

## EILEAN SIAR

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## COMHAIRLE NAN

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Our Reference LG/

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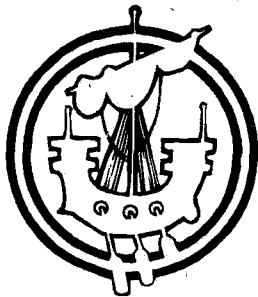
Dear Robin

### **CONSULTATION PAPER – IMPLEMENTATION OF SECTION 11**

Please find attached the Comhairle's response to the consultation paper. If you require any further information please do not hesitate to contact me.

Kind regards

Lorraine Graham (Mrs)  
Homeless Services Manager  
Department for Sustainable Communities



**RESPONSE TO THE CONSULTATION PAPER:  
HOMELESSNESS etc (SCOTLAND) ACT 2003  
IMPLEMENTATION OF SECTION 11**

**INTRODUCTION**

- 1.1 The Comhairle welcomes the opportunity to comment on the Consultative Paper.
- 1.2 The Comhairle's response to the paper is as follows:

**SECTION 1**

- 2.1 *Q1) Is the form and manner of notification of proceedings to local authorities clear to you from the information contained in these regulations?*

Yes.

- 2.2 *Q2) Do you believe that the information outlined in the Notice of Proceedings in Form 1 is sufficient to ensure effective implementation of section 11?*

Yes.

- 2.3 *Q3) Do you believe that the information outlined in the Calling-up Notice etc, in Form 2 is sufficient to ensure effective implementation of section 11?*

Yes.

- 2.4 *Q4) Do you have any suggestions to make Forms 1 and 2 in the regulations more 'user friendly'?*

No.

- 2.5 Q5) *Do you have any general comments or suggestions on the form and manner of the notification to local authorities from landlords and creditors as outlined in the regulations set out in section 1?*

No

## **SECTION 2**

### **A) STATUTORY GUIDANCE TO LOCAL AUTHORITIES**

- 3.1 Q6) *Are you clear from the guidance at which stage local authorities should expect to receive the notification of proceedings?*

Yes

- 3.2 Q7) *Do you have any comments/suggestions in relation to local authorities ensuring landlords or creditors know where to send proceedings ?*

No.

- 3.3 Q8) *Is it clear from the guidance which information local authorities should expect to receive from landlords and creditors?*

Yes.

- 3.4 Q9) *Is the guidance clear on what actions should be taken by local authorities when notification is received from landlords and creditors?*

Yes.

- 3.5 Q10) *Do you have any comments about the data protection issues raised in the guidance?*

No.

- 3.6 Q11) *Do you have any general comments or suggestions you believe would strengthen the statutory guidance to local authorities set out in section 2?*

No.

### **B) GUIDANCE TO LANDLORDS AND CREDITORS**

- 4.1 Q12) *Is it clear from this guidance what the duty of landlords and creditors under section 11 is and how it should be discharged?*

Yes.

4.2 Q13) *Is it clear from the guidance what the purpose of section 11 is and how landlords and creditors can contribute to and benefit from this?*

Yes.

4.3 Q14) *Is it clear from the guidance what actions landlords and creditors can take to help prevent homelessness?*

Yes.

4.4 Q15) *Do you have any general comments or suggestions you believe would strengthen the guidance to landlords and creditors set out in section 2?*

No.

### **EQUALITIES**

5.1 Q16) *Do you feel the proposals promote equality? If not, please give details of your concerns?*

Yes.

### **MONITORING AND EVALUATION OF IMPLEMENTATION**

6.1 Q17) *Do you agree with local authorities being asked to monitor implementation in the first year and being asked to provide this information to the Scottish Executive?*

Yes.

6.2 Q18) *Do you have any other comments or suggestions about the monitoring and evaluation of the implementation of section 11?*

No.