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**Ymateb gan: Emily Harbottle. Cascade Risk Management Ltd | Evidence from: Emily Harbottle. Cascade Risk Management Ltd**

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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.

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**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?**

1.

**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?**

2. While the overall framework in Part 1 is a welcome step towards clearer duties for high-risk residential buildings (HRBs), I have concerns about whether the provisions as drafted will fully deliver the stated policy intention. The Bill adopts a siloed approach by requiring separate fire risk assessments (ss.28–32) and structural risk assessments (ss.33–34) but does not explicitly mandate a holistic building safety assessment that integrates multiple hazards and operational risks.

This separation risks reinforcing the very problem of fragmented safety management that has been highlighted repeatedly since Grenfell. In addition, there is no explicit requirement for a Safety Management System (SMS) to underpin the safety case process (s.36), which weakens the accountability framework and makes it harder to demonstrate continuous, systematic risk management.

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Another omission is the absence of an explicit “golden thread” duty as seen in the Building Safety Act 2022 (England). While Chapter 6 (ss.45–47) places duties on accountable persons to keep and provide information, this is closer to episodic record-keeping than to the continuous, digital, lifecycle-wide golden thread of information envisaged by Dame Judith Hackitt’s recommendations. Without such a requirement, Wales risks the same problems of information loss and poor data transfer between design, construction and occupation phases.

In summary, while the Part 1 provisions are workable in a narrow sense, they fall short of the broader policy intention unless strengthened to require holistic building safety assessments, an explicit SMS framework and a true golden thread of information across the building’s lifecycle.

**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?**

3.

**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?**

4.

**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?**

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

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**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)?**

7.

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

8. The first unintended consequence of the Bill is the creation of siloed compliance behaviours, where duty holders focus narrowly on meeting the fire and structural risk assessment requirements without adopting a holistic, system-wide approach to building safety. This will be carried out by experts in their field without a “controlling mind” to understand where fire and structural risk overlap, which is proving to be one of the most serious risk emerging from the new regime in England.

The absence of an explicit Safety Management System (SMS) and golden thread duty risks reduces the regime to a paperwork exercise rather than driving cultural change, potentially leading to inconsistent standards across buildings. In addition, reliance on local authorities as building safety authorities could result in variable enforcement capacity and resourcing pressures, creating a “postcode lottery” in safety outcomes.

Finally, the lack of clarity around the relationship between the safety case report (s.36) and the certificate process (s.41–42) may confuse duty holders, delaying compliance and undermining confidence in the new system.

**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?**

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

10.

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