

# Cladding bill prisoners could finally be released

Government legal action means leaseholders in blocks with flammable cladding may be saved from the cost of repairs

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Sophie Bichener faced the highest building-safety bill in Britain

For the past three years, Sophie Bichener, 30, has been living with what she describes as a “noose around my neck”.

The marketing manager moved into her first home in Hertfordshire shortly before the Grenfell Tower fire in June 2017, only to discover after the tragedy that her apartment block, too, was covered in highly flammable materials.

She and more than 100 other residents in the 16-storey Vista Tower in Stevenage were each saddled with a bill of as much as £208,000 per flat for the remediation work to strip combustible expanded polystyrene insulation and fix faulty fire barriers.

It is the highest known building safety bill in Britain. Her repair bill is only just below what Bichener paid for the flat when she bought it for £230,000 in 2017.

Now the government has launched its first legal action since leaseholder protection measures in the Building Safety Act came into effect in June, ordering Vista’s freeholder to fix the safety defects — or face court. It means that leaseholders of the 73 flats in the block may finally be released from the astronomical bill hanging over them, and will not have to pay for the repair work.

Announcing the move yesterday, Simon Clarke, the levelling-up secretary, said: “Enough is enough.”

Bichener, who said her ordeal had led to her being diagnosed with anxiety and depression, has hailed the “positive step” which should serve as a warning to other freeholders refusing to progress with repairs despite signing up to the government’s £4.5 billion Building Safety Fund.



More than 100 residents in the 16-storey Vista Tower in Stevenage were each saddled with a bill of as much as £208,000 per flat  
ALAMY

The fund was set up in March 2020 to support the remediation of buildings taller than 18m with cladding issues, (Vista is more than 45m high). The building’s freeholder, Grey GR Partnership Limited, is yet to sign the agreement meaning the government cannot release any money. The company, which is ultimately owned by the £37 billion railway pension fund Railpen, will be liable for a third of Vista’s £14.7 million repair bill, with the government fund paying the other two thirds.

It is thought, however, that Railpen and Grey GR will contest the government’s move. Grey GR said it was “surprised and disappointed” by the threat of legal action.

Until the legal action is resolved, Bichener remains saddled with the £208,000 bill on her service charge account. Grey GR has not removed it, despite the Building Safety Act capping the amount she should pay at zero. If the developer or freeholder cannot be forced to pay, most “qualifying leaseholders” must pay £10,000 towards repairs, or £15,000 in London. Leaseholders in an unsafe building less than 11m high still have no protection.

For the first time in almost three years, Bichener, who has not been able to move or sell her property, feels like she could finally be released from the once-loved apartment she now compares to a “prison.”

“For the last three years all I’ve thought about is how to pay this bill,” she said. “How it will impact the rest of my life. I have been thinking

about how I will go bankrupt — how I won't be able to get a car, get another place, get married, have children.

“I can't make the freeholder sort this out so it has to be the government who steps in, unless the freeholders decide to do the right thing without the government intervening.

“This is a positive step for everyone. It shows the government is willing to start to take action. But until RailPen takes accountability, we are stagnant. I would love to be able to move on.”

The department for levelling up says there are at least 23 other buildings that are registered with the Building Safety Fund that have been unable to progress because of “unnecessary” delays. These are also being examined amid the threat of further legal action.

Clarke said: “The lives of over 100 people living in Vista Tower have been put on hold for over two years whilst they wait for Grey GR to remediate unsafe cladding. Enough is enough.

“This legal action should act as a warning to the rest of industry's outliers — big and small. Step up, follow your peers and make safe the buildings you own or legal action will be taken against you.”

In a statement, Grey GR said a letter it had received from the department contained “a number of factual inaccuracies which we will address in due course”.

“We were surprised and disappointed to receive the notification of warning that the Department for Levelling Up, Housing and Communities intends to take legal action against Grey GR.

“We have been in regular dialogue with senior officials at the department to address several unclear aspects within the legislation, and we have not been alone in raising these issues.”

Grey GR added: “The safety of residents in their homes has been and remains an utmost priority for us. We are seeking legal advice and will be unable to provide further comment whilst this matter is proceeding.”