

The Rt Hon Clive Betts MP
Chair
Housing, Communities and Local
Government Committee
House of Commons
Westminster
London, SW1A 0AA

Philip Glanville, Mayor of Hackney
Cllr Sem Moema, Mayoral Advisor for
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Dear Clive,


Fire safety and cladding

We are writing to you on behalf of Hackney Council regarding the impact of issues facing residents in buildings due to combustible cladding.

We welcome the Housing, Communities and Local Government Committee's inquiry into the impact of dangerous cladding remediation on residents. As a local authority we have been alarmed at the number of private leaseholders who have approached us and have been particularly badly affected by fire safety measures relating to cladding in private buildings – and for whom there seems to be little, if any, central Government support. In addition to this we have also had concerns from residents living in the private rented sector who have serious concerns about the safety of their homes. We have encouraged all of these residents to contribute their stories to your inquiry's survey. In addition to this we have summarised some of our findings on the three topics to be covered by your inquiry below:

The scale of issues facing residents in buildings due to combustible cladding

We have been approached by leaseholders facing considerable stress and anxiety. Many of them are being asked to pay large sums of money – sometimes tens of thousands of pounds – due to their private building owners being unable to recover the costs of remediation from other sources. Leaseholders advise us that they are being charged for the cost of interim measures, such as 'waking watches', and the costs of remediation of potentially high-risk cladding (whether ACM or non-ACM), as well as costs of remediation of other fire hazards that have been identified. These waking watches are supposed to be short-term solutions but residents are being charged for extended periods. There is also evidence of disputes between building management organisations, developers, housing associations and freeholders as to

Decorative graphic element consisting of three curved, parallel lines in shades of green, starting from the bottom left and curving towards the right.

where the final decisions and liabilities lie to take action to resolve these issues, with sometimes leaseholders again trapped unable to sell or remortgage and uncertain about the real safety of their homes.

Too many private leaseholders in the borough are also stuck in the invidious position of being unable to remortgage, staircase or sell their flats, even though the buildings were built to the regulations in place at the time and may well be safe. Some lenders are unwilling to provide a mortgage on properties that do not meet the latest Government advice relating to cladding. A consequence of the current situation is that leaseholders are being prevented from selling and remortgaging their homes because of the confusion and lack of understanding of mortgage lenders. Similarly, because some properties have been valued by mortgage companies as having a value of £0, leaseholders whose fixed rate mortgages are ending are finding themselves lumped with high variable-rate mortgages of up to 6%.

We have also heard that different lenders are taking different positions and responses to the same government advice. As you can imagine this is simply an intolerable situation for any leaseholder to be placed in. This is a national issue and requires clear unambiguous national leadership on regulation and finance.

Quality and effectiveness of Government support for the removal of dangerous cladding from existing buildings

While remediating dangerous cladding is a priority, residents have told us that additional fire hazards have been identified that are not covered by the funding provided. For example we have heard from residents living in shared ownership buildings that have identified combustible insulation in their block. These residents are in the unenviable position of being uncovered by the Government's funding and while also being held liable for 100% of the remediation costs despite owning as little as 25% of their properties.

The costs of testing and remediation are also impacting the Council directly and while Hackney Council has been provided funding for additional data collection burdens, this funding is woefully inadequate for the scale of what's needed. For example, the funding provided will not nearly cover the costs of surveying the 200+ council high-rise blocks we manage, nor the extensive and intrusive testing of external wall systems. In addition to these responsibilities, and while critical, having to take extensive enforcement action against private building owners is proving to be a very expensive and time consuming process.

Similarly to residents in the borough, the Council is finding that the new external wall system data gathering exercise is bringing to light many more issues than just ACM cladding and as such is becoming a much more labour intensive project than initially estimated. The new burdens funding is only really scratching the surface of the cost of this work and taking action against private building owners. We feel much more funding will be needed to support continued testing as well as remediation, especially as further problems are identified.

The pace of remediation

The Government announced the private sector ACM cladding remediation fund back in July 2019 and so far in Hackney very few building owners have been able to access the full funds required for remediation. We are finding that leaseholders and renters in Hackney have found themselves in a very challenging situation due to the delays in accessing this funding. Furthermore, affected residents have experienced frustrating delays due to a lack of

transparency from building developers about what materials were used in the construction of their homes and who should pay for remediation work if Government funding is not available. This has resulted in many leaseholders spending countless hours trying to access details related to the materials used to build their homes and the rights and responsibilities of various stakeholders under the law. The complexity mix of ownership and buck passing between freeholders, developers, housing associations and managing agents often uncovered during this work has compounded the challenge for residents and the Council.

Some of these residents who have been impacted are key workers living in affordable housing, such as shared ownership blocks. These residents have a limited ability to fund the necessary remediation work or to engage in a drawn out legal battle with building owners – especially at a time when they are risking their lives to respond to the coronavirus pandemic. We are concerned about the responsibility of funding remediation falling on those with the least resources or access to legal representation, at a time when their focus is rightly on their heroic frontline work. Ministers should not expect Hackney's key workers to be spending their time off in a bureaucratic nightmare.

As a local authority, we have acted quickly to identify affected buildings as government guidance has been released. We have contacted over 200 building owners and required them to provide the data requested. While many of these owners have responded quickly, there are some instances where tracking down ownership has been challenging or where owners have been slow to respond.

As well as this, responses have often been inadequate, requiring further enquiries with threats of legal proceedings for those who are not participating. This process has taken multiple staff members away from their normal duties on an almost full-time basis. The Government must require greater transparency about the ownership of buildings, materials used, and where liabilities are placed.

We appreciate the Housing Communities and Local Government Select Committee taking the time to investigate this issue and its impact on residents. While we know that you may well have been in contact with our Members of Parliament as well as directly with Hackney residents, we would also welcome an opportunity to meet and discuss this issue in more detail, and would be happy to supply further evidence to the Committee.

Yours sincerely,



Philip Glanville
Mayor of Hackney



Cllr Sem Moema
**Mayoral Advisor for
Private Renting and Housing Affordability**

CC: Meg Hillier MP, Member of Parliament for Hackney South and Shoreditch
Rt Hon Diane Abbott MP, Member of Parliament for Hackney North and Stoke Newington