



Cladding Remediation Bill: what you need to know and to do

The Ministry of Housing, Communities and Local Government (MHCLG) announced the introduction of the Building Safety (Remediation of Unsafe Cladding etc) Bill to the House of Commons on 14 October 2026.

Only the initial draft of the Bill has so far been published, and it will be subject to review and amendment during that process. We will provide further updates on key developments during the parliamentary journey.

Introduction

The Bill introduces new duties to assess and remediate unsafe external walls, a registration regime for medium-rise residential buildings, enhanced regulatory information and enforcement powers, and substantial changes to construction product liability.

The Bill turns the remediation focus to “Medium Rise” 11-18 storey, multiple occupation residential buildings completed before June 2022 with fire safety risks. It seeks to establish who is responsible for dealing with those risks by setting out a mandatory process for risk assessment and reporting for responsible persons, with significant criminal sanctions for non-compliance.

In policy terms, this appears to shift focus from larger developers and housebuilders.

A notable feature of the Bill is that liability does not necessarily fall on the party responsible for creating the problem. In many residential developments, the relevant repairing obligations are vested in residents’ management companies, RTM companies, or resident-controlled freehold companies. Those entities may therefore become the responsible entity despite having not been involved in the design, specification, or construction of the building. The practical challenge for those now responsible and their professional advisers will be identifying risks, complying with statutory timescales, and pursuing appropriate recovery routes against those who may ultimately be responsible for the defects. New and stronger mechanisms will be available to regulators and residents where remediation does not happen. It also makes important amendments to the Building Safety Act 2022 (“the BSA”), Housing Act 2004, Fire Safety Order (“FSO”) and landlord and tenant legislation.

For developers, resident management companies, building owners, managing agents and construction product manufacturers, the overall direction is therefore towards earlier identification of risk, clearer responsibility for remediation, stronger regulatory intervention, and potentially greater corporate exposure where obligations are not fulfilled.

Executive Summary

The principal changes proposed by the Bill

A new assessment and remediation regime for existing buildings

Part 1 applies principally to relevant buildings completed before 28 June 2022 containing at least two dwellings and measuring at least 11 metres or five storeys. These are referred to as Chapter 1 Buildings. A “responsible entity” responsible for repairing or maintaining external walls must arrange a compliant fire risk assessment (“FRA”) and, where necessary, implement interim mitigation and remediation measures. In many cases, this will be the residents’ management company which will operate largely via its managing agent. Therefore, managing agents will be expected to carry out the necessary investigations, recommend, and implement interim measures, manage consultations and coordinate with regulators.

Potentially substantial sanctions for non-compliance

Failure to comply with the core remediation duties can constitute a criminal offence and can attract a financial penalty of up to £500,000. Other failures carry their own sanctions, including financial penalties ranging from £14,000 plus £500 per day for continuing breaches to 5% of corporate worldwide revenue for failures relating to the provision of information and cooperation with the Housing & Communities Agency.

Public authorities can effectively step in where remediation fails

A new remediation management order regime allows the First-tier Tribunal to empower a public “remediation authority” to undertake remediation following specified compliance failures, with mechanisms for recovering the resulting costs.

One area of particular concern for residents’ management companies, RTM companies and other resident-controlled entities is the proposed Remediation Management Order regime. If a responsible entity fails to comply with its obligations, the First-tier Tribunal may grant powers enabling the remediation authority to take over the remediation process. This could result in resident-controlled bodies losing a significant degree of control over how works are procured and delivered, whilst remaining exposed to potentially substantial remediation, legal and administration costs. The regime therefore underlines the importance of obtaining professional advice and demonstrating active compliance where building safety risks have been identified.

A new regime for medium-rise buildings

Buildings coming within the new statutory thresholds for medium-rise buildings, broadly those at least 11 metres/five storeys but below 18 metres/seven storeys and containing at least two residential units, will become subject to registration and information obligations. This will essentially create a mirror regime for MRBs to what is currently in force for HRBs.

Much greater visibility of building ownership

Regulators will be able to require information about the ownership of residential blocks, extending through corporate structures to beneficial owners and associated persons. Failure to comply, or knowingly or recklessly giving materially false or misleading information, can lead to criminal and financial sanctions.

Greater coordination between regulators

Part 4 creates statutory duties designed to coordinate the activities of local housing authorities, fire and rescue authorities and the Building Safety Regulator including, information sharing and partnership working.

Construction product liability is significantly strengthened

The amendments to s. 149 of the BSA expand the existing cladding-product regime, including a new concept of “misleading conduct”, a revised causation test, a statutory causation presumption in specified circumstances and broader provision for recovering economic loss. Crucially, this is likely to assist contractors who have had to contribute to developers for remediation costs in recovering their losses from manufacturers, as the recovery process passes further down the supply chain.

Existing remediation enforcement mechanisms are reinforced

The Bill clarifies that limitation periods for applications for Remediation Orders, Remediation Contribution Orders and Building Liability Orders are not subject to the Limitation Act 1980. This point was not entirely clear following the BSA coming into force in 2022. Although the issue of limitation may still form part of the requisite “just and equitable” tests under these provisions, the removal of limitation barriers potentially further extends the scope of recovery opportunities for parties bearing remediation liabilities.

The Bill also permits new financial penalties of up to £500,000 for failure to comply with remediation orders.



Analysis in detail

Part 1: Remediation of unsafe cladding etc

Chapter 1: New duties

The headline feature of the Bill is a new statutory assessment and remediation regime for external walls. It applies to “Chapter 1 buildings”, which are relevant buildings completed before 28 June 2022. A relevant building is broadly a self-contained building or part of a building in England containing at least two dwellings and measuring at least 11 metres high or five storeys. Note that Chapter 1 is disapplied where the building falls under a Developer Remediation Contract (“DRC”). As the DRC covers the period April 1992 to April 2022, all buildings constructed pre-April 1992 and those constructed in the window 6 April 2022 to 28 June 2022 will be caught alongside the orphan buildings not covered by the DRC.

Responsibility falls upon the “responsible entity” required under a lease or by statute to repair or maintain the external walls. They must ensure a compliant FRA of those walls is undertaken by a suitable professional, generally within ten months after s. 2 comes into force. The assessment must determine whether the walls present intolerable fire safety risks and, where they do, recommend the remediation works required and any interim measures necessary pending completion.

Those recommendations then translate into statutory duties. S. 7 and s. 8 require the responsible entity to implement interim measures and take each required remediation step “as soon as reasonably practicable”. Remediation is by reference to eliminating the fire safety risk or reducing it to a level that is tolerable on a permanent basis, assuming full occupation and without relying on individuals monitoring the building for fire.

The regime is backed by significant enforcement powers. Failure to comply with either the mitigation or remediation duty can constitute a criminal offence carrying up to two years’ imprisonment on indictment and/or a fine, while an enforcement authority may instead impose a financial penalty of up to £500,000.

Responsible entities undertaking remediation must also prepare and disseminate detailed remediation compliance plans, including timetables for the work and, for corporate entities, information about relevant individuals, beneficial ownership and group structures.

A further important feature is independent oversight by the HCA. Assessments recommending interim measures or remediation must be audited by the HCA, which can require relevant parties to provide information and make amendments; the underlying mitigation and remediation obligations based on a compliant assessment do not apply until the HCA confirms completion of its audit.

Chapter 2: Additional measures to promote remediation

Chapter 2 introduces the Remediation Management Order, with the detailed regime contained in Schedule 1. Where external walls give rise to a fire safety risk and there has been a specified compliance failure, a remediation authority can apply to the First-tier Tribunal for an order allowing the authority to step into the remediation process.

The powers available under an order are extensive. Subject to the terms of the particular order, a remediation authority may be authorised to do anything that the duty-holder could do to achieve proper remediation, including entering or varying contracts, exercising contractual rights, pursuing legal proceedings, taking possession or control of parts of the building, obtaining access and carrying out the works themselves. Once the work is completed, a suitable professional must review and inspect the walls and report on whether they have been properly remediated.

The regime then allows the remediation authority to recover its remediation expenses from the duty-holder, including specified administrative, legal and operational expenditure, together with an administration charge equal to 15% of certain remediation expenses. Recoverable amounts can become both a debt and, where applicable, a charge against the duty-holder's legal estate.

The Bill also strengthens the investigatory powers supporting the regime. Local housing authorities receive expanded Housing Act 2004 powers, the Building Safety Regulator's statutory framework is amended to accommodate its new functions, and fire and rescue authorities can appoint inspectors with powers equivalent to those available under the FSO.

Chapter 3: Interpretation and supplementary provision

Chapter 3 supplies some of the definitions that determine the practical reach of the new regime. In addition to the 11 metre/five-storey threshold, it explains how height and storeys are calculated and sets out when part of a larger structure can itself constitute a self-contained building for these purposes.

"External wall" is defined broadly. It includes doors and windows, cladding products, balconies, certain steeply pitched parts of roofs, material within spaces forming part of an external wall, and decoration or finishes applied to its outside surface. "Cladding product" itself encompasses both a cladding system and components of a cladding system.

Where responsibility for different parts of the external wall rests with different entities, the regime applies separately to each relevant part. Where two or more responsible entities have responsibility for the same part or the whole external wall, their obligations under Part 1 operate jointly and severally. In some scenarios, this could lead to one responsible party bearing the liability of an insolvent joint party.

The Secretary of State has an eventual exit mechanism and may repeal Chapter 1 when satisfied that its duties are no longer necessary to secure proper remediation of Chapter 1 buildings, while the separate group-liability provisions in Schedule 2 are subject to five-yearly review.

Part 2: Medium-rise buildings: registration and information

Part 2 introduces a new registration regime for medium-rise buildings in England. A medium-rise building is defined as one containing at least two residential units that is at least 11 metres high or five storeys, but less than 18 metres high and less than seven storeys; the Secretary of State is given regulation-making powers to supplement and alter that definition.

The Bill creates the concept of a “registration duty-holder.” That person is determined by asking who the accountable person under Part 4 of the BSA would be if the building were a higher-risk building, with mechanisms addressing buildings for which there would be multiple accountable persons.

Secretary of State or its appointee must maintain a register of medium-rise buildings. The registration duty-holder must ensure an occupied medium-rise building remains registered and may also be required by regulations to provide specified information to the registrar, residents, and others.

Compliance is backed by sanctions. Initial breaches of the registration and information duties can attract financial penalties of up to £7,000, increasing to a penalty of up to £40,000 where a failure continues beyond the relevant 28-day period; continued non-compliance can also become a criminal offence.

Significantly for leaseholders, certain costs associated with registration and information obligations, including specified professional and management costs and registration fees, may be recoverable through service charges under qualifying leases.

Part 3: Building ownership information

Part 3 addresses a different practical problem: establishing who ultimately owns or controls interests in residential buildings. It applies to “residential blocks”, meaning self-contained buildings or parts containing at least two dwellings, rather than being restricted to buildings meeting the height thresholds used elsewhere in the Bill.

Relevant authorities can issue a building ownership information notice where there are reasonable grounds for believing a person has or can access relevant ownership information. In England, those authorities include local housing authorities, fire and rescue authorities, the Building Safety Regulator and the HCA, while Welsh Ministers can designate relevant devolved Welsh authorities for buildings in Wales.

The information obtainable is broad. It can include information identifying corporate or partnership ownership, beneficial owners, associated persons and their relationship with the residential block, as well as equivalent information where property is held through a trust, foundation, similar arrangement or a deceased person’s estate. S. 69 then establishes detailed rules defining association and corporate control.

Failure to comply with an information notice is an offence, as is knowingly or recklessly supplying materially false or misleading information. Financial penalties of up to £40,000 are available; information properly obtained may then be shared between relevant authorities.

Part 4: Coordinated exercise of different fire safety functions

Part 4 addresses the overlap between a range of building and fire safety regimes. It brings together functions exercised under, amongst other legislation, the Housing Act 2004, Fire and Rescue Services Act 2004, FSO, BSA and Parts 1 to 3 of the new Bill.

At its core is a statutory duty to cooperate. Relevant authorities must cooperate to exercise functions in the same area or by sharing information in identifying cases requiring regulatory action. Where authorities possess overlapping functions relating to the same building, they should seek to agree who acts and coordinate action where more than one regulator is involved.

The Building Safety Regulator must publish a regulatory cooperation statement within eight months after s. 75 comes into force, explaining how it intends to fulfil its cooperation and information-sharing duties. Other authorities should agree partnership working agreements within four months after that statement is published.

Part 4 also establishes express information-sharing machinery. Relevant authorities and the Secretary of State can request information in defined circumstances, and the Secretary of State may issue statutory guidance to which relevant authorities must have regard.

Part 5: Construction product liability

Part 5 is likely to be one of the Bill's most significant elements. It makes substantial amendments to the existing retrospective cladding-product liability regime in s. 149 of the BSA.

S. 83 replaces the existing reference to making a “misleading statement” with the broader concept of “misleading conduct.” Conduct, including omissions, is misleading where, viewed as a whole, it unreasonably creates a risk of another person being misled about a product's properties or performance; this can include failing to warn against a use that the person knows or ought to know is occurring or is likely to occur.

The causation requirement is significantly changed. Relevant conduct need only have “caused, or contributed more than trivially to” the relevant outcome, and where misleading conduct made it more likely that the cladding product would be used as it was in fact used, causation is presumed unless the contrary is shown. The revised section also expressly provides for damages covering certain economic loss suffered by persons beyond those holding a relevant interest in the affected building, including specified liabilities and reasonably incurred responsive costs. Under the existing regime in s. 149 of the BSA, the ability to bring ‘direct’ claims (leaving aside potential claims for contribution under the Civil Liability (Contribution) Act 1978) using the provision is limited to parties holding a proprietary interest in the affected building. This is a meaningful change which significantly broadens the use of the provision to other parties who were involved in the development, design and construction of the buildings, e.g. developers, contractors and consultants.

The territorial reach of the regime is expanded too. S. 147 and s. 149 of the BSA are extended to Northern Ireland, with a 30-year limitation period for Northern Irish s. 149 rights accruing before commencement and 15 years for those accruing afterwards; building liability orders are also extended to Scotland and Northern Ireland in relation to applicable s. 149 liabilities. S. 85 additionally lets a court order disclosure where there is a serious possibility of a s. 149 claim and material may identify the appropriate defendant or provide relevant evidence.

We set out below a table which illustrates the key differences between s. 149 of the BSA as currently enacted and the proposed changes in the Bill:

Basis of liability	Liability may arise where a person fails to comply with a construction product requirement, makes a misleading statement in relation to a cladding product, or manufactures a cladding product that is defective.	The failure-to-comply limb is removed. The remaining bases become engaging in “misleading conduct” in relation to a cladding product or manufacturing a cladding product that is “unsafe.”
Misleading conduct	The provision refers to a “misleading statement,” without a bespoke statutory definition extending expressly to omissions or failures to warn.	“Misleading conduct” includes conduct or omissions which, viewed as a whole, unreasonably create a risk of another person being misled about the product’s properties or performance. It may include failing to warn against a use which the person knows, or ought to know, is occurring or likely to occur.
Product safety test	The cladding product must be “defective.”	The product must be “unsafe.” A product is “inherently unsafe” where its ordinary use creates an unreasonable risk to safety, whether or not that results from a failing in its design or manufacture. Ordinary use includes a use for which the product is marketed or would reasonably be understood to be marketed.
Causation threshold	The relevant failure, statement or defect must be “the cause, or one of the causes” of the product being used in the building and the building becoming unfit for habitation.	It will be sufficient for the misleading conduct or unsafe product to have “caused, or contributed more than trivially to” the relevant outcome.
Causation presumption	No equivalent express presumption applies.	Where misleading conduct made it more likely that the product would be used as it was used, that conduct is presumed to have caused the product to be used in that way unless the contrary is shown.

Who may recover	Direct recovery is limited to a person with a “relevant interest” in the relevant building.	A person with a relevant interest may continue to recover, but other persons may also claim specified economic loss. This potentially enables developers, contractors, consultants, and others who have funded or incurred remediation liabilities to bring direct claims.
Recoverable loss	A person with a relevant interest may recover damages for personal injury, damage to property or economic loss resulting from the building being unfit for habitation or work being required to make it fit for habitation.	That recovery remains available. In addition, other persons may recover economic loss comprising liabilities arising from those matters and costs reasonably incurred, or to be incurred, in response to those liabilities or the relevant building safety consequences.
Disclosure and identification of defendants	S. 149 contains no bespoke pre-action evidence-gathering power.	A new s. 149A will allow the court, where there is a serious possibility of entitlement to damages, to order a person to disclose material likely to identify the appropriate defendant or provide or lead to relevant evidence.
Associated entities	S. 149 liability is not currently within the definition of “relevant liability” for the Building Liability Order regime.	S. 149 liability will become a relevant liability for Building Liability Order purposes, allowing the court, where just and equitable, to extend liability to associated entities.
Territorial scope	S.s 147 and 149 extend to England and Wales and Scotland, but not Northern Ireland.	The provisions will extend to Northern Ireland. The Bill also extends the Building Liability Order regime to Scotland and Northern Ireland for applicable s. 149 liabilities.
Limitation and transition	The existing special limitation regime generally provides 30 years for rights accruing before commencement and 15 years for rights accruing afterwards.	The existing limitation framework is retained and adapted, including equivalent periods for Northern Ireland. The amendments are intended to apply to new claims and claims already underway when the changes come into force.

Part 6: Miscellaneous amendments

Part 6 contains several provisions with potentially significant practical consequences. Notably, s. 89 expressly provides that no limitation period under the Limitation Act 1980 applies to applications for BSA Remediation Orders, Remediation Contribution Orders, and Building Liability Orders. Equivalent provision is made for Welsh orders.

Enforcement of remediation orders is also strengthened substantially. Regulations may introduce information requirements to monitor compliance and permit the Tribunal to impose financial penalties, with a maximum of £500,000 for failure to comply with a remediation order and £40,000 for failure to comply with an information requirement. Parallel provision is made for Wales.

The Bill also places controls around money paid under certain remediation contribution orders. In England, payments intended to meet future remediation expenditure will generally have to be held on trust for that purpose, with machinery governing residual funds once the primary purpose is exhausted; corresponding regulation-making powers are provided for Wales. Part 6 separately expands notification requirements when those responsible for relevant or higher-risk buildings enter specified insolvency arrangements or relevant property is disclaimed.

Other changes address the interface between existing statutory regimes. The Housing Act 2004 and FSO are amended to connect prohibition action more closely with the carrying out of remedial works; provision concerning residential evacuation planning is extended into certain domestic premises; and the relationship between s. 24 managers and “accountable person” functions is revised. The Bill also modifies the appointment of managers and right-to-manage regime where property has become subject to escheat or bona vacantia.

Part 7: General

Part 7 provides the machinery supporting the substantive regimes. Schedule 3 establishes a structured financial-penalty process involving a notice of intent, a 28-day period for written representations and, where a penalty is pursued, a final notice explaining the penalty, evidence, payment requirements and appeal rights.

Of particular significance for corporate duty-holders, s. 103 provides for individual liability. Where a body commits an offence with the consent or connivance of a director, manager, secretary or other relevant individual, or the offence is attributable to that individual's neglect, the individual may also commit the offence; corresponding powers allow a financial penalty to be imposed on the individual as well as, or instead of, the body.

The Bill simultaneously provides protections for leaseholders against particular enforcement costs. S. 105 generally prevents costs arising solely from penalties or specified enforcement action, or otherwise attributable to a contravention of relevant building safety legislation, from being recovered through variable service charges, although special rules apply to leaseholder-controlled companies.

Key takeaways

Taken as a whole, the Bill will add another substantial layer to the building safety regime created by the BSA. Its focus goes beyond simply identifying unsafe buildings: it puts a structured process around assessment, mitigation, remediation, regulatory oversight and enforcement, accompanied by considerably strengthened information-gathering powers.

Whilst the Bill is aimed at ensuring that those responsible for creating building safety defects contribute towards their remediation, many of the new duties fall on those who currently control and manage residential buildings. As a result, residents' management companies, RTM companies, and professional managing agents may find themselves at the forefront of the new regime, notwithstanding that they played no role in the design or construction of the building.

For building owners, and management companies, the immediate significance lies in identifying whether a building falls within the new regimes and, if so, who will constitute the responsible entity or registration duty-holder. The remediation compliance plan requirements also mean that remediation becomes a more formal and transparent process, supported by statutory deadlines and disclosure of corporate and beneficial ownership information.

For the construction and products sectors, Part 5 deserves particular attention. The move from misleading statements to misleading conduct, the express treatment of omissions, the “more than trivially” causation test and the new statutory presumption all alter the wording of the existing s. 149 cause of action, while the new disclosure mechanism may assist potential claimants in obtaining evidence and identifying defendants.

Finally, the Bill's approach to enforcement is striking. Criminal offences, financial penalties reaching £500,000 in key areas, potential liability for relevant corporate officers, liability extending to connected persons under Schedule 2, public-authority remediation management orders and the removal of limitation periods for key remediation orders collectively give regulators and claimants an expanded set of mechanisms for pursuing remediation and its associated costs.

In short, the Bill moves the regime further from encouraging remediation towards compelling it, with increased transparency, stronger regulatory intervention, and wider routes to liability where remediation does not take place.

Recommended actions between now and the bill becoming law

- Although the Bill remains prospective legislation and may be amended during its passage through Parliament, affected parties should proceed on the basis that its core provisions are likely to become law. The experience of the BSA is instructive: following publication of the revised Bill in July 2021, it completed its parliamentary passage and the principal Act came into force in June 2022 without any material retreat from its central policy objectives. The detail of the present Bill may change, but substantial dilution of its overall direction should not be assumed. Businesses should therefore use the legislative window to prepare rather than wait for the final form of the Act and the commencement timetable.
- For UK housebuilders, that preparation should not be viewed solely through the lens of additional exposure. Housebuilders have to date been at the sharp end of the building safety regime, including through the DRC, the Responsible Actors Scheme and substantial remediation funding commitments. By contrast, the Bill arguably contains more helpful than unhelpful measures for developers bearing those costs: it expands the potential claimant pool and recoverable economic loss under s. 149, reduces evidential and causation barriers in claims against cladding product manufacturers, introduces a targeted disclosure mechanism and brings s. 149 liabilities within the Building Liability Order regime. These reforms should improve the ability of developers and other parties to pursue recoveries further down the supply chain.
- By contrast, “responsible entities” will face materially increased scrutiny of their remediation plans, progress and proposed timescales. A responsible entity is a person required under a lease or by legislation to repair or maintain all or part of the external walls of a relevant building; where more than one entity has responsibility for the same walls, the duties may apply jointly and severally. The new regime is particularly significant for so-called “orphaned buildings”: buildings outside the scope of the DRC and therefore not already covered by a signatory developer’s binding contractual commitment to Government to identify, assess and remediate life-critical fire safety defects. For those buildings, the Bill is intended to identify the party responsible, impose a structured assessment and remediation process, and provide regulators with stronger powers where progress is inadequate.
- Responsible entities should now identify the buildings and obligations likely to fall within the new regime and establish whether responsibility is shared with any other party. Practical steps should include (without limitation):
 - auditing portfolios against the relevant height, storey, use and completion-date criteria;
 - reviewing leases, title documents and management arrangements to establish repairing obligations;
 - collating existing FRAs, fire risk appraisal of external walls (“FRAEWs”), external-wall reports and Golden Thread information;
 - identifying gaps requiring further investigation;
 - and testing whether current assessments and proposed works are likely to satisfy the anticipated statutory standards.

- Where remediation is required, responsible entities should move from investigation to a documented delivery plan, with clear governance, interim measures, budgets, procurement routes, decision-making records and realistic programmes capable of being reflected in a remediation compliance plan. In parallel, they should identify available funding and recovery routes, including service charge rights and restrictions, government schemes, contractual, statutory and professional negligence claims, insurance, Remediation Contribution Orders, Building Liability Orders and potential claims against construction product manufacturers.
- The expanded rights against cladding product manufacturers, together with the removal of limitation barriers for Remediation Orders, Remediation Contribution Orders and Building Liability Orders, will be welcomed by industry participants carrying substantial remediation liabilities. However, the reforms will not remove the need to prove the product used, the relevant conduct, the condition and performance of the installed system, causation and loss. Accordingly, parties wishing to avail of enhanced routes of recourse against cladding product manufacturers should consider the following matters:
 - preserving evidence before remediation disturbs or destroys the existing wall build-up;
 - create project-specific evidence protocols, e.g. by:
 - identifying potentially relevant manufacturers and products from specifications, drawings, O&M manuals, invoices, delivery records, warranties, certificates and marketing literature;
 - preserving correspondence and technical advice concerning selection, substitution, approval and installation;
 - and obtaining disclosure from designers, contractors, subcontractors, suppliers and others holding relevant records.
- Site investigations should be planned with legal and technical advisers so that opening-up works are properly witnessed and recorded. The record should include dated and geolocated photographs and video, marked-up elevations and drawings, contemporaneous inspection notes, the location and condition of each product, labels and batch markings, interfaces and cavity barriers, and a clear chain of custody for representative samples retained for inspection or testing. Relevant parties should be given reasonable notice and an opportunity to attend where appropriate, and demolition or disposal should not proceed until the evidence reasonably required for anticipated claims has been preserved.

How Gateley can help

- Gateley provides an integrated legal and technical service across the full lifecycle of a building safety matter.
- Our cross-disciplinary teams can help clients identify statutory responsibilities and building safety risks including:
 - portfolio reviews,
 - building information and compliance arrangements; undertake technical investigations and external wall assessments;
 - planning, procuring and overseeing the delivery of remediation schemes;
 - managing interactions with the Building Safety Regulator and other authorities;
 - advising on occupation, resident engagement and building management; and
 - pursuing or defending claims arising from defective design, construction and products.
- We can also support remediation funding and cost recovery strategies, including contractual and statutory claims, advice on insurance issues, service charge recovery and Land Remediation Relief, as well as acquisitions, disposals and technical due diligence.
- By combining building safety disputes, construction, real estate disputes, regulatory, tax and Built Environment expertise, we provide coordinated advice from initial risk assessment through remediation delivery and recovery.

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