

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: JJ/PO/287/2023

John Griffiths MS
Chair
Local Government and Housing Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

24 August 2023

Dear John,

Thank you for your letter in respect to concerns raised by the Welsh Cladiators. I and my officials have replied to correspondence sent by Mark Thomas and Rob Nicholls directly raising these concerns on the 11 July and the 8 August respectively. I have arranged to meet both in October to discuss these issues.

I am pleased to confirm **all** developers expected to sign the legally binding contract have now done so. This represents their commitment and intention to address fire safety issues in buildings they have developed over the last 30 years.

These developers are Vistry, Countryside, Persimmon, Taylor Wimpey, Bellway, Barratts, Lovell, Crest Nicholson, McCarthy Stone and Redrow.

The contract sets out strict timelines, requesting periodic updates on remediation plans and an update on works underway.

I am pleased to confirm **all** remediation plans have been received, and all developers are actively engaging with us. I am also aware that the developers for both Celestia (Redrow) and Altamar (Bellway) have written to the Responsible Entity confirming the inclusion of these buildings in the contract with an offer to meet to discuss next steps.

In the case of Celestia, we have been informed that Redrow have requested copies of the surveys commissioned by the Responsible Entity. These are required to establish target dates. We have also been informed of a mediation meeting, which has been arranged for September to enable progress to be made with this development. Similarly, for Altamar, Bellway have advised us of their intention to undertake a PAS 9980 survey, which will specify the works necessary to address the fire risks associated with the External Wall system.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I strongly believe the collaborative approach adopted here in Wales is proving successful in engaging with and holding developers to account, with several developers already undertaking work:

- Persimmon are on site at Century Wharf and Aurora.
- Bellway are on site at Prospect place and ACM cladding has been removed from Quay side apartments.
- McCarthy Stone have remediated all fire safety works in buildings in Wales.
- Redrow have provided funding for internal fire safety works at Celestia.

As you will appreciate, the remediation of fire safety issues is a complex task, with numerous surveys and assessments required to understand the issues present and the most practicable means of resolving those issues, either by full remediation or the introduction of suitable mitigating measures. The buildings covered by the developer's contract are at various stages, and I have no reason to believe that they are seeking to delay or limit their liabilities.

It is important to remember however, that not all fire safety defects are the fault of developers. While those which arise from poor construction work or unsuitable choice of materials may well be, many other such defects can arise after a building has been completed and become occupied. Defects due to inadequate or defective maintenance, for instance, are the responsibility of the landlord or managing agent, and it would be unreasonable to expect developers to meet the cost of rectifying them.

Developers are expected to work with the Responsible Entity and ensure appropriate communications are in place to keep residents informed about their plans, with responsibilities also placed on the Responsible Entity to ensure information is passed on.

Please be assured that any suspected breach of contract will be dealt with appropriately by Welsh Government. This includes legal action where appropriate. Resources are available to monitor progress of works and ensure appropriate progress is made.

The Building Safety Strategic Stakeholder Group has been established to ensure the views of all key stakeholders inform and advise on aspects of building safety reform and remediation, to ensure that related proposals are targeted, practicable and achievable. Members of the Welsh Cladiators attend this group to represent the views of all Welsh leaseholders.

I also regularly encourage leaseholders to sign up to the Building Safety newsletter for regular updates on progress, and the team have a dedicated email address where leaseholders can, and do, raise concerns / queries for direct response.

Yours sincerely,



Julie James AS/MS

Y Gweinidog Newid Hinsawdd
Minister for Climate Change

Julie James MS,
Minister for Climate Change,
Welsh Government

01 August 2023

Dear Julie

Building safety

Please find attached correspondence the Committee has received from the Welsh Cladiators outlining their concerns regarding enforcement of the Welsh Government's contact with developers.

You will be aware that the Committee is committed to following up on the progress made by the Welsh Government on these important issues, and we would be grateful if you could respond to the concerns outlined by the Welsh Cladiators in their letter.

We would appreciate an urgent response so that we can provide an update to the Welsh Cladiators as soon possible.

Yours sincerely



John Griffiths MS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

Paper 3

We welcome correspondence in Welsh or English.



From: **Welsh Cladiators**

Date: Mon, Jul 17, 2023 at 12:39 PM

Subject: Senedd Welsh Housing Committee - Welsh Home Fire Cladding Crisis

To: Local Government and Housing Committee | Y Pwyllgor Llywodraeth Leol a Thai

<SeneddHousing@senedd.wales>

Dear Elected Members

We hope you enjoy a well earned summer recess

We thought it important to bring to your attention that some developers in Wales are in clear breach of the contract they signed with the Welsh Government regarding the remediation of some of our fire defective homes. We have detailed below the key contract clauses that state within 40 days of signature, Participant Developers will provide plans and a timetable for remediation works to the Responsible Entity.

In the case of Celestia (Redrow) and Altamar (Swansea) neither groups of leaseholders have received such plans. We therefore kindly ask that you question Minister Julie James on what enforcement actions she intends to take to ensure developers comply with the agreed terms. We believe the Minister is both naive and misguided in her belief that developers "will do the right thing." Without any enforcement actions or compliance monitoring by the WG, there is every likelihood some developers will seek to delay any works and limit their liabilities towards remediating our fire defective homes. It's clear from the Minister's recent responses in the Senedd that she has made little provision to fund and resource an effective enforcement regime.

Such is the fragmented WG approach to Welsh victims and their failure to bring us together, we are not in a position to advise if other developments are suffering similar failings.

Under the terms of the WG' Developers Contract:

Clause 8.1 requires a Participant Developer (PD) *"as soon as reasonably practicable **and in any event not later than 40 Business Days**"* after the date of the Contract and the identification of the Buildings Requiring Works to provide certain information as set out in Clause 8.1 (C).

Under Clause 8.1 (C) (ii) the information to be supplied includes *"the next steps [PD] intends to take to meet its obligations ... and where Clause 6.1(i) and/or 6.1(ii) is applicable, **the target dates for carrying out and completing the Works.**"*

Under clause 8.1 performance of its obligations by PD under Clause 8.1 (C) is subject to the words *"unless the Welsh Ministers in their absolute discretion direct otherwise"*.

The 40 Business Day period expired on 13th June.

We would welcome the opportunity to appear before your committee again to share our continued difficulties with both the developers and Welsh Government

Regards

Mark Thomas - Robert Nicholls on behalf of Welsh Cladiators