



Department for
Communities and
Local Government

The Rt Hon Sajid Javid MP

*Secretary of State for Communities and Local
Government*

***Department for Communities and Local
Government***

4th Floor, Fry Building
2 Marsham Street
London SW1P 4DF

Tel: 0303 444 3450

Fax: 0303 444 3289

E-Mail: [REDACTED]communities.gsi.gov.uk

www.gov.uk/dclg

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To: Local Authority Chief Executives,

Identifying all residential tower blocks with Aluminium Composite Material (ACM) cladding

The devastating events at Grenfell Tower on 14 June have deeply shocked and saddened us all. We are all clear that this should never have happened and must not happen again. That is why the government has developed a building safety programme to ensure fire safety in high-rise residential blocks.

I would like to thank you for all the hard work you have done so far in this area. I know that you share the same ambition that I do – to put your residents first and my Department and I look forward to continuing working with you to this end.

As you will be aware, following the initial screening tests, I commissioned a series of large-scale tests of cladding systems. These test different combinations of Aluminium Composite Material (ACM) cladding and insulation. Following each test, my Department publish advice to building owners and landlords. All these documents can be found on gov.uk.

<https://www.gov.uk/guidance/building-safety-programme#latest-advice-for-landlords-and-building-owners>

As part of the initial testing programme, I asked Local Authorities and Housing Associations to identify all residential tower blocks with ACM and submit samples for testing. As you know, these tests are available to the private sector too and a number have submitted samples for testing.

As I have said before, we must all act together to inform, protect and reassure our residents. I know that many of you are already reviewing privately owned buildings in your area. While it is a building owner's responsibility to ensure their buildings are safe, you will know that it is also the statutory duty of local housing authorities to keep local housing conditions under review, with a view to identifying if action needs to be taken, in relation to housing health and safety. I am sure you therefore agree it is of the utmost importance you take active steps to ensure that building owners of residential tower blocks are taking measures to ensure that their residents are safe and feel safe, particularly where buildings have been found to have cladding systems which have failed the combustibility tests.

My Department will be following up with you on the extent to which you have been able to identify buildings with ACM cladding. My Department will also ask for updates on the progress of any necessary remedial actions taken by building owners, where such cladding is not compliant with current Building Regulations guidance.

This might include:

- identifying all high-rise residential buildings with ACM cladding;
- ensuring the owners of such buildings identify the exact wall system (ACM cladding type and insulation material); and
- based on this, advising building owners to follow the steps set out in DCLG's advice to landlords following the large-scale system tests.

If private sector building owners do not comply with your requests, I will look at what further action can be taken to support you in carrying out your responsibilities. It is of course important to highlight that local housing authorities do have enforcement powers, under the Housing Act, to direct landlords to take action, and can ultimately step in to undertake remedial work where necessary, then reclaim the cost from the owner.

For example, where you identify fire hazards – determined in accordance with the Housing Health and Safety Rating System Regulations 2005 – local housing authorities can take appropriate action. This might include issuing improvement notices, prohibition orders, emergency prohibition orders or taking emergency remedial action, depending on the particular circumstances. Landlords can face a £30,000 penalty or an unlimited fine for failure to comply with an Improvement Notice. In addition, they can be required to repay tenants up to 12 months rent.

My Department will be working closely with the Local Government Association and wider sector partners to identify good practice and provide further clarification. This will also help us all understand the cost implications to you of implementing these duties, in line with the Government's New Burdens Doctrine.

For consistency, we will also be in touch in the coming days to share information we hold on private residential buildings in your area, and provide guidance on how this information should be collected to provide continuity across all authorities.

On a separate matter, as you may have seen today, there has been significant interest in the safety of four tower blocks in the London Borough of Southwark. As a part of their building safety checks, their work identified a historic issue about the piped gas supply in the blocks, which may be relevant to other large panel system blocks across the country. Today, my Department is also writing to the few councils we believe could have had similar systems at one point to advise further.

I thank you in advance of your cooperation in these matters.

THE RT HON SAJID JAVID MP