



Dear Clients and Leaseholders

Extension of Building Safety Fund Application Deadline

We are pleased to advise that we have received the enclosed letter from the Ministry of Housing, Communities and Local Government (MHCLG) confirming that the Building Safety Fund application deadline has been extended to 30th June 2021.

This is great news, given industry challenges around compliance with the previous deadline, the size of the task faced and the shortage of relevant expertise.

We will continue to work with the Government appointed fund service providers, (either Homes England or GLA) to ensure that we do not lose the momentum we have worked so hard to achieve.

The extension of the application deadline to 30th June 2021 means that works on site must now start before the 30th September 2021. We do not expect that the announcement will delay any previously agreed funding arrangements or works on site.

Launch of Waking Watch Relief Fund

MHCLG have also this morning announced a £30million “Waking Watch Relief Fund” to help relieve the financial pressure on those residents affected by the costs of mitigating measures such as Waking Watch. The fund opens in January and we are waiting for further details on the application process, what the fund will cover and whether retrospective applications can be made for developments that already have Waking Watch in place.

A link to the Government announcement is here -> <https://www.gov.uk/government/news/new-30-million-waking-watch-relief-fund-announced>

We will provide a further update in the New Year once details of the Waking Watch Relief Fund are announced.

Meanwhile, may we take this opportunity to wish you a Merry Christmas and Happy New Year.

Yours faithfully

Rendall and Rittner

17 December 2020



Ministry of Housing,
Communities &
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Dear Dr Glen,

Firstly, I would like to take this opportunity to thank you for your continued efforts and your ongoing support of the Department's work to remediate and make safe buildings with dangerous cladding. We welcome our engagement with members of ARMA and are grateful for the feedback you have provided.

BSF Deadlines

I am writing to inform you that the Department has just announced that the deadlines for the non-ACM Building Safety Fund will be extended. Applicants who have already registered for the fund now have until 30 June 2021 (extended from 31st December 2020) to submit full applications based on tender prices. Building owners wishing to claim funding related to leasehold units can now also do so until June 30, 2021. To qualify for funding, all projects must now start on site by September 30 2021 (extended from 31st March 2021). The announcement is published here: (insert gov.uk link).

I'm sure that the extended deadlines are welcome news and will allow remediation projects to continue at pace. In our discussions with you we agreed that we would clarify the Department's approach to the following issues:

Professional Expertise

As set out in the Fund Application guidance, which can be found [here](#), registrants to the fund are required to use competent professionals on their projects. This means that surveying of properties needs to be carried out by a chartered surveyor and fire inspections carried out by qualified fire engineers. We will rely on the information they produce to evidence eligibility. We also require competent professionals to sign-off project works and all relevant documentation. The expression 'competent professional' relates to someone who:

- is qualified in their field,
- is a member of a professional body,
- holds Professional Indemnity Insurance,
- is knowledgeable and has significant experience relevant to work specific technical aspects involved,

- is aware of the current state of knowledge in their field, and
- has accumulated sufficient experience to be recognised as having a successful track record. Simply having worked in a field or having an intelligent interest in it does not, by itself, make a person a competent professional.

To note, it is the Department's expectation that, where possible, fire inspection reports and other supporting evidence are provided in full. Using extracts can lead to gaps in information and will require us to seek further clarification, causing further delays to the verification process.

Eligible works

The Building Safety Fund is intended to meet the costs of remediating cladding systems which do not adequately resist the spread of fire. We are aware that building owners have submitted some buildings to the fund where their own professional team's advice suggests that the materials can be left safely in situ. For the avoidance of doubt, where no cladding remediation work is required to make a building safe, such buildings should be withdrawn from the fund.

In some instances where we have seen this the building has an EWS1 form with a B1 rating. An EWS1 form must be supported by appropriate professional studies and reports. Whilst an EWS1 form provides an indication that a building's fire system/combination of materials is likely to be safe, it is important to note that an EWS1 form is not a replacement for a fire risk assessment, carried out by a competent professional. The professional reports that sit behind the EWS1 form provides a competent professional's judgement and it is these supporting reports which the department would rely on to make any judgements around eligibility.

Eligibility in Relation to BS8414 and BR135

Combustible materials may be safe where they have been used in a combination which has been tested in accordance with the BS8414 test and received a BR135 certificate. Where this is the case, then they are not eligible for funding on the basis that the wall system is likely to be safe, if the system was correctly installed and is being appropriately maintained.

Potential sources of certificated systems are available at:

- BRE – <https://www.bregroup.com/services/testing/fire-safety-testing/regulatory-testing/>
- Other information on passed systems is available direct from manufacturers.

You will be aware that Kingspan has recently withdrawn 3 BS8414 tests conducted at the BRE. Where your professional teams have relied on these tests to make a judgement as to the safety of your wall system you should ask them to review these based on current evidence. Should you identify a system previously considered as ineligible for the fund, based on the withdrawn tests, please contact the Department at BSF@communities.gov.uk

Remediation of Combustible Components in an External Wall System

The Department is not retrospectively applying new building regulations (2020) to existing buildings. However, our guidance is clear that building safety is the responsibility of building owners and we have given expert advice on a range of safety issues to provide clarity which is available [here](#).

The Building Safety Fund requires all buildings undergoing cladding remediation funded by the scheme to be brought up to current building regulations. We do not require that all non-combustible materials are removed from the broader wall. The Expert Panel advice allows for class B panels (which are combustible) to remain in situ where non-combustible insulation is present and also for combustible insulation to remain in situ where a BR135 via BS8414 has been achieved. This is based on test evidence (the non-ACM testing and BS8414 tests) and is explicit in the Advice Note to building owners and the fund criteria reflect this position.

Building Height

The Department published guidance on the methodology for measuring the height of a building which can be found [here](#).

I would be grateful if ARMA members would review their applications/portfolio of buildings and ensure that they have only provided registrations for buildings which are likely to meet the technical eligibility requirements. We will continue to evaluate registrations as quickly as possible.

Waking Watch

The National Fire Chiefs Council has made their advice on interim measures even clearer, including the benefits of considering alarm systems instead of or to complement Waking Watch services and Fire Services are actively promoting this advice to building managers. We know that your members are keen to ensure that waking watches are employed only where they are absolutely necessary and in a way which balances the safety and financial position of residents.

Today we also announced a new £30m fund to incentivise building owners to install fire alarms in high rise buildings awaiting remediation and where there is currently a waking watch service. This fund will be open from January and we look forward to providing further information on how to access funding in the new year.

I would be grateful if you could circulate this note to you members and I look forward to continuing to work with you to make people safe in their homes over the coming months.

Yours sincerely,



Neil O'Connor, Director, Building Safety Programme