



Llywodraeth Cymru  
Welsh Government

**Number: WG50228**

Welsh Government  
Consultation response form

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

Date of issue: 26 March 2025

Action required: Responses by 25 May 2025

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

**Overview** This consultation seeks views on the proposed new building control regime for higher-risk buildings and wider changes to the building regulations in Wales.

**How to respond** The closing date for responses is 25 May 2025. You can respond in any of the following ways:

Email: Please complete the consultation form and send it to [enquiries.brconstruction@gov.wales](mailto:enquiries.brconstruction@gov.wales)

Post: Please complete the consultation response form and send it to:

Building Regulations, Welsh Government, Cathays Park, Cardiff  
CF10 3NQ

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

**Contact details** For further information:

Building Regulations,

Welsh Government

Cathays Park

Cardiff

CF10 3NQ

email: [enquiries.brconstruction@gov.wales](mailto:enquiries.brconstruction@gov.wales)

This document is also available in Welsh

## **Data Protection**

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tick the box below. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

## **Confidentiality**

Responses to consultations may be made public on the internet or in a report.

**If you do not want your name and address to be shown on any documents we produce please indicate here** ☐

## CONSULTATION FORM

**Date:**

Your Name: Rhodri Williams

Your Position (if applicable): Technical Director

Your Organisation (if applicable): Home Builders Federation

Email / Telephone Number: [Rhodri.williams@hbf.co.uk](mailto:Rhodri.williams@hbf.co.uk) 07742 401 594

Your Address: 27 Broadwall, Southwark, London, SE1 9PL

Type of Organisation: Choose one of the following:

- Builder/Developer ☐
- Small/medium builder ☐
- Volume house builder ☐
- Designer/Engineer/Surveyor ☐
- Local Authority ☐
- Registered Building Control Approver ☐
- Architect ☐
- Manufacturer/supply chain ☐
- Energy Assessor ☐
- Energy sector ☐
- Construction Professional ☐
- Property Manager/Housing Association/Landlord ☐
- Building Occupier/Resident ☐
- Other Interested Party (please specify) ☒

Trade Body Association

## 2. Dutyholders and competence

### New dutyholder roles and responsibilities in the building regulations to ensure a stronger focus on compliance with the regulations

**Question 2.1 – Do you agree with the proposed dutyholder titles Principal Designer and Principal Contractor?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.2 – Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

HBF feel it is important to align consistency with regulation and requirements in England. For the purposes of safety, ensuring that the duties imposed on each respective role are comparable is important.

**Question 2.3 – Do you agree or disagree with the proposed duties that will apply to all dutyholders during design and construction?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.4 – Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Ensuring that duty holders are correctly experienced and hold the correct level of training and qualifications (if needed) are important for setting out the areas of responsibility within each role as they appear within CDM 2015.

**Question 2.5 – Do you agree or disagree with the proposed duties that will apply to the client during design and construction?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.6: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Setting out clear duties that the client is expected to perform is essential for ensuring a consistent and safe approach to the responsibilities of procuring a building through construction.

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.8: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**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)?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.10: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒

- Don't know ☐

**Question 2.12: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**Question 2.13: Do you agree or disagree with our approach to DIYers who are operating on their own?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 2.14: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**Question 2.15: Do you agree or disagree with the proposed duties that will apply to the *Principal Designer* during design and construction?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.16: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**Question 2.17: Do you agree or disagree with the proposed duties that will apply to designers during design and construction?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.18: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**Question 2.19: Do you agree or disagree with the proposed duties that will apply to the *Principal Contractor* during design and construction?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.20: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**Question 2.21: Do you agree or disagree with the proposed duties that will apply to contractors during design and construction?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.22: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐



**Question 2.24: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

It may be suitable in certain cases to name the organisation rather than an individual.

**Question 2.25: Do you agree or disagree with the proposed timeframes for appointing a Principal Designer?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.26: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

This aligns with the Building Safety Act in England where prior to an application with building control, the relevant persons must first be identified and appointed accordingly.

**Question 2.27: Do you agree or disagree with the proposed timeframes for appointing a Principal Contractor?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.28: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

This aligns with the Building Safety Act in England where prior to an application with building control, the relevant persons must first be identified and appointed accordingly.

**Question 2.29: Do you agree or disagree with the proposed criteria around the appointment of dutyholders?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.30: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.32: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.34: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

Demonstrating competence is a key requirement of the Building Safety Act. It is essential that PD and PC persons are appropriately qualified and experienced to carry out their duties as required of them.

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.36: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**Question 2.37: Do you agree or disagree with the additional requirements proposed for dutyholders involved in work on higher-risk buildings?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.38: Please explain your answer. If you answered disagree, please outline what changes you think should be made.**

N/A

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.40: Please explain your answer. If you answered disagree, please outline what changes you think should be made.**

N/A

## Competence checks on those working on higher-risk buildings

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 2.42: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**Question 2.43: Do you agree or disagree that anyone making appointments for building work on a HRB should consider whether a serious infraction might call into question a person's skills, knowledge, experience and behaviours?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.44: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**Question 2.45: Do you agree or disagree with the proposed meaning of serious infraction?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.46: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

**Question 2.47: Do you agree or disagree that the consideration of serious infractions be limited to the last five years?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 2.48: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

### **Dutyholder and competence requirements for non-notifiable work in all buildings and in higher-risk buildings**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 2.50: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

A proportionate approach to requirements and certain self-certification through competent person schemes seems an appropriate approach for welsh government to take with no requirement to notify the local authority for minor work as detailed within schedule 4 of the building regulations 2010.

**Question 2.51: Do you have any other comments in relation to the proposals?**

N/A

### 3. Golden thread of information

#### Information is accurate and up to date

**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?**

- Agree ☐
- Disagree ☒
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.2: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

The golden thread of information should be a live and ongoing process of keeping and maintaining building information as the building evolves over time. HBF believe that welsh government should follow the recommendations made in the Hackitt review and align with the same standards and requirement as those set out in England. We agree that there should be an accurate thread of information at building approval and building occupation stage. The golden thread of information should also continue over time to include future building works, adaptation, and material replacement carried out by the building owners as required from time to time. This should also be included and be available to building owners and building occupiers over the lifetime of the building and should not stop at the building control approval stage or building occupation stage. Standards and requirements in Wales should reflect those being followed in England for consistency and continuity purposes. HBF do not believe in setting different fire safety requirements to HRB's in Wales.

**Question 3.3: Do you agree or disagree with the proposal to set overarching requirements for language and consistency rather than defining specific standards?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.4: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

N/A

## Allows relevant dutyholders to use this information to inform their decisions, plans and actions

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.6: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

N/A

**Question 3.7: Do you agree or disagree with proposed approach to ensure the golden thread is secure?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.8: Please provide an explanation for your answer. Please explain what changes should be made (if any).**

Security should play a consideration in golden thread information keeping. It would be prudent not to store financial or personal details within aspects of the golden thread however given the majority of building information wont contain personal or financial information, cyber security or access is not considered to be of paramount importance on this occasion given the nature of the process.

**Question 3.9: Do you agree or disagree with proposed approach to ensure the golden thread is accessible and organised?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.10: Please provide an explanation for your answer. Please explain what changes should be made (if any).**

A structure of the proposed golden thread should be created and made available by welsh government for building designers to create and populate. This would ensure that an agreed and familiar approach was made across all storage and retention of building information for safety and consistency purposes.

## Provides reassurance to those with an interest in the building

**Question 3.11: Do you agree or disagree with the approach for ensuring accountability in the golden thread?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 3.12: Please provide an explanation for your answer. Please explain what changes should be made (if any).**

N/A

## Electronic storage and transfer

**Question 3.13: Do you agree or disagree with the proposal to not define digital in regulations whilst requiring electronic transfer?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.14: Please provide an explanation for your answer. Please explain what changes should be made (if any).**

N/A

## Dutyholder responsibilities for building new HRBs

**Question 3.15: Do you agree or disagree with the proposed duties on the client in relation to the golden thread?**

- Agree ☒
- Disagree ☐



- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.16: Please provide an explanation for your answer. Please explain what changes should be made (if any).**

N/A

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.18: Please provide an explanation for your answer. Please explain what changes should be made (if any).**

N/A

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.20: Please provide an explanation for your answer. Please explain what changes should be made (if any).**

N/A

## **Dutyholder responsibilities for building work on existing HRBs**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.22: Please provide an explanation for your answer. Please explain what changes should be made (if any).**

N/A

### Building control approval applications and the golden thread

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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).**

N/A

### Information handover on completion of building work

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.26: Please provide an explanation for your answer. Please outline what changes you think should be made (if any).**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

N/A

### Partial completion of building work and the golden thread

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.30: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

N/A

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 3.32: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

N/A

**Question 3.33: Do you have any other comments in relation to the proposals?**

N/A

## 4. Gateway processes for higher-risk building work

### Statutory consultation

**Question 4.1: Do you agree that statutory consultation requirements for fire and rescue authorities should be extended to specifically include higher risk buildings?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.2: Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

N/A

### Fire statements

**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> )**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.4: Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

N/A

### Application types

**Question 4.5: Are there any other types of planning application involving higher risk buildings that should be accompanied by a fire statement?**

**HBF as a trade body organisation are not the appropriate body to respond to this part of the consultation.**

## Expert advice

**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?**

HBF are aware of the Welsh Government Joint Inspection Team that was created last year to look at providing help and advice to local authorities and high rise buildings. Given that the JIT employ building and construction experts in addition to building control bodies, it is HBF's understanding that they could operate in a similar way to the Building Safety Regulator in England. Welsh Government could consider utilising this resource to help provide advice and expedite an application for HRB building control approval in Wales.

## Future safeguarding arrangements

**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.**

Yes. Unless amendments in the future were able to successfully adapt and offer new fire access routes which were compliant with safety standards.

**Question 4.8: How should safety critical design elements surrounding higher-risk buildings be identified so they can trigger safeguarding consultation arrangements?**

The HBF are not qualified to provide answer this area.

## How building control approval applications should be submitted for higher-risk building work

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 4.10: Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

It remains the discretion of Welsh Government whether they wish to have a client sign the building control approval application.

## **Building control approval application ('gateway two application') information requirements for higher-risk buildings**

**Question 4.11: Do you agree or disagree with the proposed information requirements for building control approval applications for new higher-risk buildings?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.12: Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

n/a

## **Competence declaration**

**Question 4.13: Do you agree or disagree with the proposed information that must be contained within a competence declaration?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.14: Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**



**Question 4.15: Do you agree or disagree with the proposed approach to competence declarations and local authority validation of competence?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.16: Please provide an explanation for your answer. If you have answered disagree, please outline what changes you think should be made.**

### **Building regulations compliance statement**

**Question 4.17: Do you agree or disagree with the inclusion and wording of the statement to be signed by the principal designer?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.18: Please provide an explanation for your answer. Please explain what changes should be made (if any).**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.20: Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

## Fire and emergency file

**Question 4.21: Do you agree or disagree with the proposed list of information that must be contained within a fire and emergency file?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.22: Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

Welsh Government should consider providing a frame work or guidance to help applicants capture the correct and relevant pieces of information that would be required in order to achieve a good quality and thorough pack of information for the emergency file. Each building is different with its unique sets of circumstances but utilising an agreed approach or contents pack would help applicants provide the correct level of information to welsh government or local authority building control.

## Construction control plan

**Question 4.23: Do you agree or disagree with the proposed list of information that must be contained within a construction control plan?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.24: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.26: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

## Change control plan

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.28: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

## Description of the mandatory occurrence reporting system

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 4.30: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

**Question 4.31: Is there any information set out in the prescribed documents that would not be possible to provide before building work commences?**

- Yes ☐
- No ☐
- Don't know ☒

**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.**

## Building control approval applications for new higher-risk buildings following a staged approach

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.34: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

We agree with a 'staged' approach to the building control approval process as set out in chapter 4.61 to 4.66. This appears to be a sensible and pragmatic offering by Welsh government where each 'stage' of build can be clearly defined and controlled by building control and designers. The proposal sets out clear definitions and control mechanisms whereby proceeding on to the next stage is not permitted without full consent having been received. This staged approach potentially allows certain activities to commence such as site mobilisation, setting out, ground preparation, foundations and structure to commence whilst other critical elements of the build are able to be fully detailed and submitted to the local authority for further consideration. A staged approach could enable non fire critical works to commence as outlined above.

**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?**

- Yes ☐
- No ☒
- Don't know ☐

**Question 4.36: Please provide an explanation for your answer. If you've answered yes, please explain what changes you think should be made.**

**Question 4.37: Do you agree or disagree with the additional notification requirements imposed on dutyholders constructing a new higher-risk building in stages?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.38: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

## Partial Completion Strategy

**Question 4.39: Do you agree or disagree with the proposed list of information that should be contained within a partial completion strategy?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.40: Please provide an explanation for your answer. If you've answered disagree, please explain what changes you think should be made.**

## Fire Safety Enforcing Authorities

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.44: Please provide an explanation for your answer. If you have answered disagree, what do you consider a reasonable timeframe?**

We understand the reasons set out in the consultation of requiring adequate time to consider and approve plans for building control approval. However time should also not be entirely open ended. It would unreasonable not to provide some timeframe to industry in order for the necessary arrangements for building and property occupation and hand over. We believe Government should also include a an accurate timeline that applicants can expect to experience when making an application for building control approval and make the required changes necessary in order to successfully meet those timelines.

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 4.46: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

## Sewerage undertaker

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.48: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 4.50: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

### Local authority decisions

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.52: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.54: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**



**Question 4.55: Do you agree or disagree with the proposed grounds for rejecting a building control approval application?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.56: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

**Question 4.57: Do you agree or disagree with the proposed approach outlined for local authorities to provide notice of a decision to applicants?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.58: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

### **Time limit for local authority decisions**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

## Use of Competent Person Schemes when creating a new higher-risk building

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.62: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

## Commencement notices

**Question 4.63: How many days in advance should notice of planned commencement of higher-risk building work be given to the local authority?**

- Two days as is currently the case ☒
- Five days as is the case for HRB work in England ☒
- A different number of days (please explain below) ☐
- No notification of commencement is necessary ☐

**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.**

## Site inspections during construction

**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?**

- Agree ☒

- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.66: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

**Question 4.67: Do you have any other comments in relation to the proposals?**

## Competent person schemes for building work in a higher-risk building

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.69: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

## Differences between gateways and building work in an existing higher-risk building processes and requirements

**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?**

- Agree ☐

- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.73: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.75: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

**Question 4.76: Do you have any other comments in relation to the proposals?**

HBF believe it could be a consideration that normal licenced private building control inspectors and approvers as registered with the HSE are able to oversee and approve the smaller scale, lower risk Category B work as set out under items 4.19 to 4.120 of the consultation. This may help Welsh Government achieve a more effective and efficient approval process and should be considered safe to do so given their licenced and registered status. This is being considered in England presently and is supported by industry as a fair and pragmatic solution to some of the issues associated with building safety.

## ‘Major changes’

**Question 4.77: Do you agree or disagree with the list of major changes?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.78: Please provide an explanation for your answer. Are there additional changes that you think should be added to the list?**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

## ‘Notifiable changes’

**Question 4.81: Do you agree or disagree with the list of notifiable changes?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

## **New client: notification**

**Question 4.85: Do you agree or disagree with the information detailed above that the outgoing client must provide to the new client?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.86: Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.90: Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.94: Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 4.98: Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

**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?**

- Agree ☐



- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**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.**

**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?**

### **Change of principal contractor or principal designer etc: notification**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.103: Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

**Question 4.104: If you answered agree to the question above, do you consider 14 days to be a reasonable timeframe for this notification?**

- Yes ☒
- No ☐
- Don't know ☐

**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.**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.107: Please provide an explanation for your answer. If you have answered disagree, please explain what changes should be made.**

**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?**

- Yes ☒
- No ☐
- Don't know ☐

**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.**

**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?**

- Yes ☒
- No ☐
- Don't know ☐

**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.**

**Question 4.112: Do you have any other comments in relation to the proposals?**

## HRB regularisation

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 4.114: Please explain your answer. If you have answered disagree, please explain what changes you think should be made.**

HBF is not qualified to reasonably provide an opinion in this building specific question. Other professional bodies would better placed to respond.

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 4.116: Please explain your answer. If you have answered disagree, please explain what changes you think should be made.**

HBF is not qualified to reasonably provide an opinion in this building specific question. Other professional bodies would better placed to respond.

**Question 4.117: Do you have any other comments in relation to the proposals?**

HBF is not qualified to reasonably provide an opinion in this building specific question. Other professional bodies would better placed to respond.

## When to apply for a completion certificate

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.119: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

## Completion certificate application – Prescribed documents

**Question 4.120: Do you agree or disagree with the proposed documentation to be included with a completion certificate application?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.121: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

## Local authority consultation on completion certificate applications

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.123: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

Contacting a sewer authority may be relevant in some instances for wider building control approval matters. It is however difficult to see the link between HRB and fire critical safety matters and a sewer authority. The two matters appear to be entirely separate to one another with sewerage connections being already covered under separate legislation in the Water Act. Any correspondence with a water company should not prohibit the issuing of a completion or occupation certificate associated with high rise building matters unless the two are explicitly linked. However connection onto an appropriate fire fighting main supply to the HRB may be considered a more applicable scenario for seeking associated approval with a water company providing the connections.

### **Determining a completion certificate application**

**Question 4.124: Do you agree or disagree with the criteria for a local authority to accept a completion certificate application?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.125: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

**Question 4.126: Do you agree or disagree with the proposed approach for local authorities determining a completion certificate application?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.127: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.129: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

We believe that the associated authorities should make the required changes needed in order to achieve the 8 week timeframe. Anticipation should be considered towards what is needed in order to achieve this 8 week deadline and implement those.

## **Partial completion certificate application – prescribed documents**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.131: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

## **Local authority consultation on partial completion certificate applications**

### **Partial completion certificate application – prescribed documents**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.133:** Please provide an explanation for your answer. Please explain what changes you think should be made (if any).



## Determining a partial completion certificate application

**Question 4.134: Do you agree or disagree with the criteria for a local authority to accept a partial completion certificate application?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.135: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

**Question 4.136: Do you agree or disagree with the proposed approach for local authorities determining a partial completion certificate application?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.137: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 4.139: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

**Question 4.140: Do you have any other comments in relation to the proposals?**

n/a

## 5. Mandatory occurrence reporting

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 5.2: Please provide an explanation for your answer. If you disagree, please explain what changes you think should be made.**

n/a

**Question 5.3: Do you agree or disagree with the proposed definitions of safety occurrence and risk condition?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 5.4: Please provide an explanation for your answer. If you disagree, please explain what changes you think should be made.**

**Question 5.5: Do you agree or disagree with the proposed exceptions to information provided not being admissible in evidence in court proceedings?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 5.6: Please provide an explanation for your answer. If you disagree, please explain what changes you think are required.**

**Question 5.7: Do you agree or disagree that the proposed information required when reporting a safety occurrence is appropriate?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 5.8: Please provide an explanation for your answer. If you disagree, please explain what changes you think should be made.**

n/a

**Question 5.9: Do you have any other comments in relation to the proposals?**

n/a

## 6. Compliance and Stop notices

**Question 6.1: Do you agree or disagree with the contents of compliance notices detailed above?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.2: Please explain your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**Question 6.3: Do you agree or disagree with the contents of stop notices detailed above?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.4: Please explain your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.6: Please explain your answer. Please explain whether any other bodies/persons should be notified after a compliance or stop is issued.**

n/a

**Question 6.7: Would you like to provide any comments on our proposed approach for withdrawing compliance and stop notices?**

n/a

## Exceptions to enforcement action

**Question 6.8: Do you agree or disagree with the proposed changes to exemptions to enforcement action?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 6.9: Please explain your answer. If you disagree, which regulations should be exempt?**

n/a

## Dutyholder and competence requirements – Enforcement

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.11: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

## Appeals against a refusal to consider an application on the grounds it is higher-risk building work - Section 101A appeals

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.13: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**Question 6.14: Do you agree with the information required to be submitted by the appellant?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.15: Please provide an explanation for your answer. If you have answered disagree, please explain what information you think should be included.**

n/a

## Review of decisions

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

n/a

**Question 6.18: Do you agree with the proposed periods for applications and appeals to be made?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

n/a

## Introduction to section 30A prescribed applications

**Question 6.20: Do you agree or disagree with the proposed list of applications for which a section 30A application can be made?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

It is important that Welsh Government anticipate and allow sufficient resource and time to judge and determine applications. The associated department and supporting functions should be sufficiently resourced such that delays and extensions of time are not experienced. There could be significant damage to productivity and to the financial feasibility of HRB schemes if delays are encountered.



## Section 30A applications: procedure

**Question 6.22: Do you agree or disagree with the proposed procedure for applications made under section 30A of the 1984 Act?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.23: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**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)?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.25: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**Question 6.26: Do you agree or disagree with the proposed document requirements for section 30A applications?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.27: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**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?**

- Agree ☐
- Disagree ☒
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.29: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

### Section 30A applications: electronic submissions

**Question 6.30: Do you agree or disagree with the proposed approach taken on electronic submissions for section 30A applications?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.31: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

HBF believe that a form of receipted acknowledgement or registration should be generated upon submission of the section 30a submission being made online.

### Section 30A applications: determinations

**Question 6.32: Do you agree or disagree with the proposed process for determining a section 30A application?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.33: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.35: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

### **Section 30A applications: appointed persons**

**Question 6.36: Do you agree or disagree with the proposed approach for appointing persons to determine a section 30A application?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.37: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

HBF support an independent appointment.

## Deemed refusal of applications

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 6.39: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**Question 6.40: Do you have any other comments in relation to the proposals?**

n/a

## 7. Local Authority Higher-Risk Building Work

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**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.**

Whilst HBF understand the reasoning behind this suggestion where conflicts of interest may or may not occur, we don't think it is always absolutely necessary for out of jurisdiction building control to oversee the building control duties in another area. HBF assumes that a professional and impartial approach should always be undertaken by registered professionals regardless of which area they are domiciled in.

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 7.4: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**Question 7.5: Assuming that the process is required at all, do you agree with the proposed procedure above?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 7.6: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 7.8: Please provide an explanation for your answer. If you have answered disagree, please explain what timescale you think would be reasonable.**

n/a

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

A building control body from an alternative designation ought to have the correctly qualified persons available to undertake the task. It may be that certain local authorities may not hold the appropriate persons qualified to the required experience purely down to the fact that such specialist work has never been undertaken in that part of the country previously such as rural parts of Wales. Under those circumstances it may be that only one or two local authorities in Wales would occupy persons of such relevant experience. Welsh Government should consider where these people are located in order to be able to offer this potential process requirement of overseeing building control and approval functions in neighbouring counties or jurisdictions.

**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.**

n/a

**Question 7.12: Do you have any other comments in relation to the proposals?**

n/a

## 8. Wider changes to building regulations

### New procedures for building control approval applications with full plans for buildings that are not higher-risk buildings

**Question 8.1: Do you agree or disagree with approach described above for applications for building control approval for non-higher-risk building work?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 8.2: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

The procedures set out for building control approval applications are agreeable and include a description of the proposed building along with time frames for local authority response.

### Definition of commencement of work

**Question 8.3: Do you agree with the definition of commencement?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 8.4: If you disagree please state what you think should or should not be included in the definition.**

N/A



**Question 8.5: Do you agree with the use of one definition of commencement to cover all types of building work?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 8.6: If you disagree please state what types of work require a different definition of commencement.**

N/A

### Notification of commencement of work

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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.**

N/A

**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)?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 8.10: If you disagree please state which timescale you disagree with and what period you think is appropriate.**

N/A

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 8.12: If you disagree please state why this is.**

We believe the rejection notice should be issued within 2 days not 4 weeks as currently proposed.

**Question 8.13: Do you agree or disagree that the rejection notice should state the reason(s) for rejection?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 8.14: If you disagree please state why this is.**

N/A

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 8.16: If you disagree please state why this is.**

N/A

# Invalid forms

## Updating Forms

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**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)**

- Work described in the form relates partially or fully to higher-risk building work ☐
- The form was submitted in breach of section 53D(5) of the Building Act 1984 ☐
- Any other reason (please specify) ☐

HBF do not feel entirely qualified to answer this specific function of initial notice or site registration and should be answered by more relevant or appropriate professional representatives of those involved in building control functions.

## Public Bodies

**Question 8.19: Which approach should we take towards public bodies?**

- Make no changes to the current system ☐
- Restrict public bodies from overseeing higher-risk building work but retain the ability for public bodies to conduct other types of building control ☐
- Restrict public bodies from performing any building control work ☐
- Any other approach (please specify) ☐

**Question 8.20: Please provide an explanation for your answer. Please explain if any changes should be made to your chosen approach.**

Public Bodies section 8.31 to 8.35 does not appear to be written clearly or correctly. HBF are not able to respond to questions 8.19 & 8.20

# Amendments to Local Authority Charges framework

**Question 8.21: Do you agree with the proposed changes?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 8.22: If you disagree, please provide an explanation for your answer.**

n/a

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 8.24: If you agree, please provide an explanation for your answer.**

N/a

## Local authority testing and sampling

**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?**

- Agree ☐
- Disagree ☐
- Neither agree nor disagree ☒
- Don't know ☐

**Question 8.26: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

# Serious contravention notices issued to Registered Building Control Approvers

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 8.28: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

## The Building (Restricted Activities and Functions) (Wales) Regulations 2024

**Question 8.29: Do you agree or disagree with the proposals above?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 8.30: Please provide an explanation for your answer. Please explain what changes you think should be made (if any).**

n/a

## The Building Inspector Competence Framework (BICoF) (Wales) 2024 version 2

**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).**

Alignment with BSR and the BICoF in England is supported by HBF. We believe there should be alignment and consistency across all areas of building control and building safety in England and Wales for consistency, clarity and continuity purposes. It also means that there is greater opportunity for cross boarder work with appropriately approved persons in England or Wales being able to perform the same duties in both countries. Consistency and alignment of policy and law is a sensible approach to take.

**Question 8.32: Do you have any other comments in relation to the proposals?**

none

## 9. Transitional provisions

### Dutyholders

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 9.2: Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

n/a

### Golden Thread

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 9.4: Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

n/a

### Gateways

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 9.6: Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

n/a

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 9.8: Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

n/a

## Public Bodies

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 9.10: Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

n/a



## Local Authority conflict of interest

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 9.12: Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

n/a

## Determination of plans approval under Section 16 of the Building Act 1984

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 9.14: Please provide an explanation for your answer. If you answered disagree, please outline what changes should be made.**

n/a

## Applying transitional provisions to individual buildings

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 9.16: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 9.18: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

## Reversion

**Question 9.19: Do you agree or disagree with our approach to reversions?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐
- Don't know ☐

**Question 9.20: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

## Timeframe for implementation

**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?**

- Agree ☒
- Disagree ☐
- Neither agree nor disagree ☐

- Don't know



**Question 9.22: Please provide an explanation for your answer. If you have answered disagree, please explain what changes you think should be made.**

n/a

**Question 9.23: Are there any other transitional provisions relating to this consultation that you think should be considered?**

n/a

**Question 9.24: Do you have any other comments in relation to the proposals?**

Generally HBF would wish for Welsh Government to provide and publish monthly or quarterly HRB Application & Approval reporting from LABC in order to track progress. HBF would also like to Welsh Government to consider greater LABC/RBCA involvement and engagement with HRB applications if it help provide expert opinions or help expedite complex or time consuming procedures. As registered professionals, it would be prudent to consider utilising this valuable and available resource on the occasions that it is needed. HBF wish for Welsh Government to issue strong and clear guidelines to individuals working on overseeing and approving higher risk building applications in order to avoid an inconsistent approach or contradictions in approval processes as has been experienced in England. Finally HBF would also like Welsh Government to consider allowing an opportunity for applicants of new HRB applications to engage with welsh government and the LABC for pre application stage presentation or discussion. Here there could be benefit to both parties in firstly explaining and discussing through how and where a scheme will function and operate. It would not be seen as an opportunity to form a relationship, more an opportunity to explain what the new application is, how it works and how it will comply ahead of a formal application being submitted to an approving authority.

## 10. Welsh language

**Question 10.1: What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

n/a

**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.**

n/a

## Next steps

This consultation will close on 25 May 2025. Responses to this consultation will be analysed and a Welsh Government Response will follow.