

Julie James MS

Minister for Housing and Local Government

Hannah Blythyn

Deputy Minister for Housing and Local Government

9 March 2021

Dear Julie and Hannah

As you are aware, our Committee have been looking at the issue of fire safety since 2017 with a particular focus on high rise residential buildings.

To conclude our work at the end of this Senedd, we are currently considering the Welsh Government's White Paper, Safer Buildings in Wales: A consultation. We have taken evidence from key stakeholders, and before we conclude our work, we will be submitting a consultation response that builds on the evidence we have heard over the past 3.5 years.

We wanted to hear directly from those people most affected by the ongoing issues so held focus groups on 4 March with residents, and leaseholders from across Wales. 21 people shared with us their current experiences, as well as their views on relevant elements of the White Paper. The latter will feed into our response to the White Paper, however, we wanted to write separately on the uncertainty that these residents and leaseholders are currently facing.

If at all possible, we would appreciate a response by Tuesday 16 March, so that we can consider it before the end of this Senedd term.

Consultation and Engagement

We heard concerns that some residents and leaseholders were not aware of the on-going consultation on the White Paper. It was particularly concerning to hear from a leaseholder and resident who is also a voluntary director at one of the blocks with on-going issues, that there was no knowledge of the consultation with those residents and neighbours they spoke to.

We are acutely aware that the current lockdown restrictions makes it more difficult to undertake face to face engagement work, but considering that the voice of residents and leaseholders should be at the heart of responding to the



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current building safety crisis, it should be a high priority to ensure that every step is taken to make them aware of the on-going consultation, and encourage them to participate.

We welcome the publication of easy and quick read versions of the consultation document. These will help people respond to what is a necessarily technical and complex White Paper. However, if people are not aware that the consultation is taking place in the first instance, this will be of limited help. Some of the residents we spoke to said that a simple mail drop could be undertaken to ensure that people are aware and can respond if they wish, especially as the high rise residential buildings are known to the Government. We would urge you to ensure that more is done to help facilitate the engagement of residents and leaseholders in this consultation before the closing date in April. It would also be helpful for you to share with us what you are doing to help engage with residents on this White Paper, and we can share that with those who engaged with our work.

Dealing with on-going building safety issues in existing high-rise residential buildings

We know that you are well versed in the on-going building safety issues within existing high-rise buildings, both as a Minister, but also within your own constituency.

We are also acutely aware that this is a complex area, which demands effective working and agreement between the Welsh and UK Governments and a range of stakeholders. We accept that in some respects the Welsh Government is not in a position to act unilaterally. You have also been very clear in your repeated statements that there is a moral obligation on those who were responsible for building unsafe buildings to take responsibility. All of which we appreciate and welcome, but we continue to be concerned at the slow pace in getting some certainty and help for residents and leaseholders.

One of our focus group participants described engaging with local and national politicians, as well as advice services to try to get solutions to deal with the immediate problems. They told us that while everybody accepts that they are in a terrible situation, it appears no actions are ultimately taken.

Many residents and leaseholders are currently facing great uncertainty. They face both the stress of living in a home that is not as safe as it could be and, through no fault of their own, the prospect of a potentially substantial bill to fund remediation work. In the meantime they are facing difficulties in obtaining mortgages and insurance.

It is clear these are people who undertook all the relevant due diligence when purchasing their homes. They have been badly let down.



We believe that leadership needs to be shown now and very much welcome the engagement that you and your officials have had with relevant parties, including developers.

We were told, yet again, that what is needed is a fund backed by Government to pay for the remedial work immediately. We welcome your commitment to establish a funding offer for Wales that will address not just cladding, but other fire safety issues. The issue of who will ultimately be held liable for the costs can be pursued once the work has been done. We know this will not be easy, but believe it is clear that those who are responsible for the quality of a build, are in some cases not stepping up to the mark. We know that there are on-going issues about whether it was the system that has failed or individual developers. We understand this is complex, but leaseholders and residents should not be continuing to carry the worry, stress and financial liability for any longer.

Access to information

We have heard that for many leaseholders it is nigh on impossible to get basic information about their buildings. Information which is vital in establishing what remedial work is actually needed. Participants told of us being quoted over £50,000 to access building plans. It is unclear to the residents and to us, why such high figures are being quoted. We hope that the proposals in the White Paper would prevent this happening in the future, but what can be done now, so that residents and leaseholders are able to access basic information about their building to inform decisions about work that may be needed?

It was disappointing to hear of residents in a range of different buildings across Wales describe the challenges they often face when seeking to get basic information from their managing agent about building safety and potential remedial work. We were also told of how difficult it can be to remove an unsatisfactory managing agent. Again, we are aware of the proposals in the White Paper which may seek to address these issues in the longer term, but in the short term what can be done to help these residents and leaseholders now?

Access to advice

We also heard of the difficulty and struggle residents and leaseholders are finding in getting access to the right level of professional advice to address these complex issues. They described how the ever changing situation also complicates getting high quality advice.

Some of those we spoke to are also voluntary directors for their buildings or complexes, and they told us how they are having to make decisions in the best interests of hundreds of people, with insufficient support and advice.



We are aware that some support is available through the Leasehold Advisory Service, but this was not referenced by anyone in any of our focus groups, which possibly suggests that more needs to be done to raise awareness of this support.

What can be done immediately to better support residents and leaseholders in getting good quality advice and support in dealing with these issues?

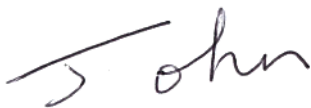
Identifying defects

We also heard about the potential reluctance to get defects identified, including going through the EWS1 process, because of concerns about the costs that may be incurred by either the managing agent or leaseholders to fix the issue. As we identified above, we also heard of managing agents not always being open with residents about defects that may have been identified. What can be done to address these issues?

As we said at the start of this letter, we fully understand and appreciate the complexities of these issues. We know there is no simple solution, yet nearly four years after the terrible events at Grenfell, there are many people across Wales who are facing the double whammy of living in buildings that are unsafe and facing huge financial bills to rectify these issues, yet they are being held liable for issues that are not their fault. This is fundamentally unfair, and should not be allowed to happen. We believe the Welsh Government needs to take a strong stand and show leadership, to tackle this issue as a matter of critical importance.

In light of the severity of these issues, as highlighted above and the impending recess and pre-dissolution period, I would appreciate a response by Tuesday 16 March

Yours sincerely,



John Griffiths MS

Chair

We welcome correspondence in Welsh or English.

