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Ymateb gan: Cartrefi Caerffili, Cyngor Bwrdeistref Sirol Caerffili | Evidence from: Caerphilly Homes, Caerphilly County Borough Council

Senedd Cymru | Welsh Parliament

Y Pwyllgor Llywodraeth Leol a Thai | Local Government and Housing Committee

Bil Diogelwch Adeiladau (Cymru) | Building Safety (Wales) Bill

You do not need to answer every question, only those on which you wish to share information or have a view.

1. What are your views on the general principles of the Bill, and whether there is a need for legislation to deliver the stated policy intention?

We broadly welcome the publication of this legislation. There is need for legislation to meet the stated policy intention to reduce the risk to residents in multi occupied and taller buildings with greater fire safety risk.

2. What are your views on the provisions set out in Part 1 of the Bill – Safety of buildings containing two or more residential units (sections 1 -66 and Schedule 1)? In particular, are the provisions workable and will they deliver the stated policy intention?

We agree with the three-category approach and believe this to be proportionate with regards to the risk of each building type. The CiH Cymru response makes a suggestion with regards to sheltered accommodation, and we believe that this is sensible but needs careful consideration how this is progressed and monitored. We believe the registration of category 1 and 2 buildings is appropriate and should be publicly accessible. As we do not have any category 1 buildings we have not commented further on these. We may have some but not many category 2 buildings in our control, more not in our control. As a PAP we understand and recognise the need for resident engagement, and this would build on what we have in place

currently and will be enhanced in this regard going forward. The way in which complaints are dealt with could benefit a centralised approach or some consideration of how it links into individual local authorities existing complaints systems.

3. What are your views on the provisions set out in Part 2 of the Bill – Fire safety in certain houses in multiple occupation (sections 67 – 80)? In particular, are the provisions workable and will they deliver the stated policy intention?

Clarity on what constitutes a HMO from a bill perspective is helpful and this is covered in the attached Housing expert panel response.

4. What are your views on the provisions set out in Part 3 of the Bill – Enforcement and investigatory powers (sections 81 – 97 and Schedule 2)? In particular, are the provisions workable and will they deliver the stated policy intention?

The Housing expert panel response is fully supported regarding enforcement. We are concerned about the skills and capacity of the sector meaning other areas may not be delivered on when we are in austerity and we cannot recruit more competent staff.

5. What are your views on the provisions set out in Part 4 of the Bill – Supplementary and general (sections 98 – 114 and Schedules 3-4)? In particular, are the provisions workable and will they deliver the stated policy intention?

Transition is the only way this will work in reality but all guidance and regulations need to be drafted and consulted on in advance of any transition.

6. What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?

Lack of skills and capacity – no or insufficient funding - priority of this regulation over other core WG priorities which is more important and no funding to support.

7. How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation, as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)?

Appropriate as this will be required.

8. Are there any unintended consequences likely to arise from the Bill?

- capacity within local authorities for building regulator role.
- impact on other WG priorities – decarb, newbuild
- equity of impact without funding given some local authorities will have more to cover than others.

9. What are your views on the Welsh Government’s assessment of the financial implications of the Bill, as set out in Part 2 of the Explanatory Memorandum?

We believe this to be an underestimation as there will be potential unforeseen cost to implement the bill, increase of staff, possible new IT systems or upgrades, new experts to be employed such as FRA specialists, future training requirements across existing and new staff, administrative burden on councils, linked to response on Q8.

10. Are there any other issues you would like to raise about the Bill and the Explanatory Memorandum or any related matters?

Without funding the impact of this delivery across all councils and not going down the preferred route as expressed by the Housing expert panel response will mean councils will have to drop other WG priorities. Funding must be made available to deliver on this if nothing else changes in the set up in the delivery of the occupation phase.
