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**Local Government
and Housing Committee**

Elly Lock, Head of Policy and Research
Community Housing Cymru

cc Duncan Forbes, Trivallis
Dylan Davies, ClwydAlyn

27 October 2025

Dear Elly

Building Safety (Wales) Bill

Thank you for the written and oral evidence provided to the Committee on the above Bill and the further information provided via email on 23 October.

Evidence received by the Committee to date raises a question about the proportionality of the Bill's duties in respect of category three buildings and the balance between improved safety and increased costs. In terms of costs, in your oral evidence to the Committee you mentioned that one housing association has estimated that it would cost £100,000 per annum to undertake fire risk assessments for every building in category 3. We would be grateful if you would explain how this estimate was calculated. This would be helpful for the Committee as it considers concerns expressed by the sector that the Welsh Government's estimated costs for industry (as set out in the [Explanatory Memorandum](#) to the Bill) are under estimated. You will be aware that those concerns were discussed during the Cabinet Secretary for Housing and Local Governments' appearance before the Committee on 22 October.

The Committee would also be grateful for any additional thoughts or information Community Housing Cymru would like to share with us on behalf of registered social landlords in Wales in respect of the proportionality of the Bill's duties relating to category 3s, further to those already set out in your written and oral evidence and email of 23 October.

We would be grateful if you would respond to the question on the cost estimate referenced above and provide any further information by no later than 5 November. I appreciate this is a tight deadline, however it is necessary to receive this information as soon as possible in order that it may be considered as part of our stage one deliberations which must conclude by 28 November.

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.

Wednesday 05 November, 2025

Local Government and Housing Committee

Dear Local Government and Housing Committee,

Thank you for your letter of 27 October regarding the Building Safety (Wales) Bill. We are responding to the queries raised in that letter.

Firstly, you asked us to clarify the £100,000 figure referenced by CHC during our evidence session. This was a cost provided by one housing association to Community Housing Cymru. The housing association in question arrived at this figure because they interpreted an 'annual review' to mean an onsite inspection carried out by a fire competent individual in accordance with current British Standards and Industry recognised best practice. The association has 368 category 3 properties (excluding walk up flats) that are reviewed at present every four years at a current cost of £290 per review. This is a total cost of £106,720 over a four-year cycle (£26,680 per annum 25%). They also carry out FRA reviews of walk-up flats totalling £56,000 over a five-year cycle (£11,200 per annum 20%). Therefore, if they were to carry out Cat 3 and walk-up flats on an annual basis it would cost an additional £124,840 plus admin costs.

In your letter you also asked for any additional thoughts or information we'd like to share in respect of the proportionality of the Bill's duties relating to category 3 buildings. We have been exploring this further with members since our original correspondence on this. It is important to highlight that upon doing so, our concerns encompass a broader lack of clarity over the proposed Fire Risk Assessment (FRA) regime for all buildings, not just category 3. This is because the FRA regime, as set out on the face of the Bill, is the same for all categories of buildings. In headline terms our concerns relate to:

- **What an annual 'review' of the FRA means and who can perform it:** Welsh Government officials have been clear they do not think this review necessarily needs to be undertaken by a competent person, but it is unclear to us and our members in what circumstances it would or would not. Typically category 3 buildings are not annually reviewed as standard at present, so a review of any type would add an extra burden for landlords. Category 3 also includes a wide range of different types of buildings, not all of which represent the same level of risk (for example 'walk up' flats/maisonettes) but would be reviewed at the same intervals as category 1 buildings under this proposal. Conversely, category 1 buildings typically are reviewed annually by a competent person or someone with fire safety knowledge. It is unclear if this is intended to continue under the new regime. We understand guidance is intended to clarify some of the above, but absent seeing that it is hard to assess impact effectively. We'd welcome any further clarification the committee can get on this through e.g. ministerial statements, but at this point

in time we fundamentally cannot see how annual reviews for low-risk buildings are proportionate.

- **Whether the trigger points for redoing an FRA are proportionate:** the legislation sets out a broad range of trigger events that would require a FRA to be undertaken by a competent person, but does not qualify these in any way as needing to have an impact on fire safety. For example, planning approval could be given for works that do not affect fire safety significantly. There is a risk that such trigger events occur excessively for some buildings, and rarely for others. This does not seem intuitively sensible, as it could leave some high risk buildings without an FRA review by a competent person for a theoretically indefinite amount of time (until a trigger event occurs), whilst theoretically requiring multiple FRAs by a competent person for low risk buildings that happen to have hit multiple trigger events in quick succession.
- **Whether, as drafted, individual dwellings could be included in an FRA:** whilst we understood it is not Welsh Government's intention that the FRA will include individual dwellings (other than what would already be covered by an FRA under the FSO, like the compartmentation between dwellings and fire doors in buildings), we think there is some ambiguity in the drafting at present which needs to be reviewed. S.28 sets out that an FRA must be completed for relevant parts which are all parts of the building that an accountable person is responsible for. S.15 notes that regulation will set out the parts of buildings for which an accountable person is responsible and that this may provide that the part of a building an accountable person is responsible for is the whole of the building. Relatedly, there are a number of buildings which are complex, mixed use, dispersed etc where accountable persons and approach may be particularly complicated.
- **Overall risk of costs being driven up for competent fire risk assessors**

In relation to category 3 buildings more generally, we are keen to ensure the proposed complaints process does not duplicate existing structures and aligns with the standard set by the Public Service Ombudsman for Wales. Welsh Government officials have assured us this is the intention. We have also agreed to work with Welsh Government to ensure that documentation provided to residents is meaningful and not overwhelming in technicality or length, including 'making available' some documentation.

In terms of next steps, we are working with members to gather more information on the potential implications of this proposed new regime, as well as considering a legal opinion. We have also been having constructive discussions with Welsh Government officials, who have been clear that their intention is to ensure a simplified FRA regime that does not go significantly beyond current practice. We welcome this intention to improve consistency and deliver a clear approach. We are not yet convinced that the regime set out passes this test. We have ongoing engagement with officials

planned to explore our concerns further. We believe the concerns we have set out demonstrate that more time needs to be taken to ensure a proportionate approach for category 3 is in place through consultation with the sector. A potential route through this would be to take regulation making powers in relevant sections that allow the sector to continue engaging with the Welsh Government on the details.

We will be happy to provide further information or discuss this further as useful,

Best

Elly Lock

Head of Policy and Research, Community Housing Cymru