28th September 2024

Dear Rushanara and Angela,

We write to you to ask you to do whatever it takes to ensure that Labour's solution to the cladding scandal and building safety crisis is comprehensive, protects all innocent victims, and can be delivered quickly.

The previous government's approach has failed. It is too complicated - with several funding schemes, layers of unequal leaseholder protections, complex building ownership structures, self-interested stakeholders arguing over liability, and ongoing disputes over safety risks. The merry-go-round of buck-passing continues. The pace of remediation remains glacial.

All leaseholders are blameless. It is morally wrong to ask them to pay the price for decades of failure by central government and the rotten industry culture enabled by the focus of successive governments on the interests of business over that of residents.

There are an estimated 11,000 unsafe buildings over 11 metres yet only 4,771 are currently being 'monitored' with thousands more still to be assessed. Hundreds of thousands of ordinary people are still trapped, still struggling to find out when work will start, still facing an uncertain future.

We welcomed the staunch support from Labour in opposition. We had hoped to see meaningful change when we saw Labour's October 2023 policy platform, which said that leaseholders should be protected from the costs of remediating cladding and non-cladding defects in all buildings irrespective of circumstance. Unfortunately, this was watered down in your manifesto.

We are particularly concerned that the Remediation Acceleration Plan will only tinker around the edges and add further layers of complexity. This is not the root and branch change that people urgently need and surely deserve after years spent fighting for justice.

We know that both of you understand the simple point that people just want a safe home – this government must now place the interests of people squarely over those of business. You must do whatever it takes to end this scandal once and for all.

It is nearly a year since we gave our manifesto to the then-Shadow Housing Team and Labour advisers - the approach we now propose builds on those aims. In effect, the mechanisms for Labour's Building Works Agency – to assess, fix, fund and certify buildings – that was first proposed in 2021 are broadly in place. The existing funding schemes and legal framework must now be simplified to implement a new approach that protects all leaseholders, has residents at the heart, and provides a firm grip. We ask that you:

1. **Protect all leaseholders from costs to fix all cladding and non-cladding defects.**
   Increase the scope of government funding to cover all fire risks, not just cladding. Legislate and fund a pathway to fix the buildings under 11 metres where official, government-led guidance leads risk assessors to conclude there are defects. All homes must have a clear pathway to full remediation.

2. **Create one body to assess, fund and sign-off all fire-risk remediation.**
   Remediation has stalled because of disputes between various parties - developers, freeholders, housing associations, contractors, and lawyers on all sides - about the correct scope of works as all seek to limit their own liabilities. Funding has become too complex, with seven schemes of varying scope. The government must take control and **consolidate all funding schemes into Homes England's Cladding Safety Scheme (CSS)** - which already has the tools and capacity to run it efficiently including an independent panel of fire experts to determine necessary works inside and outside consistently. Buildings cannot be made half-safe, so the CSS must have the power to ensure buildings are assessed holistically and resources prioritised based on risk.
3. **Coordinate enforcement to speed up work. Use existing, and create new, legal powers to recover more money.**
   The Housing Ministry, the Building Safety Regulator (under the Department for Work and Pensions), local fire and rescue services (under the Home Office) and Homes England's CSS must be joined up and work together from 'the single version of the truth.' They must operate strategically at group level, not fragmented across the country. The Recovery Strategy Unit can support enforcement as well as recovery of funds. Use existing powers to recover money from freeholders — almost none of whom have paid. Introduce compulsory purchase orders for building owners who do not act swiftly. Impose import bans on the three manufacturers who lied about the products on Grenfell Tower, which are also on many other buildings, until they pay. Enforcement powers could include criminal sanction for those who refuse to comply.
4. **Deploy allocated funds rapidly and make industry pay instead of leaseholders.**
   There are billions available for remediation, of which a fraction has been spent. Where further funding is needed, extending taxation and / or levies on industry would bring in all bodies responsible for the crisis, not just developers, and could be spread over a period of decades. This would allow the Treasury to spend money upfront and recoup it over time without burdening future taxpayers, as well as giving industry much-needed certainty about the size of their liabilities.
5. **Give state backing to buildings insurance.**
   Buildings insurance has soared exponentially. The Fire Safety Reinsurance Facility has brought next to no relief - more people across the country are being forced to pay crippling costs right now with no end in sight. The government can agree to back the Facility by, for example, covering catastrophic losses above a set threshold. Effectively, this can be at nil gain and nil cost, with Treasury proceeds from tax on the insurance premiums to fund the backing. Whilst we remain concerned that the Facility is not fit-for-purpose and is too restrictive, and the insurance industry is continuing to profiteer, the government must do all it can to plug the gaps quickly and relieve the harm being caused.

Consolidating all funding schemes will ensure that there is independence, meaningful oversight, and visible grip to accelerate remediation. Central and local government must work in tandem with all non-departmental public bodies, including the Leasehold Advisory Service, throughout the remediation lifecycle - from identification to assessment to enforcement to ensuring fire safety work takes full account of residents and timely information is provided. Only this will give certainty to leaseholders and residents and confidence to lenders and conveyancers.

Agreeing to this fresh approach will mean that developers will still be made to pay but the protracted negotiations at each unsafe building will end. Housing associations will be able to focus on improving the quality of existing housing stock and supporting their tenants and the needs of shared owners.

Bringing an end to this scandal is about political will. We know that a cross-government approach, and the cultural change required to target resources and streamline regulatory activities within and outside government, will need the support of the Prime Minister. Sir Keir Starmer has said that he considers himself as someone responsible for building safety and he will reflect and treat Grenfell as a touchstone for all that he and his government does in the future. Sir Keir has promised that he will get a grip and that we should judge the Labour government by their actions not words. Now, more than ever, we need more than platitudes, much more than dim, distant promises of change. We need action. Fast.

The devastating fire at the Spectrum building in Dagenham was the Labour government's first warning - we urge you to heed it. The legacy of the avoidable deaths at Grenfell Tower must be that people can be safe and feel safe in their homes. Please do all you can to deliver the change that Labour has promised.

The End Our Cladding Scandal team and the Non-Qualifying Leaseholders group