

# MAYOR OF LONDON

**Rt Hon Robert Jenrick MP**

Secretary of State for Housing, Communities and  
Local Government  
Ministry of Housing Communities and Local  
Government  
2 Marsham Street  
London SW1P 4DF

**Date:** 21 September 2020

Dear Robert,

I am writing on behalf of London's leaseholders to outline my grave concerns with the External Wall Review (EWS) process. It is simply unacceptable that thousands of people's lives are on hold while the market for leasehold flats has ground to a halt.

Urgent Government action is needed to release the thousands of residents trapped in potentially unsafe buildings unable to remortgage at competitive rates, sell, or move on with their lives. Leaseholders waiting for an EWS1 form confirming their block complies with Government guidance on the safety of external walls are facing mental health problems, overcrowding, missed employment opportunities, and financial pressure.

It is estimated that at least 600,000 leaseholders nationwide are currently in limbo, and this number will keep growing. In the current context, it will take years to certify this number of buildings as safe. This crisis affects Londoners disproportionately – London has 63 per cent of the high-rise buildings in England, and 55 per cent of its housing stock is flats/maisonettes compared to 23 per cent in England.

The shortage of competent professionals to inspect the safety of external walls has resulted in severe delays and reports of fake EWS1 forms from unqualified sources, further adding to leaseholders' stress and financial pressure. Exacerbating this issue is the large number of professionals who cannot access professional indemnity (PI) insurance for this work. Furthermore, there is insufficient Government funding on offer to protect leaseholders from the financial burden of remediation costs if they are identified. Even if prospective buyers could access lending, this creates huge risks in purchasing a flat that may require remediation.

To resolve this crisis, the dual objectives of ensuring buildings are safe and unlocking the market must *both* be pursued. Withholding lending until we have confidence in the safety of external walls – the current approach with EWS1 – will trap leaseholders for years and cause long-term damage to the housing market. Conversely, unlocking lending without a bold Government-led strategy to identify and resolve safety issues would be a quick fix addressing the symptoms not the cause. It would leave safety risks unchecked and pass cost liability from seller to purchaser, resulting in caution from prospective buyers and continued dampening of the market.

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Urgent and sustained Government action is necessary in the following five areas.

1. The Government must act with urgency to find a **long-term funding solution** for external wall remediation which protects leaseholders, with Government fully funding remediation costs if necessary, where cost recovery from those responsible for the defective works is not successful or possible. An immediate funding solution for every building will give sellers, purchasers and lenders confidence in the market. Indemnifying lenders against loss may unlock lending, but it will not give purchasers or existing leaseholders any protection.
2. With the market unlocked, the need for EWS1 forms would be removed. In place of the EWS1 form, the Government must establish a much more comprehensive method for **tracking and enforcing** building owners' responsibility to inspect and, if necessary, remediate their external walls. It is clear from recent experience that guidance must be backed up by oversight and intervention, which the EWS1 form has inadvertently provided.
3. Whilst the EWS1 form is still in use, greater clarity is needed on which buildings require an EWS1 form and which do not. The Government should work with industry to publish **guidance** for lenders and leaseholders which sets this out.
4. The Government should set up a **training and accreditation** programme to vastly increase the number of competent professionals that can carry out safety inspections of external walls. This will take time to establish but will be essential in making the new building safety regime a success in the future. In the short-term, this programme should focus on upskilling existing professionals in the sector to specialise in the safety of external wall systems.
5. The Government must work with the insurance industry to ensure there are clear **standards of professional competence** to build confidence in providing appropriate PI cover for those with the appropriate qualifications and experience to work on external wall safety.

Taking action now is critical to ensure the safety of residents and to stop the devastating effects the EWS1 crisis is having. The five areas I have outlined above must be addressed. This will ensure Government policies to support the housing market's recovery from Covid-19 are not wasted and begin to bring an end to the piecemeal approach to tackling the building safety crisis.

Yours sincerely,



**Sadiq Khan**  
Mayor of London

cc Paul Scully MP, Minister for London  
Sir Edward Lister, 10 Downing Street