

Parliamentary Bureau - Legislative Consent Memorandum

Renters (Reform) Bill (UK legislation)

Introduction

1. Under Rule 9B.3.5, the Parliamentary Bureau is required to refer any legislative consent memorandum (LCM) that has been lodged with the Parliament to the committee within whose remit the subject matter of the relevant provision falls.

Renters (Reform) Bill

2. This Bill was introduced in the House of Commons on 17 May 2023.
3. An LCM was lodged by Shirley-Anne Somerville MSP, Cabinet Secretary for Social Justice on 1 May 2024, and supported by Paul McLennan MSP, Minister for Housing.
4. The Bill is intended to ensure private renters in England and Wales have access to a secure and decent home and that landlords retain the confidence to repossess their properties where they have good reason to. The Bill makes provision to change the law about rented homes, including provision abolishing fixed term assured tenancies and assured shorthold tenancies and imposing obligations on landlords and others in relation to rented homes and temporary and supported accommodation.
5. Amendments to the Bill were passed prohibiting the letting of a property in such a way as to ban those on benefits or those with children from taking on the tenancy (known in short as “blanket bans”). These amendments applied to England and Wales. Further amendments were tabled at the Scottish Government’s request to apply similar protections to Scotland. The Bill would create an offence to implement the prohibition and includes various defences for prospective landlords or those acting on their behalf, as well as an exemption for things like newspapers and online platforms where the individuals involved may publish an advert but are not truly part of the prohibited conduct.
6. Amendments to the Bill also make provision for discriminatory terms of mortgages and insurance contracts relating to children or benefits status to have no effect.
7. The LCM indicates that the Scottish Government intends to lodge a motion seeking the Scottish Parliament’s consent to the relevant provision in this Bill.

Designation of lead committee

8. The relevant provision in the Bill falls within the remit of the Local Government, Housing and Planning Committee. The Committee’s remit includes to consider and report on matters relating to housing and tenants’ rights within the responsibility of

the Cabinet Secretary for Social Justice. The Cabinet Secretary for Social Justice is supported by the Minister for Housing.

9. The LCM will also be considered by the Delegated Powers and Law Reform Committee in relation to provisions in the Bill conferring powers on the Scottish Ministers to make subordinate legislation.

Recommendation

10. The Bureau is invited to refer, under Rule 9B.3.5, the LCM to the Local Government, Housing and Planning Committee as lead committee.

Parliamentary Business Team

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