



Ein cyf/Our ref: MA-P-RE-2424-18

John Griffiths AM
Chair
Equality, Local Government and Communities Committee

9 July 2018

Dear John,

On-going inquiry into fire in high-rise buildings

Thank you for your further letter requesting further information, which I have set out below.

Private sector – the role of block managing agents

In terms of support for companies established to manage privately-owned residential blocks, either with or without ACM cladding systems, I am similarly concerned that these companies, often comprising flat owners, are supported to find appropriate ways to address the myriad, complex issues with which they can be faced.

I have previously outlined our actions in connection with leasehold reform. One of the strands of this work is the establishment of a multi-disciplinary Task and Finish group on residential leasehold reform, which will meet for the first time later this month. I have asked that group to advise me on the establishment of a voluntary code of practice for property management agents. I have also asked the group to consider what awareness raising materials and training should be promoted or developed for those involved in leasehold transactions (which may include prospective buyers, current leaseholders, conveyancers and property management agents). These steps are intended to assist both professional bodies and those set up by tenants to manage their responsibilities effectively.

In the interim Welsh Government funds LEASE to provide independent advice and guidance on matters relating to Leasehold. Their website offers a range of guidance material on matters relating fire risk assessment.

The casework approach we have taken to buildings identified as having ACM cladding means that my officials are directly engaged with owners, agents, and developers for each of the buildings concerned.

The Fire and Rescue Services (FRS) can, of course, provide expert advice on fire safety, usually free of charge. However, companies and individuals with legal responsibilities for fire safety nonetheless need to discharge those responsibilities themselves. In the case of each of the buildings we have identified as having ACM cladding the FRS have been directly engaged with those responsible for the buildings to assist in their assessment of risk.

Officials wrote to all owners of residential high rise in Wales earlier this year, reminding them of the need to undertake appropriate risk assessments and providing a link to the guidance issued by the UK Government. Further the Regulation team have recently undertaken an exercise seeking assurances from the Boards of Registered Social Landlords with regard to health and safety.

Where buildings, for example in Cardiff, have been found to be of concern the FRS has been similarly engaged. My officials have also written to the owners / agents of all high rise residential buildings in Wales reminding them of the guidance available via the UK Government.

Finally I would comment that I appreciate the law can be both vague and confusing in this regard, and we agree with the Hackitt Review that reform is needed to address that.

Financial Issues

I am fully committed to ensuring that people living in high-rise buildings, in both sectors, are safe and secure.

I would also reiterate the Welsh Government's position on funding for remediation work in the private sector: that we do not wish costs to be passed on to individual leaseholders or residents. We have welcomed moves by a number of developers in England to live up to their responsibilities in meeting remediation costs. I have now concluded a round of meetings with the developers and managing agents of the private sector buildings in Wales with Category 3 (and, where they correspond with BRE Test 7, Category 2) ACM cladding systems. The meetings have been constructive, and I have been reassured that work is now in hand on a number of buildings or else there is significant progress towards remediation. To date, this work is rightly being funded by building owners or developers. I was also pleased to note that costs of interim measures were not being passed to residents.

We will continue to liaise with the private sector as we seek full and prompt remediation to the affected buildings and that leaseholders and residents are not financially disadvantaged.

Whilst I have noted the RLA's proposal, I remain of a view that this is a matter for building owners and developers but that costs should not be passed onto leaseholders.

Expert Group

I am establishing an expert group, which I will chair, to ensure we can shape and take forward a suitable Welsh response to the conclusions and recommendations of the Independent Review of Building Regulations and Fire Safety. The group will start to meet later this summer, with a view to establishing a pathway in December. I agree that it is important that the Committee and other interested parties are kept abreast of developments and, for that reason; I am content for a note of our discussions and decisions to be published following each meeting. Naturally, I would also be happy to brief the Committee on the work of the group (although that might be most useful for you as we start to form our conclusions).

Fire Safety Advisory Group

I have found the Fire Safety Advisory Group to be useful, particularly so in the immediate aftermath of fire at Grenfell Tower. I am reflecting on how it can best continue to add value, and how its work will relate to that of the Expert Group.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The script is cursive and fluid, with a small dot at the end of the last word.

Rebecca Evans AC/AM

Y Gweinidog Tai ac Adfywio

Minister for Housing and Regeneration