



Ministry of Housing,  
Communities &  
Local Government

# Building Safety Fund for the remediation of non-ACM Cladding Systems (England only)

## Fund Application Guidance

### Annex D: Application Questions / Instructions

The following questions are the basis of those that you will be required to complete in the online application form. Those that relate to your full works and costs application have been highlighted above and are not repeated here.

First Stage Applicant Questions / Instruction wording
<b>Applicant Details</b>
<b>Application Instruction:</b> Applicant (“Responsible Entity”) – organisation name and contact details. <b>Guidance:</b> This is free text entry.
<b>Application Question:</b> Is the Applicant a registered provider of social housing? i.e. a housing association or a local authority. <b>Guidance:</b> This is a Y/N response.
<b>Application Instruction:</b> Confirm if the Applicant will be appointing a Representative with regards to the fund application. <b>Guidance:</b> This is a Y/N response.
<b>Application Instruction:</b> Upload template declaration confirming appointment as Applicant’s Representative by Applicant. This should be for each representative.
<b>Application Instruction:</b> If yes that you will appointing a Representative, please provide Applicant’s Representative – name, contact name, number, email address. <b>Guidance:</b>

<p>This is free text entry.</p>
<p><b>Application Instruction:</b>          Confirm that the Applicant has formally appointed the Applicant's Representative (s) to act on behalf of the Applicant and that evidence of this appointment is available on request.</p> <p><b>Guidance:</b>          This is a Y/N response.</p>
<p><b>Application Instruction:</b>          Confirm which of the following positions the Applicant holds in connection with the Property:</p> <ul style="list-style-type: none"> <li>(a) Freeholder</li> <li>(b) Head Leaseholder</li> <li>(c) Management Company.</li> </ul> <p><b>Guidance:</b>          Choose from the drop-down list.</p>
<p><b>Application Question:</b>          Is the Applicant a Right to Manage (RTM) company?<sup>1</sup> These are Y/N responses.</p> <p><i>[If yes:]</i></p> <ol style="list-style-type: none"> <li>1. Confirm the RTM company has been appropriately formed, the Building comprises qualifying premises<sup>2</sup> and that the correct notices<sup>3</sup> have been served.</li> <li>2. Confirm the RTM company has legally acquired the right to manage the Building and is entitled to undertake all necessary remediation works for which funding is sought.</li> </ol> <p><i>[If yes to '2']</i></p> <p>a) Confirm the RTM company is entitled to enter into either a short form or a grant funding agreement on behalf of leaseholders.</p> <p><i>[If no to '2']</i></p> <p>b) Confirm the RTM company has been appointed as a Property Manager for a period that will permit completion of all necessary remediation works for which funding is sought.</p> <p><i>[If yes to 'b']</i></p> <p>Confirm the RTM company is entitled to enter into either a short form or grant funding agreement on behalf of leaseholders.</p> <p>On what date does the appointment of the Right to Manage company end? (Date).</p> <p><b>Guidance:</b>          Applicants should keep Delivery Partners updated of any changes in RTM status</p>
<p><b>Application Instruction:</b>          Confirm that the Leaseholders and any of the residents at the Building (where different) have been informed and notified as to the proposed financial treatment of the Project, the scope of the Works and the timeframe for completion of the Works.</p> <p><b>Guidance:</b>          This is a Y/N response.          Your application will not proceed until you can confirm Yes.</p>
<p><b>Building Details</b></p>

<sup>1</sup> The Right to Manage (RTM) was introduced through the Commonhold and Leasehold Reform Act 2002. It gives leaseholders the statutory right to take over the management of their property from the landlord by setting up a special company - a right to manage company

<sup>2</sup> [Lease Advice - RTM Fact Sheet](#)

<sup>3</sup> <https://www.gov.uk/right-to-manage-a-guide-for-landlords>.

<p><b>Application Instruction:</b> Registration Number</p> <p><b>Guidance:</b> Provide from MHCLG data</p>
<p><b>Application Instruction:</b> Building name (s)</p>
<p><b>Application Instruction:</b> Building number</p>
<p><b>Application Instruction:</b> Development name, if applicable.</p> <p><b>Guidance:</b> Identifier to enable blocks in a development to be linked for management information</p>
<p><b>Application Instruction:</b> Street</p>
<p><b>Application Instruction:</b> Post code</p>
<p><b>Application Instruction:</b> Upload a plan showing the footprint of the building for which you are seeking funding</p> <p><b>Guidance:</b> This requires you to upload the plan.</p>
<p><b>Application Instruction:</b> Local Authority area in which the block is located</p> <p><b>Guidance:</b> Helps Delivery Partners to do an early check on accuracy, and if the block is in its delivery area.</p>
<p><b>Application Instruction:</b> Identify 4 residential properties within the Building held on open market lease terms which would be consistent with the leases which have been generally issued in the Building.</p> <p><b>Guidance:</b> This is a free text response.</p>
<p><b>First Stage Milestones</b> Input required is either estimated or actual dates</p>
<p><b>Application Instruction:</b> Date for project team appointment</p>
<p><b>Application Instruction:</b> Date of commencement of tender period</p>
<p><b>Application Instruction:</b> Date of tender return</p>
<p><b>Application Instruction:</b> Date of "Works Contract" execution</p>
<p><b>Application Instruction:</b> Start on site date</p> <p><b>Guidance:</b> Start on site is the commencement of physical work beyond interim measures to permanently make the building safe, such as starting to remove and replace cladding. This should be the contractual start date for all works if the contract includes works beyond the scope of remediation.</p>
<p><b>Application Instruction:</b> Practical Completion Date</p> <p><b>Guidance:</b></p>

Practical Completion is the removal and replacement of cladding and the date of signoff from Building Control. This should be the contractual practical completion date for all works, if the contract includes works beyond the scope of remediation.

### Pre-Tender Support Questions

#### **Application Question:**

Do you require any advance funding to undertake the design, specification and tendering required to start the remediation Works?

#### **Guidance:**

This is a Y/N response.

Please note that Any PTS costs count towards total project cost. We will normally provide up to 10% of total grant funding.

### Payment Details

The applicant should provide details of Client Money Account **or Trust Fund** into which MHCLG will make grant payments.

#### **Application Instruction:**

Provide details of the Client Money Account into which we will make grant payments.

#### **Guidance:**

Provide details of the account held in trust for the benefit of leaseholders into which we will make grant payments, with evidence that this complies with the requirements of Section 42 of the Landlord and Tenant (LTA) Act 1987.

Or

Provide evidence that this account is registered with an accredited Client Money Protection Scheme provider.

#### **Application Instruction:**

If you do not have a Client Money Account registered under the CMPS, please provide details of an equivalent trust deed which nominates your chosen account and legally requires that any funds provided to that account are held for the benefit of leaseholders ('a **Trust Fund**'). This will be required before we are able to make grant payments into that account.

#### **Guidance:**

Ensure and confirm that this trust arrangement complies with the requirements of Section 42 of the Landlord and Tenant (LTA) Act 1987 and upload a copy of the proposed deed so that this can be verified. This must certify that the funds are held for the benefit of leaseholders and detail a legally binding trust arrangement with them for this purpose (Schedule 7).

### Subsidy Questions

#### **Application Instruction:**

Upload completed and signed Subsidy Declarations received by you from Leaseholders who have confirmed they are economic actors for subsidy control purposes.

#### **Guidance:**

An economic actor is a leaseholder who uses their property in the Building principally for business or investment purposes (for example letting out a flat or using commercial property as business premises. Subsidy Declarations are required from all leaseholders of commercial premises, and any leaseholders of residential premises who are Economic Actors and have received state subsidy in the last three years. Completed Subsidy Declarations for relevant leaseholders should be uploaded on your delivery partner's portal. Further information is available in the Subsidy guidance for Applicants document.

**Application Instruction:**

For every leaseholder who you believe is an economic actor please provide the following details: -

- The name of the Leaseholder(s)
- The flat number(s) within the block (each address if they own multiple properties within the block)
- The unit number or address in the case of commercially occupied premises
- The percentage of service charge obligation they would otherwise bear in relation to the cost of the eligible Works according to their lease for each property.
- Whether they are a leaseholder of residential or commercial premises

**Guidance:**

Upload completed Economic Actor Summary Schedule.

**Application Question:**

Are there any properties in the block that are used for any tenure of social housing, including shared ownership and affordable rent?

**Guidance:**

This is a Y/N response.

**Application Question:**

If yes, how many units?

**Guidance:**

Ensure you include the total percentage of the cost of the eligible Works the social housing provider would otherwise pay as service charge for the social housing (including shared ownership and affordable rented) properties.

**Application Instruction:**

If yes, please provide name of the social housing provider and contact details.

**Guidance:**

If same as Applicant, please state so.

**Application Instruction:**

If yes, please confirm that all properties owned and let by the social housing provider are either let at sub-market rents or on shared ownership terms.

**Guidance:**

Where any property is let by the social housing provider either: (a) at a market rent or (b) on a long lease granted on market terms or on a shared ownership lease that has staircase to 100% these will not be capable of inclusion within any SPEI Agreement executed by the Registered Provider and any Residential economic actors should be declared.

Upload a schedule identifying the properties let at sub-market rents and those let on shared ownership terms

The social housing provider will be treated as the recipient of funding in these circumstances. However, the social housing provider should be able to take advantage of the TCA subsidy regime SPEI exemption. This information will be transposed into a SPEI agreement which the social housing provider will be required to enter separately.

**Second Stage Milestones****Application Instruction:**

Date of project team appointment.

**Guidance:**

The project team refers to **all** consultants required to complete the design and tender documentation for the works.

<p><b>Application Instruction:</b> Date of project out to tender or equivalent</p> <p><b>Guidance:</b> Please note tender is not limited to open tender processes and is dependent on selected tender strategy</p>
<p><b>Application Instruction:</b> Date of return of tender proposals (or equivalent)</p>
<p><b>Application Instruction:</b> Date of "Works Contract" execution</p> <p><b>Guidance:</b> Please allow a period of up to 4 weeks for fund review, approval and entering into the fund agreement.</p>
<p><b>Application Instruction:</b> Date for planning application submitted <i>(if required)</i></p>
<p><b>Application Instruction:</b> Date for planning approval <i>(if required)</i></p>
<p><b>Application Instruction:</b> Date for planning determined <i>(if required)</i></p>
<p><b>Application Instruction:</b> Date for obtained building control approval</p>
<p><b>Application Instruction:</b> Please confirm actual date of all required statutory approvals (excluding building control and planning permissions).</p>
<p><b>Application Instruction:</b> Start on site date</p> <p><b>Guidance:</b> Start on site is the commencement of physical work beyond interim measures to permanently make the building safe, such as starting to remove and replace cladding. This should be the contractual start date for all works, if the contract includes works beyond the scope of remediation.</p>
<p><b>Application Instruction:</b> Practical Completion date</p> <p><b>Guidance:</b> Practical completion is the removal and replacement of cladding, receiving signoff from building control where necessary. This should be the contractual practical completion date for all works, if the contract includes works beyond the scope of remediation.</p>
<p><b>Key Project Team Appointments</b> We require the professional details of the appointees and each with design responsibility to sign a collateral warranty.</p>
<p><b>Application Instruction:</b> Project Manager</p>
<p><b>Application Instruction:</b> Lead Consultant</p>
<p><b>Application Instruction:</b> Design Team Companies</p>
<p><b>Application Instruction:</b> Cost Consultant</p>
<p><b>Application Instruction:</b> Contractor</p>
<p><b>Application Instruction:</b> Fire Engineer</p>

Monthly Monitoring Management Information Proforma: Project Progress
<p><b>Application Instruction:</b> Confirm actual date of start on site if not previously provided</p>
<p><b>Application Instruction:</b> Provide the actual date (or N/A) for planning application if not already provided.</p>
<p><b>Application Instruction:</b> Provide the actual date (on N/A) for planning determination if not already provided.</p>
<p><b>Application Instruction:</b> Has the removal of all eligible unsafe cladding systems started? <b>Guidance:</b> This is a Y/N response.</p>
<p><b>Application Instruction:</b> Has all eligible unsafe cladding system completed been removed? <b>Guidance:</b> This is a Y/N response.</p>
<p><b>Application Instruction:</b> Confirm actual date (or N/A) of building control approval.</p>
<p><b>Application Instruction:</b> If you answered N/A, please confirm an updated estimated date of building control sign-off</p>
<p><b>Application Instruction:</b> Confirm that estimates or firm costs for any known variations have been uploaded to the portal <b>Guidance:</b> This is a Y/N response.</p>
<p><b>Application Instruction:</b> Cumulative spend against eligible cost to date <b>Guidance:</b> To be provided by Applicant Quantity Surveyor (Cost Consultant).</p>
<p><b>Application Instruction:</b> Forecast Outturn of Total Eligible Costs <b>Guidance:</b> To be provided by Applicant Quantity Surveyor (Cost Consultant) including any variations.</p>
<p><b>Application Instruction:</b> Does Forecast Outturn of Total Eligible Costs include variations to the Works Contract? <b>Guidance:</b> This is a Y/N response.</p>
<p><b>Application Instruction:</b> Confirm the estimated completion date.</p>
Variations
<p><b>Application Instruction:</b> Confirm that the Applicant's Contract Administrator (or equivalent i.e. Employer's Agent, NEC Project Manager) has confirmed that the cost variation in question is an allowable claim under the "Works Contract". <b>Guidance:</b> This is a Y/N response.</p>
<p><b>Application Instruction:</b> Provide a brief explanation on how the additional costs have arisen, the extent of necessary work and why they relate to the cladding remediation. <b>Guidance:</b> This is free text.</p>

<p><b>Application Instruction:</b> Confirm if the cost and time impact of the variation are firm and agreed with the contractor.</p> <p><b>Guidance:</b> This is a Y/N response.</p>
<p><b>Application Instruction:</b> Provide final time and cost agreements if estimates are used to support any variation requests.</p> <p><b>Guidance:</b> Required Upload</p>
<p><b>Application Instruction:</b> Provide the impact on the planned completion date in number of weeks.</p> <p><b>Guidance:</b> If agreement of time has not been reached with the contractor, a competent professional is to provide estimated time impact of the variation.</p>
<p><b>Practical Completion</b> <b>General Information</b></p>
<p><b>Application Instruction:</b> A Practical Completion certificate signed by the Applicant's Contract Administrator (or equivalent i.e. Employer's Agent, NEC Project Manager)</p> <p><b>Guidance:</b> Required Upload</p>
<p><b>Application Instruction:</b> Evidence of product guarantees that are effective commencing from the date of Practical Completion</p> <p><b>Guidance:</b> This is a Y/N response.</p>
<p><b>Application Instruction:</b> A snagging list detailing the items where rectification is required.</p> <p><b>Guidance:</b> This is a Y/N response.</p>
<p><b>Application Instruction:</b> Confirmation that the Applicant has informed the Leaseholders of the proposed Date of Practical Completion at least two weeks prior to that date.</p> <p><b>Guidance:</b> This is a Y/N response.</p>
<p><b>Statutory Consent</b></p>
<p><b>Application Instruction:</b> Building Control Completion Certificate or Approved Inspector Plans Certificate (for eligible Works only)</p> <p><b>Guidance:</b> Required Upload</p>
<p><b>Application Instruction:</b> If not previously provided, documentation evidencing all planning permission is in place.</p> <p><b>Guidance:</b> If Available</p>
<p><b>Cost Information</b></p>
<p><b>Application Instruction:</b> A Final Account document certified by the Applicants' Cost Consultant showing the costs of the tendered Works, plus any variations agreed.</p> <p><b>Guidance:</b></p>



Required Upload
<p><b>Application Instruction:</b> A Payment Certificate certifying the payment due to the contractor at Practical Completion signed by the Applicants' Contract Administrator (or equivalent i.e. Employer's Agent, NEC Project Manager)</p> <p><b>Guidance:</b> Required Upload</p>
<b>Technical Information</b>
<p><b>Application Instruction:</b> A health &amp; safety file / building manual in respect of the Works to provide a comprehensive information source. The manual will describe key components and systems to enable efficient and safe operation and maintenance</p> <p><b>Guidance:</b> This is a Y/N response.</p>

## Second Stage Full Works and Costs Template

Cost Type	Description of Works (Full description of works <b><i>must</i></b> be provided unless 'Not Applicable')	Total Project Costs (£) – i.e. if 'project' is for multiple blocks and works over and above replacement cladding	Total Costs eligible for grant funding (£) – i.e. costs of in-scope work in relation to the one block that is the subject of this application
<b>Removal of unsafe non-ACM cladding</b>			
Cladding to be removed – including specification of cladding, insulation, and other associated components to be removed.	Free text entry	£	£
Disposal of materials, including any limitations and / or restrictions.	Free text entry	£	£
Any materials to be retained for re-use.	Free text entry	£	£
Any materials to remain the property of the employer.	Free text entry	£	£
Any temporary support of structures / shoring – including parts of existing buildings to be retained, adjoining buildings not forming part of the Works and any other features.	Free text entry	£	£

Any temporary works to walls, roofs, floors – including whether weatherproof, watertight, dustproof, fireproof, etc.	Free text entry	£	£
Any other requirements.	Free text entry	£	£
<b>Installation of new cladding as replacement to unsafe non-ACM cladding.</b>			
New cladding – including specification, insulation, and other associated components to be installed.	Free text entry	£	£
Extra over / features – sustainability enhancements, extended design life, curved, faceted, cavity depth and fire stopping requirements, works to existing buildings / structural amendments.	Free text entry	£	£
Junction treatment to retained cladding, roof construction, parapet requirements, building drainage interface.	Free text entry	£	£
Any other requirements / abnormal costs.	Free text entry	£	£
<b>Preliminaries / Main Contractor Costs</b>			
Main contractor's preliminaries including management costs, site set up and offices, programme restrictions (occupied / unoccupied building), insurances, temp power and water, plant, general labour, etc.	Free text entry	£	£
Access (e.g. scaffolding or mast climber)	Free text entry	£	£
Main Contractor's Overheads & Profit	Free text entry	£	£
Contractor Contingencies	Free text entry	£	£
<b>Other Costs</b>			

Professional Fees - Feasibility Stage - e.g. statutory, planning, legal, building consent and other fees.	Free text entry	£	£
Professional Fees - Post Tender Stage	Free text entry	£	£
Irrecoverable VAT	Free text entry	£	£
Client costs	Free text entry	£	£
<b>Total</b>		-	-