

Housing to 2040

Shelter Scotland response

February 2020

Until there's a home for everyone
shelterscotland.org

Shelter
Scotland

INTRODUCTION

Shelter Scotland

Shelter Scotland helps over half a million people every year struggling with bad housing or homelessness through our advice, support and legal services. And we campaign to make sure that, one day, no one will have to turn to us for help.

Everyone needs good quality housing to live and thrive in: having a home is central to every aspect of our wellbeing, from health to educational attainment to happiness. Yet for hundreds of thousands of people in Scotland, a good home is out of reach. Scotland remains in the grip of a housing emergency.

Shelter Scotland operates community hubs in Glasgow, Edinburgh, Dundee and Aberdeen. These hubs support people experiencing homelessness and bad housing to demand their housing rights, rebuild their lives and to speak out against the housing emergency in their community.

Scotland's housing emergency

Scotland's housing emergency is deep and long standing. Too many people struggle to find and keep a safe secure home and too few affordable homes are available for people to build stable lives in our communities.

Housing is a human right and is defined as such within the Universal Declaration of Human Rights, but there is still work to do for that right to be realised in Scotland, and to make sure that everyone has access to a safe, secure and affordable home.

- Last year, 29,894 households were made homeless – the equivalent of one every 18 minutes.¹
- Rough sleeping in Scotland is rising. Last year, 2,875 people had slept rough in the 3 months prior to making a homeless application.
- Councils acted unlawfully and denied people their right to temporary accommodation over 3,000 times. Many people were forced to sofa surf or sleep on the streets as a result.
- A record number of children, 7,252, are now trapped in temporary accommodation harming their future life chances. Families with children spend 212 days, or more than 6 months, in temporary homeless accommodation on average.²
- 1 million households, or one in five in Scotland are in poverty after they've paid their rent or mortgage³ and 619,000 households are living in fuel poverty.⁴

¹ Unless otherwise stated, all homelessness statistics are from Scottish Government (2019), [Homelessness in Scotland: 2018 to 2019](#)

² Scottish Government (2020), [Homelessness in Scotland: update to 30 September 2019](#)

³ Scottish Government (2019), [Poverty and income inequality in Scotland: 2015-2018](#)

⁴ Scottish Government (2020), [Scottish house condition survey: 2018 key findings](#)

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- 210,000 households sit on social housing waiting lists, locked out of access to safe, secure, affordable home they need to put down roots and build a stable life.⁵

However, it should also be recognised that there is much to celebrate, preserve and maintain about the Scottish housing system:

- Scotland has some of the most progressive homelessness rights in the world, from the changes made as part of the 2012 commitment to ensure every unintentionally homeless household is entitled to settled accommodation, to more recent changes to local connection and intentionality assessments. We also welcome the forthcoming strengthening of rights including the introduction of the long-awaited standards in temporary accommodation.
- The Scottish Government's current affordable housing supply programme is the largest programme since devolution and has started to make inroads into the decades of underinvestment with overall numbers of social housing starting to increase and should be commended.
- The recent roll out of the new private residential tenancy type and Tribunal dispute-resolution system has made steps to strengthen the private rented sector for tenants in Scotland.
- The Scottish Government has set ambitious statutory targets to reduce fuel poverty as far as possible (and in any case to no more than 5 percent) by 2040. Furthermore, energy efficiency standards for all sectors are being introduced as part of plans to reach net zero carbon by 2045.⁶

These reforms are all important and worth preserving. There should be no backwards step on rights or the development of vital social housing.

Housing to 2040 Vision – opportunity and constraints

Shelter Scotland welcomes the opportunity to respond to the latest Housing to 2040 consultation.

The *Housing to 2040* consultation offers a radical opportunity to return housing to the top tier of social and economic issues alongside health, education and jobs. A vision must be matched with action if it is to have any impact. A well-functioning housing system is vital for addressing the needs of all those whose right to housing is currently being denied.

This aim, to realise the human right to housing for all Scotland's citizens, requires Government action to stop homelessness, build social homes and guarantee everyone has access to a safe, secure and affordable home which meets all their needs.

⁵ Scottish Government (2019), [Scottish household survey 2018: annual report](#)

⁶ With consultation on standards for owner occupied housing ongoing.

However, whilst a draft vision and principles are important, on their own it is hard to see how they will affect change. The openness of this consultation is captured in the introduction from the Cabinet Secretary, Aileen Campbell, where she states:

*“We face a number of challenges which mean that **business as usual is not an option**. We need to think open-mindedly about how to respond and I am clear that **nothing is off the table**.”*

However, this willingness to keep everything on the table appears to be contradicted elsewhere in the document when outlining the apparent economic constraints on future affordable housing supply:

*“Scottish Government’s capital budget of over £827 million for the Affordable Housing Supply Programme in 2019-20 represents 16% of the total capital budget. **The current level of funding, however, will be difficult to sustain**, especially considering the number of demographic, societal and fiscal challenges we face.”*

This statement, alongside suggestions of redeploying skilled labour from the work of house building to adapting and retro-fitting existing property creates the impression that Scottish Ministers already have a short-term plan in mind to shift focus away from social housing supply and towards climate change related activity.

In our view this attempt to restrict the parameters of the debate risks undermining the fidelity of this consultation. Consideration should be given about the unintended consequences of continued failure to build enough affordable homes in the places people need them. These include increased demand on transport infrastructure as people commute further for work, the impact of precarious employment on a generation whose only option is the private rented sector, so-called bed blocking in hospitals unable to discharge patients into suitable housing in the community, the growing impact of older private renters who will struggle to pay their rent once they retire. Conversely, we know the positive impact that the provision of good housing has on achieve the outcomes in the National Performance Framework, from education to employment to health and climate change.

Many of these costs and potential savings are realised by outside the housing sector but should be reflected appropriately in this consultation.

Our policy proposals

Shelter Scotland’s four policy proposals set out in this consultation response are not new ideas, but they represent a radical ambition from where Scotland is now:

1. We must build the social homes that Scotland needs. The budget to deliver this should reflect the best evidence and be supported by the principle that investment in social housing is an investment in Scotland’s citizens. The provision of social housing helps meet people’s right to housing whilst also

reaping benefits in many other areas. We are approaching a cliff-edge in provision as the current programme nears its end; there is a clear need for a long-term, affordable housebuilding programme to tackle the housing emergency in Scotland.

2. We must strengthen the human right to housing in Scotland, ensuring that everyone has a home that meets their needs. This involves making sure that people are aware of their rights and feel able to enforce them as active consumers.
3. To complement building of affordable housing, we should ensure best use of existing stock, acknowledging the important role this plays in meeting Scotland's housing needs.
4. And finally, we must address affordability in housing and ensure housing in Scotland is effectively tackling all forms of poverty, including child poverty. This includes tackling fuel poverty, and addressing the affordability of private and social rents, through a range of means, to ensure that individuals can cover the cost of housing without having to scrimp on other necessary expenses or forego a home that meets all their needs.

Scotland is in a housing emergency, and the system as it stands is not able to support those who are most in need of a safe, secure and affordable home. Urgent action is required to take forward the policy proposals above, alongside a real commitment to making decisions informed and led by the vision and principles of *Housing to 2040*.

Q1: THE DRAFT VISION AND PRINCIPLES

The first consultation question asks respondents views on the draft vision and principles, with any specific changes required to these.

Firstly, we believe that the last principle, number 15, which introduces housing as a human right, should be the overriding principle. Realising this right to housing for everyone should be a core part of the vision and should be a driver for all policy decisions relating to housing.

Whilst Shelter Scotland are supportive of the vision and principles as a means of encouraging a joint vision across parties and the sector, and indeed wider society, it also highlights how far we have to go to achieve this.

The vision

We are unclear on the purpose of the statements under the vision categories and whether these are meant to be explanators, and feel there are areas where these are lacking or require some amends.

Specifically, under a **'well functioning housing system'**:

- one of the statements refers to **'finding the right home'**. We believe this should also be amended to 'finding and keeping a home that meets my needs', acknowledging that support should not end when someone finds a home but sustainment of that home is crucially important. This links in with the reference to **'fairness'**, which we would argue in the vision statements is not accurate. Fairness in a well-functioning housing system should mean everyone having a home that meets their needs and an element of choice no matter their circumstances.
- one statement refers to **'affording a home'**, and the explainer of this refers to being able to afford a rented property which allows the individual 'to buy a home if I want to'. We believe this continues to push owner occupation as the aspiration for Scotland's citizens and is potentially unhelpful. We believe that the element of choice should be made much clearer: affordability and savings presenting the choice to save and buy a home, but also the choice to save and spend money on other life expenses if owner occupation is not desired.

Under **'sustainable communities'**:

- the statement **'staying local'** describes the need for homes suitable for people who need extra help to be cared for in the community, and goes on to specify that 'this means my elderly relatives can live nearby too if they choose'. Shelter Scotland support this aspiration but feel that it excludes unnecessarily other groups who many require extra care such as those with additional support needs or caring responsibilities, not just the elderly.

Under ‘homes that meet people’s needs’:

- we are broadly supportive of this set of vision statements, particularly those referring to homes that support people’s wellbeing and people knowing their rights and feeling empowered.
- Under the ‘**my rights**’ statement there is a focus on members of the armed forces; whilst we support this aspiration we feel it excludes unnecessarily other groups who should be entitled to additional support such as, for example, care leavers, ex-prisoners or those with additional needs. Universal rights that are accessible and enforceable by rights holders when engaging with duty bearers should address this concern for all impacted groups.
- For individuals who come to Shelter Scotland for help, a feeling of safety is often referred to as the primary concern in their current housing situation which they would like addressed. This seems to be missing from the vision statements, and we suggest this could be added in under this section to highlight the importance of a home where people feel safe and secure.

The principles

We also have some specific comments on some of the principles outlined in the document.

Firstly, we believe that principles 13-15 under ‘**homes that meet people’s needs**’ should feature first to represent their importance, with **principle 15: everyone has a right to an adequate home** relating to housing as a human right as the primary and overriding principle. The most important way to define and measure success of housing policy should be that everyone has a home that meets their needs.

- **Principle 13** refers to the government’s role in ensuring there are affordable housing options across Scotland for households at all income levels. Affordability is of course crucial, and we agree with the principle statement, but the explainer gives some cause for concern: *“Households at the lower end of the income distribution are offered assistance with housing and housing costs and households at the higher end can afford the home of their choice”*. An element of choice is important for everyone and should not just be reserved for people at the higher end of the income distribution.

Similarly, the principle refers to social housing being made *“available across Scotland for people who need it”* – whilst this is a central concern, we believe Scotland should be moving away from social housing as a sector of last resort and publicly owned housing should be accessible to all who choose it, with support provided (whether financial or otherwise) for those who need it.

Furthermore, the reference to *“people needing homes are found homes quickly”* suggests some people are passive recipients of a home, rather than an active consumer. We should be striving for a housing market that ensures people can find and keep a home that meets their changing needs throughout their lives.

We of course very much welcome the reference to the aim of eradicating homelessness.

We believe missing from this section is a reference to both the support and advice required to be in place to help people navigate the housing market, sustain their tenancies and live securely and safely in their homes. Access to actionable advice that empowers individuals as active consumers across all tenures would prevent housing problems resulting in the crisis of homelessness.

‘A well functioning housing system’

- We strongly support **principles 1 and 2** on house price stability and shifting the balance from homes as a source of wealth to homes for living in are ones, including highlighting the role that housing plays in reducing inequality. The statement that *“one decent home per household takes priority over second homes and investment returns on property, i.e. investment in housing is not for asset growth”* is extremely welcome and we are very supportive of the government adopting this principle.

The paper recognises that the housing market has failed to deliver and there is a strong suggestion of government intervention, for example *“the government actively shapes the market...”* and *“government policy should promote house price stability...”*. Again, we welcome and agree with this assessment and we would welcome more detailed discussion and debate regarding what role this intervention should take. Primarily, the role of public housing provision should be highlighted as key to achieving both principles.

Shelter Scotland also welcomes the reference housing price stability with regard to the closer linking of wage growth and a rise in other living costs, and house prices to ensure affordability.

- **Principle 3** refers to everyone being able to save for the future whether they rent or own. We recommend that this should be rephrased to highlight that the benefits of whether you own or rent your housing are not just restricted to your ability to save for the future – but also to support and engage with communities now, to have an affordable home for meeting your needs beyond housing, and to have a home of a common standard. We suggest: *“Everybody should be able to find a decent home of a common standard that meets all their needs, including saving for the future, whether they rent or own.”*

‘High quality, sustainable homes’

- **Principles 5-9** focus on ensuring high quality housing both new build and existing stock. Shelter Scotland strongly support a tenure neutral approach in space and quality standards, particularly amongst the rented sectors, and we

have welcomed the government's move towards this with various policies in recent years.

Ensuring that housing meets differing physical needs, both current and forecast, is an important element of standard design for new housing, and support to bring existing stock up to these standards is crucial given estimates that more than 80% of existing homes will still be in use in 2050.

Standards for all housing should take into consideration Scotland's role in tackling the climate emergency, and the additional benefits of this for tackling fuel poverty and ensuring that everyone has a safe, secure and affordable home.

- **Principle 7** refers to the need for high levels of consumer protection across tenures. We believe this justifies further exploration around the potential for a new cross-tenure housing consumer body. Work is also required to change the way people think about housing and to encourage people to feel empowered and act like active consumers. It is crucial people are aware of their rights, and feel able to enforce them, for standards to mean anything in practice.

Q2: SCENARIOS AND RESILIENCE OF THE ROUTE MAP OR CONSTRAINTS

Question 2 asks for comments on the scenarios and resilience of the route map or constraints.

We support the inclusion of the drivers of change and constraints mentioned in section 3 and 4 which aim to set the context in which the *Housing to 2040* vision and principles will be progressed. It notes it is not an exhaustive list, but there are a couple of points we think it is important to include:

- The responsibility of all public bodies to addressing housing need. Specifically, the provision of mental health services and housing support services are crucial for a well-functioning housing system and to ensure fairness in the system for those who might require such support. The role of frontline health and education professionals in identifying housing need as a social harm impacting and limiting the lives of the people they work with should also be highlighted.
- Employment and wage levels have a direct impact on housing affordability and trends in this area are missing from the variables – as is the level of poverty.
- The section on financial constraints does not take into consideration the preventative spend benefits in terms of good housing tackling other issues, including much of the indicators in the National Performance Framework. In particular, the admission that the current level of funding for the Affordable Housing Supply Programme will be 'difficult to sustain' is an area for deep concern. Presumably the purpose of agreeing on a joint vision and set of principles is to direct policy and spending decisions, and the provision of affordable housing is undeniably crucial for meeting much of the aims set out in the vision document. As such, budget should be reflective of the need to achieve this vision and directed by the level of affordable housing need.

Q3-7: POLICY PROPOSALS

Questions 3-8 ask for policy proposals that might address a set of specific issues, as follows:

- increase affordability of housing in the future,
- increase accessibility and/ or functionality of existing and new housing (for example, for older and disabled people)
- help respond to the global climate emergency by increasing the energy efficiency and warmth and lowering the carbon emissions of existing and new housing
- improve the quality, standards and state of repair of existing and new housing
- improve the space around our homes and promote connected places and vibrant communities

Much of our policy proposals address overlapping issues, and therefore we have listed these below rather than repeat ourselves in different sections.

Build the social homes that Scotland needs

The primary action the Scottish Government can take to achieve the vision and principles of the Housing to 2040 paper is to build more affordable homes, particularly those for social rent. The Scottish Government's building programme for the current parliamentary term has started to make inroads into the decades of underinvestment and damaging policies such as right to buy, and the sector has skilled and built up to deliver in large numbers. However, we are now approaching a cliff-edge in provision. The recent allocation of £300 million for 2021-22 would represent a near 50 per cent drop in affordable housing investment.⁷ This would undoubtedly mean a net reduction in social housing as demolitions and vacant stock erode recent growth.

We must ensure an appropriate level of building is maintained beyond 2021 – matching delivery levels with evidenced housing need. Shelter Scotland alongside SFHA and CIH Scotland have commissioned a piece of research into the level of affordable housing need, which is due for publication in spring 2020 and will provide this necessary evidence. This research is a repeat of our 2015 publication which identified a need for 12,000 affordable homes to be built each year⁸ and which informed the Scottish Government's current building programme of 10,000 per year.

Shelter Scotland welcomed the current building programme as it represents the largest delivery programme since devolution. However, it was not enough to address need: current levels of building constrain the rate of growth in housing

⁷ When compared to the Affordable Housing Supply Programme Budget for 2016/17, the first year of the last programme, when £572m was allocated. £300m represents a 47.5% decrease from this figure. Source: Scottish Parliament (2018), [SPICe briefing Affordable Housing Supply Funding](#).

⁸ Powell, Dunning, Ferrari and McKee (2015) [Affordable Housing Need in Scotland – Final Report](#)

need. We cannot afford any reduction in existing levels if we are to realise the vision of a well function housing system.

Far from reducing the programme we should be looking to expand it to deliver the number of homes we need, in the places we need them and of the sorts that will address housing need, child poverty and fuel poverty.

The 2040 vision can be a vehicle for ensuring long term investment and certainty into levels of building, beyond the constraints of a parliamentary term.

The benefits of continued large-scale building programme will help deliver multiple aspects of the draft vision, but also providing the homes Scotland needs for its citizens.

- Recommendation: The Scottish Government should commit to building the social homes that Scotland needs for its citizens based on robust needs analysis. The Scottish Government should commit to the budget to support this, and all parties should work together to build cross-party consensus for this commitment to be realised beyond the constraints of parliamentary terms.

Strengthen the human right to housing in Scotland

Housing is a human right and is defined as such within the Universal Declaration of Human Rights,⁹ but there is still work to do for that right to be realised in Scotland, and to make sure that everyone has access to a safe, secure and affordable home.

Scotland has some of the most progressive housing legislation in the world, and over time people should be finding it easier to secure the safe home that is so vital to a fulfilling life. But whilst housing is a human right, there is a gap between this technical right and what is protected under domestic law. Too often the existing laws and housing rights remain beyond the reach of too many. People don't know what their rights are and public bodies, struggling under the weight of cuts in services and increases in demand, are unable to enforce them. For thousands, a safe, secure and affordable home is still out of reach. We believe that citizens need better protection to secure their right to a home.

- Recommendation: The right to housing should be incorporated in the proposed new Act of the Scottish Parliament on human rights, but it is paramount that this is done in such a way that it is justiciable in court. Furthermore, action will be required to ensure people are aware of their rights and feel able to enforce them.
- Recommendation: More broadly, the right to housing should be used as a framework to direct policy, and the importance of investment in housing and housing support to ensure everyone has a home that meets their needs should remain central to any policy or budgetary decisions.

⁹ Shelter Scotland (2019) [Housing is a human right](#)

Ensure best use of existing stock

Addressing the 41,000 privately owned homes which have been empty for six months or more across Scotland is an important element for addressing supply issues. Bringing these homes back into use is a holistic and essential part of the solution to the housing emergency. Continued funding of the Scottish Empty Homes Partnership to support and build the network of empty homes officers across Scotland is required to keep up momentum in this area.

Furthermore, acting to tackle short term lets is important to ensure best use of existing stock. The unregulated growth of short term lets has led to too many people being locked out of homes that could be let privately to help tackle Scotland's housing emergency, and has contributed to issues regarding affordability in many markets as rising demand drives up prices. Efforts to regulate the sector are now urgently required and the recent Scottish Government announcement to introduce a licensing requirement, measures to control the number and location of lets and a review of tax are welcome first steps. The success of these actions will need to be closely monitored in coming years to assess whether it makes the difference required.

- Recommendation: The Scottish Government should continue to tackle the issue of long-term empty homes and maintain focus on addressing the rise in short term lets to ensure recent policy changes have the impact required.

Address affordability issues in housing and tackle all forms of poverty including child poverty

We already know the key role of housing in people's lives, and how types of housing, and the lower cost of housing in particular in the social rented sector, mean that poverty is significantly lower in Scotland than in the rest of the UK overall.¹⁰ However, poverty in Scotland is rising, and we're still in a position where 1 million households in Scotland are in poverty after housing costs.¹¹ Similarly, child poverty rates are shockingly high with 1 in 4 in poverty across Scotland.¹² Continued recognition, and action based on this recognition, of the importance of the provision of high quality, affordable housing particularly for social rent is required to build and improve on this record. Increasing levels of affordable social housing will not only help to meet housing need, but it will help to progress many of the poverty indicators in the National Performance Framework.

- Recommendation: The Scottish Government should commit to building the social homes that Scotland needs for its citizens based on robust needs analysis. The Scottish Government should commit to the budget to support this, and all parties should work together to build cross-party consensus for this commitment to be realised beyond the constraints of parliamentary terms.

¹⁰ Joseph Rowntree Foundation (2019), [Poverty in Scotland](#)

¹¹ Scottish Government (2019), [Poverty and income inequality in Scotland: 2015-2018](#)

¹² Joseph Rowntree Foundation (2019), [Poverty in Scotland](#)

In addition to addressing demand and increasing the supply of affordable homes, action is required to address the rising levels of private and social rents, which have risen beyond inflation in recent years and are beyond what many households view as affordable. A renewed focus is required to ensure that social rents, in a sector traditionally considered to be affordable, are truly set at a level which meets the principle that housing which is affordable is a human right.

For private rents, the Scottish Government's attempt to tackle this with the introduction of rent pressure zones and regulations limiting rent rises to one year have been so far unsuccessful and rental affordability for those in the private sector is still an issue. Further work is required to address affordability issues for private rents. This should include pressure on the UK Government to address the social security system ensuring that local housing allowance levels reflect the real cost of renting in different markets, as well as addressing demand issues which undoubtedly push up rents.

More broadly, the Scottish and UK Governments should take steps to ensure that the social security safety net is set at a level which enables people to access and sustain a safe, secure and affordable home. Where these steps relate to devolved powers, the Scottish Government should work with and lobby the UK Government to make the changes required.

- Recommendation: Renew focus on rent levels in the social sector and consider whether these are truly affordable and meeting the needs of tenants.
- Recommendation: At a UK Government level, there should be a review of the five-week wait for the first Universal Credit payment. In addition, the benefit cap should be abolished, and the benefit freeze should be lifted with benefits uprated as appropriate. This should include the uprating of Local Housing Allowance in line with private rents.
- Recommendation: The so-called bedroom tax should be abolished. Although it is positive that the Scottish Government is currently fully mitigating the impact of the policy as it is outwith their powers to end it, this is expensive to do so indefinitely. We support the Scottish Government considering other options for mitigating the bedroom tax at source, while continuing to lobby the UK Government to abolish the policy entirely.

Furthermore, action to improve the standards of housing particularly around the energy efficiency ratings of both new and existing stock will help to make fuel poverty a thing of the past, in line with the Scottish Government's statutory target to reduce fuel poverty as far as possible (and in any case to no more than 5 percent) by 2040, as well as helping to reach net zero carbon by 2045.

- Recommendation: Strong, enforceable cross-sector energy efficiency standards of both new build and existing stock are required to tackle fuel poverty.

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Shelter Scotland helps over half a million people every year struggling with bad housing or homelessness through our advice, support and legal services. And we campaign to make sure that, one day, no one will have to turn to us for help.

We're here so no one has to fight bad housing or homelessness on their own.

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