

RURAL AFFAIRS AND ENVIRONMENT COMMITTEE
CORRESPONDENCE FROM MINISTER FOR ENVIRONMENT
LAND REFORM (SCOTLAND) ACT 2003 –
RE-REGISTRATION OF A COMMUNITY INTEREST IN LAND

I am writing following your consideration of the Community Right to Buy (Prescribed Form of Application and Notices) (Scotland) Regulations 2009 at the Rural Affairs and Environment Committee on Wednesday 13 May.

I understand that the Committee is content with the use of the prescribed form for initial registration, but may feel that the Government should look again at whether a separate form would be more appropriate for re-registration in accordance with section 44(2) of the Land Reform (Scotland) Act 2003.

As the first community body to re-register its community interest in land will not be able to do so until 30 October 2009, the prescribed form cannot in any event be used for re-registration purposes until after that date. In the circumstances, I shall be happy to review the position in the light of any views which interested parties might have on the suitability or otherwise of the proposed form of application for re-registration. Depending on the views received, we will have time before the autumn to consider whether to adopt a different form for the re-registration process, whilst still enabling community bodies to prepare themselves. If Committee members have in mind that we should consult with particular stakeholders, I should be glad to take any suggestions on board.

In the meantime, I see no reason to revoke the proposed instrument. Its coming into force will enable a revised form of application to be made available to community bodies for initial registration purposes. We also plan to replace the existing guidance, which has been in place since 2004, before any Community Right to Buy applications were received and approved by the Scottish Government. The revised guidance will provide practical advice on the Community Right to Buy, including the re-registration process, to all parties involved in, and affected by the process. I expect the guidance to be published next month and to provide a useful context for anyone who wishes to comment on the procedure for re-registration.

I trust that the Committee will find these comments helpful in further consideration of the Community Right to Buy (Prescribed Form of Application and Notices) (Scotland) Regulations 2009.

ROSEANNA CUNNINGHAM MSP
MINISTER FOR ENVIRONMENT
14 MAY 2009