

HSHAWB 13 Tai Sir Fynwy | Monmouthshire Housing Association

Senedd Cymru | Welsh Parliament

Y Pwyllgor Llywodraeth Leol a Thai | Local Government and Housing Committee

Bil Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) | Homelessness and Social Housing Allocation (Wales) Bill

Ymateb gan: Tai Sir Fynwy | Evidence from: Monmouthshire Housing Association

1. What are your views on the general principles of the Bill, and whether there is a need for legislation to deliver the stated policy intention?

We fully support the overarching aim of ending homelessness in Wales ensuring that when it does occur, it should be rare, brief and unrepeatable. However, we remain concerned about the current and projected shortfall in available housing stock. Without a significant increase in the supply of suitable and affordable homes, we believe it will be extremely challenging to realise this ambition in practice.

We recognise the value of legislation in embedding the principles outlined in the Bill and agree that statutory duties can help ensure consistency and accountability across Wales. However, we have reservations regarding the proposed legislative power that would enable local authorities to request that registered social landlords (RSLs) and private registered providers of social housing make an offer of suitable accommodation to a specific applicant owed the final homelessness duty.

In our view, such powers are unnecessary in areas where strong, collaborative relationships already exist between local authorities and RSLs. We are concerned that formalising this process through legislation could risk undermining these partnerships and introduce administrative burdens that may not be proportionate to the intended outcomes.

2. What are your views on the provisions set out in Part 1 of the Bill - Homelessness (sections 1 -34)? In particular, are the provisions workable and will they deliver the stated policy intention?

Prevention and notice periods

We welcome the proposed extension of the prevention duty from 56 days to six months, as well as the intention to abolish the priority need and intentionality tests providing there is sufficient time for LA's to prepare. Resources for housing support will need to be increased significantly to ensure that homeless applicants are able to sustain both temporary and permanent accommodation.. These changes represent a more inclusive and preventative approach. That said, we have some reservations regarding the potential for a 'revolving door' effect, particularly in cases involving persistent anti-social behaviour or non-payment of rent. While we acknowledge that the introduction of a "deliberate manipulation" test may mitigate some of these risks, we are concerned that applying this test at the point of allocation could lead to delays in letting void properties.

We recommend that careful consideration be given to the proposal for registered social landlords (RSLs) to notify local authorities at the point a notice is served. While we understand the intention to support earlier intervention, we are concerned that this requirement could place an additional administrative burden on local authorities, particularly given that a significant proportion of notices served are not followed through to eviction. Any new duty of this nature should be proportionate and targeted to ensure that local authority resources are focused on cases where there is a genuine and imminent risk of homelessness.

Support

We are broadly supportive of the Bill's emphasis on strengthening prevention and support. In particular, we welcome the proposal to provide support for up to 12 months following rehousing, which we believe will give registered social landlords (RSLs) greater confidence in accommodating individuals with complex needs. However, we are concerned about the availability and sufficiency of Housing Support Grant (HSG) funding to deliver this level of support consistently across Wales. In our area of operation there is a significant waiting list for housing support which is placing considerable pressure on housing management services

To support the prevention of homelessness from social housing, we believe that registered social landlords (RSLs) should have the ability to request urgent support from local authorities where there is a risk of tenancy failure. In addition, RSLs should be empowered to initiate multi-agency case reviews in situations involving tenants with complex needs. These mechanisms would help ensure timely, coordinated interventions and promote tenancy sustainment, ultimately reducing the risk of homelessness.

Ask and Act

We are in support of the duty to ask and act and welcome the additional requirements to develop a protocol for delivering co-operation between public bodies for certain groups at increased risk of homelessness however, the Bill should make clear that RSL's are not public bodies.

3. What are your views on the provisions set out in Part 2 of the Bill – Social Housing Allocation (sections 35 – 38)? In particular, are the provisions workable and will they deliver the stated policy intention?

Section 33

We have reservations regarding the proposed legislative power that would enable local authorities to request that registered social landlords (RSLs) and private registered providers of social housing make an offer of suitable accommodation to a specific applicant owed the final homelessness duty.

In our view, such powers may be unnecessary in areas where strong, collaborative relationships already exist between local authorities and RSLs. We are concerned that formalising this process through legislation could risk undermining these partnerships and introduce administrative burdens that may not be proportionate to the intended outcomes. Furthermore, additional guidance is required in this section of the Bill on the definition of 'good reason'.

Common Housing Register and Accessible Housing Register

We agree that a common housing register is a positive step toward simplifying access to social housing. However, further clarity is needed regarding the proposed accessible housing register—specifically, how adaptations will be defined and whether a separate register is necessary, given that many Common Housing Registers already manage accessible housing allocations effectively within existing systems.

We believe it is essential that all common housing registers accommodate transfer applications from existing RSL tenants to ensure fairness and mobility within the social housing sector. Additionally, we recommend that the requirement for all allocations to be made through the common housing register should not extend to intermediate or market rent properties. These tenures serve a different purpose and target group and should retain flexibility in how they are allocated to meet broader housing needs. There are also implications for contract types under RHW whereby a secure contract should be given to an applicant who was allocated a property via the Common Housing Register and this is often not the policy intent with intermediate and market rent properties.

Deliberate Manipulation Test

We support the principle of removing preference for individuals who have deliberately attempted to manipulate the homelessness system. However, we have concerns about the practical implications of applying this test at the point of allocation. Specifically, we are concerned that this timing may lead to delays in the allocation process for registered social landlords (RSLs) and create confusion or frustration for applicants who are permitted to bid on properties they are ultimately ineligible to receive. This could undermine transparency and fairness in the system. Additionally, there is a risk of increased costs associated with temporary accommodation during the period in which the test is being applied—particularly in cases where the outcome is that the applicant’s homelessness duty is subsequently ended. Clarity is needed regarding who is responsible for undertaking the deliberate manipulation test although we assume that the LA is best placed to do this.

We support the creation of a new reasonable preference category for care leavers and recommend that this group also be provided with dedicated support for at least 12 months post-tenancy.

4. What are your views on the provisions set out in Part 3 of the Bill – Social Housing Allocation (sections 39 – 43 and Schedule 1)? In particular, are the provisions workable and will they deliver the stated policy intention?

Part 3 is ‘General’ and not Social Housing Allocation as stated in the question above. No further comments on this.

5. What are the potential barriers to the implementation of the Bill’s provisions and how does the Bill take account of them?

Housing Supply Constraints

A critical barrier remains the limited availability of suitable and affordable housing. Without a significant increase in affordable housing stock, local authorities may struggle to meet the expanded duties proposed in the Bill. While the Bill acknowledges this by delaying the removal of the priority need and intentionality tests we believe until at least 2030–31, we believe further clarity is needed on how housing supply will be scaled up to meet demand.

Resource and Capacity Pressures

The Bill introduces a range of new duties for local authorities and public bodies, which will require substantial investment in staffing, training, and support services.

We are concerned that without corresponding increases in funding—particularly for Housing Support Grant (HSG) and homelessness prevention services—implementation may place unsustainable pressure on already stretched services.

Stakeholder Concerns and Practical Implications

Some provisions, such as the duty on registered social landlords to comply with accommodation requests, may be seen as unnecessary in areas where strong partnerships already exist. There is also concern that the deliberate manipulation test, if applied at the point of allocation, could delay lettings and create confusion and frustration for applicants.

6. How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation, as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)?

No comments for this point

7. Are there any unintended consequences likely to arise from the Bill?

We note that the Bill's provisions will result in social housing being allocated exclusively to applicants with a clearly defined housing need. While we understand the rationale for prioritising those in greatest need, we are concerned about the implications for individuals who, although not currently classified as having a housing need, are nonetheless unable to access suitable accommodation due to rising private rents and the increasing cost of home ownership in Wales.

This group—who may be excluded from future waiting lists—still require access to affordable housing options in order to thrive. We urge the Welsh Government to ensure that this cohort is not overlooked. Consideration should be given to alternative provision, such as shared equity schemes, intermediate or market rent properties delivered by RSL's.

Furthermore, we are concerned that this principle could affect the long-term sustainability and balance of communities in new housing developments. If allocations are concentrated among individuals with complex needs, there is a risk of creating areas with limited social mix, which may present challenges for community cohesion and service provision.

8. What are your views on the Welsh Government's assessment of the financial implications of the Bill, as set out in Part 2 of the Explanatory Memorandum?

The majority of costs will fall upon LA's but there will be associated costs for RSL's who will be required to join CHR's and support the introduction of Accessible Housing Registers linked to IT and staff costs. There may be delays in lettings and rent loss due to delays in undertaking the deliberate manipulation test. There needs to be a significant increase in Housing Support Grant to meet current and future demand

9. Are there any other issues you would like to raise about the Bill and the Explanatory Memorandum or any related matters?

Housing
