

Notice of Intention – Gainsborough Studios, Poole Street, London N1 5ED

Fire Safety: External Wall Remediation Works and associated balcony works

**Notice of Intention to carry out Works Where a Public Notice is NOT required
Schedule 4 Part 2 of the Service Charges (Consultation Requirements) (England)
Regulations 2003**

Frequently Asked Questions FAQ's

Why does the Notice of Intended works not give any cost for the works?

This is the first stage of a formal consultation process. This notice is to just let you know that we need to carry out works and the scope of those works. The cost of the works will be contained in further notices that we will send.

If the works are being paid for by Government funding why am I receiving a Notice of Intended works?

Our application is to the Building Safety Fund (BSF). As the amount of funding available is limited there is no guarantee that making an application to the BSF means that funding will be granted, or if an application is accepted that all of the works that need to be carried out will be considered eligible. This may result in there being a funding shortfall and as a not-for-profit charitable housing association we have an obligation to explore all funding options.

The cost of work carried out by a freeholder in respect of a statutory obligation still has to be reasonable under the Landlord & Tenant Act 1985 and carried out to a satisfactory standard. However, it would be hard to argue that it is unnecessary if required to be done by statute. Consultation with leaseholders, under section 20 of the Landlord & Tenant Act 1985 is still, of course, required if the works exceeds the cost of £250 for any one leaseholder.

What is the Building Safety Fund (BSF)?

The Building Safety Fund (BSF) is a £1bn fund established by the Government to help fund the removal of non-ACM cladding systems of residential buildings over 18 metres.

Who is eligible to register for the Building Safety fund?

The fund is open to building owners, freeholders or the responsible entity for buildings within scope, from both the private and social sectors.

What will the Building Safety Fund cover?

Subject to eligibility the Government will meet the capital costs associated with the remediation of non-ACM cladding systems that are found to be unsafe.

Will the Government funding cover the costs of all of the works?

The BSF will not fund structural works which are not directly related to the remediation of any unsafe non-ACM cladding.

Will the fund cover project management costs?

Funding through the BSF includes the removal and disposal of existing cladding, the cost of materials and labour as well as associated professional fees.

Could the Developer be made to pay any of the costs of the works?

We have taken legal advice regarding the possibility of holding the original developers to account over the cost of remediation work, and sadly, have been advised that as the building was completed in 2002, it falls outside of the realms of contract law, and as such, we have no legal recourse to claim against the Developer.

When will I know how much I need to pay?

We hope to have formal confirmation about whether the application has been successful, and the scope of the works the funding will cover, early in the New Year. Once we do, we will be writing to you all to let you know.

When are the works likely to start?

A requirement of an application to the BSF is that works begin on site by March 2021 and we are working closely with IDM to make sure that works proceed as soon as possible.

What will happen to the funding if the works don't start by 31st March 2021.

The position is not clear however we will be working closely with IDM and all associated parties to ensure the terms of the funding application are met.

Who will project manage the works?

We have instructed IDM to act on our behalf in procuring the remedial works. They will lead on working with the chosen contractor to ensure that the works run according to the programme and we will work closely with them during this process.

Who will review and certify the completed works?

Suitably qualified Fire Safety Engineers will assess the works and confirm that they are compliant with current Government regulations.

Will the building receive an EWS1 certificate once the works are complete?

Once all of the works have been completed suitably qualified Fire Engineers will assess the works and confirm that the external wall systems are compliant and thereafter we expect them to issue an EWS1. EWS1 certificates will then be provided at the request of those residents who are seeking to sell or re-mortgage their properties.

What happens next?

We're awaiting formal confirmation with regards to our application to the BSF and as soon as we have this, we will let you know, and what the next steps are.

Once we have a programme of works together with the costs we will send further details to you.