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The Rt Hon Sajid Javid MP
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Dr Sadiq,

11 July 2017

Thank you for your letter to the Prime Minister of 30 June, to which I have been asked to reply. Thank you also for the support you and your staff have given to the response and recovery efforts following the tragic fire at Grenfell Tower. Amid this unimaginable tragedy, one of the few positives has been seeing the efforts of London's councils, the GLA, central government and wider public sector coming together with the voluntary and private sectors to do whatever they can to help the survivors, bereaved and wider community.

Nevertheless it is clear that we are far from having got everything right and that is particularly true with reference to the immediate response of Kensington and Chelsea Council. Like you, I welcome the decisions of the previous Leader and Chief Executive of the Council to have stepped aside. And I hope you too welcome the full apology offered by the new Leader, Elizabeth Campbell.

The question now is how we continue to put that right and restore the trust of local people – and particularly the community in North Kensington – in the Council. Like you, I want to help the council meet that challenge. I note your call in your letter for Commissioners to be appointed. You will also now have seen my written statement to Parliament on Wednesday 5 July on this matter, available here:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2017-07-05/HCWS27/>

As the statement sets out, with reference to the immediate response to the disaster, we have put in significant additional support through the Gold Command structure. This is being coordinated by the Grenfell Response Team, headed up by John Barradell. He is ably supported by a number of colleagues drawn from London councils, the wider local government sector including the Royal Borough of Kensington and Chelsea (RBKC), the voluntary sector, police, health and fire services as well as central government. Their expertise and hard work is making a huge difference.

But as well as providing that immediate support, we must have an eye to the future. So following an agreement with RBKC, I will appoint an independent Recovery Taskforce with the experience and skills to advise the Council on the longer term recovery needs. The remit of the Recovery Taskforce is to provide assurance to me and strategic support to RBKC . It will consider all aspects of the recovery operation but will have a special focus on housing, regeneration and community engagement. It will also consider the governance of the council and the way that it operates to ensure it is able to provide effective leadership through trying and difficult circumstances. And it is also essential that the Taskforce understands the views of survivors, their families and the wider community. The Government will positively consider any further requests for assistance by the council.

The Taskforce will give a view on the capacity of the council to undertake its longer term recovery role. Alongside the Taskforce, my Department will continue to work with the new leadership of RBKC to help them get the practical assistance and support they need to deliver the right services for survivors and wider community.

The Recovery Taskforce will report to me directly, and will be made up of experienced and senior people with a track record in delivery, including from local government. I will announce details of the chair and membership of the Taskforce shortly. And it will be in place for as long as is required.

I believe this is the right course of action at this stage, working with the elected Council that has now asked for our support, rather than overriding it. Of course, should the Taskforce or others present me with evidence of systemic failure, then the Government could still choose to conduct a statutory inspection. Nothing should or will get in the way of providing the services and support that local residents left devastated by this tragedy need and deserve.

It is clear that the recovery and rebuilding task ahead is huge. I hope that as far as possible we can keep as much of the bipartisan approach that we have applied to the

immediate response as we go about that task, and that we can continue to work together in that spirit in the weeks and months ahead.

I am copying this letter to the Prime Minister and Minister for London.

A handwritten signature in blue ink, appearing to be 'Sajid Javid', written in a cursive style. The signature is positioned above the printed name.

THE RT HON SAJID JAVID MP



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Our Ref:3421587

14 July 2017

Thank you for your letter of 6 July to the Prime Minister. She has asked me to reply on her behalf.

The tragic events at Grenfell Tower on 14 June have shocked us all deeply. My fellow ministers across Government and I have heard devastating stories from people caught in the fire. We are all clear that this should never have happened and must not happen again.

Thank you for taking the time to write to us with issues that stakeholders are raising. It is important that we continue to listen to what people are telling us. We are also very grateful for all your work to ensure local authorities and housing associations across London are reviewing their aluminium composite material cladding at good pace.

As you may be aware, I have established the Building Safety Programme within my Department. The programme is identifying the buildings which are of concern and providing support to landlords to ensure their buildings and residents are safe. As you set out, and following expert advice, the first priority has been identifying Aluminium Composite Material (ACM) cladding that is unlikely to meet the limited combustibility requirement. This work is ongoing and is providing a picture of which buildings have that cladding.

Alongside this, we have given urgent advice to all local authorities and housing associations, drawn up by our Expert Advisory Panel and endorsed by the National Fire Chiefs Council, on interim safety measures that should be taken immediately where it has been determined that a building has ACM cladding that does not meet the test of

limited combustibility. This includes advice on arranging for a fire risk assessment to be carried out and choosing a competent fire risk assessor. The advice echoes many of the recommendations in the London Fire Brigade letter that you kindly shared with us and which I have also sent on to the Expert Advisory Panel for their consideration. We encourage all landlords with tower blocks with ACM cladding to act on the advice we have given to ensure the safety of residents.

The landlords for all the affected buildings are taking action to inform tenants and implement the interim safety measures needed, including contacting fire and rescue services in their area to conduct fire safety inspections of all such tower blocks to inform remedial works where necessary.

As the next step, following advice from the Expert Advisory Panel and a group of technical experts from a wide range of professions and organisations, we announced on 6 July a further test of cladding systems. These large-scale tests will help establish how different types of ACM panels in combination with different types of insulation behave in a fire. These tests, which will run alongside the existing ACM panel screening programme, will be undertaken by the BRE as a matter of urgency. The results of the tests will be made publically available and will help landlords make decisions on any further measures that may need to be put in place to make their buildings safe.

The Expert Advisory Panel is considering what its work programme will be in the weeks ahead. Its initial focus will be to consider the result of the large scale cladding systems tests. If there are some systems which do not pass building regulation requirements, the panel will advise us on issues such as:

- what advice will be given to building owners who know they have a cladding system which has not met building regulation requirements;
- what degree of oversight we should seek to have of buildings where cladding systems have not met building regulation requirements;
- if any further advice is necessary to support building owners to decide on appropriate actions going forward;

We are aware that councils and other building owners are also seeking clarification of actions they should take in relation to materials other than ACM, where cladding has been removed and where new construction has been halted because it was planned to install ACM. For buildings with materials other than ACM, including insulation, the expert panel will consider these issues shortly.

You also highlighted that clear guidance is needed on the process of removing cladding. The Expert Advisory Panel noted that it is important that if building owners decide to take down and replace cladding, care should be taken to consider the impact that removal may have on the other wall elements, especially insulation, and therefore on the overall fire integrity of the building as well as other Building Regulation requirements. The Expert Advisory Panel also recommended that the advice of a competent

professional who specialises in the fire performance of cladding assemblies should be sought to assist in these considerations.

My Department has also written to UK-wide building control bodies and local councils to highlight key issues in achieving building regulation compliance when undertaking work to cladding on high rise buildings. The guidance also makes building control bodies aware of the guidance which the Department has provided to building owners following the Grenfell Tower fire.

Thank you again for your support with the response to the Grenfell Fire. I appreciate your continued support to help building owners act on the latest advice that the Expert Advisory Panel provide on steps needed to make buildings safe for residents.

A handwritten signature in black ink, appearing to read 'S. Javid', with a small comma at the end.

RT HON SAJID JAVID MP



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Our Ref:3464161

6 September 2017

Thank you for your letter of 22 August. I am pleased that you support the independent review of building regulations led by Dame Judith Hackitt and am grateful for the engagement of your team with my department. It is important to examine the regulations around the design, construction and ongoing management of buildings in relation to fire safety and how the building control system operates in relation to fire safety including compliance and enforcement. We have now published the Terms of Reference for this review and I attach a copy for your reference.

Dame Judith is keen to engage widely with relevant stakeholders to inform the review. As such she would welcome the opportunity to speak to you and your colleagues in more detail. I will arrange for the Review Team to make contact with you. Alongside this the Department will shortly be issuing a Call for Evidence to help inform their work which I hope you will be able to formally respond to as well.

In relation to your suggestion around collaborative work on potential London Plan fire safety policies, I will ensure that my officials liaise with your team.

Thank you again for writing to me, I look forward to hearing more about work on the London Plan.

RT HON SAJID JAVID MP

Independent Review of Building Regulations and Fire Safety - Terms of Reference

In the light of the system failures which have been revealed by testing carried out in the wake of the Grenfell Tower disaster, Government has commissioned an urgent, independent review of building and fire safety regulations and their effectiveness.

The purpose is twofold - to make recommendations that will ensure we have a sufficiently robust regulatory system for the future and to provide further assurance to residents that the complete system is working to ensure the buildings they live in are safe and remain so.

The Review will draw upon international experience of regulatory frameworks and the frameworks covering other industries where exceptional events can lead to the risk of large scale fatalities.

The independent Review will be carried out by Dame Judith Hackitt. In reaching its conclusions, the Review will:

- map the current regulatory system (i.e. the regulations, guidance and processes) as it applies to new and existing buildings through planning, design, construction, maintenance, refurbishment and change management;
- consider the competencies, duties and balance of responsibilities of key individuals within the system in ensuring that fire safety standards are adhered to;
- assess the theoretical coherence of the current regulatory system and how it operates in practice
- compare this with other international regulatory systems for buildings and regulatory systems in other sectors with similar safety risks;
- make recommendations that ensure the regulatory system is fit for purpose with a particular focus on multi-occupancy high-rise residential buildings.

The Review will seek the input of relevant stakeholders and will work closely with other Government Departments. It will make recommendations in light of the evidence gathered. These recommendations can cover changes or clarifications required to any part of the system or recommendations for further work Government needs to carry out. In doing so it will consider the implications of changes on wider government objectives (including housing supply and rent levels).

The Review will run in parallel with the work of the Statutory Inquiry headed up by Sir Martin Moore-Bick and will co-operate fully with the Public Inquiry. The review will submit an interim report to the Secretary of State for Communities and Local Government and the Home Secretary in Autumn 2017. The Government will work closely with the Chair to identify whether there are changes in this report that can be implemented while the Review's work continues. The Government will provide an initial written response alongside the report laid before Parliament. The Review will submit its final report jointly to the Secretary of State for Communities and Local Government and the Home Secretary in Spring 2018. The Government's response to the final report will also be laid before Parliament.

MAYOR OF LONDON

Department for Communities and Local Government and The Home Office Call for evidence for the independent Review of Building Regulations and Fire Safety Submission from the Mayor of London, Sadiq Khan

I am writing in response to the Independent Review - Building Regulations and Fire Safety call for evidence (12 September 2017), following the awful and devastating fire at Grenfell Tower which has raised, and still continues to raise, serious questions about the fire safety of certain buildings.

I welcome the independent review which I trust will result in far greater clarity and understanding of many issues relevant to this tragedy, and I look forward to the publication of the resultant interim and final reports. However, I am disappointed that the scope of the review has been drawn so narrowly. I believe the entire system of building regulations, including the interaction of its constituent parts, needs to be fundamentally examined. A narrower focus will not provide the robust case required to make the changes that are needed to restore confidence and ensure public safety moving forward.

I am submitting evidence as the need to restore public confidence in the safety of buildings and to ensure they are safe for all residents and visitors is clear. I have significant concerns around a number of aspects of the building regulations system - which are broader than the very focussed questions asked in the call for evidence paper. I do understand the need for swift interim conclusions to help building owners concerned with how to implement safety improvements in the short term, but I think this can be provided whilst still looking at a more comprehensive review over a slightly longer timeframe. The London Fire Brigade will be providing a response to this call for evidence, which will focus on technical aspects of independent review.

The Grenfell tragedy has highlighted a number of aspects of the current regulatory system and associated statutory guidance (the approved documents) which clearly require significant change to ensure that they provide an effective framework to deliver safe buildings. These include:

- The competitive nature of the building regulations industry. It should be questioned whether the current scenario of more than one provider being able to deliver a statutory service of such critical importance to the safety of people is appropriate, given that competing building control bodies may feel the need to compromise on occasion (under the guise of 'reasonable provision') to maintain their place in the commercial market.
- The format and usability of the statutory guidance (approved documents). Grenfell has highlighted variation in interpretation and confusion around the provisions and technical guidance within the approved documents.
- A need for greater prescription and less opportunity for interpretation - given the significance of the subject matter and its direct impact on human life.
- The need to take into account our diverse population and whether the built infrastructure required to evacuate buildings is suitable for all users, including disabled people, older people and people who require level access.

MAYOR OF LONDON

Given these concerns, and in the interests of fire safety and to ensure the safety of all building users I have incorporated policy requirements into my draft new London Plan which will be launched for consultation on the 29 November 2017. These require developers to consider this vitally important issue at the earliest possible stage of the development process, and require developments to achieve the highest standards of fire safety, ensuring that they:

- Are designed to incorporate appropriate features which reduce the risk to life.
- Are constructed in an appropriate way to minimise the risk of fire spread.
- Provide suitable and convenient means of escape for all building users.
- Adopt a robust strategy for evacuation in which all building users can have confidence.

However, the aim of this policy is to complement a robust system of building regulations, ensuring safety is a paramount consideration from the initial stages design of any development to its eventual development and operation. Therefore, ensuring the building regulations system is fit for purpose remains crucial. We are hopeful that this review will result in improved clarity and less ambiguity around the technical requirements, and will ensure that the highest standards in fire safety are achieved in the future via the building regulations process. It is however appreciated that such fundamental change will take time.

I would like to emphasise the importance of ensuring that any changes to the building regulations and the regulatory system deemed necessary by this review are implemented as soon as possible, and are not limited in any way by deregulation ambitions.



Sadiq Khan
Mayor of London

Date: 13 OCT 2017

MAYOR OF LONDON

Rt Hon Sajid Javid MP

Secretary of State for Housing, Communities
and Local Government
Ministry of Housing, Communities and Local
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2 Marsham Street
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Date: 06 FEB 2018



I am writing regarding my concerns about the costs of removing Aluminium Composite Material (ACM) cladding from privately owned residential high-rise buildings in London.

As we know, a range of ACM cladding assemblies failed large-scale tests carried out by the Building Research Establishment (BRE) over the summer of 2017, following the tragic Grenfell Tower fire. The large-scale tests revealed that many residential buildings in London are clad in flammable and dangerous materials, putting both residents and visitors at risk. Given the results of the large-scale tests, ACM cladding must be removed from high-rise residential buildings in London as soon as possible, and replaced with safe, non-flammable cladding.

However, the issue of who is responsible for the cost of removing ACM cladding from privately owned residential high-rise buildings in London is becoming increasingly urgent. I am therefore writing to request that the Government covers the immediate costs of removing and replacing cladding on these buildings, to prevent lengthy legal disputes over who is responsible for the costs from delaying the works and leaving residents and visitors at risk.

I am sure you will be aware of the Citiscape complex in Croydon, which is clad in ACM panels similar to those which were on Grenfell Tower. Given the danger this cladding assembly presents to both life and property, it is essential that it is removed and replaced as soon as possible. However, the building owner, Proxima GR Properties, has insisted that it is not obliged to cover the costs of the work and that leaseholders will be required to pay approximately £2 million between them to cover the costs of removing and replacing the cladding. Leaseholders have been warned that this amount will continue to increase the longer they delay payment.

Whilst I am glad to see building owners taking steps to improve the safety of their buildings, I am very concerned about the significant costs leaseholders are facing. Many leaseholders in London will be unable to afford to pay for these works and could end up losing their homes as a result. It is also likely that lengthy legal disputes over who is responsible for the costs will end up delaying the works, resulting in dangerous cladding remaining on buildings for an extended period.

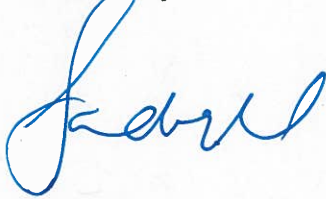
MAYOR OF LONDON

Given the importance of ensuring that all residential high-rise buildings in London are as safe as possible, I am sure you will agree that we cannot afford to let legal disputes over cost delay the process of removing ACM cladding and replacing it with a safe, non-flammable alternative. Furthermore, whilst the Government has previously publicly indicated that building owners rather than leaseholders should cover the costs of these works, it is yet to take any action to assist or protect leaseholders who find themselves faced with a substantial bill to pay for these works.

It is likely that there will be more cases like that of the Citiscape complex in Croydon, in which privately owned residential high-rise buildings are found to have ACM cladding. It is therefore essential that the Government provides interim funding to pay for the removal and replacement of the cladding, to ensure the safety of residents and visitors in these buildings.

While I have seen your public comments on this topic, I am very concerned that the Government is not doing anything to help leaseholders caught in this way. I am calling on you to act now and do more to help leaseholders of privately-owned residential blocks, both to protect their immediate safety and to ensure they are not forced to pay massive costs that are threatening many with severe hardship.

Yours sincerely,



Sadiq Khan
Mayor of London

Cc: Jo Johnson MP, Minister for London
Rt Hon Gavin Barwell, Chief of Staff, 10 Downing Street



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The Rt Hon Sajid Javid MP

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Rt Hon Sadiq Khan
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Dear Sadiq

Thank you for your letter of 6 February regarding the pace and cost of the remediation of aluminium composite material (ACM) cladding on residential tower blocks in London.

You express concern that disputes over responsibility for costs will stop remediation work from happening, and leave people at risk. I am clear that keeping people safe in their homes is paramount. If a building is unsafe, building owners – or the responsible person, where this is different – should take action to make it safe.

Following the Grenfell tragedy, the Government appointed an independent expert panel to advise on fire safety measures. This panel has developed guidance on the immediate steps (known as ‘interim measures’) building owners should consider; more information can be found here:

<https://www.gov.uk/government/publications/updated-interim-safety-advice-for-building-owners>

For all of those high-rise buildings that have been confirmed as having ACM cladding that does not meet the limited combustibility requirements set out in building regulations, the relevant fire and rescue service has been notified. We have worked with local authorities, housing associations, fire and rescue services and building owners to ensure that immediate steps are taken to make buildings safe and that, longer term, cladding which is deemed to be unsafe is removed and replaced as quickly as possible.

Interim measures can include evacuating car parks, implementing a “waking watch” or fire marshals, suspending a “stay put” evacuation strategy and replacing it with a simultaneous evacuation policy, and installing common fire alarm systems. The building owner, or responsible person, needs to work with experts and the fire service to determine which measures are appropriate for the specific circumstances of their building. These measures ensure that residents are kept safe in their homes while longer-term cladding replacement or remediation work takes place.

My department has established a dedicated casework team, focused on liaising with Local Authorities to track progress. We have provided financial support to local authorities for data collection, and have written to Local Authorities to make clear the legal powers under which they can act should enforcement action be required. We continue to work with the LGA and with London Councils, to address practical issues and facilitate the sharing of best practice. I ask that, through the London Fire and Emergency Planning Authority, you encourage close partnership working between London Fire Brigade and London councils on checking these buildings, ensuring they are safe and enforcing action where necessary.

With regards to costs, I am clear that building owners should do all they can to protect individual leaseholders from the additional costs of remediation and the steps being taken in the interim – either funding it themselves or looking at alternative routes such as insurance claims, warranties or legal action. I believe that this is the right and moral thing to do.

All local authorities and housing associations to whom we have spoken have indicated that they are choosing not to pass on the costs of remediation to individual flat owners within their buildings. I am aware of some private sector building owners who are not charging leaseholders and urge others to follow suit.

I also want to ensure that leaseholders are able to access specialist advice to understand their rights. That is why government is providing additional funding to LEASE, the leaseholder advisory service, to provide a dedicated initial advice and dispute resolution service for those leaseholders affected. LEASE is also offering bespoke outreach events to leaseholders in affected blocks, including one on 8 February at the Citiscape building in Croydon.

I and my fellow ministers take the issues being faced by leaseholders living in buildings with potentially unsafe ACM very seriously. I have spoken to building owners to make it clear that I believe the right approach is to not pass on costs

to individual leaseholders. The Housing Minister has recently spoken to the owner of the Citiscape building in Croydon to reiterate this message.

I am of course keeping the situation under review.

Clearly there is also an important role for local authorities supporting leaseholders in their areas. I would urge you to consider what you and the Greater London Authority could do to provide support to leaseholders of privately-owned residential blocks in London, and if you genuinely believe this should be funded by Government you can of course look at using GLA's reserves against the costs leaseholders face.

Thank you for your continued interest in this important work. Residents should be safe, and feel safe, in their homes. The Government is acting urgently to ensure that this is the case.

A handwritten signature in black ink, appearing to read 'S. Javid', with a small comma at the end.

RT HON SAJID JAVID MP