

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref – BSDC - 041

John Griffiths MS
Chair, Local Government
and Housing Committee

SeneddHousing@senedd.wales

4th May 2022

Dear John,

Thank you for your letter of 16 March, highlighting your concerns on behalf of leaseholders and residents about the progress made in Wales with regard to Building Safety issues and sharing the letter you received from the Welsh Cladiators.

The tragedy at Grenfell and the subsequent report by Dame Judith Hackett highlighted failures across the home building sector, and I am under no illusion, there is much that needs to be done to rectify these systemic issues.

Remediating buildings with existing fire safety defects, whilst holding those responsible to account wherever possible, is very complex. This complexity is further exacerbated as not all aspects of these matters are within the powers of the Welsh Government. The Welsh Government response must be holistic, proportionate and effective. This requires a range of policy solutions, including some developed in partnership with the UK Government where that is the quickest and most appropriate route. However, the response in Wales must also reflect Wales' unique situation, and the approach we have developed reflects that.

The Building Safety Programme has two strands. The first focuses on the large scale legislative and cultural reforms necessary to ensure as far as is practicable that a tragedy like Grenfell can never happen in the future in Wales. We are working with UK Government on aspects of the Building Safety Bill, and have already implemented the Fire Safety Act here in Wales. We have changed Building Regulations so a ban is now in place on use of all combustible materials on residential buildings over 18m in height. Our White Paper, [Safer Buildings in Wales](#), was published last year and set out our proposals for legislative reform and the introduction of a new Building Safety Regime for Wales. These extensive reforms will see significant improvements to safety throughout the lifecycle of multi-occupied residential buildings in Wales. We received a large number of responses to this consultation, and have published a [summary of responses](#). This consultation is only the

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.Wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

first step. We are committed to putting residents at the heart of these reforms, and a programme of engagement and informal consultation will begin in the summer to ensure all views are captured and fully considered in the development and implementation of these reforms.

However, there are already buildings in Wales where fire safety defects are known or suspected, whose residents are experiencing significant hardships as a result. The second strand of the Programme therefore focuses on the effective remediation of those buildings.

I believe it is the responsibility of the developers to remedy defects in the buildings they built. I am pleased a number of large developers have set aside funds to replace cladding and address other fire safety work on properties in Wales, and that in some cases this work has already begun. However, I will continue to engage with developers to press them to take responsibility and action.

I have always been clear that leaseholders should not be made to pay for fire safety defects that are not of their making, and so Welsh Government has committed £375 million over the next 3 years to remediate affected buildings. This is in addition to more than £15m funding to remove ACM cladding from social sector buildings. As a result, all 15 affected buildings have now either completed work or have clear plans to do so.

I have also always been clear that, in Wales, remediation work will go beyond cladding to take a holistic approach, encompassing evacuation alert, compartmentation and fire suppression systems where appropriate. This is the right approach, but it is more complex than simply tackling cladding, and will take time to implement. The vital first step in remediating a building is a comprehensive survey that identifies the issues and sets out the appropriate route to remediation for that building. In September 2021 I opened Expressions of Interest for Building Owners or Responsible Persons to submit, on behalf of their buildings, a request for a survey. So far, 248 expressions of interest have been received and acted upon, and the process remains open to new applicants. All 248 submissions have now received digital surveys, drawing on a range of data to capture vital information about the building, and to identify whether a further, intrusive survey is needed. Over 100 buildings have been identified as needing intrusive surveys. These surveys have already begun and we anticipate that they will be completed by the end of the summer.

I appreciate for Leaseholders having to live in affected buildings, it may feel that we are not working fast enough to fix the issues they are facing. I can assure you, that everything possible is being done to develop and implement a response. The pace of change reflects the complexity of the issues rather than any lack of commitment on the part of Welsh Government.

I am deeply aware of how building safety issues and the subsequent increases in service charges and insurance costs are affecting leaseholders. I have met with a number of residents who have shared their stories with me, for which I am grateful, and my officials are putting in place regular stakeholder engagement sessions with residents and representative groups to ensure that we are continuing to listen.

My written statement on 29 March provided further details of the development of the Leaseholder Support Scheme. The scheme will help individual leaseholders who cannot sell their properties and find themselves in significant hardship, due to escalating costs associated with fire safety issues. The Leaseholder Support Scheme is currently being finalised and will open for applications in June this year. This scheme is being offered in addition to our work to fund building surveys.

Whilst I cannot comment on individual circumstances, with regards to service charges, it may be possible for leaseholders to challenge the rate of service charges if they are deemed unfair. For more information on this process, please see the link below:

[Leasehold Valuation Tribunals | Residential Property Tribunal \(gov.wales\)](https://www.gov.wales/leasehold-valuation-tribunals-residential-property-tribunal)

While the Welsh Cladiators are correct in stating Housing is a devolved matter; some related issues, such as building regulations, are not devolved. This means it is not always possible to move forward in Wales without having to consider where responsibilities lie. Additionally, there may be times where it is more efficient to adopt the route pursued by UK Government.

My officials work alongside their counterparts in UK Government to ensure any developments made there, which can apply to Wales, do so in a measured way. For example, my officials have worked with their UK Government colleagues to help develop a Residential Property Developer Tax, which will be a UK-wide tax of the largest developers in the UK, including in Wales. The tax is planned for implementation from April 2022.

The Welsh Government is committed to supporting **all** leaseholders and residents in buildings with building safety issues regardless of tenure. Remediating buildings with fire safety defects and holding to account those responsible, are complex issues that bring in matters not always within the powers of the Welsh Government. Different rules govern whether and how Welsh Government is able to provide financial support to the public and private sectors. Where Welsh Government is able to take swift action it has done so.

This is a highly complex area and we are working at pace to find a solution, but it must also be the right one for each building affected by fire safety issues. Our aim is to develop effective support options and reforms that will improve building safety both in the here and now and in the future.

Yours sincerely



Julie James AS/MS

Y Gweinidog Newid Hinsawdd
Minister for Climate Change