

From: Pam Ewen
To: Housebuilding
Cc: [REDACTED]
Subject: RE: CMA Housebuilding Market Study - Update Report and Consultation on Market Investigation Reference
Date: 07 September 2023

Thank you for your email of 25th August inviting further comments to your recently published update report.

I provide some brief comments below which I hope will be of assistance to you in moving this work forward.

As I highlighted in my interview with you, the work that is getting undertaken by CMA is very focussed on England and the English planning system. Throughout the initial interview and in this recently published document, I am concerned that this still remains a challenge. For instance, you make reference to planning reform and I would very strongly put to you the planning reform is not required in Scotland. The Scottish planning system has in recent years gone through significant change and has been reformed. Your report misses this and this misleading to readers. It is essential that the work of the CMA considers the context of Scotland and does not suggest that planning reform (e.g., is appropriate to that nation).

In respect of land banks, my professional experience as such that I do not consider there is significant land banking in Scotland. Some land banking (shorter term) I am sure is necessary to ensure there is flow through of deliverable housing sites.

On the private management of public amenities, local authorities are not in a position financially to maintain areas of open space for instance, across new build developments. It is important that these are integrated into the overall design and become part of the maintenance within the overall estate and community. Either this can be achieved through a factoring arrangement or by ensuring that small parcels of land are contained within private ownership. In terms of the lack of transparency for consumers, I consider this a matter that relates to how conveyancing lawyers provide clarity to potential purchasers of any particular burdens including financial burdens that apply to the property being sold.

I trust these points above are of assistance to you. I would draw your attention to my comments again in respect of ensuring that comments made within your reporting are either specifically referenced to the particular nation that the matter relates to or are equally applicable across nations.

Kind regards,

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