**Nobel House Residents Update 05.02.21**

Below is the weekly update on progress on the Nobel House cladding issue, including responses in red to specific questions that residents posed.

**Further questions asked by members of the Facebook group, collated 20.01.21.**

**Answers are from Y&Y Management**

**Q1: What is the official height of Nobel House? This will be important for our Building Safety Fund application.**

A: This will be something the surveyor will be able to advise on. We believe the height to be just above 18M.

**Q2: Who currently provides Nobel House's Buildings Insurance? What is the current annual premium, and when is the renewal date?**

A: The freeholder is responsible for taking out buildings insurance. The current annual premium is £19,938.22. The renewal is the 1st March 2021.

**Q3: Please provide us with the latest progress on contract negotiations with the new company for the intrusive survey and BSF application**

A: The intrusive survey work is due to start week commencing Monday 8th February.

**Q4. Has any progress been made on contacting the Ministry of Housing, Communities and Local Government (MHCLG) who are administering the BSF, to determine the status of Nobel House's invitation to apply?**

A: We are regularly checking the status of the BSF but have not yet been invited to apply.

**Q5: With insurance companies it is always important to initiate a claim when the issues first become evident and whilst we don’t know the current extent of the problem, please could Y&Y confirm that they have definitely “lodged” (as stated in the Minutes of the zoom call 8thJanuary 2021) a claim with NHBC for the missing cavity barriers and fire stops that have already been identified.**

A: A claim won’t be made until the survey is completed and we know what remedial work will be required.

**Q6: Having read the Warrington Report, we can see that it includes a fire test on a section of ACM cladding from Nobel House, but there is no mention of the Trespa cladding which covers most of our building. In the zoom call meeting of 8thJanuary Aaron stated that testing of the Trespa cladding “was originally done by the governments testing facility” and that he would send the report from Warrington. Can Y&Y explain why the Trespa cladding was not included in the Warrington Report sent through with the Minutes and send definitive proof of the tests that have been carried out on the Trespa cladding, together with results from that testing.**

A: That is a very good question and one that we asked the same of the firm who carried out the survey/testing. This is one of many reasons why we could not rely on the report’s findings. We understand was that they felt that there was no need to test the Trespa cladding because of findings available from the original developer and tests carried out by the Government testing lab.

**Q7: In the questions submitted to Y&Y for the zoom call on 8thJanuary when asked “Why have Y&Y involved firms and then dismissed their findings” you said that you had “used the previous contractor on other buildings without issue, however it appears that Nobel House proved too complicated and their standards were not acceptable. We therefore felt it was necessary to obtain a new survey.” Please can you now explain which company you are referring to by “previous contractor”, why Nobel House proved “too complicated” and why “their standards were not acceptable”?**

A: The report that was attached to the minutes carried out by the firm JWA. I’m afraid we don’t know why it was too complicated.

**Q8: As we understand it, JWA commissioned the Fire test by Warrington Test Lab and that you are withholding the entire fee because the work was 'inadequate'. On the face of it the Warrington report is a perfectly straightforward test report on the ACM cladding which was supplied to them. The assessment of the JWA report would depend on what brief they were given. Could Y & Y explain whether it is JWA's or Warrington's part of the package which they consider inadequate and precisely why, along with the cost of each part of the bill in question?**

A: We consider the package as a whole unsuitable and not fit for purpose.

**Q9: One of the questions on the zoom call 8th January asked “Can the original construction company not provide answers regarding the types of materials used originally” and Y&Y’s reply was that you have obtained these from the developers. Does this mean that Y&Y have been able to ascertain the types of cladding specified in the original plans? If so, despite an intrusive survey being required to fully ascertain the situation, please can you supply us with this information now?**

A: The information we have from the developers was included in the attachments sent out with the minutes. We also have all the O and M manuals however that does not mean it complies with current legislation which has changed in recent years, the need for new investigations.

**Q10: It is good to hear that Y&Y have been in contact with Hollybrook (the original developers) as they and the freeholder Avon may need to prepare a case against them if it is found that building regulations were not followed; it is not just the fault of the building control inspector if there are faults or omissions in the installations on buildings, all the various sectors involved will be expected to take their share of the blame and ultimately bear the costs. The government has stipulated many times that they wish to protect leaseholders from the remediation costs of putting right historical faults in the building system as a whole and as such will expect freeholders/owners/landlords to remediate their buildings as a matter of urgency and to pursue all avenues with insurance companies, builders, developers to reimburse costs either to themselves or back to the government if loans have been taken out in the form of a grant from either of the Building Safety Funds (ACM and non ACM). What plans or preparations have Avon/Y&Y made towards making a case against Hollybrook and how do they propose to manage this?**

A: We will let you know once they have been back in touch with us.

**Q11: Please can Y&Y confirm the date by which the government requires completion of the remediation work for non ACM cladding when funded by a grant from the Building Safety Fund?**

A: On the 17th December 2020 the MCHLG announced an extension to the closing date for applications to the BSF to 30th June 2021 with the start on site date moving to 30th September 2021.

**Questions raised at the virtual meeting 08.01.21**

**Present situation**

**Q12: Most cladding is ‘Trespa’ or similar and is considered safe. Is this confirmed? Were samples tested?**

A: At present, we understand from the developers that is the case. Testing has also been carried out at two points of the building. The results of these tests confirmed that the cladding tested was non-ACM.

**Q13: The small strip alongside ‘Queensway stairs’ is ACM and is the only cladding considered unsafe and that requires replacement. The rest is Trespa. Please confirm.**

A: Correct. That is our understanding. There may be other issues with cavity barriers, however at this stage we cannot confirm. We will be able to do so once the intrusive survey is carried out.

**Q14: Fire stops and cavity barriers are said to be missing. To what extent and where?**

A: Please see response above.

**Q15: Understand balconies with wooden decking need replacement. Is this advisory or compulsory legislation.**

A: That would depend on the type of structure. It is an issue if the balcony decking is combustible with no metal structure below. This will all be clear once the survey is completed.

**Q16: Weekly fire inspections are being carried out. Why? Surely nothing changes week to week.**

A: Weekly fire checks were recommended by the fire officer and firm that carry out the fire risk assessment for the block.

**Costs and grants**

**Q17: NHBC may be liable for missing fire stop/cavity barriers but if construction passed building regulations at the time, we have no case. Is this being looked into further by Y&Y?**

A: Once we have the findings of the survey we will consider this.

**Q18: Government grants for ACM have been retrospectively applied for. Please send proof. Why not sent in time?**

A: We don’t have proof as such, because our application has not been accepted nor have we been invited to apply at this stage. The second part of the question is not relevant as this was applied for in the correct timeline.

**Q19: ACM/non-ACM grants have both been applied for. Please send proof. Will deadlines be met?**

A: We were not able to apply to the ACM fund as this fund closed before there was any evidence of ACM on the block.

**Q20: If the original construction company can’t advise the types of materials used, have copies of original specifications and drawings been requested?  Please request copies of specifications.**

See answer to Q9 above.

**Q21: New consultants details should be confirmed by 22 Jan. When will proposal and timeline be available?**

A: These details have already been shared.

**Q22: Y&Y have pre-registered for the Building Safety Fund but still not received an invitation to apply for the full 1st Stage Application. Is there a reason? Have all criteria been met? Please send proof. Will deadlines be met?**

A: We do not know why at this stage that we have not yet received an invitation. Please see response to Q18.

**Q23: State aid forms must be completed by all owners (i.e. both partners if joint owned). These have to be sent to Y&Y (the responsible entity) to send on. Why haven’t we been asked to do this yet? Is it still necessary post Brexit? This will take some time: organising, collating and checking. When will Y&Y organise this?**

A:  We will only be able to do this once we have been invited to apply.

**Unfortunately, many owners have lost faith in Y&Y and are demanding proof of actions that we are told have happened.**

We would respectfully therefore ask that you supply copies of the following:

1. Claim lodged with NHBC. We are not able to share email correspondence with the NHBC however we have lodged a claim and the details of the claim will only be sent over once we have the findings of the survey being carried out starting week commencing 8th February.
2. Proof of both non-ACM and ACM requests for funding – please see response above.
3. Nobel House **Health & Safety and Fire Safety Policies –** The Fire Risk Assessment was provided with the minutes of the recent meeting. Please look under ‘Important Documentation’ on our [Nobel House page](https://www.ravenht.org.uk/living-in-my-home/homeowners/nobel-house/) to view our ‘Nobel House – Fire Risk assessment Report – 20-09-2019’
4. Trespa testing report (if it was carried out – This was also provided with the minutes of the recent meeting. Please look under ‘Important Documentation’ on our [Nobel House page](https://www.ravenht.org.uk/living-in-my-home/homeowners/nobel-house/) to view our Nobel House – Façade Inspection Summary Report – 30072020’.
5. Buildings original specifications and drawings from NHBC Building Control – We can have the O and M manuals sent over however the files are far too large to email across.
6. Copy of the new survey as soon as it becomes available – This will be distributed.