



Department for Levelling Up,
Housing & Communities

Richard Goodman

Director General, Safer and Greener Buildings

**Department for Levelling Up,
Housing and Communities**

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Dear Developer

Thank you for your sustained and intensive engagement over recent months to develop the building safety pledge into a contractual arrangement. The Secretary of State has today published the final form of the Self-Remediation Terms and Deed of Bilateral Contract. These can be found at:

<https://www.gov.uk/government/publications/developer-remediation-contract>.

The final documentation reflects every commitment made in the developer pledge. By signing the contract, you will give leaseholders and residents across the country peace of mind and take a big step towards our shared goal of restoring confidence in the sector. I am very grateful to the many developers who have worked hard with the department to finalise the contract, and to the Home Builders Federation for coordinating developers' contributions to this effort. The department strongly welcomes the work by those developers who have started to remediate buildings ahead of contractual terms being finalised.

The Secretary of State expects developers to sign the contract as soon as possible, and no later than Monday 13 March 2023 (six weeks from today).

My team is available to answer questions about the contract and assist you in meeting this date. Please inform the department by Friday 10 February 2023 of your timeline for deciding whether to sign the contract, and to whom our lawyers, Slaughter and May, should send execution copies. My team will be in touch separately about the practicalities of signing the contract, including preparation of necessary supporting information for the execution copies.

The Secretary of State also announced today that the government will bring into law a Responsible Actors Scheme in England pursuant to Sections 126-129 of the Building Safety Act 2022. You will remember that these provisions give the Secretary of State power to block developers who are eligible to join the scheme but decline to do so or have failed to meet its membership conditions from commencing developments for which they have planning permission, and from receiving building control approval for construction that is underway. By committing to put this scheme into law, we are giving signatories legal certainty, a level playing field for remediation duties, and confidence that non-signatories will not enjoy the same benefits as signatories do. We will soon set out the operational details of the scheme in regulations, which may also include requirements in relation to fit and proper persons.

It follows that any of you who elect not to sign the contract should begin preparing for commencement of the statutory scheme. Non-signatories will not be permitted to join. Unless the department has agreed to grant an extension, a developer that does not sign the contract by 13 March should expect that fact to be public. The department will take steps to inform investors and customers of the risks arising from continuing their commercial relationships. The government will also review its own commercial relationships, programmes, engagement, and procurement frameworks accordingly.

I am extremely appreciative of those of you who have, in line with the pledge, already begun prioritising and commencing remediation works: the quicker we can put buildings right the better. We are looking forward to working with you over the coming months to make the contract real, restore confidence in the sector, and create the right regulatory environment for the future.

I look forward to hearing from you by 10 February about your timeline for signing the contract.

Yours &c.,

A handwritten signature in black ink, appearing to read 'Richard Goodman', written in a cursive style.

RICHARD GOODMAN

Director-General – Safer and Greener Buildings

cc: Stewart Baseley
Executive Chairman
Home Builders Federation