

Excluding councillors from rents debate is wrong

Excluding tenants from debates about the private rented sector risks leaving “a quarter of the city disenfranchised”, a city councillor has warned.

It comes after elected members who are tenants or landlords were urged by officials to declare an interest and leave the council chamber whilst a motion in support of an extended rent freeze was discussed last month.

Several councillors excluded themselves from the debate but the advice raised eyebrows, with Labour's Ross McKenzie describing the situation as “absurd”.

“I will not be able to able to speak for the tenants movement today as I'd hoped to because I am a private tenant,” he said during the full council meeting on 22 September.

Cllr Marco Biagi said: “I don't know anybody that walked out that was happy about it. I think everybody wanted to deal with this and I got the ball rolling.”

Mr Biagi has now referred the matter to the Standards Commission, an independent body which promotes high standards in public office, which he hopes will be able to clarify if it was necessary for councillor tenants to remove themselves from the debate.

The Colinton/Fairmilehead councillor, who previously served as a Scottish Government Minister for Local Government and

Community Empowerment, said he is “hopeful” of the outcome.

He added: “I do think it’s an issue with the letter of the law than the spirit of the law, I think it’s a very cautious reading of the code of conduct that made all the renters leave the room.

“None of us want to be disbarred from office or suspended from office for doing something when there’s advice saying you’ve got to be conscious of the possibility you could trigger X clause and Y clause.

“There needs to be clarification; if its in the spirit of the law then I think it’s a bad decision – a bad intention to block an entire category of people based on their tenure.

“To be fair to the Standards Commission, they accept that on other categories they’ve superficially put in guidance that just being a pensioner doesn’t mean you should refrain from any kind of discussion that affects people of that age, or Universal Credit recipients. None of these things that are shared by a large proportion of the population count as connections for the purposes of declaring interests.

“You can’t have a quarter of the city disenfranchised, I don’t believe that’s the intention and if that is the intention then it’s wrong.”

Mr Biagi said it is right councillors should be barred from decisions about their individual landlords or letting agent, but added this is “very different to being barred from taking part in debates on policies for regulating and managing the private rented sector as a whole”.

He stressed that the perspective of private tenants is “one that should be heard in the council”.

“It’s also the case that the proportion of councillors that rent is different by party, so it’s entirely possible that if

renters were excluded from some kind of actual decision on regulation of landlords or use of rent control legislation that it could actually change the outcome of that vote," he said.

"That is quite high stakes," he added. "This was a symbolic motion that was expressing the council's support, but the council has regulatory functions which apply to the private rented sector so it's absolutely vital it is clarified that people who rent are allowed to do that."

by Donald Turvill Local Democracy Reporter

The Local Democracy Reporting Service (LDRS) is a public service news agency: funded by the BBC, provided by the local news sector, and used by qualifying partners. Local Democracy Reporters cover top-tier local authorities and other public service organisations.