

## **HSHAWB 51 Cyngor Sir Powys**

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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 Sir Powys | Evidence from: Powys County Council

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Response from Powys County Council

July 31<sup>st</sup>, 2025

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

While the proposed legislation does aim to improve how different agencies work together, it falls short in one key area: it doesn't place a clear, strong duty on housing associations to actively support local authorities in tackling homelessness and rehousing. More importantly, it doesn't get to the root of the problem—there simply aren't enough genuinely affordable homes where people can feel secure.

By expanding the responsibilities of local housing authorities without increasing the actual supply of homes, there's a real risk of raising public expectations without being able to meet them. It could even unintentionally make homelessness seem like a more reliable route to secure housing, which could distort the system further. So, while the intentions behind the legislation are good, its impact on reducing homelessness will likely be limited unless we also address the growing gap between housing demand and supply.

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?

The proposed removal of key tests such as local connection, intentionality, and priority need raises several concerns. While these changes aim to create a more

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inclusive approach, they could unintentionally place significant pressure on the already limited supply of both temporary and permanent accommodation. Without these filters, local authorities may find themselves overwhelmed by demand, including from those who might otherwise have resolved their housing situation independently.

The loss of intentionality, in particular, risks undermining the balance between rights and responsibilities. If there are no consequences for those who choose not to help themselves when they are able to, it could weaken the effectiveness of prevention work and reduce personal accountability.

Although the concept of priority need is already less relevant in practice—many Welsh local authorities, including Powys, have moved away from applying it—the complete removal could still have unintended consequences. For example, it may further distort access to housing if homelessness becomes seen as a more reliable route to secure accommodation.

On a more positive note, Powys has seen a reduction in statutory homelessness and threatened homelessness cases since September 2022, suggesting that early intervention and triage models are having a real impact. These successes highlight the importance of prevention focused strategies.

Finally, while the proposal to limit local connection to an all-Wales basis may promote fairness, it could also lead to disproportionate demand in areas perceived as more desirable. This could disadvantage local communities who feel they have a stronger claim to housing in their area. Retaining some form of local connection consideration is therefore welcomed to help protect community cohesion and manage demand more sustainably.

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?

The section of the Bill that talks about not giving preference to people who try to manipulate the housing system sounds reasonable in principle—but in practice, it could be tricky to enforce. It's not clear how manipulation would be identified, how it would be proven, or what kind of consequences would follow. Without clear guidance, this part of the legislation might end up being more symbolic than effective.

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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?

The proposals might work—if there's enough genuinely affordable housing available for people on low and middle incomes, and if those homes offer real security, like secure contracts or ownership options. But if people are still being offered standard contracts that allow no-fault evictions, it's hard to see how this will provide the long-term stability people need. And it's not just about the homes themselves—there also need to be the right support services in place to help people stay in and enjoy their homes.

What's missing from the Bill is a clear commitment to actually funding and enabling the development of more homes or supporting the agencies that help people maintain their tenancies. Without that, it's hard to see how the Bill will make a real dent in homelessness. At best, it might help in a limited number of cases. At worst, it could distort the housing market even further making it harder for people who don't qualify for help to buy or rent a home on their own.

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

Wales is still facing a serious shortage of homes—especially ones that are genuinely affordable for people on low and middle incomes. The Bill doesn't really tackle this core issue. Instead, it focuses on expanding people's rights and increasing the responsibilities of housing authorities, without addressing the fact that in many areas, there simply aren't enough homes available or accessible in the first place.

On top of that, housing policy is increasingly being shaped by non-housing priorities—like the broader requirements of the Welsh Development Quality Requirements (WDQR) and the Welsh Housing Quality Standard (WHQS 2023). While these standards are well-intentioned, they're starting to slow down the delivery of new homes. If we're serious about tackling the housing crisis, we need to make sure that housing policy is focused first and foremost on getting more homes built.

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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)?

The use of subordinate legislation should be kept to a minimum, since it doesn't go through the same level of democratic scrutiny as primary legislation. Without that oversight, there's a risk that important decisions could be made without proper debate or accountability.

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

The Bill risks further distorting an already stretched and dysfunctional housing system. One unintended consequence could be that homelessness starts to be seen as the default route into social housing, especially as access to other housing options becomes more limited. This could increase pressure on local authorities and shift demand in ways that the current system simply isn't equipped to handle.

A missed opportunity in the Bill is the failure to address a loophole created by the Renting Homes Act, which allows housing associations to keep homeless households on a licence for up to 12 months in temporary accommodation before offering a secure contract. This contrasts with the approach taken by local authorities, who are expected to issue a standard contract at the point of accepting a homelessness duty (S75 stage) and then move to a secure tenancy as soon as reasonably possible. This inconsistency undermines the principle of fairness and delays housing stability for those in need.

At the same time, we're seeing a worrying trend: more private landlords are buying up properties to rent to local authorities at high cost as temporary accommodation. This reduces the number of homes available to other people—particularly low- and middle-income buyers—and pushes more households to present as homeless just to access housing support.

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The Bill also misses the chance to remove Section 173 of the Renting Homes (Wales) Act 2014, which still allows no-fault evictions. As long as this remains in place, private renting in Wales will continue to be fundamentally insecure, making it harder to prevent homelessness in the first place.

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?

It's always tricky to predict the future financial impact of new legislation, because so much depends on external factors—like property prices, how private landlords respond, and how quickly new housing is developed. That said, local authorities have already seen what happens when eligibility rules are relaxed and responsibilities increase, as they did during the Covid period. The result was a significant rise in costs—more staff needed to manage growing caseloads, and higher prices for temporary accommodation provided by private landlords. If the Bill leads to similar changes, we can expect housing authorities and support agencies to face considerable additional financial pressure.

9. 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)

The Bill is well-intentioned, but it doesn't tackle the root cause of most homelessness: the lack of housing. On its own, it won't increase the overall supply of homes—especially those that are affordable and secure for people on low and middle incomes. Without addressing that, the impact of the Bill will be limited.

Right now, what's really needed is a focus on building more homes. The recommendations from the Affordable Housing Task Force offer a solid starting point for developing practical, long-term solutions. Until we make real progress on increasing supply, this legislation may not be the right move at this time.

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