



Ministry of Housing,  
Communities &  
Local Government

Rt Hon Dr Liam Fox MP  
House of Commons  
London  
SW1A 0AA

**Lord Greenhalgh**

*Minister of State for Building Safety, Fire and  
Communities*

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Dear Liam,

Thank you for your letter dated 2 November 2020 to the Rt Hon Robert Jenrick MP. I am responding as this matter falls within my ministerial responsibilities as the Minister for Building Safety. I apologise for the for the delay in my response.

I would like to start by thanking you for supporting leaseholders in your constituency who are experiencing problems and concerns as a result of cladding issues. Although we are unable to comment on individual buildings, your letter provides useful insight into the difficult and distressing situations that many leaseholders are facing through no fault of their own and I would like to thank you for sharing their stories. This is an issue of the utmost importance to the government and I want to assure you that we are working at pace to identify and implement solutions.

One of the queries you raise in your letter is the 18-metre height threshold for the Building Safety Fund. The Government's decision to place the scope of the Building Safety Fund at buildings over 18 metres reflects the exceptional fire risk that certain cladding products pose at that height, as previously noted by the Independent Expert Advisory Panel and Dame Judith Hackitt. It remains building owners' responsibility to address unsafe cladding on buildings of all heights, and we have provided advice from the Expert Panel on the measures building owners should take to ensure their buildings are safe. There is, however, a small degree of flexibility to allow the Fund to cover buildings that have been built just under the 18-metre threshold and have similar fire safety strategies as those above 18 metres.

In your letter, you also raise the question of who pays for remediation work. We have been very clear that it is the responsibility of the building owner or responsible person to ensure the safety of residents and have called on them to do all they can to protect leaseholders from the costs of remediating historic building defects. In many cases, building owners and freeholders can meet these remediation costs from their own resources, by claiming on insurance policies or warranties, or taking legal action, and it is incumbent on them to pursue those avenues. It is important to note, however, that what a leaseholder might be liable to pay for will very much depend on the terms of their lease.

We recognise that there are many cases where leasehold agreements will allow building owners or their managing agents to pass remediation costs on to leasehold owners of individual flats, and that is why we are investigating solutions to protect leaseholders. The Government has asked Michael Wade, senior adviser to MHCLG in this area, to accelerate work with the financial sector, building owners and leaseholder groups to assess and recommend funding models, whilst also ensuring that the needs of taxpayers are taken into account. Work continues at pace to develop further financial solutions to help protect leaseholders, and we will announce further details in due course.

I hope this information is of help to you and your constituent. Thank you for writing in on this important matter.

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

**LORD GREENHALGH**