

MAYOR OF LONDON

Rt Hon Robert Jenrick MP

Secretary of State for Housing, Communities
and Local Government
Ministry of Housing, Communities and Local
Government
2 Marsham Street
London SW1P 4DF

Date: 23 DEC 2019

Dear Robert,

We, as members of the Mayor of London's Homes for Londoners Board, are writing to you about one of the most urgent issues facing London and the country.

More than two and a half years on from the Grenfell Tower fire, this country continues to be gripped by a building safety crisis. Thousands of homes are in urgent need of remediation, residents of these buildings are living in fear, some are unable to sell their homes and the regulatory system that so clearly failed the Grenfell Tower residents remains largely intact. This is a national challenge, but one felt most acutely in London.

Immediately after Grenfell, social landlords acted with urgency to start the remediation of unsafe aluminium composite material (ACM) cladding on their buildings. Councils and housing associations are now taking the lead in remediating other safety issues, including other types of failed cladding systems and construction defects. Notably, one landlord found that every single one of its high-rise blocks needs remediation of some form. Given the scale of the challenge, the social housing sector is trying to prioritise works based on risk – although this is made more challenging by confusing Government guidance. They are also striving to place the voices of residents at the heart of efforts to design and carry out safety works.

In addition to their roles as building owners and social landlords, London boroughs are working hard to identify external wall systems on all buildings across their areas. This work is challenging and resource intensive, but councils recognise its vital importance and are committed to doing everything possible to complete the data collection exercise by the end of March 2020. London's wider housing sector, led by the Early Adopters, is incorporating recommendations from the Public Inquiry and Dame Hackitt's review in advance of new legislation.

Working closely with councils and housing associations, the Greater London Authority (GLA) is doing everything in its power to administer the Social and Private Sector Cladding Remediation Funds (SSCRF and PSCRF) expeditiously, as well as embed safety throughout its core housing activities. For the first time, the Mayor has included a fire safety policy in the draft London Plan which will ensure safety is considered at the very earliest stages of a building's lifecycle. The Mayor has also incorporated fire safety requirements into development contracts for land he owns.

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Despite this important work, the scale of London's building safety crisis continues to grow. We have identified six areas where concerted and decisive Government action is necessary.

- Remediation works are reactive, piecemeal and inconsistently applied. In the immediate aftermath of the Grenfell Tower fire, it was right for the previous Government to ask its Independent Expert Advisory Panel to issue Advice Notes identifying particular components or building systems that needed to be remediated without delay. But now, more than two years on, the proliferation of over-lapping Advice Notes is creating confusion and unintended consequences – most notably the mortgage issue for leaseholders. Twenty-two separate Advice Notes is no substitute for a strategic approach to remediation which is capable of taking a whole-building approach and of prioritising the most dangerous buildings first, with a manageable programme for remediation of remaining buildings in the medium-term. **The Advice Notes should be clarified and consolidated in consultation with the sector, as well as the Expert Panel, and they should provide a clear basis for prioritisation of buildings.**
- The current focus on buildings over 18m is arbitrary and dangerous, as demonstrated by the recent fires in buildings marginally below 18m. This two-tier system is not evidence-based and in some cases means that high-rise blocks are prioritised over higher risk lower-rise blocks. It also fails to consider the vulnerability or mobility of the residents living in the buildings. **The Government should move away from strict interpretations of the 18m threshold for both remediation of existing buildings and application of forthcoming regulations for new buildings.**
- The safety of residents is, of course, our top priority. However, we are concerned about how the costs of remediating buildings, and the added costs of implementing a new building safety regime, will be funded. In the social sector, these costs are likely to impact on the delivery of new affordable homes and other investment priorities, while in the private sector many of the costs are likely to fall to leaseholders. Government funding for the replacement of unsafe ACM systems is welcome, but the funds were announced too late and do not go far enough. The failure to extend the scope of the funds to other types of unsafe cladding and interim fire safety measures leaves leaseholders at risk of significant cost as well as delaying remediation. **The scope of the cladding remediation funds should be expanded to include all types of unsafe cladding systems and interim fire safety measures.**
- Given the delay in the Government announcement and the wider remediation work that will be needed in addition to cladding replacement, it is clear that the ACM remediation deadlines set by the former Secretary of State – of December 2019 for blocks in the social sector, and June 2020 for those in the private sector – are unrealistic, and therefore irresponsible. This is even recognised by the Government, which agreed to a set of more realistic timescales when the GLA was asked to administer these funds in London. **Any deadlines for remediation must be based on evidence and take into consideration the implementation of effective and comprehensive building safety works. Residents must be provided with realistic timescales for the completion of remediation work.**
- The external wall system data collection exercise, as well as potential enforcement action against buildings which fail to undertake remediation, are both hindered by lack of resources in London boroughs' environmental health and regulatory teams. Councils' capacity to boost these resources is severely hampered by successive cuts to their core

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budgets. Worryingly, funding for the national Joint Inspection Team is only confirmed up to March 2020. **More new burdens funding must be made available to local authorities to reflect the scale and challenges of the data collection exercise they have been asked to carry out. Funding also needs to be expanded to support councils' and the Joint Inspection Team's enforcement activities.**

- Leaseholders in the private sector continue to receive inadequate support, advice and information. They are understandably frustrated by the length of time remediation takes and their inability to sell their property in the meantime. The fire safety advice from LEASE is welcome, but it does not provide a mechanism for leaseholders to communicate their concerns to the Government and their landlords. **The remit and role of LEASE should be urgently reviewed to understand what more it could do to support leaseholders during this crisis.**

As well as ensuring existing buildings are made safe and residents are protected, the Building Regulations, statutory guidance and systems of enforcement must be reformed. London stands ready to help shape these much-needed reforms to ensure the new regime is robust and workable.

Yours sincerely,

Sadiq Khan, Mayor of London (Chair)

Jules Pipe CBE, Deputy Mayor for Planning, Regeneration and Skills

Mike Brown MVO, Commissioner, Transport for London

Cllr Clare Coghill, Leader, LB Waltham Forest and London Councils Executive Member for Business, Europe and Good Growth

Helen Evans, Chair, G15 and Chief Executive, Network Homes

Raji Hunjan, Chair, London Housing Panel

Cllr Jayne McCoy, Deputy Leader, LB Sutton and London Councils Shadow Portfolio Holder for Housing

Cllr Darren Rodwell, Leader, LB Barking and Dagenham and London Councils Executive Member for Housing and Planning

Geeta Nanda OBE, Deputy Chair, G15 and Chief Executive, Metropolitan Thames Valley Housing (Observer)