

Housing (Scotland) Act 2006: Consultation on Draft Guidance and Regulations

CONSULTATION RESPONSE FORMS

FORM 1 RESPONDENT INFORMATION FORM

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name: Iain Terry, Housing Programme Manager

Postal Address: The Moray Council, Headquarters, High Street, Elgin. IV30 1BX

Email address:

1. Are you responding: (please tick one box)

(b) **on behalf of** a group/organisation

ON BEHALF OF GROUPS OR ORGANISATIONS:

3. The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government website). Are you also content for your **response** to be made available?

Yes

No We will treat your response as confidential

SHARING RESPONSES/FUTURE ENGAGEMENT

4. We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Government to contact you again in the future in relation to this consultation response?

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Yes x
No

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FORM 2 EQUAL OPPORTUNITIES MONITORING FORM

It is important that we engage with all sections of the community as part of our consultation process, as our proposals may affect different groups in different ways. Monitoring responses will allow us to identify any gaps in engagement which we can then address. Completion of this form is voluntary, but your assistance will help us improve our consultation. Information on individuals will remain anonymous.

If you are responding on behalf of an **organisation** please complete **Part A**.
If you are responding as an **individual** please go to **Part B**.

PART A – FOR ORGANISATIONS ONLY

Which category best describes your organisation? (please tick)

Local Authority	<input checked="" type="checkbox"/>	Voluntary Sector	<input type="checkbox"/>	Private Sector	<input type="checkbox"/>
Other Public Body	<input type="checkbox"/>	Equality Group	<input type="checkbox"/>		
Other					

If you ticked Equality Group please indicate which equality group/s you work with or for.

Asylum Seekers/Refugees	<input type="checkbox"/>	Older People	<input type="checkbox"/>
Disabled People	<input type="checkbox"/>	Religion/Belief Groups	<input type="checkbox"/>
Gypsies/Travellers	<input type="checkbox"/>	Women	<input type="checkbox"/>
LGBT Communities	<input type="checkbox"/>	Young People	<input type="checkbox"/>
Men	<input type="checkbox"/>	Other	<input type="checkbox"/>
Minority Ethnic Communities	<input type="checkbox"/>	(please indicate)-----	

FORM 3 CONSULTATION QUESTIONNAIRE

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Please use this form to respond to the consultation questions. This will help us to understand clearly which part of the consultation your comments relate to.

We have listed below each question asked in the consultation in order starting at Volume 1 and provided space for your comments. Some of the questions are general and refer to the whole volume. Where questions are specific to a particular part of the volume, we indicate the page number for your ease of reference. We have provided additional space at the end for you to make general comments about the guidance as a whole if you wish.

You may respond in writing using this form, or if you require more space for your answers, you can access an electronic version of the form at www.scotland.gov.uk/consultations/current. For organisations: it would assist us greatly in analysing the responses if you could send a single, consolidated response which takes account of all relevant interests in your organisation.

VOLUME 1			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
11	Do you agree that the publication of the section 72 statement is the best point of transition?	The publication of the section 72 statement would appear to be the best point of transition. At this point local authorities will publicly set out their criteria for assistance. Any transition point before this would be impossible from a practical point of view. Once the section 72 statement has been made, the public will be expecting the transition.	A1
11	Is a transition period of 6 months appropriate?	It is clearly not practical to move from one system to another overnight and there has to be a transition period. This period of transition will make matters more complex for local authorities and more confusing for the public. As a result it should be kept to a minimum and 6 months seems a reasonable period. Local authorities will need the Guidance to be in place to achieve this. The proposed dates in the Draft Guidance are achievable if the final Guidance is published on schedule.	A2

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VOLUME 1			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
15	After considering the statutory and advisory parts of this suite of guidance, do you agree with the way the guidance balances national consistency and local flexibility?	As with all documents of this type, there is always a balance to be struck between national consistency and local flexibility. The balance struck appears to be reasonable given that the document is Guidance. If there are particularly unusual local circumstances, deviation from the Guidance may be appropriate.	A3
26	What exceptions are there to the general rule that assistance is preferable to enforcement and how would you propose to handle them?	We believe that there are no exceptions – assistance is always preferable to enforcement. Enforcement is a tool of last resort to be used only when all other avenues have been tried.	A4
28	Do you agree with the position taken on the SHQS?	Authorities should have the freedom to determine if and when properties should be brought up to the higher SHQS. This would be dependent upon the scope of the works being carried out, the owners' willingness and the available funding. Priority for the housing in worst condition and applicants with the lowest income must remain and this should be detailed in the Section 72 statement.	A5
31	Have we suggested the most appropriate areas for the collection of statistics in the future?	Monitoring at local and national level is essential. Existing monitoring levels appear to be appropriate but it is vital that any new statistical requirements are indicated to authorities at an early stage so that data collection systems can be altered to ensure that the information is easily and quickly collected.	A6

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VOLUME 1			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
34	Do you think it would be helpful to use maintenance order powers before other aspects of the new powers are ready to be introduced locally?	All new powers should be brought in at the same time to ensure parity and to make the situation clear for the public.	A7
34	Do you foresee any problems if we repeal conflicting duties in the 1987 Act at the start of the transition period?	It is vital to repeal conflicting duties at the same time as the introduction of the new duties. This will again ensure parity and avoid any confusion for both authorities and their clients. It would then be appropriate for each authority to determine what assistance to provide. Reasonable prior notice of what was being repealed would need to be provided.	A8
36	Should non-local authority interests be involved in training and if so, how?	It is assumed that the question means should non-local authority interests be as 'trainees'? Local authority training should focus on the duties and powers local authorities have and how to use them. Involving trainees with other interests would require alteration of the programme in some manner to accommodate them. Training for other interests could run alongside any proposed authority training but would require a different focus depending on the circumstance/groups involved. The perspectives of other interests should be presented as part of the training and this may be best achieved by presentations at the training.	A9

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VOLUME 1			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
36	Would you be in favour of the development of a recognised qualification focusing on private sector housing issues?	<p>A recognised qualification would be desirable to ensure consistency across authorities. Such a qualification would need to be wide ranging to ensure its suitability for all authorities. Training modules may be the most appropriate method in the short term along with further support and development of existing networks.</p> <p>Any qualification may be better targeted as an addition to mainstream building, housing or surveying qualifications. As a stand alone qualification it may not be too popular as it will offer comparatively few employment opportunities.</p>	A10
36	Are there examples of processes for identifying, validating and disseminating good practice that you think would be useful?	The SHBVN has proved very valuable in this respect. It may be appropriate for the Housing Grants Network to become a formal sub group.	A11

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VOLUME 2			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
ii	Will this guidance help you to implement the new powers? Ultimately you will be responsible for interpreting the legislation, but are there any areas which you would appreciate more information on?	This Guidance will be very useful for authorities as they move toward implementation of the new legislation. Once implementation has commenced further information will be required as issues become apparent. Perhaps the best way of providing this is through the proposed Q & A annex.	B1
ii	Will the information in Annexes A-D help you to produce the appropriate documents?	This information will be essential for the production of appropriate documents, as not all authorities will use these powers on a regular basis. This information will also allow for consistency across authorities while still permitting some flexibility for local situations.	B2
ii	We are proposing to include a Q&A annex of frequently asked questions. This will be developed for the final document, and we propose to update this, as necessary, on the website version of the document. Do you think this would be useful? Are there any questions in particular you would like this to include?	This would be very worthwhile as it will also allow for uniformity across authorities and will reduce direct Government communication. It will be essential however, to ensure that any questions posed be answered quickly and the website updated regularly.	B3

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VOLUME 2			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
ii	We are also looking at the possibility of an annex which will set out the various pieces of legislation which a local authority can use to deal with issues of poor quality in private sector housing. Would you support this?	Yes, any information that will assist authorities will be welcomed. Any such annex should be straightforward and suitable for both authorities and their clients. Those already published are ideal.	B4
ii	Any other comments on Volume 2?	No. Volume 2 covers all the issues appropriately.	B5

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VOLUME 3			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
ii	Will this guidance help you to implement the new powers? Ultimately you will be responsible for interpreting the legislation, but are there any areas which you would appreciate more information on?	This information will be essential to help guide authorities through the legislation. More information will be required as the legislation comes into effect and this may make use of the proposed Q & A section on the website	C1
ii	Will the information in Annexes A and B help you to produce the appropriate documents?	This information will be essential for the production of appropriate documents as not all authorities will use these powers on a regular basis. This information will also allow for uniformity across authorities while still permitting some flexibility for local situations. This can also be used to answer any disputes that may arise.	C2
ii	Any other comments on Volume 3?	No.	C3

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VOLUME 4			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
ii	We have developed the draft guidance in a way that encourages consistency but retains the scope for flexibility and professional judgement. Do you agree that the balance is right?	<p>The Moray Council has fairly accurate records/baseline information of files which go back to 1975 and were passed on to the District Council at that time by the former Town Councils. These records have been updated with information obtained from the Grants Section and following various House Condition Surveys.</p> <p>The Council would prefer the guidance to be more specific. It should detail clearly outright that houses with the only WC or bathroom entered off a kitchen be classed as failing the tolerable standard.</p> <p>In 1996 changes being made to the tolerable standard were reported to the Environmental Health Committee of Moray District Council following receipt of a Scottish Office circular number 22/1995.</p> <p>The members noted the report but wished to record their opposition to the reduction of the tolerable standard and that the standards present at that time be retained.</p> <p>A letter was sent to the Scottish Office advising them of the Council's position which at this time remains the same.</p> <p>At the present time within Moray there are 569 BTS houses, 167 of which have WC's or bathrooms containing a WC being entered directly off the kitchen.</p> <p>It is noted on page 4 of Volume 4 that the tolerable standard is defined as a set of criteria that addresses issues of public health, comfort and safety. As a result the Council is of the opinion that the guidance should have incorporated this aspect of public health and safety.</p>	D1

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PAGE	QUESTION	YOUR COMMENTS	Our ref.
ii	The chapters on <u>electrical installations</u> and <u>thermal insulation</u> reflect new provisions and as such there is no body of experience in working with them. Do you think that the approach we have set out is useful? If not, what parts should we change and what would you suggest?	<p>It is essential that the thickness of roof insulation be considered. There is an opportunity here to make a substantial improvement in this particular element. Perhaps a property with roof insulation of less than 100mm of fibre roll (or equivalent) should fail the standard. Consideration must also be given to the provision of adequate ventilation – perhaps an insulation and positive roof void ventilation package should be available to avoid future condensation problems.</p> <p>Electrical installation table A and B indicators will prove to be invaluable for both authorities and their clients. These tables are specific and easily understood.</p> <p>It may be worthwhile incorporating in Table B indicators, that where there is no evidence of bonding of water pipes in the bathroom or below the sink in the kitchen, this would indicate that the installation should be inspected and tested by a competent person.</p>	D2
ii	Assessing the severity of rising and penetrating damp can be difficult. Do you agree with our proposed approach for assessing houses against the rising and penetrating damp element? If not, what would be a more useful framework?	<p>The approach as detailed in 5.22 appears to cover a limited area in an apartment or other space in a house and is not what this Authority would consider as being substantial.</p> <p>For a house to be substantially affected by rising or penetrating damp this should be defined where 50% of the rooms or spaces within the house are affected.</p>	D3

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PAGE	QUESTION	YOUR COMMENTS	Our ref.
ii	Do you think the level of detail we give in the draft guidance is appropriate? Are there areas that you would find more detail helpful?	<p>Additional guidance should be provided in Chapter 10.8 on the position of a water closet within a house.</p> <p>There are areas in the Chapters on structural stability and electrical installations that suggest a professional report be obtained, or under wholesome water where it states that samples should be taken. In such circumstances there would be a funding issue for obtaining such reports and analysis.</p> <p>It should be recognised that water samples are only as good as the day the sample is taken.</p> <p>It is noted that the guidance has acknowledged condensation as being a housing issue but it is disappointing that it has not been included in the new tolerable standard.</p> <p>Severe condensation can affect the comfort and health of those living in substandard properties, where there is a lack of insulation to walls and where it is not possible to provide insulation to flat roof extensions.</p> <p>It is considered that in the 21st century severe condensation is a housing defect which should have been incorporated into the tolerable standard as in this Authority's opinion is as great a problem as thermal insulation.</p> <p>The information provided in Section 8.45 is contradictory. If a Closing Order or Demolition Order is on a property then in terms of the Private Water Supply (Grants)(Scotland) Regulations 2006 the premises is not eligible for grant aid.</p> <p>In Chapter 8.24 under Type B it states that Local Authorities can test any Type B supply. I understand that the analysis of a Type B supply would not cover all parameters such as copper.</p>	D4

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PAGE	QUESTION	YOUR COMMENTS	Our ref.
ii	Is the pitch and tone of the draft guidance appropriate for the audience we are aiming at? If not, how could we improve this?	The guidance is well presented and adequately covers all sections of the tolerable standard. It is worthwhile as it covers the entire tolerable standard and not just the new provisions.	D5

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PAGE	QUESTION	YOUR COMMENTS	Our ref.
20	How useful would a public information website be?	A public information website would be useful in providing information and advice about house conditions and actions that can be undertaken. However as all authorities will not be providing the same services care will need to be taken as to the amount of specific information provided on assistance. Linking requests for information on assistance to the appropriate authority could do this.	E1
22	Do you support this overall approach to information provision? Are there additional areas on which you would welcome guidance?	The Moray Council supports this overall approach to information provision. This is, to a large extent, embedded in the service already provided. Systems will now have to be installed/adapted to measure and support this function. Perhaps guidance could be provided outlining the framework or layout of dedicated information provision.	E2
29	Do you support this overall approach to advice provision? Are there additional areas on which you would welcome guidance?	The Council also support the approach to advice provision and the comments above regarding information provision are also valid here. We would welcome additional guidance on financial advice. We are concerned as to the depth of financial advice authorities can provide as there may be repercussions that may arise from any advice given.	E3
32	Are there any specific aspects of practical assistance on which you would welcome guidance?	None at present but there must be a clear and accessible contact point for authorities so that any queries can be answered effectively and quickly. The proposed Q & A annex may be worthwhile but sometimes it is important to make personal contact.	E4

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PAGE	QUESTION	YOUR COMMENTS	Our ref.
47	Are there any other categories of borrowers who require consideration in developing lending options?	No, there appears to be no obvious omissions of types of borrowers however, there should be measures in place to act as a “catch-all” should any be identified in the future.	E5
51	Should any changes be made to the key features of these lending products?	It would be expected that there be cap on the number of years for the interest free, interest only and the capital and interest loans.	E6
51	Are the proposed products suitable for these types of borrower?	If the HAL is to mirror Equity Release schemes than it will have similar drawbacks. If we going to age limit any HAL loan then we need guidance on which age is considered when there are two applicants of significantly different ages.	E7
51	Are there any other products that should be considered?	None that we are aware of but we would like further consultation on all the finance products once more details are known.	E8

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PAGE	QUESTION	YOUR COMMENTS	Our ref.
52	Should a minimum amount of an owner's wealth be disregarded when assessing affordability of works? If so, on what basis?	Yes. We suggest the same as the disregard for benefits. This will assist those in greatest need.	E9
52	What is the realistic possibility of the commercial market developing a Home Appreciation Loan as outlined above?	At present the possibility seems limited if the commercial organisation has to bear all the risk. The recent crisis in the credit market would probably make loans to people who cannot get credit in the open market particularly unattractive. but consultation should take place with the commercial market.	E10
33	Which method of allocation of funds for the National Lending Unit should be used?	The cost of setting up the Unit and running costs should be top sliced from the PSHG budget on a pro rata basis between local authorities.	E11
34	Is there a better way to allow local authorities to access capital within the fund?	No. We could use the NLU to issue "Quotas" for Loans similar to the old Public Works Loan Board system which can be carried forward if underspent for 12 months.	E12

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PAGE	QUESTION	YOUR COMMENTS	Our ref.
70	Do you support the creation of a National Lending Unit to supply products to people generally not served by the financial markets? If not, what alternatives would you suggest?	Yes, this would be the most appropriate way to provide this service as local authorities do not have the staff with a suitable background and training to provide this. In small authorities like Moray Council the diseconomies of scale from implementing a scheme would be significant.	E13
70	How do you think a National Lending Unit should be delivered?	The Moray Council is of the opinion that the National Lending Unit should be delivered by Central Government in accordance with option 5 in the Consultation.	E14
79	Do you support this overall approach to the assessment of financial assistance?	The assessment factors appear to be workable although there are concerns over the provision of loans rather than grants. In providing a loan to people, who by definition are deemed bad financial risks by commercial lenders, local authorities may well be forcing people with financial problems into greater debt.	E15
79	Is the proposed model framework helpful?	The framework is of interest although we would require more details on the creation of the NLU to be completely confident it will operate successfully.	E16

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79	How do you view the framework in the context of the new relationship between national and local government that has been signalled?	<p>In theory, by replacing grants with loans , it will allow the repayments to be used for future funding. Providing the level of original funding is not reduced then this will result in increased funds available to address private sector housing improvements. It needs to be recognised that the financial circumstances of the borrowers will lead to a much higher default rate than normal lending.</p> <p>By providing access to funds for people who would not be able to access loans in the commercial market it will allow additional properties to be improved.</p> <p>However we are concerned that in practice it will place more people in debt which will impact on their ability to maintain their properties</p>	E17
81	Do you support the creation of a publicly funded financial advice service? If not, what alternatives would you suggest?	<p>We support the creation of a publicly funded financial advice service. Economies of scale would suggest that this should be able to deliver better quality financial advice cheaper than 32 local authorities could. As a small authority we would find it difficult to support the skills and knowledge to provide this service.</p>	E18
81	Do you have any views on whether the service should be delivered by an appointed panel of brokers from the financial services industry, or whether it should be run as part of the National Lending Unit?	<p>We have no strong views as long as the panel has the necessary skills and knowledge and costs will be kept to a minimum.</p>	E19

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PAGE	QUESTION	YOUR COMMENTS	Our ref.
94	Do you support the intention to regulate for adaptations to attract mandatory grant? Is our proposed definition of adaptation appropriate?	The intention is generally supported, although identification of all the proposed items to become mandatory will be required. Authorities should have the opportunity to comment on this. The definition of adaptation is appropriate but authorities must still have the freedom to cater for individual needs.	E20
94	Do you agree with our proposed approach of restricting mandatory grant in cases where additional living accommodation is being provided but avoiding a blanket exclusion?	The proposed approach is appropriate. Authorities will still be able to use their discretion in certain cases where the best option to meet someone's need is to provide additional living accommodation.	E21
94	Do you support the intention to regulate for 80% minimum grant for grant-aided works related to a disability, increasing to 100% for people in receipt of specified income replacement benefits?	The intention to increase the minimum grant to 80% and to 100% in certain circumstances is supported by this authority although we have concerns over clients who could easily contribute more to the cost of the works and so ease the burden on authorities. This would be particularly valid where the works provided additional living accommodation and therefore significantly added to the value of the property.	E22

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PAGE	QUESTION	YOUR COMMENTS	Our ref.
92	Do you see value in a national tendering exercise for permanent adaptations? If so, should it extend to adaptations funded in the social rented sector or be limited to adaptations in owner occupied housing?	For this authority, there would be no need, at present, for a national tendering system as we have a good balance of contractors in the local area. There are good lines of communication with contractors, timescales are acceptable and the level of workmanship is high. Costs do not appear to be excessive and the materials used are of good quality. It has taken some time to build up a liaison between all the parties concerned but it works effectively. Anything that was detrimental to this would give rise to concern. In ordering to secure any national tendering contract contractors would need to be based in the central belt. Although nationally this may reduce the average cost of services it is not the most economic or sustainable method of delivering services to more remote local authorities.	E23
94	Do you have any other comments on this approach to financial assistance for works related to disability?	Financial assistance should not be available for the reinstatement of previously adapted houses. For certain adaptations, this contradicts advice from Building Standards.	E24
98	Do you support this general approach to financial assistance for house condition works?	We have a great deal of concern around this section as it is felt that small rural authority populations are not being considered. The culture of rural areas in respect of borrowing is generally more conservative than that generally held in large urban areas. There is a reluctance to get into debt and income levels are one of the lowest in the country. To expect owners to take on further loans (equity release may not be an option) will almost certainly cause properties to fall further into disrepair. We would have severe reservations about forcing owners into greater debt particularly in the current property climate.	E25

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VOLUME 5			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
98	In what, if any, circumstances do you envisage that up-front grant might be a necessary tool in facilitating repair and improvement work to be carried out?	Due to income levels and other specific problems this authority will continue to offer grant aid to all qualifying applicants. The underlying problems of low income and high costs associated with repair and improvement works (particularly in BTS stock) will necessitate the continuing provision of financial assistance.	E26
100	Is this a reasonable approach to financial assistance for landlords and tenants?	This is an appropriate approach for landlords. It is up to them, as the owner, to keep their property in good condition.	E27
100	Are there other types of works or categories of owner on which you think guidance on financial assistance would be helpful?	None at present	E28
102	Do you support the view that a nationally prescribed test of resources for assessing grant eligibility for repair and improvement work will no longer be appropriate under the Scheme of Assistance?	This view is not supported as it appears to be a backward step where each authority has a different set of limits/assessment criteria. Parity between authorities will be lost and clients' expectation of fairness will be removed. Low income may not prevent obtaining a loan but repayment will add to clients hardship. Equity release may not be appropriate or attainable for large numbers of clients.	E29

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VOLUME 5			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
102	If your authority plans to use a local test of resources, are there any aspects of this on which you would find guidance helpful?	This authority will continue to use the existing system. Guidance on updating all “income” figures would be appreciated.	E30
104	Do you support this approach to approved expense limits?	The removal of these limits will, in some cases, benefit authorities and clients. Authorities freedom to set their own limits will allow local priorities to progress unhindered. However, authorities will need to closely monitor contractors prices to ensure value for money. It may be that authorities will still require to have expense limits but that these limits can more easily be raised at the discretion of authorities.	E31
104	Are there circumstances where you see a continued role for local approved expense limits?	Local expense limits may be necessary to deter high contractors prices and to encourage clients to provide competitive estimates from smaller local contractors. Limits may also act as a reminder that overall funding is limited.	E32
115	Is this a fair summary of the issues likely to influence the identification of priorities within a statement of assistance?	This appears to be a fair summary. However, it will take more time for authorities to carefully consider all the relevant information and to determine the balance of information to include in statements.	E33

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VOLUME 5			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
118	Is this model framework helpful? Are there further headings that could be included within this model framework?	It is difficult at present to determine if further headings are required. Once authorities begin to build their statements it may become clearer. Additions can be made by authorities as and when required.	E34

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VOLUME 6			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
13	What are your ideas on the potential role of CLE within a trusted trader framework in Scotland?	The scheme will require some Scotland wide administration regarding the database, quality checks and publicity all of which the CLE could possibly undertake.	F1
13	What are your ideas on the potential role of local authority schemes within a trusted trader framework in Scotland?	Local authorities are best suited to tasks such as making list of traders available (through libraries, access points etc.), local publicity for the scheme, promotion in relation to grant aided work, some level of initial dispute resolution (although court or formal arbitration should be ultimately available to either party) and initiating the removal of trader's from the scheme if local information regarding repeated or serious problems arise.	F2
13	What are your views on CLE and local authorities operating under the one framework in Scotland?	It is most important that the public sector provides a single scheme. This means that for consumers it is a clear who they consult, involves less red tape for business and is a more efficient use of public resources. The existing CLE website and local trusted trader websites basically purport to do the same thing in the eyes of prospective consumers looking for a reputable trader. However exactly how they can be combined is less clear.	F3
13	What are your views on more than one level of accreditation existing within the one framework?	Membership of the CLE scheme does ensure traders have a higher level of proficiency than the local authority schemes but in any unified scheme all members must be seen as being trustworthy. If a unified scheme differentiates between them it has to be on other grounds. For example the site could show and highlight levels of qualifications of staff or levels of liability insurance as information that consumers can access and consider before making their choice. They would therefore not simply be using customer feedback ratings to differentiate between traders.	F4

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VOLUME 6			
PAGE	QUESTION	YOUR COMMENTS	Our ref.
14	What are your views on how the framework should be monitored and evaluated?	This depends on the structure of the final scheme but one option would be for customer questionnaires and updating the websites to be undertaken centrally whilst investigating individual complaints and monitoring possible specific trader malpractice is undertaken at the local authority level, most probably by Trading Standards.	F5
14	What are your views on how the framework should be delivered e.g. by local or central government, the construction industry, the private or voluntary sectors or some combination?	The framework should be delivered by a combination of local authorities and central government (or private sector) administration of the scheme. Although in a different realm, a possible division of duties between local authorities and central government (in that case the Office of Fair Trading) can be seen with the licensing of the consumer credit industry.	F6
14	What functions would you wish to see a framework perform to encourage use by homeowners?	Publicity and accessibility as well as trust are essential for the success of any scheme. It would be particularly useful if the scheme was publicised as prominently as possible, including in the yellow pages which is currently used by many people when trying to find a trader.	F7
14	Please provide any further comments, stating your views on how a trusted trader framework should be established and operate in Scotland.	None	F8

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ALL VOLUMES

GENERAL COMMENTS

We welcome the comprehensive nature of the Guidance, which will be very helpful in enabling us to implement the Act.