

**SURREY COUNTY COUNCIL****CABINET****DATE: 21 DECEMBER 2021****REPORT OF: COUNTY COUNCIL****SUBJECT: REFERRAL OF COUNTY COUNCIL MOTION (MOTION 8 IV)  
(12 OCTOBER 2021)****SUMMARY OF ISSUE:**

At the County Council meeting on 12 October 2021, Robert Evans moved a motion under Standing Order 11.

Under Standing Order 12.3 the Cabinet Member for Communities, Mark Nuti, moved a proposal that the motion be referred to the Cabinet for more detailed consideration. Robert Evans agreed to the referral of the motion.

The proposal to refer the motion was put to the vote and received support.

**RESOLVED:**

That the motion be referred to the Cabinet for consideration.

**MOTION DETAIL:****This Council notes:**

With great concern the on-going national and local issue regarding incidences of faulty cladding on buildings and other related defects, which have come to light since the tragic Grenfell Tower fire of 2017, which claimed seventy-two lives.

That in November 2018, the government banned the use of all combustible materials on the walls of new high rises meaning the problem has now extended beyond aluminium composite material (ACM) cladding to include fire breaks between floors and other building features, including wooden balconies and panels. However, it did not legislate for building owners to take action nor provide sufficient compensation funds to cover all situations.

**This Council further notes:**

That the Royal Institution of Chartered Surveyors (RICS) and the UK Council of Mortgage Lenders agreed the industry External Wall System (EWS) fire review and certification process resulting in what is known as an EWS1 form, without which many lenders are now refusing to provide mortgages, leaving many Surrey leaseholders in severe financial crisis and with homes that are dangerous and often unsaleable.

Council therefore welcomes the appointment of Surrey Heath MP, Rt Hon Michael Gove as secretary of state for Levelling up, housing and communities, charged with

steering the Building Safety Bill through Parliament and urges him to recognise and address the unfairness of developers or management companies placing the cost of repair works on the shoulders of the leaseholders.

Additionally, Council is deeply concerned that this is all having a detrimental impact on the mental and physical health of many residents in Surrey, who have put considerable, personal and financial investment into becoming part of the home owning democracy, only to find that the large development companies are demanding huge repair costs and/or the cost of waking fire watches.

Furthermore, Council believes Surrey councils have a responsibility and arguably a 'duty of care' to its residents and therefore should not stand by and leave action to the government alone and now needs to step in and take unilateral action where legally allowed to.

**This Council therefore calls on its leadership to support all those in Surrey affected by this scandal and to resolve to:**

- I. Formally raise the issue with H M government through Mr Gove and the County's other MPs.
- II. Support other local authorities and the LGA's initiatives with the government in exploring ways in which local councils can be empowered to support their residents and ensure building regulations are complied with, or retrospectively repaired, at no cost to the leaseholder.
- III. Ask the boroughs and districts, in conjunction with Surrey Fire and Rescue Service as a matter of urgency and if they have not already done so, to perform an audit and consultation to establish the potential scope of the cladding, EWS1 and snagging issues of all habitable buildings.
- IV. Urge the County's boroughs and districts to explore ways to delay approving planning applications where the applicant has outstanding snagging or EWS1 certification issues and include a condition to be discharged on all future planning applications to provide an EWS1 form before first occupation.
- V. Sign Surrey County Council up to the End Our Cladding Scandal campaign.

**NEXT STEPS:**

Robert Evans will be invited to present his motion at the 21 December Cabinet meeting along with the motion seconder, Jonathan Essex.

---

**Contact Officer:**

Huma Younis, Committee Manager, [huma.younis@surreycc.gov.uk](mailto:huma.younis@surreycc.gov.uk)

---