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Dear Clive,

Thank you for your letter of 24 April, and for your continued engagement with me on this issue. You will be aware of the letter the Secretary of State sent to your Select Committee colleagues on 13 May, which outlined the private sector remediation fund. However, I want to recognise and address the wider issues you have raised in this letter. I am aware the Secretary of State will be following up on your correspondence of the 22 May.

I will start by addressing your concerns on the pace of remediation. There has been good progress in removing and replacing unsafe ACM cladding in buildings owned by social landlords. At the end of April 2019, remediation had started or completed on 137 of the 158 social sector buildings with unsafe ACM cladding. There were plans and commitments in place to remediate the remaining 21 buildings.

Although there has been advancement in the private sector, I share your concerns about the pace of progress, and about leaseholders being asked to pay for remediation. This is an unacceptable position for residents to find themselves in. The Secretary of State and I have therefore concluded that a stronger intervention is needed to cut through the barriers to progress. In the Secretary of State's letter of 13 May, he outlined plans for a private sector remediation fund. To summarise, this fund will cover the full cost of remediating the unsafe ACM cladding systems on privately owned high-rise residential buildings. This will allow remediation to happen quickly, it will restore peace of mind and it will protect leaseholders from bearing the cost.

We are not setting a specific date by which we expect all buildings to be fully remediated. However, we continue to put pressure on building owners and developers to make their buildings permanently safe as swiftly as possible. We are in the process of writing to all fund applicants to engage them, and intend to publish the full fund application guidance by mid-July to allow building owners to start preparing their applications swiftly. We will also have a hard deadline on applications to encourage building owners to move quickly.

Where leaseholders have had to pay for remediation already, the building owner or the managing agent on their behalf would be eligible to apply to the fund for a refund for those costs that would qualify under the terms of the fund. In this scenario, any funding agreement will contain a condition that ensures that funding is provided only on the basis that leaseholders are fully reimbursed.

On the subject of interim measures, the Government has worked closely with local authorities and Fire and Rescue Services to ensure that interim measures are in place in all buildings until cladding is replaced. We do not hold the data on how many leaseholders have been charged for interim measures. However, we have been very clear that costs for interim safety measures should not be passed on to leaseholders.

On the issue of Non-ACM testing I recognise your concerns about potentially at risk buildings with non-ACM materials. We have taken the issue of non-ACM cladding systems very seriously and the Independent Expert Advisory Panel has regularly considered the risks of non-ACM cladding and the actions we should take. As you know, at my request the Independent Expert Advisory Panel reviewed and published an updated advice note on external wall systems that do not incorporate ACM in December 2018. This advice makes clear to building owners that wall systems on existing buildings may only use materials that are of limited combustibility unless the system has achieved the appropriate BR135 classification via a BS 8414 test. It reiterates that the clearest way to ensure safety is to remove any unsafe materials, and we have been explicit that building owners are responsible for the safety of their buildings and should act to address any safety issues they identify.

On the advice of the Independent Expert Advisory Panel we are testing the behaviour in a fire of a range of non-ACM panels used in cladding systems, to assess how they perform in comparison with ACM materials. The tests will assess how materials behave in fires measured against a set of technical parameters. The tests will also provide comparative data of how the different materials to be tested will perform as well as against benchmark data for ACM materials. There is no simple pass/fail criterion but the tests will provide a triage process which will enable us to identify materials which may require further investigation, including full scale BS 8414 tests if necessary, or immediate action to ensure public safety. The programme was designed so that non-ACM materials can be tested in a timely way and is sufficiently robust to enable us to make informed judgements, advised by the Independent Expert Advisory Panel, about levels of risk. The methodology for the test was developed by a steering group of industry experts and the Building Research Establishment.

I can confirm that the tests started at the beginning of May. A full picture of the outcomes of the tests can only be provided following a detailed analysis of all the test data and the outcomes will need to be considered in the round by the Independent Expert Advisory Panel before we can draw final conclusions. We expect this analysis to be completed in the summer and we will publish the conclusions of the programme thereafter. If any tests suggest an immediate public safety concern, the Government will consult the Independent Expert Advisory Panel urgently, take appropriate action and inform the public accordingly.

Finally, you raise concerns about the ability of local authorities to carry out enforcement work. As you note in your letter, we have committed to support local authorities to take enforcement action on buildings with unsafe cladding. Local authorities have a range of enforcement powers, including serving improvement notices or undertaking emergency remedial work themselves. Some of these powers, including improvement notices and subsequent action for non-compliance, can also be used on buildings with category 2 hazards. We are engaging with local authorities who are taking, or are considering taking, enforcement action.

As you know this support to local authorities includes financial support for emergency remedial work, where this is necessary. Where a local authority undertakes works in default following non-compliance with an improvement notice we will also look at providing financial support. As with our commitment to provide financial support for emergency remedial action, we would also expect the local authority to recover all reasonably incurred expenses from the building owner.

We will consider financial support on a case-by-case basis to understand the expected costs of the remedial work, whether there is any other way for the local authority to fund that work, and when the local authority would be making decisions on undertaking the work. We are discussing this type of support local authorities where it might be appropriate.

Thank you again for your letter and for your continued engagement on this vital issue. The Government remains determined to ensure that all residents are safe and feel safe. I hope you will agree that our private sector fund takes large strides towards ensuring that is the case.

A handwritten signature in blue ink, appearing to read 'Kit Malthouse', with a stylized flourish at the end.

**KIT MALTHOUSE MP**