**Consultation on secondary legislation proposals relating to Part 3A of the Land Reform (Scotland) Act 2003 – the community right to buy abandoned, neglected or detrimental land as introduced by the Community Empowermnet (Scotland) Act 2015**



**RESPONDENT INFORMATION FORM**

**Please Note** this form **must** be returned with your response.

Are you responding as an individual or an organisation?

[ ]  Individual

[ ]  Organisation

Full name or organisation’s name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

[ ]  Publish response with name

[ ]  Publish response only (anonymous)

[ ]  Do not publish response

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 Scottish Government to contact you again in relation to this consultation exercise?

[ ]  Yes

[ ]  No

**1. Section 97C(4) – Prescribe eligible land for the purposes of Part 3A – land which is eligible for purchase by a Part 3A community body**

**Question 1**

Do you agree with the above matters? Yes [ ]  No [ ]

If not, please explain

Are there any matters you believe should be added? If so, please give details.

|  |
| --- |
|  |

Are there any matters you believe should be removed? If so, please give details.

**2. Section 97C(5) – Land pertaining to land on which there is a building or structure which is a person’s “home”**

**Question 2**

Do you agree that the above types of land should be land pertaining to land that is a person’s home? Yes [ ]  No [ ]

If not, please explain

Are there any types of land that you believe should be added? If so, please give details.

|  |
| --- |
|  |

Are there any types of land that you believe should be removed? If so, please give details.

**3. Section 97C(5)(f) – Descriptions or classes of land which is not eligible for purchase by a Part 3A community body**

Are there any descriptions or classes of land that you believe should not be eligible for purchase by a Part 3A community body? If so, please give details.

|  |
| --- |
|  |

**4. Section 97C(6)(b) – Descriptions or classes of occupancy or possession which are, or are to be treated as, a tenancy – land which will be eligible for purchase by a Part 3A community body**

**Question 3**

Do you agree with the above descriptions or classes of occupancy or possession which are, or are to be treated as, a tenancy for the purposes of Part 3A of the Land Reform (Scotland) Act 2003? Yes [ ]  No [ ]

If not, please explain

Are there any descriptions or classes of occupancy or possession which are, or are to be treated as, a tenancy, that you believe should be added? If so, please give details.

|  |
| --- |
|  |

Are there any descriptions or classes of occupancy or possession which are, or are to be treated as, a tenancy that you believe should be removed? If so, please give details.

**5. Section 97H(6) –** **List of prescribed regulators**

**Question 4**

Do you agree that a regulator should be described as a person, body or office-holder that has the power to carry out regulatory functions? Yes [ ]  No [ ]

If not, please explain

Are there any persons, bodies or office-holders that you believe should be included in the definition of regulator, but are not listed above? If so, please give details.

|  |
| --- |
|  |

Are there any persons, bodies or office-holders that you believe should not be included in the definition of regulator? If so, please give details.

**6. Section 97N(1)&(3): Prohibitions on sale or transfer of land; suspension of rights**

**Date prohibition or suspension of right applied**

**Question 5**

Do you think the proposed dates are appropriate? Yes [ ]  No [ ]

If not, please explain

**Date prohibition or suspension of rights lifted**

**Question 6**

Do you think the proposed dates are appropriate? Yes [ ]  No [ ]

If not, please explain

**Section 97N(1) and 97N(3) – Persons subject to prohibition**

**Question 7**

Do you agree with proposals? Yes [ ]  No [ ]

If not, please explain

**Section 97N(2) regulations made under section 97N(1) – Transfers or dealings not subject to these regulations**

**Question 8**

Do you agree with the above list of transfers or dealings?

Yes [ ]  No [ ]

If not, please explain

Are there any that you believe should be added? If so, please give details.

|  |
| --- |
|  |

Are there any that you believe should be removed? If so, please give details.

**Section 97N(3) – Suspension of rights over the land**

**Question 9**

The above section sets out proposals surrounding the rights which are to be suspended when a valid application is made under Part 3A.

Do you agree with these proposals? Yes [ ]  No [ ]

If not, please explain

Are there any other rights that you believe should suspended? If so, please give details.

|  |
| --- |
|  |

Are there any of these rights that you believe should not be suspended? If so, please give details.

|  |
| --- |
|  |

**7. Section 97J(7) – Provision for or in connection with enabling a Part 3A community body to apply for the cost of ballot expenses to be reimbursed**

**Question 10**

Do you agree with these proposals? Yes [ ]  No [ ]

If not, please explain

Are there any other circumstances under which you believe a community body should be able to apply for reimbursement? If so, please give details.

|  |
| --- |
|  |

**Procedures to be followed when applying for reimbursement of the full cost of conducting the ballot**

**Question 11**

Do you agree with these proposals? Yes [ ]  No [ ]

If not, please explain

**8. Section 97T(4) – entitlement to compensation**

**Question 12**

Do you agree with these proposals? Yes [ ]  No [ ]

If not, please explain