



23 January 2023

Good afternoon,

Building Safety is a priority for the Welsh Government. It is critically important that residents feel safe and secure in their homes.

I am committed to addressing building safety in Wales and continue to take forward our Welsh Building Safety Programme alongside a significant programme of reform to establish a fit for purpose building safety regime.

### **Work with Developers**

I have always made it clear that I do not expect leaseholders to bear the cost of repairing fire safety issues that are not of their making and that I expect developers to step up to their responsibilities.

I am therefore pleased a number of large developers have set aside funds to replace cladding and address other fire safety work on properties in Wales. These developers have set an example that others should follow.

I have written to over 50 developers who have either signed up to the UK Government's Pledge, or who operate at scale in Wales. The majority of these have confirmed they have not developed buildings of 11 metres or over in Wales. Of the remainder, two have confirmed they have already taken steps to address fire safety risks in Wales, two developers are yet to respond, and eleven developers have signed up to the Welsh Government's Developers Pact.

The Pact represents a public commitment they will address fire safety issues in buildings of 11 metres and over, they have developed over the last 30 years. These developers are Persimmon, Taylor Wimpey, Lovell, McCarthy and Stone, Countryside, Vistry, Redrow, Crest Nicholson, St Modwen, Bellway and Barratt.

The Pact is underpinned by formal legal documentation, and I am pleased to confirm that this has been drafted and shared with the Home Builders Federation. I anticipate that these developers will confirm their acceptance of our terms shortly. I am also pleased to report a number of developers have started remediation works in advance of signing, such as Bellway and Persimmon Homes, as I saw today when I visited Century Wharf in Cardiff.

My officials and I continue to engage and work with developers and press them to take responsibility and action in matters of fire safety.

Although it is preferable that developers engage voluntarily, I have made clear I will explore all options, including legislation, to ensure developers step up to their responsibilities.

### **Welsh Building Safety Fund**

Our Welsh Building Safety Fund has invited Responsible Persons of buildings of 11 metres or over to submit an Expression of Interest. This is the starting point for accessing support from the Welsh Government.

In the first instance, a digital survey is carried out, which is a desk-based appraisal. If appropriate, a further intrusive survey is undertaken to understand specific fire safety issues present in the building and will generate a report setting out any next steps required to restore the fire safety integrity.

To date, we have completed 113 intrusive surveys and we anticipate the remaining survey work will be completed shortly, subject to access.

The Expression of Interest process has provided an understanding of fire safety issues in residential buildings of 11 metres and over and have also helped us to identify the developers responsible for the remediation of these buildings. However, a number of buildings have been identified where the developer is unknown or ceased trading. These buildings are defined as orphaned buildings.

I have agreed to an initial cohort of six orphan buildings to be remediated to test our approach and ensure that buildings are made as safe from fire risk as possible. The work to develop this first cohort has started and I will make further announcements on the details of this first cohort of buildings in due course.

The route to accessing Welsh Government support will continue to be through our Welsh Building Safety Fund. This fund remains open for Responsible Persons to complete an Expression of Interest, which is the starting point for accessing support from the Welsh Government. I encourage all Responsible Persons to complete an Expression of Interest for their buildings as soon as possible. In the first instance, the fund allows for surveys to take place at no cost to leaseholders, offering information about fire safety issues, and providing EWS1 forms for those buildings where the risk of fire is low.

As always, I am committed to ensuring leaseholders do not pay for fire safety issues which they are not responsible for, and this is not limited to building which have cladding.

Our Welsh Building Safety Fund continues to be and will remain open for responsible persons to complete an Expression of Interest. I encourage all responsible persons to complete their Expression of Interest as soon as possible.

## **Leaseholder Support Scheme**

Despite the positive moves made by developers, and other progress, I appreciate that these works will not come soon enough for some leaseholders who face financial hardship as a result of fire safety issues in their homes. In June last year I launched the Leaseholder Support Scheme with a commitment that I would continue to review the eligibility criteria to ensure those in greatest need would benefit from the scheme.

The recent cost of living crisis has created an untenable situation for many, and I am determined that the support offered through the Leaseholder Support Scheme takes into account these issues. As was the case previously, the scheme provides access to free independent financial advice for leaseholders, and if it is right for the household, the option for them to sell their property and either rent back their home or move on.

Following the completion of a review I have instructed officials to amend the eligibility criteria of the scheme in two fundamental ways.

The first is to amend the assessment of financial hardship to take into account the rising cost of energy. This is vital as it will increase recognition of those in significant financial hardship as a result of the recent increases to the energy price cap and will allow more people to access the scheme.

The second fundamental change is to remove the Displaced Residents clause. Previously, to be eligible for the scheme, leaseholders had to either be residents, or be residents forced from their property due to changing circumstances. By removing this criterion, the scheme is now opened to leaseholders who have purchased properties as an investment, such as pensioners, or those who have received the leasehold through an inheritance.

The new eligibility criteria will be live at the end of January. I urge any leaseholders in financial difficulty to complete our eligibility checker, to see if you can access support through this scheme.

For further information please visit the [Welsh Government website](#).

## **Lenders**

On 6 December the Royal Institution of Chartered Surveyors announced the publication of new valuation guidance for properties in multi-storey, multi-occupancy residential buildings with cladding.

As a result, from 9 January some lenders will consider fresh mortgage applications for medium and high-rise properties (buildings more than 11m high) with building safety issues, as long as they are covered by either a Government Scheme, or the developer has committed to remediate the building. This currently applies in England only.

In Wales, buildings continue to be assessed on a case-by-case basis and my officials and I are working together with the Royal Institute of Chartered Surveyors and UK Finance to ensure mortgage applications will similarly be considered for properties in Wales of 11 metres and over, which are covered by our agreements with developers and the Welsh Building Safety Fund.

### **Strategic Stakeholder Group**

My officials and I have also recently launched a Building Safety Strategic Stakeholder Group. The Building Safety Stakeholder Group will act as a strategic, independent advisory group for Welsh Government on matters relating to, and under the jurisdiction of, the Welsh Building Safety Programme.

Stakeholder engagement is at the core of my approach to ensure our policy development for building safety is informed, effective, robust and based on clear evidence. Obtaining the expert views, leaseholder perspective, advice and support of our stakeholders is critical to the successful delivery of our Building Safety Programme. We have also issued invitations to expand the leaseholder representation in the Group, to ensure we capture their views and lived experience on this matter.

I am therefore very pleased that following the first recent meeting positive and valuable discussions were made. I look forward to future meetings to obtain the expert views, advice and support from our stakeholders which is critical to the successful delivery of our Building Safety Programme.

We have invited the Welsh Cladiators to join the Group, and although they declined to attend the first meeting, I hope they will reconsider their position and the opportunity to shape this area of work.

### **Resident Engagement**

Resident engagement remains at the core of our approach to developing a new Building Safety Regime for Wales. Our proposals place residents at the heart of the reforms and seek to empower leaseholders and tenants to have more say in matters that affect their homes.

Over the last 12 months, my officials and I have reached out to a number of resident groups and associations to ensure the voice and insights of a broad representation of leaseholders and tenants are heard, and their lived experiences considered. The engagement to date has provided valuable insight into the issues which matter most to residents.

I will continue to engage with leaseholders and tenants of multi-occupied homes over the coming months to ensure our building safety reforms are practical and accessible.

## **Independent information and support for leaseholders in Wales**

If you are a leaseholder concerned about unsafe cladding in your building, you can get free initial advice about your rights from the [Leasehold Advisory Service \(LEASE\)](#). LEASE provides FREE initial advice on fire safety to leaseholders in high-rise buildings, including those with ACM cladding, to ensure that leaseholders are aware of their rights and are supported to understand the terms of their leases.

You can get free advice from our experienced advisers, by [booking a telephone appointment](#), or by [writing to us](#).

There are other specialist advisers and support groups that leaseholders in Wales might want to consult including:

- Leasehold Knowledge Partnership (LKP) – an independent registered charity providing help for leaseholders on leasehold issues, including cladding: <https://www.leaseholdknowledge.com/advice/>
- Welsh Cladiators: A group dedicated to fighting the injustice of the fire safety scandal in Wales & supporting the fight across the UK: <https://welshcladiators.co.uk/>
- UKCAG: a resident-led campaign and a collaboration between Inside Housing, UK Cladding Action Group, Manchester Cladiators, Grenfell United, and many other resident groups: <https://endourcladdingscandal.org/get-involved/meet-campaign-partners/uk-cladding-action-group/>
- CLADDAG – Leaseholder Disability Action Group: A group of residents who are disabled or have health conditions and are living in homes affected by the cladding and building safety crisis. <https://claddag.org/>

## **Building Safety Newsletter**

In addition, I wanted to make you aware of our regular updates available on this subject via our Newsletter. This will provide regular information on both the Building Safety Programme, and any formal announcements that have been made in the Senedd on this subject.

To receive the newsletter, you will need to subscribe by clicking the available link [here](#) and registering your interest.

If you would like to subscribe to the Welsh version please subscribe [here](#).

Once registered you will receive regular updates from the Building Safety Programme.

I would be grateful if you would share this letter with any appropriate contacts you might have.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James". The script is cursive and fluid, with the first name "Julie" and the last name "James" written in a single continuous line.

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