

## **Housing (Cladding Remediation) (Scotland) Bill — Stage 2**

### **Section 1**

#### **Paul McLennan**

- 10** In section 1, page 1, line 13, leave out from <if> to end of line 18

#### **Paul McLennan**

- 11** In section 1, page 1, line 20, after <must> insert <, when first created,>

#### **Paul McLennan**

- 12** In section 1, page 2, leave out lines 1 and 2 and insert—
- <(aa) must be amended, as soon as reasonably practicable after any additional work assessment is carried out in relation to it, to include the following information—
    - (i) when the additional work assessment was carried out,
    - (ii) what additional work (if any) the additional work assessment report identified as being needed to eliminate or mitigate risks to human life that are (directly or indirectly) created or exacerbated by the building’s external wall cladding system,
  - (ab) must be amended, as soon as reasonably practicable after the Scottish Ministers are satisfied that any work mentioned in paragraph (a)(ii) and any work mentioned in paragraph (aa)(ii) has been completed, to include the date on which they were so satisfied,>

### **Section 2**

#### **Paul McLennan**

- 13** In section 2, page 2, line 12, after <assessment> insert <or an additional work assessment>

### **After section 3**

#### **Paul McLennan**

- 14** After section 3, insert—
- <Power to arrange additional work assessment**
- (1) The Scottish Ministers may arrange for an additional work assessment to be carried out in relation to a building in relation to which a single-building assessment has been carried out.
  - (2) Subsection (3) applies where—
    - (a) something needs to be done on premises for the purposes of carrying out an assessment arranged under subsection (1), and

- (b) the premises are not premises on which a person carrying out work under an arrangement made under this Chapter is entitled, by virtue of section 11, to do anything reasonably required to carry out that work.
- (3) Anything that needs to be done on the premises for the purposes of carrying out an assessment arranged under subsection (1) may not be done, without the consent of the owner, before the end of the notice period.
- (4) The notice period is a period of 7 days beginning with the day that the Scottish Ministers give the premises' owner a written notice explaining what the carrying out of the assessment may entail.
- (5) At the same time as giving notice to the premises' owner in order to begin the notice period, the Scottish Ministers are to give a written notice in the same terms to any occupier of the premises.>

#### **Section 4**

##### **Paul McLennan**

- 15** In section 4, page 3, line 7, after <assessment> insert <or an additional work assessment>

#### **Section 6**

##### **Paul McLennan**

- 16** In section 6, page 3, line 28, leave out <in a single-building assessment report>

##### **Graham Simpson**

- 17** In section 6, page 3, line 31, after <system> insert <, including any associated fire safety risks>

##### **Paul McLennan**

- 18** In section 6, page 3, line 31, at end insert <in—  
(a) a single-building assessment report, or  
(b) an additional work assessment report.>

##### **Paul McLennan**

- 19** In section 6, page 3, line 32, leave out <(1)> and insert <(1)(a) or (b)>

##### **Paul McLennan**

- 20** In section 6, page 3, line 34, after <period> insert <in relation to the work identified as mentioned in subsection (1)(a) or, as the case may be, (b)>

#### **Section 7**

##### **Paul McLennan**

- 21** In section 7, page 4, line 15, after <report> insert <or an additional work assessment report>

**Paul McLennan**

- 22 In section 7, page 4, line 16, after <assessment> insert <or an additional work assessment>

**Section 8**

**Paul McLennan**

- 23 In section 8, page 4, line 26, after <opinion> insert—  
<( )>

**Paul McLennan**

- 24 In section 8, page 4, line 26, after <lives> insert <, or  
( ) continued occupation of the premises would mean that there would be a  
substantial risk to the lives of the occupants of any other premises,>

**Paul McLennan**

- 25 In section 8, page 4, line 28, at end insert <or an additional work assessment,>

**Paul McLennan**

- 26 In section 8, page 5, line 10, after <be> insert <conspicuously>

**Section 11**

**Paul McLennan**

- 27 In section 11, page 6, line 21, leave out <either>

**Paul McLennan**

- 28 In section 11, page 6, line 22, after <assessment> insert <, an additional work assessment>

**Paul McLennan**

- 29 In section 11, page 7, line 11, after <3(2)> insert <, (*Power to arrange additional work  
assessment*)(3)>

**Section 12**

**Paul McLennan**

- 30 In section 12, page 8, leave out line 4

**Section 13**

**Paul McLennan**

- 31 In section 13, page 8, line 7, after <assessment> insert <, an additional work assessment>

## Section 14

**Paul McLennan**

- 32 In section 14, page 8, line 18, after <assessment> insert <, an additional work assessment>

## Section 16

**Paul McLennan**

- 33 In section 16, page 9, line 35, leave out <if> and insert <48 hours after>

**Paul McLennan**

- 34 In section 16, page 9, line 36, after <be> insert <conspicuously>

## Section 20

**Paul McLennan**

- 35 In section 20, page 11, line 28, at end insert—
- <( ) Before making regulations under subsection (1), the Scottish Ministers must consult—
    - (a) such persons as appear to the Scottish Ministers to represent the interests of persons carrying on, for business purposes, activities connected with the construction or other development of buildings which are wholly or partly residential, and
    - (b) such other persons,
- as the Scottish Ministers consider appropriate.>

## Section 21

**Paul McLennan**

- 36 In section 21, page 12, line 6, after <construction> insert <or other development>

## Section 22

**Paul McLennan**

- 37 In section 22, page 12, line 17, after <assessments> insert <and additional work assessments>

**Paul McLennan**

- 38 In section 22, page 12, line 18, at end insert <or an additional work assessment report,>

**Paul McLennan**

- 39 In section 22, page 12, line 20, after <assessments> insert <and additional work assessments>

**Paul McLennan**

- 40 In section 22, page 12, line 21, at end insert <or an additional work assessment report,>

**Section 25**

**Paul McLennan**

- 41 In section 25, page 14, line 23, at end insert—

<an “additional work assessment” means an assessment that—

- (a) relates to a building in relation to which a single-building assessment has been carried out,
- (b) is required as a result of additional information coming to light in the period between—
  - (i) the single-building assessment report being completed, and
  - (ii) the date on which the Scottish Ministers were satisfied that any work identified in that report, or in an additional work assessment report, as being needed to eliminate or mitigate risks to human life that are (directly or indirectly) created or exacerbated by the building’s external wall cladding system had been completed,
- (c) assesses, and culminates in a report on, whether any additional work is needed to eliminate or mitigate such risks, and
- (d) is carried out—
  - (i) in accordance with the standards for the time being specified by the Scottish Ministers, and
  - (ii) by a person authorised by the Scottish Ministers to carry it out.>

**Paul McLennan**

- 42 In section 25, page 14, line 23, at end insert—

<( ) For the purposes of—

- (a) subsection (1), a building stands 11 metres or more above the ground if, excluding roof-top plant areas and any top storey consisting exclusively of plant rooms, the building has at least one storey the finished floor level of which, measuring vertically, is (or would be if it was directly above the building’s lowest point) 11 metres or more higher than the building’s lowest point,
- (b) paragraph (a), a building’s lowest point is the point at which the surface of the ground adjacent to the building is lowest.>

**Section 28**

**Paul McLennan**

- 43 In section 28, page 16, line 2, at end insert—

<“additional work assessment report” means the report of an additional work assessment by the person who carried out the assessment,>