



Ministry of Housing,  
Communities &  
Local Government

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To all MPs in England

02/04/2020

Dear colleague

## **UPDATES ON BUILDING SAFETY REFORMS**

We are approaching three years since the tragic fire at Grenfell Tower, and I am writing to update you on the action we are taking to ensure residents are safe in their homes.

This letter will cover publication of the Government's plan to reform the building safety system; remediation of unsafe cladding, including the impact of Covid-19; measures to be included in the forthcoming update to Approved Document B; and action we are taking with the mortgage and insurance industry on mortgages for properties in high-rise residential buildings.

I would also like to welcome the Prime Minister's appointment of Lord Greenhalgh as Minister of State jointly at the Ministry of Housing, Communities and Local Government and the Home Office. This is a positive reflection of efforts to further improve coordination of building and fire safety across Whitehall and he is a great addition to the Government at this difficult time.

### Government's response to the *Building A Safer Future* consultation

Today we are publishing the Government's response to the consultation, *Building a Safer Future*. The consultation sought views on our proposals for a radically new building and fire safety system, based on the recommendations of Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety.

This response, and the accompanying economic analysis and summary of responses, sets out our plans for bringing about the biggest change in building safety for a generation. Residents' safety is at the heart of these reforms.

As I announced to the House in January, we are creating a new, national Building Safety Regulator which is being established in shadow form by the Health and Safety Executive.

The new regulator will be 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.

The more stringent regulatory regime will, at the outset, apply to all multi-occupied residential buildings of 18 metres or more in height, or more than six storeys (whichever is reached first). The Building Safety Bill will provide for the ability to amend scope in the future based on further evidence on risk.

The new regulator will be responsible for all major regulatory decisions made at key points during the design, construction, occupation and refurbishment stages of buildings in scope. These decisions will include whether to allow a building to be constructed, and whether appropriate actions to mitigate and manage fire and structural risks are being taken on an ongoing basis so that the building can be safely occupied.

We will introduce a comprehensive duty holder regime, so that at each stage in the life cycle of a building in scope – through design, construction and occupation, including those buildings already occupied – there will be clearly identified people who are directly accountable for the safety of residents.

Under the new regulatory regime, residents will have new rights to receive information about the safety of their building and be able to request access to appropriate detailed safety information. They will be involved in decisions about the safety of their building and will have their complaints about safety dealt with quickly and effectively, with an escalation route to the Building Safety Regulator if this does not happen. They will also have clearer responsibilities in relation to mitigating risks to their homes, their neighbours' homes and their building.

Construction products have a critical impact on building safety and the Government will establish a national construction products regulatory role to strengthen the oversight of the existing regulatory regime. We also plan to implement a wider programme of reforms across the construction products sector, including establishing a new Construction Products Standards Committee, and introducing voluntary requirements for third-party certification schemes.

These reforms are designed to incentivise compliance from industry, regulators and residents; and to better enable the use of enforcement powers and sanctions, including prosecution as a last resort where the rules are not followed. But I also expect them to drive a longer term and more fundamental culture change, through which the safety of our homes and of all residents can be given the priority it rightly deserves.

The Government will legislate for these reforms through the Building Safety Bill. We are committed to bringing forward legislation that delivers meaningful and lasting change at the earliest possible opportunity. Resident safety is paramount, and we owe it to them to get this right.

The Fire Safety Bill, recently introduced by the Home Secretary, and associated regulatory changes will enable delivery of the recommendations of the Grenfell Public Inquiry phase 1 report that require changes to the law. The Bill places beyond doubt that external wall systems, including cladding, and the fire doors to individual flats in multi-occupied residential blocks, fall within the scope of the Regulatory Reform (Fire Safety) Order 2005. These changes will affirm fire and rescue services' ability to enforce locally against building owners or managers who have not remediated unsafe ACM cladding from multi-occupied residential buildings.

### Remediation and Covid-19

These reforms will deliver a radically new building safety system for the future, but we will not falter in our duty to make people safer in their homes now. That is why the Government has announced that it will provide £1 billion in 2020/21 to support the remediation of unsafe non-ACM cladding materials on high rise buildings. We are working to make this new funding available as quickly as possible. We plan to publish the prospectus for the new Fund in May and open for registrations soon after.

The fund will be open to social sector landlords and private sector building owners to remediate unsafe cladding on residential buildings over 18 metres. The funding is in addition to the £600 million which the Government has already made available to ensure the remediation of high-rise buildings with unsafe ACM cladding, which poses the greatest risk.

The challenges presented by the spread of Covid-19 are severe. The Government's view is that the work to remove unsafe cladding from buildings is critical to public safety and so must remain a top priority. My Department will do all it can to support building owners, managers and residents to ensure that remediation work continues where it is safe to do so.

New, enhanced project management support to this programme will allow us to identify and seek solutions to Covid-19 impacts, including on labour and supply, through engagement with individual remediation projects.

We have appointed the Government's construction expert, Dr David Hancock, to review ACM remediation and Faithful & Gould, a firm of expert construction consultants, have been appointed to provide additional programme management capability. This additional construction expertise support will identify blockers and work with those responsible for remediation to support individual projects.

### Non-ACM cladding

I have also today published the latest results of research and tests of a range of non-aluminium composite material (non-ACM) cladding materials as well as the video of the

large-scale tests carried out in the summer 2019. These have significantly improved our understanding of the fire behaviour of other cladding materials.

This supports the advice from the Expert Panel which has been clear since 2017, and most recently in its consolidated [advice](#) published in January 2020 that ACM PE presents an unparalleled risk and should be remediated on all buildings. The consolidated advice is also clear that other cladding materials should also be assessed for safety and remediated where found to be unsafe.

I am depositing a copy of the full technical report, appendices and summary report, alongside a copy of this letter, in the Library of the House and publishing it in full on [gov.uk](http://gov.uk).

### Updates to Approved Document B

In May I will publish an update to Approved Document B that will include increased fire safety measures in high-rise blocks of flats. This follows the Government's consultation between 5 September and 28 November 2019.

I can confirm that these measures will include provision of sprinkler systems and consistent wayfinding signage in all new high-rise blocks of flats over 11 metres tall. The provision of consistent wayfinding signage delivers on a recommendation from the Grenfell Public Inquiry phase 1 report. We will continue to work with the Home Office to respond to phase 1 recommendations, including through the Fire Safety Bill. Where this impacts on building design, the Approved Document will be amended again as necessary.

We also consulted on a requirement for evacuation alert systems. The Government will work with the National Fire Chiefs Council on a series of tests of new technology in this area, with a view to including guidance in a later update to Approved Document B.

I am also today publishing our plan for the full technical review of Approved Document B and a report containing recommendations on the structure of guidance to the building regulations. My Department is commissioning the required research for this fundamental review which will address a number of key fire safety issues including means of escape, compartmentation, toxicity and ensuring that fire safety guidance takes account of modern methods of construction

### Action on mortgages for properties in high-rise residential buildings

I recognise that it has become more challenging for some households to obtain mortgages for high-rise residential properties. The Government has been supportive of industry efforts to apply consistency in how such properties are valued.

The industry solution for buildings 18 metres and over has been the introduction of a new process to support valuation through an 'EWS1' form. Surveyors, lenders, insurers and other parts of industry, working with building owners, now need to ensure that the EWS1 form is shared appropriately to support this section of the housing market. To that end, an industry group is designing a data-sharing portal so that lenders and leaseholders can access the information needed to proceed with sales and re-mortgaging. Government stands ready to provide some funding, if necessary, to make this happen.

The Royal Institution of Chartered Surveyors (RICS) is leading efforts to devise an approach to apply reasonable and proportionate valuation judgement to buildings under 18 metres. I welcome and support this work. I hope that this continues at pace and that mortgage lenders come together to support it. I will hold a roundtable for mortgage lenders in the coming months to ensure lenders can agree a rational approach to mortgage valuations on properties in buildings under 18 metres.

I am also very conscious that many construction professionals have experienced challenges in accessing adequate Professional Indemnity Insurance. This has been a particular concern for fire engineers – who are crucial to assessing fire safety both in historical and new high-rise residential buildings. The insurance industry has recognised this as an issue and I am considering potential solutions. To inform this, I will be commissioning a review with the insurance industry to consider how Professional Indemnity Insurance can be provided in ways that give fire engineers and other construction professionals the confidence to continue to provide professional advice on fire risks associated with cladding on high rise buildings.

Finally, in addition to seeking solutions on insurance issues, my Department will also be working with industry in a number of other ways to help ensure that fire engineers play the part they should in advising on the safety of high-rise and other complex buildings. We will be working with fire engineers and the wider sector to establish a way to maintain a clear and consistent approach to fire risk assessments of cladding, as well as setting up a panel of fire engineers to help with the assessment of more difficult or complex buildings. Officials at my Department will also work with colleagues at the Home Office and professional bodies such as the Institution of Fire Engineers, the Fire Sector Federation and the Fire Industry Association to ensure there is a pipeline strategy to ensure this essential work can be scaled up, at pace.

In my role as Secretary of State, it has been a privilege to get to know members of the Grenfell community.

We owe it to them, to all whose lives have been affected by the fire at Grenfell Tower, and anyone having sleepless nights worrying about the safety of their building, to restore trust in our building safety system.

The measures we are announcing today demonstrate this Government's continued commitment to making sure that residents are safe in their homes now, and in the future.

A handwritten signature in black ink that reads "Robert Jenrick." The signature is written in a cursive style and is followed by a horizontal line underneath.

**THE RT HON ROBERT JENRICK MP**