

SCOTTISH PARLIAMENT TENEMENT MAINTENANCE WORKING GROUP: MINUTE OF MEETING 11

6pm, 17 June 2025 | Scottish Parliament and online

Parliament Members in attendance: Graham Simpson MSP (session chair), Paul Sweeney MSP.

Parliament staff in attendance: Abigail Fletcher, Sheila Trachsler.

Participants in attendance (in person or online): John Blackwood, David Bookbinder, Graeme Bowman, Carol Bradburn, Gillian Campbell, Jocelyn Cunliffe, Finlay Davidson, Dennis Docherty, Gordon Douglas, Cassandra Dove, Rebecca Ferguson-Grant, Annie Flint, David Gibbon, Stuart Hay, Jim Hayton, Mike Heffron, Rory Hughes, Stephen Kelly, Aythan Lewes, Derek MacDonald, Marion McCarron, Frankie McCarthy, Joanne McLelland, Simon Montgomery, Catherine Palmer, Lisa Pasquale, Louise Scott, Jackie Timmons, Brenda Tonner.

1. WELCOME AND INTRODUCTION

Graham Simpson MSP welcomed participants. In doing so, he noted that he referred to the Tenement Maintenance Working Group in a Members debate in Parliament last week on the Scottish Law Commission, which is working on the recommendation to establish Owners' Associations.

He noted that a report is due in the next session, which means a long ten year wait for legislation from the Working Group call for action across three sessions of Parliament. Mr Simpson extended a particular welcome to members of Denmilne Action Group from Glasgow, noting that it is their first time in Parliament.

2. APPROVAL OF PREVIOUS MEETING MINUTES

Joanne McLelland of EALA Impact approved the minutes from Meeting 10 on 29 October 2024. Aythan Lewes, also of EALA Impact, seconded, and the minutes were agreed [**Action Point 1**; action points are listed at the end of these minutes].

3. FIVE-YEAR TENEMENT INSPECTIONS SUB-GROUP REPORT

Speaking as Co-Secretariat of the Working Group, Mike Heffron of Under One Roof shared that two sub-groups have been meeting independently in the last several months. He clarified that reports of recent sub-group meetings were included in the pre-circulated papers for this session, and introduced Joanne McLelland

to share the outcomes from one of the sub-groups, which is looking at the mandatory five-year inspections of tenements. A summary of Joanne's presentation follows.

3a. Sub-Group Presentation on Mandatory Five Year Inspections

Joanne McLelland, EALA Impact: Back in October 2024, there was a strong consensus in the Tenement Maintenance Working Group on the need for a draft template for inspection reports. One spin-off from that was a series of pilots. There was good volunteer interest in testing through pilots, but not everyone who came forward was ultimately able to complete five year inspection reports on properties. We run a social enterprise in Leith, and we completed four pilot reports. There is a summary in the pre-circulated report.

Backlog maintenance is a key area of focus for the sub-group. We need to be clear that there are reserve, maintenance and float funds. Float funds are about ad hoc need, maintenance funds are planned and cyclical, and reserve funds are building up a pot of money for using on major works. For example, when we think about a roof, the float might be used for a small job like removing some tree branches, maintenance funds will be used for ongoing upkeep, and reserve funds for a major replacement.

The big problem is, backlogs are built up as none of these things are getting done in most tenement buildings. The figures are alarming. Tenement owners are very concerned. Backlog costs are very high and the reality is that people will need help with them. An ongoing maintenance fund is much easier for owners to achieve. We suggest £50 a month, which is affordable, and we are hearing that tenement owners are happy to contribute at this level.

But that's paying into a maintenance fund, on the basis of the building being in a good condition to start with. When we bring up the backlog deficit, no one has the money for this. That's the main outcome of our pilots. We have reached out to chartered surveyors in Leith and to others to contribute to the pilot series, and we remain very keen to involve others to build up a wider picture. Working Group members are welcome to get in touch if they would like to contribute and undertake a pilot.

There are other outstanding tasks from the October 2024 agreements. These include exploring guidance notes, standardising technology, and thinking about whether we need locally-based solutions or national generic approaches. We also need a major discussion on the cost implications of identifying backlog repair costs. Of the three recommendations from October 2024, we know the Law Commission is taking Compulsory Owners' Associations on. That is welcome progress, but even in a best-case scenario, a new law will not be implemented immediately.

Both sub-groups are having crossover conversations on reserve funds. These conversations include how and when to phase the various considerations. The sub-groups strongly agree that the mandatory inspections, Owners' Associations, and reserve and maintenance funds, should all be considered as a whole. There are pros and cons of taking action on reserve funds at the same time as other elements, or looking at dealing with them at a different time, but we need clarity on the order and the timescales.

I would like to see more work done across the sub-groups on phasing activity, and then coming back in future with recommendations. Specific research in this area would be valuable for future discussion.

3b. Questions and Discussion on Mandatory Five Year Inspections

Graham Simpson MSP asked for clarification on the number of pilot reports completed or in development, and Joanne McLelland said that there are around eight projects. She added that some other bodies in the sector, such as the Royal Institute of Chartered Surveyors, are also doing tenement surveys, independently of the pilots.

There was an exchange on the speed of progress in the sub-group. Joanne said the sub-group is generally happy with the recommendations, but that more action is needed to build up industry awareness, and understanding of the implications of how we will be phasing this. She reported that Under One Roof and Built Environment Forum Scotland have helped facilitate sub-group cross-over conversations, and that different sub-groups agree that more understanding is needed.

Stuart Hay of the Royal Incorporation of Architects in Scotland initiated a conversation on value of comparing the recommendations to a “do nothing” scenario, and the costs of not doing repairs.

Graham Simpson MSP said the report illustrates the sizeable amount of backlog repair, which ranges from £20k to £350k for each building. Following a discussion on client confidentiality issues in the report, and the nuances of individual experience and challenges, it was agreed a tenement owner from the pilot project would be invited to the Working Group to share their experience [**Action Point 2**].

Joanne McLelland agreed to provide some additional anonymised commentary in the pilot report, to give more information on some of the circumstances around absent landlords, funding situations, private equity and loans, a lack of contractors and other issues around ownership dynamics in the pilots [**Action Point 3**].

Gillian Campbell of the Existing Homes Alliance said the main problem is someone buys a home, then turns up to meetings, and is shocked to learn about the level of outstanding repairs and their responsibilities. She identified the role of conveyancing solicitors and estate agents to pass information on to the buyer about this as key.

Mike Heffron said progress is being made, but the sub-groups are concerned with making assumptions on areas we don't yet have research on, for example, what the market impact of publicly available five year inspection reports will be. He said further research, and bringing in some new experts to the Working Group, could help move things forward.

Jocelyn Cunliffe of the Architectural Heritage Society of Scotland expressed a concern that home reports are not providing good information to potential purchasers of tenements about the condition of the property they might be buying, because home reports don't include information about the building the flat is in.

David Gibbon and Mike Heffron said there appeared to be little appetite for home report reform in the wider sector. Mike added that a suggestion he made to the Home Report Working Group to make minor changes, such as a tick box to show active or pending Owners' Associations on the front page, and a link to a government website to provide information for homeowners on relevant issues they may wish to research, such as flood prevention and roof maintenance, had met with an unenthusiastic response.

4. BUILDING RESERVE FUNDS AND FUNDING

Mike Heffron reported that discussion and proposals from past meetings of the Tenement Maintenance Working Group has informed the focus of the sub-groups, and as the Scottish Government is not currently working on any of the issues we are talking about, the Working Group is trying to create the conditions to make this happen. He said that to support this, Under One Roof is putting in bids to grant foundations to pay for research on these issues.

Mike said he was unsure if these applications will be successful, but that the organisation now wishes to fundraise to do research on building reserve funding and financing, as Under One Roof is short on research capacity. Mike introduced Annie Flint to elaborate on the need for research. A summary of Annie's presentation follows.

4a. Sub-Group Presentation on Building Reserve Funds

Annie Flint, Tenement Action Group: My background is, I created a lot of the Under One Roof website, and I have been a housing researcher for 35 plus years. At the start of my career, I looked at building reserve funds. It reminds me of the question, when is the best time to plant a tree? 20 years ago. When is the second best time? Today. We should have started way back, but it is good to have it back on the agenda now.

We need proposals, resources and implementation. We had to think about financial practicalities to keep this realistic. Reserve funds are like pensions for buildings, and workplace pensions are mandatory now, so why can't we do this for buildings? We need to know more about operational practices and impacts. These are some of the research questions in my paper.

One question is, does a reserve fund start on day one? Or is it introduced when a property is sold and there is fresh capital in the system? New buyers don't think about repairs, but we need to get in there around the point of transfer. Does day one mean at Owner Association establishment, or another time? We need to figure out timing and order. We don't yet have the answers between us, but we need people who understand the big picture to come together to assess all of this in the context of affordability, budgets and owner contributions coming in different ways at different times.

We also need to look at international experience and speak to property valuers. The £50 per month contribution level needs to be examined further. If we kick the can down the road, all we end up with is a road with a lot of cans at the end of it. Should people be saving towards a particular sum? We need to get ideas on target saving points over 30 years. This is the timeline we are talking about.

There are also assumptions regarding communal funds. People think it is about one bank account for a building. But would it be easier for each flat to have its own bank account? It could prove easier to handle when there is a transfer of sale. And what about taking money out of reserve funds, how do we set conditions for this? Can it be used to clean and redecorate stairs, or is it only about fixing the roof? How do we police this? Or do we leave Owners' Associations to decide how it is spent?

What is the impact of reserve funds on the housing market? Will some properties sail through the process, while others crash in value? We don't really know, we need to try and understand and make an assessment. What can we do now to ameliorate and lessen future impact?

It all goes back to the idea of pensions. We see pension products advertised on our televisions. Can we see the financial industry step up and offer good savings services and common insurance to help people with reserve funds? Or do we look at social finance solutions? We could have social enterprises that specialise in reserve funds and Owners' Associations, which commercial banks may not understand or be interested in. These are the questions I would like to see addressed.

4b. Questions and Discussion on Building Reserve Funds

Graham Simpson MSP initiated a discussion on the desire to speed up progress and reach a position in which the Working Group can make recommendations to the Scottish Government before the end of the current term of the Scottish Parliament. It was agreed to arrange a meeting date soon after summer recess [**Action Point 4**].

Sheila Trachsler of the Scottish Parliament enquired if there are any University programmes doing research in this area. Annie Flint said there might be, and agreed to ask contacts in academia [**Action Point 5**].

Paul Sweeney MSP expressed gratitude for the report and insights, noting relevance to his position as a Board Member of Glasgow City Heritage Trust, which makes decisions on grant funding for listed tenement repairs. Mr Sweeney said there was exasperation about public money benefiting owners who sell and recoup value, and the ineffective financing of retrospective repair. He suggested that a more patient, loan-based process, and a rapid pilot with a community-based Registered Social Landlord, or a group of owner-occupiers at a small scale, could reduce the pressure on grant programmes.

There were exchanges on whether the Scottish Government would have an interest in directly funding research, and about the different definitions and conversations on future maintenance and backlog repair funding, which was seen by some as causing confusion in the sector.

Annie Flint said that some Scottish Government research on a points system in sink funds was done, but she felt the resulting Diffley report was limited, narrow and ineffective. She said this experience might affect the appetite for more research from the Scottish Government. David Bookbinder said there are various good reasons why governments don't want to be lenders, but given the scale of what we need in Scotland, there may be a case for the Scottish Government to become the lender of last resort.

Annie shared information on a west England organisation called Lendology, which gets local authority grants to take on mortgage adviser staff to lend finance for adaptations, including adaptation for disabilities, repairs, and for energy efficiency. Several participants expressed interest in exploring social finance models, and it was agreed to invite Lendology to a future Tenement Maintenance Working Group Members session [**Action Point 6**].

Mike Heffron, Graham Simpson MSP and Paul Sweeney MSP discussed the cross-party approach needed to take this forward, noting there has been cross-party support so far, but that as some of this is controversial and difficult, it may not be guaranteed in future. Mr Sweeney said the recent evacuation and collapse in Calton, Glasgow, shows it's a live issue that all parties need to deal with.

Dennis Docherty of Denmilne Action Group in Easterhouse, Glasgow, provided local context on the maintenance challenges his voluntary organisations deal with. He shared that the group started during Covid, when local tenement owners were concerned about the declining state of the community, and came

together to work on upkeep of their buildings and public spaces. He said that despite their efforts, many of the area's more than 60 tenement buildings are falling apart because absent landlords, many of which are based abroad, buy up flats, but don't help to maintain the buildings they are in.

Dennis said that Mears, in its role as landlord for asylum seekers in the local area, was failing to engage with common building challenges including flooding. He said his group of volunteers was unable to address problems and improve the tenement properties without the active engagement of Mears and other private landlords.

John Blackwood of the Scottish Association of Landlords said that landlords have an important part to play in maintaining tenements, and added that as his members say that it's homeowners that don't pay or get involved in tenement repairs, he felt this is an issue across the sector. John suggested that landlord registration via local government could be used to punish those landlords who don't pay for common repairs in mixed tenure buildings.

Mike Heffron said the discussion on reserve funds indicated clear agreement on the pressing need for action and research. Mike asked if there appetite for Under One Roof to come to organisations in the Working Group to ask for donations for research. He said doing so could stop a six month wait for grant proposal considerations and allow Working Group research to start much sooner [**Action Point 7**].

5. ANY OTHER BUSINESS

Graham Simpson MSP expressed gratitude to Dennis Docherty for his earlier contribution, and said he was aware of recent press coverage of the work of Denmilne Action Group. He asked the Group if they wished to contribute further to the session, and the following is a summary of the comments made:

5a Contribution from Denmilne Action Group

Marion McCarron, Denmilne Action Group: Coming back to John Blackwood's suggestion, we have spoken to Glasgow City Council. They have been helpful in giving landlords' names to us, but the landlords aren't coming forward. They get £900 per flat, but do nothing to maintain them. They don't upgrade heating. Their tenants make do with old-fashioned electric heaters and they have to deal with flooding from old boilers.

Mears funding doesn't pay for common repairs, which some owners pay their share for. I had a £4k bill to cover for landlords in my building. What Mears don't see, they don't fix. We don't have door entry systems, because renters kick the doors in. One homeowner paid £1k for a roof repair, and there was no contribution from landlords or renters. We are also having to go back to old metal windows.

Finlay Davidson, Denmilne Action Group: These tenements were built in the 1950s, and then they lay idle. They were refurbished and now they have moved into a mix of owner-occupiers, Mears and private landlords. I don't believe all landlords are bad, but people in my tenement report repairs to their landlord through a digital app they are asked to use to report problems. The landlord said through this app that they only deal with problems inside the flat. Some of the flats are lovely. Easterhouse has come up and changed for the better, but some buildings are in a real state, so we have a real risk of going backwards as an area.

Marion McCarron, Denmilne Action Group: We don't have a housing association in our area, the private landlords own a lot of the tenements. Mears don't even help teach asylum seekers about how the recycling bins work. We try to help and teach them as much as we can. Ritual bathing is an issue too. If we can put a wet room in, that would help, as there multiple flooding issues. We have an understanding of the religious importance, but the situation is leading to flooding and damage. It needs intervention. A voluntary group can't handle this.

Graham Simpson MSP: Is the area all flats?

Marion McCarron, Denmilne Action Group: Yes, it's a full area with 66 closes. We used to have social housing, but they were sold to landlords. They were selling for £51k 20 years ago, now the value has risen to around £104k for a flat, but there have been no improvement to building quality. We are at the end of our tether. People are leaving and selling, which we don't want. We cleaned the area up during Covid and we are proud of it. We don't want people to leave. We want the buildings brought up to standards.

Dennis Docherty, Denmilne Action Group: Through Glasgow City Council, we invited every single landlord in the area to three meetings, and only four landlords turned up. We spent £5k on new fencing. We opened a community garden. We got lawnmowers to take care of the common areas. This is all to the benefit of the place, but the landlords don't engage.

Marion McCarron, Denmilne Action Group: We have a lot of former Council housing, that has never been owned by a housing association, in need of attention.

Finlay Davidson, Denmilne Action Group: The buildings were created as overspill for Glasgow. We had the Easterhouse gangs context and the dereliction, and then repairs were done. We had factors after that, but there was high turnover in occupancy, a lot of buy-to-rent, and it all led to factors moving on.

We know factoring is expensive to get small things done. For example, a lightbulb replacement, they might charge £30, instead of a few pounds it would cost you to do it yourself. But factoring helps get the big things done on financing and budgets. The sooner we can mend things, the cheaper the cost. If you let it run down, the cost becomes massive. If you do one job, you can do others at the same time, all as a one-off. This saves a lot of money.

John Blackwood, Scottish Association of Landlords: Mike can pass on my details to the group from Denmilne. The bottom line is, landlords who are doing this, should not be in business. We can help, we can liaise with Glasgow City Council to ensure everyone meets their duties [**Action Point 8**].

Paul Sweeney MSP: As a local MSP, this is welcome news from John Blackwood. My compliments to Denmilne. I see the community spirit and organic effort as parallel to the community-based housing movement. It is similar to the likes of Govan and Dennistoun in the 1970s, in making that transition from self-help to a professional social enterprise. This could be a great laboratory for how Easterhouse deals with this challenge more widely.

Perhaps a housing co-op could be established in Denmilne as a case study. Denmilne is almost a Bermuda triangle in stock transfer, it slipped through the net when housing associations in the neighbourhoods around

it were taking things forward. The question is: how we can fix this? People want collective repair, garden maintenance and close maintenance. There is a strong willingness in the community to make it happen.

Dennis Docherty, Denmilne Action Group: It's the turnover in tenancy, which we see as the major problem.

Graham Simpson MSP: The issues you have raised is why we set up the Tenement Maintenance Working Group. Many people are going through this in Scotland. I would be interested in visiting the community in future.

Dennis Docherty, Denmilne Action Group: We are all volunteers. We assist people in houses who are dealing with constant hassle and flooding. I work as a gardener, and I have to take days off work to attend meetings and speak to politicians. If we could do this full-time, we would be a lot further on, but we are all volunteers with other things going on. We know all the work involved. We know there is a limit to what Glasgow City Council can do to help us. We know that, and we are not sitting back and waiting for Glasgow City Council to act, like others might.

5b A Collective Letter to the Home Office

Mike Heffron asked of Paul Sweeney MSP and Graham Simpson MSP, if there is any mechanism for them to write on behalf of the Tenement Maintenance Working Group to the UK Government about Mears and other landlords involved with housing asylum seekers, to have their continued public funding contingent on maintenance.

Mr Sweeney, Dennis Docherty and Stuart Hay expressed support for this, and it was agreed that Mike would take the lead in drafting the letter as a collective from the Working Group [**Action Point 9**].

Graham Simpson MSP brought the session to a close at just after at 7:30pm. He expressed gratitude to Denmilne Action Group and others for their contributions.

ACTION POINTS

1. Built Environment Forum Scotland to publish the approved minutes of the 10th Working Group Meeting on 29 October 2024.
2. EALA Impact to invite a tenement owner from the pilot on mandatory five year inspections to the next session, to speak to the Working Group about their perspective and experience.
3. EALA Impact to add anonymised commentary on owners' situations to the sub-group report on mandatory five year inspections.
4. Built Environment Forum Scotland and Under One Roof to liaise with Parliament officials and make an arrangement for a 12th Working Group Meeting soon after the 2025 summer recess.
5. Annie Flint to enquire with academic contacts on existing research on building reserve funds.
6. Annie Flint to contact representatives of Lendology to ask if they would be interested in joining Meeting 12 online, to speak to the Working Group about their background and development.
7. Under One Roof to contact Working Group Members to explore potential of sourcing resources for new research on reserve funds within the Group.

8. Under One Roof to pass contact details for John Blackwood at the Scottish Association of Landlords to Denmilne Action Group.
9. Under One Roof to lead on drafting a collective letter from the Working Group to the UK Home Office, to request that continuation of UK Government funding provided to landlords that house asylum seekers in tenements in Scotland, is contingent on maintaining these tenements.

Minute by Derek Rankine of Built Environment Forum Scotland (derekr@befs.org.uk), 20 June 2025

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For more information on the Tenement Maintenance Working Group, please visit:

<https://www.befs.org.uk/policy-topics/buildings-maintenance-2/>