



END
OUR
CLADDING
SCANDAL

End Our Cladding Scandal manifesto

Make our homes safe.
End the building safety crisis.

October 2023

Everyone deserves a safe home.

Everyone deserves a safe home in which to live, work, care for our families and make plans for our future. A safe home is the foundation for building a life in which we can all fulfil our potential.

Yet more than six years after the Grenfell tragedy, hundreds of thousands of people remain trapped in unsafe and unsellable flats.

Over 10,000 residential buildings across the country are still waiting for remediation of cladding and other critical building safety defects.

Since we launched our campaign in 2019, the government has announced £5.1bn of funding through the ACM Cladding Remediation Fund, Building Safety Fund (BSF) and the Cladding Safety Scheme (CSS) – although only a quarter of this has been spent since the BSF launched three years ago. This funding will also largely be offset by a tax on development and the income HM Treasury will gain from an estimated £15-20bn of remediation projects across 10,000+ buildings, through VAT and other taxes.

Government funding is also focused only on cladding remediation – but buildings cannot be made half-safe. The building safety crisis goes far beyond external cladding and so must funding solutions.

In 2023, fifty developers signed contracts to self-remediate “life-critical” fire safety defects in buildings they developed or refurbished over a thirty-year period. This is a step forward, but it only represents an estimated 10-15% of all defective buildings. It is down to pure luck whether you bought a home developed by an SME developer that has not yet been asked to self-remediate their buildings, or one that chose to dissolve immediately after construction – which has happened all too frequently. We want to see consistent policy to protect leaseholders from costs, not a game of chance.

“Leaseholder protections” were introduced in the Building Safety Act, but they are partial and piecemeal. Adding complicated layers of who may or may not qualify for protection has left many thousands of leaseholders facing life-changing costs, and it continues to affect the housing market. Mortgage lending on flats remains broken, and buildings insurance premiums have sky-rocketed.

Our government must take control and deliver a fairer and faster end to the building safety crisis.

It doesn't have to be this way.

Our government can take control and deliver a much fairer and faster end to the building safety crisis.

The next fire won't wait, so we need to see much more action to make homes safe, much more quickly.

We need a comprehensive solution to funding that will fully protect all blameless leaseholders and residents.

Our lives have already been on hold for over six years – we need to be given our lives back, now.

The good news is that the solutions are straightforward if there is the political will to end this crisis. It is already within the power of the government to make homes safe at the pace we need and deserve. Our five point plan sets out our key asks and the steps to deliver them.

We look forward to continuing to engage with the government and all political parties to finally make our homes safe and end the building safety crisis for good.




Sold an Olympic Park dream



Living in a nightmare


Our five point plan for making our homes safe again.

1 COMPREHENSIVE RISK ASSESSMENT STANDARDS



Definitive, holistic and risk-based guidance is essential for buildings of all heights and for both external and internal defects, so that safety assessments and the remediation required will be absolutely clear and consistent.

2 MAKE OUR HOMES SAFE AT THE PACE WE NEED AND DESERVE



The pace of making homes safe must significantly accelerate from today. The government, construction industry and building owners must all be held to account to ensure a swift solution. Fire won't wait and we are dicing with another catastrophe with every passing day.

3 ALL LEASEHOLDERS ARE 100% INNOCENT & MUST BE PROTECTED FROM REMEDIATION COSTS



The building safety crisis was caused by a decades-long collective failure by the construction industry and successive governments that ignored warnings that the building regime was not fit for purpose. Every leaseholder is blameless and must have equal protection from the cost of remediating safety defects.

4 LEASEHOLDERS MUST BE PROTECTED FROM FURTHER FINANCIAL PENALTIES



The government must address financial losses not covered by the current "leaseholder protections" and ensure that leaseholders are not further penalised by an onerous mortgage lending process and exorbitant building insurance premiums.

5 URGENT ACTION TO GIVE US OUR LIVES BACK NOW



Affected leaseholders and residents need much more help right now. We must be able to obtain accurate information about our homes, remediation work must be carried out with respect for residents, and mental health support must be made available to those affected by the crisis.



1 COMPREHENSIVE RISK ASSESSMENT STANDARDS



Definitive, holistic and risk-based guidance is essential for buildings of all heights and for both external and internal defects, so that safety assessments and the remediation required will be absolutely clear and consistent.

Buildings cannot be made half-safe. The building safety crisis goes far beyond external cladding and so must solutions.

- A truly holistic approach must give **equal consideration to non-cladding defects** that require remediation, such as balcony structures, means of escape and internal safety issues.
- There must be **a robust national standard for assessing internal building safety issues** – including the building structure, roof voids, compartmentation and fire-stopping – which is comparable with the national standard for external wall assessments.
- Both cladding and non-cladding defects should be remediated in **a single holistic project for each building**, wherever possible; otherwise, work will drag on for years in separate phases, causing even more unnecessary disruption to leaseholders’ and residents’ lives.

There must be a comprehensive risk assessment methodology that applies to buildings of all heights.

- There must be **a clear and consistent risk assessment standard that can be applied to buildings of all heights**. A “case-by-case” approach is unsustainable for dealing with the magnitude of affected buildings under 11 metres in height. Where professional risk assessments call for remediation or mitigation measures, then action to make the building safe must follow, regardless of building height.
- **The government should work with all stakeholders to ensure their view of risk in buildings under 11 metres is not contradicted** by the approach taken by lenders, insurers, fire engineers and building owners. If there is no consensus, leaseholders and residents will remain trapped – and the market for flats will remain broken – for years to come.



2 MAKE OUR HOMES SAFE AT THE PACE WE NEED AND DESERVE



The pace of making homes safe must significantly accelerate from today. The government, construction industry and building owners must all be held to account to ensure a swift solution. Fire won't wait and we are dicing with another catastrophe with every passing day.

The government must prioritise making homes safe, with the urgency it deserves.

- **All buildings must have a remediation plan in place by June 2024** and there must be **clear deadlines** for completion of remediation work.
- **The scope of government grant funding schemes must be widened** to ensure buildings can be made fully safe, including remediation of non-cladding defects, and they should also cover mitigation measures such as sprinklers wherever these are recommended by holistic risk assessments. In simple terms: funding should match the risk.
- There should be clear **KPIs to monitor the end-to-end operation of government funding schemes**, from initial building application through to project completion, so that schemes can be more effective.

All industry stakeholders must be held to account and contribute to the cost of remediation, so that homes are made safe as soon as possible.

- There must be **robust oversight of the developer self-remediation contracts with deadlines** to ensure our homes are made safe at pace and that the scope of work is not reduced to prioritise their profits over our safety – leaving leaseholders liable for the remaining defects.
- **A wider pool of responsible parties, from contractors to product manufacturers, building control, architects, warranty providers and others should be compelled to pay** towards making buildings safe, through levies or taxes. These professionals were not so slow to take profit and earnings from our defective homes.
- **Action must be taken where building owners cause unreasonable delay** to signing remediation contracts and landlord certificates.
- The same powers to take action against developers and building owners in England should be **extended to Wales**.



It has always been clear that the quickest way to make homes safe is for the government to fully fund remediation of all defects up front and then use its ability to recover costs from other responsible parties – this is the same approach that has already been taken for cladding.

- ▶ There is a precedent: in January 2023, the Irish government announced it would fully fund the remediation of all defective apartments up front.¹

Use existing powers to recover costs from responsible parties

Homes England already has the power to seek Remediation Contribution Orders to recover remediation funds from responsible parties,² as well as the power to have legal rights of action assigned to it under the Grant Funding Agreements.³

To speed up remediation, **the government should also consider using compulsory purchase order (CPO) powers** to step in and take direct ownership of the freehold of any building where the owner is failing to undertake remedial works by a given deadline.

As long ago as 2020, the cross-party departmental select committee said it supported much more extensive use of CPOs and recommended the government urgently consider setting up a national body for this purpose⁴ – and it also highlighted that this could be an opportunity to kick-start a revolution in how such buildings are owned and managed in future, by converting them to commonhold after remediation. The government responded that it had “not ruled out any options, including CPOs, if the pace of remediation remains too slow.”⁵

More than three years later, no one could argue that the pace of remediation isn’t far too slow. **All available options should be taken to speed up the process of making homes safe, including the use of CPOs.**

1. <https://endourcladdingscandal.org/newsfeed/learning-lessons-from-irelands-fully-funded-remediation-scheme-for-apartment-defects/>

2. Amendment of regulation 2: <https://www.legislation.gov.uk/ukdsi/2023/9780348248807>

3. Cost Recovery: <https://www.gov.uk/government/publications/cladding-safety-scheme/cladding-safety-scheme-overview#cost-recovery>

4. Paragraph 58-60: https://publications.parliament.uk/pa/cm5801/cmselect/cmcomloc/172/17205.htm#_idTextAnchor040

5. Paragraph 45: <https://committees.parliament.uk/publications/2404/documents/46718/default/>



3 ALL LEASEHOLDERS ARE 100% INNOCENT & MUST BE PROTECTED FROM REMEDIATION COSTS

100%

The building safety crisis was caused by a decades-long collective failure by the construction industry and successive governments that ignored warnings that the building regime was not fit for purpose. Every leaseholder is blameless and must have equal protection from the cost of remediating safety defects.

There should be no “non-qualifying” leases, and all multi-occupancy residential buildings should qualify for the leaseholder protections.

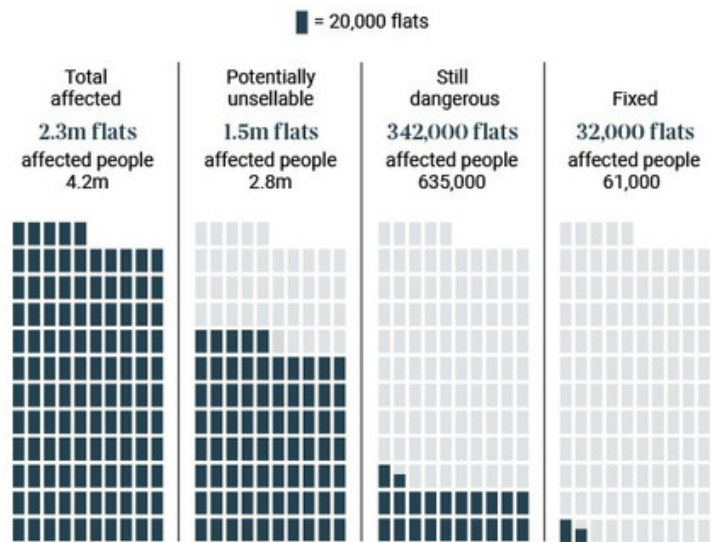
- **The Responsible Actors Scheme (developer self-remediation) and the Cladding Safety Scheme should be extended to cover buildings under 11 metres.** All work recommended by risk assessments must be equally eligible for funding – otherwise we face the prospect that some homes will never be made safe, sellable or insurable. If only a small number of buildings under 11 metres need remediation, it is illogical to withhold funding as this has a ripple effect on all buildings of this height.
- **All buildings should qualify for the leaseholder protections,** regardless of the building height or whether it is leaseholder-owned or enfranchised. The protections place a cap on the maximum cost payable and also ensure only 1/10th can be charged in a single year.
- **All leaseholders should qualify for the leaseholder protections,** regardless of the number of properties owned. If the government maintains that blameless leaseholders of “substantial means” should pay for historic defects, it should clearly set out the financial assessment it will use to determine this and the route for appeals.

All “qualifying” leases should have full 100% protection from costs.

- **No leaseholder should pay a penny to remediate building safety defects, the cap should be zero (£0).** If the government maintains that leaseholders should shoulder any costs, it should be transparent by reporting how many leaseholders are paying and how much.
- **Social housing landlords should have equal access to funding, otherwise leaseholders and tenants will effectively pay for remediation** through their rent and other charges. In return, all their residents should be fully protected from costs and landlords should offer buyback options to shared owners with unmortgageable flats they can no longer afford or that no longer meet their housing needs.

The scale of the cladding scandal

Eight per cent of people in England have been caught up in the fallout of nationwide fire risks exposed by the Grenfell fire



Graphic: The Times and The Sunday Times
Source: DLUHC building safety data and 11m-18m pilot study

Second class housing

Change in median property prices since June 2017

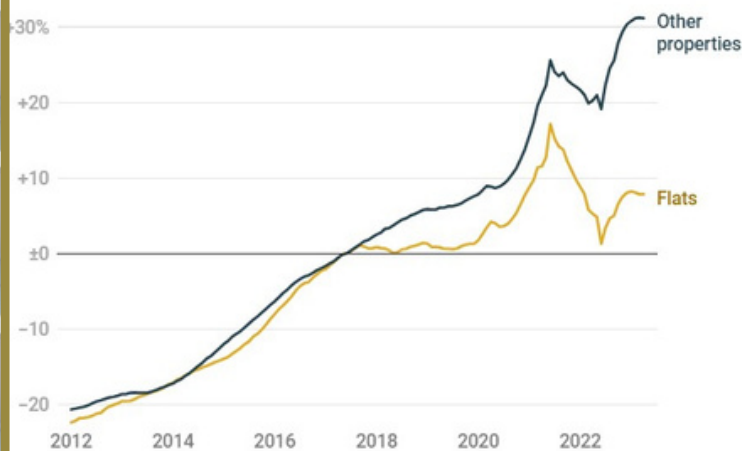


Chart: @TomHCalver | The Times and The Sunday Times • Source: Land Registry

4 LEASEHOLDERS MUST BE PROTECTED FROM FURTHER FINANCIAL PENALTIES



The government must address financial losses not covered by the current “leaseholder protections” and ensure that leaseholders are not further penalised by an onerous mortgage lending process and exorbitant building insurance premiums.

The mortgage lending and valuation process for affected properties must not cause further detriment to leaseholders.

- The government should **extend funding schemes and leaseholder protections to all buildings, all defects and all leaseholders**, which would simplify the lender risk assessment process and enable mortgage lending to recommence at scale so people can move on with their lives.
- Mortgage lenders should **reaffirm their commitment to lending without an EWS1 or additional information such as dates for remediation** and fulfil the promise of the December 2022 Industry Statement in practice.
- Industry bodies should be encouraged to **improve the EWS1 form** to consider the overall building risk – both external and internal – with a simple yes/no rating stating whether remediation work is required.
- Mortgage lenders should be required to transparently **record and report any impairment in property valuation** due to building safety issues.

The government must act to reduce exorbitant buildings insurance costs.

- **The government should back a risk-pooling reinsurance scheme** to help ensure quicker and more substantial reductions in the costs paid by leaseholders, as suggested by the FCA’s 2022 report.
- HM Treasury should **remove 12% Insurance Premium Tax** from buildings affected by cladding and safety defects, and should not continue to profit from the harm being caused to leaseholders by skyrocketing insurance costs.

All financial losses should be covered by the Building Safety Act’s “leaseholder protections”.

- Property valuation losses and incremental buildings insurance should be **treated as “relevant costs”**.



5 URGENT ACTION TO GIVE US OUR LIVES BACK NOW



Affected leaseholders and residents need much more help right now. We must be able to obtain accurate information about our homes, remediation work must be carried out with respect for residents, and mental health support must be made available to those affected by the crisis.

Leaseholders and residents must be able to obtain accurate information about their buildings.

- The government's **Leaseholder and Resident Service must be improved** and be able to provide relevant, tailored information in response to requests, with KPIs monitoring response times.
- The Cladding Safety Scheme, administered by Homes England, must continue to **ensure regular communication and information is provided by Responsible Entities** at stipulated points.

Remediation projects must be carried out sensitively and minimise the disruption and impact on residents' lives.

- Remediation projects effectively turn our homes into building sites for a considerable length of time. There must be appropriate engagement prior to works commencing, clear information during the project, and **the physical impacts on residents' lives should be minimised.**
- Remediation projects must **take account of the impact on residents with a disability or condition** that is exacerbated by remediation work.
- The voluntary **Code of Practice for Works in Residential Buildings should be made legally binding** and the Department must ensure action is taken in cases of non-compliance.

The impact of the building safety crisis goes beyond the buildings – it is fundamentally affecting people's lives. There must be mental health support available for those affected.

- The government should provide an accessible, centralised service to help **signpost leaseholders and residents to the professional mental health support** that they need, as first promised in January 2021.



End Our Cladding Scandal is a national resident-led campaign, led by volunteers who are personally affected by the building safety scandal that emerged in the aftermath of the Grenfell Tower fire and which has affected millions of homes across the country.

The campaign was launched in 2019 by Inside Housing, UK Cladding Action Group and Manchester Cladators and is a collaboration between many other cladding action groups across the country – including Birmingham, Ipswich, Leeds, Liverpool, London, Sheffield, Southampton, Essex, Hertfordshire, Northeast England and Wales – and a national group for Non-Qualifying Leaseholders.

The campaign is supported by Grenfell United, The Sunday Times’ Hidden Housing Scandal campaign, Leasehold Knowledge Partnership, and National Leasehold Campaign, as well as many sector organisations and cross-party MPs, peers, mayors and councillors.

End Our Cladding Scandal was the winner of “Best Consumer Campaign” at the Sheila McKechnie Foundation’s National Campaigner Awards 2023.

For more information, see our website: endourcladdingscandal.org

Contact us: endourcladdingscandal@gmail.com

Media requests: endourcladdingscandalmedia@gmail.com

Page 1: High-rise building with cladding - photo by Duncan Kidd on unsplash.com

Page 3: Olympic Park, London - photos by Sam Williams

Page 5: Balcony fire in Leeds - photo by Rachael Loftus

Page 6: Remediation project in Birmingham - photo by Jen Reid

Page 7: Cardinal Lofts, Ipswich, where residents have been evacuated from their homes - photo by Chu Man

Page 8: An under 11 metre building facing remediation costs, London - photo by Lisa Smith

Page 10: Remediation project in Manchester - photo by Giles Grover