

Mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

REFERENCE:
AL GBR 2/2020

29 April 2020

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, pursuant to Human Rights Council resolution 34/9.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received concerning the **situation faced by leasehold owners in buildings clad with flammable materials, living in unsafe housing and unable to sell their flats and move elsewhere, and those who are required to pay large amounts to have the dangerous cladding removed.**

According to the information received:

On 14 June 2017, a fire erupted at Grenfell Tower in the Royal Borough of Kensington and Chelsea, leading to the deaths of 72 people and destroying 129 homes. In the aftermath of the tragedy, it was discovered that the spread of the fire had been greatly accelerated and exacerbated by cladding, which had been applied to the façade of the building between 2012 and 2016. The cladding was of a type known as Aluminium Composite Material (ACM), which is highly combustible, and thus allowed flames to spread throughout the building at significant speed.

Following the recognition that the ACM cladding had greatly contributed to the Grenfell Tower disaster, the Government took steps to ban its use in future building projects. However, of around 457 buildings in England that were identified as having been clad in ACM, 361 of these buildings have still not had the cladding removed, and 88 have no plans in place to do so.¹ At the same time, many other forms of cladding, including timber, terracotta and high-pressure laminate (HPL), also pose a significant threat to the safety of residents as they are as flammable as ACM. Around 600,000 persons in England live in blocks with dangerous, flammable cladding attached. The freeholders of these buildings are both private actors, including offshore companies, and social housing providers. Both social and private residents have been forced to live in highly dangerous housing conditions, but private leaseholders have been more widely impacted.

¹ <https://www.insidehousing.co.uk/news/news/government-has-no-estimate-on-how-long-cladding-removal-will-take-60188>

In order to address the issue of unsafe cladding, the Government, in June 2018 and May 2019, announced £400m and £200m would be set aside to remove cladding on social and private housing respectively, an insufficient amount to meet the costs of removing dangerous cladding from all buildings that require it. Also, the funding was made available only for buildings clad with ACM. Whilst additional funding for cladding removal of other types has recently been made available, the lack up until now of funding for the removal of other hazardous cladding materials has had a highly detrimental impact on many residents in blocks covered with these types of cladding.

Residents have been unable to sell their houses, as a buyer has to provide a certificate showing that the building is safe in order to obtain a mortgage. These certificates are costly and difficult to obtain through surveyors. Where a survey is undertaken and the building is found to contain any form of flammable cladding, such certificates cannot be issued. Leaseholder's flats are, therefore, unmortgageable and unsellable, with many only discovering this when they were in the process of moving home, therefore heavily impacting their lives and consigning them to remain in homes that are at considerable risk from fire.

Additionally, mortgages for leasehold properties in tower blocks tend to have conditions imposed on them that the freeholder obtains building insurance covering fire damage. However, whilst flammable cladding is in place on these buildings, insurers have been reluctant to provide such cover without imposing exorbitant premium rises and/or requiring tenants to pay for additional safety measures. Without insurance in place, tenants' mortgages are invalidated, and they will either have to pay the full outstanding balance on their mortgage immediately, or have their homes repossessed. One resident has reported that, in order to obtain insurance, they were required to implement continuous monitoring for fire, either by paying for expensive alarm systems, or to hire firms to undertake 'waking watches', whereby two people patrol the building 24 hours a day, every single day of the year to look for signs of fire. Another resident informed that the cost of 'waking watches' for their building stretched to £24,000 per month, which had to be paid entirely by the leaseholders. This dramatically increases the financial insecurity of these leaseholders, hugely raising their housing costs and putting them at greater risk of defaulting on their mortgages or being unable to pay for vital services such as heating and electricity. Whilst these measures were only supposed to be a temporary solution to ensure residents' safety, and enable them to obtain essential insurance, in some instances they have continued for years.

With no government funding available, and unwillingness from building freeholders to pay for the removal of dangerous cladding, the costs of doing so in private blocks has fallen on leaseholders. In a block in Ipswich, leaseholders were told they must pay around £25,000 each to remove the cladding. In Runcorn, others stated their bill will amount to around £30,000 each. In a block in London, leaseholders were told to prepare for removal costs of up to £100,000 each. These

costs are required to be paid in full and immediately. This has posed a significant burden on leaseholders, many of whom have noted they do not have the funds available to pay for removal, thus stalling the removal of the cladding and keeping them living in dangerous conditions.

This situation, and the Government's unwillingness to assume the responsibility to remove dangerous cladding, has had a highly detrimental impact on the health and well-being of residents of blocks with such cladding in place. A survey of residents living in clad buildings, conducted by the UK Cladding Action Group showed that that 64.8% of respondents said their mental health had been 'hugely affected' by the situation they faced as a result of the cladding, and 87.8% noted that their mental health was worse at the time of the survey than it was prior to the cladding being recognised as dangerous. 69.5% of survey respondents said they felt anxious and/or worried on a daily basis because of the situation, whilst 92.3% said they had money worries. 8.7% of respondents disclosed they had had suicidal or self-harming thoughts as a direct result of the problems they faced as a result of the cladding.

On 11 March 2020, the Government announced a further £1bn of funding being made available to remove dangerous cladding of different types as well as ACM. However, the funding will not be accessible to people who live in buildings under 18m high, meaning that those in this situation must still find the costs of removal themselves, face living in highly dangerous conditions or risk being made homeless. Equally, additional funding is not available to cover other unavoidable expenses, such as 'waking watches' and insurance premium increases, which have resulted from the presence of dangerous cladding and which are leaving many leaseholders financially destitute. Moreover, even despite the additional funding being allocated, residents report that it still does not meet the true cost of the works required to make buildings safe for people to live in. Residents note that surveys done regarding the cladding have revealed numerous other life-endangering fire hazards in many buildings, including improper fire doors and ineffective fire compartmentation. There are estimates that the total cost of making only dangerously-clad social housing blocks completely fire safe could amount to £10billion alone,² therefore calling into question whether the new funding is sufficient.

Finally, despite the announcement of additional funding, it has not been made immediately available, leaving families at danger of losing their homes. In one block in Birmingham, leaseholders have been handed bills of, on average, £10,000 each for the removal of cladding, which must be paid immediately. Although their building meets the eligibility requirements for access to the new funding, because it is not yet available, they are still required to self-fund the removal, and if they cannot afford to do so they may have to forfeit their leases as

² <https://www.theguardian.com/society/2020/mar/02/social-landlords-face-10bn-bill-to-fix-fire-safety-problems>

they will invalidate their building's insurance. In some circumstances this would make residents homeless at a time when the Government has issued a nationwide lockdown in order to fight the coronavirus pandemic.

While I do not wish to prejudge the accuracy of the information made available to me, I wish to express my serious concern about these allegations of multiple violations of the human right to adequate housing, of which safety is a key component - contrary to international human rights law.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention, I would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please explain what measures are in place to ensure the immediate safety of all residents living in buildings with flammable cladding.
3. Please explain by which date the Government plans to complete the removal of all flammable cladding from residential buildings.
4. Please explain all measures taken to ensure that residents of buildings lower than 18 m will have flammable cladding removed from their homes.
5. Please explain if any of the measures for the removal of flammable cladding will have a financial impact on residents, and, if that is the case, what measures are in place to support persons in positions of economic vulnerability.
6. Please explain what steps is the Government taking to prevent persons from being made homeless or to assist those who find themselves in a situation of economic vulnerability as a result of having their mortgage invalidated, having to cover high insurance premiums or having additional fire safety measures costs because of cladding, and any assistance put in place to help anyone who has already been made homeless in this way.

I would appreciate receiving a response within 60 days. Passed this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting website. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, I urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of my highest consideration.

Leilani Farha

Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Annex

Reference to international human rights law

In connection with the above, and without prejudice to the accuracy of these allegations, I would like to draw the attention of your Excellency's Government to the relevant international norms and standards.

I wish to draw the attention of your Excellency's Government to its obligations under article 11.1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by the United Kingdom on 20 May 1976, which states that “[t]he States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right [...]” Pursuant to article 2.2 of the ICESCR, it is the obligation of States Parties to guarantee that the Covenant's rights will be exercised “without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status [emphasis added].” The Committee on Economic, Social and Cultural Rights has stressed in General Comment No. 4 that the right to adequate housing includes affordability, accessibility, and legal security of tenure and habitability. With regards to the requirement that housing should be habitable, the Committee has found that States are under an obligation to ensure that all housing is “habitable, in terms of providing the inhabitants with adequate space and protecting them from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors,” whilst also protecting their physical safety.”³ States parties are required to demonstrate that every effort has been made to use a maximum of available resources in an effort to discharge their obligations.

I wish to also draw your Excellency's Government's attention to a number of my previous reports regarding different aspects of the right to housing, including my report on homelessness (A/HRC/31/54), wherein it is noted that States have an obligation to introduce strategies which prevent and eliminate homelessness. Where the United Kingdom's current policy towards cladding still leaves people at risk of losing their homes, this policy cannot be said to be sufficient to prevent and eliminate homelessness. Furthermore, I draw your attention to my report on financialization and the right to adequate housing (A/HRC/34/51), which details the adverse impact that institutional property investors and corporate landlords have on the human right to housing, and notes that States have an obligation under international human rights law to protect people from breaches of the right to housing by these actors. In many cases it is evident that it was private building companies which installed the dangerous cladding, yet these companies are not being held accountable as UK building regulations at the time of installation deemed the cladding safe, despite it evidently not being so. Equally, many of the affected buildings are owned by private freeholders, yet these actors are taking no responsibility for the removal of cladding, preferring instead to charge leaseholders for this. Equally, I refer your Excellency's Government to my report on human rights-based national

³ Committee on Economic, Social and Cultural Rights, General Comment 4, para 8(d)

housing strategies (A/HRC/37/53) wherein several principles are set out describing how Governments should create housing systems which are reflective of human rights. Finally, I also refer you to my report on the right to life and the right to adequate housing (A/71/310), wherein it is highlighted that there is an intrinsic link between the right to life and the right to adequate housing, and breaches of the right to adequate housing can have significant impacts on the right to life.

In relation to the right to life, I also draw your attention to article 6 of the International Covenant on Civil and Political Rights, ratified by the United Kingdom on 20 May 1976, which protects the right to life which is understood as “the supreme right from which no derogation is permitted” and, “the effective protection of which is the prerequisite for the enjoyment of all other human rights and the content of which can be informed by other human rights.”⁴ The Human Rights Committee specifically states that “the duty to protect life also implies that States parties should take appropriate measures to address the general conditions in society that may give rise to direct threats to life or prevent individuals from enjoying their right to life with dignity.” The Committee also states that the measures called for to address adequate conditions for protecting the right to life include, where necessary, “measures designed to ensure access without delay by individuals to essential goods and services such as food, water, shelter, health care”⁵ References to ensuring access to shelter in this regard must be read in the context of the human right to housing, and thus impose on Governments to ensure access for all people to housing which meets the defined standards of adequacy, including being habitable. Violations of the right to life must be treated with the utmost seriousness and urgency. There is little doubt that where people are forced to live in buildings which are covered in materials which have been tragically shown to be a risk to life, this triggers right to life interests.

In relation to the role played by private actors in regards to both the installation and unwillingness to assist in removal of dangerous cladding, I reiterate the obligations that States owe to people to protect them from breaches of their human rights by private actors and note that States and relevant State authorities also have to ensure adequate regulation of business enterprises to ensure respect, protection and fulfilment of the right to adequate housing, as outlined by General Comment No.24 of the Committee on Economic, Social and Cultural Rights and by Pillar I of the UN Guiding Principles on Business and Human rights.

The full texts of the human rights instruments and standards recalled above are available at www.ohchr.org or can be provided upon request.

⁴ Human Rights Committee, General Comment No. 36 para. 2.

⁵ Human Rights Committee, General Comment No. 36 para 26



UK Mission
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30 June 2020

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Dear Special Rapporteur,

Communications AL GBR 1/2020 and AL GBR 2/2020 from the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Please find attached two responses from the United Kingdom of Great Britain and Northern Ireland, further to the letters dated 27 April and 29 April 2020 from the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context.

Yours ever,

A handwritten signature in blue ink, appearing to read 'JNBraun'.

JULIAN BRAITHWAITE CMG

Annex

Response of the Government of the United Kingdom of Great Britain and Northern Ireland to AL GBR 2/2020, dated 29 April 2020, from the UN Special Rapporteur on adequate housing.

Note: Housing is a devolved matter, and the devolved administrations are responsible for building regulations and technical guidance to ensure buildings are safe in Scotland, Wales and Northern Ireland. The Welsh Government has recently published a position statement on their approach to improving building safety, also available at: <https://gov.wales/building-safety-position-statement>. More information on the work the Scottish Government has taken to address building safety concerns can be found on their website at: <https://www.gov.scot/groups/ministerial-working-group-building-and-fire-safety/> and the Northern Ireland Government has produced advice on the cladding and replacing of cladding on buildings at: <https://www.finance-ni.gov.uk/publications/cladding-or-re-cladding-buildings>. In regard to Government funding for the remediation of buildings with unsafe cladding referred to in this letter then it should be noted that it is for England only. However, there is an administrative process – the Barnett Formula – whereby annual changes in the block grant allocated to Scotland, Wales and Northern Ireland, reflect changes in spending levels allocated to public services in England, such as this funding

1. Please provide any additional information and/or comment you may have on the above-mentioned allegations.

This reply sets out the extensive action the UK Government has taken, and continues to take, to improve building safety and to ensure that people feel safe, and are safe, in their homes following the tragic fire at Grenfell Tower on 14 June 2017.

On 15 June 2017 (the day after the fire), the then Prime Minister announced the Grenfell Tower Inquiry¹ to examine the circumstances leading up to and surrounding the fire. Sir Martin Moore-Bick, a highly experienced former Judge of the Court of Appeal, was appointed as Chairman on 28 June 2017, and he formally opened the Inquiry on 14 September 2017.

Phase 1 of the Grenfell Tower Inquiry, which focused on how the fire started and spread, and the emergency response, concluded with the publication of the Phase 1 report on 30 October 2019². We have accepted all recommendations in the Phase 1

¹ <https://www.grenfelltowerinquiry.org.uk/>

² <https://www.grenfelltowerinquiry.org.uk/phase-1-report>

report aimed at central government. The Government response³, published on 21 January, outlines how we will be taking forward these important changes – building on the programme of building safety reforms that we have been taking forward since the fire.

In addition, the Government took immediate action in the aftermath of the Grenfell fire by establishing the Building Safety Programme⁴ to ensure that existing buildings and those built in the future are safe for all residents.

Additional information in respect of the above-mentioned allegations can be found in our response to subsequent questions.

2. Please explain what measures are in place to ensure the immediate safety of all residents living in buildings with flammable cladding.

The Government has put measures in place to ensure the safety of residents in blocks with combustible cladding. The Government has worked closely with local authorities and Fire and Rescue Services to ensure that interim safety measures are in place in all buildings until the cladding is replaced. Led by the Home Office and working with the Local Government Association and the National Fire Chiefs Council, the Government has established a Protection Board to provide greater assurance to central government of Fire and Rescue Service protection activity. The Protection Board's work includes ensuring that the interim measures in place in Aluminium Composite Material (ACM) clad high-rise residential buildings are well-maintained, and providing assurance that fire safety risks are being managed effectively.

The Board, working with all Fire and Rescue Services in England, has recently concluded this exercise and is satisfied that the responsible person/s are managing and will continue to manage the risk in these buildings until such time that the ACM cladding has been removed and replaced. The Board is also confident that Fire and Rescue Services are aware of these buildings, and are monitoring them regularly to ensure that safety standards do not slip in the interim. Supported by £10m additional funding, the Board is now working on a broader Building Risk Review programme aimed at meeting the ambition set out by the Secretary of State for Housing, Communities and Local Government in Parliament on 5 September 2019⁵ to increase significantly the pace of inspection activity across high-rise residential and other high risk buildings.

The Government is prioritising public subsidy for the remediation of unsafe cladding. Lord Greenhalgh, the Minister with responsibility for building safety, is investigating what can be done to reduce the cost of waking watch⁶, and to ensure that waking

³ <https://www.gov.uk/government/publications/grenfell-tower-inquiry-phase-1-report-government-response>

⁴ <https://www.gov.uk/guidance/building-safety-programme>

⁵ <https://www.parliament.uk/business/news/2019/september/government-statement-on-building-safety/>

⁶ A waking watch is a system where staff monitor the whole or part of a building for signs of fire

watches, where they are required, can continue during the current Covid-19 restrictions.

The Government is providing £1.6bn (see response to question 5) of funding to tackle funding as barrier to remediation. A lack of expertise and experience among building owners and managing agents in handling major refurbishment projects has been another barrier. That is why we have hired construction and project management specialists to provide additional project management capability with specialist knowledge of the construction sector, to help speed up the development and implementation of ACM remediation plans.

Government funding and the provision of additional expertise means that there is no excuse for building owners not to progress remediation quickly. The Government is continually pushing for progress and we want to see work start on all buildings as soon as possible where this has not yet taken place. It is important to recognise that remediation work cannot be done overnight – and it must be done properly so that it makes buildings and residents safe. The time to complete works varies considerably, depending on factors such as structure, extent of cladding, and existing fire safety systems. For many buildings, this is a complex project involving major construction work.

Where building owners are failing to make acceptable progress, they should expect further action to be taken – including tougher enforcement action by local authorities and Fire and Rescue Services. To support enforcement action from local authorities, we have provided bespoke operating guidance to clarify how hazard assessments of unsafe cladding should be made. We have also established the Joint Inspection Team to support local authorities in taking enforcement action. The Government has also introduced the Fire Safety Bill⁷ which clarifies that the Fire Safety Order applies to the external walls and fire doors of the building, including cladding. This will put beyond doubt the fact that Fire and Rescue Services can use their enforcement powers for cladding remediation, complementing the existing powers which local authorities have to take enforcement action against building owners and/or managers for unsafe cladding and defective fire doors.

The Government is aware of the impact that living in an unsafe building, and the associated costs and anxiety, can have on residents. We have been very clear that buildings need to be remediated as soon as possible to help resolve these issues and the Government funding is intended to increase the pace of remediation and will to support this. Ministers have met residents to listen to and hear their concerns, and officials have responded to hundreds of letters from residents living in affected buildings, outlining the steps the Government has taken. The Government has also provided funding to LEASE, an independent free initial advice to leaseholders to ensure they are aware of their rights and are supported to understand the terms of their leases. Under the more stringent regulatory regime we are introducing,

⁷ <https://www.gov.uk/government/news/fire-safety-bill>

residents will have a stronger voice to ensure that their views and concerns are not ignored. The new regime will make sure that residents are kept informed and are able to participate in the decision-making regarding the safety of their building.

3. Please explain by which date the Government plans to complete the removal of all flammable cladding from residential buildings.

The Government has been clear that its priority for remediation activity should be the type of Aluminium Composite Material (ACM) cladding with an unmodified polyethylene core used on the Grenfell Tower, as this poses an unparalleled risk on high-rise residential buildings. Testing undertaken as part of government research on the fire performance of cladding materials, including on different types of high-pressure laminate (HPL) and timber cladding, confirmed that none of the materials tested behaved in the same way as ACM with an unmodified polyethylene core.

A comprehensive programme of screening across the UK has identified 455 high-rise residential and publicly owned buildings with unsafe ACM cladding as at 31 May 2020. Residential buildings (excluding hotels and student accommodation) account for 361 of the identified buildings and of these 104 have completed remediation (29%) and a further 123 have started remediation (34%). In total, 154 have had the unsafe cladding removed (43% of the total number of residential buildings).

While we broadly agree with your description of the total number of buildings with unsafe cladding, we do not recognise the figure for those that are yet to have cladding removed. Likewise, we do not recognise the figure in your letter of 600,000 persons living in unsafe blocks of flats. Collecting and publishing accurate data on building safety and the progress of remediation is vital for the transparency of the programme. It helps us to monitor trends and focus support and interventions where they are most needed and allows for informed scrutiny. That is why we publish a Monthly Data Release for the Building Safety Programme which provides data on the remediation of buildings with unsafe cladding⁸.

In English law, the primary responsibility for the ongoing safety of privately-owned buildings falls to the individual building owner, although key safety issues, including fire safety, are regulated by the appropriate authorities. Following the Grenfell fire, the Government appointed an Independent Expert Advisory Panel⁹ that has produced advice on the measures which building owners should take to review ACM and other cladding systems to assess and assure their fire safety, and the potential risks to residents of external fire spread. This advice was most recently updated on 20 January 2020¹⁰.

⁸ <https://www.gov.uk/guidance/aluminium-composite-material-cladding#acm-remediation-data>

⁹ <https://www.gov.uk/government/collections/building-safety-independent-expert-advisory-panel>

¹⁰ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/869532/Building_safety_advice_for_building_owners_including_fire_doors_January_2020.pdf.

However, while many responsible building owners have been taking action, we recognise that too many building owners and managing agents in the private sector have been slow in starting remediation work.

We expect building owners to discharge their responsibilities in relation to the safety of their building, and to follow the advice we have provided on measures to review ACM and other cladding systems to assess and assure their fire safety.

4. Please explain all measures taken to ensure that residents of buildings lower than 18m will have flammable cladding removed from their homes.

Public funding to remove and replace unsafe cladding will only be available for buildings over 18 metres in height. Experts, including Dame Judith Hackitt who led the post-Grenfell review of Building Regulations and Fire Safety, recommend that we focus public funding on remediating unsafe cladding from high-rise buildings, as these are the least likely to be safely evacuated in the event of a fire spreading via external cladding. However, there will be a small degree of flexibility to allow remediation funding to cover buildings that have been built just under the 18m threshold.

5. Please explain if any of the measures for the removal of flammable cladding will have a financial impact on residents, and, if that is the case, what measures are in place to support persons in positions of economic vulnerability.

The Government has been clear that building owners should take every reasonable step to ensure that unnecessary costs from the remediation of unsafe cladding are not passed on to leaseholders. As at 31 May 2020, of the 207 private sector residential buildings identified as having unsafe ACM cladding systems, the remediation of over half of these buildings was being paid for by the original developers or the freeholders. In 84 of those cases, the developer or freeholder has agreed to meet the financial costs themselves. In 23 cases, they have claimed successfully against warranty schemes. The Government expects a significant proportion of the remediation of unsafe non-ACM cladding to be funded by those responsible for the original work, through warranties, or by building owners or landlords who are able to pay for the remediation without passing on costs to leaseholders. The Government has provided £600m to help support the remediation of high-rise residential buildings with unsafe ACM cladding and we have recently made a further £1bn available to support the removal and replacement of other types of unsafe cladding. We have provided this funding to accelerate the pace of remediation and to protect leaseholders from costs; this does not absolve building owners from their responsibilities.

We are working with lenders and insurers to resolve the issues that have arisen with mortgages and insurance on high-rise buildings with unsafe cladding. The Government has supported industry efforts to apply consistency in how such properties are valued. We are also supporting an industry group to design a data-sharing portal so that lenders and leaseholders can access the information needed to proceed with sales and re-mortgaging. In addition, Ministers will be holding a roundtable with industry to ensure that lenders can agree a rational approach to mortgage valuations on properties in buildings under 18 metres.

In your letter, you suggest that that a buyer needs to obtain a 'certificate' to show that a building is safe in order to obtain a mortgage. We wish to make clear that this is not a Government, legal, or regulatory requirement. The valuation and mortgage lending industry have introduced a process to aid the understanding of the likelihood of remediation works affecting property value and the impact they may have on their lending decisions. This form, the EWS1, is not a certificate of building safety. For unsafe buildings over 18m, lenders can be assured that there is a funded solution to required remediation. We are aware that lender commercial decision making is creating difficulties within the market for properties under 18m. The Government is therefore supporting industry as they devise a more proportionate and risk-based approach to the valuation of multi-storey, multi-occupied buildings under 18 metres.

6. Final Comments

All of the actions and intervention which are outlined in this response are focussed on the need to make buildings safe and to support residents so that they can enjoy their homes in comfort and safety. This is by no means the full extent of the Government's work to transform the building safety system for new and existing buildings. We have already banned the use of combustible materials in exterior walls of all new high-rise buildings, and we are also regulating for the biggest change to building safety in a generation. We are committed to the introduction of a new regulator responsible for implementing and enforcing a more stringent regulatory regime for higher risk buildings, as well as providing wider and stronger oversight of safety and performance across all buildings, and increasing the competence of those working on building safety.