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Planning Committee
The Scottish Parliament
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Dear Convener

Reinforced Autoclaved Aerated Concrete

Thank you for your letter of 6 December requesting further information on a range of issues following my evidence to the Local Government, Housing and Planning Committee.

To take the Committee's various points in turn, I can begin by reporting to the Committee that good progress continues to be made with the information gathering and assessment phase of work aimed at gaining a comprehensive understanding of the number of buildings across the various sectors affected by RAAC.

To provide a summary of some of the sectors assessed, the Committee may wish to note that in respect of schools, all buildings identified as requiring assessment have now been assessed (with any required follow up work ongoing).

Insofar as NHS properties are concerned, the discovery phase has focussed on the properties with the higher likelihood of RAAC being present and I can confirm that by the end of November all of the original high and medium likelihood properties had been surveyed.

As the Committee is perhaps aware, Police Scotland has reviewed its whole estate with RAAC being discovered at three sites. Mitigation action is also in place in respect of those buildings in the Scottish Fire And Rescue Service where RAAC has been identified to ensure they remain safe and operational.

Specifically with regard to residential buildings, assessments of risks related to RAAC are underway across the housing sector with the assistance of the Scottish Housing Regulator. Initial data has been published identifying those landlords which have so far been found to have RAAC affected properties. The exercise continues with further data to be published in due course.

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I am grateful for all the work being done across all sectors, supported by key stakeholder networks, to ascertain the extent of RAAC across the wider public sector and to put in place appropriate mitigation measures. This work should continue but with the emphasis moving to understanding longer-term remediation planning.

Secondly, as evidenced at the Committee session, the costs of mitigation and remediation of RAAC affected buildings are considerable and I fully understand the difficult decisions all those in positions of responsibility are having to make – as is the Scottish Government – in prioritising competing demands on finite budget resource.

As you will have noted, capital funding across the Scottish Government remains in a difficult situation and the recent budget announcements from the UK Government do not help in this regard. I have, however, been clear that building maintenance and management are matters for the building owner. Government cannot simply reallocate money to issues such as RAAC remediation. Local government, the NHS and other public sector organisations have received increased funding allocations for next year and this includes significant funding for maintenance of estates.

As noted above, the discovery phase of the process is well advanced and I am very grateful to COSLA, along with other key stakeholders such as the Scottish Housing Regulator and Scottish Heads of Property Services (SHoPS) network, for their role in assisting with data collection and awareness raising.

Our priority continues to be data collection – and increasingly information on mitigation and, longer-term, remediation. I would also note that there is limited – and conflicting – information on the costs of remediation, from a number of sources. I consider it will only be possible to have a fully informed discussion on support with COSLA (and any other key stakeholder) once I have a fully comprehensive picture of the nature and scope of RAAC across all sectors.

On the Cross Sector Working Group (CSWG), this continues to meet regularly, fulfilling its primary function as an information sharing forum and for receiving sectoral updates. In recent weeks the Group has discussed issues such as RAAC research; use of the dangerous buildings power under the Building (Scotland) Act 2003 for RAAC, and RAAC replacement and management.

On the specific reference to risk, I do not consider that it is appropriate for the Scottish Government to indicate what might be an acceptable level of risk to building users. In terms of RAAC assessment, from the outset, the Scottish Government has been directed by the guidance issued by the Institution of Structural Engineers (IStructE) which recommends using a RAG (red, amber, green) risk rating approach and how these may impact on the proposed remediation and management of RAAC.

Where RAAC is in good condition, well installed and maintained then it can be managed in place without the need for mitigation or replacement. In addition, we would also draw the Committee's attention to information provided by the Health and Safety Executive (HSE) on managing RAAC (which itself cross-references to the IStructE website).

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The issues highlighted - risk, capacity and understanding the interaction between RAAC and other materials, are very much subject of current discussion across relevant bodies, including IStructE and HSE. My officials intend to engage with IStructE and others early in the New Year to discuss in greater depth and ensure the Scottish Government is fully informed of the latest industry guidance.

Additionally, and of potential relevance to these specific queries posed by the Committee, would be the suggestion that a sub-group of the CSWG be established to focus specifically on best practice, mitigation and remediation in respect of RAAC management. The minutes of the relevant meeting (25 October) note discussion on the approaches to decision making and potential case studies to demonstrate varying options dependent on analysis of the building's condition and fit for purpose/use within the context of a wider asset management strategy as well as the need to have a better mechanism to share best practice relating to the decision making process for RAAC replacement and management and consideration of the longer term implications of decisions. I suggest that the issues raised by the Committee are areas which the proposed sub-group may wish to consider as part of its remit.

Minutes of the CSWG are available here: [Reinforced Autoclaved Aerated Concrete \(RAAC\): Cross Sector Working Group - gov.scot \(www.gov.scot\)](https://www.gov.scot/Topics/consultations/raac).

On the issue of research, as discussed at Committee I am in full agreement regarding its importance. Subsequent to discussion at Committee, Professor Goodier from Loughborough University delivered a presentation to the Cross Sector Working Group outlining his group's research on RAAC, including plans for further research.

The Working Group was advised that the UK Government was currently discussing further research and we will continue to speak to the Cabinet Office on this matter. Professor Goodier's work is at the forefront of research into RAAC and my officials are in close contact with him and will keep fully up-to-date with his research findings, which I am happy to report back to the Committee in due course.

Separately, my officials (and more widely members of the Cross Sector Working Group) are engaging with other industry and academic organisations, such as Built Environment: Smarter Transformation (BE:ST) and the Manufacturing Technology Centre, in the interests of identifying further sources of relevant information and research. While considerable further assessment is required of what research information is already available, subject to the usual processes I am open to the idea of Scottish Government support for research into RAAC, potentially on a collaborative basis with others.

In responding to the Committee's request for an update on buying out homeowners living in ex-local authority or housing association home containing RAAC, as the Committee will be aware, the Capital Budget is under considerable strain and remains overcommitted in this and future years. There are no available resources to put towards a national fund at this time and to do so would require further reprioritisation.

There are therefore no plans to put special measures in place to purchase ex-local authority or housing association homes with RAAC that requires remediation or mitigation. Home owners are responsible for maintenance costs in their own homes and for their share of work on any common elements of a shared building. This will include any work required to repair unsafe RAAC in homes purchased from social landlords.

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However, local authorities do have existing powers to support home-owners to carry out repairs to their homes. It will be for them to determine what support is available in these circumstances.

As stated previously, building owners and their advisors should use the IStructE guidance to determine the risks involved and whether or not costs are required for mitigation or remediation. By following the proportionate approach of IStructE unnecessary costs can be avoided.

With regard to relations with the UK Government, meetings routinely take place at official level including through attendance at meetings of the UK Cross Government Working Group on RAAC. However, there continues to be no indication of any intention on the part of the UK Government to support RAAC related mitigation and remediation work being undertaken in Scotland. We will continue to press the UK Government on this issue and to demand that new capital money is made available to the devolved Governments.

In response to the Committee's invitation to reflect on concerns raised about the procurement systems used for public buildings and social housing stock I would note that the Scottish Government's policy and procedures for procuring built assets for government estate is set out in The Client Guide to Construction Projects.

Scottish public bodies for which The Guide is applicable practice must adhere to its provisions for delivering value for money not only in terms achieving the optimum combination of cost, quality and sustainability in the initial procurement but also for its associated lifetime and disposal costs.

The Guide is the successor publication to the Construction Procurement Manual and the Client Pack for Construction Projects which were the source of the Scottish Government's construction procurement guidance since devolution. Prior to devolution, HM Treasury and the Property Services Agency (and its successors) of the Department of the Environment published construction procurement guidance applicable to assets built in the government's civil and defence estate across the United Kingdom.

More broadly, I would note that procurement is a mechanism for delivering a project. The contract requirements are set out in the brief by the client, who must apply the relevant contract and quality management and assurance processes to achieve the required outcomes. Accountable Officers must demonstrate best value in acquiring, maintaining and disposing of assets and procurement is one enabling tool which contributes to the outcomes the client specifies. Ensuring competent specialists are involved in setting those specifications is another. The Client Guide to Construction Projects makes this clear.

On the final point of a building register I would remind the Committee that building owners can already access information on any work carried out on their building where this required a building warrant. This information is held by local authorities in their Building Standards Register. Moreover, creation of a national register of higher risk buildings is under consideration as part of the work of the Building Standards Futures Board.

While I acknowledge the benefits of a register of all buildings in the country could provide longer-term I would need strong evidence of these benefits before exploring this matter further. The potential magnitude and complexity of the work involved from policy

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development to operational delivery, along with likely lengthy timescales, should not be under-estimated. This perhaps is an area of work the Cross Sector Working Group might be invited to reflect on.

I hope this reply is helpful and I look forward to further engagement with the Committee.

Yours sincerely,

SHIRLEY ANNE SOMERVILLE

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