

Response to the Housing Bill

Background

Wrexham County Borough Council welcomes the opportunity to comment on the recently published Housing Bill.

Having previously provided detail feedback to the Housing White Paper we are appreciative that many of issues raised in the initial consultation have been acknowledged and are reflected in the Housing Bill. The Housing Bill represents a great opportunity for the Welsh Government to demonstrate its commitment to housing deliverability and housing conditions across all tenures.

The paper outlines legislative basis within the National Assembly for Wales as part of the development of the Housing Bill. The Housing Bill provides an opportunity to make a real contribution to improving the quality, and access of housing across all tenures in Wales.

As part of the current consultation, Wrexham County Borough Council would like to make the following representations on the following areas:

- **Private Rented Housing**

This is welcomed and provides a number of benefits including:

- The scheme gives Local Authorities an opportunity to achieve a more accurate picture of the size and nature of the Private Rented Sector within its area, particularly amongst smaller scale landlords who historically have been able to operate below the radar.
- The scheme will enable Local Authorities to develop partnerships with a wider range of private landlords resulting in improved communication and liaison with the sector resulting in improvements to service and property standards and better access to the private rented sector by those in housing need.
- The scheme will ensure that those operating in the private rented sector are expected to achieve a minimum level of competence through the accreditation process. This in turn will result in better management and property standards for private rented sector tenants.

- The scheme will enable Local Authorities to make sector less attractive for less scrupulous landlords to operate in.
- The associated proposal to allow councils to discharge homeless function into the PRS will require LA's to have a comprehensive record of PRS properties. Councils will need to develop schemes such as local letting agencies to access this sector of the market and the registration and licensing scheme will provide information to facilitate greater access to the PRS.

Whilst welcoming the benefits that this will provide the sector, the work relating to the scheme will have resource implications for Local Authorities; this will be particularly felt when considering the ongoing reductions taking place to Local Authority budgets across Wales. Failure to adequately resource the work will likely lead to a failure to achieve the full potential to drive improvements to the private rented sector.

- **Homelessness**

Measures taken in the bill to address issues surrounding homelessness are welcomed, particularly in relation to supporting the prevention agenda. Though it is felt that work is required in key areas to ensure the measures taken have the intended impact.

- The requirement that Local Authorities develop a homelessness strategy is recognised as a positive step in developing a consistent, and partnership driven approach to addressing issues around homelessness. However, in order for the strategy to be mainstreamed and effective, the strategy will need to be closely aligned with other related strategies and service areas such as Local Housing Strategies, and Supporting People operational plans. In recognition of this it is felt that the timelines of both the Homeless Strategy and the Supporting People Local Commissioning Plans should be linked to avoid duplication of information.
- Proposals to create a duty that Local Authorities take reasonable steps to prevent homelessness for anyone, irrespective of local connection or intentionality is likely to have significant resource implications. This is especially onerous for a border town, like Wrexham and could place a

hugely increased burden on the homeless service, with the potential to draw in applicants from neighbouring English towns and cities. This could be further exacerbated by the proposed new prison, in Wrexham. Any requirements should be linked to wider campaigns to encourage responsibility to be taken by individuals to ensure changes in behaviour in order to ensure tenure is made more secure including steps to ensure responsible budgeting etc. This is particularly important for those who may already have chaotic lifestyles.

- Proposals that Local Authorities have a duty to provide accommodation for families with children who have been found to be intentionally homeless will have a significant resource implication. This should also be linked to steps to work with families to maintain existing tenancies or homeownership including suitable budgeting etc. It is also felt that this group could potentially be rewarded for bad behaviour, even with the five year caveat and give some priority over and above families who have not even had an initial opportunity to be re-housed.
- It is accepted that homeless prevention is preferable to addressing homelessness in the majority. However it is felt that recognition is required that in many, more difficult cases, prevention may not be an option. A significant amount of resources in order to provide both approaches will be required.
- In recognition of the focus on homeless prevention, it is felt that work is required between the Welsh Government, the WLGA and Local Authorities to agree on the roles of both Homeless Services and Supporting People in this area of work. Clear boundaries are required in order to ensure avoiding duplication, and certain sections of society going unsupported due to lack of clarity and continuity over the role of each section.
- There are concerns that the review of Section 180 funding combined with the reduction in the Supporting People Grant may have a detrimental impact on the deliverability of the homeless prevention agenda.
- It is felt that the Housing Bill should recognise that there will continue to be a demand for services by those who are roofless despite the focus on prevention. It is therefore vital that sufficient S180 Supporting People

funding is made available and that Supporting People eligibility is extended to those groups who are without a home.

- Providing the right for Local Authorities to discharge homelessness duty into the private sector is widely welcomed. This will provide access to a far wider choice of accommodation and locations across the County Borough which suit the needs and aspirations of the applicants. This is particularly important in areas where there is a shortage of suitable social housing or if the property is unsuitable.
- The reforms outlined in the Housing Bill will ease the pressure on council waiting lists and remove the assumed link between Social Housing and Homelessness. Allowing access to the Private Rented Sector will give more opportunity for those on the Housing Register to access Social Housing via the Council or Registered Social Landlords without going down the homeless route.
- There is some uncertainty about the impact of the reforms to the eligibility of released prisoners in relation to the recent announcement by the Ministry of Justice of the development of a prison in Wrexham. This is particularly in relation to access to housing advice by prisoners upon release, possible referrals by support organisations to the Council and the inability of the released prisoner to return to their area of origin as a result of the nature of their crime due to a risk of victimisation from the local community.
- In relation to the issues with prisoner eligibility for homeless assistance, it is also felt that further clarification is required on the definition of 'vulnerable' in this context. The ambiguity of this term could have significant resource implications for Local Authorities, particularly in light of significant pressures on Supporting People budgets as well as result in a potential lack of consistency. It is expected that significant resources will be required to respond to the initial demands for service which will be generated locally as a result of both the reforms and the proposed new prison.
- Further information including source of data is required with regards to the projected numbers of released prisoners who will likely require

homeless assistance in Local Authority areas on the grounds of 'local connection'.

- The placing of a duty on Registered Social Landlords to co-operate with Local Authorities in relation to prevention of homelessness, the provision of suitable accommodation and the provision of support is widely welcome. Further clarification would be welcome however in relation to what is envisaged will be required of RSL's, how this will be policed and opportunities maximised? Will Local Authorities be expected to develop local arrangements in partnership with Registered Social Landlords (RSL's) or will leadership or advice be provided by the Welsh Government to ensure this is applied.
- In order to ensure effective and consistent responses to the requirement to focus on preventing homelessness, it is felt that a number of terminology used in the bill require clarification. These include the following – "implied consent", "threatened with homelessness", and "reasonable step to prevent homelessness". The ambiguity of these terms risks differing interpretations across Local Authorities which in turn will have a negative impact on the service users and organisations representing service users.
- Any focus on prioritising families may have an impact on other vulnerable groups which will also require support from Supporting People and Homelessness Services such as single males. It should be ensured that adequate resources are put in place to ensure all vulnerable groups are adequately provided for.

- **Gypsy and traveller accommodation**

The requirement that Local Authorities ensure that the accommodation needs of Gypsies Travellers are met will have significant resource implications for Local Authorities. At a time of fiscal constraints this requirement will need to be supported by additional Gypsy and Traveller grant funding by the Welsh Government.

- **HRA and subsidy review**

We anticipate a positive settlement which should allow for Local Authorities to invest in our properties and potentially develop a new generation of social housing in line with housing needs is widely welcomed. However we still awaiting agreement between all Local Authorities on the way forward and confirmation of the figures allocated.

- **Council Tax on empty homes**

The ability for Local Authorities to charge a higher rate of Council Tax for long term empty properties is widely welcomed. This move is seen as a positive step in ensuring that the prospect of keeping a property unnecessarily empty for a prolonged period of time.

- Clear guidance should be agreed between the Welsh Government and Local Authorities on the criteria when this increase should be implemented in order to ensure clarity and fairness including exemption from the increased rate. There should also be a requirement that Local Authorities work proactively with stakeholders alongside the use of the Council Tax regime in order to bring long term empty properties back into use.
- The rate of 150% for long term empty properties is agreed, though in the future consideration should be given for Local Authorities to increase this further if required.
- Consideration should be given to allowing Local Authorities to ringfence the revenue generated by the Council Tax increase for establishing further incentives to bring long term empty properties back into use. This would be particularly welcome against the background of uncertainty around future funding of the 'Houses into Homes' scheme.

- **Local Authority Standards - Rents and Welsh Housing Quality Standards**

- Wrexham County Borough Council sees the reforms allowing Local Authorities to become self-financing social landlords as an extremely positive step. This will make the requirement to meet the WHQS by 2020 achievable as a result of the reforms to the Housing Revenue Account and subsidy arrangements.
- Proposals to allow Local Authorities to set rent levels above social rents but below market rents is also seen as a positive step. Creating a clearer and transparent process of setting rents is particularly welcomed. In order to reflect the wide ranging housing needs in Wales, it's felt

important that Local Authorities are in a position to provide a range of affordable rental options, in particular the need to provide more intermediate rental products was highlighted in the most recent local housing needs assessment carried out by Wrexham County Borough Council.

- Additional income generated will enable Local Authorities to develop viable business models which will allow it to borrow necessary capital in order to accelerate or establish a strategically led housing building programme in line with local requirements. This will require significant resources to be invested in order to establish the necessary development frameworks and expertise.

Conclusion

In summary, we find much to admire in the Welsh Government's Housing Bill. There are details however which require further work and discussions between the Welsh Government, the WLGA and Local Authorities particularly in terms of understanding implications of some of the measures outlined, the definitions of key terminology used, and ensuring the availability of adequate resourcing for implementing the scheme effectively. Wrexham County Borough Council looks forward to working with the Welsh Government to ensuring these proposals have the necessary positive impact on the local community and stakeholders.