

## URGENT BUSINESS COMMITTEE

ABERDEEN, 29 February 2024. Minute of Meeting of the URGENT BUSINESS COMMITTEE. Present:- Councillor Yuill, Convener; Councillor Allard, Vice Convener; and Councillors Greig, Kuszniir (as substitute for Councillor Houghton), Malik, Radley and Tissera (as substitute for Councillor Blake).

The agenda associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent Council minute and this document will not be retrospectively altered.

### DETERMINATION OF URGENT BUSINESS

1. In terms of Section 1.3 of the Committee Remit and in accordance with Section 50(4)(b) of the Local Government (Scotland) Act 1973, the Committee was advised that it had to determine (1) that the item was of an urgent nature; and (2) that the Committee required to consider the item and take decisions thereon.

The Convener advised that he believed the item to be urgent as a result of the information contained within the independent structural engineer reports, appended to the report, particularly with regard to risk assessment.

Councillor Malik moved as a procedural motion, seconded by Councillor Tissera:-

That the item was not of an urgent nature and did not require to be considered this day.

On a division, there voted:- for the procedural motion (3) - Councillors Kuszniir, Malik and Tissera; against the procedural motion (4) - Convener; Vice Convener; and Councillors Greig and Radley.

#### **The Committee resolved:-**

- (i) to reject the procedural motion; and
- (ii) to therefore agree that the item was of an urgent nature and required to be considered this day as a result of the information contained within the independent structural engineer reports, appended to the report, particularly with regard to risk assessment.

### DETERMINATION OF EXEMPT BUSINESS

2. The Committee was requested to determine that the item of business, which contained exempt information as described in Schedule 7(A) of the Local Government (Scotland) Act 1973, be taken in private.

#### **The Committee resolved:-**

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in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the item so as to avoid disclosure of exempt information of the classes described in paragraphs 3, 7 and 10 of Schedule 7A of the Act.

**In accordance with Article 2 of the minute, the following item was considered with the press and public excluded**

### **REINFORCED AUTOCLAVED AERATED CONCRETE (RAAC) UPDATE - RES/24/086**

3. With reference to Article 13 of the minute of meeting of Council of 11 October 2023, the Committee had before it a joint report by the Director of Customer Services and the Director of Resources which provided an update on the works undertaken to identify the extent and impact of the presence of RAAC in the Balnagask area of the city and the recommended next steps in response.

**The report recommended:-**

that the Committee -

- (a) note the independent structural engineer reports appended to the report, that recommended a thorough re-evaluation of the occupancy condition for the properties identified with RAAC and instruct the Chief Officer - Early Intervention and Community Empowerment to begin engaging with Council tenants impacted to understand their individual needs to enable them to be rehomed through the implementation of a short-term management strategy to facilitate this;
- (b) approve budget virements within the Housing Capital budgets for 2024/25, as detailed within section 4 - Financial Implications - of the report, to cover all associated costs including but not limited to, additional staffing costs, specialist consultant fees, contractors costs for access and works, rehoming costs, temporary accommodation, school transport, utilities disconnections/connections and security costs for the wider site;
- (c) in relation to (a) above, delegate authority to the Chief Officer - Early Intervention and Community Empowerment to rehome Council tenants residing at the RAAC identified properties to alternative housing with the following provisions:-
  - 1) Home Loss Payments and Disturbance Payments would be applicable to eligible tenants when they move permanently;
  - 2) Void properties across the city would initially be reserved where appropriate and considered for offer to tenants who currently reside at the identified properties;
  - 3) The creation of an additional specific 'RAAC Impact' housing list to ensure priority was provided to tenants residing at identified properties, allowing for urgent rehoming;
  - 4) All affected tenants would be placed on this list and assessed by need, individual building risk and failing this further prioritised by the length of their current tenancy;

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- 5) Allocation would be based on the tenant's current housing need, where stock provision allowed, rather than their existing property type and size;
  - 6) All current applications for re-homing within the identified properties would be transferred onto the new 'RAAC Impact' housing list as noted within 3) above;
  - 7) That tenants would be provided with temporary accommodation if they no longer wished to remain in their property, as an interim arrangement, before re-homing;
- (d) instruct the Interim Chief Education Officer to provide school transport for pupils, on an interim basis, should a need arise through approval of (c) above;
  - (e) instruct the Chief Officer - Capital to suspend any planned Housing Revenue Account (HRA) capital programme works at the affected Council properties in Balnagask;
  - (f) instruct the Chief Officer - Corporate Landlord not to progress any new buy-back scheme applications within any RAAC affected properties, at this time using Corporate Landlord - Delegated Powers 6;
  - (g) instruct the Chief Officer - Early Intervention and Community Empowerment to ensure that any current Council owned void properties within the Balnagask area identified as having RAAC in their construction, and any that become void in the future, would remain void and designated as Unable to be Relet (UTBR);
  - (h) note the prioritisation of this work would impact on allocations of housing for those on all of the Council housing lists;
  - (i) note that circa 28% of the properties identified with RAAC in the Balnagask area were privately owned;
  - (j) instruct the Chief Officer - Early Intervention and Community Empowerment to (1) ensure that private owners and tenants who reside within any privately owned properties in the Balnagask area of Aberdeen which have RAAC in their construction, are provided with support and information (at request) to assist them in assessing their housing options; and (2) add existing owner occupiers and private tenants to the proposed 'RAAC Impact' housing list should a need for access to Council homes be identified through the process of exploring available support and housing options for them in the city;
  - (k) note that further detail regarding the full range of assistance that can be provided to owners and private tenants would be detailed in the further report noted in paragraph 3.27 of the report;
  - (l) note that an options appraisal was being prepared to consider the future options for the properties affected by RAAC, and instruct the Chief Officer - Capital to present the preferred option to members in a further report within the next six months;
  - (m) note ongoing engagement between Council officers and all relevant Regulatory and Professional Bodies, Working Groups, other Local Authorities and Government representatives with the purpose of identifying best practice and potential funding solutions; and
  - (n) instruct the Chief Officer - Early Intervention and Community Empowerment to engage with the Scottish Housing Regulator (1) advising of the impact of the identification of RAAC within the housing stock, the steps required to manage it and the direct and indirect impacts it would have on our wider housing and

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performance standards; and (2) requesting that this was taken into account during regulation and consideration of the Council's performance.

The Director of Customer Services emphasised the urgency of the matter and the need for confidentiality, however it was the intention of officers to make the report public, subject to any redaction that may be required, towards the end of the week commencing 4 March 2024. He added that letters were being hand delivered to the affected tenants today, and stressed that nothing should be discussed with the media, or on social media, until the Council had delivered the letters to tenants and had issued its own press release.

The Committee received a presentation by the Chief Officer - Capital and the Chief Officer - Early Intervention and Community Empowerment which summarised the latest position in terms of RAAC in housing properties, and which followed the opportunity for questions to officers.

Councillor Radley moved, seconded by Councillor Greig:-

That the Committee approve the recommendations contained within the report.

Councillor Malik moved as an amendment, seconded by Councillor Tissera:-

That the Committee -

- (1) agree recommendations (a), (e), (f), (g), (j), (k), (l), (m) and (n);
- (2) note Aberdeen City Council is not one of the members of the RAAC Cross sector working group;
- (3) note the powers available to the Council under the Building (Scotland) Act 2003 for RAAC as detailed at the RAAC Cross sector working group;
- (4) note various local authorities throughout Scotland are calling on the Scottish Government to help Councils fund the cost of RAAC;
- (5) note the Council meets to discuss the General Fund and Common Good budgets on Wednesday 6<sup>th</sup> March and agree to refer consideration of funding requirements to that meeting, including the costs associated with recommendation (d), which are not estimated in the report;
- (6) agree any delegated power given to officers must be reported back to the next meeting of Council following their use; and
- (7) agree to instruct the Chief Executive to write to the First Minister at the Scottish Government requesting assistance to help cover the costs as outlined in recommendations (b) and (c) and further agree that within the letter to the First Minister, reference should be made to section 3.27 of the report so that the First Minister is aware the Council will be looking for further monies once the inspection intrusive surveys are complete.

On a division, there voted:- for the motion (4) - Convener; Vice Convener; and Councillors Greig and Radley; for the amendment (3) - Councillors Kusznir, Malik and Tissera.

**The Committee resolved:-**

- (i) to adopt the motion;

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- (ii) to note the intention to make the report public, subject to any redaction that may be required, towards the end of the week commencing 4 March 2024; and
- (iii) to request officers to share the letter to be delivered to the affected tenants with all elected members for information.

- IAN YUILL, **Convener**.

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