

Safety in your building

22 October 2021

Rainbow House,
Water Lane,
Watford,
WD17 2AP

Dear residents,

The Hive
22 Wembley Park Boulevard
Wembley
HA9 0HP

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

Building Safety Fund application – have you completed a subsidy declaration?

We wrote to you earlier in the year to let you know that the government has approved our application to the Building Safety Fund for Rainbow House. There is **one aspect of the fund application which you are responsible for** and we wanted to write to you again about it, as guidance has now changed following our exit from the EU.

Do you need to fill out a 'Subsidy Declaration'?

You will need to review the below document, called the "Subsidy Declaration". Certain leaseholders must sign and return this declaration to us to be able to have some or all their service charge contribution for the cladding works covered by the Fund. 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.

As explained in the Subsidy Control Guidance for Leaseholders, residential leaseholders who own a property in the building which they occupy as their home (and do not rent it out) do not need to complete, sign and return a Subsidy Declaration. You can read the guidance here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/989381/Subsidy_Control_Guidance_for_Leaseholders.pdf.

Only leaseholders who meet the below criteria need to complete and sign the Subsidy Declaration, and return it to us on customerservice@networkhomes.org.uk:

- All leaseholders of commercial premises
- All leaseholders of residential premises who are 'economic actors' and have previously received financial assistance from the State in the current and previous two accounting years. A leaseholder will be an economic actor where they use their property mainly for financial gain - for example letting it out or using it for their own business purposes. This may be:
 - Leaseholders who are incorporated
 - Leaseholders who own more than two properties (in any building) unless they are for non-commercial use
 - Leaseholders who let out any property (residential or commercial) in the building for financial gain.

Leaseholders that are also economic actors should note that the following will apply to funds received from the Fund to cover their service charge contribution:

- There is a limit on the amount of service charge they can be relieved of in respect of these works. That is the approximately £335,000 maximum allowance permitted under the Trade and Cooperation Agreement between the UK and the European Union. This is calculated taking account of any other financial assistance from the State under any de minimis regime received by that leaseholder over the current and two previous accounting years: and

- Where leaseholders have previously received subsidy during the reference period (i.e. in the current or previous two accounting years) this must be declared, and the leaseholder will be permitted to take advantage of any unused part of the allowance. Further information is available in the Subsidy Control guidance for leaseholders.

Please return the completed form to us as soon as possible, if you believe you are an 'economic actor'. We are unable to fill this form out for you, so please ensure you fill it out if it applies to you.

Further support

If you need further support, you can:

- Go to the London Fire Brigade's website, which is offering a free online tool which guides you through a fire risk assessment of your home (home visits are available for more vulnerable residents): <https://www.london-fire.gov.uk/safety/the-home/home-fire-safety/>
- Visit our website where we have a building safety section with lots of information and frequently asked questions: <https://www.networkhomes.org.uk/buildingandfiresafety/>
- View resources which may help: <https://www.networkhomes.org.uk/buildingsafetyresources/>
- Remind yourself of our top fire safety tips, including not using BBQs on balconies: <https://www.networkhomes.org.uk/advice/health-and-safety/fire-safety-top-tips/>
- Check our document library for your building's letters and documents – it takes a little while to load: <https://www.networkhomes.org.uk/mybuildingdocuments/>
- Get in touch with us on customerservice@networkhomes.org.uk if you have any questions.

Kind regards

Carla Ferrarello
Project Manager – Building Safety

SUBSIDY DECLARATION – CLADDING REMEDIATION FUNDING
RAINBOW HOUSE, WATER LANE, WATFORD, WD17 2AP (the 'Building')

This declaration is only required from leaseholders in buildings which are applying for funding via the Building Safety Fund or Private Sector ACM Cladding Remediation Fund, and who are:

- a. leaseholders of commercial units (e.g. retail, restaurants, cafes, offices etc)
- b. leaseholders of residential units who are 'economic actors' AND have received prior subsidy or state aid from government within the last 3 years

An economic actor is a leaseholder who uses their property in the Building solely for business or investment purposes (for example letting out a flat or using commercial property as business premises).

Leaseholders of residential units who are not economic actors, or have not previously received subsidy, do not need to complete the form. Owner occupiers of single flats do not need to complete the form.

"Subsidy" for the purposes of this declaration means:

- any form of financial assistance received (directly or indirectly) from any public body including grants, soft loans, loan guarantees, provision of goods or services at under value and the foregoing of revenue by the public body concerned;
- State aid provided under the de minimis exemption prior to 1 January 2021 or de minimis Subsidy provided under the subsidy control regime after that date.

including any funding provided under the Private Sector ACM Cladding Remediation Fund, or the Building Safety Fund.

If you are a co-owner, all co-owners can sign using the additional signature page at the end of this form, or we will accept a form signed by one of you. If you own multiple properties in this Building, add all the properties to this form – you do not need to complete a form per property.

You should read the Subsidy Control Guidance before completing this declaration – guidance can be found here: <https://www.gov.uk/guidance/remediation-of-non-acm-buildings>.

Please be aware that providing information in this form that is not accurate, or failing to provide information via this form about previous receipts of subsidy as an Economic Actor, may result in you being placed at risk of having to repay any sums provided for your benefit under these Funds.

PART 1 - Your Details (the "Leaseholder"):

Full Name(s):	
Address(es) or registered office(es) and Company Number(s):	

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

Address(es)	
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Your Status

I confirm that the Leaseholder is an 'Economic Actor'	YES / NO
I confirm that the Leaseholder (or any person linked to the Leaseholder) has received Subsidy during the current and previous two fiscal years. If so, please provide further details at Part 2	YES / NO

PART 2 – Details of previous financial assistance

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

PART 3 - Declaration

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

I confirm that I understand that the Leaseholder (and any person linked to the Leaseholder) can only receive Subsidy up to the total value of 325,000 Special Drawing Rights¹ over this and the previous two fiscal years from any source.

I therefore agree that if the Leaseholder (and/or any of the linked persons identified above) receives any Subsidy which is unlawful including funding for an amount which would cause it to exceed the 325,000 Special Drawing Rights threshold over the last 3 years the Leaseholder must to repay the amount of the unlawful Subsidy 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 the assistance that has been received for cladding remediation funding 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.

¹ Subsidy control uses Special Drawings Rights – see here for further information:
https://www.imf.org/external/np/fin/data/rms_five.aspx

Full name	
Signature ²	
For and on behalf of ³	
Position	
Date	
Address	

Additional Leaseholder - Signature Page

Leaseholder 2

Full name	
Signature	
For and on behalf of	
Position	
Date	
Address	

Leaseholder 3

Full name	
Signature	
For and on behalf of	
Position	
Date	
Address	

Leaseholder 4

Full name	
Signature	
For and on behalf of	
Position	
Date	
Address	

² 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).

³ If signing on behalf of a business you are confirming that you are authorised to sign this declaration on behalf of that business. If signing on behalf of more than one leaseholder you are confirming you are authorised to sign this declaration on behalf of all leaseholders.