

04/2016 Housing and Planning Bill Update



19/02/16

Key Points

- The House of Lords has begun detailed consideration in Committee of the Housing and Planning Bill; Part 4 (Social Housing) will be debated in two sessions, beginning on 3 March;
- Amendments to Part 4 have been tabled by Labour and Liberal Democrat peers, and by the Crossbench Lords Best and Kerlake.

Background

Following Second Reading of the Housing and Planning Bill on 26 January, the House of Lords has begun detailed consideration of the Bill in Committee. Their first session on 9 February covered the clauses on rogue landlords and other private rented sector matters. On 1 March the Committee will consider Part 1, covering starter homes and self-build. On 3 March it will begin to look at Part 4 and is expected to cover the extension of RTB to housing associations and the sale of high value council homes, moving on to Pay to Stay and the ending of lifetime tenancies in a further session which has yet to be scheduled.

Many amendments have already been tabled. Most have been tabled by three groups of peers:

Lord Kennedy of Southwark and Lord Beecham (Labour)

Baroness Bakewell, Lord Shipley, Lord Greaves and Baroness Pinnock (Liberal Democrats)

Lord Best and Lord Kerlake (Crossbench)

Their main proposals are set out below.

Extension of Right to Buy to housing association tenants

Kennedy & Beecham

- to exempt categories of housing from the right to buy, including supported housing and homes in rural areas;
- to require one-for-one replacement of homes sold under RTB
- to prohibit letting of ex-RTB homes for 10 years.

Bakewell, Shipley, Greaves & Pinnock

- to require replacement for homes sold under RTB

Sale of Vacant High Value Council Homes



Kennedy & Beecham

- to require deduction of the cost of replacement from any high value sales levy;
- to limit high value sales to no more than 10% of vacant homes;
- no home to be designated high value if it is worth less than the cost of replacing it;
- exclusion of newly built or renovated homes from designation as high value.

Best and Kerslake

- any determination made by the Secretary of State to provide for replacement of every property sold;
- rural dwellings to be excluded if not feasible to replace locally;
- exclusion of certain dwellings from designation as high value, including supported housing and those newly built or renovated;
- vacancies to be excluded if created by tenants transferring;
- at least one-for-one replacement for areas outside London (extending the principle established by Zac Goldsmith's amendment in relation to sales in London).

High Income Social Tenants

Kennedy & Beecham

- Pay to Stay provisions not to apply to certain tenants, including those over 65, disabled, or in seasonal employment or on zero-hours contracts;
- requiring a taper to link rent increases to income;
- requiring 12 months notice of any Pay to Stay rent increase;
- provisions to apply only to tenancies commencing after April 2017;
- high income to be defined as in the top quartile of incomes in the area concerned.

Best and Kerslake

- Pay to Stay rent increases to be limited to 5% or CPI + 2% whichever is less;
- provisions to apply only to tenancies commencing after April 2017.

Lifetime Tenancies

Both Labour and Liberal Democrat peers have given notice of their intention to vote against clause 113 and Schedule 7, which provide for phasing out of lifetime tenancies.

Lord Best has tabled an amendment to increase the period of new fixed-term tenancies from 2-5 years to 5-10 years.