Introduction
1. South Ayrshire Council supports the principal policy objectives of the Bill. We welcome proposals for a modernised regulation regime that would reduce the impact of regulation on social landlords while improving performance and service delivery. We support amendment to RTB legislation to safeguard future housing and the introduction of additional powers to enable local authorities improve standards in the private sector.

2. Evidence in respect of aspects of the Bill is detailed below.

Modernising Regulation
3. This Council agrees that the Scottish Housing Regulator should be established as an independent body. This would detach regulation from the policy making process and ensure greater transparency.

4. We welcome the introduction of a robust, transparent and agreed self-evaluation and assessment process. The process should be streamlined to avoid duplication and minimise the burden on landlords. At present local authorities report back to both the Scottish Government and the Scottish Housing Best Value Network (SHBVN). Reporting mechanisms should be reviewed and links established between the SHR and all other agencies to analyse all available information.

5. Regulation should be flexible enough to assess performance and risk for individual services within the organisation. The SHR should ensure that the inspection regime can focus in on specific aspects of service provision.

6. A key strength of the previous inspection regime was on-site discussions between regulators, staff, services users and partners. This enabled a broader assessment of performance. Under the modernised regime service users will have greater input in shaping performance targets but it is not clear whether there will be the opportunity for direct discussion with service users and other partners in assessing performance against these targets. Assessment of performance and risk, based solely on the organisations ability to meet statistical targets would weaken the assessment process.

Scottish Social Housing Charter
7. The Charter will set high level outcomes that should be achieved by all social landlords, established through consultation with tenants and other stakeholders. This is welcomed if it serves the stated purpose of achieving clarity over what tenants and prospective tenants can expect from the service and gives landlords greater clarity on what they should be achieving.

8. Clarification on how the Charter will contribute to achieving the Single Outcome Agreement (SOA) outcomes would be helpful and would relieve concerns that it could undermine the SOA and create a further layer of bureaucracy.

9. We support the proposal that the performance of local authorities and RSLs is regulated on the same basis. We would look for clarification on how RSLs, especially those operating over several local authority areas, would link with local
charters. It is the Council’s view that the Charter may not be flexible enough to consider the differing roles of organisations. For example, local authorities have a greater role in the delivery of homeless services, while RSLs will need to demonstrate performance in other areas of activity. Some outcomes will be more relevant to some organisations than others.

10. It is the Council’s view that there should be outcomes set at a local level by local stakeholders. This ensures that local constraints and circumstances are taken into account in evaluating performance.

**Reforming the Right to Buy**

11. South Ayrshire Council strongly supports the proposal to reform the Right to Buy by ending entitlement for new supply social housing and for new tenants entering or re-entering the social rented sector. The proposals strike a good balance between protecting future stock and preserving the rights of existing tenants.

12. Since the introduction of RTB, South Ayrshire Council has lost approximately half of its housing stock. The Council was awarded Pressured Area Status for 26 letting areas in 2006. RTB sales have fallen steadily from a high of 471 in 2003 to 96 in 2008. With new build figures averaging 60-70 units per annum there remains a net annual loss in housing stock across the area.

13. South Ayrshire Council will have to consider the impact on its Business plan of further reduction in RTB. The loss of capital receipts would need to be compensated for by increased borrowing to fund the future capital investment required to ensure we meet the SHQS by 2015. Additional rental income may be required to fund the long-term repair and maintenance of unsold houses.

14. South Ayrshire Council strongly supports proposals to make local authorities responsible for designating, amending and revoking pressured area status. This should create a more flexible and less bureaucratic system for designation to meet Local Housing Strategy priorities. Extending the scope of designation to particular house types as well as areas will enable us to better meet the needs of particular groups, for example housing designed to meet the needs of older people, disabled people and larger families as identified in the Housing Need and Demand Assessment. The decision to designate areas or house types must be based on robust evidence based on the Housing Need and Demand Assessment and in full consultation with stakeholders.

**Registration of Private Landlords**

15. South Ayrshire Council considers that the provisions contained in the Bill will strengthen its powers to regulate the local private rented sector. We also consider that the inclusion of additional information available to the public will benefit tenants, prospective tenants and landlords.

**Amendment of the Housing (Scotland) Act 2006**

16. The introduction of powers to recover cost in relation to the enforcement of maintenance orders and the ability to pay a missing share into maintenance accounts will assist Councils in their duties in relation to the 2006 Act.
17. We welcome the removal of the requirement for Ministerial approval for designating Housing Renewal Areas (HRA). We believe this gives greater flexibility and will assist in meeting the priorities set out in the SOA and Local Housing Strategy.

**Local Connection**

18. South Ayrshire Council agrees that the proposed amendment to local connection would extend the rights of people who have served in the armed forces. Guidance in relation to the length of continuous occupation in forces accommodation which would establish a local connection would ensure that the process is transparent and accountable across all local authorities.

South Ayrshire Council

3 March 2010