

Citizen Participation and Public Petitions Committee  
Wednesday 13 November 2024  
17th Meeting, 2024 (Session 6)

## PE2113: Provide support to RAAC-affected communities

### Introduction

**Petitioner** Wilson and Hannah Chowdhry

**Petition summary** Calling on the Scottish Parliament to urge the Scottish Government to provide support to communities affected by Reinforced Autoclaved Aerated Concrete (RAAC) by:

- setting up a national fund to assist struggling homeowners and tenants affected by RAAC
- initiating a public inquiry to investigate the practices of councils and housing associations concerning RAAC, including investigation of how business related to RAAC was conducted, the handling of safety reports and property sales, disclosure of RAAC, and responses to homeowner concerns
- introducing or updating legislation, similar to the General Product Safety Regulations, to ensure developers, councils, and housing associations are held accountable for using substandard property materials, mandate risk disclosure, and make surveyors and solicitors liable for untraced defects. Legislation should also include provision for a comprehensive register of high-risk buildings in Scotland.

**Webpage** <https://petitions.parliament.scot/petitions/PE2113>

1. This is a new petition that was lodged on 23 July 2024.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition can collect signatures while it remains under consideration. At the time of writing, 1,527 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received submissions from the Scottish Government, the Petitioner, Edward Mountain MSP, and Murdo Fraser MSP, which are set out in **Annexe C** of this paper.

## **Action**

7. The Committee is invited to consider what action it wishes to take on this petition.

**Clerks to the Committee**  
**November 2024**

## Annexe A: Summary of petition

### PE2113: Provide support to RAAC-affected communities

#### Petitioner

Wilson and Hannah Chowdhry

#### Date Lodged

23 July 2024

#### Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to provide support to communities affected by Reinforced Autoclaved Aerated Concrete (RAAC) by:

- setting up a national fund to assist struggling homeowners and tenants affected by RAAC
- initiating a public inquiry to investigate the practices of councils and housing associations concerning RAAC, including investigation of how business related to RAAC was conducted, the handling of safety reports and property sales, disclosure of RAAC, and responses to homeowner concerns
- introducing or updating legislation, similar to the General Product Safety Regulations, to ensure developers, councils, and housing associations are held accountable for using substandard property materials, mandate risk disclosure, and make surveyors and solicitors liable for untraced defects. Legislation should also include provision for a comprehensive register of high-risk buildings in Scotland.

#### Background information

[The Scottish Housing Regulator has published information on the presence of RAAC in social housing.](#) 1,994 properties across Scotland are affected with thirteen social landlords reporting RAAC in homes they provide to tenants.

Councils and Housing Associations (HA) across Scotland are denying assistance to homeowners and private tenants. Council tenants now face displacement without any form of compensation for renovating their homes. Residents are being torn from the communities they cherish and depend on. They are being left in financial crisis, and in some cases face roof collapse.

We are seeking identification by RICS qualified surveyors where there may be possible RAAC threat, a requirement for solicitors to check for council disclosures of RAAC, and increased liability for surveyor and solicitor failures to identify defects.

A measure similar to the General Product Safety Regulations, which mandates manufacturers to address safety defects for the lifetime of a vehicle, should be

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introduced to ensure developers are accountable for rectifying safety issues even after purchase.

## Annexe B: SPICe briefing on petition PE2113



### What is RAAC?

RAAC, an acronym for Reinforced Autoclaved Aerated Concrete, is a type of building material used in the UK between the late 1950's and late 1990's. RAAC is prefabricated in a factory and delivered to building sites in the form of panels, which can be used in roofs, walls, and floors.

RAAC panels have two key elements:

1. **Aerated Concrete:** This is made by adding aluminium powder to a lime or cement based concrete mix, which does not contain any aggregate larger than sand. This mix is cast in a mould. The aluminium powder reacts with the lime/cement and water to produce millions of tiny gas bubbles, substantially increasing the volume of the material. The product is then cured in an autoclave for between eight and 15 hours at high temperature and pressure, to control shrinking and encourage the formation of strongly binding molecules within the concrete.
2. **Reinforcing:** RAAC panels are given added strength by lattices of steel reinforcing rods, which are covered in an anti-corrosion coating. Reinforcement is placed into the mould before the concrete mix is added.

### Why use RAAC?

In the UK, RAAC was used as it is lightweight, has good thermal insulating properties, is relatively cheap, and quick and easy to install.

### Potential RAAC defects

RAAC, if it is manufactured, installed, and maintained correctly, poses no more danger to building users than most other construction products. However, concerns that RAAC elements of some buildings could be liable to fail under certain circumstances have [been recognised for decades](#). The Institution of Structural Engineers [categorise potential RAAC defects](#) under three headings, performance, manufacturing, and construction, with a more general concern that the manufacture of panels was highly inconsistent and the quality control poor, meaning there can be quite wide variations in the quality and physical characteristics of panels, even within a single building.

## RAAC in Scottish homes

[Scottish Housing Regulator statistics](#) published in March 2024 indicate that RAAC is present in 1,994 socially rented homes, with a further 8,311 homes under investigation. While RAAC is not thought to have been widely used in privately owned homes, [the Scottish Government reports](#) that it is present in 140 such properties in the Balnagask area of Aberdeen – which were sold under the right to buy.

## Support for homeowners

The Scottish Government is not currently providing financial support to homeowners or local authorities for RAAC remediation work.

The Scottish Government previously operated a scheme to support those who had bought a home designated as having inherent structural defects, typically these were pre-cast reinforced concrete homes that had been sold under the right to buy. This scheme operated under [Part XIV of the Housing \(Scotland\) Act 1987, which was repealed in 2018](#).

It is worth noting that it is a long-standing legal principle that property owners are responsible for the maintenance and upkeep of their property.

## Buyer beware

The starting point in the law governing property sale/purchase is one of “buyer beware” (often referred to using the Latin phrase “caveat emptor”), with the buyer in principle taking the risk in relation to the purchase.

For example, the Stair Memorial Encyclopaedia (encyclopaedia of the law of Scotland) states in relation to land or buildings (i.e. “heritage” or “heritable property”) that:

“As the law stands at the moment the principle caveat emptor applies in full force to sales of heritage. Unless the missives provide otherwise the seller gives no warranty or guarantee of any sort in relation to the condition of the property or its fitness for any particular purpose.”

Elements of the house buying/sale system, such as the exchange of missives between the buyers and sellers’ solicitors, property searches, and property surveys, help reduce the buyer’s exposure to potential risks – but do not eliminate them completely.

## Scottish Government Action

The Scottish Government established a [Reinforced Autoclaved Aerated Concrete \(RAAC\) Cross Sector Working Group](#) in August 2023, which provides a forum for stakeholders to work together to tackle RAAC related issues. The Cabinet Secretary for Social Justice gave [a statement to the Scottish Parliament](#) about RAAC on 7 September 2023.

## Scottish Parliament Action

The issue of RAAC in Scotland's homes and public buildings was considered by the Scottish Parliament's Local Government, Housing and Planning Committee at its meetings of [3 October 2023](#) and [16 April 2024](#).

**Alan Rehfish**  
**Senior Researcher**  
22 August 2024

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Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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## **Annexe C: Written submissions**

### **Scottish Government written submission, 22 August 2024**

#### **PE2113/A: Provide support to RAAC-affected communities**

I have considered the issues raised by the petition with the response to the various issues set out below, along with some additional information included for background.

#### **RAAC – Background**

Reinforced autoclaved aerated concrete (RAAC) was a building material used in some buildings to form roof planks, wall panels, and sometimes floor planks, between the mid-1950s and mid-1990s. While use of RAAC stopped around this time in Britain, research from Loughborough University indicates that 'RAAC is still manufactured and installed all over the world...'<sup>1</sup>.

While issues with RAAC have been known about for a number of years, the presence of RAAC in a building does not necessarily mean that the building is unsafe. Advice from the Institution of Structural Engineers (IStructE) recommends a risk-based approach to addressing the issue of RAAC. IStructE have been clear that if RAAC has been manufactured, designed, installed, and maintained correctly there may be no risk to address and that RAAC is not an inherently substandard or unsafe building material.

IStructE have also said that the reported 30-year lifespan for RAAC is misleading, with no specific data to support this claim. The Scottish Government recognises that this is a worrying time for those who have RAAC in their homes, and recommends that homeowners follow the IStructE risk-based approach, as for some properties there may be no risk to address.

As is referred to in the petition, the Scottish Housing Regulator (SHR) has published information, including guidance, on the presence of RAAC in social housing and is actively engaging with all registered social landlords (RSLs) identifying RAAC in their properties. Data published by the SHR in March notes that thirteen landlords have identified the presence of RAAC with 1,994 homes affected.

#### **National fund**

While the UK Government has not to date made funds available to help support RAAC remediation and management on a UK wide basis, the Scottish Government is committed to working with the UK Government on this matter.

As with any other building maintenance issue faced by homeowners, we recognise that where owner-occupiers need to make repairs to their homes, some may need extra support to undertake work or to access sources of funding. This is why each local authority in Scotland is required to have a Scheme of Assistance Strategy

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<sup>1</sup> [Expert explainer: What is Reinforced Autoclaved Aerated Concrete \(RAAC\) and why are people concerned | News and events | Loughborough University \(lboro.ac.uk\)](#)



which sets out the support available to private homeowners who need to make repairs to their home. The Scheme of Assistance is part of a council's Local Housing Strategy and aims to drive improvement in the condition of houses in their local area. A Scheme of Assistance takes into account local circumstances and priorities and local authorities may be able to support homeowners through advice, guidance and information on potential sources of funding.

Ultimately it will be for the local authority to determine what support is available for homeowners. In the coming weeks and months, the Scottish Government will be engaging further with local authorities where RAAC has been identified to ensure that different levels of Government and other stakeholders in the housing sector can work together to ensure that affected households are supported appropriately and receive the correct information and advice.

### **Public Inquiry**

A Public Inquiry is a significant undertaking. Given the costs involved and the likely time to report, Ministers are clear that an Inquiry should only be called when 'nothing else will do'. Whilst we recognise the importance of understanding the full range of issues relating to RAAC, many of the issues concerning RAAC as a building material are now well understood and an Inquiry into these matters would be highly unlikely to establish anything new.

I am also assured that the level of engagement the Scottish Government has with multiple stakeholders across the housing sector, including Local Authorities, housing associations, the Association of British Insurers, UK Finance, the Institution of Structural Engineers and the Royal Institution of Chartered Surveyors allows for comprehensive and detailed discussion of all relevant issues.

More broadly, all these parties are involved in the Scottish Government led RAAC Cross Sector Working Group and its sub-groups. This forum (and others) ensures that the latest information and research on RAAC can be shared across all interested parties, including councils and housing associations. Information on the RAAC Cross Sector Working Group (and sub-groups) can be found here: [Reinforced Autoclaved Aerated Concrete \(RAAC\): Cross Sector Working Group - gov.scot \(www.gov.scot\)](https://www.gov.scot/reforms/programmes/raac-cross-sector-working-group/)

### **Updating legislation**

In respect of the proposal to introduce or update legislation similar to the General Product Safety Regulations, we would note that as consumer protection policy is a matter reserved to the UK Parliament, it would be for the UK Government to consider the changes you have suggested in relation to powers in the housing industry similar to those contained within the General Product Safety Regulations. However, we already have in place the Scottish building standards system. We create the building standards regulations and technical guidance to ensure buildings are safe, efficient and sustainable.

We would also note that The Building (Scotland) Act 2003 addresses situations where non-compliance with building regulations, in force at the point of construction, is identified. [Work is underway in Scotland to review and strengthen these other powers](#). The powers in the Act enable local authorities to take enforcement action

where there is non-compliance with Building Regulations or where a property is deemed dangerous or defective.

Regarding increasing the responsibilities and accountability of developers, councils and housing associations for the use of building materials, along with making surveyors and solicitors liable for untraced defects, there are already escalation processes in place should conveyancing solicitors or chartered surveyors fail to deliver a standard of service expected of a reasonable professional whereby a client can make a complaint with the appropriate body and/or raise civil proceedings for negligence or breach of a duty where there has been a consequent personal or financial loss.

As you may also be aware, the Scottish Home Report was introduced in 2008 to provide buyers with important information about the property before they make an offer. It is based on a visual survey prepared by a qualified surveyor registered with or authorised to practice by the Royal Institution of Chartered Surveyors (RICS). However, it is the responsibility of the purchaser to ensure that they are aware of the condition of the property, as ultimately they are taking on responsibility for its condition and future upkeep.

The Scottish Government is planning a forthcoming review of the Home Report which will include consideration of how to ensure buyers can make an informed decision in relation to undertaking more detailed surveys, including structural reports establishing how the property is built, what materials are used and how these will perform in the future.

Finally, with respect to the introduction of a comprehensive register of high-risk buildings in Scotland, our view is that creating and, importantly, maintaining a database that captures information relating to buildings would be a significant undertaking with a considerable amount of resource required. Expert advice would be required on how to manage such a system, ensure it is secure, understand what data should be collected at what time intervals. This would require further consideration in terms of the significant amount of resources that would be required at local and national level and there are no plans to take forward work on this at this time.

I hope the Committee finds the contents of this letter helpful.

Yours sincerely

**Building Standards Division**

## Petitioner written submission, 6 October 2024

### PE2113/B: Provide support to RAAC-affected communities

#### RAAC–Background

The mention of the Institution of Structural Engineers (IStructE) raises an important question: were they aware of the 1990s Basildon disaster, where 800+ homes were demolished, and residents were relocated? Homes built around 1964 showed structural defects within a year, leading to discontinuation of RAAC in England. Production in Newmains led to proliferation in Scotland. [An extract from Basildon.com](#) states –

“in 1969 and just three years after the first tenants moved in some were already being moved out as problems with the design and build began to manifest. Many thousands of pounds was spent on remedial work...the estate continued to be beset with structural issues.”

84 homes in Deans South were demolished in 2004 due to RAAC defects. Despite these large-scale demolitions there was no comprehensive investigation by IStructE or the Standing Committee on Structural Safety (SCOSS). Similar issues with supporting beams found in the demolished Basildon estate mirror those in Torry. Early identification by councils could have prevented the current crises. Now, Torry homeowners face demolition due to inadequate beam thickness, despite stable RAAC.

The Scottish Government response stated:

"While issues with RAAC have been known about for a number of years, the presence of RAAC in a building does not necessarily mean that the building is unsafe ... IStructE have been clear that if RAAC has been manufactured, designed, installed, and maintained correctly, there may be no risk to address and that RAAC is not an inherently substandard or unsafe building material."

In 1996, the Building Research Establishment (BRE) predicted a 30-year lifespan for RAAC but stated, "There is no evidence so far to suggest that RAAC planks pose a safety hazard to building users." This conclusion overlooked the Basildon demolitions. In 1999, SCOSS advised building owners with pre-1980 RAAC to inspect their properties. Scottish councils neglected inspections till 2023.

Properties in Tillicoultry were inadequately maintained. Clackmannanshire Council ignored repeated complaints of water ingress until the roof reached a critical state – a homeowner discovered RAAC before them.

#### National Fund

The Scottish Government mention the Scheme of Assistance Strategy as a potential RAAC-support mechanism, though no Scottish council offers anything beyond advice and guidance. All fail to offer financial support to homeowners aiming to retain and remediate their properties—no grants, loans, or shared/delayed-cost schemes. Clackmannanshire Council whose neglect caused deterioration, has shared

demolition plans without obtaining quotes for remedial work, using majority ownership to drive this agenda. West Lothian Council await Scottish Government intervention, deferring decisions and continually requesting funds, they too **hope** the state assists.

Six-month council delays in obtaining option reports leave District Valuers without current market data, leading to outdated valuations and lower voluntary purchase offers. Homeowners fear these delays aim to acquire land cheaply for profitable redevelopment, disadvantaging some of the country's most deprived homeowners. A national fund would ensure a smoother exit and address health and safety risk.

**The Scottish Government could consider:**

- 1. reallocating part of the £3.5 billion affordable housing fund managed by Housing Minister Paul McLennan.**
- 2. unlocking some of the unused £97.1 million allocated for cladding remediation.**

### **Public Inquiry**

**Our focus is on investigating the failures of councils and the Government who utilised visibly weak RAAC and lost oversight and continued to sell under the Right-to-Buy scheme.**

Several councils implemented secondary roofing projects in the early 2000s—adding new roofs over existing RAAC roofs. Was this an attempt to shield RAAC roofs from water ingress rather than addressing fundamental safety issues?

Why did Clackmannanshire Council begin community regeneration plans prior to the COVID-19 pandemic, which may have included demolition of homes containing RAAC, neglect reported leaks, lack an active maintenance plan despite acting as the factor, and de-register as factors for mixed-tenure buildings without informing owners?

Aberdeen City Council's (ACC) decision to offer market valuations for properties, citing the "best value solution" under the 2003 Local Government Act, needs scrutiny. The Act calls for improvement and cost-effectiveness, but councils must also consider the socioeconomic impacts on deprived communities. "Best value" should go beyond finances to include community well-being, equity, and fairness.

The Fairer Scotland Duty within the Equality Act 2010 legally requires public bodies in Scotland to actively consider how to reduce inequalities of outcome caused by socio-economic disadvantage when making strategic decisions. Local authorities should also integrate [the 17 UN Sustainable Development Goals \(SDGs\)](#) into their strategic planning. Relevant goals include No Poverty, Zero Hunger, Good Health and Well-being, and Reduced Inequality.

Section 10 of the Community Empowerment (Scotland) Act 2015 requires public authorities to involve the public in decision-making, including resource allocation. Despite this emphasis on transparency and public involvement, ACC withheld

information about the nature of voluntary agreements, resulting in skewed survey results.

The "best value" approach adopted by ACC avoids paying a fair price to homeowners, driven by budget constraints. Moreover, the proposal to demolish and rebuild, despite the lack of funds for construction, seems like a strategic move to avoid the same failures faced by [West Lothian Council, who lost their Compulsory Purchase Order \(CPO\) in 2010](#) due to:

“... two serious shortcomings (1) the council has no formal or approved redevelopment scheme for the Order land and (2) there is no planning permission in place, apart from that for the redevelopment of 190 and 192 Deans South.”

Councils appear to obstruct homeowners' efforts to retain properties by not using the full range of provisions included in Section 71 of the Housing (Scotland) Act 2006 to provide financial assistance, which were highlighted in correspondence the petitioner received from the Housing Minister. Many affected, often elderly, homeowners face homelessness due to difficulties securing new mortgages or employment, worsening the local housing crisis.

Councils may be using RAAC as a pretext to demolish unattractive buildings, raising public concern. Clackmannanshire Council's engineer recommended minor repairs and a crash deck, contradicting demolition plans. A public inquiry is needed for transparency and to prevent authorities from concealing vital information.

### **Updating Legislation**

We welcome the review of the Home Report. Future reports should specify all construction materials used and potential risks for transparency, and law should impose stricter penalties on solicitors/surveyors to speed up arbitration and lower costs for homeowners.

[Liam Kerr MSP, prompted by my daughter, lodged question S6W-26174](#) –

“To ask the Scottish Government what its position is on whether a survey report, as provided for in schedule 1 of the Housing (Scotland) Act 2006 (Prescribed Documents) Regulations 2008, should contain an assessment of the presence or otherwise of reinforced autoclaved aerated concrete in the subject building.”

The response to Mr Kerr's question was –

“...The identification of RAAC usually involves a specialist survey, which often involves invasive investigation techniques and which is completed by a suitably qualified surveyor who is experienced with this type of construction.”

A High-Risk Register, beyond just RAAC, is essential. It would streamline inspections, allowing surveyors easy access to data and improving transparency. Creating a national register of high-risk buildings in Scotland requires minimal resources, as councils already use integrated systems like Idox. Aberdeen's Corporate Landlord confirmed that relevant data is available and could support this.

It would also prevent issues like the recent auction of a RAAC-affected home in Craigshill, which bypassed a homebuyer report

The Grenfell and Barking & Dagenham tragedies highlight the need to centrally record construction issues, like RAAC and cladding, to ensure proactive measures and prevent future tragedies.

Please respond.

**Chair, UK RAAC Campaign Group**

## **Edward Mountain MSP written submission, 1 November 2024**

### **PE2113/C: Provide support to RAAC-affected communities**

I am writing to support petition PE2113, which calls on the Parliament to urge the Scottish Government to provide support for RAAC-affected communities.

On 2nd September 2024, I met with RAAC protestors outside the Parliament, including the creator of this petition. I was deeply saddened to hear some of the protestors' personal stories; so many of them are losing their homes, and yet there is no adequate compensation scheme in place.

I believe that the petition's asks are reasonable – setting up a national fund, initiating a public inquiry, and ensuring legislation is kept up to date – and I am disappointed that these have not been put into place before now.

Yours faithfully,

Edward Mountain MSP  
Highlands and Islands Region

## **Petitioner written submission, 1 November 2024**

### **PE2113/D: Provide support to RAAC-affected communities**

In advance of the Committee's consideration of our petition on November 13th, I respectfully urge Members to consider the inclusion of this proposal in their discussions: that a portion of the recently allocated £3.4bn UK Treasury budget increase to Scotland be directed toward addressing the critical needs of homeowners affected by the RAAC homes scandal. This funding represents an unprecedented opportunity to provide immediate support for thousands of homeowners facing severe financial and safety risks due to defective construction materials used in their properties.

The Scottish Housing Minister recently addressed the gravity of this crisis in correspondence with Wilson Chowdhry, the Chairman of the UK RAAC Campaign Group, stating:

“As I set out in my previous letter, whilst the previous Chancellor had committed to ‘spend what is necessary’ to deal with the issue of RAAC, no funding has been forthcoming. Ahead of the upcoming UK Government

budget, I have written to the Chancellor urging her to deliver on the broken promises of the previous Chancellor and to finally ‘spend what is necessary’ to deal with the issue of RAAC by setting up a dedicated fund which would support the costs of investigation, remediation, and any potential rebuilding. Given the current financial position, there is no new funding available to address this issue.”

With this additional UK Treasury funding now available, there is a unique opportunity to re-evaluate this position and create a dedicated fund to support affected homeowners in Scotland.

The RAAC crisis has exposed thousands of homeowners to severe economic pressures, often resulting in undervalued property purchases by councils, which cite “best value” solutions under budget constraints. However, the ongoing responsibility to address the long-term socio-economic impacts on affected communities is also protected under the Equality Act 2010’s Fairer Scotland Duty, the Community Empowerment (Scotland) Act 2015, and local authorities’ obligations to respect homeowners’ rights under the UN Sustainable Development Goals.

Without immediate intervention, many of these homeowners face undue costs or even bankruptcy—outcomes which will only exacerbate existing inequalities.

Furthermore, the Committee’s consideration of this petition presents a critical opportunity to review the Blight Notice procedure under the Town and Country Planning (Scotland) Act 1997, which currently lacks robust protections for homeowners in situations like the RAAC crisis. As councils proceed with acquisition proposals, updated Blight Notice procedures could ensure councils purchase affected homes at full, undiminished market value, unimpeded by deductions related to failures within council construction choices and the use of defective materials.

Scotland cannot afford to let this crisis deepen without decisive action. This newly allocated UK Treasury funding offers an unprecedented opportunity to mitigate the fallout from the RAAC crisis, providing a framework of fairness, safety, and economic security to homeowners facing this housing scandal.

Thank you for considering this proposal in the upcoming consideration of our petition. I am confident that, together, we can help support the families affected by RAAC and address this issue with the attention and resources it so urgently deserves.

**Chairman UK RAAC Campaign Group**

**Murdo Fraser MSP written submission, 6 November 2024**

**PE2113/E: Provide support to RAAC-affected communities**

I am writing in support of the above numbered petition, calling on the Scottish Government to provide support to communities affected by Reinforced Autoclaved Aerated Concrete.

**CPPP/S6/24/17/10**

This is an issue which affects a number of my constituents, particularly in the Clackmannanshire Council area. Individuals, through no fault of their own, have been left carrying significant financial burdens due to the existence of RAAC in their properties, which are often previous local authority homes. I believe that the Scottish Government need to investigate appropriate financial support for these individuals who have been left in this very unfortunate position.

I hope that the Committee will give due consideration to the petition and ask the Scottish Government for answers on the matter.