**Nobel House Residents Q&As 17.05.21**

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

**Questions for Y&Y**

**Q1: Does Y&Y accept full liability for all costs covered by the Building Safety Fund as they either did not apply, or, if they did apply, did not take the reasonable measures of taking screen shots or other evidence of having applied? Y&Y is legally obliged to have exhausted all other means available to cover costs prior to invoicing leaseholders, so we cannot legally even be invoiced for these costs.**

A:  Y&Y accept no responsibility at all. Y&Y applied for the fund and it is clear that we were on record as we received all corresdance relating to the fund. We have been chasing for many months with zero response. This has been on a regular basis and has been made clear to all parties. Please also note that there is zero guarantee that funding is approved at any stage. From speaking with Capital and other firms. They have advised that we are not the only party to have received the same response when persuing the BSF. We have and will continue to exhaust all avenues whether that be the BSF, NHBC and the original developers. Details of which together with proof of the contact we have made has been sent through to 4QM and Raven.

**Q2: If you have truly missed the BSF fund deadline and cannot get that funding, nor recharge leaseholders, will Avon be able to cover the costs or is it a risk to their business viability?**

A: As per the lease. The freeholder and 4QM are not responsible for the cost of any remedial works but are responsible for ensuring that the works are carried out and that the funds necessary to complete the work is collected from the leaseholders who are liable.

**Q3: Will you still seek to use the negotiated tender route or go to the normal tender process (noting that S20 is not applicable if you cannot recharge leaseholders, the negotiated tender route was suggested only due to BSF’s stated preference, and some of the time pressure is removed if you cannot apply to BSF)?**

A: We will be looking at serving a Section 20, if required, however we will seek legal advice on the process and take instruction from 4QM as how to proceed on this matter.

**Q4: We do however note that the fire engineer stated that remediation should be completed within 12 months of his report of 22nd March 2021. Now that Capital have had time to work on this please could you confirm when remediation work could start on site and be completed, under the procurement options?**

A: We would not see any reason for a delay in works. We do not believe they will be completed within the year however this will be clear closer to start date on site.

**Q5: Please can you ensure you are in regular contact with Capital at least weekly to ensure their continued good progress?**

A: We have regular communication with Capital

**Q6: Can you confirm that they will finish their current work on the BSF application preparation prior to the 30thJune? (in case something changes and we can somehow still apply).**

A: They are still on target to meet required target.

**Q7: What will you be doing to ensure that the fire alarm is installed in the time frame as promised to minimise the waking watch costs?**

A: The process is in motion. The works order has been raised and the firm carrying out the works, Raven Maintenance, have ordered the parts required. All is running to the planned schedule.

**Q8: On the residents update dated 9.4.21 the cost of the Capital survey was confirmed as being £50,700 including VAT (question2), but in the update from 26.4.21 it seems to have changed to be costing £67,705.90 including VAT? What has caused this change?**

A: The final amount included the firefirms survey and completion of the ESW1 form required.