

## **HSHAWB 23 Cyngor Dinas Casnewydd | Newport city Council**

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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: Cyngor Dinas Casnewydd | Evidence from: Newport city Council

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#### **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 would be grateful if you could keep your answer to around 500 words).

While there is general agreement on the main principles, ongoing support that lacks accountability and ambition for clients, along with the diminishing role of RSL's, is a significant concern. There are additional concerns regarding the complexities introduced by the Renting Homes Act and its impact on the fulfilment of related duties. Greater consideration is needed for the legislative frameworks that have been introduced, as well as the need for funding to support this transition and the importance of a broader policy narrative.

#### **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?**

(We would be grateful if you could keep your answer to around 500 words).

Abolishing entitlement by reference to priority needs and intentional homelessness: The bill fails to fully account for the depth of the current homelessness crisis and is likely to exacerbate the issue, thus further increasing the pressure on local authorities. While it is accepted that the removal of Priority Needs (PN) and Intentional Homelessness (IH) tests will be phased later in the implementation period, the absence of initial guidance regarding the requirements to be met is deeply concerning. In context, the Newport Local Housing Market Assessment (LHMA) suggests a shortfall of 711 one-bedroom units over the next five years. This must be considered against the fact that 75% of

people in temporary accommodation and 65% of those on the Common Housing Register are single individuals with a need for a one-bedroom unit. Although Newport does not frequently find households intentionally homeless, this provision is important to encourage households to make responsible decisions. Its removal raises concerns, particularly as the deliberate manipulation test (see below) does not mitigate its loss.

**Personal Support and Advice Plan (PSAP)** The PSAP will not resolve issues related to housing supply, and applicants may not have full and free choice of the available accommodation, although any accommodation must be suitable.

**Local Housing Allowance: Raising Local Housing Allowance and making changes to Universal Credit and other benefits to reduce destitution.** 101.26 vs 173.08 shortfall of 3,734.48 per annum.

**Further homelessness prevention duties:** Help to retain suitable accommodation secured in exercise of homelessness functions. Duty to contact certain applicants after the duty in section 75 concludes:

**Unacceptable behaviour that terminates duties (Applicants who engage in violent or threatening behaviour):** Similarly to the Renting Homes Act, and despite local authorities providing clear feedback, there appears to have been little consideration by the Welsh Government regarding the unintended consequences of the proposal or its interaction with other legislation. This is particularly relevant concerning the new powers for local authorities to discharge duties where an applicant has acted aggressively, violently, or damaged properties. As matters stand, even if the local authority discharges its homelessness duty, it would still be required to obtain a court order to remove the individual from the property, irrespective of the risk posed to staff or other residents. This ongoing risk would be exacerbated by the new Homelessness and Allocations Bill.

**Duty to seek the views of homeless persons in the exercise of homelessness functions:** While this is perceived as a progressive step forward in delivering housing services, the guidance note addresses the issue of managing client expectations.

**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?**

(We would be grateful if you could keep your answer to around 500 words).

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The provision outlined in Part 2 aims to achieve the Policy's objectives. However, there are concerns regarding relationships with Registered Social Landlords (RSLs) and the ability to accurately determine housing needs. This may be disadvantageous for Local Authorities that do not hold stock, as they rely on partnerships with RSLs.

Newport currently operates a common housing register.

Further elaboration is required on the deliberate manipulation test. It is essential that this test effectively addresses the issue of intentionality removal. Due to its complexity, robust guidance will be critical for successful implementation.

**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?**

(We would be grateful if you could keep your answer to around 500 words).

LA's that are non-stock holding really need the support of the RSL's to help with the current crisis with allocations and seek to assist with the LA's priorities on freeing up the shortfall of properties with specific bedroom sizes.

**What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?**

(We would be grateful if you could keep your answer to around 500 words).

The implementation of some changes will require significant resources and additional funding. These include the review of PSAP every eight weeks and the potential for additional challenge reviews being presented to the Local Authority. Resources will also be needed to contact individuals who have moved within 12 months of settling into permanent accommodation. Additionally, there is a lack of move-on accommodation.

Housing Supply: This is a complex issue that requires significant funding to support the transition.

Upgrades of systems: Need to be accounted for, and they take funding and time to implement.

Workforce and training: Significant investment is needed for staff within the sector to attract a workforce and retain the staff so they can work in a trauma informed way.

## **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)?**

(We would be grateful if you could keep your answer to around 500 words).

N/A

## **Are there any unintended consequences likely to arise from the Bill?**

(We would be grateful if you could keep your answer to around 500 words).

There are several factors to consider, including the lack of connection to issues outside the Working Group's control, such as the recently published Crisis paper and planning policy. Additionally, the impact of the Renting Homes Act and its implications for temporary and supported accommodation must be considered.

Increased dependency on local authorities and the financial pressure associated with this. Calculations and assumptions made are flawed and need to be reviewed.

## **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?**

(We would be grateful if you could keep your answer to around 500 words).

Failure to take into account current pressures or LA investment c.%5million in Newport over last 3 years. Most of the additional investment falls on the LA with no clarity on new burdens. The Welsh Government intends to provide funding to support local authorities during the initial years of the implementation period. Beyond this point, the financial benefits generated by local authorities are expected to more than offset the costs associated with the legislation.

NOLO funding currently goes nowhere near these levels of funding and WG are already aware of the shortfall. LAs have been doing this work locally for many years.

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

(We would be grateful if you could keep your answer to around 500 words).

Housing;Health and Care Services;Social Care;Justice