



Ministry of Housing, Communities & Local Government

Alex Norris MP

Parliamentary Under-Secretary of State for Local
Growth and Building Safety
2 Marsham Street
London
SW1P 4DF

Councillor Barry Rawlings
Councillor Ross Houston
Barnet Council

8 November 2024

Dear Barry and Ross,

Thank you for your letter of 17 July regarding support for residents of timber or UPVC clad timber framed houses in Barnet. I am responding as the Minister responsible for Building Safety to the briefing you provided alongside this letter, further to the response of 7 November from Minister Pennycook. Please accept my apologies for the delay in response.

Thank you for your proactive response to the Moss Hall Grove fire in June 2023, in identifying fire safety hazards and taking action to support your tenants and wider residents. I am also grateful for your continued engagement with the Building Safety Regulator, my department and officials on this issue, as well as fire services and other external fire safety experts.

I welcome further engagement on this issue as you progress with building surveys, seek further expert advice, and consider the range of options available to you. I would also be grateful for any further information or intelligence you can share about the hazards in these buildings, or any similar stock in other local authority areas, to support the Building Safety Regulator in their duty under the Building Safety Act 2022 to keep under review the safety and standard of buildings.

In your briefing, you made the following asks of government which I shall address below:

- 1. Confirmation that Government agrees with the approach we are taking in Barnet in relation to these properties, including our duties under the Housing Act*
- 2. Explore whether cladding remediation funding could be made available to affected Freeholders and Leaseholders, who, through no fault of their own, could face significant costs. As part of this, it would help if Government would review current policy which excludes homeowners in buildings below 11m from accessing current cladding funding. While the previous Government's answer to a recent parliamentary question stated most low-rise homes are unlikely to need remediation, the evidence emerging from Barnet suggests that these homes do.*
- 3. Explore whether funding may be available to ease the additional pressure caused by this issue on Barnet's Housing Revenue Account, as the money we are using is likely to be required to complete our wider fire safety programme.*

The government is not considering fire safety remediation funding for houses in Barnet or elsewhere. Our cladding remediation schemes, such as the Cladding Safety Scheme, are targeted at proportionately addressing life safety fire risks associated with dangerous cladding in multioccupancy flats. Our understanding remains that very few flats under 11m require cladding remediation works because lower-cost mitigations like sprinkler systems are a more appropriate way to make low rise buildings safe than costly remediation works. Any consideration of potential funding for cladding remediation in multioccupancy flats below 11m does not include single occupancy houses.

Although you have identified hazards in these buildings using the Housing Health and Safety Rating System (HHSRS) under the Housing Act 2004, the hazards relate to a combination of cladding, lack of fire stopping, internal defects, and limited escape routes, instead of specific defects with the cladding. Indeed, timber and UPVC cladding materials, as well as timber frame construction, are commonly used in new buildings in compliance with existing Building Regulations. There is thus no basis for government to provide funding.

Barnet Council, like all local authorities, are responsible for managing their budgets to fulfil their duties. This includes keeping the housing conditions in your area under review with a view to identifying any actions that may need to be taken by them.

It is entirely appropriate that you have taken action to investigate fire hazards following the Moss Hall Grove fire, and are assessing options to address hazards where you have identified them in your social housing stock to protect your tenants. This is in line with your responsibilities as building owners and social housing providers to fulfill requirements of the Decent Homes Standard, including removing category 1 hazards. I welcome that you have engaged the Regulator of Social Housing on your actions. I also commend that you have considered completing energy performance works in your stock. It is also appropriate that you are completing individual surveys of each building to assess the specific risks, and to identify potential lower cost remediation solutions.

As you know, Barnet Council are responsible for keeping under review housing conditions in the area under the Housing Act 2004, and government has no statutory role or legal powers to assess your operational decision or actions taken. However, I observe that enforcement under the Housing Act 2004 is uncommon in owner occupied dwellings. I understand you deem it necessary for private owners to remediate their properties to mitigate hazards in your social housing stock, given the evidence of Moss Hall Grove that fires can spread along terraces, and noting that these are of mixed tenure across the buildings impacted. I also understand you plan to take enforcement action where required to ensure action is taken, with costs passed to owner occupiers, including freeholders, leaseholders, and shared owners.

As you are aware, any action taken under the Housing Act 2004 should be proportionate in line with the Regulators' Code. It is for the council to assess the proportionality of its actions taking into account the nature of the risks identified and considering all available options to mitigate or address these hazards. I would expect your action to minimize the potential costs upon affected owner occupiers who you note are at no fault for these hazards in their homes

by ensuring your enforcement action is focused on the highest risk issues in considering its proportionality.

I hope these observations help to support your ongoing response. My officials and those at the Building Safety Regulator are available if you would like to discuss this in more detail, in addition to keeping in contact on your ongoing plans.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'AN', with a long horizontal flourish extending to the right.

ALEX NORRIS MP

Parliamentary Under-Secretary of State for Local Growth and Building Safety