



## Safety in your building

9 September 2022

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Dear residents,

### Medium priority investigation timelines, funding and Building Safety Act

You may be aware that the Building Safety Act has now become law, meaning the new regulatory regime has taken effect. As such there is a number of new obligations we must carry out and new guidance we must adhere to. We will discuss what that means later in this update.

#### Change in building prioritisation

When we investigate our buildings, we may find issues that need resolving and we will pursue the original developer. We must ensure we are within the contractual limitation period when we do this. As some of these buildings have shorter limitation periods, we have moved them up from medium low or low priority to medium. We do not think there is an additional fire or safety risk – it is a decision based only on being able to pursue third parties if we need to. We've therefore 'upgraded' the priority rating of the following blocks to medium:

- Le Bon Court
- 241-243 Brixton Road
- 190 Stockwell Road
- McDonald House
- Network House
- Bircherley Court
- Bickleigh House
- Hern Court
- Molloy Court
- Weyman Court
- Bundy Court

#### Getting ready for the investigations

I'm pleased to say that we have two new Project Officers who have started in the Building Safety team. Both of these members of staff have previously worked in the team so will be able to get going straight away. They will be driving forward external wall investigations for the medium priority buildings which will be undertaken by Building Surveyors in line with the government's new PAS9980:2022 guidance (Fire risk appraisal of external wall construction and cladding of existing blocks of flats: Code of practice).

We have recently set up a new external wall framework, where we have access to Building Surveyors, Fire Engineers and Contractors who can carry out any opening up work required by our fire engineer. We will encourage the original contractor to be involved in any opening-up work.

#### Timelines for Priority A and Priority B investigations

As there are now quite a few buildings in the medium category, we have split the buildings into Priority A and Priority B. We will initially appoint a Fire Engineer

#### **A summary of this letter**

We've put some buildings in a higher priority, in order to protect our legal position should we need to pursue the original contractor. There has been no change to any fire-related risks.

We've appointed two new Project Officers who joined the team in September and will be leading on the external wall investigations for our **medium** priority buildings.

We've split medium buildings into two groups. Group A buildings will be investigated from December 2022, and Group B buildings will follow in Summer 2023 once those are complete.

The Building Safety Act has put into law some protections for leaseholders in relation to building safety costs. There is government support for cladding related costs for buildings over 11 metres and there is no financial support for buildings below 11 metres.

Once we've received further advice from our legal expert, we may be able to share expectations of what you could have to contribute to and what you will not need to contribute through the service charge.

to undertake a desktop assessment of all the buildings and they will work with us to prioritise the buildings within the groups in line with the government’s prioritisation tool. We will also prioritise based off the extent of cladding, actions/recommendations from Fire Risk Assessments and the amount of time remaining to pursue legal claims against third parties (if applicable). Desktop assessments will take place from September 2022. We expect to start on-site investigations for **Priority A buildings from December 2022**. We’ve listed the Priority A buildings below and have included the height – the importance of this is in the next section.

Priority A buildings	Height
10 Maitland Road	Below 11 metres
110 Romford Road	<b>Above 11 metres</b>
190 Stockwell Park Road	<b>Above 11 metres</b>
241-243 Brixton Road	<b>Above 11 metres</b>
20 Sidney Road	Below 11 metres
22 Sidney Road	<b>Above 11 metres</b>
Bickleigh Court	<b>Above 11 metres</b>
Bircherley Court	Below 11 metres
Coles Green Court 1-26	<b>Above 11 metres</b>
Coles Green Court 27-38	Below 11 metres
Glaucus Street	<b>Above 11 metres</b>
Gowers Walk	<b>Above 11 metres</b>
Le Bon Court	<b>Above 11 metres</b>
Lockbridge Court	Below 11 metres
McDonald House	<b>Above 11 metres</b>
Network House	<b>Above 11 metres</b>
Thornberry Court	<b>Above 11 metres</b>
Trevanion Road	Below 11 metres
Wood Court	<b>Above 11 metres</b>

Bundy Court, Hern Court, Molloy Court and Weyman Court are all part of the Rectory Park development. Work is ongoing to the above 18 metre buildings at this development and so these other buildings are included in that work.

Over the coming months we’ll let you know the exact date of the investigation if your building is Priority A, and after that what the results are and what happens next. It may be that, based upon government guidance and further expert advice, we might be able to inform you that we do not need to carry out an investigation, and that nothing further is required.

We expect to start investigating **Priority B buildings from July 2023**, but this depends on us completing the above group of buildings. We will write to you again in March next year to let you know if we’re able to begin investigating Priority B in July. We’ve listed the buildings in Priority B and have included the height as well.

Priority B buildings	Height
Airco Close	Below 11 metres
Townsend Mews	<b>Above 11 metres</b>
Princess Louise Close	<b>Above 18 metres</b>
Mary Adelaide House	<b>Above 11 metres</b>
Winnicote House	<b>Above 11 metres</b>
Willow Place, Victoria	<b>Above 18 metres</b>

For residents of Princess Louise Close, Willow Place, Winnicote House and Mary Adelaide House, these are now added to Priority B. This is down to our understanding that every building needs further consideration in line with new PAS9980 guidance.

I know many of you have been asking for the dates of your investigation for some time, so I’m grateful for your patience and understanding. For those of you in Priority B, I’d like to thank you again for your patience in this situation and recognise that this is yet another delay to your investigation. I’d like to apologise again for that. The resident-led End Our Cladding Scandal (EOCS) campaign group recommends housing associations share mental health support with residents. The EOCS website lists some helpful organisations: <https://endourcladdingscandal.org/get-support/>. We have also listed some on our website: <https://www.networkhomes.org.uk/buildingsafetyresources/>

### **Building Safety Act – is there funding for buildings below 18 metres?**

The Building Safety Act has set out a number of ‘leaseholder protections’ designed to limit the financial burden of building safety remediation on leaseholders and shared owners. All tenant costs for building safety work are to be covered by Network Homes through rent contributions.

The secondary legislation further outlining these protections was released in late July. Due to the complex nature of these leaseholder protections, we have been seeking expert legal advice since the initial legislation was released in June. We have now asked our legal expert to revisit the advice, given the release of the secondary legislation. We must ensure that any decisions we make in terms of charging leaseholders for building safety work is legally sound and in-line with the new legislation.

What is certain however, is that cladding-only costs will be covered by a new government Building Safety Fund for buildings above 11 metres. There is currently no government financial support for buildings below 11 metres.

### **What might you have to contribute?**

At this time, we're still unable to confirm what building safety remediation costs, if anything, you may have to contribute to, if we find issues during our investigations. I know this is not ideal as you want some certainty, but we must wait until we have received the guidance back from our legal expert. Once we know what their advice is, we'll be able to share expectations of recovering costs through the service charge.

The government has also designed a Leaseholder Protections Checker, where you can input the details of your building and property, and it will give you an indication of how much you could be asked to contribute. This is based on the amounts set out in the 'leaseholder protections' of the Building Safety Act. You can view the checker here: <https://www.gov.uk/check-building-safety-costs>.

### **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](mailto:customerservice@networkhomes.org.uk) if you have any questions.

Kind regards

Raj Gandecha  
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