

Agenda – Local Government and Housing Committee

Meeting Venue:

Committee Room 5

Meeting date: 9 June 2022

Meeting time: 09.00

For further information contact:

Manon George

Committee Clerk

0300 200 6565

SeneddHousing@senedd.wales

Pre-meeting (09.00 – 09.15)

1 Motion to elect a temporary Chair in accordance with Standing Order 17.22

(09.15)

2 Introductions, apologies, substitutions and declarations of interest

(09.15)

3 Inquiry into the provision of sites for Gypsy, Roma and Travellers – evidence session 2

(09.15 – 10.45)

(Pages 1 – 17)

Professor Jo Richardson, Associate Dean Research and Innovation / Professor of Housing and Social Research, De Montfort University

Allison Hulmes, National Director, Wales, BASW Cymru

Attached Documents:

Research brief

Break (10.45 – 10.55)



4 Inquiry into the provision of sites for Gypsy, Roma and Travellers – evidence session 3

(10.55 – 11.55)

Chief Constable Carl Foulkes, North Wales Police

Chief Constable Pam Kelly, Gwent Police

Dafydd Llywelyn, Police and Crime Commissioner, Dyfed–Powys Police

5 Papers to note

(11.55)

(Page 18)

Attached Documents:

Cover sheet

5.1 Letter from the Counsel General and Minister for the Constitution to the Chair of the Legislation, Justice and Constitution Committee in relation to the implications of the UK Government's proposed legislative programme for the Senedd

(Pages 19 – 20)

Attached Documents:

Paper 1

5.2 Letter from the Minister for Climate Change in relation to second homes

(Pages 21 – 22)

Attached Documents:

Paper 2

5.3 Letter from the Minister for Climate Change in relation to building safety

(Pages 23 – 25)

Attached Documents:

Paper 3

Lunch (12.00 – 13.30)

**6 Inquiry into the provision of sites for Gypsy, Roma and Travellers
– evidence session 4**

(13.30 – 14.30)

Naomi Alleyne, Director, Social Services and Housing, Welsh Local
Government Association

Tim Peppin, Director of Regeneration and Sustainable Development, Welsh
Local Government Association

Daniel Hurford, Head of Policy, Welsh Local Government Association

**7 Motion under Standing Order 17.42 (ix) to resolve to exclude the
public from the remainder of the meeting**

(14.30)

**8 Inquiry into the provision of sites for Gypsy, Roma and Travellers
– consideration of the evidence received under items 3, 4 and 6**

(14.30 – 14.45)

**9 Consideration of the key issues in relation to housing Ukrainian
refugees**

(14.45 – 15.00)

(Pages 26 – 27)

Attached Documents:

Housing people from Ukraine – approach to scrutiny

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Agenda Item 5

Local Government and Housing Committee

9 June 2022 – papers to note cover sheet

Paper no.	Issue	From	Action point
Paper 1	Matters related to legislation – Legislation, Justice and Constitution Committee	The Counsel General and Minister for the Constitution to the Chair of the Legislation, Justice and Constitution Committee	To note
Paper 2	Inquiry into second homes	The Minister for Climate Change	To note
Paper 3	Building Safety	The Minister for Climate Change	To note

Mick Antoniw AS/MS

**Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution**

Agenda Item 5.1



Llywodraeth Cymru
Welsh Government

Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

13 May 2022

Dear Huw,

Thank you for your letter of 12 May. As you are aware, on 10 May 2022 His Royal Highness the Prince of Wales formally opened the new session of the UK Parliament on behalf of Her Majesty the Queen, and in doing so outlining the UK Government's proposed legislation for the new session.

I have today published a written statement regarding the anticipated implications of the proposed legislative programme for the Senedd, as well as to provide updates on our engagement with the UK Government.

I am keen to ensure we continue to work collaboratively with the Senedd on legislative consent matters, and I hope you will welcome this early letter and the associated Written Statement in that spirit. I can confirm I will attend the Legislation, Justice and Constitution Committee on 20 June. I hope to have more information on the bills referred to in the Written Statement by then and I look forward to discussing further at that meeting.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

I am copying this letter to the Llywydd and other Committee Chairs.

A handwritten signature in blue ink that reads "Mick Antoniw". The signature is written in a cursive style with a horizontal line underneath the name.

Mick Antoniw AS/MS

Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

John Griffiths AS/MS,
Chair of the Local Housing Government Committee,
John.Griffiths@senedd.wales

19th May 2022

Dear John,

Thank you for your letter of 13th of May and the Committee's careful handling of this particularly complex subject. I am setting out below my responses to the queries you have raised.

Proposed new planning use Classes

As you have noted from the consultation document, should changes be implemented following the consultation, the intention is that planning permission would *not* be required to change from a C5 (Secondary Homes) or C6 (Short-term Let) to a C3 use (Primary Homes) where an Article 4 direction is in place. This ensures properties in use as second homes or short-term holiday lets can return to general C3 housing supply without impediment, particularly in areas where there are localised housing pressures.

Land available for housing development

As outlined in [Planning Policy Wales \(PPW\)](#), the supply of land to meet the housing requirement proposed in a development plan must be deliverable. To achieve this, development plans must include a supply of land which delivers the identified housing requirement figure and makes a locally appropriate additional flexibility allowance for sites not coming forward during the plan period.

The ability to deliver the identified housing requirement must be demonstrated through a housing trajectory. The trajectory will illustrate the expected rate of housing delivery for both market and affordable housing for the plan period. To be 'deliverable', sites must be free, or readily freed, from planning, physical and ownership constraints and be economically viable at the point in the trajectory when they are due to come forward for development, in order to support the creation of sustainable communities.

Planning authorities must use their housing trajectory as the basis for monitoring the delivery of their housing requirement identified in their plan. Accurate information on housing delivery assessed against the trajectory is necessary to form part of the evidence

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

base for development plan Annual Monitoring Reports (AMRs) and for subsequent plan review. Under-delivery against the trajectory can itself be a reason to review a development plan. The monitoring of housing delivery for AMRs must be undertaken by planning authorities in accordance with the guidance set out in the [Development Plans Manual](#).

Commission on Welsh-speaking Communities

It is anticipated that Dr Simon Brooks, will take up his role as chair of the Commission in early June. Our aim is to announce the names of the commission members shortly after Dr Brooks' appointment.

Consultation on the Welsh Language Communities Housing Plan

The analysis of the consultation responses of the Welsh Language Communities Housing Plan is nearing completion. We aim to publish a summary of consultation responses and set out our next steps by the end of June.

Land Transaction Tax Consultation (LTT)

Officials are currently analysing the responses to the recent consultation on proposed local variation to LTT rates for second homes, short-term holiday lets and, potentially, other additional residential properties. Details of the outcome of the consultation will be published in due course

I hope these responses provide clarification, and I look forward to reading the Committee's report and recommendations.

Yours sincerely



Julie James AS/MS

Y Gweinidog Newid Hinsawdd
Minister for Climate Change

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Y Gweinidog Newid Hinsawdd
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Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref – BSDC - 046

John Griffiths MS
Chair, Local Government
and Housing Committee

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23 May 2022

Dear John,

Thank you for your further letter of 1 April regarding concerns from the Welsh Cladiators and leaseholders at the progress made in Wales to implement remedial work.

I would like to highlight that, as some of the points raised across both pieces of correspondence are the same; there may be answers that will be mirrored in both of my responses. Where this happens, I have made clear I have mentioned this in both responses.

It is correct that fire safety defects go further than just cladding issues, which is why, as stated in my previous response, I have always been clear that, in Wales, remediation work will go beyond cladding to take a holistic approach, encompassing evacuation alert, compartmentation and fire suppression systems where appropriate. This is the right approach, but it is more complex than simply tackling cladding, and will take time to implement. This approach has been communicated widely my officials and I are engaged in communications with the chair of Celestia Management Company Ltd regarding their recent multiple submissions of correspondence to fellow Ministers' offices and mine, of which, some are members of the Welsh Cladiators.

I am deeply aware of the issues raised by leaseholders across Wales, and I remain grateful to those residents I have met with for sharing their stories with me. Building Safety remains a priority for Welsh Government and me, and it needs to be addressed thoughtfully and skilfully with industry experts to ensure we get the solution right.

I was pleased to read the proposals made in our White Paper are being welcomed by leaseholders and would like to reiterate the work on this is still ongoing. There will be opportunities in the future for leaseholders to input their thoughts and ideas on how to shape our policies and legislation direction in this space. I am however, mindful Welsh Government need to focus on immediate outcomes for those currently being negatively affected due to building safety issues.

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With regard to the recommendations suggested, it is positive there are a number of similarities with what Welsh Government are already working on to tackle in relation to Building Safety issues.

With regard to the Building Safety Bill, as part of our [Building Safety Programme](#), we will bring in an ambitious legislative programme that will ensure that, at each stage in a building's lifecycle, the person responsible for ensuring the safety of the building is absolutely clear, and sanctions are in place to swiftly address any breaches.

In addition to this and, where it is appropriate, Welsh Ministers have supported the adoption of some aspects of the UK Government's Building Safety Bill in Wales which add further protections for leaseholders.

These include reforms to building control, changes to the Defective Premises Act 1972 and the Limitation Act 1980, broadening the type of work covered by the Defective Premises Act 1972 and providing the extension of certain limitations periods and 'anti-avoidance' building liability clauses, which will increase the ability of freeholders and leaseholders to obtain redress where sub-standard work has been carried out.

For example, where a development company has carried out sub-standard work and that company has subsequently been wound up companies "associated" with the development company can potentially be held liable for the defective work.

Welsh Ministers have also supported the application to Wales of clauses in relation to providing additional redress and extending limitation periods where defective or mis-sold construction products, including cladding, have been used in a building and this has resulted in the building being unfit for habitation.

The provisions in the Bill providing for there to be a New Homes Ombudsman will apply to Wales.

You will be aware of the developer's pledge, which has been introduced in England and a list of those which have already signed up to the pledge. I was very disappointed when Michael Gove announced this because we had been working with the UK government to introduce a UK-wide pledge. A UK "pledge" would commit developers to repairing buildings they were involved in developing.

Mr Gove's decision to introduce a pledge for England-only could make it harder to ensure all developers take their responsibilities to contribute towards the costs of fixing building safety problems in Wales seriously, and I wrote to him to express my strong concerns about this approach.

We have subsequently received a letter from Michael Gove, providing renewed assurances of collaborative working.

In the interests of Welsh homeowners, leaseholders and tenants, I will continue to press the UK government for the following:

1. A change in the pledge letters with developers and in the resulting detailed legal agreements from "with no prejudice to other nations" to a matching and proportionate commitment to self-remediate across the United Kingdom.
2. UK Government redoubles its efforts to introduce this year a credible, affordable and UK-wide PI scheme, and commissions work to support the creation of a companion insurance scheme for certification of remedial works which includes relevant aspects of fire safety.

3. Our officials to be engaged directly with developers and UK Finance bodies as a pragmatic approach to designing-in the needs of Devolved Governments.
4. An assurance that the Devolved Governments will receive every support in extending the introduction of the Building Safety Levy.
5. Support from Secretary of State Gove in seeking additional baseline capital and resource funding from HM Treasury over the UK Spending Review period.

I have been clear in my position that leaseholders should not have to pay to rectify issues that constitute failure to build to appropriate quality standards and building regulations. Building owners and developers should face up to their responsibilities and put right these faults at their own cost. In many cases these developers operate across England and Wales, which is why I continue to press the Secretary of State, Michael Gove MP; and the Minister of State for Building Safety and Fire, Lord Greenhalgh, to adopt a UK-wide approach to holding developers to account. While I will continue my efforts to progress discussions with developers in Wales, I strongly believe a joint cross government effort to bring developers to the table to get them to pay for the issues that are currently posing challenges for leaseholders would have the maximum impact.

I would like to reiterate, I appreciate that for Leaseholders having to live in affected buildings, it may feel that we are not working fast enough to fix the issues they are facing. I would like to offer my assurances again, that everything possible is being done to develop and implement a response. The pace of change reflects the complexity of the issues rather than any lack of commitment on the part of Welsh Government.

My officials and I are working as quickly as possible to find a solution in this complex area, but it must also be the right one for each building affected by fire safety issues. Our aim is to develop effective support options and reforms that will improve building safety both in the here and now and in the future.

Yours sincerely



Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change

Agenda Item 9

By virtue of paragraph(s) ix of Standing Order 17.42

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