

Safety in your building

19 October 2022

Archer Tower,
Vantage Point,
Berger Road,
Homerton,
E9 6FG

The Hive
22 Wembley Park Boulevard
Wembley
HA9 0HP

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

Dear residents,

Subsidy declaration form – do you need to fill this out?

We wrote to you last year that our application to the Building Safety Fund had been approved. This fund will cover costs which may have otherwise been recovered through the service charge. As you are a leaseholder, you need to check that you are eligible to receive the funding as there are government rules which may affect you. These are known as subsidy declaration rules.

Check if you need to fill out a subsidy declaration

Please take a look at the government's guidance to see if you need to fill out the subsidy declaration. You may have to do it if you are an 'Economic actor', which the Department for Levelling Up, Housing and Communities (DLUHC) defines as anybody (including an individual, corporation, a partnership, a family trust, etc.) who either:

- Owns and lets out properties to others (for the purposes of the Subsidy Control rules, this counts as operating a business) **or**
- Uses the property in this building solely or primarily for the purposes of operating a business.

You can read the guidance on DLUHC's website below and see the necessary form at the end of this letter: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/989381/Subsidy_Control_Guidance_for_Leaseholders.pdf.

If you need to, please fill out the form and return it to us on customerservice@networkhomes.org.uk or sent it to us at Network Homes, The Hive, Wembley Park Boulevard, Wembley, HA9 0HP.

Further information

Contact us on customerservice@networkhomes.org.uk if you have any questions or check our dedicated page with your building's updates: www.networkhomes.org.uk/vantagebuildingsafety.

Kind regards

Raj Gandeche
Head of Resident Management (Building Safety)

SUBSIDY DECLARATION – CLADDING REMEDIATION FUNDING

[THE ARCHER TOWER, BERGER ROAD, HOMERTON, E9 6FG (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.

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	

¹ Subsidy control uses Special Drawings Rights – see here for further information:

https://www.imf.org/external/np/fin/data/rms_five.aspx

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.

Leaseholder 4

Full name	
Signature	
For and on behalf of	
Position	
Date	
Address	