

RESPONDENT INFORMATION FORM



Please Note this form **must** be completed and returned with your response.

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

Scottish Parliamentary Working Group on Maintenance of Tenement Scheme Property

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The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (without name)
 Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
 No

The Scottish Parliamentary Working Group on Maintenance of Tenement Scheme Property was first convened in March 2018 by Ben MacPherson with the purpose of establishing solutions to aid, assist and compel owners of tenement properties to maintain their buildings. Under the subsequent convenorship of Graham Simpson MSP the working group published recommendations in May 2019. Further details of the working can be found [here](#).

Built Environment Forum Scotland and the RICS provide the secretariat function to the working group.

Q1 Earlier this year we published our draft vision and principles. A short and longer version are available here: www.gov.scot/housing2040. Do you have any comments on the draft vision and principles?

PRINCIPLE 4: Housing provision should be informed by whole life economic costs and benefits in the round and help to address inequalities in health, wealth and education.

Housing provision should also be informed by the environmental benefits of reusing the existing building stock. Failure to take in to account the value of the embodied energy with a focus on economic costs could lead to short term decision with higher carbon costs arising. This should be made explicit in the principle, not assumed to be captured by “benefits in the round”.

PRINCIPLE 5: Tenure-neutral space and quality standards for new homes (and existing homes where possible) should be set specifically to improve and protect quality of living and of place.

PRINCIPLE 7: All tenures should apply the same high quality and safety standards and levels of consumer protection.

A tenure neutral approach to standards is advocated by Douglas Robertson’s report [Why Flats Fall Down: Navigating shared responsibilities for their repair and maintenance](#).

Basing building adaptation upon cost effectiveness (and therefore considering demolition) could be counterproductive in meeting net-zero carbon targets if the embodied carbon is not part of the decision making process. Recent housing regeneration projects across Scotland have often resulted in wholesale demolition with no consideration for the carbon cost of demolition and new build. This is not sustainable in the face of the climate crisis. Very few buildings cannot be improved in operational performance and if this requires higher investment for lower whole life carbon costs, the latter should take precedence.

See ‘Transformation rather than demolition’ as a principle advocated by [Druot, Lacatan & Vassal](#) resulting in the improvement of a housing type most recently

demolished in Scotland. It requires a longer term, environmental vision than has recently been manifested.

PRINCIPLE 8: New homes for sale should be built to high standards, defects should be identified and remedied quickly and all owners should be required to maintain the condition of their home.

The working group has a focus on tenements but the principles of good maintenance should apply to all property.

Q5 Do you have any proposals that would help us respond to the global climate emergency by increasing the energy efficiency and warmth and lowering the carbon emissions of existing and new housing?

The inherent flaws of the Energy Performance Certificate in measuring the real life operational costs of buildings, particularly traditionally built properties, could result in perverse outcomes. Repeated research in comparative whole life costs between new and existing buildings reveal that the continued use and retrofit of existing buildings is the better environmental option. See *Managing or Driving Change? Establishing Consensus of Opinion on Improving the Energy Efficiency of Historic Buildings*, The Historic environment, Vol. 5 No. 2, July 2014, 182–95 or [Understanding Carbon in the Historic Environment 2019](#).

Q6 Do you have any proposals that would improve the quality, standards and state of repair of existing and new housing?

The application of the working group's proposal for mandatory five yearly building inspections to *all housing* would have long term environmental, social and economic benefits. Making sure our existing stock is well maintained will improve living conditions, make retrofit more effective and provide a continuous and increasing demand for skilled trades which would provide the basis for a just transition to a low carbon economy.

Q8 Any other comments?

The Scottish Government responded positively to the Scottish Parliamentary Working Group on Maintenance of Tenement Scheme Property recommendations for mandatory:

- Owners Associations,
- Building Reserve Funds, and
- Building Surveys.

While responding that a relevant Act of Parliament in 2025 was ambitious we understand initial conversations with the Scottish Law Commission have already taken place. This work should be included in any route map to reach the Housing to 2040 vision. Full details of the working group's recommendations can be read [here](#).

Housing to 2040 is a much improved document in comparison to *Housing Beyond 2021* which failed to recognise existing housing stock

But as the Scottish Housing Condition Survey 2018 confirms, the condition of the existing stock is not improving.

	Tenure						Scotland
	Owner occupied	LA/Other Public	HA/Co-op	Private rented	Private Sector	Social Sector	
Dwellings with any Critical Disrepair							
2018	54%	63%	46%	72%	57%	57%	57%
2017	46%	61%	40%	59%	49%	53%	50%
Dwellings with Critical and Urgent disrepair							
2018	24%	31%	17%	39%	27%	26%	26%
2017	22%	30%	13%	33%	24%	23%	24%
Dwellings with Critical, Urgent & Extensive disrepair							
2018	3%	3%	2%	9%	4%	3%	4%
2017	2%	5%	*	3%	2%	3%	2%

Concerted effort is required to address the deteriorating condition to prevent higher financial and environmental costs to Scotland in the longer term.

As outlined above a focus on maintenance (as also advocated by the Infrastructure Commission's Recommendation 3 - Making the most of our existing assets) is an opportunity to reskill the Scottish workforce currently working in carbon intensive industries that will not be sustained in the future low carbon economy.