

Report to	Governance & Audit Committee
Date of meeting	19 th March 2025
Lead Member	Alan James
Head of Service	Emlyn Jones
Report Author	Jordan Collins, Business Improvement Lead Officer
Title	Audit Wales Report: 'Cracks in the Foundations – Building Safety in Wales'

1. What is the report about?

- 1.1. To give an overview of the Audit Wales Report on 'Cracks in the Foundations – Building Safety in Wales' and subsequent management response to local authority recommendations.

2. What is the reason for making this report?

- 2.1. To summarise the review conducted by Audit Wales.
- 2.2. To detail the management response to the recommendations from Audit Wales and how our Building Control section have responded to the recommendations proposed.

3. What are the Recommendations?

- 3.1. That the Committee confirms it has read, understood and taken account of the content and recommendations in the Audit Wales report (Appendix 1).
- 3.2. That the Committee notes the agreed actions in the management response (Appendix 2).

4. Report details

- 4.1. Following the events of the fire at Grenfell Tower in 2017, an independent review into Building Regulations and fire safety was undertaken and findings published in 2018. The review raised serious concerns about the existing building safety regime and subsequently recommended a new framework to be implemented i.e. Building Safety Act 2022.
- 4.2. The introduction of this act marks the most significant change to building safety regulations since 1984 with a number of significant responsibilities assigned to LA' and officers.
- 4.3. The new Building Safety Act 2022 aims to improve the safety of high rise and non-standard construction buildings by establishing additional regulations for the design, construction, maintenance and occupation of such buildings.
- 4.4. The Building Safety Act 2022 also introduced new requirements to ensure that all Building Control Officers demonstrate their competency at one of three levels (Domestic, General & Specialist). The regulations required that all demonstrate competency and become registered with the Building Safety Regulator prior to the 1st October 2024.
- 4.5. In order to understand the current position of LA's and with the intention to demonstrate compliance with the new act, Audit Wales published the report 'Cracks in the Foundations – Building Safety in Wales' (Appendix 1).
- 4.6. The Audit Wales report published in August 2023, evaluates how the Welsh Government, local authorities are implementing the Building Safety Act.
- 4.7. The report considered all Building Control LA's in Wales, taking into account their capacity to implement the new requirements of the Building Safety Act 2022. Key findings from the report raised concerns about the competency of officers and highlighted a shortage of qualified professionals. Therefore, the report highlighted that the responsibilities and requirements contained within the act may not be delivered as intended.
- 4.8. The report included eight recommendations, four were assigned to Welsh Government and four to LA's (Appendix 2)

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

5.1. The delivery of Building Control and notifiable works contribute towards the following themes. A brief explanation has been placed beneath the themes most relevant to service delivery.

- ***A Denbighshire of quality housing that meets people's needs*** Delivery and continuity of housing accommodation being built to the correct standard is guaranteed due to assessment and inspection of notifiable works to LA. The regulations and appropriate enforcement will ensure suitable and safe accommodation is delivered.
- **A prosperous Denbighshire**

Ensuring applications are processed in a timely manner and to the correct standard contributes to the local economy.

- **A healthier and happier, caring Denbighshire**

Enforcing or demonstration of compliance with Building Regulations ensures that all new builds contribute to equality and ensure standards are met for those with disabilities and care providers.

- **A greener Denbighshire**

Compliance with Part P, solar and other energy initiatives helps to contribute towards a greener environment that is less reliant on unsustainable fuels and there works towards a positive contribution towards the Council becoming Net Carbon Zero and Ecologically Positive by 2030

6. What will it cost and how will it affect other services?

6.1. In order demonstrate compliance with the new Building Safety Act, costs have been incurred as a result of the new Building Safety Competence Framework though the majority of these were funded by a grant initially.

6.2. Going forward, the Building Control section will cover all costs associated with competency assessments.

7. What are the main conclusions of the Well-being Impact Assessment and what changes have, or will be made to the project or approach as a result of the assessment?

7.1. A Well-being Impact Assessment is not required for this report – no change or decision is required.

8. What consultations have been carried out with Scrutiny and others?

8.1. The Audit Wales review has been undertaken with relevant officers and lead across the council and neighbouring authorities. Likewise, the report and management response has been agreed with input from key officers.

9. Chief Finance Officer Statement

Sub-heading (delete as needed)

9.1. A statement is not required for this report.

10. What risks are there and is there anything we can do to reduce them?

10.1. There are no significant risks arising from this report.

11. Power to make the decision

11.1. No decision is required.