
Report to: Clackmannanshire Council

Date of Meeting: 30th November 2023

Subject: Reinforced Autoclaved Aerated Concrete

Report by: Strategic Director (Place)

1.0 Purpose

- 1.1. This report outlines the Council's response to Reinforced Autoclaved Aerated Concrete (RAAC) being found within three buildings of mixed ownership properties in Tillicoultry.
- 1.2. This report also provides Council with an update on the programme of surveys being carried out by the Council's appointed building engineers in response to the UK wide issues on RAAC within Council's assets.

2.0 Recommendations

It is recommended that Council notes:

- 2.1. the position on the evacuated buildings within Tillicoultry;
- 2.2. the programme of surveys being carried out on Council assets;
- 2.3. the care for people response;
- 2.4. reporting requirements; and
- 2.5. current financial expenditure to date as a result of the management of RAAC,

3.0 Considerations

- 3.1. RAAC is a lightweight form of precast concrete, frequently used in buildings in the UK from the 1950s to the 1990s. It is mainly found in roofs. Visually, RAAC planks may look the same as pre-cast concrete, and may be hidden above false ceilings. It is less durable than traditional concrete and there have been problems as a result, which could have significant safety consequences.
- 3.2. Council will be aware of the issues surrounding RAAC initially discovered within schools in England. As a result, public authorities throughout the UK established a programme of surveys, including this Council, to be carried out on its portfolio of properties to ascertain whether any of these contain RAAC and its condition.

- 3.3. The Property Service completed the first stage of that programme of surveys on the Learning Estate in August 2022. The details of works within this area are contained in section 6.0.
- 3.4. Next on the programme of surveys was the Council's housing estate. Council will be aware that a number of these assets are owned jointly with private owners. As such the initial surveys were carried out within the common areas of buildings and/or within areas of buildings/properties wholly owned by the Council.
- 3.5. As a result of these initial surveys the Council's appointed building engineer confirmed that RACC had been found, of a very poor condition, within the building at 75-97 Chappelle Crescent, Tillicoultry. The building engineer confirmed that RAAC was in such a poor condition that he considered the building to be unsafe and should be evacuated immediately until further intrusive investigations could be carried out. The Council's building standard's officer also attended the building and agreed with the building engineer's assessment of the building.
- 3.6. An Incident Management Team (IMT) meeting was called and chaired by the Strategic Director for Place which took place on 26th September. At the meeting a plan of action and list of priorities to preserve life within the confines of law was agreed. IMT agreed, that based on the building engineer's assessment and other information available to IMT to proceed to evacuate the building.
- 3.7. The legal basis for the Council evacuating residents, in circumstances presented by the building engineer at Chappelle Crescent, was in terms of Section 42 of the Building (Scotland) Act 2003 (the 2003 Act) as such a notice on residents was required to be served. A Dangerous Building Notice in terms of Section 29/30 of the said Act should also be served on owners. The Dangerous Building Notice contained a requirement on owners to obtain a building engineer's report on the roof structure of the building within a specified period of time and confirmation of remedial works required.
- 3.8. As result of the building engineer's report on Chappelle Crescent it was further agreed at IMT to expedite the surveys on the other housing assets by instructing additional building engineers. This would allow the surveys to be carried out quicker with more surveyors being involved in that work. This work was commenced at the beginning of October 2023.
- 3.9. As a result of this expedited survey programme an additional two buildings (Park Street and High Street, Tillicoultry) were found to have RAAC which again was in a very poor condition and required to be immediately evacuated.
- 3.10. It was confirmed that the balance of the Council's housing assets were found not to contain RAAC or that the RAAC within those buildings was found to be in a condition which posed no immediate concern.
- 3.11. The additional buildings which, confirmed by the building engineer to be in a poor condition and required immediate evacuation were 35-51 High Street and 6-22 Park Street, Tillicoultry. Building Standard's officers agreed with this decision after an inspection of both buildings.

- 3.12. To provide some context, the council has around 5,000 domestic properties with 102 of these being found to contain RAAC (this equates to approximately 2% of the overall housing stock)
- 3.13. A further IMT was convened and it was agreed to follow the same process as Chappelle Crescent and serve the relevant notices under the 2003 Act and evacuate the buildings.
- 3.14. Officers across various services were involved with the evacuation of these buildings including Health & Safety, Housing, Legal and Building Standards amongst others.

4.0 Care for People

- 4.1. Officers did not take the decision to evacuate residents from their homes lightly and understand how difficult and upsetting this was. However, based on the information that had been provided the concern to preserve lives was officers' priority.
- 4.2. Letters were issued to residents providing contact details of dedicated officers who were there to assist them with the Council's response to the RAAC. Further, letters were also issued to other residents of other blocks providing an update on the survey programme to ensure the community was kept updated. The Council continues to communicate with residents in a variety of methods including in-person meetings, email and text messaging and telephone and facetime calls. Where appropriate officers has been able to signpost residents to additional sources of help, advice and information (Shelter Scotland, Citizens Advice Bureau, Govan Law Centre).
- 4.3. The Council has limited available residential accommodation within the Housing portfolio. The Council tenant's were offered temporary accommodation within available housing properties or hotels.
- 4.4. Owners of flats or tenant's of those buildings that were evacuated were provided accommodation within hotels nearby. Other owners or tenants were able to stay with family or friends. Thereafter some owners or tenants presented as homeless and in terms of the Council's statutory obligations were relocated to the Council's temporary accommodation to allow homeless applications to be assessed.
- 4.5. The current position remains the same where owners of flats or tenants remain in hotel accommodation, staying with family or friends and/or in temporary accommodation of the Council.
- 4.6. Various officers throughout the Council have been working hard to provide as much support as is possible to those individuals and families who require it. All residents continue to have a direct point of contact within the housing service providing on-going communication, advice and update where it is available.
- 4.7. Officers also, subject to the relevant risk assessments and confirmation from the Building Engineer, entered into those buildings that had been evacuated and removed essential and valuable items from individual flats on behalf of the residents.

- 4.8. Support and guidance continues to be provided as appropriate to private owners and private tenants of landlords who have been evacuated but who have not presented to the Housing Service as homeless. In person meetings with all private owners have taken place with further sessions to be scheduled, the Housing Spokesperson and a representative of Keith Brown MSP's office were in attendance at these meetings.

5.0 Survey Programme

- 5.1. An extensive desktop study of the Housing portfolio was undertaken in order to identify any property suspected of having the potential to contain RAAC.
- 5.2. Properties were identified and a survey programme drawn up and prioritised with areas thought to be most at risk placed first on the programme. The Housing portfolio of properties was completed on Friday 20th October 2023. RAAC was found in the roof structure of properties but there is no indication of other RAAC elements such as walls, lintels or floor planks identified within the Housing portfolio.

The overview summary findings as below –

RAAC Domestic Survey Status (initial survey pending written report)	No of Blocks (as a percentage of overall blocks surveyed)	No of Properties (as a percentage of overall properties surveyed)
RAAC present and decant required	3 (6.12%)	30 (6.74%)
RAAC present but manage and monitor in situ	7 (14.29%)	72 (16.18%)
No RAAC present	39 (79.59%)	343 (77.08%)
Total	49	445

- 5.3. Further, assessment of the condition of RAAC in those buildings that have been evacuated is on-going and once the written reports have provided, review carried out and discussion with the other owners of the building taken place a further Report will be brought back to Council with options on next steps.
- 5.4. We have also written to all residents of 39 buildings where no RAAC was discovered to ensure they have been updated.
- 5.5. There are buildings within the Housing portfolio where RAAC has been found in a condition which does not pose immediate concern and is termed to be in a condition that is able to be "managed and monitored". The owners of these buildings have been informed and a copy of the written report (or when received) has or will be provided to these owners.

Further Survey Considerations

- 5.6. In respect of detached, terraced, and semi-detached houses we understand that RAAC may be present within external bin stores/outbuildings and externally located external access stairwells.
- 5.7. A desktop survey will be undertaken to assess any requirement for progression of survey works within these areas. Where such survey discloses no information then further surveys may be required.
- 5.8. As confirmed above we have not received all written survey reports from the building engineers, in particular the evacuated properties under the exception of Chappelle Crescent. Once reports have been received, reviewed and discussed with the other owners of the buildings that been evacuated (and those buildings where the RAAC is considered to be “managed and monitored” in terms of any works required) a further report will be brought back to Council with options to be considered.
- 5.9. It is anticipated that if there are any recommended remedial actions, they will be complex, lengthy and generally not easy to undertake. We expect there to be considerable cost involved in a number of areas in progressing any recommended works.
- 5.10. Any solutions proposed will need to be considered both on their technical feasibility and financial/economic/legal viability.

6.0 Non Domestic Portfolio

- 6.1. The approach to surveying for RAAC in non domestic properties within the ownership of the Council identified that the buildings be split into three priority areas to minimise and control risk:
 - Priority One: Primary schools and secondary schools
 - Priority Two: Social work settings including care homes
 - Priority Three: Depots, offices and all other civic/commercial estate

Priority One: Primary schools and secondary schools

- 6.2. Desktop survey for presence of RAAC within schools across Clackmannanshire was carried out during the summer of 2022 by council staff.
- 6.3. Officers identified 7 schools for further investigations and the Council’s Building Engineer was instructed to survey these schools. The Council has received these written reports which have confirmed no RAAC was present within these schools.

Priority Two: Social work settings including care homes

- 6.4. We are currently undertaking desktop study and review of the information available on our social work and care home estate to determine the need for any on-site survey works to be undertaken for presence of RAAC. To date there has been no property identified as requiring on-site survey.

Priority Three: Depots, offices and all other civic/commercial estate

- 6.5. Property services are currently undertaking desktop study and review of the information available on our Civic buildings and Commercial estate to determine the need for any on-site survey works to be undertaken for presence of RAAC.
- 6.6. At present there have been no further findings that would merit third-party reports to be commissioned however this may change as desktop survey progresses.

7.0 Reporting

- 7.1. The Housing Service submitted its Annual Assurance Statement (AAS) to the Scottish Housing Regulator (SHR) on 31st October 2023. RAAC was not highlighted within the statement. As confirmed at Council's October meeting an updated AAS may be required to be submitted to the Regulator to reflect developments on the management of RAAC.
- 7.2. We continue to provide regular updates on our management of RAAC to Scottish Government, the Scottish Housing Regulator, the Convention of Scottish Local Authorities (COSLA) and the Association of Local Authority Chief Housing Officers (ALACHO). A RAAC cross sector working group has been set up by ALACHO with Clackmannanshire Council to be represented on this.
- 7.3. As far as we are aware no other local authority within Scotland has required to carryout an emergency evacuation as a result unsafe RAAC found within their housing stock. We understand that local authorities have an ongoing surveying programme for RAAC.
- 7.4. Scottish Government has indicated that they are looking for local authorities to carry out similar diligence on privately owned properties within their areas report back to them. This matter will require further consideration with legal colleagues.

8.0 Financial Expenditure

- 8.1. Costs to date have been incurred from a variety of actions taken in managing the response to RAAC. Expenditure has been required to: survey, evacuate, provide temporary accommodation, retrieve resident belongings and secure property.
- 8.2. Further costs will be incurred as result of the ongoing management of RAAC, these do not take account of any action required to be taken to permanently make safe the buildings evacuated.

- 8.3. The below tables A) and B) give an outline overview of costs incurred to date and the breakdown of these:

A) Direct Costs

External Contractors	£13,074 (a number of Invoices yet to be received)
Purchase of temporary accommodation	£15,230.22
Professional Fees	£5,775.00
Use of petty cash (miscellaneous)	£2,097.21
Supervision and Management Costs	TBC
Property Trades – staff time and materials	£9,113.47

B) Loss of income

HRA Void Property Rent Loss	£31,687.53
General Fund Council Tax Loss (to 31 st March 2024)	£28,219.20
General Fund Housing Benefit maximum subsidy Loss (by removal of x2 temporary accommodation units) (to 31 st March 2024)	£44,218.90

The financial impact is evident across both HRA and GF areas with costs to the HRA of £45,290 and loss of income to the GF of £72,438, as noted in the above tables. Further costs/loss of income are expected in the coming months.

- 8.4. All costs incurred to date for all RAAC related works have been coded to a cost centre location specifically set up for this work. There is no allocated budget assigned for this at present and no indication from the Scottish Government on financial support being made available to local authorities managing RAAC within buildings. The UK Government has suggested the costs of RAAC should fall to rent payers, which indicates that there might be no Barnett consequential funding provided to the Scottish Government.
- 8.5. Costs will continue to be monitored and further discussions undertaken and ongoing to identify funding sources that may become available.

9.0 Resource Implications

9.1. Financial Details

Finance have been consulted and have agreed the financial implications as set out in the report. **Financial figures and consultation TBC** Yes

10.0 Exempt Reports

10.1. Is this report exempt? Yes (please detail the reasons for exemption below) No

11.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please click on the check box)

Clackmannanshire will be attractive to businesses and people and ensure fair opportunities for all

Our families, children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

12.0 Equalities Impact

12.1. Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? Yes No

13.0 Legality

13.1. It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

14.0 Appendices

None

15.0 Background Papers

15.1. Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered).

Yes No
(please list the documents below)

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