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TPAS Cymru Response to;

Consultation - Proposed Affordable Housing LCO Committee - "The National Assembly for Wales (Legislative Competence) (No. 5) Order 2008" relating to the disposal of dwellings and dwelling houses by social landlords (Affordable Housing)

TPAS Cymru works to improve the lives of social housing tenants in both housing and community matters, by promoting effective participation of tenants with their landlords and with other partners in issues that affect them. TPAS Cymru also works to lobby for an adequate supply of decent affordable housing for rent and purchase available, to ensure that people are able to live in the communities that they choose.

This response is based on:

TPAS Cymru's extensive experience of developing and supporting groups and working in local communities.

Working to improve partnerships between tenants and residents and their landlords and other partners.

Working to ensure that the provision of affordable socially rented housing is maintained and enhanced in communities that people choose to live.

TPAS Cymru welcomes the opportunity to comment on the proposals set out within the Consultation Paper; Proposed Affordable Housing LCO Committee - "The National Assembly for Wales (Legislative Competence) (No. 5) Order 2008" relating to the disposal of dwellings and dwelling houses by social landlords (Affordable Housing).

In general terms we believe that housing legislation should wholly be devolved to the National Assembly for Wales in order that the Assembly Government can tackle Welsh priorities and issues effectively - which are somewhat different from those which are experienced in England and Scotland.

We respond to the specific issues and questions as contained within the consultation document below.

"Q1. What are your views on the general principle that legislative competence in the area identified in Matter 11.1 be conferred on the Assembly?"

TPAS Cymru believes that the extension of the powers as defined within Matter 11.1 is acceptable. Over the years since the introduction of the Right to Buy, coupled with inadequate replacement, the effect of this legalisation has meant a significant decrease in the availability of social housing available to rent within the whole of the UK and more specifically to Wales.

There are recognisable benefits to the community of different tenures within social housing estates such as owner occupation and private rented housing. However, the major effect of reduced supply and increasing demand for social housing has often been to diminish community stability and sustainability through high proportions of allocation of social housing via the homelessness route and to more vulnerable people.

"Q2. What are your views on the terms of the proposed Order? For example, are they too narrowly or broadly defined?"

TPAS Cymru believes that these powers are too narrowly defined for solving all of the issues relating to the provision of an adequate supply of affordable socially rented housing within Wales.

TPAS Cymru believes that in order to ensure that the range of important issues which impact on housing in Wales are addressed, the Assembly Government should request all legislation making powers, in relation to social housing, be devolved.

TPAS Cymru believes that the Assembly Government has previously focused too much on the provision of new affordable housing to buy, rather than to rent, and that the Assembly Government has not fully embraced the "intermediate" options for housing which are available and have been used effectively elsewhere in the UK and in Europe. For example; extending the use of tenure neutral models of housing provision such as the options for part ownership options, including "stair casing" models.

In addition, we believe that the model of Community Land Trusts offer additional alternative models for the development of affordable social housing provision within Wales.

The areas of action to address the wider issues would include allocation policy and new build provision for social housing.

TPAS Cymru is not in a position to recommend specific legislative areas of competence which the Assembly Government would need to address the issues around the supply and demand of affordable rented social housing. Further, review and development of a new National Housing Strategy is underway and the task groups that have been set up may be able to identify the relevant legislative areas.

"Q3. Is it necessary to set out the meaning of social landlord in the proposed Order? If so, how in relation to the meaning social landlord, is the list of legislative provisions correct, or should there be any additions or deletions? "

TPAS Cymru does not have the legal competence to advise whether it is necessary to set out the meaning of social landlord in the proposed order.

We would be delighted to submit oral evidence to the Committee if required.

John Drysdale, Director, TPAS Cymru

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