

SOCIAL JUSTICE COMMITTEE

Tuesday 12 June 2001
(*Morning*)

Session 1

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2001.

Applications for reproduction should be made in writing to the Copyright Unit,
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by The
Stationery Office Ltd.

Her Majesty's Stationery Office is independent of and separate from the company now
trading as The Stationery Office Ltd, which is responsible for printing and publishing
Scottish Parliamentary Corporate Body publications.

CONTENTS

Tuesday 12 June 2001

	Col.
ITEMS IN PRIVATE.....	2491
CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (LICENSING OF HOUSES IN MULTIPLE OCCUPATION) ORDER 2000.....	2492
WORK PROGRAMME	2496

SOCIAL JUSTICE COMMITTEE

† 21st Meeting 2001, Session 1

CONVENER

*Johann Lamont (Glasgow Pollok) (Lab)

DEPUTY CONVENER

*Ms Sandra White (Glasgow) (SNP)

COMMITTEE MEMBERS

*Brian Adam (North-East Scotland) (SNP)

*Bill Aitken (Glasgow) (Con)

*Robert Brown (Glasgow) (LD)

*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)

*Karen Whitefield (Airdrie and Shotts) (Lab)

*attended

CLERK TO THE COMMITTEE

Lee Bridges

SENIOR ASSISTANT CLERK

Mary Dinsdale

LOCATION

Committee Room 2

† 20th Meeting 2001, Session 1—held in private.

Scottish Parliament

Social Justice Committee

Tuesday 12 June 2001

(Morning)

[THE CONVENER *opened the meeting at 09:34*]

Items in Private

The Convener (Johann Lamont): Welcome to the Social Justice Committee. Item 1 on the agenda is items in private. The committee should note that my request relates to item 5. I will explain in a moment what has happened to item 4, which the agenda indicated might also be taken in private. Are we agreed to take item 5 in private?

Members indicated agreement.

The Convener: Members should note that we are ahead of our timetable and that we can comfortably deal with item 4 after the recess. I suggest that we do not discuss it today.

Members indicated agreement.

The Convener: A populist move at the beginning of the morning always helps.

Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000

The Convener: We move on to item 2. Members who were on the committee in May last year may recall that the committee recommended approval of the Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000. Later in the year, we received concerns from the Abbeyfield Society for Scotland and sought further information from the Scottish Executive, Scottish Homes and local authorities on the implications of the inspection regime. Responses have now been received from the majority of local authorities on their experiences and on the application fees that they charge.

Committee members have received a paper on the matter. I propose that we discuss it and draw some conclusions. Lee Bridges, our clerk, has provided a number of suggestions as to how we progress. I open the matter for discussion.

Robert Brown (Glasgow) (LD): There are two themes. Those who were on the committee at the time may recall that, as well as the issues that were raised by the Abbeyfield Society, I—and, I think, Bill Aitken—raised the charging policy. We had in mind the huge charges in Glasgow compared with those in the rest of the country. That issue is separate from the issue raised by the Abbeyfield Society, although it is not totally disconnected, and it is borne out in some of the responses from local authorities.

I am not sure that I am *as au fait* with the issues that the Abbeyfield Society raised in its submission as I might be. The responses seem to indicate that various matters are involved. We need further information before we can form a judgment. Policy seems to vary throughout the country, as does practice, which is a matter of concern.

We should try to achieve minimum bureaucracy and maximum result from the order. I am not sure that I have a proper handle on the matter. The Abbeyfield Society makes the point in its submission that its member societies have to comply with various fire safety requirements, for example when they apply for grants, and might now have to do further work to comply with the order. That is a matter of some concern in relation to the continued development of policy and the good use of money.

I would like to get a bit more of a handle on that. I am not sure whether we should hear evidence from the Abbeyfield Society as well as from the minister, but we need to get more background to what the order requires.

Bill Aitken (Glasgow) (Con): I come inescapably to the conclusion that what has happened is not what the Executive intended. The Executive, for totally appropriate reasons, was concerned with the conduct of landlords of houses in multiple occupation, particularly in Glasgow, following a couple of tragic incidents. The Executive obviously felt that action was necessary. Unfortunately, the action that the Executive has taken and which the committee approved has had effects that no one expected.

Let us consider the example of the Abbeyfield Society. It does not run HMOs as we understand them. It is a charitable body that does a lot of good work and which could find itself in considerable difficulty because of the operation of the order as it stands.

The effects of the order on the general provision of HMOs have not been thought through properly. The intention was to impose certain standards of safety and hygiene and fitness for occupation. That is totally meritorious, but I am concerned that there may be difficulties with the provision of HMOs because of the cost implications set out in the paper, particularly in areas where such accommodation is necessary for students or people on short-term contracts.

We must consider the situation further. We will have to have the information that Robert Brown seeks before we make any decision on the Abbeyfield Society. I wonder whether it is worth while devoting one meeting, perhaps after the recess, to hearing evidence from Scottish ministers and representatives of those who are involved in the provision of HMOs to find out how implementation of the order is likely to work out.

The Convener: The committee should note that the paper from Lee Bridges suggests something along the lines of what Bill Aitken says. The committee may want to reflect on whether it agrees with that conclusion. An appropriate time to take evidence may be following the beginning of the review of the order. I get the feeling that the committee is generally content to take further evidence, but I will take other comments on that.

Ms Sandra White (Glasgow) (SNP): I agree with Robert Brown, Bill Aitken and the Executive that something needed to be done to regulate standards in HMOs. Perhaps the measures have been brought in too quickly—I do not know. They have not had the effect that they were designed to have.

I am particularly worried about the cost. I remember that when I asked the minister about student accommodation, she said that there is more of it in Edinburgh than in Glasgow, yet City of Edinburgh Council charges only £500 in licensing application fees whereas Glasgow City

Council charges £1,700. We should examine that to find out why there is such a difference. Lee Bridges mentioned that in the conclusions in the paper.

On the issues raised by the Abbeyfield Society, I am not as informed as Bill Aitken. I, too, would like to hear evidence from the Abbeyfield Society. That is suggested in the conclusions in Lee Bridges's paper, too.

Everybody has received the paper from Shelter Scotland. I picked up a lot of good points as I read it. We should monitor the effects of regulation. Shelter also picked up on the existence of the HMO licensing benchmarking group, which I had not heard of. Shelter says that it and landlords with which it is currently carrying out research had not heard of the group either. I would like to have more information about the group. Perhaps it will be able to give us information.

I would like to know just how effective regulation has been, how many people have applied for and received licences and why there is such a big difference in application fees. Those are mostly the same conclusions as Lee Bridges has come to in the paper.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I accept the recommendation in paragraph 14 of the paper. It would be premature to take the matter up right after the recess. We have to wait until the review of implementation has been completed so that we can get the information that will enable us to make informed decisions.

We must remember that fees vary widely among local authorities. It is not for the committee to set the level of fees; it is up to local authorities to consider charges and how they set their fees. We do not want to intrude on the democratic right of local authorities to do that.

I suggest that we note the paper, get the further information that Robert Brown asked for on the Abbeyfield Society—we cannot always make legislation to suit one organisation, but the information may help us when we consider the matter in the future—and wait until after the review. Our decision making will be much more effective at that stage.

Brian Adam (North-East Scotland) (SNP): I am content with the recommendation in paragraph 14 of the paper. Any inquiry that we undertake should not focus only on the Abbeyfield Society.

Despite what Cathie Craigie said, we should perhaps consider fees, given the fairly wide range of fees that exists. I have had representations from private sector landlords in Aberdeen, where the local authority charges some of the lowest fees, about the impact that fees might have on the overall provision of accommodation.

As part of our inquiry, we should examine whether there has been an increase or a decrease in the availability of places in HMOs, which are an important part of the housing sector. The Executive wanted to improve standards as a consequence of the order. The committee endorsed that, but if accommodation has been taken out of the market, we should reconsider our stance. As part of our inquiry, we should have a report on whether there has been an impact on the availability of accommodation.

09:45

The Convener: The consensus on this matter is clear. Brian Adam made an important point about other organisations. I would be interested in talking to Glasgow City Council, for example, not just about the fees that it sets, but about the key issues surrounding the quality of accommodation that is offered to students. There may be a difficulty with accommodation. If some of the accommodation that is offered has created serious problems in the city, anxiety is understandable. It may be positive that such properties come out of the system. We may want to address that issue with student and tenant organisations.

Brian Adam: We may also wish to hear from some of the private sector providers. I would be happy to provide the clerk with the names of the people in Aberdeen to whom I spoke.

Karen Whitefield (Airdrie and Shotts) (Lab): I do not want to go over what other members have said. I agree that we should consider the issue. As Lee Bridges indicated in his paper, the Scottish Executive has said that if it believes there to be shortfalls in the system, it will amend it. It would therefore be appropriate for the committee to take evidence and then communicate to the Executive any deficiencies that we find. It would be entirely appropriate to hear from Abbeyfield, but we should also hear from other organisations. Abbeyfield has given us a pretty detailed paper on the difficulties that it has faced across Scotland; it will be equally important to hear from other organisations. We should do that in October, at the beginning of the review, so that we can inform the Minister for Social Justice, Jackie Baillie, of our findings and then hear her interpretation.

Robert Brown: Do we know the form of the Executive's review? As Brian Adam said, we do not want to lose track of the mainstream importance of this issue, in terms of the by-blows on Abbeyfield, but we should not be too driven by carrying out a big investigation, because the committee has other work to do. Subject to what the Executive does, it might be appropriate for individual committee members to meet authorities in their areas or other suitable areas to get information on what the convener described as the

key issues. That would inform our questions to the minister without our having to become involved in a big inquiry.

The Convener: I agree. I would have thought that the Scottish Executive's review would include speaking to the people who are implementing the order and finding out, for example, how much they are charging and how many applications there have been. Knowing about the process of the Executive's review would be useful to us in informing the questions that we will ask. I presume that we will be able to get that information. It would be helpful.

Do committee members agree with the recommendations in paper SJ/01/21/1? Should we revisit the issue in October, after the recess?

Members indicated agreement.

Work Programme

The Convener: Item 3 on our agenda is the social inclusion work programme. Members have received a private paper outlining the current work programme. It includes the outcomes of the open space event and an analysis of the evaluation received from delegates. I am happy to take comments. If there are none, I ask that members note the report of the event and agree that it be made available to organisations that are interested in the committee's work. Is that agreed?

Members indicated agreement.

09:49

Meeting continued in private until 10:04.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the archive edition should mark them clearly in the daily edition, and send it to the Official Report, 375 High Street, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Tuesday 19 June 2001

Members who want reprints of their speeches (within one month of the date of publication) may obtain request forms and further details from the Central Distribution Office, the Document Supply Centre or the Official Report.

PRICES AND SUBSCRIPTION RATES

DAILY EDITIONS

Single copies: £5

Meetings of the Parliament annual subscriptions: £500

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

WHAT'S HAPPENING IN THE SCOTTISH PARLIAMENT, compiled by the Scottish Parliament Information Centre, contains details of past and forthcoming business and of the work of committees and gives general information on legislation and other parliamentary activity.

Single copies: £3.75

Special issue price: £5

Annual subscriptions: £150.00

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75

Annual subscriptions: £150.00

Standing orders will be accepted at the Document Supply Centre.

Published in Edinburgh by The Stationery Office Limited and available from:

The Stationery Office Bookshop
71 Lothian Road
Edinburgh EH3 9AZ
0131 228 4181 Fax 0131 622 7017

The Stationery Office Bookshops at:
123 Kingsway, London WC2B 6PQ
Tel 020 7242 6393 Fax 020 7242 6394
68-69 Bull Street, Birmingham B4 6AD
Tel 0121 236 9696 Fax 0121 236 9699
33 Wine Street, Bristol BS1 2BQ
Tel 01179 264306 Fax 01179 294515
9-21 Princess Street, Manchester M60 8AS
Tel 0161 834 7201 Fax 0161 833 0634
16 Arthur Street, Belfast BT1 4GD
Tel 028 9023 8451 Fax 028 9023 5401
The Stationery Office Oriel Bookshop,
18-19 High Street, Cardiff CF1 2BZ
Tel 029 2039 5548 Fax 029 2038 4347

The Stationery Office Scottish Parliament Documentation
Helpline may be able to assist with additional information
on publications of or about the Scottish Parliament,
their availability and cost:

Telephone orders and inquiries
0870 606 5566

Fax orders
0870 606 5588

The Scottish Parliament Shop
George IV Bridge
EH99 1SP
Telephone orders 0131 348 5412

sp.info@scottish.parliament.uk

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers