions. Respondents believe this would improve transparency, reduce ambiguity, and ensure uniformity in how invalid forms are handled across Wales.

#### Question 8.18

**If a form permitting local authorities to declare a received form invalid was prescribed, what reasons should be permissible to consider a form invalid? (Please select any that apply)**

#### Summary of responses

Reason for declaring form invalid	Respondents agreed	Percentage
Work described in the form relates partially or fully to higher-risk building work	30 out of 39	77%
The form was submitted in breach of section 53D (5) of the Building Act 1984	24 out of 39	62%
Any other reason (please specify)	14 out of 39	36%

#### Summary of responses

**253.** Respondents broadly support the listed reasons for invalidity, particularly where legal and/or procedural breaches occur. There is also a strong call for flexibility, allowing local authorities to use discretion in identifying other valid reasons. However, clarity is needed on the consequences of not issuing the prescribed form.

#### Government response

**254.** Consultation responses generally asked for multiple reasons, but on review, many of the additional reasons proposed were already covered, or were already grounds to reject. The form will be produced with the reasons as listed below:

- The work is higher-risk building work that the applicant is not permitted to oversee, or.
- The work is outside the scope of the applicant's registration, or.
- The original notice is given in breach of section 53D (5) of the Building Act 1984.

**255.** The form is intended to formalise the process for authorities where one of the prescribed reasons exists in a submitted application. For non-prescribed reasons, the LA can discuss with applicant and informally treat an application as invalid, as they currently might, or reject if necessary. Introduction of this form is not intended to prevent that.

## Public Bodies

### Summary of responses to questions

#### Question 8.19

**Which approach should we take towards public bodies?**

#### Summary of responses

Make no changes to the current system	10	26%
Restrict public bodies from overseeing higher-risk building work but retain the ability for public bodies to conduct other types of building control	12	32%
Restrict public bodies from performing any building control work	15	39%
Any other approach (please specify)	1	3%
Total responses	38	100%

#### Question 8.20

**Please provide an explanation for your answer. Please explain if any changes should be made to your chosen approach.**

#### Summary of responses

**256.** The majority of respondents favour restricting public bodies from performing building control work, particularly for higher-risk buildings where comparisons are drawn to proposals for restricting local authorities from overseeing their own higher-risk building work. This reflects a strong desire for impartiality, consistency, and competence in regulatory oversight. There is widespread concern that allowing public bodies to self-regulate could lead to substandard outcomes and erode trust in the system. The responses also suggest that any approved body must be held to the same legal and procedural standards to maintain accountability and public confidence

## Government response

**257.** Public bodies will be restricted from performing higher-risk building work to bring them in line with Registered Building Control Approvers so that only local authorities can oversee higher-risk building work and continue with the current system for other work.

**258.** Any new public bodies who wish to undertake building work will need to be approved by the Welsh Ministers in order to be exempted from procedural requirements under the building regulations. Should there be a request for a public body to be exempted we will carefully consider the scope of any such exemption.

## Amendments to Local Authority Charges framework

### Summary of responses to questions

#### Question 8.21

**Do you agree with the proposed changes?**

##### Summary of responses

Agree	27	69%
Disagree	3	8%
Neither agree nor disagree	8	21%
Don't know	1	3%
Total responses	39	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 8.22

**If you disagree, please provide an explanation for your answer.**

##### Summary of responses

**259.** There is strong support for the proposed changes, particularly around modernising the framework and aligning with English regulations. However, concerns persist regarding transparency of costs and legal clarity around inspection charges. Respondents seek more detail before full endorsement.

#### Question 8.23

**Do you think other amendments to the Local Authority charges framework should be made, including any other functions that should be chargeable?**

##### Summary of responses

Agree	16	43%
Disagree	5	14%
Neither agree nor disagree	12	32%
Don't know	4	11%
Total responses	37	100%

#### Question 8.24

**If you agree, please provide an explanation for your answer.**

#### Summary of responses

**260.** There is moderate support for expanding the scope of chargeable functions, especially for administrative and non-frontline tasks. Respondents emphasised the need for fairness, transparency, and consistency in applying charges, alongside recognition of the resource demands placed on local authorities.

#### Government response

**261.** Welsh Government will add new chargeable functions in relation to proposed new Local Authority building control functions:

- Actions taken in the determination of, and in connection with, notifiable changes to a previously approved higher-risk building work application.

**262.** Determination of an application for a completion certificate or partial completion certificate for higher-risk building work.

**263.** All other comments will be fed into future reviews on charges.

## Local authority testing and sampling

#### Summary of responses to questions

##### Question 8.25

**Do you agree or disagree with the proposal to commence section 33 of the Building Act 1984 and omit regulations 45 and 46 from the Building Regulations 2010?**

#### Summary of responses

Agree	32	80%
Disagree	2	5%
Neither agree nor disagree	4	10%
Don't know	2	5%
Total responses	40	100%

##### Question 8.26

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**264.** There is overwhelming support (80%) for the proposal, with stakeholders valuing consistency with England and improved safety oversight. However, concerns were raised about the potential for excessive testing and the need for clear criteria and cost accountability to avoid project delays and unfair burdens.

#### Government response

**265.** We intend to commence section 33 of the Building Act 1984 and omit regulations 45 and 46 from the Building Regulations 2010 as they would no longer be required.

## Serious contravention notices issued to Registered Building Control Approvers

### Summary of responses to questions

#### Question 8.27

**Do you agree or disagree with the proposal that copies of serious contravention notices issued to registered building control approvers should be sent to local authorities?**

#### Summary of responses

Agree	39	98%
Disagree	0	0%
Neither agree nor disagree	0	0%
Don't know	1	3%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 8.28

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

#### Summary of responses

**266.** Respondents unanimously support the proposal, citing the need for transparency and consistent enforcement. Sharing contravention notices is seen as essential for proactive risk mitigation and cross-border regulatory coherence.

#### Government response

**267.** The Welsh Government will implement the proposal with no changes and will, with UK Government, consider the possibility of cross-border sharing of contravention notices issued to RBCAs in England and Wales.

## Consequential amendments to other legislation

### Summary of responses to questions

#### Question 8.29

**Do you agree or disagree with the proposals above?**

#### Summary of responses

Agree	36	90%
Disagree	0	0%
Neither agree nor disagree	3	8%
Don't know	1	3%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

### **Question 8.30**

**Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Summary of responses

**268.** There is strong consensus that consequential amendments are necessary to uphold competence standards in building control. However, respondents stress the need for adequate resourcing and clarity in implementation.

### **Question 8.31**

**Do you have any comments on the above proposals for amendments to the Building (Registered Building Control Approvers etc.) (Wales) Regulations 2024 or the BICoF? Please explain what changes you think should be made (if any).**

Summary of responses

**269.** Only 11 out of 61 respondents answered this question. Among those who did, there was general support for aligning regulations with England to promote consistency and facilitate cross-border collaboration. However, some respondents expressed concerns about the fragmented process of appointing Registered Building Control Approvers (RBCAs), pressures on the Registered Building Inspector (RBI) workforce, and challenges related to competency assessments.

### **Question 8.32**

**Do you have any other comments in relation to the proposals?**

Summary of responses

**270.** Only four responses were received to this question. While respondents broadly support the proposed regulatory reforms, they emphasise the need to learn from implementation challenges experienced elsewhere. They also highlight the importance of ensuring that local authorities are adequately resourced and prepared to deliver the new regime effectively.

### **Government response**

**271.** The Welsh Government will take forward the proposals as set out in the consultation, noting that 90% of respondents agreed with the proposed consequential amendments.

**272.** Clear and accessible guidance will be published to support implementation.

**273.** Further recommendations, particularly those relating to resourcing, regulatory clarity, and alignment with existing framework, will be considered as part of the next steps.

# Transitional provisions

## Summary of responses to questions

### Question 9.1

**Do you agree or disagree that we should allow projects that are in-flight at the time dutyholder regulations come into force to be exempt from those regulations?**

#### Summary of responses

Agree	31	72%
Disagree	7	16%
Neither agree nor disagree	4	9%
Don't know	1	2%
Total responses	43	100%*

\*Percentages do not add up to 100% due to rounding

### Question 9.2

**Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

#### Summary of responses

**274.** Most respondents support exempting in-flight projects from new dutyholder regulations, citing practicality and the disruption that retroactive application would cause. However, some concerns were raised of the potential for developers to exploit exemptions.

### Question 9.3

**Do you agree or disagree that we should exempt projects that are in-flight at the time golden thread regulations come into force to be exempt from those regulations?**

#### Summary of responses

Agree	26	58%
Disagree	14	31%
Neither agree nor disagree	5	11%
Don't know	0	0%
Total responses	45	100%

### Question 9.4

**Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

#### Summary of responses

**275.** While a majority agree with exemptions, a significant minority stress the importance of maintaining safety documentation. Many believe that partial or quasi golden thread records should be compiled even for in-flight projects.

### Question 9.5

**Do you agree or disagree that in-flight projects at the time Gateway regulations come into force should be treated as if they had already received Gateway 2 approval?**

Summary of responses

Agree	29	67%
Disagree	6	14%
Neither agree nor disagree	8	19%
Don't know	0	0%
Total responses	43	100%

### Question 9.6

**Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

Summary of responses

**276.** Most respondents support treating in-flight projects as having Gateway 2 approval to avoid delays. However, some caution that safety should not be compromised and suggest interim reviews or simplified checks.

### Question 9.7

**Do you agree or disagree with this approach permitting existing building work that is in-flight when the new regulations come into force be completed using the existing completion or final certificate provisions?**

Summary of responses

Agree	33	80%
Disagree	4	10%
Neither agree nor disagree	4	10%
Don't know	0	0%
Total responses	41	100%

### Question 9.8

**Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

Summary of responses

**277.** There was strong support for allowing in-flight projects to use existing certification processes. However, some respondents recommend additional scrutiny to ensure safety standards are upheld.

### Question 9.9

**Do you agree or disagree that Public Bodies designated for the purposes of building control may continue to fulfil building control functions for in-flight projects?**

Summary of responses

Agree	33	75%
Disagree	5	11%
Neither agree nor disagree	6	14%



Don't know	0	0%
Total responses	44	100%

#### Question 9.10

**Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

Summary of responses

**278.** Most respondents agree that public bodies should continue building control functions for in-flight projects to maintain continuity. However, some call for independent verification to ensure standards are met.

#### Question 9.11

**Do you agree or disagree that local authorities overseeing their own higher-risk building projects may continue to fulfil building control functions for in-flight projects?**

Summary of responses

Agree	33	77%
Disagree	5	12%
Neither agree nor disagree	5	12%
Don't know	0	0%
Total responses	43	100%*

\*Percentages do not add up to 100% due to rounding

#### Question 9.12

**Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

Summary of responses

**279.** Most respondents agree that local authorities should continue overseeing their own in-flight HRB projects, citing practicality and continuity. However, there is a notable minority advocating for external oversight to mitigate conflicts of interest.

#### Question 9.13

**Do you agree or disagree with our approach to applications for passing or rejecting of plans to continue to be the system by which building control approval is sought where the application has been made prior to the new system coming into force?**

Summary of responses

Agree	37	93%
Disagree	0	0%
Neither agree nor disagree	3	8%
Don't know	0	0%
Total responses	40	100%*

\*Percentages do not add up to 100% due to rounding

**Question 9.14**

**Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

Summary of responses

**280.** An overwhelming 93% agree that applications made before the new system should be processed under the existing regime. This ensures continuity and avoids unnecessary disruption or rework.

**Question 9.15**

**Do you agree or disagree with the proposal for transitional provisions to only apply to individual buildings as opposed to multi-site projects?**

Summary of responses

Agree	37	88%
Disagree	2	5%
Neither agree nor disagree	3	7%
Don't know	0	0%
Total responses	42	100%

**Question 9.16**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**281.** 88% support applying transitional provisions to individual buildings rather than entire sites. This approach ensures fair oversight and prevents developers from exploiting site-wide commencements.

**Question 9.17**

**Do you agree or disagree with our approach for disallowing automatic lapse of building control approval for initial notices submitted before the new section 53A of the Building Act 1984 comes into force?**

Summary of responses

Agree	35	85%
Disagree	2	5%
Neither agree nor disagree	3	7%
Don't know	1	2%
Total responses	41	100%*

\*Percentages do not add up to 100% due to rounding

**Question 9.18**

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**282.** 85% agree with disallowing automatic lapse of initial notices, supporting continuity and fairness. However, concerns exist about monitoring and consistency with existing legislation.

### Question 9.19

**Do you agree or disagree with our approach to reversions?**

Summary of responses

Agree	38	90%
Disagree	1	2%
Neither agree nor disagree	3	7%
Don't know	0	0%
Total responses	42	100%*

\*Percentages do not add up to 100% due to rounding

### Question 9.20

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**283.** 90% agree with the proposed approach to reversions, emphasizing the need for continuity and competent oversight. A minority suggest aligning reversions more closely with the new HRB regime.

### Question 9.21

**Do you agree or disagree that a six-month period is sufficient before regulations relating to this consultation come into force is sufficient?**

Summary of responses

Agree	30	71%
Disagree	9	21%
Neither agree nor disagree	3	7%
Don't know	0	0%
Total responses	42	100%*

\*Percentages do not add up to 100% due to rounding

### Question 9.22

**Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Summary of responses

**284.** While 71% agreed that six months is sufficient, concerns were raised about the sector's readiness. Respondents emphasised the need for clarity on the start date, adequate training, and system upgrades.

### Question 9.23

**Are there any other transitional provisions relating to this consultation that you think should be considered?**

Summary of responses

**285.** Although only five responses were received, the feedback underscores the importance of practical implementation support. Clear communication and phased adaptation are seen as critical to successful transition.

## **Question 9.24**

### **Do you have any other comments in relation to the proposals?**

#### **Summary of responses**

**286.** 9 out of 61 respondents answered this question. Respondents broadly support the proposals but stress the need for robust implementation mechanisms. Concerns about local authority capacity, consistency in approvals, and the treatment of in-flight projects highlight areas needing attention.

#### **Government response**

**287.** Given the overall support for the transitional provisions, averaging around 77% agreement across the consultation questions, the Welsh Government will take forward a series of targeted actions to ensure effective implementation. Comprehensive guidance will be published to assist dutyholders, regulators, and other stakeholders in understanding and applying the transitional arrangements, with particular emphasis on areas such as partial golden thread documentation for in-flight projects and the continued role of public bodies in building control.

**288.** Where respondents have raised specific concerns, such as the need for independent oversight, phased adaptation, or enhanced clarity around start dates, these will be carefully reviewed and, where appropriate, reflected in supplementary materials or future updates. The Government is committed to ensuring that the transition is both practical and robust, with clear communication and support mechanisms in place to uphold safety and regulatory standards.

**289.** NB: Question 9.17 should have referred to both building control approval and Initial Notices (INs). Paragraph 9.19 of the consultation document incorrectly linked INs to Section 32, which applies to future applications for building control approval and plan deposits under transitional provisions. However, the responses suggest that participants understood the intended meaning of the question.

# Welsh language

## Summary of responses to questions

### Question 10.1

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

#### Summary of responses

**290.** Respondents generally believed that the proposals would not have a negative impact on the Welsh language, provided bilingualism is maintained throughout legislation and guidance. There was a consensus that equal treatment of Welsh and English is essential, and that opportunities to use Welsh could be enhanced through proactive measures. Some concerns were raised about the cost and resourcing implications of bilingual provision.

### Question 10.2

**Please also explain how you believe the proposed actions could be formulated or changed so as to have positive effects, or increased positive effects, on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

#### Summary of responses

**291.** Respondents felt that the proposed actions could positively influence Welsh language use if bilingual standards were embedded across all sectors. Ensuring choice and accessibility in Welsh was seen as key to treating the language no less favourably. However, concerns were raised about workforce capacity and cost implications, particularly in the construction sector.

### Government response

**292.** The Welsh Government welcomes all the contributions made in response to this question. The Welsh language is a strategic priority for the Welsh Government and its vision is to see the language thrive. We are committed to ensuring that there are no adverse effects for people using Welsh and that it is not treated less favourably than English. To help achieve this the Welsh Language Standards are a set of legally binding requirements which apply to the Welsh Government. All Building Regulations documents are considered against the standards and published accordingly.

## Next steps

- 293.** The necessary amendments to regulations will now be developed in line with the Government's responses outlined above, with the aim of having them made later this year and to come into force six months later.
- 294.** As the regulations and accompanying guidance are drafted, further consideration will be given to the level of detail required. Due to the technical nature of some of the issues raised during consultation, additional policy development may be necessary. Any such developments will be clearly communicated to stakeholders.