



Department for Levelling Up,  
Housing & Communities

**Jeremy Pocklington CB**  
Permanent Secretary

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Dear Dame Meg,

Thank you for your letter of 30 August relating to issues discussed at the Public Accounts Committee on 6 July. I write to respond to the questions you raised on building safety and extending the Right to Buy for housing association tenants.

**Building Safety**

***1. For all remaining occupied high-rise buildings with ACM cladding, what is your understanding of the projected:***

***a) completion dates for those buildings which have begun, but not completed remediation; and***

***b) start dates for any buildings which have not yet begun remediation.***

The department is working hard to accelerate the remediation of dangerous cladding and to ease the financial burden on residents. The number of buildings forecast to start and complete Aluminium Composite Material (ACM) remediation works in the following quarter is published in the Building Safety Programme data release<sup>1</sup>.

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<sup>1</sup> latest release is available here:

<https://www.gov.uk/government/publications/building-safety-programme-monthly-data-release-september-2022>.

As of 30 September, 389 buildings have completed ACM remediation, including 345 that have received building control sign off. 67 occupied high-rise buildings have started ACM remediation but have not yet completed, however 48 of these buildings have removed unsafe ACM cladding. 28 of these 67 buildings are expected to complete ACM remediation works by the end of 2022, 29 are expected to complete remediation in 2023 (4 in 2023 Q1, 13 in 2023 Q2, 3 in 2023 Q3 and 9 in 2023 Q4) and 7 buildings are forecast to complete remediation in 2024. The remaining 3 buildings do not have a known planned completion date, and the Department is working closely with the relevant building owners to obtain a full project programme.

As of 30 September 2022, 3 occupied buildings do not have a known planned start date. Two of these came into scope this year; one will continue forward under the developer pledge and we will shortly write to the applicant to confirm the details, and the other is facing enforcement action from the local authority. The Department's remediation adviser continues to press the applicant as the appeal proceeds. The third building is undergoing rescoping of works following a change in applicant wherein a leaseholder management company assumed control of the building. Finally, there is one building with a suggested start date that the department does not deem acceptable. Officials recently wrote to the building owners to explain that they must bring forward the estimated start date.

Where building owners are failing to make acceptable progress, those responsible should expect further action to be taken – including naming and shaming and enforcement action by local authorities and Fire and Rescue Services. We have established a Joint Inspection Team to support local authorities in taking enforcement action.

## **2. In respect of fire risk assessments under the new PAS 9980 external wall and cladding standards:**

***a) how many buildings have been assessed under PAS 9980 in total;***

***b) in how many cases has the assessment confirmed the presence of flammable cladding; and***

***c) of these, in how many cases has the assessment recommended that flammable cladding need not be removed (for example, if alternative forms of remediation are employed, such as the fitting of sprinklers and a fire alarm system)?***

Turning to fire risk assessments under the new PAS 9980, we do not hold a central record of the overall number of relevant appraisals because freeholders undertake these directly with providers as part of their overall fire safety duties. However, since July, applicants to the Building Safety Fund must submit a Fire Risk Assessment of External Walls (FRAEW) following the methodology set out in PAS 9980. FRAEWs

conducted in line with PAS 9980 can also be used to get an EWS1 rating. Under this approach, we expect some buildings to require only mitigations (e.g., installation of sprinkler systems, smoke alarms, etc.) instead of the full removal and replacement of cladding. Since 28 July this year, 18 buildings have submitted an application accompanied by a PAS 9980 FRAEW, of which only two have recommended the removal and replacement of cladding. The remainder have recommended alternative forms of remediation or concluded that the risks are insufficient to require work.

Additionally, 49 housing developers have pledged to remediate unsafe buildings that they played a role in developing or refurbishing over the past 30 years. We are currently working to turn these pledges into legal contracts. According to the terms of the draft contract, developers will be required to report to us periodically on each of the buildings covered by the pledge, including whether the building is covered by a FRAEW and, for those buildings that require work to be performed under the contract, the nature of the safety defects identified and the work to be performed. This will provide us with further data on the extent and findings of FRAEWs over time.

We recognise that demand for FRAEWs conducted in line with PAS 9980 is increasing. Therefore, we are pressing ahead with our work with the fire safety sector to develop a sustainable, long-term workforce equipped with the necessary skills to undertake FRAEWs. This includes engagement with firms to understand existing market capacity as well as measures to develop long-term training provision and improved career pathways for fire risk professionals.

***3. How do you propose to report on progress in the remediation of buildings with flammable cladding between 11 and 18 metres in height?***

Work is underway to develop the Medium-Rise Remediation Fund and how progress on affected buildings will be reported. The scheme will be delivered by our delivery partner, Homes England, and is planned to open a pilot basis in Autumn 2022, initially targeted at a small group of higher-risk buildings. Further details on eligibility, the application process, and reporting will be confirmed shortly.

**Extending the Right to Buy**

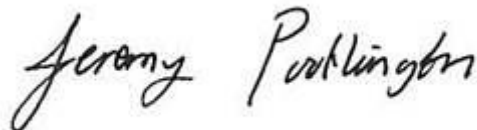
***5. Within three months, please write to the Committee setting out:***

- a) the budget for this policy;***
- b) where this funding is coming from;***
- c) who is accountable for ensuring the commitment to ensuring a one-for-one and like-for-like basis is achieved; and***

***d) whether 'like-for-like' replacement includes tenure, such that replacements are at the same level of rent as the homes they are replacing (e.g. a home for social rent is replaced by a new home for social rent, rather than a home at a higher, affordable rent).***

In June 2022, the then Prime Minister announced the intention to extend the Right to Buy to housing association tenants. The Government is considering the next steps and will announce more details in due course. We will work closely with the housing association sector on the approach to a new scheme, including on the matter of one-for-one and like-for-like replacement. Funding for the scheme will be considered as part of this work.

Yours sincerely,

A handwritten signature in black ink, reading "Jeremy Pocklington". The signature is written in a cursive, flowing style.

**JEREMY POCKLINGTON**