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21 June 2024

Dear Ariane,

I am writing in respect of the Housing (Cladding Remediation) (Scotland) Bill and in particular the commitment I made to keep the Local Government, Housing and Planning Committee updated when the specification for Single Building Assessments is published.

I am pleased to inform you that the Scottish Government has today published the specification document and that this is available via the following web address: www.gov.scot/isbn/9781836011675. I also attach a copy of the specification with this letter.

In terms of the key aspects of the specification I can confirm that it draws on PAS 9980, which was of course an important point made during the passage of the Bill. This will support the industry in applying their existing knowledge and practices to Single Building Assessment (SBA) projects in Scotland.

Buildings within the Programme will be assessed through an SBA, with the Bill giving Scottish Ministers the power to specify the standards to which an SBA must be carried out. Whilst Ministers intend to publish the SBA standards later this year, today's publication means we are now able to share the technical specification document, which will form part of these standards, to support ongoing delivery of the Programme and inform stakeholder preparations for its future delivery.

In terms of the next steps, at the time of writing the Bill is awaiting Royal Assent and it is the Government's expectation that this will be obtained in the coming weeks.

While the passing of the Bill and the publication of the SBA specification represent significant progress in the Cladding Remediation Programme, I thought it would take this opportunity to set out next steps underlining the suite of extensive work that needs to happen ahead of commencement.

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Work is continuing to urgently progress the draft Developer Remediation Contract which we will look to share with developers as soon as possible; the terms of the draft contract are being reviewed following publication of the SBA specification.

Over the summer work will be taken forward at pace to ensure that processes and guidance are in place for the various powers included in the Bill. It is critical that we have these outlined so there is clarity and the ability to embark of assessment and remediation with certainty, and that when powers are needed there is transparency about how they will be used. This includes important provisions amongst others on evacuation, consent, and appeals. Beyond that we will scope out an assurance and compliance framework to ensure whoever is undertaking assessment and remediation comply with standards. We will develop prioritisation criteria drawing on the evidence base, so urgency is directed at developments where potentially there is greater risk.

Scoping work for a delivery partner will continue, which may consist of one or more partners to undertake interim assessment and remediation. In parallel, extensive, and detailed work will commence, following established UK Treasury Green Book guidance, to identify and put in place a preferred long-term delivery option for the future.

We intend to draw the Pilot to a close ensuring that each entry, as previously indicated, is on an SBA pathway. For those twenty-eight entries where a draft (Pilot) survey/SBA exists, day to day management will continue and it will be set out whether a refreshed SBA will be undertaken by a developer or by Government.

For the wider Pilot, we are shortly going to procure a Pilot Cleanse following an extensive desk top review which indicated that between 20-30 entries are below 11 metres and are therefore out-with scope of the SBA specification and legislation. This will be undertaken by a competent expert and independent of Government. We will update the Committee as to the findings of the Pilot Cleanse and importantly provide regular updates on next steps.

I am continually mindful of the people at the heart of this Programme and the positive amendments that were made to the Bill on information. I would like to reassure the Committee that we will keep owners and residents informed while also ensuring regular updates are published on the Scottish Government website.

I am copying this letter to party spokespersons for housing as well as the Cabinet Secretary for Social Justice.

Best wishes

Paul McLennan MSP
Minister for Housing

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