1. In general, the Bill is to be welcomed, as it sets out the proposed role of the Scottish Housing Regulator (SHR), and attempts to reform the right to buy (RTB) and pressured area status. What it singularly fails to do is strengthen true tenant participation (TP).

2. The SHR will have, as outlined, a strong role in the regulation of Registered Social Landlords. However, I feel it is important that all social landlords should fall under the remit of the SHR. There is little point in Local Authorities (LAs) being governed by a separate system, as they can be a model for larger RSLs, common housing registers are being encouraged, and, in any case, the SHR will eventually fall under the aegis of Audit Scotland. This is one instance where uniformity is better than diversity.

3. The changes to RTB do not go far enough. New supply housing should be extended to cover properties coming back into the social sector through mortgage to rent. (It could even be argued that vacated properties of LAs and RSLs should also be regarded as new supply). Unless under the provisions stated in the Bill, eg regeneration, no new tenancies created should have the RTB. That would include existing tenants moving to another property with the same landlord.

4. The changes proposed to the designation of pressured area status are a mixed bag. Giving LAs the authority to decide, and to nominate housing types are both welcome. However, extending the period from five years to ten does nothing, as that is already covered under existing extension rules. The ability to apply for a ten year extension is not mentioned (as far as I can see), and by that time RTB should be dead and buried. It has to be remembered that pressured area status only applies to new tenancies; any tenant with an existing RTB will retain that.

5. With regard to TP, it is heartening to see that in para 32 (1) (l), TP is highlighted, and in para 33 (2) (b) tenants are only second to the SHR in terms of consultation. However, in 33 (4) (b) (ii), specific mention is made of Registered Tenants Organisations (RTOs) associated with RSLs. That is totally unacceptable. The majority of tenants with RSLs and LAs do not have an RTO in that area. Furthermore, under the 2001 Act, the duty on the landlord is to consult all tenants. Inclusion of RTOs associated with RSLs is clearly a reference to the ‘Regional Networks’, a so-called organisation that has little relevance to the vast majority of tenants, and does not report to a wider public than their own. If the Scottish Government really wishes to have true tenant representation, then the choices are clear: abandon the Regional Networks and start afresh, or widen the scope of the Regional Networks to include all tenants.

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