

HOUSING (SCOTLAND) ACT 2001

EXPLANATORY NOTES

BACKGROUND AND OVERVIEW

Part 5 – Strategic Housing Functions

Section 89: Local housing strategies

133. This section entitles the Scottish Ministers to require a local authority to carry out an assessment of housing needs and provision, and the provision of related services, within the local authority's area for a given period. *Subsection (2)* specifies core factors that a local authority must include within its assessment; there is provision at *subsection (2) (e)* for this to include such other matters as Ministers may specify at the time of requiring an assessment.
134. In addition, a local authority is required to prepare, and submit to Ministers, a local housing strategy. The strategy must cover the exercise of the local authority's functions both on its own and in co-operation with registered social landlords and other bodies in its area with a view to ensuring the economic, efficient and effective provision of housing and related services in a way which, so far as is reasonably practicable, ensures that people do not live in fuel poverty. *Subsection (7)* requires that the strategy must also state how the local authority will comply with its duty to exercise its functions in a way which encourages equal opportunities and observes equal opportunity requirements. Provision is made for local authorities to produce, with the agreement of Ministers, joint strategies. *Subsection (6)* makes provision for Ministers to specify such matters as: the period to be covered by the strategy; the matters to be included in the strategy; the procedures and consultation processes to be followed in preparing the strategy; the form and manner of the production of the strategy and its accompanying documentation; and the time by which it must be submitted.
135. The Scottish Ministers must make such requirements of local authorities as are necessary to ensure that every local government area is included in a local housing strategy. The section places a duty upon local authorities to keep their strategy under review and provide information concerning the implementation of their strategies to Ministers upon their request; it also allows for a local authority to modify and resubmit a strategy.