

Parliamentary Bureau – Designation of Bill at Stage 1

Housing (Scotland) Bill

Introduction

1. The Housing (Scotland) Bill was introduced in the Parliament on 26 March 2024 by Shirley-Anne Somerville MSP, Cabinet Secretary for Social Justice, supported by Patrick Harvie MSP, Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights, and Paul McLennan MSP, Minister for Housing.

Discussion

2. The Bill makes various changes to the law in relation to housing.
3. Parts 1 to 4 make provision in relation to the protection of tenants, including:
 - requiring local authorities (at least once every 5 years) to undertake an assessment of rent conditions in their area and make a recommendation to the Scottish Ministers as to whether any part of the area should be designated a rental control area. The Scottish Ministers are given the power to designate areas as rent control areas and to impose, within those areas, restrictions on rent increases by landlords;
 - placing duties on the First-tier Tribunal and the courts to consider delaying the enforcement of eviction orders;
 - giving tenants additional rights in relation to keeping pets and making changes to their property.
4. Part 5 relates to homelessness prevention. In particular, it introduces what is known as 'Ask and Act' – a duty on relevant bodies (e.g. health boards and the police) to ask a person if they are homeless or threatened with homelessness and to take action if they are.
5. Part 6 makes provision in relation to other housing matters, such as changing the basis for uprating pitch fees for mobile homes from RPI to CPI.
6. The Bill engages the remits of both the Local Government, Housing and Planning Committee and the Social Justice and Social Security Committee.
7. The remit of the Local Government, Housing and Planning Committee includes to consider and report on matters relating to housing and tenants' rights within the responsibility of the Cabinet Secretary for Social Justice. The Bill relates to both housing and tenants' rights and therefore the Local Government, Housing and Planning Committee's remit is engaged.
8. The remit of the Social Justice and Social Security Committee is to consider and report on matters falling within the responsibility of the Cabinet Secretary for Social Justice excluding matters relating to housing and tenants' rights. The Bill makes provision in relation to the prevention of homelessness. The Minister for Housing, who reports to the Cabinet Secretary for Social Justice, is responsible for

homelessness. The remit of the Social Justice and Social Security Committee is therefore engaged.

Recommendation

9. We understand that the Local Government, Housing and Planning Committee has the main interest in the Bill. The Social Justice and Social Security Committee is seeking designation as a secondary committee, to consider elements of the Bill related to its remit.
10. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, that—
 - the Local Government, Housing and Planning Committee be designated as lead committee
 - the Social Justice and Social Security Committee be designated as secondary committee.
11. A draft motion can be found below.

Draft Parliamentary Bureau motion on the Housing (Scotland) Bill:

Designation of Lead Committee – That the Parliament agrees that the Local Government, Housing and Planning Committee be designated as the lead committee, and that the Social Justice and Social Security Committee be designated as a secondary committee, in consideration of the Housing (Scotland) Bill at Stage 1.

Parliamentary Business Team
April 2024