

SOUTH AYRSHIRE COUNCIL

WRITTEN SUBMISSION

Introduction

A group of South Ayrshire Council tenants, who regularly attend tenant participation events locally and nationally, met on Thursday 20th February 2014 to discuss the proposals within the Housing (Scotland) Bill.

Each Part of the Bill was discussed and the group reached a consensus on their collective response to each question posed by the Infrastructure and Capital Investment Committee.

Part 1: Right to Buy

Q1

- The group agreed the Right to Buy should be ended to protect the affordable housing stock.
- Removing the RTB will bring to an end the income generated from the Council house sales. This money is used to part fund new development and to improve the current stock. The Scottish Government should, therefore, fully fund new build social housing to allow for this disparity.

Q2

- Prohibiting commencement of the main section on repeals for at least 3 years is a concern for tenants. It could result in a peak in RTB sales, further diminishing the stock of affordable housing, and possibly allows for houses currently protected by pressured area status to be bought. It is suggested that the Scottish Government amend this to **1 year**.

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Part 2: Social Housing

Q4

- Yes the proposals will increase the flexibility landlords have when allocating housing but the term “unmet housing needs” and the definition “needs that are not capable of being met by other housing options which are available” were considered to be vague and don’t make sense. It is suggested that the Scottish Government must provide clear guidance to be followed by allocations staff.
- Should gypsy travellers (who wish to settle in permanent accommodation), and applicants living in caravans be considered as a reasonable preference groups?

Q5

- **Initial (or probationary) tenancies must be reconsidered by the Scottish Government as they offer a real potential for tackling tenancy problems such as anti social behaviour.**
- Tenants agree with the principals of SSST's. The legislative tools, when enacted, must be used by social landlords as historically landlords have been reluctant to do this.
- Support must be available to tenants who are victims of anti social behaviour in addition to the support provided to perpetrators living in SSSTs. Often it seems that perpetrators are supported more than victims and this results in a lack of faith in local authorities powers
- Landlords should have powers to evict a tenant from a SSST for a breach of tenancy without the need to have a repossession order granted by a court.

Q6

- Yes this part of the Bill will meet the Scottish Government's objective of providing further protection for tenants, particularly tenants with SSSTs.
- However tenants do not necessarily agree with this proposal. An SSST is being issued due to the behaviour/actions of the person(s) to which it applies. Rather than strengthening their rights it should be for that person(s) to prove that they can merit being awarded an SST.
- There should be strengthened rights for people who have anti social behaviour inflicted on them, rather than for perpetrators of anti-social behaviour.?

Part 3: Private Rented Housing

Q7

- This proposal should also include public sector cases.

Q8

- The group agree with this proposal but emphasised the need for local authorities to use the powers available when enacted.

Q9

- The group agree with this proposal but emphasised the need for local authorities to use the powers available when enacted. It is suggested that local authorities should be held accountable if they do not exercise the power available to them to tackle poor conditions within the area.

Part 4: Letting Agents

Q10

- The group agree with the proposal to create a mandatory register of letting agents in Scotland and statutory provisions regarding practice. The importance of implementing this register and administering it effectively was emphasised.

Q11

- This proposal will depend on the powers available to the First-tier Tribunal.

Part 5: Mobile Home Sites with Permanent Residents

Q12

- The group are in support of the proposal to introduce a new licensing scheme for mobile home sites with permanent residents.

Q13

- This new scheme could result in homelessness for permanent residents where a license is not allowed or removed.

Part 6: Private Housing Conditions

Q14

- The group were in agreement with the proposed adjustments. However, legislative tools must be used by social landlords as historically landlords have been reluctant to do this.

Part 7: Miscellaneous

Q16

- ***SHR Transfer of Assets***

Tenants feel strongly that the Scottish Housing Regulator should identify potential insolvency before it reaches this stage and that this proposed amendment should be removed from the Bill.

This was not included within the original draft and should be removed.

Other issues

Q17

- Local authorities and RSLs must make use of the powers available to them and implement them effectively. These organisations should be held accountable if they do not use the powers.

Q18

- Initial (probationary) tenancies

South Ayrshire Council

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