

Welsh Government consultation on regulations for designating Building Safety Authorities

Response from Propertymark

October 2026

Background

1. Propertymark is the UK's leading professional body for estate and letting agents, property inventory service providers, commercial agents, auctioneers and valuers, comprising 19,000 members representing over 12,800 branches¹. We are member-led with a Board which is made up of practicing agents, and we work closely with our members to set professional standards through regulation, accredited and recognised qualifications, an industry-leading training programme and mandatory Continuing Professional Development.

Overview

2. The Welsh Government are inviting views on proposals for regulations designating the local authorities that will be building safety authorities for the purposes of the Building Safety (Wales) Act 2026. The consultation also asks whether any further provision should be included in the regulations about the exercise of functions by a building safety authority.

Questions

Question 1: The two local authorities which we propose to designate as building safety authorities are set out in paragraph 6 of the consultation document.

a) With regard to the proposal for the North Wales Fire and Rescue Authority area, do you: agree, disagree or neither agree or disagree

3. We agree with the proposal to designate Flintshire County Council as the Building Safety Authority for the North Wales Fire and Rescue Authority area. Ultimately, we think that confidence in the designation should be based on the designated local authority having the appropriate expertise, capacity and resources to undertake its functions effectively and to be able to sustain these resources throughout the designation. We would therefore welcome confirmation that Flintshire County Council will have sufficient resources and access to suitably qualified personnel to deliver the new responsibilities effectively and consistently.
4. It is also important that the Building Safety Authority works closely with other relevant bodies, including the Fire and Rescue Authority, and establishes clear and effective communication with those responsible for managing and maintaining buildings including professional property and managing agents. In particular, we would like to take this opportunity to highlight the importance of meaningful engagement with property agents and managing agents. Agents can play an important role in multi-occupied buildings, including as a point of contact between landlords, accountable persons, leaseholders and residents. The Building

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Safety Authority should therefore ensure that property agents are clearly informed about their responsibilities, reporting requirements and the processes for communicating building safety information.

5. We also encourage the Building Safety Authority to provide clear, accessible and consistent guidance, together with appropriate channels for agents and other housing professionals to seek advice and raise issues. This will be particularly important during the transition to the new regime and in ensuring that requirements are applied consistently across Wales.
6. Subject to these considerations, Propertymark supports the proposed designation.

**b) With regard to the proposal for South Wales Fire and Rescue Authority area, do you: Agree, Disagree
Neither agree nor disagree**

7. We agree and support the proposal to designate the Vale of Glamorgan County Borough Council as the Building Safety Authority for the South Wales Fire and Rescue Authority area, subject to the authority having sufficient capacity, expertise and resources to undertake its functions effectively.
8. We would particularly welcome assurance that the authority will engage proactively with property and managing agents. This would include recognising their important role in the management of multi-occupied buildings and as suggested in our previous response, provide clear guidance and accessible channels for engagement, which we think will be important to support effective implementation of the new building safety regime.

Question 2: If you consider another local authority should be designated in either the North Wales Fire and Rescue Authority area or the South Wales Fire and Rescue Authority area, please provide the name of that local authority and any supporting comments in the text box below.

9. We do not wish to nominate an alternative local authority in either the North Wales or South Wales Fire and Rescue Authority areas. We would have confidence in any local authority within these areas undertaking the role, provided it has the necessary expertise, capacity and resources to fulfil its responsibilities effectively. It will also be important that the designated authority engages proactively with property and managing agents and provides clear, consistent guidance on their role and responsibilities within the new building safety regime.

Question 3: We have not proposed which local authority in the Mid and West Wales Fire and Rescue Authority area should be designated as the building safety authority for that area.

If you have and views in relation to which local authority should be designated, please provide the name of that local authority and any supporting comments in the text box below.

10. We have confidence in any of the local authorities within the Mid and West Wales Fire and Rescue Authority area undertaking the role, provided the designated authority has the



necessary expertise, capacity and resources to fulfil its responsibilities effectively. However, given the significant geographical size of the region, accessibility and the ability to engage effectively with stakeholders across the area, we think that Carmarthenshire County Borough could be best strategically located to occupy this role given their epicentral location and that Mid and West Wales Fire and Rescue Service's headquarters is located within the county borough. As highlighted in our responses above, it will be important that the designated authority engages proactively with property and managing agents and provides clear, consistent and accessible guidance on their role and responsibilities within the new building safety regime.

Question 4: Section 122(4) of the Act allows for the inclusion of further provision in regulations (see paragraph 3 of the consultation document). We are not currently proposing to use that power but would be interested to consultees hear views about this.

a) Do you think provision should be included in the regulations requiring another local authority to make payments to the building safety authority

11. We agree and think that provision should allow for appropriate financial contributions from other local authorities where the designated Building Safety Authority is undertaking functions on a regional basis on their behalf.
12. The designated authority should have sufficient resources to fulfil its responsibilities effectively, without the costs falling disproportionately on the authority simply because it has been designated. Any payment arrangements should be transparent, proportionate and reflect the level of functions and services being provided.
13. This should also support consistency in the delivery of the building safety regime across the relevant Fire and Rescue Authority area.

b) Do you think provision should be included in the regulations requiring another local authority to provide facilities or services to the building safety authority

14. We agree and think that provision should allow other local authorities to provide appropriate facilities or services to the designated Building Safety Authority where this would support the effective delivery of its functions. This could help ensure that the designated authority has access to the appropriate expertise, resources and local knowledge across the wider area, particularly given the geographical size of some Fire and Rescue Authority areas. It would also encourage joined-up working between local authorities and help support a consistent approach to building safety across the region. We also think that any arrangements should be clearly defined to avoid uncertainty over responsibilities and ensure effective coordination.

c) Is there any other provision that should be included in the regulations in connection with the exercise of functions by a building safety authority?

15. Yes. We think that the regulations should include provision to ensure effective engagement with property agents and managing agents in the exercise of functions by Building Safety Authorities. Essentially, Property agents play an important role in the management of many multi-occupied buildings and can be a key link between building owners, accountable persons and residents. Building Safety Authorities should therefore be expected to engage with the sector when developing guidance, processes and communication arrangements. There should also be clear and accessible channels through which property agents can obtain advice, raise queries and provide information to the Building Safety Authority. This would help ensure that agents understand their responsibilities and can support the effective implementation of the building safety regime.

Question 5: What, in your opinion, would be the likely effects of the regulations on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

- Do you think that there are opportunities to promote any positive effects?
- Do you think that there are opportunities to mitigate any adverse effects?

16. We do not anticipate any negative impact on the Welsh language as a result of these regulations. As the functions will be undertaken by local authorities, existing arrangements for the use and promotion of the Welsh language should apply. Accordingly, we think there are opportunities to maintain positive effects by ensuring that information, guidance and engagement relating to building safety are available in Welsh and English where appropriate.

Question 6: In your opinion, could the regulations be formulated or changed so as to:

- have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
- mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

17. We do not consider that any significant changes to the regulations are necessary. Existing local authority arrangements should ensure that the Welsh language is not treated less favourably than English. Information and guidance relating to building safety should continue to be made available in both Welsh and English, where appropriate.

Question 7: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

18. We recognise the importance of ensuring that property and managing agents are recognised as key stakeholders in the implementation of the new building safety regime.

19. We have engaged with the Welsh Government on the production of factsheets and guidance and would be very happy to continue this engagement to support property agents in Wales in understanding and meeting the new requirements.²
20. Finally, we think that Building Safety Authorities should also engage proactively with the sector and ensure that clear, practical and accessible guidance is available to agents on their responsibilities and how they should interact with the Building Safety Authority. This will help support effective implementation and consistent application of the regime across Wales.

Propertymark agrees to our name and data being published alongside this response to the consultation.

² <https://www.propertymark.co.uk/resource/fact-sheet-building-safety.html>