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Local Government, Housing and Planning
Committee

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Dear Convener,

During my previous appearances before the Local Government, Housing and Planning Committee, I committed to keep you up to date with our plans to take forward our vision for a new housing standard.

When we published Housing to 2040 in March 2021, we set out our plan for a new housing standard, to be set in law. Our aim was that this would cover all homes new or existing, including agricultural properties, mobile homes and tied accommodation. We aimed to ensure that there would be no margins of tolerance, no exemptions and no “acceptable levels” of sub-standard homes in urban, rural or island communities, deprived communities or in tenements. This would mean our existing homes keep pace with new homes, with no one left behind. We remain committed to these ambitions and I can now share with you our updated plans to consult on these changes before the end of the Parliamentary term.

Ministers recognise the pressures that household budgets are still facing and you will also be aware that there are significant programmes of housing-related reform underway or planned. There are some particularly acute interactions in the case of housing standards and heat in buildings - where the same groups (especially homeowners, but also landlords) will be impacted by regulations bringing in significant change. The landscape for taking forward a new housing standard has changed significantly in light of the wider housing reform changes that are currently underway.

However, raising the standards of our housing stock and the positive impact this has on the lives of those living in good quality homes is an important consideration for Ministers. Of course, we start from a strong position. The quality of housing in Scotland has improved over a number of years due to the action of this Government. The introduction of the Scottish Housing Quality Standard in social housing in 2012 and strengthening of the Repairing Standard for the private rental sector shows our commitment to making improvements. The Scottish House Condition Survey shows that the condition of our housing across all tenures continues to rise. However, we recognise that different sectors are moving at different speeds and some types of housing need particular attention.

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We also must continue to make progress on the serious issue of damp and mould and consider how we can incorporate into cross-tenure standards the best practice contained in the social sector’s “Putting Safety First: a briefing note on damp and mould for social housing practitioners” and the guidance for private landlords contained within Repairing Standard statutory guidance. Our view remains that the best way to achieve all of this is to create a tenure-neutral housing standard in law that all homes will be required to meet. I therefore look forward to considering the outcome of our planned consultation.

We aim to publish that public consultation for our new cross-tenure housing standard in 2025. We will then examine the responses to this consultation and further develop our policy proposals. We recognise that a new tenure-neutral housing standard will not be sufficient on its own to ensure housing quality improves. Issues including financial support and enforcement require careful consideration and we are of course well aware of the issues in mixed tenure blocks. You will be aware we have commissioned the Scottish Law Commission (SLC) to take forward a project examining possible changes to the law, whilst taking account of Human Rights issues, in order to scope whether compulsory owners’ associations for tenement properties in Scotland can be established. SLC are scheduled to publish a discussion paper in spring 2024, with a view to providing recommendations and a draft bill by spring 2026, subject to ensuring balancing of individual and communal rights of building owners.

Any possible future legislation would benefit from considering this work, alongside recommendations from the Tenement Maintenance Working Group made in 2019 for 5-yearly building inspection reports and establishment of building reserve funds. Consideration will also be given to recommendation 5 from the recently published Tenement Maintenance Short Life working group report on energy efficiency and zero emissions heating, that the Tenements Act should be further amended to support energy efficiency and zero direct emissions heat common works.

Ministers remain committed to a Just Transition and how costs are fairly borne is a crucial consideration, and therefore we will continue to consider how proposed measures might help achieve that.

As Housing Minister, I am determined to ensure we continue to make progress in improving Scotland’s housing and I will ensure that this issue continues to be given high priority. I look forward to continuing work with the committee and our stakeholders as we take forward this crucial area of work.

Yours sincerely,

PAUL MCLENNAN
Minister for Housing

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