

COMMISSION CHANGE PROPOSAL

Form
version 2.1

Change Proposal reference
(To be completed by the TP Sec.)

MCCP188 - CC

Version No.

D.1

PART A — SUBMISSION

A.1. GENERAL DETAILS

A.1.a. TITLE

Scottish Landlord Portal

A.1.b. CONTACT
NAME

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A.1.c. ASSOCIATED
DOCS.

Attachment 1: SLP URS (being indicative requirements for the SLP); main text only.
Attachment 2: Communications and Awareness Strategy for the SLP (included for information purposes only).
Attachment 3: CSD0302 Amendments.

A.2. MCCP / OCCP DETAILS

A.2.a. ISSUE OR DEFECT WHICH THIS MCCP / OCCP SEEKS TO ADDRESS

Background

The Water Resources (Scotland) Act, 2013, provides for water and sewerage suppliers to be notified when there is a change of occupancy at a premise or where the property becomes vacant. Owners failing to provide the relevant information become jointly and severally liable for any water or sewerage charges that may fall due. In order to comply with this legislation, a system is required, for the landlords of Scottish commercial properties to correctly record the property, tenant(s) and the billing responsibilities of each and every premise.

In the first instance, the Water Industry Commission for Scotland (the Commission) invited the CMA to develop an initial specification for a Scottish Landlord Portal (SLP) to provide the above system. Subsequently, with industry support, the CMA Board approved a mandate for the SLP Project to be progressed in two phases; Phase 1 involved a review of the original requirements and the development of a Communications and Awareness Strategy for landlords, along with the drafting of this Commission Change. Phase 2 will deliver the SLP itself.

The purpose of this Commission Change is to establish the required obligations to enable the establishment and enduring operation of the SLP.

General Description

In the first instance, there must be an obligation on the CMA to operate and develop the SLP, on an enduring basis.

In addition, the Market Code must provide an underlying context for the SLP, so as to provide a basis for the CMA to operate and maintain it; which is to say, for whom the SLP is being operated and maintained and for what purpose. Since the SLP's purpose is to facilitate landlord compliance with legislation, it would seem appropriate to identify that the CMA will operate the SLP in order to allow Licensed Providers to receive notification from commercial Landlords on the occupancy and vacancy status of their properties. This statement also provides a basis for LPs to ensure that the Communications and Awareness arrangements are delivered on an ongoing basis, so as to facilitate landlord usage of the SLP. Wording in this obligation will also make it explicit that SW will be given suitable access to the SLP.

The Market Code also needs to identify a cost recovery mechanism for the enduring operation and maintenance of the SLP.

Finally, the SLP will require certain data items to be downloaded from the CMA CS and made available to SLP Users (subject to such Users being given appropriate access). CSD0302 will need to be amended to define this download.

Attachment 1 provides the indicative user requirements and specification for the SLP.
Attachment 2 identifies the Communications and Awareness Strategy for landlords and is included for information purposes only.
Attachment 3 identifies the download arrangements which will provide relevant CMA CS data to the SLP.

The following Market Code Changes are required:

New Section 2.2.13 Operate, Maintain and Develop the Scottish Landlord Portal

The CMA shall:-

- (i) operate and maintain the Scottish Landlord Portal and carry out the functions set out in Part 5 (Market Design) and as otherwise set out in the Market Code;
- (ii) implement any Approved Change or Commission Change and any consequential amendments required to the Scottish Landlord Portal in an efficient and co-ordinated manner; and
- (iii) be permitted to modify the Scottish Landlord Portal and associated processes where such modification does not impact on any Trading Party, and improves the effectiveness of the CMA.

New Section 5.18 Scottish Landlord Portal.

The Scottish Landlord Portal shall:-

- (i) Enable Landlords to provide updates to data pertaining to their premises, including its occupancy and vacancy status and to identify updates to that data for Licensed Providers; and
- (ii) Provide Licensed Providers and Scottish Water with access to that data, where relevant to them, both current and historic.

Modified Section 7.2.1 (See Red Text)

Not later than three (3) Months prior to the start of each Year, the CMA will prepare a draft CMA Budget for the following Year. The draft CMA Budget shall include:-

- (iii) all proposed operating costs of the CMA (including costs for the Scottish Landlord Portal, but excluding those costs provided for by the payment of an Additional Service Charge); and
- (iv) any other proposed costs of the CMA (including any proposed capital expenditure and any finance costs),

which in each case the CMA anticipates will be incurred in the following Year in

carrying out its duties under the Market Code (together the "Total Costs"). The draft CMA Budget will also set out the aggregate CMA Charges which the CMA proposes to charge to Trading Parties during the relevant Year, being an amount no greater than the Total Costs. Notwithstanding the foregoing, the first draft CMA Budget shall cover the Transitional Charging Period.

New Definitions.

Scottish Landlord Portal	A web based system, as given in Section 5.18
Landlord	Commercial property owners, managers and agents, including councils and property associations.

CSD0302 Amendments: See Attachment 3.

A.3. IMPLEMENTATION DETAILS

A.3.a. TP ACTION REQUIRED

NONE

A.3.b. REQUIRED IMPLEMENTATION DATE

To provide an opportunity for operation ahead of the earliest anticipated time for the landlord obligations to become effective, the SLP should be delivered in October 2016.

A.3.c. ANY LIMITATIONS OR DEPENDENCIES FOR IMPLEMENTATION

A.4. ANY OTHER COMMENTS

If the landlord obligations are to become effective on or around April 2017, the Phase 2 Project may also provide a framework for delivery of the Communications and Awareness Strategy. In any event, the Strategy can provide the basis for informing landlords of this date; from which, the SLP may be used for live data updates from landlords.

PART B — IMPLEMENTATION

B.1. IMPLEMENTATION DATE	2016-10-31
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B.2. IMPLEMENTATION DETAILS (MC version, CSD versions, CMA Central Systems release number, etc.)	
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SLP Version 1.00 and CMA CS version 4.5