



Safety in your building

10 March 2021

Best House, Yashin House, Smith House, Moss House,
Matthews Close,
Wembley,
HA9

Dear residents,

Building safety update and fund application

I am aware that our previous letter, dated 26th February 2021, may have caused some confusion. So, can I apologise for that and put the record straight with this letter which gives you a comprehensive update on what has happened so far and what happens next. We have withdrawn the previous letter from our website and will replace it with this letter.

Before doing so, I would like to reassure you that your health and safety is our top priority. Following the investigations, our Fire Engineer, International Fire Consultants (IFC), considered the fire safety risk and did not consider that it warranted a change from the existing 'stay-put' strategy. We will continue to review this with IFC.

What has happened to date?

We have written to you previously and explained that, in line with government guidance, we were intending to carry out intrusive investigation into the external wall construction at your development. Those inspections are now complete, and, in summary, they have identified potential defects in the construction which may affect:

- Spandrel panels
- Insulation
- Cavity barriers.

IFC has asked for more time to consider these potential defects because the British Standards Institute (BSI) is developing a new Publicly Available Specification (PAS) setting out a risk-based approach to the assessment of external walls in existing block of flats. Sponsored by the Ministry of Housing, Communities and Local Government (MHCLG), this is intended to support a building safety case based on risk.

I hope this will help you to understand why this is taking longer than we anticipated and also that we are behaving in a responsible and professional manner, supported by IFC. This is so that any decision taken on the potential defects is not revised in a matter of months. We should have communicated this to you more clearly.

We will write to you again when we have IFC's recommendations.

What if I am a tenant, will I be expected to pay?

MHCLG has been clear that there is no funding available for tenant costs and that the Landlord is expected to pick up these costs. Network Homes has accepted this principle and will pay for any tenant costs out of our own financial resources.

The Hive
22 Wembley Park Boulevard
Wembley
HA9 0HP

www.networkhomes.org.uk
customerservice@networkhomes.org.uk
0300 373 3000

A summary of this letter

This letter provides a summary of the investigations we have conducted so far, what we found and what happens next.

The letter also explains the position with our application to MHCLG for funding for leaseholder costs and what you can do to support us with this application.

When we are clear on what happens next, and on the funding position with MHCLG, we will write to you again, explain the latest position and invite you to a webinar where we will present our proposals and you will be free to ask any questions you may have.

Why have we applied for MHCLG Funding?

We have applied to the MHCLG Building Safety Fund as a precaution. As I have stated above, we are awaiting IFC's recommendations, however we did not want to miss the opportunity to apply for MHCLG funding in case remedial works are required. The MHCLG Fund supports the costs that would otherwise fall on leaseholders. As part of the MHCLG Funding Agreement we are required to write to leaseholders about State Aid and that was the purpose of our letter dated 26th February 2021. I can see now that we should have included a more comprehensive explanation in that letter.

This fund is managed on a 'first come, first served' basis, so it's important that we act quickly. I'm pleased to say that we have submitted our application for Matthews Close to the MHCLG. I hope this explanation helps you to understand that we are acting in your interests by taking this approach.

At the time of writing this letter we are still to hear back from MHCLG on our application. This is not unusual and is not to do with any specific concerns MHCLG has on this application. The delay is driven by the number of applications that MHCLG is considering across the country.

If you would like more information on MHCLG funding, you can find out more here:

<https://www.gov.uk/government/news/government-to-bring-an-end-to-unsafe-cladding-with-multi-billion-pound-intervention>.

State Aid Forms – do you need to fill one out?

As I have stated above the MHCLG Funding Agreement requires us to request State Aid Forms from our leaseholders. Not all leaseholders will need to fill this declaration in, but you must read it carefully before deciding whether it applies to you or not. In summary, and as explained in the State Aid Guidance, residential leaseholders who own a property in the building which they occupy as their home (and do not rent out) do not need to complete, sign and return a State aid Declaration.

Only leaseholders who are 'Undertakings' should complete and sign the State Aid declaration, and return it to us at customerservice@networkhomes.org.uk. If you believe you are an 'Undertaking' can you return a completed form. Alternatively, if you are uncertain of your status, we recommend you take legal advice.

What other funding options are available?

In addition to the MHCLG Fund, we may have a valid claim against the original building contractor and/or the warranty provider. When we have received IFC's recommendations we will consider if these options are available to us. In the meantime, I can confirm that both the building contractor and warranty provider are aware of the investigations and what has been found to date.

What if the MHCLG and contractor/building warranty funding is not available?

You will be aware from what I have explained above that we are doing everything we can to recover these costs from third parties. However, these costs may not be recoverable or only recoverable in part. If we become aware of this, our Leasehold Team will write to you again and explain how this will affect you.

In conclusion, can I apologise again for any confusion that may have arisen from our previous letter and trust that the explanation I have given above is clear and comprehensive. If you have any questions in the meantime, please get in touch with us at **0300 373 3000** or customerservice@networkhomes.org.uk.

Kind regards

Graeme Manley
Head of Building Safety

LEASEHOLDER STATE AID DE MINIMIS DECLARATION

BEST HOUSE, YASHIN HOUSE, SMITH HOUSE; MATTHEWS CLOSE, WEMBLEY, HA9 (THE "BUILDING") – BUILDING SAFETY FUND

YOU SHOULD READ THE STATE AID GUIDANCE¹ BEFORE COMPLETING THIS DECLARATION. IT EXPLAINS IN DETAIL HOW TO DECIDE WHETHER YOU NEED TO FILL IN A DECLARATION OR NOT AND THE IMPORTANCE OF THIS DECLARATION

Please note that if you are an owner-occupier of a single flat you **do not need** to sign and return this declaration.

If you are an Undertaking² you must return the original signed declaration to the responsible entity for your building (the organisation which provided you with the State Aid declaration). You need only complete one declaration for this building, even if you own more than one flat in the building or occupy more than one commercial premises.

Your Details (the "Leaseholder"):

First Name:	
Middle name(s):	
Surname:	
Address:	

Address of flat or flats you own or the commercial premises you occupy in the building (the "Property"):

Address	
---------	--

Your Status

Are you the sole leaseholder?	Yes / No
-------------------------------	----------

If you are NOT the sole leaseholder, please ensure any co-leaseholder also provides a separate declaration for this Property.

PART 1

About the Leaseholder

¹ The guidance can be found here: <https://www.gov.uk/guidance/remediation-of-non-acm-buildings#state-aid-guidance-and-declaration>

² An Undertaking in the context of the Building Safety Fund is any leaseholder using their property for business or investment purposes, for example letting out a flat or using commercial property as business premises

I confirm that the Leaseholder is an Undertaking	Yes / No
Does the leaseholder form part of a single Undertaking with any linked enterprises? Please refer to the State Aid Guidance Note for an explanation of what this is.	Yes / No If the answer is yes, please set out the name of each of them in this box:
Has the Leaseholder (or any of the Leaseholder's linked enterprises) received any de minimis State Aid during the current and previous two fiscal years? The guidance explains what de minimis State Aid is. If no , please go to Part 3 and sign and date the declaration there. If yes , please continue and also answer Parts 2 and 3.	YES / NO

PART 2

Who provided the de minimis Aid	Date de minimis Aid granted	Total amount of de minimis Aid (in GBP as you were notified at the time)	Give the name of the person or business which benefitted from the de minimis Aid
		£	
		£	

PART 3

I confirm all answers given in this declaration are complete and correct.

I confirm that I understand that the Leaseholder (and any linked enterprises) can only receive de minimis State Aid up to the total value of €200,000 over this and the previous two fiscal years from any source.

I therefore agree that if the Leaseholder (and/or any of the linked enterprises identified above) receives any State Aid which is unlawful including funding for an amount which would cause it to exceed the €200,000 State Aid de minimis threshold the Leaseholder must to repay the amount of the State Aid together with interest from the date the Leaseholder receives it until the date it is repaid.

I confirm I will keep a copy of this declaration and any other documentation relating to State Aid under the terms of the Building Safety Fund for at least 3 years following the date of grant. I understand I am obliged to produce it on request by the UK public authorities or the European Commission.

Full name	
-----------	--

Signature ³	
For and on behalf of ⁴	
Position	
Date	
Address	

³ MHCLG will accept an electronic form of signature, either by scanning and sending a PDF of a signed hard copy or by applying your preferred form of electronic signature (for example a manuscript version of your name, initials or other unique mark of your choosing).

⁴ If signing on behalf of a business you are confirming that you are authorised to sign this declaration on behalf of that business.