

## **Briefing for the Citizen Participation and Public Petitions Committee on [Petition PE2150: Amend the Scottish Housing Regulator's mandate, or create a body, to protect owners of ex-council properties](#), lodged by Wilson Chowdhry**

### **Brief overview of issues raised by the petition**

The petition calls on the Scottish Parliament to urge the Scottish Government to expand the mandate of the Scottish Housing Regulator (SHR) or establish a dedicated body to ensure owners of ex-council properties receive the support and protection they need to deal with significant structural issues such as the presence of Reinforced Autoclaved Aerated Concrete (RAAC).

### **Scottish Housing Regulator**

The Scottish Housing Regulator's (SHR) role and functions are governed by the Housing (Scotland) Act 2010. The 2010 Act provides the SHR's statutory objective is to:

“safeguard and promote the interests of persons who are or who may become—

- (a) homeless,
- (b) tenants of social landlords, or
- (c) recipients of housing services provided by social landlords.”

The general functions of the Regulator are:

- to keep a publicly available register of social landlords, and
- to monitor, assess and report regularly on (and, where appropriate, to make regulatory interventions relating to)—
  - social landlords' performance of housing activities, and
  - registered social landlords' financial well-being and standards of governance.

The SHR does not have any specific advocacy role and does not have a role in addressing individual complaints from individual social housing tenants. The SHR has no statutory role regarding owners of ex-council properties.

## 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. There is also a RAAC in Housing sub-group.

The Scottish Government has made it clear that responsibility for funding and managing RAAC remediation lies with property owners. For example, in answer to [Parliamentary Question S6W-31232](#), the Minister for Housing, Paul McLennan MSP, stated:

“The management of Reinforced Autoclaved Aerated Concrete (RAAC), including assessing its condition and any decision for removal, is a matter for building owners. Information on buildings identified as having RAAC, including its management, can be found in the Scottish Government report available here: <https://www.gov.scot/publications/raac-in-the-public-sector/> and also from individual building owners and authorities. The Scottish Government has not provided specific funding for RAAC remediation as it is primarily a building maintenance issue.”

The UK Government has adopted a similar position for privately owned homes in England, stating in a written answer to [Parliamentary Question UIN 24183](#) (answered on 20 January 2025) that:

“All building owners are responsible for managing building safety and performance risks of all kinds in their buildings, including reinforced autoclaved aerated concrete (RAAC), in a proportionate, risk-based, and evidence-based manner. To do so, they should continue to follow guidance published by the Institution of Structural Engineers (IStructE) to identify, assess, and manage RAAC.”

## Previous Scottish Government support for defective homes

Previously, under Section 99 of the Housing (Scotland) Act 1987, the Scottish Government had designated 12 types of precast reinforced concrete homes as defective. This designation allowed the [Scottish Government to provide financial assistance to the owners of such homes for remediation work](#). To be eligible, a home had to have been sold by a social landlord to a sitting tenant under the right to buy. The scheme was wound up in 2018. This was a compensation scheme run by the Scottish Government that did not involve the establishment of any separate body.

Some private homeowners in Scotland are currently affected by potentially flammable external wall cladding systems. The Scottish Government is addressing this through its [cladding remediation programme](#).

## Scottish Parliament Action

The Local Government, Housing and Planning Committee of the Scottish Parliament has been undertaking [ongoing scrutiny of building safety and maintenance issues in Scotland](#).

This has [included consideration of RAAC](#), most recently at the [meetings of 18 March 2025](#) where the Dundee RAAC campaign group attended as a witness; and at its [meeting of 25 March 2025](#), the Committee heard from some councils who talked about understanding the extent of the problems in their areas and liaising with owners of ex-council homes. Prior to these sessions, the Committee issued a call for views. The [petitioner submitted written evidence to the Committee](#).

[The Committee heard from the Minister for Housing on 22 April 2025](#) and was asked about the idea in the petition. The Minister concluded by stating:

“I will not pre-empt what that committee or the petitioner will say, but I am sure that I will be asked to speak to that committee at an appropriate stage. I am happy to come back to this committee at that point.”

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The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at [spice@parliament.scot](mailto:spice@parliament.scot)

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