# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

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| **TITLE**  | **Building Safety** |
| **DATE**  | **19 September 2019** |
| **BY** | **Julie James, Minister for Housing & Local Government** |

The Welsh Government is fully committed to making people safer in their homes. However, we must never become complacent or think our work to improve fire safety is done. This is why I am committed to delivering the building safety programme. I will make improvements where possible to the current building safety system and I am working to support the introduction of future comprehensive legislative reforms.

In Wales, we have a proven track record of achieving high standards in fire safety. Latest figures show that accidental dwelling fires in Wales are at an all-time low. They have fallen by almost a quarter in the past 8 years, and fallen further here than anywhere else in Great Britain. But we are far from complacent.

Our world leading legislation ensuring all new and converted homes in Wales must have sprinklers has further increased fire safety in our homes. We know that sprinklers are the best means of saving lives in the event of a domestic fire, and I am working to further promote the use of sprinklers in existing homes.

Where buildings are built to appropriate building standards and appropriately maintained, they are, and will continue to be safe places to live and work. Unfortunately, where this is not the case, the safety of buildings and of those who live and work there can be compromised.

Although most high-rise residential buildings in Wales are built to appropriate standards, over the past few months, I have been made aware of a number high-rise residential buildings with significant building defects. Whether the problems relate to the building’s cladding, compartmentation between apartments or a lack of fire breaks they impact the overall integrity of the building and its fire safety. In the worst cases it is possible that in the unlikely event of a fire lives may be put at risk. This is unacceptable.

Some of these buildings were built in the past 10 to 15 years. These faults appear not to be caused by poor maintenance or neglect, but potentially as a result of poor workmanship, improper oversight and at times it seems, a disregard for building regulations.

Putting right these building defects is costly. Some high-rise residential buildings have estimated remediation costs running into the millions.

I have been consistent in my message that leaseholders should not be expected to pay to rectify issues that constitute a failure to build to appropriate quality standards or where matters are in breach of building regulations.

However, in several cases that have recently come to my attention, it appears that warranties or insurance policies are unwilling or unable to accept liability and under the terms of some leasehold contracts, legal liability for the cost of the work appears to rest with the leaseholder.

Some leaseholders are now in a position where landlords and managing agents are demanding tens of thousands of pounds to pay for the necessary remediation works. This is entirely unfair on those who bought their properties in good faith, and are now facing significant financial strain.

Whilst the Welsh Government funded the public sector to replace non-compliant Aluminium Composite Material (ACM) cladding - the dangerous cladding on Grenfell Tower, taxpayers cannot be expected to fund failures in the construction of private sector residential buildings.

I believe that building owners and developers should face up to their moral responsibility and put right these faults, or else risk their professional reputation.

The recent media interest in this area will of course have caused concern for many living in high-rise buildings. I would encourage residents and leaseholders to approach their landlord or managing agent in the first instance to seek reassurance by asking some key questions, such as;

* Is there an evacuation policy should a fire start in the building, and if so, what is it?
* Is there an agreed fire safety policy in place?
* When was the last fire risk assessment undertaken? What was the outcome? What action has been taken as a result?
* Has the landlord or managing agent been in contact with the local authority and/or Fire and Rescue Service to discuss any evaluations of the building?
* If building defects or fire safety risks have been identified, how quickly will they be rectified and what necessary mitigating actions need to be in place in the interim?

Challenging landlords and managing agents to ensure adequate plans are in place should give residents and leaseholders some peace of mind. If residents and leaseholders do not receive a satisfactory response, they should raise their concerns directly with the local authority or the Fire and Rescue Service.

I understand the frustration residents feel when told their homes are potentially unsafe and those with the responsibility for constructing or maintaining the building are unwilling or unable to help.

Local authorities and Fire and Rescue Services have legal duties and powers to help ensure properties are safe. Although the role of Welsh Government is limited in this area, I am determined to use the powers I have to improve fire safety before new legislation can be brought forwards.

I will provide an oral update to Members on 22 October.