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Lord Greenhalgh

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Dear Sian,

Thank you for your letter of 21 July regarding the issue of EWS1 letters being requested by mortgage providers in cases where this is in contravention of the RICS guidance.

I want to assure you that I do understand the concerns of those who have found themselves in this situation through no fault of their own, and that we are working hard to make progress on these matters.

You mention a case where lenders have demanded an EWS1 form in respect of a building four storeys in height which has no unsafe Aluminium Composite Material (ACM), Metal Composite Material (MCM) or High Pressure Laminate (HPL) panels, despite letters of assurance confirming this.

Your letter is timely. On the day you wrote to me, 21 July, the Government issued a recommendation, backed by major lenders, that EWS1 forms should not be required at all for buildings under 18 metres. This can be viewed here: <https://www.gov.uk/government/news/major-intervention-from-government-and-lenders-to-support-leaseholders>.

This followed the findings of an independent expert group on fire safety that there was no evidence of systemic risk to residential buildings of this height. The advice of the Independent Panel was supported by the National Fire Chiefs' Council and Institute of Fire Engineers.

I am sure you will welcome the news that a group of major high street lenders, HSBC UK, Barclays, Lloyds Banking Group and others have said that the expert report and government statement paves the way for EWS1 forms to no longer be required for buildings below 18 metres and will help further unlock the housing market. Risk to life in blocks of flats remains very low. The number of fires in homes in England has been on a downward trend for many years, reaching an all-time low last year.

In the light of the Government statement, and support from the lenders, I would hope that further clarity will be brought to the fact that an EWS1 is not required for a building four storeys in height, and alternative lenders may be found.

Building owners are responsible for ensuring their building is safe and they have a legal duty to maintain an up-to-date Fire Risk Assessment, and this should include the external walls. The Government has clarified the Fire Safety Order, through the Fire Safety Act 2021, to ensure this is

abundantly clear. But as the expert panel's statement also makes clear, in most cases cost-effective risk mitigation strategies can be put in place without unnecessarily burdening leaseholders:

'In most cases in blocks of flats below 18m where fire safety risks are identified (such as the presence of combustible cladding), adequate levels of safety can be achieved for residents by implementing cost effective risk mitigations (such as smoke and fire detectors and alarms, adequate means of escape, sprinklers and smoke control systems). Where these risk mitigations are not present, their introduction, or other cost-effective measures or enhancements, can mitigate risks identified without unnecessarily financially burdening those involved. Where EWS1 forms and assessments have already been completed for buildings below 18m and have identified costly remediation work we strongly recommend that these assessments are reviewed to ensure that the proposed solution is cost effective and proportionate.'

I can assure you that we will continue to work with lenders to help them to recognise alternative forms of assurance of building safety such as a comprehensive Fire Risk Assessment which includes the external walls.

Thank you for writing in on this important matter.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Lord Greenhalgh', written in a cursive style.

LORD GREENHALGH