

DATA LABEL: PUBLIC



COUNCIL EXECUTIVE

REINFORCED AUTOCLAVED AERATED CONCRETE (RAAC) - HOMEOWNERS

REPORT BY HEAD OF HOUSING CUSTOMER AND BUILDING SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to provide Council Executive with an update on the outcome of meetings with homeowners in West Lothian affected by Reinforced Autoclaved Aerated Concrete (RAAC) and the meeting with the Minister for Housing.

B. RECOMMENDATION

It is recommended that Council Executive:

1. Notes the engagement and meetings with homeowners;
2. Notes the issues raised by homeowners; and
3. Notes the actions from the meeting with the Minister for Housing and proposed next steps.

C. SUMMARY OF IMPLICATIONS

I Council Values	<ul style="list-style-type: none"> • Caring and Compassionate • Open, Honest and Accountable • Collaborate, Inclusive and Adaptive
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Housing (Scotland) Act 1987 (Tolerable Standard) (Extension Criterion) Order 2019
III Implications for Scheme of Delegation to Officers	None.
IV Impact on performance indicators	None.
V Relevance to Single Outcome Agreement	We live in resilient, cohesive and safe communities. We make the most efficient use of our resources by minimising our impacts on the built and natural environment.
VI Resources - (Financial, Staffing and Property)	No budgets have been identified to support Homeowners.
VII Consideration at PDSP	None

VIII Other consultations

Housing, Customer & Building Services; Finance & Property Services; Legal Services; Scottish Government

D. TERMS OF REPORT**D.1 BACKGROUND**

A report was presented to West Lothian Council on 14 May 2024, providing an update on the progress on the council RAAC remediation programme for council houses approved by the council on 22 February 2024 and of the assistance and advice available to affected homeowners.

A composite motion was approved at the meeting, as set out in Appendix 1, which instructed the Chief Executive to write to the Scottish Government seeking an early date for a meeting with the Minister for Housing to discuss the Scottish Government's role and support to the council, other landlords and homeowners who may be affected by RAAC. The composite motion also instructed officers to facilitate meetings with homeowners in affected areas to take on board what homeowners said and report same to the Minister for Housing.

The Chief Executive wrote to Scottish Government following approval of the composite motion on 15 May 2024 and a meeting was held on 8 July 2024. The Chief Executive also wrote to all West Lothian constituency and Lothian regional MSP's. Copies are included in Appendix 2.

Meetings were arranged for homeowners in each of the affected areas and detail on those meetings is set out in section D.2.

D.2 ENGAGEMENT WITH HOMEOWNERS

In advance of the meeting with the Minister for Housing, the council facilitated four meetings with homeowners in Linlithgow, Broxburn, Bathgate and Craigshill, Livingston with invitations to Registered Social Landlords (RSL's) with affected properties. The purpose of these meetings was for the council to meet with homeowners and for the issues raised to be reported to the Minister for Housing.

It is estimated there are a total of 337 private houses and flats affected by RAAC in West Lothian, in Linlithgow Bridge (52), Broxburn (69), Bathgate (52) and Craigshill, Livingston (164), and officers delivered letters to all homeowners in affected properties on 20 May 2024 with an invitation to meetings arranged in the affected areas of Linlithgow, Broxburn, Bathgate and Craigshill, Livingston during week commencing 27 May 2024.

Up to two homeowners from each property were invited to attend and numbers of attendees at each meeting are set out below:

Location	Date	Number of Attendees
Linlithgow	27 May 2024	24
Broxburn	28 May 2024	17
Bathgate	29 May 2024	38
Craigshill	30 May 2024	69
Total		148

The issues raised, set out below, were consistent across all four areas and these were grouped into categories related to the topic of discussion.

- **Professional Assistance** – concerns were raised about finding suitable surveyors or contractors to undertake surveys and any subsequent work.
- **Funding** – homeowners raised significant concerns about the costs associated with the remediation of RAAC.
- **Home Insurance** – homeowners expressed concerns that home insurance policies are invalid and some have been cancelled, with subsequent home insurance costs up to four times higher than previous quotes.
- **Mortgages and House Sales** – significant concern was raised that properties have been de-valued and that mortgage lenders will no longer lend on properties with RAAC which will affect future sales.
- **Open Market Acquisition Scheme (OMAS)** – concern was raised about the council's capacity to buy back properties as there is limited funding available and the cost of RAAC repair work would be deducted from the purchase price.
- **Safety** – homeowners raised concern about the structural integrity of the property and the impact on their wellbeing as a result.
- **Communication** – residents of Craigshill in particular highlighted that Almond Housing Association had not been in communication with homeowners regarding RAAC within the estate.

The above themes and issues were used as the basis for the meeting with the Minister for Housing on 8 July 2024.

D.3 MEETING WITH THE MINISTER FOR HOUSING

The meeting held on 8 July 2024 was attended by the Council Leader, the Executive Councillor for Housing Services, council officers, the Minister for Housing and Scottish Government officials.

At the meeting the council set out the main themes raised during the homeowner meetings. The council also confirmed that letters had been issued to homeowners to advise that the council had found RAAC in neighbouring properties and that the council had provided information on maintenance/management of RAAC at the homeowner meetings. Key asks of the Minister for Housing were to:

- Obtain confirmation from insurers that affordable insurance will continue to be available to homeowners with homes affected by RAAC;
- Obtain confirmation from mortgage lenders that mortgages will continue to be available to those seeking to purchase homes with RAAC;
- Put in place a national framework of available structural surveyors, with an established price, for homeowners to be able to use for surveys;
- Urgently develop and circulate sector specific guidance and information for housing, with a particular focus on safety to alleviate the significant fear that homeowners face; and
- Develop better guidance for the industry in the production of home reports to ensure these more accurately reflect any non-traditional or different methods of construction.

The Minister for Housing confirmed there have been extensive discussions between Scottish Government and the Association of British Insurers (ABI) who advised that insurers should not be cancelling insurance. The ABI cannot compel insurers to retain

insurance, however homeowners are advised to seek advice through Citizens Advice Bureau if insurance is cancelled.

The Minister for Housing also advised that discussions has been held with UK Finance (trade association for the UK banking and financial services sector) and the presence of RAAC should not prevent homeowners obtaining a mortgage, however it was recognized that there may be issues when it is time to re-mortgage a property.

The council recommended developing a framework for professional services, accessible to private homeowners along with a national scale of fees for RAAC related work as this would provide some certainty to homeowners on matters relating to surveys and subsequent work. The Minister for Housing proposed that officers work to develop sector specific guidance and a potential national framework that homeowners can access.

There was discussion on the importance of coordinated and consistent messaging to homeowners and it was the view of the council that Scottish Government should take the lead in communication.

The national issues around RAAC were discussed, in particular the role of the Scottish Housing Regulator (SHR) in gathering information to inform the national scale of the issue. The Minister for Housing agreed this was important as it was an emerging national issue.

D.4 NEXT STEPS

A number of actions were agreed from the meeting which are in progress and are summarised below.

- **Home Insurance** – Scottish Government to provide ABI contacts to the council to enable further reassurance to be sought on this matter.
- **Mortgages** – The Minister for Housing committed to continue to liaise with UK Government to ensure that they engage with both mortgage lenders and ABI.
- **Professional Assistance** – Scottish Government to progress matters relating to sector specific guidance to reassure homeowners and a framework for structural surveys and construction work that homeowners could access. Scottish Government has confirmed this will be progressed through the RAAC Cross Sector Working Group.
- **Communication** – Scottish Government to share communication with the council on RAAC related matters to ensure consistent messaging for homeowners.
- **The role of SHR** – The Minister for Housing undertook to contact the SHR in relation to gathering information on the wider picture of RAAC in Scotland.

It was agreed there would be a follow up meeting arranged with the Minister for Housing and Scottish Government to review progress with the actions from the meeting. This meeting is to be scheduled for later in September 2024. The Council has written to the Minister for Housing to invite him to attend a further meeting.

Homeowners have been provided with an update on matters raised and actions following the meeting with the Minister for Housing.

E. CONCLUSION

The council has proactively engaged with homeowners affected by RAAC at a number of meetings in May and taken on board the issues which were raised. These issues

were raised on their behalf at a meeting with the Minister for Housing on 8 July 2024 and a number of actions were agreed to be progressed as a matter of urgency.

Developments around RAAC in housing at a national level are ongoing and at this point the Scottish Government have not confirmed any additional funding to meet RAAC costs incurred by local authorities, RSL's and/or private homeowners.

Officers continue to liaise with Scottish Government and the Scottish Housing Regulator on RAAC in housing and provide regular updates on the council's RAAC situation in general.

F. BACKGROUND AND REFERENCES

Reinforced Autoclaved Aerated Concrete (RAAC) in Council Housing Update to West Lothian Council, 14 May 2024

Reinforced Autoclaved Aerated Concrete (RAAC) in Council Housing report to Housing Services PDSP, 9 February 2024

Appendices/Attachments:

Appendix 1 Composite Motion

Appendix 2 Letters received from MSP's

Contact Person: Marjory Mackie, Housing Strategy & Development Manager, 01506 281119

Email: marjory.mackie@westlothian.gov.uk

Julie Whitelaw

Head of Housing, Customer and Building Services

3 September 2024

APPENDIX 1**West Lothian Council - 14 May 2024
Composite Motion. Item 18 RAAC**

The report to today's Council meeting provides a clear update on the council's programme of support for council tenants impacted by RAAC together with detailed information on the support that the council is able to provide to homeowners.

The Council understands the concerns raised by homeowners and acknowledges the challenges faced by homeowners who have either purchased their homes under Right to Buy legislation from the council or Registered Social Landlords, or on the open market.

The Council has no statutory obligations in relation to privately owned properties, and therefore, has no power to support homeowners other than in very limited circumstances falling within the Scheme of Assistance.

However, the Council also acknowledges the challenges faced by homeowners and it is committed to continue to explore alternative solutions within the council's legal and financial constraints.

Council notes that in the letter dated 16 April 2024, the Minister for Housing, Paul McLennan MSP, advised that building owners are responsible for maintaining their properties and that this includes any work required to identify and remediate RAAC present in buildings, and that homeowners are also responsible for maintenance costs on their own homes including work required to survey for or to remediate unsafe RAAC.

Council also notes that the Minister for Housing has also advised that following the report to the Housing Services Policy Development and Scrutiny Panel, which was considered on 25 April 2024, that he would be delighted to meet council leaders to understand the next steps and discuss options available to the council.

However, the Council is concerned at the inaction to date by the Scottish Government in supporting council tenants, homeowners and Registered Social Landlords and the absence of any commitment on the part of the Scottish Government to provide financial assistance.

West Lothian Council therefore agrees:

1. To note work undertaken to date by the council to progress the remediation of RAAC in the council housing stock and the support provided to homeowners in West Lothian who may be affected by RAAC.
2. To instruct the Chief Executive to write to the Minister for Housing seeking an early date for the meeting between the Council Leader, the Executive Councillor for Housing Services PDSP, relevant council officers and the Minister of Housing to discuss the Scottish Government's role and support to the council, other landlords and homeowners who may be affected by RAAC.
3. In view of forthcoming meeting with the Housing Minister and as a matter of goodwill and empathy to concerned home owners the Council will facilitate meetings at an early date in Craigshill Livingston/Broxburn/Linlithgow/Bathgate with invitations to landlord RSL's. Council will take on board what owners say and will report same to minister.
4. To instruct the Chief Executive to write to all West Lothian constituency and Lothian regional MSP's requesting that they in turn write to the Minister for Housing in support of the requirement for the Scottish Government to provide immediate support and financial assistance to homeowners and Registered Social Landlords and request that they share their correspondence with the council.
5. That the outcome of the meetings is reported back to Council Executive.

Councillor Damian Doran-Timson
Councillor George Paul

Dear Graham and Morgan,

Foyso has asked me to respond on his behalf regarding the RAAC issue on behalf of West Lothian Council.

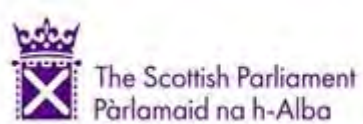
He has written to the Housing Minister to convey your major concerns regarding the lack of any commitment from the Scottish Government to provide support and financial assistance to homeowners and Registered Social Landlords affected by RAAC, and requesting immediate support.

Once he receives a response, he will get back in touch.

Kind regards,

The Office of Foyso Choudhury MSP for Lothian Region
Shadow Minister for Culture, Europe and International Development
M1.14 | The Scottish Parliament | Edinburgh | EH99 1SP
T: 0131 348 6761

Our working hours are Mondays to Fridays 9am-5pm



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If you would like to sign up to Foyso's regular eNewsletter simply click [here](#)



The Scottish Parliament
Pàrlamaid na h-Alba

Graham Hope
Chief Executive
2nd Floor, Civic Centre
Livingston

Monday 1st July

Dear Graham,

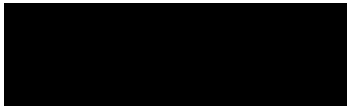
Thank you for your letter of 15th May which I have read and noted.

I am pleased that the Labour leadership at West Lothian Council has been persuaded by other political parties to support the collective interests of West Lothian residents, whether tenants or otherwise, in sharing information and convening meetings to help people understand the situation.

The solutions to RAAC may take some time and will require work with the UK Government on funding and also with home insurers and the Association of British Insurers.

West Lothian Council as an independent body is best placed to deal directly with the Scottish Government on its own behalf for its own interests and responsibilities on this issue and I understand that the Housing Minister has already offered to meet all Council leads on this issue directly which is the best course of action.

Kind regards,



Fiona Hyslop MSP

Member of Scottish Parliament for the Linlithgow Constituency

Constituency Office, 59 West Main St., Whitburn, West Lothian, EH47 0QD | 01501 749941

FAO Graham Hope, Chief Executive

Dear Mr Hope,

Thank you for your letter of 15th May, containing the resolution of the Council regarding RAAC and related issues. Please accept my apologies for the delay in responding.

As Presiding Officer of the Scottish Parliament for this session, I cannot make political representations, but I continue to provide direct casework support to constituents on RAAC and other issues in my capacity as an MSP for Lothian, and would of course welcome any affected constituents making contact directly to discuss any assistance that may be possible.

I trust that you will have contacted other Holyrood representatives also, and that they remain available to discuss any political action they may be able to take at this stage in line with your request.

Thank you once again for writing. Please do not hesitate to contact me again if I can be of assistance with any matter in my capacity as MSP for Lothian.

Kind regards,

Alison

Alison Johnstone MSP for Lothian

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Alternatively, you can text the Scottish Parliament on 07786 209 888, addressing your comments to Alison Johnstone MSP.

Surgeries available by appointment.

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