Leaseholder Remediation (Building Safety) Bill [HL]: Briefing

End Our Cladding Scandal's position

We ask peers to support the Bill's second reading and press the Government to adopt its core principles: every leaseholder and shared owner protected; every serious building safety defect covered; every affected residential building included; enforceable deadlines; independent verification; and decisive national oversight controlled from the centre.

The present system protects some people from some costs in some buildings. It does not deliver a simple promise that innocent leaseholders will be protected from the building safety crisis – a collective failure of the state and industry to ensure homes were safe enough to live in. Arbitrary height, ownership and lease tests remain. Developers are allowed to mark their own homework with little visible oversight. Non-cladding defects fall through gaps. Residents, leaseholders and shared owners face years of delay, opaque decisions, rising insurance and interim costs, repeated assessments, stalled sales and severe distress.

Baroness Pinnock's Bill starts from the right question: who caused the defect and who should put it right? It moves away from asking how much of the failure can still be passed to leaseholders.

Labour recognised this mess as a building safety crisis for years and in its manifesto, so it is particularly galling that the King's Speech briefing notes reverted to calling it a "cladding safety crisis". The Government thinks the "Bill will tackle those who are blocking remediation, restore confidence in the housing market, and make sure no building, and no resident, is left behind." Our lived experience of the current system gives us no confidence that those promises will be met unless the Bill changes who controls delivery and closes the existing gaps.

In any event, the Remediation Bill risks being treated as the principal answer to problems requiring operational decisions immediately. Legislation will have its place, but it cannot substitute for operational grip. Every month spent waiting for a future legislative solution is another month in which residents, leaseholders and shared owners remain trapped – fighting to find out if their homes are safe and being battered emotionally and financially. **The immediate question is therefore: What can Government change now to make a real difference on the ground without legislation?**

We ask peers to:

- Support the Bill at second reading. Its central principles are fair, necessary and long overdue.
- Not allow the Government's forthcoming Remediation of Unsafe Cladding Bill to become a reason for delay. The Government should either support and improve this Bill or incorporate its protections in full into its own legislation.
- Reject a cladding-only answer. The crisis is a building safety crisis: missing or defective compartmentation, fire doors, structural defects can be just as serious as external wall defects. Buildings are constructed holistically so they must be made safe the same way.
- Replace fragmented schemes and self-policing with a centrally gripped national remediation programme, enforceable milestones, independent oversight and transparent public data.
- Protect leaseholders first and pursue responsible parties second. Recovery disputes must not be allowed to delay safety work or keep leaseholders, RMCs and RTMs in attritional battles with developers, freeholders, housing associations, managing agents and the Government.

Where leaseholders are still waiting for change

The unresolved issues are well-known. They are largely the same issues Labour spoke so strongly about for several years in opposition, and which were raised during the King's Speech debate. They include but are by no means limited to:

- Non-cladding defects not being comprehensively funded in government schemes leaving buildings half-safe and homes remaining unsellable.
- Non-qualifying leaseholders facing ruinous costs
- Developers in the Developer Contract doing the bare minimum in far too many cases and being allowed to mark their own homework.
- Safety risks reassessed as tolerable now leaseholders are at the back of the queue to pay.
- Eye-watering buildings insurance premiums.
- Costly and ineffective waking watches.
- Registered providers refusing to buy back homes where they no longer meet the needs of shared owners.
- The onerous and costly safety regime for high-rise buildings.
- Volunteer resident directors left unsupported facing attritional battles against well-resourced developers and freeholders.
- Residents forced to scramble for answers about the safety of their homes, when they will be made safe and what that will cost.

The Government's monthly data releases are unreliable and do not paint the true scale of this crisis. The latest figures report 4,697 buildings being "monitored", 1,833 having completed remediation and 2,146 still waiting to start. Of the 1,833 that have completed, many have been left half-safe where funding for cladding remediation only has been granted.

It is worth considering the 1,833 completed buildings in the context of funding schemes that first opened in 2018. And in the context of the estimated total of 7,400 buildings needing remediation, which means potentially 2,703 buildings have still not been identified.

The exact number of unsafe buildings remains unclear as those managed under one leasehold title structure appear to be counted as one building even if they represent multiple buildings.

And unsafe buildings under 11m are not yet being recorded.

We need only to look at how the December 2025 figures fell to 4,126 from 5,613 as social housing data was ingested and audited. That auditing must now take place for the Developer buildings being added – belatedly - to the National Remediation Database, where 2,456 of approximately 4,569 buildings are deemed to require work. It remains unclear when the work required at the 263 buildings without remediation will be confirmed, and whether the assessments of the 1,850 buildings that are said to not need work have been audited at scale.

After nine years, 105 monthly releases, multiple remediation programmes, the Developer Remediation Contract and now the National Remediation Database, the Government should be capable of obtaining an actual dwelling count for every building it says it is monitoring. Every one of those buildings should have an address, a responsible entity and - at minimum - programme, developer or landlord records stating how many homes it contains.

The weakness is especially stark for developer buildings. If a developer is contractually committed to assess and remediate a named building, it should not be acceptable for something as elementary as its dwelling count to remain blank and be replaced with a portfolio average.

This leads to the enormous issue of the Government failing to oversee and enforce the Developer Remediation Contract in any meaningful way. Labour agreed a target for remediation to have started or completed on 80% of developer's buildings requiring work by the end of July 2026; however, the most recently available developer data - at April 2026 and now over four months old - reports only 48% had started or completed, so there is little hope of getting close to 80%.

To make an egregious situation worse, there are little consequences, such as a reversion to grant funding and developers liable for the costs, where the agreed target is not met. It is clear that the Government's focus on building 1.5 million homes has deprioritised existing homes being made safe.

The Government will always talk about building numbers and the billions it will cost to fix them, but these are not abstract figures. These are people's homes, people's lives that have been ruined for years through no fault of their own. If this government is not willing to accept the clear moral argument, then it must understand the economic argument of taking control and gripping this crisis – of the relief it would give to homeowners, to the housing market, and the boost to growth the country desperately needs.

Until there is consistency in how buildings are assessed and made fully safe and sellable, residents, leaseholders and shared owners will have no certainty and the lack of confidence in the first rung of the housing ladder will remain.

What Labour said then and what it says now

Baroness Blake has been appointed Minister for Building Safety, Fire and Resilience. Baroness Taylor is the Lords Minister for Housing and Local Government, and her record matters because, in opposition, she described with clarity both the breadth of this crisis and the urgency of statutory deadlines. This Government must be held to the same tests.

Before the 2024 general election

On 2nd February 2023, Baroness Taylor called the Government's announcement a "welcome, if belated" step towards tackling "shocking failures in building safety standards" and "the most appalling scandal", already more than five years old. She praised Grenfell survivors and building safety campaigners for forcing the issue onto the public and political agenda.

On 20th July 2023, Baroness Taylor criticised repeated corrective regulations that did not "inspire confidence in the Government's approach to leaseholder protection and to the building safety crisis more generally". She placed at the heart of the issue "the millions of leaseholders who are losing sleep and their hard-earned cash over the remediation costs issue".

On 27th March 2024, Baroness Taylor said it was "of the utmost importance that this building safety issue moves forward without any further delay" and that it was "just not good enough" campaigners had waited so long. She asked whether the Government would set a deadline for completion and warned against complacency. Crucially, Baroness Taylor did not reduce the crisis to cladding: she referred to families trapped with "dangerous, flammable defects, whether that is cladding, missing fire breaks or wooden balconies". She also pressed the unresolved position of buildings below 11 metres, accountability for manufacturers, recompense, weak enforcement and insurance increases of up to 1,000%.

After Labour entered government

On 25th November 2024, now answering for the Government, Baroness Taylor said there was "no longer any excuse" for responsible parties not fixing dangerous cladding and promised a remediation acceleration plan, faster identification of buildings and enforcement. She also said residents' voices must be taken seriously. These commitments were welcome.

However, on 27th October 2025, Baroness Taylor opposed an amendment seeking changes to the Responsible Actors Scheme so that developers would remediate additional defect types and take a different approach to external walls. She argued that this would undermine existing developer contracts, delay work and harm housebuilding. She defended the existing approach as "proportionate and appropriate", focused on "life safety" and using PAS 9980, under which removing combustible materials is "not always necessary" if deemed tolerable or mitigations are used.C

On 20th July 2026, Baroness Taylor promised that the Government's forthcoming Remediation of Unsafe Cladding Bill would compel responsible entities to act or face criminal prosecution, adding that Labour was bringing it forward two years after taking office. The tougher duty is welcome, but the continued focus on unsafe cladding does not match her own pre-election recognition that the crisis includes missing fire breaks, unsafe balconies and other defects.

Labour must now legislate to the standard it demanded in opposition: firm deadlines, comprehensive accountability, protection below 11 metres and action on the full range of dangerous defects. Baroness Pinnock's Bill provides Parliament with the opportunity to turn those principles into law.

There is a lot to like in this Bill

This Bill goes much further than Labour's Remediation Bill proposals set out in the King's Speech. This Bill would address the issues and the gaps that have caused so much devastation on the ground.

- The scope of buildings covered is universal, applying to any residential building in England or Wales without arbitrary height thresholds.
- It would make homes fully safe by covering all systemic defects arising from design, construction or later works, including unsafe cladding, fire stopping, balconies, structural defects, and compartmentation.
- All leaseholders would finally be protected, without residency, long-lease or property-number tests.
- It would make those responsible for the building safety crisis pay, with a qualified route for an innocent current owner to avoid liability.
- It would require a national remediation acceleration plan, with building numbers, target dates, resourcing, robust monitoring and resident communication thereby setting the foundation for a fit-for-purpose national plan to end the building safety crisis.
- It would allow the Building Safety Regulator to investigate, serve remediation notices, seek injunctions and prosecute, and require independent certification of works.
- It would introduce statutory completion deadlines and ensure meaningful consequences.
- It would ensure leaseholders are able to obtain information about their homes and gain redress much more easily and quickly than the current labyrinthine system.

No doubt the Government will give its reasons for opposing the Bill

They will say **the scope is too wide**, but the failure is wide. Restricting justice and redress does not make defects disappear; it transfers their cost and consequence to innocent leaseholders. Risk must prioritise the order of work, not decide who deserves protection.

They will say **the deadlines are unrealistic**, but open-ended delay is unacceptable. The Government could set its own deadlines and allow tightly defined extensions for genuinely exceptional circumstances, with published reasons and a revised binding plan. They must not become optional targets.

They will say **development restrictions could reduce housing supply**, but the existing Responsible Actors Scheme already recognises that market access is a legitimate lever. The answer is calibrated, enforceable sanctions and rapid cure routes - not permission for profitable new work while old unsafe homes remain unresolved.

They will say **building owners may be innocent investors**, but the Bill includes a defence for a current owner that could not reasonably have discovered the defect and has pursued those responsible. Parliament should refine that test while ensuring ownership structures cannot be used to leave residents, leaseholders and shared owners without a solvent delivery counterparty.

They will say **the cost to the public purse is too high**, but the cost already exists. Leaseholders are paying through opportunity costs, lost sales, insurance, interim measures, health impacts and legal battles; the housing market and public services bear the wider damage. It is only the Government that can forward-fund urgent work and recover from responsible industries and actors through levies, contribution mechanisms and litigation.

It's the principles that matter

Protection must follow innocence not a tape measure. Height may be relevant to risk and regulatory response but is not a fair test of responsibility. A leaseholder in a defective four-storey building did not design, build or sign off the defects any more than a leaseholder on the twentieth floor of the high-rise building next door. Government itself acknowledged in July 2026 that a limited number of under-11 metre buildings require cladding remediation and announced targeted funding. That concession exposes the injustice of treating the statutory threshold as a boundary of responsibility.

Whole building safety failure must be covered. Cladding is only the visible part of the crisis. Leaseholders repeatedly discover missing fire stopping, defective compartmentation, unsafe doors, and structural defects. A cladding-only Bill risks leaving a home technically "remediated" while it remains unsafe, unmortgageable or exposed to a second round of works and costs forced onto leaseholders. Remediation must achieve a safe, durable and independently verified whole-building outcome.

Developers cannot continue marking their own homework. The Developer Remediation Contract relies heavily on developers' identification, reporting and management of their own portfolios. Developer-covered buildings have been reported as progressing much more slowly than government-funded schemes. The Developer Remediation Contract needs active audit, published building-level milestones, independent verification and meaningful consequences.

Rights without delivery are not enough. The Building Safety Act 2022 intended to create potentially valuable protections and tribunal remedies, but these are beset with complexity, cliff edges and a case-by-case burden. Residents, leaseholders and shared owners should not need legal expertise, years of evidence gathering or expensive proceedings to obtain a safe home. The state must identify every affected building, allocate responsibility, set a remediation programme and intervene early when milestones are missed.

Make the polluter-pays principle work in practice. The Bill correctly moves liability toward those who designed, built, owned, supplied or carried out the defective work. But ordinary people cannot wait while those parties litigate among themselves. Government must provide a delivery and funding backstop, undertake recovery centrally where necessary and prevent insolvency, corporate restructuring or missing defendants from stopping work.

Nine years after Grenfell, leaseholders and shared owners should not still be navigating a maze of height thresholds, qualifying leases, partial schemes and voluntary promises. Baroness Pinnock's Bill begins with the right moral and practical principle: innocent leaseholders did not cause this crisis and must not pay for it.

The House should commit the Bill, and the Government should use it as the floor - not the ceiling - for its own legislation.

What is needed

The Government will say it has legislative plans but the test for the Remediation Bill is not whether it sounds tougher or may change behaviours over time. **It is whether it protects everyone, covers every serious defect, identifies every building, sets enforceable dates, guarantees a route to completion and removes the burden from blameless leaseholders.**

For residents, leaseholders and shared owners, the system must be simple:

Consistency in how buildings are assessed and made fully safe and sellable.

Control through central oversight and decisive intervention where responsible parties fail.

Accountability through transparent data and determined recovery of costs from those responsible.

There has been enough tinkering around the edges. Following publication of the Grenfell Tower Inquiry phase 2 report September 2024, the Prime Minister – then Mayor of Greater Manchester – said: ***"This just isn't right… a different approach has to be taken… You cannot leave people year after year… in a home where they're going to sleep every night thinking, 'Am I safe?' You can't do that to people… too many things drift on and on and on without getting sorted and I would ask the Government to consider that different approach."***

In July, Prime Minister Burnham told the BBC that he "won't change coming into this job" and wouldn't "take different positions". He now has the power to free people from their suffering – he must grasp it with both hands. His government must take control of the system from beginning to end: **One building. One remediation plan. One accountable delivery route. Residents, leaseholders and shared owners finally at the centre.**

If the Government rejects the Bill, it must ensure the following measures are introduced – whether in the Remediation Bill or through immediate operational improvements.

- All leaseholders and shared owners protected from historical building safety costs, with no arbitrary height, residency, wealth or ownership exclusions.
- All serious building safety defects covered, including internal and structural defects - not cladding alone.
- All affected residential buildings identified through a single national register and a proactive discovery programme that does not force more costs onto leaseholders.
- Works assessed, designed and signed off independently to deliver a safe whole-building outcome.
- Clear statutory dates for assessment, start and completion, with transparent milestones and tightly controlled exceptions.
- A government delivery and funding backstop across all funding schemes that fixes first and recovers from responsible parties later.
- Strong, escalating consequences for non-compliance, including market restrictions and criminal sanctions where appropriate.
- Full and timely resident information, meaningful participation and accessible redress without prohibitive legal cost.
- Protection and practical support for RMCs, RTMs and volunteer directors caught between complex duties and powerful commercial actors.
- Public, building-level data and parliamentary accountability for pace, quality, cost and outcomes.

Potential Questions *(following on from the above)*

1. Will the Government support the Bill's principle that no innocent leaseholder should pay for any systemic building safety defect, regardless of height, residency or the number of properties they own?
2. Will the Government's forthcoming Bill cover non-cladding defects - including compartmentation, cavity barriers, fire stopping, balconies and structural defects - where these prevent a building from being safe?
3. Why should a leaseholder in a building below 11 metres have weaker legal protection when the Government now accepts that some such buildings require remediation?
4. Will the Government publish building-level milestones and independently audit developer returns rather than continue relying on industry self-reporting?
5. What automatic intervention will occur when a developer, freeholder or responsible entity misses a milestone - and who will fund and carry out the works while liability is pursued?
6. How will RMCs, RTMs and volunteer resident directors be protected from duties and costs that properly belong to developers, freeholders or the state?
7. Will the Government fund unavoidable interim measures, insurance and temporary accommodation from the point a serious defect is identified?
8. If the Government will not support this Bill, which clauses will it adopt in its own Bill, and when will that Bill be introduced?