



# Housing (Scotland) Act 2010

## 2010 asp 17

### PART 14

#### RIGHT TO BUY: REFORMS

#### 144 Limitation on right to buy: police housing

(1) After section 69 of the Housing (Scotland) Act 1987 (c.26) insert—

##### “69A Power to refuse to sell houses required for police purposes

- (1) Subsection (2) applies where—
  - (a) an application to purchase is served on a local authority landlord in relation to a house which it holds for the purposes of a police force (within the meaning of the Police (Scotland) Act 1967 (c.77)); and
  - (b) the tenant would, apart from this section, have a right under section 61 to purchase the house.
- (2) The landlord may, within one month of service of the application to purchase, serve a notice of refusal on the tenant.
- (3) In determining whether to serve a notice of refusal under subsection (2), the landlord must have regard to—
  - (a) the likely impact which the proposed purchase would have on police operations and resources; and
  - (b) any representations by the tenant which indicate special reasons for wishing to purchase the house.
- (4) The landlord must, in particular, consider—
  - (a) whether the policing needs of the area in which the house is situated are such that it would be desirable for the house to be occupied by a constable;
  - (b) whether it is likely to be able reasonably to provide other suitable accommodation for a constable in that area;
  - (c) whether it is likely that a constable may need to be accommodated in that area at short notice;

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*Status: This is the original version (as it was originally enacted).*

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- (d) any representations by the tenant about—
  - (i) the tenant’s state of health; or
  - (ii) family associations or other special circumstances by reason of which the tenant has a local connection to that area.
- (5) A refusal by the landlord under subsection (2) shall contain sufficient information to demonstrate that it has had regard to the matters mentioned in subsection (3).”.
- (2) In section 338(1) of the Housing (Scotland) Act 1987 (c.26), after the definition of “local authority” insert—
  - ““local authority landlord” has the same meaning as in the Housing (Scotland) Act 2001 (asp 10);”.