

Agenda – Local Government and Housing Committee

Meeting Venue:

Committee Room 5, Tŷ Hywel

Meeting date: 5 February 2026

Meeting time: 09.30

For further information contact:

Catherine Hunt

Committee Clerk

0300 200 6565

SeneddHousing@senedd.wales

Hybrid

Private pre-meeting

09.15 – 09.30

Public meeting

09.30 – 10.45

1 Introductions, apologies, substitutions and declarations of interest

09.30

2 Follow-up inquiry on social housing supply: Evidence session 3

09.30 – 10.45

(Pages 1 – 29)

Dorian Payne, Managing Director, Castell Group

Mark Harris, Planning and Policy Advisor Wales, Home Builders Federation

Fiona Clay-Poole, Senior Policy Officer – Planning and Economic

Development, Welsh Local Government Association

Simon Gilbert, Planning Officers Society Wales

Attached Documents:

Research brief

Paper 1: Home Builders Federation

Paper 2: Castell Group



3 Papers to note

10.45

3.1 Social housing supply

(Pages 30 – 39)

Attached Documents:

Paper 3: Social Housing Supply – Written evidence from the Royal Town Planning Institute

Paper 4: Social Housing Supply – Written evidence from Dr Edward Shepherd on land value capture and viability in Wales

Paper 5: Social Housing Supply – Additional information from the Chartered Institute of Housing Cymru

3.2 Elections and Elected Bodies (Wales) Act 2024

(Pages 40 – 41)

Attached Documents:

Paper 6: Elections and Elected Bodies (Wales) Act 2024 – Letter from the Cabinet Secretary for Housing and Local Government in relation to the automatic voting registration pilots – 21 January 2026

3.3 Welsh Government Draft Budget 2026–27

(Pages 42 – 65)

Attached Documents:

Paper 7: Welsh Government Draft Budget 2026–27 – Response from Welsh Government

3.4 Homelessness and Social Housing Allocation (Wales) Bill

(Pages 66 – 68)

Attached Documents:

Paper 8: Homelessness and Social Housing (Wales) Bill – Letter from the Cabinet Secretary for Housing and Local Government in relation to the revised Explanatory Memorandum

3.5 Building Safety (Wales) Bill

(Pages 69 – 88)

Attached Documents:

Paper 9: Building Safety (Wales) Bill – Correspondence between the Chair and the Cabinet Secretary for Housing and Local Government in relation to the Committee’s Stage 1 Report on the Building Safety (Wales) Bill

Paper 10: Building Safety (Wales) Bill – Letter from the Cabinet Secretary for Housing and Local Government to the Chair of Finance Committee in relation to the Finance Committee’s Stage 1 Report on the Building Safety (Wales) Bill

Paper 11: Building Safety (Wales) Bill – Letter from the Cabinet Secretary for Housing and Local Government to the Chair of the Legislation, Justice and Constitution Committee in relation to the Legislation, Justice and

Constitution Committee ‘s Stage 1 Report on the Building Safety (Wales) Bill

Paper 12: Building Safety (Wales) Bill – Letter from the Cabinet Secretary for Housing and Local Government to the Chief Executive of Community Housing Cymru

4 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of this meeting and for the meeting on 25 February

10.45

Private meeting

10.45 – 11.15

5 Follow-up inquiry on social housing supply: consideration of evidence

10.45 – 11.15

Document is Restricted

Senedd's Local Government and Housing Committee follow up inquiry on social housing supply HBF written submission

About HBF

The Home Builders Federation represents home builders in England and Wales. HBF's members build the majority of new homes built in England and Wales each year. Its membership includes national developers and hundreds of SME builders.

Below we have provided answers to the relevant questions raised by the committee, however, the key recommendations which we urge the Welsh Government to prioritise are:

- Introduce a presumption in favour of development on Local Development Plan allocated sites
- Enforce stronger statutory deadlines for Local Development Plans
- Drive consistency across Local Planning Authorities, including standardised agreements and approaches where possible
- Urgently resolve marine nitrate and phosphate planning restrictions to unblock stalled housing schemes
- Expand construction apprenticeships and work placements

1. Answers to questions asked by the Committee

- Work underway to meet the current 20,000 target and to ensure a pipeline post-2026;

A number of organisations are involved in the delivery of affordable homes, with HBF members having contributed mainly through S106 percentage requirements imposed on private house building schemes by polices within Local Development Plans. In addition, a willingness to sell additional units to RSL's has increased the number of affordable homes



provided by the private sector. HBF notes that recent Welsh Government statistics show an increase last year in the delivery of affordable home, although the overall number of new homes across all tenures has reduced and is at the second lowest level on record. HBF would suggest that if the overall number of homes delivered in Wales was increased then this would help deliver more affordable homes as the S106 requirement for affordable homes is set as a percentage of the private homes being delivered on each site. SME private house builders also often act as contractors through partnership schemes to deliver affordable homes for RSL's.

- Progress towards implementing the recommendations of the Affordable Housing Taskforce;

The HBF attends the Welsh Government Affordable Housing Taskforce Implementation group. Following the first meeting and initial correspondence from Welsh Government officials we identified a number of recommendations which we felt we could contribute to and assist with implementing. To date progress has been slow, limited to email correspondence and a few Teams meetings individually with Welsh Government officials. We have not yet been asked to attend any working groups looking at particular recommendations. HBF are not aware of any official update on progress which has been issued by Welsh Government.

- The extent to which work to increase supply is being undermined by other policy goals;

All new homes require planning permission and building regulations approval. Any changes to these requirements or policies can often cause delay to planning applications particularly when new polices are applied retrospectively to current applications. A recent example of this was the changes to Chapter 6 of PPW11 relating to Biodiversity which were brought in with no transitional period and LPA's chose to apply the requirements to planning applications already under consideration. The other two areas of increased planning policy intervention relate to, firstly an increase in the percentage requirement for affordable homes, Monmouth revised LDP requires 50% affordable on all allocated sites. Secondly polices which overlap with Building Control and look to control the standard to which new homes are built, particularly in relation to energy efficiency, (Monmouth and the Vale of Glamorgan). Even worse this is taken forward by each LPA separately and could result in a different building standard for each LPA. HBF believes that Building Control legislation is the correct way to control how a house is built and insures consistency across the whole of Wales.



In addition, the Natural Resources Wales (NRW) announcement in July 2025 relating to marine nitrate pollution led to an immediate halt on all housing planning applications and the discharge of drainage conditions in affected areas across South West Wales. A similar situation occurred in 2021 relating to phosphate pollution in rivers. Both remain ongoing issues.

- How the Welsh Government is developing its strategic role in relation to land;

HBF are not aware of any specific work in this area and have not been asked to meet with the Welsh Government land team to discuss how this might affect members. It is not currently clear if any land brought forward by Welsh government will be available to the open market or be limited to use by Housing Associations or local Authorities for the delivery of 100% affordable homes schemes.

- The availability of finance;

Generally, finance for housing schemes is triggered by the grant of planning permission, due to the ever-growing complexity and delays within the planning system, developers particularly SME's are finding it more difficult to finance future developments. Generally, this up-front finance required to either promote the site through the plan led system or obtain planning consent cannot be funded by banks. Although we are aware that the Development Bank for Wales can in some circumstances include a repayment of some of these upfront costs once a scheme progresses with planning permission.

- Issues relating to planning;

The planning system continues to cause significant delays to the delivery of new homes. In terms of housing led schemes HBF would suggest that no meaningful changes have been made to the planning system in Wales which have sped up the process. Other sectors such as infrastructure have seen these changes. The only significant change there has been since the report is an increase in planning fees, this may in the longer-term help resolve some of the resource issues faced by LPA's but only time will tell.

A variety of issues are faced across the whole planning system and in many cases are as a result of a lack of resources/skills. The plan led system (Local development Plans and Strategic Development Plans) is the start of the process identifying (allocating) the land on which homes can/should be built. The system allows developers to promote land, providing them with a pipeline of sites. However, this is both a costly and timely process favouring larger developers. Nearly half of the LDPs in Wales are now time expired and progress on



their reviews is very slow. Progress on SDP's has been even slower with the first one covering South East Wales planned for adoption in 2032 at the earliest. Promotion of a site through an LDP is likely to take at least 5 years.

Planning applications are the next stage in the process, these require ever increasing technical information and take an increasing length of time. Following a sites allocation it can often take 3-5 years to obtain a detailed implementable planning approval with delays around S106 agreements and discharge of planning conditions following the grant of permission.

The Affordable Housing Taskforce identified, greater standardisation, particularly in relation to Section 278 and Section 38 agreements (highways infrastructure) and Section 106 obligations (planning obligations), would significantly reduce negotiation times and administrative burden for both applicants and LPAs. Helping speed up the planning process.

Linked closely to the planning system, the introduction of mandatory SuDS has also resulted in significant delays in the delivery of homes, due to lack of resources and inconsistent approach. Development cannot commence until a SuDS approval is obtained and although applications can be run concurrently it is advisable to wait for planning approval to have been granted first in order to fix the detailed layout.

Many of the issues linked to planning have been identified in other recent reports including Affordable Housing Wales Audit Report 2024, 2019 Auditor General's report into the Effectiveness of Local Planning Authorities, and the 2024 Competition and Markets Authority's Housebuilding Market Study.

- Progress on developing the workforce;

HBF are aware that some work around apprenticeships has started in Wales, but this is unlikely to deliver meaningful change in the short term. Also, the increase in planning fees in the longer term may help LPA's recruit more planners, although currently there does appear to be a shortage of planners in Wales. HBF understands that the RTPI have recently completed some work on this for Welsh Government and the findings once published will hopefully give a clearer picture of workforce issues faced in Wales.

Mark Harris

HBF Planning and Policy Advisor Wales



**Castell Group – Written Evidence
Local Government & Housing Committee
Follow-up Inquiry into Social Housing Supply (January 2026)**

Castell Group is an SME partnership housebuilder delivering social housing across South Wales for Registered Social Landlords and Local Authorities.

Castell Group is currently delivering over 300 social homes across multiple Welsh local authorities and has a pipeline of over 1,000 homes. We are actively engaged in land origination, planning, pre-construction, and construction delivery.

Castell provided a paper in 2024 with challenges the sector is facing, and have since contributed to the affordable housing taskforce paper. Most of the issues raised in 2024 have been recognised, however they are still prevalent in the sector.

Below are some of the key issues we believe are affecting areas within the committee's published interests:

1. Progress towards the 20,000 target and pipeline post-2026

- While there has been strong policy intent, delivery remains constrained by planning throughput, statutory approvals, and early-stage scheme viability.
- The current system does not provide sufficient certainty or speed to sustain a pipeline, particularly for SME developers who carry disproportionate upfront risk.
- There remains no effective presumption in favour of affordable housing, even on brownfield or policy-compliant sites, which undermines confidence in forward investment.
- A delayed plan-led system causes pipeline risk:
 - Wales operates a firmly plan-led planning system, with development decisions required to accord with adopted Local Development Plans unless material considerations indicate otherwise. However, a significant proportion of Welsh local planning authorities are currently operating with out-of-date, delayed, or withdrawn LDPs. The absence of up-to-date plans is materially undermining confidence to invest in new land today. This is constraining the forward pipeline and risks a sharp fall-off in affordable housing delivery post-2026, as sites not identified, allocated, or progressed now will not be available for delivery in future years.

2. Progress on implementing Affordable Housing Taskforce recommendations

- The Taskforce correctly identified planning complexity, land supply, finance, and skills as systemic blockers.
- However, from an operator's perspective, most of the recommendations that affect this are classed as 'medium term'.
- Key issues still prevalent today:
 - Planning prioritisation for affordable housing remains inconsistent between authorities.
 - SAB and technical processes still require excessive upfront detail at too early a stage and are not working alongside planning.
 - SME access to finance remains constrained, especially in the construction sector or social housing sector where funding appetite is low due.

3. Policy goals undermining delivery of social housing

- There is a growing policy overload on schemes:
 - Biodiversity
 - Net zero requirements
 - Nitrates
 - MMC encouragement
 - Building safety reforms
 - Social value obligations
- Priorities can also be introduced without corresponding funding, programme flexibility, or transitional support – Ecology prioritisation was brought in with a PPW amendment with immediate effect, stalling sites already in the planning process. Nitrates have stalled sites in West Wales with immediate effect.
- The cumulative effect is reduced viability, slower delivery, and increased risk, particularly for SMEs.

4. Planning system issues

a) Policy balance and ecology

- Planning Policy Wales is now heavily weighted toward ecology, often at the expense of deliverability.
- This disproportionately impacts small and medium sites, even where housing need is clear.
- The lack of clear, objective ecological thresholds leads to uncertainty and subjective decision-making.

b) Timeframes and process

- Average timelines from pre-application to start on site remain circa 18–24 months.
- Key delays arise from:
 - Consultees not responding within statutory consultation period
 - S106 drafting delays
 - Pre-commencement planning conditions
 - SAB approvals

c) Technical scrutiny

- The Welsh Government technical scrutiny process requires information that would ordinarily be prepared at RIBA Stage 3–4. For a ‘concept’ or ‘pre-application’ stage, the level of detail is very high.
- This front-loads cost, delays decision-making, and discourages SME participation as there is a risk planning is not granted, and the cost is at risk.

5. Availability of finance

- Upfront costs for planning, technical design, ecology, and surveys are increasing and largely unfunded.
- Performance bonds and retention requirements place significant strain on SME balance sheets and cashflow, affecting both main contractor and sub-contractor.
- There is a strong case for reviewing bond or surety mechanisms for social housing delivery as tied-up retention can starve SME’s of vital cashflow.
- Business funding for construction companies

7. Risk allocation and commercial behaviour

- Social housing contracts increasingly include:

- Reduced Extension of Time entitlement
- Removal of Relevant Matters
- Disproportionate LAD exposure
- Fixed price, all risk approach.
- This leads to:
 - Higher tender prices
 - Reduced competition
 - Disputes
 - SME failures and supply-chain instability
- Lack of grant flexibility and the need for a fixed-price drives the above behaviours.

8. Workforce and skills

- Skills shortages persist across the construction sector, both in trades and professionals
- Delays are compounded by capacity constraints within statutory bodies.

9. SME engagement and support

- SMEs find it difficult to access support when projects are under pressure.
- There is a perceived stigma in asking for help, rather than a culture of early intervention.
- A more transparent, proactive SME support channel would materially improve outcomes.
- SMEs deliver a significant proportion of social housing, but operate with the least resilience.
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Closing observation

Wales has the intent, demand, and expertise to deliver significantly more social housing. What is missing is prioritisation, certainty, alignment and across policy, planning, finance, and delivery.

Agenda Item 3.1

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RTPI
Cymru
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21 January 2026

e-mail response sent to: SeneddHousing@senedd.wales

Dear Sir/Madam,

Senedd Cymru: Social housing supply

The Royal Town Planning Institute (RTPI) is the largest professional body for town planners in the UK and Europe and represents more than 27,000 members in approximately 80 countries worldwide, with over 1200 members in Wales. We have been shaping planning policy and raising professional standards for over 100 years and we're the only body in the UK to confer Chartered status to planners, the highest professional qualification. We champion the power of planning in creating prosperous places and vibrant communities. Our ambition is to promote healthy, socially inclusive, economically and environmentally sustainable places.

Thank you for the opportunity to respond to the follow up Inquiry on social housing supply. Our planning related comments are set out below in line with the Committee's interest in progress made towards implementing its recommendations.

For the Committee's information, through our 2026 election [Planifesto](#) (our manifesto asks for the land use planning system in Wales) we are making several asks for the incoming Senedd Cymru government. These include supporting an ambitious and agile plan-led system that delivers, championing well-designed places with access to

quality homes and infrastructure where communities thrive, and joined-up action to address the climate and nature emergencies. Our Planifesto calls for these asks to be underpinned by a commitment to invest in planning and planners, without which Government priorities cannot be delivered.

Work underway to meet the current 20,000 target and to ensure a pipeline post-2026;

Welsh Government statistics show, between 2024 and 2025, 3,643 additional affordable housing units were delivered across Wales. This is a 12% increase on the previous year and the highest total since data was first recorded in 2007 to 2008

[Affordable housing provision: April 2024 to March 2025 \[HTML\] | GOV.WALES](#).

However, over that same time period, overall numbers of new homes fell - “3,798 new dwellings were started, 26% fewer than in the previous year. This marked the lowest number of new dwelling starts on record”. [New house building: April 2024 to March 2025 \[HTML\] | GOV.WALES](#)

In our RTPI Cymru Planifesto we have called for the [reintroduction of housing targets and monitoring of delivery](#) to support this target and pipeline post 2026. It is vital that Local Planning Authorities and the Welsh Government all provide up to date accessible statistics and data that build a strong evidence base and support monitoring and improvement. Measuring outcomes, along with spatial targets for different parts of Wales is an integral part of the long-term delivery of social housing. The [RTPI's Measuring What Matters Research \(2020\)](#) considers how the outcomes of planning decisions can be measured, which goes beyond simple metrics like the number of homes delivered to encourage analysis in terms of placemaking aspirations and social, economic and environmental value, in order to track and improve the real impact of planning in Wales. This could support better recognition of the quality of homes, rather than focusing solely on numbers.

A well-resourced plan-led system is essential to support housing provision, including social homes. See our comments on resourcing the planning system under the heading 'Issues relating to planning' below.

We note in response to Committee [recommendations 1 and 2](#) Welsh Government have provided the following evidence: [data-showing-progress-towards-the-20000-affordable-homes-target-april-2021-to-march-2027.xlsx](#). This is a useful resource and should be kept updated and accessible to stakeholders in the future.

Progress towards implementing the recommendations of the [Affordable Housing Taskforce](#);

RTPI Cymru sits on the implementation group for the Affordable Housing Taskforce and has attended two meetings and one working group meeting (latter was about increasing SME involvement and included Welsh Government, Design Commission for Wales, Development Bank Wales and RTPI).

This involvement is welcomed however progress feels slow with few tangible changes to date. We understand that the Government's window of opportunity to make changes is curtailed by the forthcoming pre-election period, which inevitably impacts on the pace of progress and provides a lack of certainty.

External to the Implementation Group there is wider progress, which is being fed into the Implementation Group, for example work by Town Legal LLP on [standardised S106 agreement templates](#) and a roundtable on 26 January on planning and Sustainable Drainage Approval Bodies (SAB) arranged by Hugh James Solicitors. The former example highlights that the issues around slow and unduly complex S106 agreements is not unique to Wales. The latter example demonstrates a wider industry desire to make progress on the Taskforce recommendations.

The extent to which work to increase supply is being undermined by other policy goals;

The land-use planning system plays a crucial role in delivering sustainably located, quality and safe homes alongside many interlinked policy areas which cannot be considered in isolation. There are close links between the provision of social housing, planning and other sectors such as health and transport.

Although debate often focuses on the planning system, discussion and research have shown, obstacles in delivery can be found in many areas, such as the markets for buying and selling land, and for buying and selling houses, and in terms of social housing in procurement practices. The provision of infrastructure is another example. However, the lack of a housing target for Wales and the cancellation of TAN1 has had the unintended consequence of creating a plan-only system in Wales rather than a plan-led system. In this context, there is no safety valve to continue to deliver urgently needed homes if LDPs are delayed. Ironically, the removal of a provision for un-planned housing sites to come forward has resulted in a default position on non-delivery, which is a more politically comfortable position for locally elected members than making the difficult and controversial decision to allocate land for development and adopt an LDP. In the past, locally elected members understood that they needed to adopt LDPs to proactively manage and shape where development happens. That incentive no longer exists. Without adopted plans and allocated sites, delivery stalls.

Some Councils are seeking to increase energy standards for new homes via local planning policies, which is admirable but risks inconsistent approaches across Wales that would cause difficulties for the development industry. Ideally this issue would be addressed via Welsh Government leadership with national planning policy, or better still, via Building Regulations. RTPI Cymru's Planifesto calls for the raising of standards to achieve low/net zero carbon development by updating Building Regulations, with the aim of simplifying plan-making and ensuring consistency and

certainty for developers as well as achieving decarbonisation and helping to address fuel poverty.

There continues to be a need for an adequately resourced and committed partnership approach to housing supply and delivery, in line with the Well-being of Future Generations (Wales) Act 2015.

How the Welsh Government is developing its strategic role in relation to land;

The Committee recommended ([recommendation 5](#)) that the Welsh Government establishes a national development corporation to lead on delivery of large-scale strategic sites and to support alignment of housing and regeneration efforts. This recommendation was rejected by Welsh Government. They felt this role could be provided by their Land Division which has developed over time, now forming part of a newly formed Place Division, combining land and regeneration functions to deliver proactive place-based approaches. However, we question the capacity and resources available to the Land and Place Division to ensure this role is fully carried out.

RTPI Cymru's Planifesto, published in October 2025 is calling for the [creation of a national arm's length delivery body](#) to assemble land and co-ordinate development, ensuring that land use, transport and infrastructure are aligned in terms of planning, funding and delivery.

We note the Committee's [recommendation 15](#), recommending that Welsh Government work across the public sector to ensure greater transparency in public land ownership and bringing information and expertise into a central place. We also note the work of Ystadau Cymru in this respect. It would be useful if a register of all publicly owned land in Wales were compiled, published and kept up to date, to enable it to then be sifted for suitability for development. However, it must be recognised that not all land in public ownership is in an appropriate location for development. It is important that sites allocated in LDPs are included because they

are in the best location, not simply because they are in public ownership. The current plan-making process relies on landowners promoting their land for inclusion in LDPs, which does not always provide the optimal sites for allocation.

The availability of finance;

The principle of front-loading the LDP process to seek to provide certainty of deliverability and infrastructure investment is admirable but it has had the unintended consequence of excluding SMEs from the plan-making process. The costs of promoting sites and associated risks mean that only the volume housebuilders and large Registered Social Landlords can engage in the process.

RTPI Cymru welcomed the recent discussion around the [increase in planning application fees](#). It is essential that Councils show leadership and reinvest that extra income into improving the planning services. Ideally, there would be a primary focus on the LDP strategy and identification of sustainable locations for growth, followed by use of CPO powers if land owners are not willing to bring their land forward.

The principles of transit-oriented development are fully supported, however it must be recognised that a proportionate level of housing growth is needed in rural areas to sustain communities. The majority of Wales is rural and served poorly by public transport. Policy aspirations need to be applied sensibly in a way that works outside of Cardiff and Wales' cities.

Issues relating to planning

The role of planning is to enable the right development in the right places and to plan for the long term to meet policy aspirations including the provision of housing, including social housing.

A well-resourced, plan-led, positive planning service can deliver Council and Welsh Government objectives, which, if properly encouraged and effectively organised can bring together objectives across services and sectors. Planners have an important, proactive role as drivers of change, but collaborative working is needed across

sectors, with resources and funding in place to support this. It is essential that the strain the public sector is currently under is recognised in developing policy and target setting, so that achieving those targets and ambitions is realistic. Sufficient resourcing of public bodies and investment in key skills and specialisms for the longer term are all important aspects of meeting targets.

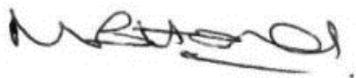
RTPI Cymru has been commissioned by the Welsh Government to produce an evidence-based report on public sector planning resources in Wales. Its remit covers LPAs, PEDW, NRW's planning division and the Welsh Government. The research makes some stark findings and is due to be published in February 2026.

Progress on developing the workforce.

RTPI Cymru has long called for the proper resourcing of planning services. However, until now we have lacked the hard evidence and complete overview of resourcing issues to support the identification of the changes required to address this problem. RTPI Cymru has been commissioned by Welsh Government to investigate current capacity and resources within public sector planning services in Wales. This work will be published in February 2026.

If you require further assistance, please contact RTPI Cymru on 020 7929 8197 or e-mail Mark Hand at walespolicy@rtpi.org.uk

Yours faithfully,



Mark Hand MRTPI
Director of Cymru

Dear Committee Chair,

I hope you are well.

By way of introduction, I am a researcher specialising in land and housing based at Cardiff University. I provided oral and written evidence for the 2024 Local Government and Housing Committee inquiry into social housing supply. In my evidence, I focused on the role of land value capture and viability.

I am pleased to attach a [report on land value capture and viability in Wales](#) that has been published this week. If possible, I would like this to be considered as evidence for the current follow-on inquiry on social housing supply.

The report is based on a workshop held last year and attended by 19 industry, public and third sector stakeholders. The second half of the report examines the issues identified in the discussions and provides a series of key findings and recommendations for policymakers. These are set out in a brief executive summary.

Key among the recommendations are:

- Viability assessments and underlying evidence should be publicly available.
- The Welsh Government should introduce a requirement for a centralised land market and viability database to improve transparency.
- The Welsh Government should produce clear and comprehensive national viability guidance for Wales to seek to bring planning and market practice more closely in line, to influence market practice to increase the likelihood of meeting planning objectives.

I hope you find the report of interest. I would be very happy to discuss the report further if it would be of assistance.

Kind regards,

Edward

<p>Dr Edward Shepherd MRTPI MRICS</p> <p>Senior Lecturer in Planning and Development</p> <p>Cardiff University</p> <p>School of Geography and Planning</p>	<p>Dr Edward Shepherd MRTPI MRICS</p> <p>Uwch Ddarlithydd mewn Cynllunio a Datblygu</p> <p>Prifysgol Caerdydd</p> <p>Ysgol Daearyddiaeth a Chynllunio</p>
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Additional written evidence from the Chartered Institute of Housing (CIH) Cymru in response to follow-up questions from the Committee.

1. **The Development Bank of Wales.** Both the Committee and the Taskforce called for the Development Bank of Wales to play a bigger role in funding social housing. Are you aware whether anything has changed in response to those recommendations?

In terms of changes as a result of the committee a taskforce recommendations there have been some initial steps taking place. For example, in terms publicly owned land, the Welsh Government is also looking at how DBW partnerships with SMEs and RSLs can be leverage in order to deliver developments for purchase by RSLs at completion.

DBW has a track record of working with a wide range of public and private sector funders. There's also exploration around de-risking upfront planning/on board costs via sureties/bonds/warranty support.

CIH Cymru has also had recent conversations with DBW about supporting smaller community-based developments by providing support through Community Land Trusts. But early stages.

But finance is a key part of the discussion. We are not going to build at the pace and scale we need to with current levels of grant available. Arguably Welsh Government needs to step up capital funding dramatically in the next Senedd term, and we make the case for that in our written evidence and our Plan For Housing In Wales manifesto. Committee members will be very aware of the Audit Wales report that put the capital funding gap to reach the current 20,000 target between £580m and £740m.

So despite the record levels of SHG we are nowhere near the levels of funding we require to build our way out of the housing emergency. And credit to Welsh Government, programmes like TACP have been innovative, but we need be even more innovative and radical around drawing in finance, and that's why in our evidence we have put a big focus on Land Value Capture, which Welsh Government has been supportive of in principle.

But a big part of the puzzle has to be the consideration of the role that the development bank of Wales can play in providing low-cost loans to the housing sector as an alternative borrowing stream to enable development at pace and scale. Consideration should also be given to how we can develop the social homes we need with minimal or no grant intervention.

2. **Land value capture.** The Committee recommended that the Welsh Government should explore how it can capture more land value for the public benefit. Are you aware whether the Welsh Government has done any more on land value capture? [In relation to this issue, you may be interested to see the recently published report [Land value capture and viability in Wales](#) by Edward Shepherd and Sahiti Bhalla.]

CIH Cymru was one of the organisations that fed into Dr Shepherd's work on Land Value Capture attending round table sessions and undertaking research interviews. As an organisation, in our evidence to this committee we have strongly advocated for a more radical approach to Land Value Capture. The figure that has stuck in my mind is from Liam Halligan's book Home Truths(P.241). He found that the awarding of planning permission dramatically increases agricultural land values from an average of £22,520 per hectare to £6.2million per hectare (based on English residential values in 2016/17 – but we can understand the extrapolation to a Wales context) – an increase of more than 275 times.

That massive planning gain currently accrues almost entirely to the landowner and developer, and not the public purse. But it is the public realm, through planning consent and infrastructure development, that confers that value uplift on the land. If we look back at the Atlee government period when almost 1 million homes were built in that parliament, the Town and Country Planning Act 1947 introduced a 100% "Development Charge" on the increase in land value resulting from planning permission. In combination with the New Towns Act and other legislation allowing the setting up of development corporation, that income was used to develop homes at the pace and scale that we arguably need to now. We're not advocating a return to a 100% "Development Charge" – there were inherent problems with that policy, not least it disincentivised development because landowners were reluctant to sell at existing-use value, it's just to articulate the point about the huge gap between the value conferred on land by the state and how little of it the state captures in order to reinvest in things like social and affordable housing.

We currently have S.106 as really the only identifiable mechanism for Land Value Capture, and that is patchy across Wales in terms of evidence of some developer drawing back on commitments post planning permission and development starting, citing viability issues. Coupled with local authorities not having sufficient capacity to challenge, it has led to some S.106 developments not going ahead.

Has Welsh Government done any more on land value capture? Since the Taskforce reported, work has started between official and stakeholder groups looking at streamlining s.106, trying to develop a more uniform and templated approach.

But Welsh Government's approach seems to be to streamline the current system of Land Value capture rather than looking at systems' shifts, despite the former First Minister being a key advocate of Land Value Capture being utilised more for public good. We are calling on the next Welsh Government, in our "A Plan for Housing In Wales" manifesto, should do more to explore models of land value capture and taxation. There are many models operating around the world. For example, the Ireland model and its Residential Zoned Land Tax (RZLT), or the model in Germany which aims to balance private and public requirements, or the 22@Barcelona plan.

Hope that's helpful.

Cheers

Matt

Matt Dicks CIHCM

Chartered Institute of Housing Cymru



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JB-PO-27-26

John Griffiths MS
Chair
Local Government and Housing Committee

John.Griffiths@senedd.wales

21 January 2026

Dear John,

On 17 December the Electoral Commission published its [evaluation report](#) of the Automatic Voter Registration (AVR) pilots which took place in Carmarthenshire, Gwynedd, Newport and Powys earlier last year. The pilots used local data matching to identify eligible electors for the local government register. In three areas electors were notified of an intention to be registered, and added if they did not opt out within a set period. I am very grateful to those authorities for co-producing and delivering these pilots with the Welsh Government.

The evaluation outlines the benefits of the approach piloted, including adding just over 14,500 new electors and 1,500 attainers (14-15 year olds who will be registered once they turn 16) to the local government register.

The evaluation also makes a number of recommendations for the future, including:

- timing the AVR process to align with the annual canvass (the annual check of the accuracy and completeness of electoral registers);
- reducing the length of the 60 day opt-out period;
- improving the efficiency of data matching software; and
- ensuring Electoral Registration Officers have appropriate resources to manage the process.

I issued a [Written Statement](#) on the evaluation on 17 December and I intend to bring forward secondary legislation to progress AVR and with the view to working towards implementation in time for the local elections in 2027. This includes regulations to abolish the edited register for local government elections in Wales, and an order to commence sections 3 and 4 of the Elections and Elected Bodies (Wales) Act, which I will look to bring forward before the end of this Senedd term.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

We will also continue to work with the UK Government, who announced in July their ambition to move towards automated registration. Considering the interaction of reserved and devolved registration processes will be a key part of that.

Overall, I am very pleased with how the pilots were conducted and the insight they have provided. I will consider the Electoral Commission's recommendations in detail over the coming months and continue to engage with electoral stakeholders to develop the most effective model for rolling out AVR across Wales. I would be happy to arrange a briefing for Members on AVR following this work if that would be useful.

This letter is also being copied to the Legislation, Justice and Constitution Committee for information.

Yours sincerely,

A handwritten signature in black ink that reads "Jayne Bryant". The signature is written in a cursive, flowing style.

Jayne Bryant AS/MS

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JB/PO/40/26

John Griffiths MS
Chair
Local Government and Housing Committee

23 January 2026

Dear John,

I responded formally today to the Committee's report on the *2026-27 Welsh Government Draft Budget*.

At the scrutiny session I also committed to providing members with a written response on the availability of the Standard Spending Assessment (SSA) calculation for each authority. Please find this below.

Standard Spending Assessment:

The underpinning information for the SSA calculation is available online in the Green Book.¹ The document '*Background information for standard spending assessments*' outlines the Settlement formula – including how the available funding is distributed across Individual Based Assessments (IBAs). The spreadsheet named '*Service IBAs*' details the overall SSA value for each IBA, and the spreadsheet named '*Indicators*' provides the raw data for each individual indicator, including relevant weights and the percentage shares across each authority.

Using this information, it is possible to replicate how the funding for each IBA is distributed across authorities and I have included a worked example in Annex A.

The only data element which may be missing is a table showing the breakdown of the overall SSA into individual IBAs (although the general process is detailed in the '*Background information for standard spending*'). I have asked my officials to consider how best to include this information in future versions of the Green Book.

I trust that this response is helpful in responding to the questions raised by committee members.

¹ [Local government revenue and capital settlement: background information for standard spending assessments 2025 to 2026](https://gov.wales/local-government-revenue-and-capital-settlement-background-information-for-standard-spending-assessments-2025-to-2026)
[IGOV.WALES](https://gov.wales)

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Yours sincerely,

A handwritten signature in cursive script that reads "Jayne Bryant".

Jayne Bryant AS/MS

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government

ANNEX A – Worked example of funding calculation

In 2025-26, the total *Nursery and Primary school teaching and other services* Indicator Based Assessment (IBA) is £1.387 billion (worksheet '3' of the 'Service IBAs' spreadsheet). This figure is arrived at by taking total Standard Spending Assessment (SSA) and breaking it down according to data collected on total local authority revenue account (budgeted expenditure for 2025-26) and revenue outturn (actual expenditure for 2024-25) data for this IBA area. The total for the IBA is then multiplied by the respective indicator weightings for the IBA, found at the bottom of worksheet '3':

- 81.5% for the number of primary school pupils and modelled nursery school pupils,
- 9.8% for the population in each authority outside settlements of 1,000,
- 8.7% for the number of primary school pupils eligible for free school meals

These weightings are then multiplied by each authority's percentage share of that indicator which are found in the '*Indicators*' spreadsheet (Primary school pupils and modelled nursery school pupils- worksheet 2a, Population outside settlements of 1,000 - worksheet 5a, Primary school pupils eligible for free school meals – worksheet 2a).

Adding them together gives the share of the total IBA for that authority. A worked example for Swansea would be:

Total of IBA	Weighting	Swansea's share	Result
1,387,273,000	0.815	0.077812187	87,976,598
1,387,273,001	0.098	0.045229959	6,149,137
1,387,273,002	0.087	0.086057083	10,386,466
Total			104,512,202



Welsh Government Draft Budget 2026-27

Response to the Local Government and Housing Committee Report (December 2025)

23/01/2026

In December 2025, the Local Government and Housing Committee submitted its report on the Welsh Government Draft Budget 2026-27. The report includes 11 recommendations and 8 conclusions. This is the Welsh Government's response to those recommendations and conclusions.

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Introduction

On 14 October 2025 the Welsh Government laid its outline Draft Budget for 2026-27 and subsequently its detailed Draft Budget on 3 November 2025.

On 20 November 2025 the Committee held a scrutiny session with the Cabinet Secretary for Housing and Local Government to examine the housing, regeneration and land allocations in the draft budget. A further scrutiny session was held with the Cabinet Secretary on 26 November 2025 to look at the allocations for local government and the provisional local government settlement.

Recommendations following the two scrutiny sessions have been considered carefully. We would like to thank the members of the Local Government and Housing Committee for their continued support.

Response to the 11 Recommendations

Funding Formula

Recommendation 1

The Welsh Government must publish the revised local government settlement with indicative figures as soon as possible, and before the Final Budget is published in January. This would provide local authorities with certainty and enable them to plan budgets accordingly.

Response: Accept

Revised figures were provided to Local Authorities on 9 December 2025 to support their planning. The Final Local Government Settlement will be published, with the Final Welsh Government budget, on 20 January 2026.

Financial Implications – this work will be accommodated within existing budgets.

Recommendation 2

The Welsh Government must prioritise the review of the data and indicators that underpin the funding formula so that future settlements are fair and accurately reflect the needs of Welsh communities. It should also provide us with the scope of the review outlining what data and indicators are being assessed, any timetable attached, actions taken and keep us updated on progress.

Response: Accept

The Welsh Government is working with local government to undertake a detailed review of the individual elements within the local government funding formula. This work focusses on recalibrating the weightings, and reviewing and updating the indicators used to distribute funding, with the main underlying methodology, which takes account of both relative need and resource, remaining unchanged. The quantum of funding available is out of scope of this review. By working closely with local government and stakeholders throughout, the review aims to maintain a system that continues to support local services effectively. There is a full-time member of staff dedicated to this work and recruitment of additional dedicated analytical resource is underway. Data Cymru has also committed capacity to support data collection and analysis.

The review will primarily focus on replacing outdated Census-based indicators (from 1991 and 2001, which distribute around £1.4bn (18.5%) of SSA) with 2021 Census data. This involves recalibrating indicator weightings and reviewing the

selection of indicators to ensure they still provide the best reflection of current relative need to spend.

The initial pilot phase, which began in 2024, took a preliminary look at the Nursery and Primary notional service (Indicator Based Assessment (IBA)). The next step is to consolidate this work and expand to the Secondary and Special Schools IBAs. The next step is to begin assessing the data collection requirements for the more complex Personal Social Services (PSS) IBAs, before moving on to the remaining IBAs that rely on Census data. In response to discussions at DSG, there is also the potential to review the non-Housing Revenue Account (HRA) IBA, considering the changing patterns of local authority expenditure relating to homelessness.

The below table outlines the proposed timelines for each workstream:

Workstream	Timeline
Scoping and Planning	Autumn 2025
Main Education IBAs Recalibration	Autumn 2025 – Spring 2026
PSS IBAs Recalibration	Winter 2025 – Autumn 2026
Remaining Education IBAs Recalibration	Winter 2025 – Summer 2026
Other Census-based IBAs Recalibration	Summer 2026 – Spring 2027
Governance and Stakeholder Engagement	Ongoing
Modelling and Impact Analysis	Autumn 2026 – Spring 2027
Damping/Phasing and Deprivation Grant Review	Spring 2027 – Summer 2027
Finalisation and Sign-off	Summer 2027
Continuing IBA Recalibration/Review	Summer 2027 Onwards

Much of the work carried out to date has centred around planning, establishing key relationships and laying the groundwork for the review (for example, researching and testing models and methodologies used in the last major calibration of weightings, around 20 years ago). More tangible outcomes are expected as we head towards the spring.

Financial Implications - this work will be accommodated within existing budgets.

Prevention and innovation in local government

Recommendation 3

The Welsh Government should embed prevention in the budget setting process and acknowledge that there is a need for a fundamental shift to resourcing preventative services.

Response – Accept in principle

Prevention is key to good public services. It improves people's lives and can reduce costs in the longer term. It is also a fundamental part of acting in line with the Wellbeing of Future Generations Act which applies to all of the public sector.

In terms of the majority of funding to local government, this is un-hypothecated; it can be used by local authorities as they choose and as suits local circumstances and priorities. This is important because prevention will mean different things in different services and in different circumstances and situations. Many of Local Government's activities could be described as preventative in one way or another. That is why we have been keen to work collaboratively to bring greater clarity and consistency to how we define and assess preventative spend. The Welsh Government is not persuaded by the arguments in favour of ring-fencing preventative funding.

The 2025–26 budget prioritised investment in prevention, and this has continued into 2026-27. We remain committed to improving how we identify, measure, and communicate preventative spend. We continue to use the agreed existing definition of preventative spending, which has served as a useful foundation. However, we recognise the importance of embedding that definition more widely across the Welsh public sector to support better planning and evaluation.

The Cabinet Secretary for Housing and Local Government met with the Future Generations Commissioner to discuss this issue and is supportive of efforts to strengthen the understanding and application of preventative spend across public services. This includes exploring how the definition can be used more consistently in budget planning, impact assessments, and scrutiny processes.

The developing work by CIPFA and the Health Foundation about mapping preventative spend and a Health Determinants Research Collaboration (HDRC) between Rhondda Cynon Taf CBC and the National Institute for Health and Care Research may offer practical suggestions to local and Welsh Government about how to further support such approaches. The HDRC focussed significantly on

how local authority expenditure contributed to the health agenda while the CIPFA work offered local authorities a tool to consider how they map their expenditure against a classification of prevention from primordial to tertiary. That is from whole population support to prevent risk factors emerging in the first place to supporting people with ongoing conditions to prevent them worsening.

Financial Implications – None.

Recommendation 4

The Welsh Government should provide local authorities with strategic leadership and set a clear pathway for adopting good practice and innovation around preventative services, while also encouraging them to adopt or justify their decisions.

Response: Accept

The Welsh Government provides appropriate strategic leadership through the legislative and funding frameworks that enables local government to share innovation and practice and undertake effective scrutiny of their actions, recognising that councils are accountable to their own electorates. Clear expectations of the role of the Welsh Government and local government in sharing and improving practice are laid out in the co-developed Strategic Partnership Agreement with local government.

We express additional clarity on the specific areas for adopting good and emerging practices through the Digital Strategy for Wales and AI Plan for Wales. These provide vision and a plan for public sector, as well as confidence in the Welsh Government's whole-system approach to investing in digital solutions.

In respect of specific improvement priorities for local government, where appropriate, we provide clarity of our priorities through the Cabinet Secretary for Housing and Local Government's offer letter to the WLGA for the Improvement and Digital Grant, worth £2.15m in 2026-27. This letter informs the delivery plan of the Sector Led Improvement Board. This board provides the mechanisms for local government to own and be accountable for decisions and actions.

Financial Implications – this work will be accommodated within existing budgets.

Overall funding for Housing and Regeneration

Recommendation 5

The Welsh Government should prioritise housing, as an essential preventative service, for receipt of any further funding made available ahead of the final budget.

Response: Accept in principle

The Welsh Government recognises housing as a vital preventative service, underpinning better health, well-being, education, and economic outcomes for people in Wales. Robust evidence shows that safe, secure, and good quality homes are fundamental to enabling individuals and families to thrive and are central to delivering the seven well-being goals set out in the Well-being of Future Generations (Wales) Act.

In line with this, we have allocated £2.6m in the Final Budget 2026-27, in addition to £4.7m provided at Draft Budget to Homelessness Support & Prevention. This is an overall increase of £7.3m in 2026-27 to address unfunded Real Living Wage pressures, supporting frontline stability and demonstrating our commitment to the most vulnerable at risk of homelessness.

Prevention can be interpreted very widely and many of the Welsh Government's activities could be described as preventative in one way or another. That is why we have been keen to work collaboratively to bring greater clarity and consistency to how we define and assess preventative spend.

We continue to use the agreed existing definition of preventative spending, which has served as a useful foundation. However, we recognise the importance of embedding that definition more widely across the Welsh public sector to support better planning and evaluation.

As stated in the response to Recommendation 3 above, the Cabinet Secretary for Housing and Local Government met with the Future Generations Commissioner to discuss this issue and is supportive of efforts to strengthen the understanding and application of preventative spend across public services. This includes exploring how the definition can be used more consistently in budget planning, impact assessments, and scrutiny processes.

We are not persuaded by the arguments in favour of ring-fencing preventative funding, as we believe benchmarking is a more powerful tool for driving improvement.

Financial Implications - None. An allocation of £2.6m has been made to the Homelessness and Prevention BEL at Final Budget.

Homelessness and housing support

Recommendation 6

The Welsh Government should publish the Institute of Fiscal Studies analysis of the impact of Employers' National Insurance Contributions changes on services funded by the Housing Support Grant, as well as any other analysis of wider impacts of these changes across the third sector and other providers.

Response: Accept in principle

The Institute of Fiscal Studies' analysis of the impact of changes to employers' National Insurance Contributions is already in the public domain and was published on 30 October 2024: **Increase in employer National Insurance contributions by employee earnings, 2025–26** | Institute for Fiscal Studies.

The supporting data presents estimates of the proportional increase in employer cost by employee earnings. This analysis is a broad UK-wide assessment of the fiscal impacts and was not commissioned by the Welsh Government.

The IFS analysis helped to inform high-level internal modelling on the likely impact on services funded through the Housing Support Grant (HSG). However, as outlined to the Committee, there are significant limitations to this modelling due to the absence of detailed data on salary levels and working hour composition of staff employed by HSG-funded services, which the Welsh Government does not hold. The high-level modelling indicated that the estimated impact could be between £4.4m and £8.25m on the total HSG budget in 2025-26.

It is important to reiterate that the HSG budget was uplifted by £21m (or 11.45%) in 2025-26 at the same time that increases to employer NICs came into effect in April last year. Whilst not the original intention of the funding uplift, an element of it is being used to help meet increases to employer NICs. Cymorth Cymru and Community Housing Cymru's **Home Matters** report, published on 3 December, suggests that 91% of the survey respondents used the HSG funding uplift in 2025-26 to cover the additional employer NICs costs.

In addition, these changes had the biggest impact when they were first introduced. This is due to the reduction to the threshold at which employers start paying NICs (from £9,100 to £5,000), coupled with the increased rate

payable (from 13.8% to 15%). Therefore, there was a larger proportional 'step change' to employer NICs for lower-paid and part-time staff in 2025-26.

There is also no robust analysis to quantify the impact of changes to employer NICs for the housing support sector in its entirety (i.e. for services not funded by the HSG), or for the wider third sector in Wales, because of the caveats mentioned previously.

Financial Implications – None.

Housing supply

Recommendation 7

The Welsh Government should publish a plan of action showing how they will speed up the reduction in the number of empty homes and address the issues raised in the evaluation of the Empty Homes Grant scheme.

Response: Accept

The recent publication of the [Handbook on Empty Properties in Wales](#) (5 December 2025) demonstrates the Welsh Government's commitment to accelerating the reduction of empty homes and addressing issues highlighted in the evaluation of the Empty Homes Grant scheme. The handbook sets out a clear, structured plan of action, providing practical guidance for local authorities and stakeholders on best practice, funding options, and enforcement measures. By consolidating policy direction and operational advice into a single resource, it ensures a consistent approach across Wales and strengthens efforts to bring empty properties back into use more efficiently.

As outlined in the handbook, the Empty Homes Grant is part of a wider suite of interventions, including Leasing Scheme Wales, Transforming Towns Loans, the Placemaking Grant, the Land and Buildings Development Fund, and the Transitional Accommodation Capital Programme. In addition, the Cabinet Secretary for Housing and Local Government confirmed in December the extension of the Empty Homes Grant application window until September 2026, alongside a pilot removing the requirement for local authorities to provide a 10% contribution in 2026–27. This pilot directly responds to one of the emerging issues identified in the recently published independent evaluation of the grant.

Financial Implications - this work will be accommodated within existing budgets.

Recommendation 8

The Welsh Government should give further consideration to whether the Help to Buy – Wales Scheme should be restricted to first time buyers, in particular whether such a restriction would ensure the scheme is focused on tackling the most pressing cases of public need.

Response: Accept

The Welsh Government is actively considering all future options associated with Help to Buy - Wales.

Despite the previous UK Government ending Help to Buy in England in March 2023, we are providing an extra £57m to extend our Help to Buy Wales scheme until at least September 2026.

Since April 2022, 85% of Help to Buy Wales purchasers have been first time buyers and the scheme has helped almost 15,000 people of all circumstances to purchase a new home over its lifespan.

It should also be noted that more than 70 developers, mostly SMEs, are signed up to participate in the scheme and are benefitting from new customers.

Financial Implications - this work will be accommodated within existing budgets.

Building safety

Recommendation 9

The Welsh Government should set out how underspends in the Building Safety Capital Grant for 2024-25 were reprofiled and how much of an underspend is expected for 2025-26.

Response: Accept

In 2024-25, £67.67m of the Building Safety Capital Grant was reprofiled into the Transitional Accommodation Capital Programme (TACP) at the Second Supplementary Budget, reducing the Building Safety allocation to £60m. Following this, a further £34.88m was reprofiled to Registered Social Landlord development loans, supporting delivery of 277 additional low-carbon social homes and improvements to meet WHQS 2023. The remainder was reprioritised towards other Housing and Regeneration priority areas.

For 2025-26, the Building Safety programme forecast has reduced to £30m, reflecting persistent delivery challenges. These include the complexity of fire safety remediation, limited specialist supply chains, and extended lead times - often 12 to 18 months from survey to mobilisation. Social sector delays have also been linked to new procurement rules introduced in February 2025 and contractor shortages. Despite mitigation measures such as the availability of Welsh Government-appointed contractors and enhanced monitoring, these factors continue to constrain expenditure.

Furthermore, the original £375m programme budget was based on early estimates assuming widespread cladding remediation. Subsequent investigations have shown fewer buildings require such works, with many issues requiring less costly interventions.

Fire safety remediation work is being progressed at the fastest pace possible; the availability of budget has had no negative impact on delivery. These projects are complex and are subject to many external factors beyond the control of Welsh Government.

Financial Implications – Forecast underspends for 2025-26 have been re-profiled to other priority areas.

Housing standards

Recommendation 10

The Welsh Government should publish figures showing how much Warm Homes funding was spent during 2024-25, and how much is expected to be spent in 2025-26.

Response: Accept in principle

We are committed to publishing annual reports outlining progress in delivering the Nest service as soon as final data has been received and verified by our statisticians.

The Warm Homes Nest annual report for 2024-25 will be published before the end of this financial year.

The allocated budget for 2025-26 was £37.5m to cover the Warm Homes Nest scheme and remediation works in Caerau, Bryn Carno and Arfon. The final spend and associated benefits delivered through the scheme will be set out in the annual report for Year 2.

Financial Implications - None.

Land

Recommendation 11

The Welsh Government should set out its plan on how it will meet its commitment to implement the Affordable Homes Taskforce recommendation to increase the delivery of land for affordable housing.

Response: Accept

The Welsh Government established a Land Division to: unlock the potential of public assets; stimulate a more active approach to using and developing land in the public interest; help improve land supply; facilitate land assembly; and help unblock stalled, vacant and derelict land in public ownership.

The role of Land Division has developed over time with the work now forming part of Place Division, combining Land and Regeneration functions to deliver proactive place-based approaches.

Place Division is proactively adding to its existing portfolio across Wales, as acquisitions in both Haverfordwest and Porthcawl demonstrate. These were important acquisitions enabling significant public sector, affordable housing-led regeneration schemes to proceed at scale and pace.

A pipeline of land sites for the delivery of affordable housing-led developments is an important aspect not just in delivering housing in the short term, but also in the medium/longer term. As part of the Welsh Government's Affordable Housing Taskforce, Place Division is proactively identifying land that may be brought forward for development.

We will not be competing with the market on the sites we are looking to acquire. We are interested in those difficult sites that have stalled for a variety of reasons.

It is not just the larger strategic sites we are interested in. Smaller sites that have become stalled right across Wales can make an important contribution to housing supply, supporting the foundational economy and SME home builders can play an important part in that process.

We have met with all Health Boards and Trusts in Wales to discuss the suitability for housing on vacant and surplus sites they have. We will continue to work with them and provide support where needed to assist with the process.

We also have funds available via the Land and Buildings Development Fund to assist Registered Social Landlords and local authorities to advance their stalled sites for affordable home delivery. The fund concentrates on assisting with abnormal costs associated with difficult to deliver land and repurposing buildings for residential use.

Financial Implications – None.

Response to the 8 Conclusions

The provisional local government settlement

Conclusion 1

We would encourage innovation in other areas to enable local authorities to fund improvements in schools, local infrastructure and other core areas of capital expenditure.

Response

There are a variety of approaches used to support local authority capital expenditure. These include the un-hypothecated general capital funding, capital grants at varying rates of support and funding to support borrowing such as through the coastal risk management programme (CRMP) and the Highways Local Government Borrowing Initiative (LGBI). The Welsh Government will continue to work with local government to agree appropriate mechanisms for different programmes, taking account of the availability of capital and revenue funding, the balance of risks for Welsh and Local Government, and the relative costs of borrowing.

Prevention and innovation in local government

Conclusion 2

In the absence of sufficient funding, we believe that leadership from the Welsh Government is crucial in providing clear strategic direction and guidance to local authorities. The Welsh Government need to assist the sector in removing barriers to innovation and ensuring effective sharing of good practice. We are disappointed at the lack of emphasis on future planning and limited focus on innovation and partnership work. The Welsh Government should provide clear direction, priorities and support for local authorities, enabling them to adopt proven, innovative approaches to preventative services. Local authorities should be required to provide justification if these services are not implemented.

Response

We agree that prevention is critical to supporting improved outcomes and helping reduce the strain on services. We also recognise the importance of supporting innovative approaches, particularly in the context of constrained finances and growing pressures.

Our role is to work in partnership with the sector to innovate and share practice, not to introduce additional requirements which risk undermining local decision-making and adding unnecessary complexity. This approach aligns with our commitment to the principle of subsidiarity, ensuring decisions are taken as close as possible to the communities they affect, thereby respecting the separate democratic accountability of local authorities. The Welsh Government does not believe that directing or requiring specific approaches would be consistent with this principle and have therefore adopted an approach designed to empower local authorities to innovate and tailor solutions to local needs.

The WLGA leads the Sector Led Improvement Board to deliver its plan to provide support for digital, data and improvement for the whole sector. We support this plan with £2.15m of funding to support innovation and share practice. In addition, Public Services Boards (PSBs) provide a mechanism for public sector bodies on a local footprint to deliver well-being plans. PSBs provide strong platforms for collaboration, enabling partners to pool resources and share expertise using the five ways of working – of which, one is prevention.

We recognise the importance of innovation and future planning, and while implementation rests with local authorities and their partners, we will continue to provide strategic support and guidance, where appropriate. Our philosophy remains clear: to enable and support sector-led improvement through collaboration and knowledge sharing, reflecting our confidence in the sector's ability to lead sustainable change.

Overall funding for Housing and Regeneration

Conclusion 3

The availability of an updated cost benefit analysis could have been useful to the Cabinet Secretary in securing a higher percentage of the overall budget for housing and regeneration and we are disappointed that our recommendation from last year has not been taken forward, despite having been accepted by the Welsh Government. The Welsh Government should press ahead with progressing an updated cost benefit analysis of the impacts of investing in housing and regeneration on wider public spending.

Response

The benefits of investment in housing on wider public spending are well established and evidenced. This has informed our sustained level of record investment in affordable housing, which is driving delivery.

Recent evidence was provided in the report published by **Savills**, who assessed the impact of housing associations in Wales across key themes (people, economy and public services).

An evaluation of the Transforming Towns Programme has already been commissioned and will result in a report early next year (March 2026). The evaluation will look at the impact of our investment for supporting regeneration projects in Wales.

We are using this information to support our strategy development and to ensure that strategic investment in homes across all tenures is something which will form part of future cross-government budget planning.

Homelessness and housing support

Conclusion 4

We believe the Welsh Government should be more proactive in pushing for an uplift to the rates of Local Housing Allowance that local authorities can claim to offset the costs of temporary accommodation. The Welsh Government has written to the UK Government, but we believe more robust efforts are needed.

Response

The Welsh Government shares the Committee's concern regarding the impact of current Local Housing Allowance (LHA) rates applicable to temporary accommodation, which limits local authorities' ability to offset the costs of providing temporary accommodation for people experiencing homelessness.

We will continue to strongly press UK Government for an uplift to LHA rates.

Conclusion 5

Housing Support Grant is a key area of preventative spending and should be prioritised for additional funding in line with recommendation 5.

Response

We agree with the Committee that the Housing Support Grant (HSG) is a key area of preventative spending. The Welsh Government has continued to prioritise investment for the HSG and increased the budget by over 60% - or £77m - since it was established in 2019. We have consistently baselined budget increases and are building on them in the 2026-27 Draft budget.

In addition to the £4.1m funding uplift allocated at the draft budget stage, we have allocated a further £2.6m to Homelessness Support & Prevention at Final

Budget towards addressing unfunded Real Living Wage pressures. This means an additional £6.7m to the Housing Support Grant in 2026-27, taking the total budget to £211m. This will support frontline stability and demonstrates our commitment to the most vulnerable at risk of homelessness.

Housing supply

Conclusion 6

In light of the upward revision of inflation following the UK Government's Autumn Budget Statement, we note that the Welsh Government's success in achieving 20,000 homes by the end of 2026 depends on a series of assumptions that are going to be challenging to reach.

Response

We recognise the ongoing challenges the sector is facing. Since 2021, we have faced a global pandemic, a cost-of-living crisis, the impact of Brexit on supply chains, high inflation and a disastrous mini-budget at the hands of the previous UK Government – all significantly impacting the housebuilding sector.

The projected delivery we **published** in November represents our pipeline across 2026 - and what the sector has told us we can expect our trajectory to be, in the context of these and other challenges.

The estimates are drawn from management information collected throughout the year. This data supports monitoring of housing delivery linked to government funded programmes. Alongside the statistical release, we published a Chief Statistician's blog which provided users with additional information on the strengths and limitations of both the official statistics and the management information. The Office for Statistics Regulation has supported our approach to publishing more timely management information alongside the accredited official statistics.

There is also a natural time lag between investment being made and housebuilding completions which is why the statistics show increased delivery as we near the end of the Senedd Term.

Maintaining budgets at record levels is a significant part of maintaining the confidence of the sector and continuing to meet future ambitions.

We continue to monitor delivery progress and, with the support of the 'Affordable Housing Taskforce Recommendations – Implementation Group',

progress work to address barriers to delivery including by identifying public land, resourcing the planning system, tracking schemes and skills support.

Building Safety

Conclusion 7

Over several years we have raised the pressing need for the pace of remediation work on high-rise residential buildings to increase and we will continue to do so. Despite this, and despite the assurances given by the Welsh Government that undertaking the remediation work is a priority, we are deeply concerned that leaseholders continue to raise significant concerns with us at the lack of progress. The continued underspends from this fund are a demonstration that the current approach to remediation has not resulted in work being undertaken at the pace required. The Cabinet Secretary chose not to use the Building Safety (Wales) Bill to legislate for this work, which led us to recommend that provisions for legally enforceable deadlines and sanctions in respect of remediation, and for penalties for failures by developers to address deficiencies, are brought forward.

Response

As stated in response to Recommendation 9 above, fire safety remediation work is incredibly complex. The programme is being progressed at the fastest pace possible, and the availability of budget has had no negative impact on delivery. Furthermore, as the Cabinet Secretary for Housing and Local Government stated in her response to the Committee's Stage 1 report on the Building Safety (Wales) Bill, it would not be appropriate to include legally enforceable deadlines for remediation in the Bill. Developers have signed up to a contract committing to remediate the buildings they are responsible for.

Land

Conclusion 8

We are disappointed that this draft budget does not demonstrate any change in the Welsh Government's approach to land compared with previous years. Rather than relying on receipts from land sales at market rates, the Welsh Government should recognise that investment in public land, and the work of the Land Division, is a vital aspect of social housing supply and needs to be scaled up in order to develop the large-scale sites that Wales needs.

Response

The current draft budget position has not had a negative impact on the Land unit's activity. While sale receipts are currently needed to address the negative revenue position, the sales are still progressing on the basis of maximising policy outcomes, rather than generating maximum receipts. This is evidenced by the recent disposal of land at Cosmeston Farm to Barratt Redrow where the overall development, both affordable and private market, will be to Welsh Development Quality Requirement standards. This will comprise 50% affordable and the overall development will be net zero carbon in operation.

The Land unit within Place Division is continuing to pursue a number of potential land acquisitions throughout Wales. It is targeting stalled development sites, with the aim of de-risking them following acquisition and contributing to the referenced pipeline of sites for affordable housing led developments. The budget position has not had an impact on this activity.

On the issue of transferring land at a discount to Registered Social Landlords for example, it is important to note that the land will be transferred at market value. The "market value" will reflect the Welsh Government's policy position for the site and will likely deliver more affordable housing than what is identified within the local development plan and to higher standards. This is therefore likely to be at a lower value than could be potentially achieved in the market.

We will continue to keep the Land unit's budget under review to ensure that its activities are not being hampered by pressure to sell land to raise funds.



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA/JB/0084/26 (JB/PO/43/26)

Peredur Owen Griffiths MS
Chair
Finance Committee
Senedd Cymru

CC: John Griffiths MS (Chair of the Local Government and Housing Committee and Mike Hedges MS, Chair of the Legislation, Justice and Constitution Committee

27 January 2026

Homelessness and Social Housing Allocation (Wales) Bill – Revised Explanatory Memorandum and Regulatory Impact Assessment

Dear Peredur,

Following completion of stage 2 proceedings in respect of the Homelessness and Social Housing Allocation (Wales) Bill and in line with Standing Order 26.28, a revised Explanatory Memorandum (EM) has been laid to reflect new, amended or removed provisions made during this stage. I would like to bring several relevant changes to the Committee's attention.

Changes have been made to the Regulatory Impact Assessment (RIA) as result of the new or amended provisions, resulting in amendments to our cost benefit analysis and affordability assessment. Changes have also been made in response to recommendations from the stage 1 Committees and the Explanatory Memorandum and Explanatory Notes have been revised to reflect the Bill at the end of stage 2, alongside some stylistic amendments and edits. A number of amendments made at stage 2 will not result in any additional costs and they are not discussed further.

Changes made to the Regulatory Impact Assessment (RIA) as result of new or amended provisions.

Section 17: Help to retain suitable accommodation secured in exercise of homelessness functions

At stage 2, section 17 of the Bill was amended to confer a discretionary power on local housing authorities to continue assisting an applicant in retaining their accommodation by taking reasonable steps to ensure it remains available for occupation, even after the statutory duty has ended. We have revised the RIA to provide cost estimates for use of this power.

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Section 43 - Progress reports on bringing the Act into force

At stage 2, section 43 was inserted into the Bill to require the Welsh Ministers to prepare progress reports if the Act is not fully in force by specified dates (31 Dec 2028, 31 Dec 2029 and biennially thereafter). These reports must set out the progress made in bringing the Act into force and further steps to be taken by the Welsh Ministers or any other person to bring the Act fully into force. An additional, recurring costs has been added to the RIA to support this change.

Section 38 - Review of the operation and effect of changes made by the Act

At stage 2, section 38 was inserted into the Bill to place a duty on the Welsh Ministers to undertake a post-implementation review of the operation and effect of the changes made by the Act. An additional one-off cost has been added to the RIA to support this change.

Transition costs

An additional cost has been added to the proposed transition costs to create sustainable training materials for local authorities which will support an ongoing offer of learning and development related to the legislative change. This change has resulted from recent pre-implementation discussion with local authorities.

Further work on Committee recommendations

The Finance Committee recommended that I work with local authorities to agree the standardised information to be included in all Common Housing Registers, identify any gaps in the information currently collected by existing registers, and confirm whether the requirement to maintain a Common Housing Register remains cost neutral for those local authorities currently operating registers.

My officials have undertaken further work in response to this recommendation; all local authorities have been surveyed, and responses have been received by 22 of the 22 authorities in Wales. Every respondent has confirmed that, whether they hold a CHR or not, they hold the specific types of information that would be held on a CHR. I remain confident that the requirement for Common Housing Registers will be cost neutral.

Duty to retain revised assumption

The Local Government and Housing Committee requested that further analysis of the potential need under the duty to provide help to retain suitable accommodation be undertaken. My officials have considered further our assumption on this duty and looked for further, alternative evidence.

Our original assumptions were based on the number of households found to be threatened with homelessness due to the loss of rented or tied accommodation. As we set out in the RIA, this will include a range of experiences, including no fault evictions, so must not be assumed to relate just to people who have been unable to sustain a tenancy due to lack of support. We, therefore applied a ratio (based on the evidence of three local authorities who were able to provide relevant detail) to this figure to estimate proxy demand.

There is no further, reliable data in Wales on support needs for homelessness applicants. However, evidence, collected as part of a homelessness data collection in England

provides some additional evidence relating to the support needs of applicants there, which we have used to revise our estimates for demand. We have done so, alongside a revision of the baseline total, against which this percentage is applied. It is very likely that this leads us to an over-estimate of potential costs but given the views of stakeholders and the Committee recommendation, we have erred on the side of over-estimation in this case, flagging relevant caveats in the document. The RIA, therefore, now contains cost estimates on these revised assumptions and for the additional power added at stage 2 (as set out above).

Sensitivity analysis

The Finance Committee recommended that I conduct a sensitivity analysis in relation to the public sector cost of homelessness and include this potential range of costs in the revised RIA.

The sensitivity analysis is provided at annex B. The analysis models various annual increases in homelessness, ranging from 0% to 10%. Any increase in the annual rate of growth of homelessness leads to an increase in the Net Present Value (NPV) and Benefit - Cost ratio (BCR) of the Bill. This is because any additional implementation costs incurred through having to support more people are outweighed by the additional financial and societal benefits derived from providing that support.

My officials have also reviewed and edited unnecessary text and made other stylistic changes. These have no bearing on the cost estimates contained within the document.

I would like to take the opportunity to again thank each of the Committees for their scrutiny of the Bill.

Yours sincerely,

A handwritten signature in black ink that reads "Jayne Bryant". The signature is written in a cursive, flowing style.

Jayne Bryant AS/MS

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government

—
**Local Government
and Housing Committee**

Jayne Bryant MS
Cabinet Secretary for Housing and Local
Government
Welsh Government

26 January 2026

Dear Jayne

Building Safety (Wales) Bill

Thank you for your response to the Committee's stage 1 report on the Building Safety (Wales) Bill, which we discussed at our meeting on 21 January.

Following discussion with the Committee I would like to provide further explanation of the basis for recommendation 8 in the report as it appears that our reasons for making this recommendation may have been misunderstood, and as the recommendation relates to a matter on which strong sentiments were expressed during stage 1 proceedings. Recommendation 8 was that:

'The Welsh Government should provide clear justification for the inclusion of Category 3 buildings within the new building safety regime in terms of impact on the safety risk profile of Category 3 buildings. Due to insufficient evidence that the proposed approach to Category 3 buildings and HMOs is proportionate, the Welsh Government should consider adopting a stratified risk-based approach so that higher-risk Category 3 buildings and HMOs are brought into the new regime ahead of lower-risk Category 3 buildings and lower-risk HMOs.'

In your response to this recommendation you noted that the justification for including category 3 buildings and HMOs in the new building safety regime is that these are not 'low risk' buildings. You also commented that delaying implementation to allow for a phased approach to the inclusion of such buildings within the new regime (as recommended by us) would have no benefits at all.

I would like to clarify that the Committee does not consider all category 3 buildings and HMOs to be low risk. As will be the case with all other types of buildings the fire safety risk profiles of each category 3 building and HMO will vary and our recommendation acknowledges that some such

buildings are high risk. Rather our recommendation reflected the strong evidence received at stage 1 that the building safety workforce in Wales does not currently have the capacity and skills required in order to be able to effectively implement the Bill's requirements in respect of all buildings to which the new regime will apply, within the Government's proposed timetable. Whilst many witnesses felt that implementation of the new regime within the proposed timetable should be manageable in respect of category 1 and 2 buildings, widespread and significant concern was raised about the workforce's ability to implement requirements effectively in respect of category 3 buildings and HMOs within proposed timeframes.

We appreciate that only some of the requirements set out in the Bill will apply to category 3 buildings and HMOs i.e. fire safety requirements, and that this provides some proportionality. However the common view of those who engaged in our stage 1 work was that effectively implementing fire safety requirements in respect of all category 3 buildings and HMOs within the proposed timetable will not be possible due to workforce constraints. Accordingly, other recommendations in our report focus on measures to be taken to enhance capacity and improve skills within the workforce over time, in order that the new regime can be implemented effectively in future for all regulated buildings. The recommendation for a phased approach to implementation in respect of category 3 buildings and HMOs was aimed at allowing for effective implementation of the Bill's requirements and to avoid risk of failure in implementation, whilst workforce capacity and skills are developed.

I appreciate that category 3 buildings and HMOs are already subject to fire safety measures under the Fire Safety Order 2005 and the Welsh Government's view that the new fire safety obligations imposed by the Bill are not significantly more onerous. However the view commonly expressed by those who engaged in our stage 1 work is that the Bill's obligations cannot be met effectively within current workforce constraints, in respect of those buildings.

Building safety information published by the Welsh Government acknowledges that some buildings which will fall within category 3 carry a higher fire safety risk than others. For example according to data in the 2021 Safer Buildings White Paper, HMOs carry the highest level of risk, followed by converted flats, then bungalows and then purpose-built flats. Such data could potentially be used as a basis for a phased, risk-based approach to the imposition of the Bill's duties in respect of the significant volume of category 3 buildings in Wales. In addition, HMOs and converted flats are broad categories within which there will be variation in risk, and the Welsh Government may be able to identify factors such as size of building, age, or presence of shared kitchens, that may enable further risk stratification.

I would welcome further consideration of recommendation 8 by the Welsh Government during the amending stages of the Bill and any further thoughts on this issue you wish to share with the Committee.

Yours sincerely,

A handwritten signature in black ink that reads "John". The letters are cursive and connected.

John Griffiths MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Our Ref: JB/PO/49/26

John Griffiths MS
Chair, Local Government and Housing Committee
Senedd Cymru
Cardiff
CF99 1SN

28 January 2026

Building Safety (Wales) Bill

Dear John,

Further to my letter of 19 December 2025 in response to the Local Government and Housing Committee's recommendations, and your subsequent reply, I am pleased to provide additional information in response to recommendations 8 and 9.

With regard to recommendation 8, I note the Committee's comments. This matter is also the subject of several Stage 2 amendments tabled by Joel James. I will have more to say when the Committee considers those amendments on Thursday, including about the possibility of Government amendments at Stage 3.

With regard to recommendation 9, we are planning for a phased commencement of the new building safety regime which recognises the broader building safety environment and the need to support stakeholders through implementation. Given the large number of in-scope buildings in Category 3, we are currently planning for duties to commence in 2028, which will allow local authorities and duty-holders to acclimatise and adjust to the new regime.

We are expecting the transition to Category 3 to be relatively smooth for duty-holders, given that Category 3 buildings are already subject to fire safety duties under the Fire Safety Order, including the need to have fire risk assessments. However, the new fire safety duties we are introducing will be fit for residential buildings. The other duties we are introducing for Category 3 buildings relate to engagement with residents and resident complaints. Whilst these are new duties, they represent good practice that we would expect landlords and building owners should be already doing.

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I am copying this letter to the Chair of the Finance Committee and Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely

A handwritten signature in black ink that reads "Jayne Bryant". The signature is written in a cursive, flowing style.

Jayne Bryant AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Our Ref: JB/PO/51/26

Peredur Owen Griffiths MS
Chair Finance Committee
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28 January 2026

Building Safety (Wales) Bill

Dear Peredur,

Following my letter of 19 December 2025 in response to the Finance Committee's recommendations, I am pleased to provide additional information below.

Further to my response to recommendation 3, I said I would write to you with information on the funding allocated to local authorities, along with an explanation of activities that the funding can be used to deliver.

£410,000 has been awarded to 13 local authorities in this financial year to begin preparatory work for the new regulatory functions under the Bill.

The funding may be used to prepare for the forthcoming building safety authority functions or delegation of those functions, including:

- a. Identifying relevant skills gaps within the local authority,
- b. Activities aimed at addressing relevant skills gaps,
- c. Provision of relevant learning and development opportunities for staff,
- d. Activities aimed at supporting effective joint working between the future enforcing authorities under the Bill,
- e. Other activities to assist the local authority in preparing to take on the functions of the building safety authority,
- f. Any work undertaken with the Welsh Government to prepare for implementation of the Bill (for example, to support the costs or workforce workstreams).

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As the Bill will be implemented in a phased manner, we have determined that funding for the current financial year should be prioritised for those local authorities with Category 1 buildings.

For this tranche of funding, 13 local authorities are eligible, as indicated in Annex 1. We have allocated a baseline of £20,000 for each local authority, with the remaining funding being allocated based on the proportion of Category 1 buildings in each authority area.

We have asked local authorities to provide reports setting out how this funding has been utilised by 31 March and I will ask officials to provide a further update once those reports have been received.

Further to my response to recommendation 6, I undertook to provide an update on the costs workstream.

We began to test the initial assumptions underpinning the Regulatory Impact Assessment (RIA) with local authorities in January 2025. Then in the summer of 2025, I wrote to all local authorities about our plans to establish a costs workstream to build on the work we had already undertaken for the RIA. That workstream met for the first time in September and has been attended by a number of local authorities along with representatives of the WLGA. The group has met monthly, and there have been additional meetings held to focus on progressing specific aspects of the work. This work will contribute to updates to key elements of the RIA, including the transitional costs and costs relating to the building certificate function and enforcement. Overall, this has resulted in an increase to the 10-year PV cost estimate for the building safety authorities of approximately £2m, with the majority of the changes relating to enforcement in Category 1 buildings and transitional costs. The updated cost estimate will be included when I issue a revised RIA after Stage 2.

The work to date on this has been extremely valuable, and I would like to put on record my thanks to the local authorities that have engaged with us in this endeavour. But there is more to do. The costs workstream will be continuing its work to review and develop the cost analysis, which will include ensuring that it reflects the discussions we are having with local authorities about the identification of a host authority for each of the three building safety authority regions.

I hope this information is helpful.

I am copying this letter to the Chair of the Local Government and Housing Committee and Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely

A handwritten signature in black ink that reads "Jayne Bryant". The signature is written in a cursive style with a large, stylized 'J' and 'B'.

Jayne Bryant AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government

Annex 1: Allocations for Transitional Funding 2025-26

Local Authority	Cat 1 buildings	Total
Cardiff Council	99	£102,500
Conwy County Borough Council	1	£20,833
Flintshire County Council	3	£22,500
Gwynedd Council	4	£23,333
Isle of Anglesey County Council	3	£22,500
Merthyr Tydfil County Borough Council	1	£20,833
Neath Port Talbot Council	8	£26,667
Newport City Council	7	£25,833
Pembrokeshire County Council	1	£20,833
Swansea Council	42	£55,000
Torfaen County Borough Council	3	£22,500
Vale of Glamorgan Council	6	£25,000
Wrexham County Borough Council	2	£21,667



Llywodraeth Cymru
Welsh Government

Our Ref: JB/PO/50/26

Mike Hedges MS
Chair Legislation, Justice and Constitution Committee
Senedd Cymru
Cardiff
CF99 1SN

28 January 2026

Building Safety (Wales) Bill

Dear Mike,

Following my letter of 19 December 2025 in response to the Legislation, Justice and Constitution Committee's recommendations, I am pleased to provide additional information below.

Further to my response to recommendation 5; my officials are continuing to work on a draft definition of storey.

Further to my response to recommendations 6 and 7; I have tabled amendments to limit the scope of sections 14 and 16.

As a result of further consideration, I have tabled an amendment which will limit the scope of section 14 considerably i.e. to sections 8 and 9 only. As I have previously outlined, section 14 is designed to enable key terms to be supplemented, for example, to ensure that more unusual ownership models can be accounted for. Recommendation 6 provided that section 14 should be limited to the matters in sections 14(2)(a) and 14(2)(b). This is largely what the amendment that has now been tabled would achieve, although it also retains scope to make further provision for the purposes of sections 8 and 9.

In light of recommendation 7, my officials have given detailed consideration to how the power in section 16 can be limited. The amendment I am bringing forward would limit the power in section 16 to fewer sections. Further, in respect of sections 2, 3 and 6, the power could only be used for the limited purposes specified in section 16. The power would no longer apply to sections 5, 10, 11 or 14. You will be aware the power in section 16 is proposed to enable amendments to be made to the key terms sections and is not about changing the duties under the Bill. This is an important

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power which ensures that, for example, if issues arise during implementation, or in the future (perhaps with new building designs) amendments can be made so as to ensure the Bill works as intended.

I appreciate that the amendment to section 16 does not go as far as recommendation 7. However, I am wary of eroding this power further, as to do so would risk delay in making any necessary changes i.e. by having to wait for a primary legislation opportunity. A delay could potentially leave some buildings not adequately regulated, impacting on the effectiveness of the safety regime for those buildings.

The section 16 power is not intended to reduce Senedd scrutiny, rather to ensure that timely amendments can be made to certain key terms should this be necessary. The amendment to section 16 is in addition to the amendment I am bringing forward which, if accepted, would subject any regulations under section 16 to an enhanced procedure (recommendation 8).

In light of amendments to sections 14 and 16, I am now able to provide a full response to recommendation 9. To note, the intention is always to avoid overlapping provision where possible, but this is a complex and technical area where specific powers have been included to ensure the regime can accommodate certain niche buildings/ownership models and where broader powers have been included to ensure the regime can react to changes in the built environment and/or unidentified scenarios.

Please find below a list of when two or more powers in the Bill could potentially be used for the same purpose (along with the rationale):

Provision	Provision (if amendment to section 16 is accepted)	Rationale for the power
Section 4(6)	Section 16(1)(d)	The power in section 4(6) can be exercised in relation to particular circumstances. Whilst there is no intention to exercise this power in the short term, it could be used for more unusual ownership models and building designs where it may not be helpful to add detailed technical descriptions to the face of the Bill. The power in section 16 is a power to amend section 4 of the Bill and could be used more broadly e.g. if there are unforeseen consequences of the definition of “independent part”.
Section 12(3) and (4)(e)	Section 16(1)(i)	The power in section 12(3) can be exercised in relation to particular circumstances and the power in section 12(4)(e) is limited to specifying additional things as part of the “structure and exterior”.

		The power in section 16(1)(i) could be used more broadly to amend section 12 e.g. if there are unforeseen consequences/new building designs, etc.
Section 14	Section 16(1)(g) and (h)	<p>The power in section 14 (taking into account the government amendment) is limited to making further provision for the purposes of sections 8 and 9 including the provision in subsection (2). This is intended to be used for more unusual ownership models e.g. criss-cross leases where all parts of a building are in the demise of one or other residential unit.</p> <p>There are no current plans to use the powers in section 16(1)(g) and (h), but those powers could amend sections 8 and 9, for example if there are unintended consequences from the current definitions that only emerge during implementation.</p>
Section 67(3)(d)	Section 67(8)	The power in section 67(3)(d) is limited to making regulations to exclude HMOs of a particular description from the definition of “relevant HMO”. The power in section 67(8) is broader.

Please find below an analysis of the Henry VIII powers that will be included in the Bill, if my amendments are agreed. I believe these powers to be necessary, reasonable and proportionate.

Power	Why the power is necessary, reasonable and proportionate
Section 16(1) (power to amend sections 2, 3, 4, 6, 7, 8, 9, 12 and 13 and Schedule 1 (some for limited purposes only)).	<p>This regulation-making power is necessary to enable the Bill to be amended to respond to evidence of new and emerging issues and to ensure that the regime can be adapted to respond to such issues. It will also enable amendments to be made e.g. to account for new ownership models or building design. Like most of the other powers in Part 1 there is no current intention to use them. This power is distinct from those other powers as it will enable wider changes to be made, whilst the other powers in Part 1 are generally only to be used to deal with particular circumstances.</p> <p>An enhanced procedure is proposed to apply to this power (to respond to recommendation 8) and the regulations will be subject to the Senedd approval procedure which will allow additional Senedd scrutiny. In addition, there is a duty to</p>

	<p>consult each building safety authority, each fire safety authority and such other persons as the Welsh Ministers consider appropriate.</p> <p>The regulations do not amend any of the duties in the Bill. On balance, the regulation-making power is considered to be reasonable and proportionate.</p>
<p>Section 27(2) (to modify the definition of “building safety risk”)</p>	<p>This is distinct from any other power in the Bill.</p> <p>The Bill is aimed at ensuring that building safety risks are properly assessed and managed. How the risks are assessed and managed, that is, the duties we place on the principle accountable person and accountable persons, and the enforcement of those duties are at the core of this Bill. The Bill is intended to ensure the safety of people in or about regulated buildings by making sure that someone is held accountable for that.</p> <p>The regulation-making power is necessary as new evidence may emerge that there are risks other than fire and structural safety risks that, if not assessed and managed, may result in a risk to the safety of people in or about a regulated building. For example, this could be a risk arising from climate change, such as flooding.</p> <p>In response to recommendation 9 I have tabled an amendment which, if agreed, will apply an enhanced procedure to regulations under section 27(2).</p>
<p>Section 41(9) (amend the period of time when a further building certificate application must be made – to change from 5 years).</p>	<p>This is distinct from any other power in the Bill.</p> <p>The regulation-making power is necessary to allow flexibility to decrease or increase the five-year period depending on any emerging evidence about building safety risks.</p> <p>The regulation-making power is reasonable and proportionate because new evidence may emerge indicating that this timeframe should be changed. The scope of the regulation-making power is limited to only adjusting the time period.</p>
<p>Section 56(4) (amend list of “reviewable</p>	<p>This is distinct from any other power in the Bill.</p>

<p>decisions” and meaning of “affected person”)</p>	<p>This regulation-making power is necessary to provide flexibility to change the list of decisions of a building safety authority that may be reviewed on request and that may subsequently be appealed to the residential property tribunal. It also allows for a change in the description of persons who may request a review and appeal.</p> <p>The regulation-making power is reasonable and proportionate as it allows for amendments to be made if, in the light of the experience of implementation, it appears appropriate that additional or different decisions should be able to be reviewed and appealed, or that additional or different types of people who are affected by decisions should be able to request reviews and appeals. It is deemed appropriate for this type of amendments to be made via regulations.</p>
<p>Section 62 (new section 30IC of LTA1985 – meaning of building safety measure) – can amend subsections (2), (3) or (4) to amend “building safety measure”.</p>	<p>This is distinct from any other power in the Bill.</p> <p>The regulation-making power in this section is necessary in order to allow the Welsh Ministers to amend the definition of a building safety measure, should it appear in future that the definition should be amended. It may be necessary to amend the meaning of building safety measure if, for example, it is considered that the cost of compliance by accountable persons with additional duties should be recoverable though variable service charges payable under certain types of lease. A regulation-making power will enable this flexibility.</p> <p>The regulation-making power is reasonable and proportionate as it is limited to adding, removing or modifying the definition of a building safety measure. It is therefore considered appropriate for these changes to be made by secondary legislation.</p>
<p>Section 64 (new section 20FA of LTA1985 – limitation of variable service charges: excluded costs for regulated buildings). Can amend the definition of</p>	<p>This is distinct from any other power in the Bill.</p> <p>The regulation-making power in subsection (5) allows the Welsh Ministers to amend the definition of “excluded costs” in subsection (3) by adding, removing or modifying a description of excluded costs.</p> <p>The regulation-making power in subsection (5) is necessary to allow the Welsh Ministers to amend the definition of “excluded costs” should it appear that the definition should be amended.</p>

<p>“excluded costs” in new section 20FA.</p>	<p>This is to ensure that the liability for costs is passed on through service charges appropriately and that, for example, costs incurred by an accountable person because certain enforcement action has been taken against them is not recoverable through a service charge. A regulation-making power will enable this flexibility.</p> <p>The regulation-making power is reasonable and proportionate as it is limited to adding, removing or modifying the definition of “excluded costs”. It is therefore considered appropriate for these changes to be made by secondary legislation.</p>
<p>Section 67(8) (meaning of relevant HMO) power to amend section 67.</p>	<p>This is distinct from any other power in the Bill.</p> <p>The regulation-making power enables section 67 to be amended, for example to enable the meaning of ‘HMO’ for the Bill to be brought in line with changes outside of the Part 2 regime. This power provides the flexibility going forward.</p>
<p>Section 86(7) (appeal against prohibition notice) power in section 86(7) to amend who can appeal against a prohibition notice.</p>	<p>This is distinct from any other power in the Bill.</p> <p>The regulation-making power in section 86(7) is necessary in order to amend the list of persons in subsection (2). An example of when this may be necessary is, for instance, where a new entity that has an interest in regulating building safety is created, or if such an interest arose out of a new form of housing tenure. These regulations may be needed in light of future wider policy or legislative change, including new information obtained during implementation and subsequently. This regulation-making power provides flexibility should there be a need to amend this list in future. For example, if the meaning of building safety risk is modified using powers in section 27(2), then there may be other persons that have an interest in the management of that type of risk, that may need to be added to this list.</p> <p>The amendments are likely to be technical in nature, and it is therefore considered reasonable and appropriate for these changes to be made by secondary legislation.</p>
<p>Section 112(3) (consequential and transitional etc. provision).</p>	<p>This regulation-making power is necessary to ensure that incidental, supplementary, consequential, transitional and saving provision, including amendments to legislation, can be made to ensure that the Bill works together with other laws.</p>

<p>Paragraph 21(3) of Schedule 2 (Welsh Ministers can amend paragraph 21 to change the meaning of “interested person” – who is someone who must, for example, be given certain information about Special Measures Orders).</p>	<p>This regulation making-power is necessary to provide flexibility should there be a need to amend this list in future. For example, if the meaning of building safety risk is modified using powers in section 27(2), then there may be other persons that have an interest in the management of that type of risk, that would need to be added to this list.</p> <p>The amendments are likely to be technical in nature, and it is therefore considered reasonable and appropriate for these changes to be made by secondary legislation.</p>
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I am copying this letter to the Chair of the Local Government and Housing Committee and Chair of the Finance Committee.

Yours sincerely



Jayne Bryant AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
 Cabinet Secretary for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Our Ref: JB/PO/53/26

Stuart Ropke
Chief Executive
CHC

28 January 2026

Dear Stuart,

As we head towards Stage 2 Committee of the Building Safety (Wales) Bill, I wanted to write to update you on some matters I'm aware that CHC has raised concerns about. I know we have a shared interest in ensuring a building safety regime that is fit for the future and effectively implemented, and so I wanted to put on record my thanks for the ongoing engagement of your team with my officials.

You'll be aware I'm sure from the engagement with my officials that as part of our work to prepare for implementation we are considering the cost implications of duties provided for in the Bill and how these might be funded. Decisions on long term funding will be for a future Government, but the necessary development and engagement work is well underway.

Data consistently show a higher rate of fire casualties in HMOs and buildings converted into flats (almost all of which are in Category 3) than in purpose-built blocks. The Bill does not impose wholly new safety duties on these premises; it contains duties that are similar to those that already exist in the FSO, but which are tailored to the risks in residential buildings. I am aware that this point, in particular, has been subject the subject of discussion between my officials and your team.

Let me deal with some other matters that I'm aware you have raised:

Trigger points

I appreciate your concerns on the "trigger points" that would require a new fire risk assessment to be completed, especially the trigger point for disability adaptations. A non-Government amendment which provides that the requirement for a new fire risk assessment is only triggered where a building is *first* adapted to meet the needs of disabled residents has been tabled, which I support. It is important that an assessment takes place following the first time the building is adapted, on the basis that such individuals are often both more likely to experience a fire and less likely to be able to escape unaided.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

So, when a building is first adapted (and, in consequence, it is reasonable to assume that one or more residents are disabled), the risks in it are very likely to change significantly and should be reassessed. If that is done, then I accept it is not always necessary to conduct a further assessment after any further adaptations are made, as the fire risk assessment should already cover the risks arising from there being disabled residents. The Bill provides that a further fire risk assessment is required if the Principal Accountable Person for the building has any other reason to suspect the current assessment is no longer suitable or sufficient. Significant further adaptations to a building, even if these are not the first adaptations, could trigger this requirement.

'Cliff edge'

I believe it is important that Principal Accountable Persons conduct fire risk assessments under the Bill promptly, so that the safety benefits to residents begin to accrue. But again, I have some sympathy with the views of CHC, especially as regards blocks of "walk-up" flats that have no shared escape route, where every flat has its own separate external exit. Unlike many other smaller buildings, these are generally low risk because they have no shared escape route that can be obstructed or threatened by fire. As a result, they tend not to be subject to a fire risk assessment as often, so requiring all of them to be assessed within 6 months of the Bill coming into force (or 12 months after the last assessment under the Fire Safety Order, if later) could create undue costs and a spike in demand for competent assessors that the market may not be able to meet. I will consider amending the Bill at Stage 3 to address this matter as regards "walk-up" blocks in particular.

Broad definition of common parts

Regulations under the Bill will make clear the extent to which assessments must cover particular parts of residential units. In practice the walls and floors separating residential units from each other and from the common parts are key elements in preventing the spread of fire to and from residential units. Accountable persons are generally not able to control the risks within a flat (such as the contents of the flats or the behaviour of residents in their own homes) and so the fire risk assessment would not be required to cover these parts.

Fragmented safety structure

Sections 33 and 34 of the Bill place responsibility for assessing and managing structural safety risks on the Accountable Person. This is to ensure it is the person who owns or who has the "relevant repairing obligations" who is responsible for the assessment and management of the structural safety risks relating to that part of the building. This approach does not seek to prevent a Principal Accountable Person and Accountable Person (or persons) from working in a coordinated way on the assessment of structural safety risks. However, I am keen to avoid a scenario in which the Principal Accountable Person, in having to undertake an assessment for the whole building, is more likely to consider that a full structural survey is required because they are not familiar with those parts for which they do not have repairing obligations.

The current intention is not to require structural surveys as part of the structural risk assessment, as this would not be appropriate for all buildings. Stakeholders have advised they would be very concerned about an environment in which structural surveys become a 'default' requirement since in practice, for many buildings, they may not be necessary.

This approach is different to the one taken in the Bill in relation to the assessment of fire safety risks, where the Principal Accountable Person is responsible for the fire risk assessment. This is an important distinction, as it is important that there is only one fire risk

assessment for the building under the Bill. Fire is also a dynamic hazard which can spread throughout a building, regardless of who might own or have repairing obligations for parts of it. The challenge is not the same when it comes to structural safety risks.

The Bill places a duty on Accountable Persons and Principal Accountable Persons to co-operate and co-ordinate in relation to carrying out their duties under the Bill and its associated regulations. Where the risks in one part of a building can only be remedied by action in another this duty to co-operate and co-ordinate will help to ensure a coherent approach is taken to managing building safety risks across the whole building.

Other concerns

Renting Homes

I am aware of the issues you raised around the implied terms in leases and fundamental terms in occupation contracts and the need for clarity for landlords and contract holders alike. I am grateful to you for highlighting the issues. My officials are currently considering the best way to ensure clarity for all parties.

Access

The provision in section 53 is not intended to replace existing rights of access. There are often terms in leases allowing landlords to gain access if it is needed. Section 61 of the Bill inserts new section 301A into the Landlord and Tenant Act 1985 which implies terms in relation to access, requiring a tenant to allow certain persons to enter the premises for relevant building safety purposes. A “relevant building safety purpose” includes inspecting the premises and carrying out works to the premises where this is required to enable an Accountable Person to comply with their building safety duties.

There may also be some instances where action needs to be taken urgently. There are alternative options available should more urgent access be required, such as urgent action notices under section 83(3) of the Bill, or access by enforcing authorities.

In many scenarios, the landlord will also be an Accountable Person or Principal Accountable Person, but that will not always be the case. Section 53(4) enables the Accountable Person to apply to the Residential Property Tribunal for an access order if the resident has refused their request for access, providing the Accountable Person has given notice to enforcing authorities, setting out the intention to apply for an access order. Section 53(7) provides that the Residential Property Tribunal may make an access order if satisfied that it is necessary to do so for the purposes set out in the request. This approach balances the need for safety with respect for residents’ homes, ensuring that access is only required to be given when necessary, and subject to clear safeguards and oversight. Residents’ rights are paramount, and we must ensure that the correct processes are being followed when requiring a resident to do something, or not to do something. Applications to the Residential Property Tribunal are also generally more straightforward, and less costly than applications to the courts.

The power in section 112(3) of the Bill can be used to make consequential amendments to *the Residential Property Tribunal Procedures and Fees (Wales) Regulations 2016*, so that a decision of the residential property tribunal, with the permission of the County Court, is enforceable in the same way as County Court orders.

I am grateful to you for raising these issues and hope this letter addresses your concerns.

I am copying this to the Chair of the Local Government and Housing Committee.

Yours sincerely,

A handwritten signature in black ink that reads "Jayne Bryant". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Jayne Bryant AS/MS

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government