

Agenda – Local Government and Housing Committee

Meeting Venue:

Committee Room 5

Meeting date: 29 February 2024

Meeting time: 09.15

For further information contact:

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(Pre-meeting 09.00 – 09.15)

1 Introductions, apologies, substitutions and declarations of interest

2 Private rented sector – Evidence session 1

(09.15 – 10.15)

(Pages 1 – 40)

Dr Tom Simcock, University of Huddersfield

Dr Bob Smith, Cardiff University

Dr Edith England, Cardiff Metropolitan University

Dr Josie Henley, Cardiff University

(Break 10.15 – 10.25)

3 Private rented sector – Evidence session 2

(10.25 – 11.25)

(Pages 41 – 51)

Jim McKirdle, Housing Policy Officer, Welsh Local Government Association

Bethan Jones, Operational Manager, Rent Smart Wales

Gareth Williams, Carmarthenshire County Council and Housing Expert Panel

Henry Dawson, Lecturer in Housing and Health, Cardiff Metropolitan

University and Housing Expert Panel

4 Papers to note

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- 4.1 Letter from the Minister for Climate Change to the Children, Young People and Education Committee – White Paper on ending homelessness in Wales**
(Page 54)
- 4.2 Letter from the First Minister to the Legislation, Justice and Constitution Committee – Data Protection and Digital Information Bill**
(Pages 55 – 56)
- 4.3 Letter from the Minister for Finance and Local Government – Local Government Finance (Wales) Bill**
(Pages 57 – 65)
- 4.4 Letter from the Counsel General and Minister for the Constitution – Elections and Elected Bodies (Wales) Bill**
(Pages 66 – 73)
- 4.5 Letter from the Counsel General and Minister for the Constitution to the Finance Committee – Elections and Elected Bodies (Wales) Bill**
(Pages 74 – 75)
- 4.6 Letter from the Counsel General and Minister for the Constitution to the Legislation, Justice and Constitution Committee – Elections and Elected Bodies (Wales) Bill**
(Pages 76 – 79)
- 4.7 Letter from the Legislation, Justice and Constitution Committee to the Minister for Climate Change – Renters (Reform) Bill LCM**
(Pages 80 – 81)
- 4.8 Letter from the Legislation, Justice and Constitution Committee to the Llywydd – Renters (Reform) Bill LCM**
(Page 82)
- 5 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting**
- 6 Private rented sector – Consideration of evidence**
(11.25 – 11.40)

**7 Legislative Consent Memorandum and Supplementary Legislative
Consent Memorandum for the Leasehold and Freehold Reform Bill**
(11.40 – 11.50) (Pages 83 – 102)

8 Legislative Consent Memorandum for the Renters (Reform) Bill
(11.50 – 12.00) (Pages 103 – 115)

(Break 12.00 – 12.45)

**9 Local Government Finance (Wales) Bill – Consideration of draft
report**
(12.45 – 15.00)

Document is Restricted

Evidence submitted to the Local Government and Housing Committee for the consultation on the Private Rented Sector

I welcome this opportunity to submit written evidence to the Senedd's Local Government and Housing Committee consultation on the Private Rented Sector. My response addresses parts of the terms of reference set out in the consultation document in turn and is based on my past research and my expertise in the private rented sector.

The supply, quality, and affordability of accommodation in the private rented sector

1. There are challenges in the supply, quality and affordability of accommodation in the private rented sector (PRS). Unfortunately, there is limited robust evidence on the quality of privately rented housing in Wales which needs to be urgently addressed. A route to improve this would be to introduce a Wales Housing Survey. However, there is evidence from across the UK that demonstrates that the private rented sector has lower-quality properties than other sector, for example nearly 1 million households in England live in properties that do not meet the decent home standard¹. In recent research for the Joseph Rowntree Foundation and the Scottish Government, we found that 4-in-10 renters had some form of dispute with their landlord, just over one-in-four renters (26%) had an issue with damp or mould in their property, and just under half of renters (44%) surveyed reported that they had problems with keeping the property warm in winter². While these are experiences from across the UK, and not directly in Wales, it is anticipated that there will be similar experiences given the comparable socio-economic and housing circumstances.
2. A core challenge in the supply of accommodation in the private rented sector is the switch to short-term holiday lets and Airbnb's. For landlords, this is a much more unregulated market, with potential tax advantages and higher returns. The UK Government have phased in tax changes to private landlords' ability to claim finance interest relief on mortgage costs, which would reduce the profitability of private landlords. By switching to fully furnished short-term holiday lets and Airbnb's, landlords are able to claim these tax deductions and improves their financial bottom-line³. This has substantial repercussions for neighbourhoods across Wales, where there is competition between renters and tourists for accommodation and this results in a loss of housing for renters. There is a need to find a way to bring these properties back into the private rented sector and discourage the switch to long-term short-term lets, while also not hampering the tourist sector and the economic advantages this brings to local communities.

Barriers to accessing the private rented sector

3. The private rented sector has grown considerably over the last twenty years and provides housing to a diverse population, especially with the high-waiting lists for

¹ Department for Levelling Up, Housing and Communities (DLUHC). (2022). English Housing Survey. Retrieved from <https://www.gov.uk/government/statistics/english-housing-survey-2021-to-2022-headline-report>

² Simcock, T. (2022). Living in Scotland's private rented sector: A bespoke survey of renters' experiences. UK Collaborative Centre for Housing Evidence. <https://housingevidence.ac.uk/publications/living-in-scotlands-private-rented-sector-a-bespoke-survey-of-renters-experiences/>

³ Simcock, T. (2021). Home or hotel? A contemporary challenge in the use of housing stock. Housing Studies. <https://doi.org/10.1080/02673037.2021.1988063>

social housing and home-ownership becoming out-of-reach for many. This means that for many households, the sector is a necessity rather than a choice. Our recent research in Scotland, identified that 44% of renters were renting because it was their only option⁴.

4. The current welfare system is a major barrier to accessing the private rented sector for low-income renters. There have been changes to housing benefit, including the introduction of Universal Credit, the Shared Accommodation Rate (SAR), and the freeze to Local Housing Allowance (LHA). The freeze to LHA rates has meant that housing benefit has not kept up with rent increases, placing families into hardship and difficult choices on whether to pay the rent, bills, or food. In my previous research, we identified that the impact of the introduction of the Shared Accommodation rate was found to be landlords reducing or stopping letting to under-35's who claim benefits (54% of landlords)⁵. In our recent research in Scotland, we found that 41% of low-income renters found it difficult to afford their current rent, in comparison to 26% of middle-income and 15% high-income renters. Furthermore, we found that 44% of renters whose rent is covered in full or in part by Universal Credit or Housing Benefit found it difficult to afford their rent. This places a substantial challenge in being able to access and move within the sector. There is an urgent need to bring the LHA rates back to the 50th percentile of market rents and remove the SAR to ensure renters can afford to live in the sector.
5. Access to the private rented sector has been a barrier for many pet-owners. I am currently leading a project exploring the financial impact of pet ownership in rental properties commissioned by Battersea Dogs and Cats Home. We are currently in the early stages of the project and expect to publish in Autumn 2023. However, we have undertaken an international evidence review of experiences of renters with pets. Our review has examined 51 sources of research and evidence from the UK and comparable rental markets. Our review identified that pet owners face difficulties and obstacles when trying to find suitable, pet-friendly accommodation in the private rented sector. These obstacles include restrictions on pets imposed by landlords, a lack of available options, prejudice against tenants with pets, and the comparatively greater expense of pet-friendly rentals (both the upfront costs and higher rent levels)⁶. The evidence shows that certain groups are more susceptible to these barriers compared to others. These include lower-income groups⁷, African-American pet owners⁸, and individuals trying to escape domestic violence and homelessness⁹. As a result of these obstacles and barriers, pet owners may be forced to accept

⁴ Simcock, T. (2022). *Living in Scotland's private rented sector: A bespoke survey of renters' experiences*. UK Collaborative Centre for Housing Evidence. <https://housingevidence.ac.uk/publications/living-in-scotlands-private-rented-sector-a-bespoke-survey-of-renters-experiences/>

⁵ Simcock, T., & Kaehne, A. (2019). *State of the PRS (Q1 2019): A survey of private landlords and the impact of welfare reforms*. Edge Hill University.

⁶ Applebaum, J.W., Horecka, K., Loney, L. & Graham, T.M. (2021) Pet-Friendly for Whom? An Analysis of Pet Fees in Texas Rental Housing, *Frontiers in Veterinary Science*, 8:767149. doi: 10.3389/fvets.2021.767149.

⁷ Toohey, A.M. & Krahn, T.M. (2017) 'Simply to be let in': Opening the doors to lower-income older adults and their companion animals, *Journal of Public Health*, 40(3), pp. 661-665.

⁸ Rose, D., McMillian, C. & Carter, O. (2020) Pet-Friendly Rental Housing: Racial and Spatial Inequalities, *Space and Culture*, 26(1), pp. 116-129.

⁹ Giesbrecht, C.J. (2022) Intimate Partner Violence, Animal Maltreatment, and Concern for Animal Safekeeping: A Survey of Survivors Who Owned Pets and Livestock, *Violence Against Women*, 28(1), pp. 2334-2358; Slatter, J., Lloyd, C. & King, R. (2012) Homelessness and companion animals: more than just a pet? *British Journal of Occupational Therapy*, 75(8), pp. 377-383.

substandard accommodation¹⁰, keep their pets a secret from their landlord¹¹, or in some cases, relinquish their pets¹². Based on our analysis, we have found that allowing pets in rental properties can also have advantages for landlords, such as promoting longer tenancies at higher rents¹³, improving communication and strengthening the landlord-tenant relationship¹⁴. Although some studies do report a small number of incidents of pet-related damage, the majority of the evidence suggests that pets do not cause significant costs to landlords or rental properties. The Renting Homes (Wales) Act 2016 does not impose a limit on the deposit, which is limited in England to 6 weeks. This should provide landlords with the necessary security, if they require an additional pet deposit, to cover any potential damages or repairs. There is a need for the Welsh Government and stakeholders to communicate the benefits of renting to pet-owners to landlords and letting agents to remove any barriers. Our research can play a key part in this and ensure that the messaging is evidence-informed, and we hope to meet with the Welsh Government once our project is in a later-stage to share findings and key learning to support efforts to enable pet-owners to access the PRS easily.

Effectiveness of regulating the private rented sector

6. The recent enactment of the Rent Homes (Wales) Act 2016 and the subsequent amendment will take time to embed into the day-to-day experiences of renters across Wales. Despite these welcome changes to the underlying framework of private renting, a core challenge has been the enforcement of regulation.
7. My past research identified a post-code lottery of enforcement in the private rented sector by local authorities across England and Wales¹⁵. The research identified that HHSRS inspections of properties in Wales had decreased by 22% in 2017/18 compared to 2012/13. While I have not yet had the opportunity to undertake further research to explore the latest trends, it is not likely that there will have been a substantial increase in enforcement activity. There is a substantial need to ensure that funding is available for local authorities to recruit enforcement and environmental health officers, but also funding for education and professional training programmes to ensure there is a pipeline of potential recruits into these roles.
8. A further challenge in the regulation of the sector is the onus placed on renters to challenge and enforce against poor practice by landlords and agents. In my recent research for the Joseph Rowntree Foundation and Scottish Government, we identified that renters were overall not fully aware of their rights nor had the capacity

10 Power, E. (2017) Renting with pets: a pathway to housing insecurity? *Housing Studies*, 32(3), pp. 336-360.

11 Soaita, A.M., & McKee, K. (2019) Assembling a 'kind of' home in the UK private renting sector, *Geoforum*, 103, pp. 148-157.

12 Shore, E., Peterson, C. & Douglas, D. (2003) Moving as a Reason for Pet Relinquishment: A Closer Look, *Journal of Applied Animal Welfare Science*, 6(1), pp. 39-52.

13 Carlisle-Frank, P., Frank, J.M. & Nielsen, L. (2005) Companion animal renters and pet-friendly housing in the US, *Anthrozoös*, 18(1), pp. 59-77.

14 Graham, T.M., Milaney, K.J. Adams, C.L. & Rock, M.J. (2018) "Pets negotiable": How do the perspectives of landlords and property managers compare with those of younger tenants with dogs? *Animals*, 8(3), <https://doi.org/10.3390/ani8030032>.

¹⁵ Simcock, T., & Mykkanen, N. (2018). The Postcode Lottery of Local Authority Enforcement in the PRS. Residential Landlords Association: Manchester, UK. DOI: [10.13140/RG.2.2.15441.58729](https://doi.org/10.13140/RG.2.2.15441.58729)

to challenge poor practice due to market conditions¹⁶. In our research, we recommended that there was a need to explore how to shift the onus from renters having to complain about an issue, to landlords needing to demonstrate compliance, for example, with standards and repairs¹⁷. While there might not be concrete policy solutions to develop this in the short term, this should be a medium-term funding priority for further research on the private rented sector.

Availability of data on the private rented sector and possible improvements

9. There is a need for significant data and research on the private rented sector in Wales. There are several challenges and potential solutions. These challenges are as follows:
 - a. Limited administrative data on the sector, including regular data on housing conditions and experiences of households
 - b. Limited regular data on the experiences of private landlords
 - c. How evidence and research on the private rented sector is undertaken, published and collated
 - d. The loss of formal housing education provision across the UK and limited funding opportunities
10. One of the key challenges is the lack of administrative data and a regular survey on the housing conditions and experiences of households. In England, there is the regular English Housing Survey, which provides important and useful data on changes in the housing system. Currently, in Wales there is no such system. There is data available from the most recent Census, but, as this is undertaken once per decade, this does not provide the regular data and insight that is needed. This further hampers the scrutiny of the efforts of the Welsh Government in improving standards and security in the private rented sector. The Welsh Government should seek to commission a regular Wales Housing Survey, whether this is directly commissioned or if a joint-commission with the UK Government to expand the English Housing Survey may be more appropriate. Furthermore, efforts should be taken to ensure administrative data on the private rented sector held by local authorities and the Welsh Government is made available, through secure routes, such as the Administrative Data Research UK (ADR UK) programme. Housing and communities is a core priority of the ADR UK, and the Welsh Government should commit to ensure all data on the PRS is available through this programme to academic researchers to develop a better understanding of the private rented sector.
11. The experience of and challenges faced by private landlords is an area across the whole of the UK where there is limited robust data. The UK Government have introduced a Private Landlord Survey, which is a welcome addition to the research landscape on the PRS. However, more data and insight are required over a broader topic base. This should be seen as a priority for development. To address this, there needs to be increased funding to undertake this work, either through direct

¹⁶ Simcock, T., McKee, K., Marsh, A., Harris, J., Moore, T., Soaita, A., & James, G. (2022). *What do lower income tenants in Scotland's private rented sector want to see from a new Rented Sector? Summary Report*. UK Collaborative Centre for Housing Evidence. <https://housingevidence.ac.uk/publications/what-do-lower-income-tenants-in-scotlands-private-rented-sector-want-to-see-from-a-new-rented-sector/>

¹⁷ Simcock, T., Marsh, A., & Moore, T. (2022). *Co-producing solutions to the challenges faced by low-income renters in Scotland*. UK Collaborative Centre for Housing Evidence. <https://housingevidence.ac.uk/publications/co-producing-solutions-to-the-challenges-faced-by-low-income-renters-in-scotland/>

commissions from governments or increased funding from UK Research and Innovation (UKRI). However, a challenge is the engagement of private landlords in any research project, with access being a key barrier. Enabling academic researchers and Rent Smart Wales to work together, such as Rent Smart Wales distributing academic surveys to landlords and agents, would provide a further opportunity to reach a greater number of landlords and enable a more robust understanding of the issues faced by private landlords.

12. The subsequent challenge is how evidence and research on the private rented sector is undertaken, published and collated. Much of the research on the private rented sector undertaken in Wales is conducted or commissioned by stakeholder organisations, which usually results in a briefing and/or report being published on the findings. Very rarely does this research get published in a scientific peer-reviewed journal. These reports and briefings may end up on a website for a certain period of time, but over time these documents can be lost from public access (if made public at all). Alongside turnover within these organisations, insights can be lost, leading to the re-commissioning of research that, rather than advancing our understanding of issues, could be argued to re-invent the wheel. There is a need for a strategic approach to research on the private rented sector, in both the commissioning, but also the publication and long-term storage of insights. Community repositories of research and networks (such as ThinkHouse and Renting Evidence) have developed out of this need, but these rely on individuals to maintain. Finally, there is a greater need for stakeholders to publish their research in peer-reviewed journals, such as Housing Studies or People, Place and Policy. Not only would this enable longer-term preservation of research findings but enable researchers to build upon existing research and demonstrate the quality of their research by engaging with the peer-review process.
13. The final core challenge has been the loss of professional housing courses at Universities across Wales and the broader UK over the last decade. There are now only four providers registered with the Chartered Institute of Housing to provide degree-level and above education – and with only one provider in Wales. This loss of housing education and research hampers the development of a critical understanding of housing issues in Wales. Furthermore, the loss of housing education at universities reduces the ability to train new professionals and upskill existing staff. The Welsh Government, and more broadly the UK Government and Scottish Government, should seek to encourage Universities to develop new housing education and research provision. Everyone deserves a decent, safe and secure home, and without critical insight and professional education, issues are likely to remain.

Final comments

14. I would like to thank the Committee for this opportunity to provide evidence and input into the consultation on the Private Rented Sector (PRS). The PRS provides housing to a fifth of renters across Wales, at all stages of life and from different socio-economic backgrounds. Renters face many challenges, including financial insecurity and challenges in accessing the sector if they own a pet. There is a growing body of research highlighting the negative impact of the insecure nature of private renting on

health and wellbeing¹⁸, being able to feel at home in their rented property and being able to put down roots in their communities¹⁹. Recent research identified an association between private renting and higher levels of biomarker C-reactive protein (CRP), which is indicative of chronic stress/infection²⁰. Further research has found that insecure housing and in particular private renting can have a negative effect on psychological well-being, with private renters experiencing anxiety and finding it difficult to 'settle down'²¹. While the Renting Homes (Wales) Act 2016 does now provide enhanced security from eviction, there is a need for continued research and evaluation to understand how the Act is affecting both landlords and tenants. Furthermore, there is a need to ensure that the private rented sector continues to be a focus of research and critical oversight to ensure issues are discovered and solutions and innovations identified, to safeguard that the PRS is home to good quality housing that contributes to, rather than detracts against, the health of people living in the sector.

Dr Tom Simcock

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May 2023

About Dr Tom Simcock

Dr Tom Simcock is a Research Fellow and Research Manager of the Healthy Housing Initiative at the University of Huddersfield. Tom has extensive experience of leading and managing multi-disciplinary research and evaluation projects. Tom's research interests include health and housing, the private rented sector, and housing inequalities. Tom's most recent research has focussed on housing policy and the private rented sector, including research on the experiences of low-income renters in Scotland, and the financial costs of renting to pet-owners. Tom is a Chartered Psychologist of the British Psychological Society (CPsychol), a certified member of the Market Research Society (CMRS), and a member of the Housing Studies Association. Tom is an elected member of the board of the Housing Studies Association and holds the officer role of Secretary. Tom is also the Chair of Renting Evidence, a knowledge-exchange initiative which brings together academics, stakeholders and policymakers to share research on renting to support evidence-informed policymaking and practice. Tom is regularly called upon by policymakers for his expertise, and previously gave evidence to the Welsh Parliament. His research has influenced Government policy-making, including being cited in government consultations on the private rented sector, and has been widely cited in debates in the House of Commons, House of Lords, and by the London Mayor. Tom's research has received national and international media coverage, including in the New York Times and on the front page of The Times.

¹⁸ McKee K, Soaita A & Hoolachan J (2019) 'Generation Rent' and the Emotions of Private Renting: self-worth, status and insecurity amongst low-income renters. *Housing Studies*. <https://doi.org/10.1080/02673037.2019.1676400>

¹⁹ Soaita AM & McKee K (2019) Assembling a 'kind of' home in the UK private renting sector. *Geoforum*, 103, pp. 148-157. <https://doi.org/10.1016/j.geoforum.2019.04.018>; Hoolachan, J. et al. 2016. '[Generation rent' and the ability to 'settle down': economic and geographical variation in young people's housing transitions](https://doi.org/10.1080/13676261.2016.1184241)'. *Journal of Youth Studies* ([10.1080/13676261.2016.1184241](https://doi.org/10.1080/13676261.2016.1184241))

²⁰ Clair A, Hughes A. Housing and health: new evidence using biomarker data. *J Epidemiol Community Health* 2019; **73**:256-262.

²¹ McKee, M., Reeves, A., Clair, A. et al. Living on the edge: precariousness and why it matters for health. *Arch Public Health* **75**, 13 (2017) doi:10.1186/s13690-017-0183-y

Senedd Cymru

Local Government and Housing Committee

Consultation: The Private Rented Sector

Submission of Written Evidence

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Introduction

Thank you for the opportunity to submit evidence to the Committee's Inquiry into the Private Rented Sector. Please note that I am writing in a personal capacity and that my views do not necessarily reflect those of Cardiff University or the UK collaborative Centre for Housing Evidence (CaCHE).

My focus in this written evidence is to address the issues raised by the Committee in their consultation, but it is also important to consider the PRS as part of a wider housing system, in which there are interactions between the different tenures (owner occupation, social housing etc.) and between changes in the wider economy. The topic of inquiry is also a very broad one and whilst seeking to cover many of the issues raised by the Committee I have inevitably (given the word constraints) elected to emphasise some issues at the expense of others and a couple of issuers (collaborative/ partnership working and barriers to access) where, due to word constraints, I have not offered comments.

Setting the Context

The private rented sector (PRS) is a complex part of the UK housing market, with a number of different submarkets, different demand pressures and a wide range of suppliers, from small landlords to larger investors with multiple properties. It's a diverse tenure with significant differences in scale and make-up at a local level.

CaCHE published an overview of the PRS in the UK in July 2019, highlighting how it has grown and evolved over the last 20 years or so (Marsh and Gibb, 2019). The sector is now playing a more central role in housing policy across each of the UK nations, and issues of standards, regulation and rents have become more important concerns for policy makers. Many of the broad arguments made in this report are applicable in a Welsh context. In addition, Gibb (2023) has recently published a paper on the continued evolution of the PRS across the UK and differences and innovations across the devolved administrations in terms of policy frameworks, developments, and regulation, from which the different jurisdictions may learn.

As in other parts of the UK the scale of the private renting in Wales has grown considerably over the last two decades. In March 2001 there were an estimated 90,445 dwellings in this sector (7.1% of the dwelling stock) By March 2020 the estimated number of dwellings in the private rented sector in Wales stood at almost 205,000 (14.3% of the stock, Stats Wales). Of course, the number and proportion of dwellings in the private rented sector varies across Wales, by local authority and below local authority level. Early published data from the 2021 reports 17% of Welsh households were resident in the PRS at the time of the census (a slightly higher proportion of households than those living in the social rented sector), with above average proportions of households living in the PRS in local authorities such as Cardiff, Ceredigion, and Denbighshire.

Supply, Quality and Affordability

In 2015 the then Welsh Minister for Communities and Tackling Poverty asked the Public Policy Institute for Wales (now the Wales Centre for Public Policy) to analyse the growth of the private rented sector in Wales. Their report (Whitehead and Scanlon, 2015) concluded that the growth of the private rented sector was the most significant structural change in the Welsh housing market for at least two generations. The authors argued that this had considerable significance for government policies in terms of new housing provision, the allocation of subsidies, the role of social and intermediate housing (the other part of the rental market) and rent determination. The report also noted that, although diverse in terms of its profile of both tenants and landlords, initial analysis of those living in the sector suggested areas where there were concentrations of unemployment, low incomes, and poor-quality housing. It argued further data collection and analysis was required. This is an issue I will return to throughout this paper.

The growth of the private rented sector reverses a long-term decline of the tenure dating back to before the First World War and can be explained by several factors. Many households over the last two decades and more have experienced problems in accessing both the owner-occupied and social rented sectors. Over this period there has also been a significant growth in housing requirements in Wales, fuelled by increasing population, falling average household size and net in-migration. On the supply side, the growth of the sector has been prompted by a number of factors encouraging new investment in the sector, including the growth of buy-to-let mortgages. However, there have also been recent changes in legislation, regulation, taxation and wider economic forces (including increasing interest rates) which may be having negative effects on landlord investment. I would also reiterate the point I made at the outset. What happens in the PRS will not only be affected by policy developments specific to the sector but also by policies in relation to the other main housing tenures and wider economic, fiscal, and social policies.

Supply (and demand)

In the context section of this evidence, I provided the data on the number of dwellings and proportion of households living in the PRS in Wales. In the later section on regulation, I outline the latest cross-sectional evidence on the numbers of landlords and agents operating in the sector in Wales, as well as suggesting that the Rent Smart Wales (RSW) database might offer the potential for more detailed analysis of the changing supply of accommodation in the sector in Wales.

It's perhaps worth highlighting that (using data from England) there have been attempts to develop a typology of smaller landlords supplying private rented accommodation. Rugg and Wallace (2021) have suggested four categories of smaller landlords:

- Accidental or incidental landlords
- Investment landlords (rental income augments income)
- Portfolio landlords (sole income from letting property)
- Business landlords (where letting property is one of a number of business interests)

Whilst this is a useful classification, there is little information available about the nature of the supply by landlords in Wales, or what shapes the behaviour

of different landlords and the models which may explain the investment decisions of different landlords .

Our knowledge of who lives in the PRS (and why they do so) is also very limited. The English Housing Survey (no equivalent for Wales) segments private renters into six broad groups.

- Comfortable renters (44%)
- Older renters (3%)
- Families getting by (17%)
- Struggling families (11%)
- Low-income savers (16%)
- Vulnerable singles (10%)

In some instances, the demand for private renting is a positive choice at a particular time in life (although such households may have longer-term aspirations for other housing options – e.g., home ownership). For some households' accommodation demand is linked to their current work or studies. However, in other cases the demand for private renting reflects the lack of supply (and choice) of social rented housing or an inability to access owner-occupation.

It is unclear to me that in Wales that we have either the quantitative or qualitative evidence in relation to supply (and the factors shaping it) or the demand for accommodation in the PRS.

The Quality of the Private Rented Sector

Our knowledge of the quality of the PRS in Wales (at least at a national level) is a little better.

Wales has the oldest housing stock in the UK, and evidence from the 2017/18 Welsh Housing Conditions Survey indicates that the PRS has the oldest housing stock (over 40% built pre-1919). The lowest average SAP (Standard Assessment Procedures) ratings are also in the PRS, although there have been significant improvements over time. The available evidence also suggests that under the Housing Health and Safety Rating System (HHSRS) that the PRS in Wales has a significant proportion of homes with identifiable category 1 hazards and (in 2017-18) the highest proportion of homes with problems of damp, mould, and condensation. Changes introduced through the Renting Homes (Wales) Act 2016 do offer the prospect of further improvements of standards in the sector.

There is not the space in this submission to explore the issues of quality in the PRS in more detail. However, I would wish to make the point that there remain particular problems in certain parts of the sector (e.g., Houses in Multiple Occupation – HMOs). It is also worth highlighting, given some of the problems of poor-quality housing in the PRS and the fact that it performs relatively poorly in terms of energy efficiency (compared with other tenures), there are major challenges in tackling the retrofitting of many homes in the sector to meet climate change targets. Much of the PRS stock will require considerable investment to improve the quality of homes, although it is unclear to me what strategies Welsh government may have to address these issues or to provide support and incentives to private landlords to encourage this investment.

Affordability in the Private Rented Sector

It is generally recognised that private sector rents have increased significantly over the last couple of years, and this has occurred alongside significant general cost of living inflation. The ONS private rent index (which includes the non-traded stock of private tenancies) indicates rents in the sector have been more stable than is suggested from other evidence (e.g., data based on advertisements, which focus on flows of new lettings in the sector). This strongly suggests that it is rents on new dwellings in the PRS which have been rising at a faster rate than rents for existing private tenancies. It appears that the most significant rent increases may be in relation to those local markets where there is a scarcity of new letting opportunities (and rising demand and/or landlords withdrawing from the sector).

In terms of rent data, Welsh Government published an analysis of private sector rents for 2019 in May 2020 (Welsh Government, 2020) This paper provides an analysis of average private sector rents across Wales (for each local authority), by property type (number of bedrooms). It also provides information on the spread of rents within individual authorities (including upper and lower quartile averages). However, the paper makes clear that private rented properties in Wales are by no means evenly spread, being concentrated in the more urban areas and scattered unevenly in more rural localities. Whilst I understand the data on actual private sector rents is still being collected, I am not aware of any intention to continue the publication of this information.

The Office of National Statistics (ONS) publishes an index of private housing rental prices. Earlier this year it reported that private rents paid by tenants had

increased on average by 4.4% in the 12 months up to March 2023 (4.9% across the UK). This is the highest annual percentage change in Wales since ONS commenced this data exercise in 2010 (ONS, 2023). Savills research has forecast an annual rental growth in Wales for 2023 of 5.5%, although it projects lower annual growth rates for the subsequent 4 years (Savills, 2023). Savills also report rental growth in Wales in the year to February 2023 of 10.2% (using Zoopla data), although this is based entirely on newly agreed rents, unlike the ONS data.

Current Challenges and Issues

In the sections above I have already highlighted some of the pressing challenges facing the PRS in Wales. However, below I have detailed some of the other current issues which the Committee may wish to consider.

Implementing The Renting Homes (Wales) Act, 2016

The implementation of many of the provisions of this legislation represent the most significant changes to housing law in Wales for decades. This affects all social and private landlords and tenants in Wales, in terms of contracts, maintenance requirements and the ways in which landlords communicate with tenants. It provides greater protection for tenants (e.g., increasing the no fault eviction period from 2 to 6 months) and places additional responsibilities on all landlords in terms of issuing occupation contracts, undertaking training and carrying out work to ensure properties have hard-wired smoke alarms. The intention underpinning the legislation is to provide greater security of tenure and protection for tenants.

Although it is little more than six months since much of the legislation was implemented it will be critical to ensure there are appropriate mechanisms in place to monitor the impacts of these changes over the longer-term, not least in terms of the impacts which the legislative changes may have on the supply of privately rented accommodation.

Short-term and Holiday Lets

In recent years there has been a growing recognition of the interrelationships between the PRS and the issues of second homes and holiday and short-term lets (particularly, although not exclusively in coastal communities and parts of rural Wales). I am aware that this is an issue which the Senedd Housing and

Local Government has already investigated and where Welsh Government have published research and introduced policy changes.

Recent research from the Bevan Foundation has revealed that, in parts of Wales, the number of properties used for holiday lets is having a detrimental effect on the availability of property for rent in the private sector in Wales (Bevan Foundation, 2022a). Welsh Government have also been taking action to tackle the problems of “second homes” which are significant in some parts of Wales.

Subsidising Rental costs and the Local Housing Allowance

A further issue relates to the assistance available to support low-income households to meet their rent payments. This is not a devolved issue. Payments are made through the Department of Work and Pensions (DWP) through the local housing allowance (LHA). LHA rates are set within the boundaries of broad Rental Market Areas (RMAs) and in theory should reflect the thirtieth percentile rent. However, LHA rates have been subject to various caps and freezes, irrespective of what has happening to rent levels locally. This has created a serious dislocation between local market rents and LHA rates.

In Wales the Bevan Foundation have done excellent work highlighting this issue and the challenges posed. In a report published last year (Bevan Foundation, 2022b) they reported that between May and December 2021 the LHA rate only covered 3.8% of available properties across 10 Welsh local authorities, pushing low-income renters into poor quality accommodation and financial hardship.

Rent Control

Given concerns around affordability in parts of the PRS it is not surprising that there has been a renewed interest in the potential for introducing rent restrictions. In Wales Labour and Plaid Cymru, in their Co-operation Agreement, have indicated a commitment to consider what they have termed “fair rents”, which might lead to legislative proposals for rent controls in some form or other. I understand that Welsh Government may consult on this (and other housing issues) in the Spring/early Summer of this year.

CaCHE has published widely on rent control over the last two years (Gibb and marsh, 2022; Gibb et al, 2022a; Gibb et al, 2022b, Marsh et al, 2022). Drawing on this research, CaCHE has also provided a confidential briefing paper for

Welsh Government on this issue, which we understand will be published later this year (Gibb and Smith, forthcoming). The question of rent control is a controversial one, and generally very unpopular with landlords and their representatives. Nevertheless, it remains an issue where the evidence and options need to be given proper consideration by policy makers.

Regulating the Private Rented Sector

The PRS is subject to a range of regulatory interventions: by Welsh Government, by UK government departments (e.g., Department of Work and Pensions, the Exchequer, HM Revenue and Customs etc.) and by local authorities. Sometimes, different interventions are piecemeal, seeking to address particular problems, and not necessarily part of an overarching coherent strategy towards the PRS.

The Housing (Wales) Act 2014 introduced specific measures for the regulation of private rented housing in Wales and in November 2015 Rent Smart Wales (RSW) was established, with a responsibility for registering private landlords and licensing managing agents across Wales (there was already a voluntary landlord accreditation scheme in place in Wales; the 2014 legislation provided for mandatory registration and accreditation). Wales has also legislated, under the Renting Homes (Fees etc.) (Wales) Act 2019 to limit the fees which can be charged to tenants.

RSW publishes a monthly statistical dashboard of private renting registrations/licenses in Wales (at a national level). According to the January 2023 data, 209,109 properties are registered with RSW. The January report indicates 100,750 landlords registered, 45,892 landlords licensed, and 4,545 agents licensed (with others being assessed). Whilst these figures appear to be fairly consistent with official Welsh Government statistics in terms of number of properties (referred to above), it is not clear how comprehensive a picture of landlords/agents this represents (although there are mandatory requirements). However, whilst the monthly dashboard is useful as a snapshot of registrations/licenses, there is no publicly available time series analysis, which might indicate how the number and profile of private landlords/agents is changing (is the sector now shrinking?) and no analysis of the data below an all-Wales level.

The PRS is covered by a wide range of laws and regulations relating to property condition and management as well as around landlord-tenant relationships. The introduction of the RSW scheme has been broadly welcomed and helps to identify non-compliant landlords/agents and helps to improve the levels of

compliance and performance across the sector. RSW has recently published a dashboard of enforcement action (up to 1st March 2023). This is a useful addition to the evidence of actions being taken against landlords/agents failing to register or to be licensed (e.g., fixed penalty notices, convictions), with this being analysed by landlord location. It is to be hoped this will be developed and updated in the future.

However, in the light of reductions in local authority funding there may be questions over the resources and capacity at a local level necessary to enforce compliance. Once again, I would highlight recent research undertaken by colleagues in CaCHE which has shown significant differences in local philosophies, policies, and operational practices in relation to compliance, as well as the ways in which different local authorities work collaboratively with private landlords and their agents (Harris et al, 2020).

Finally, in this section I would wish to highlight the potential offered by RSW in terms of data analysis in relation to the PRS in Wales (notwithstanding questions over resources). I note that earlier this week, in response to an FOI request (17500) for the number of landlord registrations and deregistrations over the last five years, the Welsh Government indicated such data is held by RSW. The final paragraph of the initial independent evaluation of RSW (Welsh Government, 2018), argued that Welsh Government and RSW should consider how the data collected by RSW could be maximised to provide an accessible source of information on the PRS in Wales. The availability of data in Wales is an issue considered further below.

The availability of data on the PRS

In 2020 CaCHE identified and commented on the main data sources available across the UK (and for the individual nations) in relation to the private rented sector (Orford and Harris, 2020). In recognising the heterogeneity of the sector (and the different experiences of those living in private rented accommodation) it noted that gaps in the evidence base, an absence of information on landlord behaviour and the lack or poor quality of low-level geographic data made regulating the sector very difficult. Such weaknesses also undermine the development and implementation of policies, particularly at the local level, often leading to unintended consequences or outcomes. Throughout this submission I have highlighted some of the significant gaps in the evidence base in relation to the PRS and would hope to see moves to address some of the more serious data gaps in Wales.

Concluding Comment

The PRS in Wales is a diverse one, which has grown and evolved in significant ways over the last 25 years. There are ongoing and often controversial debates as to whether there is an optimum size for the sector and what roles it should play in meeting housing needs and demand. I have attempted to highlight a number of issues which face the sector (and policy makers and practitioners) and to indicate some of the tensions which exist between the PRS and the wider housing system in Wales. It will be a difficult balance to strike in developing policies for the PRS in the context of a continuing significant shortfall in overall housing supply and ongoing problems of housing affordability (as well the wider cost of living crisis) faced by many households in Wales.

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NB: All CaCHE publications are freely available to download from their website.

<https://housingevidence.ac.uk/publications/>

Welsh Parliament Consultation: Private rented sector.

Recommendation 1: End 'no fault eviction' in order to address long term trauma/ adverse childhood experiences exacerbated by housing insecurity.

1. Homelessness, especially where complicated by domestic abuse, is highly traumatic.
2. Secure, stable housing is crucial to rebuilding wellbeing. Local community links, educational stability and stable access to healthcare are enabled by long term tenure stability.
3. The current six month notice period for tenants is an improvement on the previous two months, but still does not offer the level of security needed to provide security to families.

Recommendation 2: Explore options for increasing affordable housing stock suitable for families (i.e. 3+ bedrooms), including raising the Local Housing Allowance.

1. At present, in many areas across Wales, accommodation suitable for families is scarce and expensive.
2. The Local Housing Allowance is inadequate to cover private sector rents in most parts of Wales.
3. One targeted option to increase affordability would be to offer an enhanced LHA in cases of domestic abuse, to enable access to the private rented sector.

Recommendation 3: Provide targeted financial support to facilitate access to the private rented sector for those who have experienced domestic abuse.

1. Financial checks are part of the process of securing a private rented tenancy.
2. Domestic abuse frequently includes financial control. Individuals may be at elevated risk of rent and mortgage arrears and other debts. They may also not have their own bank accounts or have built up a credit history.
3. While some financial support may be available under homelessness legislation (Housing (Wales) Act 2014) our research indicates that this needs clearer targeting to those experiencing domestic abuse.

About the contributors

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About the evidence

This response draws upon a number of studies conducted by the contributors, jointly and individually, over the past five years. These include:

1. *Workforce survey of domestic abuse workers (2021-2023, Dr Edith England and Dr Josie Henley. Funders: Cardiff Metropolitan University Global Academies)*

Detailed survey of 110 frontline workers in the domestic abuse sector, including psychometric tests of burnout, empowerment and autonomy; interviews with a further 56 workers.

2. *Implementation of the Housing (Wales) Act 2014 (2017-2020, Dr Edith England. Funders: UK Centre for Collaborative Housing Evidence)*

Interviews with 52 frontline workers and 44 applicants in the Welsh homelessness system.

3. *Homelessness among trans people in Wales (2017-2019, Dr Edith England. Shelter Cymru/ End Youth Homelessness Wales. Funders: LGBTQ+ Aware)*

Interviews with 28 trans people with experience of homelessness, and 12 frontline workers

WLGA evidence to Local Government and Housing Committee

– Private Rented Sector

Welsh Local Government Association - The Voice of Welsh Councils

The Welsh Local Government Association (WLGA) is a politically led cross party organisation that seeks to give local government a strong voice at a national level. The Association represents the interests of local government and promotes local democracy in Wales. The 22 councils in Wales are all members of the WLGA and the 3 fire and rescue authorities and 3 national park authorities are associate members.

We believe that the ideas that change people's lives, happen locally

Communities are at their best when they feel connected to their councils through local democracy. By championing, facilitating, and achieving these connections, we can build a vibrant local democracy that allows sustainable communities to thrive.

The main aim of the Association is to promote, protect, support and develop democratic local government and the interests of councils in Wales.

This means:

- Promoting the role and prominence of councillors and council leaders
- Ensuring maximum local discretion in legislation or statutory guidance
- Championing and securing long-term and sustainable funding for councils
- Promoting sector-led improvement
- Encouraging a vibrant local democracy, promoting greater diversity
- Supporting councils to effectively manage their workforce.

Senedd Cymru's Local Government and Housing Committee is undertaking an inquiry into the **private rented sector**. This is the WLGA's submission to that inquiry.

The terms of reference for the inquiry, which the Committee has invited contributors to share views on, are to:

1. The supply, quality and affordability of accommodation in the private rented sector;

The private rented sector is an important option for those seeking help from Councils across Wales in meeting their housing needs. This includes households threatened with homelessness and those who become homeless.

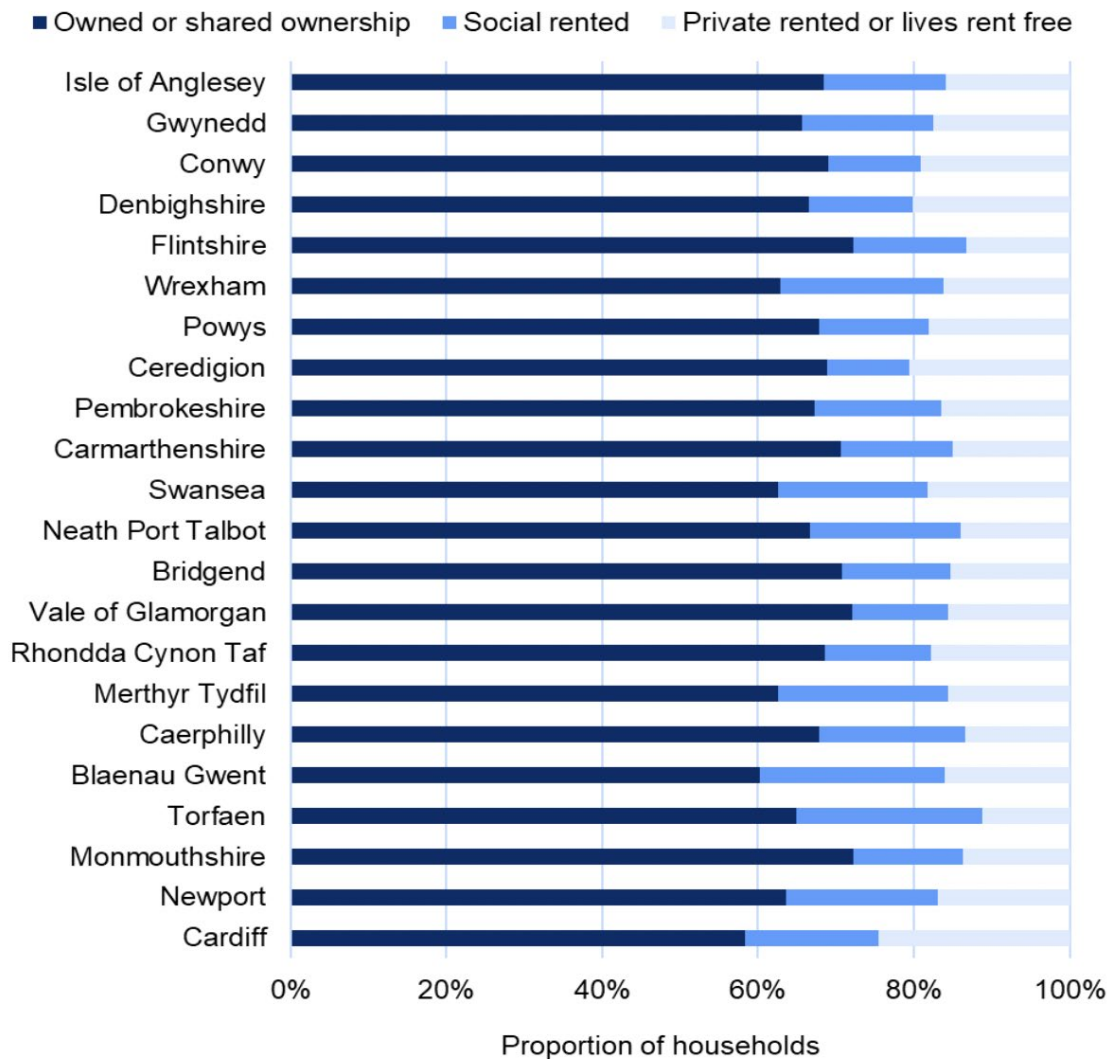
A healthy and adequate supply of homes in the private rented sector allows Councils to more readily discharge homelessness duties, provides housing options, and offers flexibility and choice of property types, location, quality and costs for prospective tenants.

Supply

Overall, the private rented sector in Wales has grown over recent years, encouraged by variety of factors including the ready availability of Buy-to-Let mortgages, etc. Census 2021 data shows that 17.0% (229,000) of households in Wales rented their accommodation privately, up from 14.2% (184,000) in 2011

However, the proportion of homes in each tenure varies across Wales, as illustrated by this graph based on Census 2021 data: -

Tenure variation across Wales



Cardiff had the highest percentage of households that rented their accommodation privately including rent free accommodation (24.3%), with

significantly lower proportion of homes in the private rented sector in areas such as Torfaen and Caerphilly.

However, despite the long-term growth of the private rented sector overall, many Councils are reporting that there has recently been a marked reduction in the numbers of homes in the sector being available to those in housing need.

While we do not have a definitive picture of the “all Wales” position, a significant number of authorities have reported substantial increases in the numbers of S.21 notices being given to existing tenants in the private rented sector. For example, Cardiff Council has reported that between 2021 and 2022 the overall number of cases where a homelessness duty was accepted, and involved a S.21 notice being served, rose almost three-fold from 231 to 609. Similarly, Cardiff Council report that the number of notices directly attributed to landlord’s leaving the market due to a property sale has increased significantly from 102 in 2021 to 302 in 2022.

Ynys Mon Council have also reported an overall increase in the numbers of households seeking assistance following the servicing of a S.21 notice, with those identifying the landlords wish to sell the property being the most common reason overall, and more than doubling from 18 cases in 21/22 to 37 in 22/23.

Other Councils report similar trends, with other changes affecting supply including landlords withdrawing from leasing schemes with Councils due to the increasing gap between Local Housing Allowance and market rents in some areas. Authorities also report market-shift by some landlords in popular tourist areas to using their properties for short-term lets and holiday accommodation, reducing the availability of accommodation for those seeking longer-term homes in the private rented sector.

Although the decisions of individual landlords are likely to be driven by numerous and varied factors, Councils report that the implementation of the Renting Homes Act, particularly the associated increased notice periods, is regularly cited as one of the reasons for landlords deciding to sell properties. Other common reasons given include mortgage cost increases, tax changes, perceived over-regulation, uncertainty over future energy efficiency requirements, retirement prompting realisation of capital assets.

Councils also report that the supply of homes being made available for those approaching them for assistance is also being impacted upon by the changes to the accommodation model being utilised by the Home Office’s accommodation contractor which is seeking accommodation for asylum seekers – moving away from mainly hotel-based contingency accommodation

to utilising dispersed self-contained accommodation, often in the private rented sector.

While the private rented sector is not the only option for households in housing need, the imbalance between supply and demand for homes across all sectors is illustrated by the fact that Councils are supporting increasing numbers of households in emergency temporary accommodation - currently more than 9,600 people. For many households, in most areas, the private rented sector still provides the most likely route to a settled home.

Quality

The most recent Welsh Housing Conditions Survey was carried out in 2017-18. Among the main points identified by the survey were that: -

- Since the last survey in 2008 housing conditions across all tenures in Wales have improved.
- Wales has the oldest housing stock in the UK, with a similar spread of housing types.
- The proportion of dwellings in the private rented sector has increased considerably since 1986. The private rented sector generally has the oldest housing stock and a higher proportion of poor quality housing (e.g. containing damp or other hazards).
- Social housing is generally of better quality than private housing (both owner occupied and private rented); as are newer houses.
- The average energy efficiency band has improved from Band E in 2008 to Band D in 2017-18.

Affordability

As well as increased household costs for everyone, including rising energy costs, there have been significant increases in rents in most areas, with an increasing gap over Local Housing Allowance support means that the private rented sector is increasingly difficult for many households to access and afford.

In their report "Wales' Housing Crisis: Local Housing Allowance and the private rental market in Wales" [Wales-Housing-Crisis-Winter-2023.pdf](https://www.bevanfoundation.org/wp-content/uploads/2023/03/Wales-Housing-Crisis-Winter-2023.pdf) ([bevanfoundation.org](https://www.bevanfoundation.org)) published in March 2023, the Bevan Foundation concluded the "There is an acute shortage of properties available for rent for low-income households in the private rental sector in Wales. Across Wales, as of February 2023, just over 1 in 100 properties were advertised for rents that were at or below Local Housing Allowance. Nearly 75 per cent of Welsh local authorities did not have a single property available at Local Housing Allowance rates."

The WLGA have previously written to UK Government seeking reform of the Local Housing Allowance rates, and asking that they be realigned to the 50th percentile of local market rents, as was previously the case.

2. The challenges currently facing private sector landlords;

As noted above, many Councils are reporting reduced numbers of homes in the private rented sector being available to those in housing need. While individual landlords may have many different factors which drive their decision-making, common reasons given for those deciding to sell properties include:-

- The recent implementation of the Renting Homes Act
- Perceived over-regulation
- Financial cost and tax changes
- Financial pressure and affordability (mortgage rate rises)
- Uncertainty over future energy efficiency requirement
- Retirement

3. The opportunities for greater partnerships between social and private landlords;

There is an opportunity for greater partnership working between social and private landlords through participating in the Welsh Government's Leasing Scheme Wales, or any of the other local leasing schemes operated by local authorities or social landlords.

Social landlords, and those Councils without their own housing stock are also able to acquire stock from private rented sector landlords wishing to leave the sector. There are numerous examples of this happening in Wales currently, Sometimes with individual properties, but also with larger property portfolios. Acquisition of existing stock can be more cost effective than the development of new homes.

4. Barriers to accessing the private rented sector including challenges faced by young people and people with pets;

The most significant barrier to accessing the private rented sector currently is affordability, with the rising rent levels described above continually increasing the amount of money households need to find to add to LHA allowances. In addition, single people under 35 continue to be eligible only for the reduced single room rate applicable to shared accommodation.

However, the Bevan Foundation report "Wales' Housing Crisis: Making the LHA work for Wales", published in 2022, also highlighted a number of additional barriers low-income tenants may face when looking for properties in the private rental sector, beyond the barriers presented by the gap between Local Housing Allowance and current market rents. The report found that many properties advertised on the private rental market required tenants to

satisfy certain criteria before they would be permitted to lease a property. Many of these additional requirements can prove difficult for low-income tenants to satisfy, such as:

- Deposits equivalent to more than one month's rent
- Guarantors
- Credit checks
- Minimum income checks
- 'Professional only' requirements

In addition, Councils report that, given the overall mis-match between housing supply and the numbers of people in housing need, landlords simply have more choice in deciding who they will contract with.

As noted above, The WLGA have previously written to UK Government seeking reform of the Local Housing Allowance rates, and asking that they be realigned to the 50th percentile of local market rents, as was previously the case.

5. How effectively the private rented sector is regulated; and

Recent examples of improvements to regulation of the private rented sector in Wales include the introduction of registration and licensing in the shape of Rent Smart Wales, following the implementation of the Housing (Wales) Act 2014, and the more recent implementation of the Renting Homes (Wales) Act 2016.

Local authorities, and Rent Smart Wales on their behalf, are the enforcing bodies for private sector landlords in Wales. However, as a result of reduced resources over recent years, capacity is severely limited and local authorities will almost always seek to bring about change and improve housing conditions by providing advice and assistance wherever possible. Where landlords refuse, or are unable, to follow advice and assistance formal enforcement action and prosecution remain as options to secure improvements, etc.

6. The availability of data on the private rented sector and how it can be improved.

The establishment Rent Smart Wales, following the Housing (Wales) Act 2014 has provided for a significant improvement in the data available on the private rented sector, including a register of landlords and agents, rental property addresses and some key features related to those properties.

Areas for improvement include more detailed house condition data, and the identification of retrofit measures to individual properties to bring about

improvements to energy efficiency in support of the decarbonisation of existing homes in Wales.

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ENVIRONMENTAL HEALTH WALES - Housing Expert Panel

Consultation response to Senedd Cymru's Local Government and Housing Committee's inquiry into the [private rented sector](#)

Thank you for the opportunity to contribute to the debate about whether the private rented sector is fit for purpose given the housing challenges faced in Wales at the current time. Our response is structured around the questions you have raised but please contact us if further information or clarification is required.

1. The supply, quality and affordability of accommodation in the private rented sector

- Insufficient supply across all tenures – pressures regularly highlighted by key stakeholders and directly impacts the market e.g. increased rents and less time to undertake comprehensive repairs leading to decline in standards.
- Quality is mixed - a higher proportion of the PRS is older stock. This presents an additional challenge in funding and securing improvements. However, much of the sector is of good quality and managed well. Latest HCS does not identify significant difference in standards between owner occupied and PRS properties. However, damp and condensation are a significant issue- 13% of all PRS dwelling have damp/condensation in 1 or more rooms. (HCS 2017-18).
- There is a growing divide between social and private rented properties from an energy efficiency point of view (WHQS 2 v MEES requirements etc). This is compounded by the many retrofit challenges i.e. finding appropriate build solutions at an appropriate cost, funding/grant aid for remedial works, supply of builders and materials.
- There is a small core of landlords/agents who do the minimum they can get away with to maximise their return. These tend to have a significant portfolio.
- Some landlords have tenants who are tricky to deal with – may have dependency issues and be the cause of antisocial activity. It is often difficult to find appropriate solutions as responsibilities for damage and repairs become confused.
- Management of the tenancies i.e. Antisocial activity is a significant complaint type from neighbours of PRS properties. There is no legal obligation placed on the landlord to effectively manage/report anti-social behaviour in property. Also limited support for landlords/agents to assist them to manage the situation.
- Long term contribution of the PRS to meeting housing need, needs to be agreed with strategy to support the position i.e. is the policy to improve it or reduce reliance on it?

2. The challenges currently facing private sector landlords.

- Affordability of the PRS is a significant barrier. Local Housing allowance is well below average rents. For example, recent research by the Bevan Foundation identified that there is a severe shortage of properties on the private rental market available at LHA rates. Their research found that of properties advertised in the private rental sector in Wales in February 2023, only 32 (1.2%) were available at LHA rates, and in Swansea, of 556 properties surveyed none were fully covered by LHA. <https://www.bevanfoundation.org/resources/housing-winter-2023/>
- Most landlords have one property, and the average age of a landlord is over 55 years. (Rent Smart Wales (RSW) data 2023). A possible conclusion from this is that landlords

with only 1-2 properties are not heavily invested in the sector. As such, if it becomes too difficult or the risk is too high, their decision to leave the sector can be quick and relatively easy.

- Changes in the responsibilities and obligations on landlords have an impact on their decisions to stay in the market. As a result, they may sell - sometimes to the owner-occupied sector or to another landlord. RSW data indicates that the average portfolio size is increasing indicating that some landlords are selling to other portfolio landlords.
- Feedback from landlords indicate that a combination of factors impacts their decision to leave the sector:
 - Mortgage increases
 - Tenants not being able to afford the rent
 - Tax changes
 - Implementation of Renting Homes legislation
 - The prospect of higher EPC requirements being imminent
 - A concern about the inability to gain possession
 - A feeling that policy makers at WG and LA are against landlords
 - LAs advising tenants to stay put after the landlord has issued a re-possession notice.
 - More profitable /less regulation in the holiday market.
 - Own personal circumstances and/or ability to deal with changes.
 - Feel exhausted by new laws/ changes putting business/livelihood at risk

3. The opportunities for greater partnership working between social and private landlords.

Since 2020, the dialogue between the PRS and its representative bodies with Welsh Government policy officials, Rent Smart Wales and local authorities is much improved, facilitated by the need to work collaboratively to manage the COVID crisis. The challenge now is to harness the gains already made and ensure that the approaches are consistent across Wales. Some suggestions for best practice have been captured in the list below. This list has been developed using landlord/agent feedback.....

- Need to recognise and promote the value of the PRS and the positive stories about private landlords providing good homes for many; work towards correcting the balance to avoid landlord being portrayed negatively
- Build positive relationships with landlords possibly through landlord forum meetings, engagement sessions, and provide help when issues arise with tenants.
- Extend the support services which are available to social landlords to the PRS – landlords and tenants.
- Increase the Local Housing Allowance
- Move away from advising tenants to ‘stay put’ until a bailiff arrives.
- Extend the leasing scheme projects – make available to landlords across Wales and all local authority areas with a view to facilitating increased numbers.
- Deliver landlord forum meetings across all LA areas if possible, in partnership with landlord representative bodies.

4. Barriers to accessing the private rented sector including challenges facing young people and people with pets.

- The PRS needs to be the tenure of choice for the individual/family concerned. So, the more appropriate question may be what are the barriers to accessing alternative sectors? The size of a deposit needed for a mortgage? Accessing a mortgage. Lack of social housing supply in the right areas etc.
- Tenant Fee and Renting Homes legislation has removed many of the barriers which previously made accessing the PRS difficult. However, the following matters remain problematic:
 - Not being able to transfer the security deposit from one PRS property to another whilst disputes are ongoing
 - Credit checks, proof of income and job security
 - References from previous landlords and/or availability of guarantors
 - The speed of turnover of available property/competing demand for the same property
 - Lack of support or failure to recognise tenant support requirements / additional needs
 - Holding deposit and/or security deposit and/or rent level
 - Available accommodation not meeting the individual's needs

5. How effectively the private rented sector is regulated.

- Local authority resources are limited, and enforcement action is resource intensive and time consuming. Welsh local authorities and RSW have adopted enforcement policies which are based on good enforcement principles promoted in the Regulators Code. This generally relies on provision of advice and assistance in the early stages of dealing with a complaint or project implementation. Evidence has shown that this approach can be extremely effective with most landlords/agents wanting to do the right thing.
- Where hard enforcement is needed there are opportunities for improvement in the tools available e.g. more use of civil sanctions, allowing tenants to take action for Rent stopping or repayment orders without a conviction (where offence is provable), reviewing the illegal eviction and harassment legislation, introducing Agent Audits onto the statute book (akin to Food Hygiene Rating Scheme) etc
- Some local authorities are concerned about the impact of their enforcement activity on the loss of accommodation for housing homeless people. Often staff have to balance maintaining tenancies with the standards at a property. The Housing Act 2004 make provision to take over management of Houses in Multiple Occupation on an interim or longer-term basis (as well as empty properties) but there are no similar provisions available for singly occupied dwellings. Introducing this additional power will provide another route to protect tenants in situ and to retain a property, in a better condition for the longer term.
- Any opportunity for improving the enforcement tools available should seek to address the challenge of dealing with rogue landlords who deliberately flout the law on a number of fronts. As an example, a case study shared for this response describes a landlord who
 - Completed a flat conversion described by Building Control as a death trap.
 - No planning permission.
 - Prosecuted by Fire Service - serious fine.
 - Many Prohibition Orders served which is a big drain on local authority Rehousing Service.
 - Requested work was not completed - Orders ignored.
 - Landlord continued to place tenants in flats even though he has received notification of prosecution.

None of the measures currently on the statute books are sufficient to drive a rogue landlord from the market. Withdrawal of a HMO or RSW licence will only be a temporary solution while convictions are unspent, and in the meantime that landlord may continue to influence the ongoing poor management of that property. Any agent appointed to act in place of the landlord could be acting at the behest of the owner and will be reliant on the supply of funding from that landlord. There is no incentive for a reputable agent to act on behalf of a bad landlord.

England has introduced a series of Civil Penalties for rogue landlords that can be levied by Councils according to a charging policy, in lieu of prosecution. Courts in Wales often do not treat these cases with the gravity it deserves, and fines are often derisory; they can be treated as an occupational hazard by the landlord. Introducing a series of Civil Penalties could enable local authorities to better target financial penalties, which may act as a more effective deterrent. It would likely receive support from compliant landlords who wish to see a level playing field with rogue landlords punished and driven out of the market. Appeals against the Civil Penalty would be to Residential Property Tribunal.

Along side, civil penalties an effective solution could be a Banning Order which permanently removes that rogue landlord from involvement in the market and winds up their property portfolio. Without such a measure, there is no doubt that the problems associated with rogue landlords will persist.

6. The availability of data on the private rented sector and how it can be improved.

- More data is now available than has ever previously been the case (RSW registration data). This includes a database of landlord and agent contact details including email addresses, rental property addresses and features of the rental properties e.g. no. of storeys, CO and fire alarms, water supply etc. This data is being cross matched with other data sources e.g. EPC data to inform trading standards enforcement programmes.
- However, much more could be available to provide confidence in the sector e.g.
 - gas, electrical fire alarm, property condition certification and
 - More detailed house condition survey information

To conclude, whilst there are issues that need to be addressed in the PRS, it provides a tenure of choice for many and the only option for a home for others, at the current time. The PRS offers a wide range of options in type of accommodation, size, price, location, and facilities and is an essential component of meeting housing need in Wales particularly as it can offer the flexibility that home ownership cannot, allowing people to move easily as their personal circumstances change. It is also worth noting that most landlord/properties are not the subject of complaint/dispute or if they are, can be encouraged to comply. The emphasis therefore needs to be on measures that will continue to influence compliance through provision of information, landlord training and behaviour change strategies and more draconian powers targeted to deal with those who will only comply if forced to do so.

Bethan Jones on behalf of

Housing Expert Panel

25.05.23

Agenda Item 4

Local Government and Housing Committee

29 February 2024 – papers to note cover sheet

Paper no.	Issue	From	Action point
Paper 6	Homelessness	Minister for Climate Change	To note
Paper 7	Data Protection and Digital Information Bill	First Minister to Legislation, Justice and Constitution Committee	To note
Paper 8	Local Government Finance (Wales) Bill	Minister for Finance and Local Government	To note
Paper 9	Elections and Elected Bodies (Wales) Bill	Counsel General and Minister for the Constitution	To note
Paper 10	Elections and Elected Bodies (Wales) Bill	Counsel General and Minister for the Constitution to Finance Committee	To note
Paper 11	Elections and Elected Bodies (Wales) Bill	Counsel General and Minister for the Constitution to Legislation, Justice and Constitution Committee	To note
Paper 12	Renters (Reform) Bill	Legislation, Justice and Constitution Committee to Minister for Climate Change	To note
Paper 13	Renters (Reform) Bill	Legislation, Justice and Constitution	To note

		Committee to the Llywydd	
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Llywodraeth Cymru
Welsh Government

Our ref: JJ/PO/0039/2024

Jayne Bryant MS
Children, Young People and Education Committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

6 February 2024

Dear Jayne,

I am writing to thank you and your Committee for the formal response to the White Paper on ending homelessness in Wales. I am grateful for your detailed and comprehensive response to our proposals.

I welcome the nine recommendations made by the Committee and my officials will consider them carefully as part of the wider analysis of responses to the consultation, which closed on the 16 January.

I note the overall feedback from the Committee to secure stronger protections for care leavers in Wales. I assure you that I share your concerns regarding the experience of homelessness amongst young people leaving care and I believe the White Paper and subsequent legislation provide an important opportunity to address these concerns and transform the experience of these young people as they transition from care towards independent living. This will include how we improve our work in regard to corporate parenting and how we ensure access to secure, suitable accommodation to help us end any perception or experience that care equals a “predictable route” towards homelessness and ends cycles of repeat homelessness.

I look forward to working closely with the Children, Young People and Education Committee as we develop the White Paper proposals and bring forward legislation.

Yours sincerely

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

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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.

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.



Huw Irranca-Davies MS
Chair of the Legislation, Justice and Constitution Committee
huw.Irranca-Davies@senedd.wales

12 February 2024

Dear Huw,

I am writing in response to your letter regarding the Data Protection and Digital Information Bill (the Bill) dated 31 January.

Your letter refers to discussions held by the Legislation, Justice & Constitution Committee with regards to clause 114 of the Bill (Direct marketing for the purposes of democratic engagement) and asks my views and further details on a number of matters.

In relation to your question about the Welsh Government's assessment of clause 114's engagement with Standing Order 29. Clauses 108 to 119 of the Bill make amendments to, and in relation to, the Privacy and Electronic Communications (EC Directive) Regulations 2003 (the PEC Regulations). These PEC Regulations concern the protection of data subjects' privacy in relation to electronic communications. Therefore, to the extent that the PEC Regulations apply to the processing of personal data, clause 114 relates to the reserved matter of protection of personal data (paragraph 170 of Schedule 7A to the Government of Wales Act 2006). Therefore, Standing Order 29 is not engaged.

Welsh Government was not consulted by UK Government Ministers in the preparation of this clause, and neither its substance nor policy intent has been raised with us. We note the comments made in the Commons debate on this provision.

My officials have spoken to their UK Government counterparts who have advised that there are currently no plans to prepare regulations using this new power for devolved elections. Should this position change I will inform the Committee.

I trust that this letter provides the Committee with the information they require.

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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.

I am copying this letter to the Culture, Communications, Welsh Language, Sport, and International Relations Committee, and to the Local Government and Housing Committee.

Yours sincerely,

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive style with a large initial 'M'.

MARK DRAKEFORD

John Griffiths MS
Chair – Local Government and Housing Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

13 February 2024

Dear John

Local Government Finance (Wales) Bill

During my attendance at the committee's meeting on 7 February 2024, I referred to an analysis I recently provided to the Legislation, Justice and Constitution (LJC) Committee illustrating how secondary legislation making powers proposed within the Local Government Finance (Wales) Bill compare with those currently available to Ministers in England and Scotland. This is replicated at **Annex A**. The LJC Committee noted my letter providing this analysis under agenda item 11 at its meeting on 5 February 2024.

As I have explained to the LJC Committee, substantial elements of the non-domestic rates and council tax systems in Wales, England and Scotland have been maintained using secondary legislation for many years. The Bill proposes some additional elements to be maintained using secondary legislation, most of which will be subject to the affirmative procedure. This will ensure we can configure the local tax systems in an agile and consistent manner to meet the needs of Wales.

In relation to non-domestic rates, the vast majority of powers to make secondary legislation provided by the Bill are the same as, or similar in their effect to, equivalent powers already in existence in England and/or Scotland. In cases where the powers provided in the Bill to Welsh Ministers go further than those in place in England, powers with a similar effect are generally available to Scottish Ministers. Whilst there are some administrative differences between the non-domestic rates system in Wales and Scotland, it is fundamentally the same tax being operated in a similar devolved context.

In relation to council tax, the powers will enable Welsh Ministers to be more reactive and flexible in responding to socioeconomic change. It will align with the NDR system, inasmuch as regular revaluations will be placed on a statutory footing, identifying the importance of a tax system reflecting current economic circumstances. Some powers conferred are largely

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technical and again will allow for the maintenance of the fundamentally robust structure of council tax to be more future proof and responsive.

The difference in the mix of powers compared with England and Scotland is minimal, additionally giving Welsh Ministers the power to amend a council tax revaluation year specified in primary legislation. This is a key policy aim of the Welsh Government for a fairer system. Comparatively, Ministers in England and Scotland can amend in an order when a revaluation occurs.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive style with a period at the end.

Rebecca Evans AS/MS

Y Gweinidog Cyllid a Llywodraeth Leol
Minister for Finance and Local Government

Annex A

Section of Local Government Finance (Wales) Bill	Effect	Equivalent power in England	Equivalent power in Scotland	Summary
4	Provides the Welsh Ministers with a power to change a non-domestic rates revaluation year or the interval between revaluation years by regulations.	No equivalent power.	Power for the Scottish Ministers to amend the definition of “year of revaluation” in section 37(3) of the Local Government (Scotland) Act 1975.	A power with the same effect exists in Scotland.
5	Provides the Welsh Ministers with powers to confer, vary or withdraw reliefs by regulations.	Powers in relation to some reliefs in Schedules 4ZA, 4ZB and 5A to the Local Government Finance Act 1988.	Broad powers for the Scottish Ministers to prescribe rules to determine the amount payable in section 153 of the Local Government etc. (Scotland) Act 1994 and to make provision about reliefs for new and improved properties in section 14 of the Non-Domestic Rates (Scotland) Act 2020.	Powers with a similar overall effect exist in Scotland. A wide range of more specific powers exist in England (and currently in Wales) which are not consistent across the landscape of reliefs.
9	Replaces the existing limited power with a new power for the Welsh Ministers to confer, vary or withdraw exemptions by regulations.	Limited power for the Secretary of State to provide exemptions in Schedule 5 to the Local Government Finance Act 1988.	Power for the Scottish Ministers to remove exemptions in section 8D of the Valuation and Rating (Scotland) Act 1956.	Similar powers enable exemptions to be provided in England and removed in Scotland. The power for in the Bill will enable the Welsh Ministers to do both.

Section of Local Government Finance (Wales) Bill	Effect	Equivalent power in England	Equivalent power in Scotland	Summary
10	Restates the existing powers of the Welsh Ministers in relation to multipliers and inserts a new power to set differential multipliers based on the rateable value, location or description of a hereditament on a local rating list or on the rateable value of a hereditament on the central rating list.	Powers for the Secretary of State to prescribe which multiplier (standard or small business) applies to different hereditaments and to set those multipliers in Schedules 4ZA and 7 to the Local Government Finance Act 1988.	Powers for the Scottish Ministers to set the annual multiplier in section 7B of the Local Government (Scotland) Act 1975 and prescribe further rules to determine the amount payable in section 153 of the Local Government etc. (Scotland) Act 1994.	Similarities with the effect of powers in England and Scotland.
13	Provides a power for the Welsh Ministers to make regulations specifying the type of arrangement which is to be treated as artificial and whether a specific arrangement will not be treated as artificial if a determination to that effect is made.	No equivalent power.	Power for the Scottish Ministers to make anti-avoidance regulations in section 37(1) of the Non-Domestic Rates (Scotland) Act 2020.	A similar power exists in Scotland. Unlike the Scottish Ministers, the Welsh Ministers can make regulations enabling a penalty to be imposed. However, in other ways, the anti-avoidance regime in Scotland is broader than the proposed approach in Wales as the Bill sets out a specific approach to countering avoidance behaviour.

Section of Local Government Finance (Wales) Bill	Effect	Equivalent power in England	Equivalent power in Scotland	Summary
17	Restates the powers for the Welsh Ministers to substitute proportions and valuation bands.	Powers in section 5(4) of the Local Government Finance Act 1992.	Powers in section 74 of the Local Government Finance Act 1992.	In line with England and Scotland.
17	Provides new powers for the Welsh Ministers to substitute the valuation band used in council tax calculations.	No equivalent power.	No equivalent power has been identified although no equivalent council tax calculation provisions have been identified either.	Unique power for the Welsh Ministers.
18	<p>This section restates provisions relating to the single person discount and the discount where all residents of a dwelling are disregarded.</p> <p>The remainder of the provisions provide the Welsh Ministers with powers to make regulations to set the levels and prescribe conditions or criteria that must exist for the single person or other discounts to apply and prescribe categories of resident that are disregarded for the purposes of discount. This will have the effect of placing all details relating to other discounts and the conditions and descriptions of a person who is disregarded for the</p>	Limited powers in sections 11 and 11A of the Local Government Finance Act 1992.	Limited powers in section 79 of the Local Government Finance Act 1992.	<p>The existence of the single person discount and discount where all residents of a dwelling are disregarded are maintained as in England and Scotland.</p> <p>In relation to the other amendments, neither Scotland nor England are currently proposing to adopt the same policy.</p>

Section of Local Government Finance (Wales) Bill	Effect	Equivalent power in England	Equivalent power in Scotland	Summary
	<p>purposes of a discount all in one place within regulations.</p> <p>Preserves the effect of section 12(1) of the 1992 Act for Welsh Ministers to prescribe by regulations classes of dwellings in relation to which a billing authority may by determination either disapply or reduce a discount.</p>			
19	<p>Duty on the Welsh Ministers to set a national Council Tax Reduction Scheme which allows the Welsh Ministers to make in-year changes if required.</p> <p>The duty will be exercised by the Welsh Ministers to set out a national reduction scheme with a duty on local authorities to administer the scheme at a local level. The Welsh Ministers will be able to introduce in-year changes to the scheme to react to emerging situations.</p>	Powers in section 13 of the Local Government Finance Act 1992.	Powers in section 80 of the Local Government Finance Act 1992.	Broadly in line with Scotland where there is a national council tax reduction scheme. In England there remains a power to make regulations about reduced amounts.
21	The Bill provides for a regular revaluation cycle for council tax in Wales with scheduled revaluations taking place every five years. However, there might be	Powers in section 22B of the Local Government Finance Act 1992 to specify the	Power to specify a revaluation date by way of the modifications effected by section 88(3)(a) of the Local	In England and Scotland respectively, UK Ministers and Scottish Ministers may use orders to schedule revaluations.

Section of Local Government Finance (Wales) Bill	Effect	Equivalent power in England	Equivalent power in Scotland	Summary
	circumstances in which it would be beneficial for the date of a scheduled revaluation to be changed – for example, in the event of a future pandemic or economic turbulence. The Bill therefore allows the revaluation year to be moved.	revaluation date. This power could also be used to amend a revaluation which had been scheduled.	Government Finance Act 1992.	
21	Current legislation specifies that a copy of the draft new valuation list has to be sent to billing authorities no later than seven months before the new list is finalised and comes into force (“compiled”). With more frequent revaluations, this deadline could become impracticable. This power would allow the Welsh Ministers to make this technical change to the draft list deadline as and when necessary.	No equivalent power.	Power to specify a revaluation date by way of the modifications effected by section 88(3)(b) of the Local Government Finance Act 1992.	In line with Scotland.
23	Enables consequential and transitional provision to be made.	In relation to non-domestic rates - powers in section 17 of the Non-Domestic Rating Act 2023. In relation to council tax -	In relation to non-domestic rates - powers in section 43 of the Non-Domestic Rates (Scotland) Act 2020. In relation to council tax - powers in section 114 of the	In line with England and Scotland.

Section of Local Government Finance (Wales) Bill	Effect	Equivalent power in England	Equivalent power in Scotland	Summary
		powers in section 114 of the Local Government Finance Act 1992.	Local Government Finance Act 1992.	
24	Enables provisions in the Bill to be commenced.	<p>In relation to non-domestic rates – powers in section 19 of the Non-Domestic Rating Act 2023.</p> <p>In relation to council tax – powers in section 119 of the Local Government Finance Act 1992.</p>	In relation to non-domestic rates and council tax – section 62 of the Local Government in Scotland Act 2003.	In line with England and Scotland.
Paragraph 12(2)(m) of the Schedule	Allows the Welsh Ministers to make regulations about the notices which can be issued under paragraphs 4M and 5ZC of Schedule 9 to the Local Government Finance Act 1988.	The same secondary legislative power is conferred on the Secretary of State, in relation to England, in paragraph 5F(A1) of Schedule 9 to the Local	Similar secondary legislative powers exist for Scottish Ministers in section 30(12) of the Non-Domestic Rates (Scotland) Act 2020.	Broadly in line with England and Scotland.

Section of Local Government Finance (Wales) Bill	Effect	Equivalent power in England	Equivalent power in Scotland	Summary
		Government Finance Act 1988.		
Paragraph 12(2)(n) of the Schedule	Allows the Welsh Ministers to make regulations to increase or decrease the amount of any penalty issued under paragraphs 5ZC or 5ZD of Schedule 9 to the Local Government Finance Act 1988.	The same secondary legislative powers is conferred on the Secretary of State, in relation to England, in paragraph 5FB of Schedule 9 to the Local Government Finance Act 1988.	Similar secondary legislative powers exist for Scottish Ministers in section 30(8) of the Non-Domestic Rates (Scotland) Act 2020.	Broadly in line with England and Scotland.



Llywodraeth Cymru
Welsh Government

John Griffiths
Chair
Local Government and Housing Committee
Senedd Cymru
Cardiff
CF99 1SN

CC: Peredur Owen Griffiths, Chair, Finance Committee
Huw Irranca Davies, Chair, Legislation, Justice and Constitution Committee

12th February 2024

Dear John,

I would like to thank the Local Government and Housing Committee for their scrutiny of the Elections and Elected Bodies (Wales) Bill during Stage 1 and for the report which was published on 26 January 2024.

I have set out responses to the Committee's recommendations at Annex 1. It has not been possible for me to accept all of the Committee's recommendations in full. However, I have carried the principles and underpinning reasoning for my decision through as far as possible.

I hope this letter is helpful in setting out responses to the Committee's Report. I have written to the Chairs of the Finance Committee and the Legislation, Justice and Constitution Committee with respect to their Stage 1 Reports and copied the letters to all three Committee Chairs.

I look forward to continuing to work with Members as the Bill progresses through the Senedd process.

Yours sincerely,

Mick Antoniw AS/MS

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

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Annex 1: Response to Local Government and Housing Committee’s report on the Elections and Elected Bodies (Wales) Bill

Committee Recommendation	WG Response
Recommendation 1. We recommend that the Senedd agrees to the general principles of the Elections and Elected Bodies (Wales) Bill.	Noted.
Recommendation 2. We recommend that the Welsh Government should specify on the face of this Bill that returning officers will be subject to Welsh Language Standards	Reject. The Welsh Ministers are committed to ensuring everyone can participate fully in our democracy using our country’s two official languages. Given the detailed rules about the operation of Welsh elections is set out in secondary legislation, the Welsh Government intends to achieve this objective by making changes to those detailed rules. We will continue to work with stakeholders and the EMB to determine the best approach to improving bilingual delivery of elections.
Recommendation 3. We recommend that the Welsh Government publishes the equality impact assessment it conducted on the Bill and that updated versions should published to take account of changes made to the Bill during the amending stages	Accept. We have now published the Equality Impact Assessment. https://www.gov.wales/elections-and-elected-bodies-wales-bill-equality-impact-assessment
Recommendation 4. We recommend that the Welsh Government should amend the Senedd Cymru (Members and Elections) Bill to strengthen the accountability of the Democracy and Boundary Commission Cymru to the Senedd. We would like to see that Bill amended to include a requirement for the Commission’s annual reports to be debated by the Senedd	Accept in principle. We are conscious of arguments presented by the Reform Bill and Legislation, Justice and Constitution Committees in relation to sections 7 and 19 of the Senedd Cymru (Members and Elections) Bill placing duties upon the Llywydd. While we do not agree that this approach is constitutionally problematic, given other examples of statutory duties placed on the Llywydd and that those duties will not constrain a future Senedd to a particular course of action, we are reluctant to bring forward amendments that would place formal duties on the Senedd as recommended.
Recommendation 5. We recommend that the Welsh Government should amend the Senedd Cymru (Members and Elections) Bill to include a provision to require pre-appointment hearings by the Senedd to be included in the recruitment process for the position of Chair to the Democracy and Boundary Commission Cymru	The Senedd would not require a legislative requirement to scrutinise the DBCC’s annual report but we would welcome the additional attention on the DBCC’s broader remit. We would also be content to inform the Senedd of the preferred candidate for DBCC Chair that emerges from the public appointments process to enable a pre-appointment hearing. In its scrutiny of the Senedd Cymru (Members and Elections) Bill, the Reform Bill Committee

	<p>recommended the Business Committee consider the DBCC's accountability as part of its procedural review prior to the 2026 election (recommendation 25). We would not wish to anticipate that review and would therefore not seek to amend the Senedd Cymru (Members and Elections) Bill at this time. We would of course consider carefully the Committee's recommendations and look to implement relevant recommendations.</p>
<p>Recommendation 6. We recommend that, in addition to stipulating that the Chair of the Electoral Management Board should be a former elections officer, the Bill should also specify that the Chair must have relevant and recent experience, such as having been an elections officer within a certain time frame prior to being appointed</p>	<p>Reject. The Bill already ensures members of EMB have electoral experience. Our preferred approach, which is supported by stakeholders, is to not be overly prescriptive in legislation. The public appointments process will ensure sufficient relevant experience.</p>
<p>Recommendation 7. We recommend that the Welsh Government should consult relevant parties, including the Electoral Commission, and take their views into consideration in deciding when the provisions relating to the Electoral Management Board should commence</p>	<p>Accept. Timings of the commencement power for the EMB are not specified in Section 70 so we can bring them into force by Order at the appropriate time. We will continue to work with stakeholders to inform this.</p>
<p>Recommendation 8. We recommend that the Welsh Government, when considering where in Wales to hold pilots relating to electoral registration without application, should ensure a variety of areas are involved. We believe that the chosen areas should include, but not be restricted to, a mix of urban and rural areas, affluent and less affluent areas and areas where there are high proportions of non-first language English or Welsh speakers</p>	<p>Accept. This approach will be taken into consideration when assessing expressions of interest in the pilots work. Where there are demonstrable gaps, we will work with local authorities to recruit additional authorities ensure the pilots take place across a range of demographics.</p>
<p>Recommendation 9. We recommend that the process of applying for anonymous registration should be as simple and as flexible as possible. We believe that the</p>	<p>Reject. The anonymous registration application process currently allows electors to be on both the Parliamentary and local government registers anonymously through one application. If changes relating to the local government register only were made, this would mean that someone wishing to</p>

<p>Welsh Government should consider not imposing a requirement to provide evidence in support of an application</p>	<p>remain anonymous on the parliamentary register would have to make another application, with different conditions. We do not believe this level of complexity is appropriate for electors and could lead to someone appearing on an electoral register without their knowledge.</p>
<p>Recommendation 10. We recommend that once a person has been registered anonymously, they should not be required to re-new their anonymous registration annually. Instead, the anonymous registration should stay in place until a person actively opts to change that arrangement</p>	<p>Reject. The anonymous registration application process currently allows electors to be on both the Parliamentary and local government registers anonymously through one application. If we were to make changes relating to the local government register only, this would mean that someone wishing to remain anonymous on the parliamentary register would have to make another application, with different conditions. In this instance a person making an indefinite application to be anonymously registered would still need to make an annual application to be anonymous on the parliamentary register. We do not believe this complexity is acceptable for electors. Similarly, being on an electoral register anonymously can have knock-on effects for an elector e.g. they would not appear on any financial services checks and therefore not benefit from being a registered elector.</p>
<p>Recommendation 11. We recommend that the Welsh Government amends the Bill to include a duty to remove the open register for Welsh elections prior to undertaking pilots relating to electoral registration without application.</p>	<p>Accept. We will table an amendment to insert a prohibition on the commencement of the provisions in Chapter 2 of the Bill until regulations have been made by the Welsh Ministers to remove the provisions currently set out in regulations relating to the open register. To prevent the Welsh Ministers from subsequently reviving the open register, we will also amend section 53 of the Representation of the People Act 1983.</p>
<p>Recommendation 12. We recommend that the Welsh Government commits to ensuring that stakeholder organisations representing vulnerable groups be involved in planning pilots relating to electoral registration without application</p>	<p>Accept. We are in the process of seeking expressions of interest from local authorities around automatic registration pilots. Once this process has been completed, we will be establishing a working group to develop individualised pilots. A part of this work will involve behavioural insights work to support effective communication with electors, and we will bring in representatives of our extensive network of organisations that work with electors, particularly focusing on those representing vulnerable electors, to feed into communication plans.</p>
<p>Recommendation 13. We recommend that, prior to undertaking pilots relating to electoral registration without application, the Welsh Government should set out how the pilots will assess</p>	<p>Accept. We are in the process of seeking expressions of interest from local authorities around automatic registration pilots. Once this process has been completed, we will be establishing a working group to develop individualised pilots. The Electoral Commission will be invited to be part of the group, and a</p>

<p>whether the 45 day timeframe an individual has to respond to the notification is sufficient</p>	<p>significant stream of work will develop the specific evaluation criteria of the pilots. This will include whether or not the 45-day timeframe for responding to a notice of registration is sufficient or effective.</p>
<p>Recommendation 14. We recommend that, should the Welsh Government decide to implement the provisions on electoral registration without application, this should be accompanied by a campaign to raise public awareness of the changes. Such a campaign should include, but not be restricted to, making information available in accessible formats, online and in hard copy and in a wide range of languages</p>	<p>Accept. This has been agreed with external partners and is being taken forward through the pilots working group.</p>
<p>Recommendation 15. We recommend that pilots relating to electoral registration without application include an evaluation of the robustness of data sources used to identify eligible voters. Should the pilots demonstrate that other sources of data would be more effective, the Welsh Government should seek data sharing agreements with the UK Government, as necessary. .</p>	<p>Partially accept. This has been agreed with external partners and is being taken forward through the pilots working group. However, the Bill makes clear that any data used as part of the automatic registration process must be held by Welsh authorities (local or national) and that regulations relating to automatic registration cannot require UK Government departments to provide data.</p>
<p>Recommendation 16. We recommend that future pilots should take place across a range of different geographical areas and across both urban and rural areas. Pilots should also consider the ability of different age groups to participate.</p>	<p>Accept. This will be a fundamental principle of any future piloting programme.</p>
<p>Recommendation 17. We recommend that the Welsh Government continues to work with local government to provide further assurances that the power to compel electoral pilots would only be used in exceptional circumstances and that pilots would be sufficiently resourced financially and in terms of staff capacity</p>	<p>Accept. These powers will only be used in exceptional circumstances.</p>

<p>Recommendation 18. We recommend that the Bill be amended to include a requirement for the Electoral Commission to provide guidance setting out how returning officers should provide such equipment as is reasonable for the purposes of enabling, or making it easier for, disabled people to vote independently and subject to the identified needs of disabled voters. The Bill should also specify that returning officers would be required to have due regard to such guidance</p>	<p>Reject. Similar provisions in the Elections Act 2022 made amendments to primary legislation which contain the parliamentary elections rules.</p> <p>However, the election rules framework in place in Wales means that the provisions with respect to the provision of equipment at polling stations can be amended via secondary legislation by changes to the appropriate election rules set out in the National Assembly for Wales (Representation of the People) Order 2007 and the Local Elections Rules 2021. To ensure the accessibility of the law, the requirement for guidance should sit with these provisions.</p> <p>For Senedd Elections we have made a commitment to consolidate and re-state the law as part of an accessible, bilingual framework for the first time ahead of the 2026 election. We intend to consult on a bi-lingual consolidated draft Order so stakeholders will have an opportunity to consider proposed changes in detail.</p>
<p>Recommendation 19. We recommend that returning officers and relevant stakeholders should be involved in the preparation of guidance relating to providing equipment to enable or make it easier for disabled people to vote independently. The guidance should set out that returning officers should make every effort to understand the needs of disabled voters and suggestions as to how this could be undertaken.</p>	<p>Noted. This recommendation would be for the Electoral Commission to consider and respond to.</p>
<p>Recommendation 20. We recommend that the Welsh Government should take into account the importance of the protected characteristics set out in the Equality Act 2010 being included when setting its core questions for the Local Government Candidate Survey</p>	<p>Accept in principle. The scope of what can be included in the survey is not changed through the Bill. Changes to the survey focus on the mechanics of agreeing the questions and enabling two-part approach, which results in a core set of questions which apply to all councils and more targeted questions which can be determined locally depending on initiatives / work being undertaken locally.</p>
<p>Recommendation 21. We recommend that the Local Government Candidate Survey should include a question relating to candidates' caring responsibilities among the core questions.</p>	<p>Accept. We will explore how the candidate survey could include questions that relate to candidates' caring responsibilities.</p>
<p>Recommendation 22. We recommend that the Local</p>	<p>Accept. We will explore how the candidate survey could include questions that relate to candidates'</p>

<p>Government Candidate Survey should include core questions in relation to candidates' experience of abuse and harassment</p>	<p>experience of bullying and harassment and how analysis of data collected could inform future approaches to combatting this unacceptable behaviour</p>
<p>Recommendation 23. We recommend that the Welsh Government commits to ensuring that a collaborative approach is taken in the designing of the voter information platform. This should include the participation of relevant stakeholders to ensure that the information is available bilingually in English and Welsh and all accessible formats</p>	<p>Accept. We will engage and work collaboratively with stakeholders throughout the development process to consider accessibility requirements and ensure that information is available to everyone who needs to access it. We will set out accessibility and language requirements as well as content principles developed in collaboration with stakeholders in the regulations and remit letter.</p>
<p>Recommendation 24. We recommend that the Welsh Government urgently undertakes further work to consider the legal liability of political parties, candidates and the platform host in relation to statements published on the voter information platform. This must be clarified ahead of the platform's inception</p>	<p>Accept in principle. Guidance and/or Regulations will clearly set out what information can and cannot be placed in statements so candidates and those checking the statements are aware of such rules before upload. They will also set out who is responsible for such information and the likely consequences if such rules and laws are breached.</p>
<p>Recommendation 25. We recommend that specific training to assist underrepresented groups in dealing with abuse and harassment should be included in the services listed in section 28(5).</p>	<p>Reject. Training is already included in section 28 (5) and there is no need to amend the Bill to specify a particular type of training. We would be happy to refer to training on abuse and harassment as an example in the Bill's accompanying material.</p>
<p>Recommendation 26. The Welsh Government should progress the implementation of the recommendations in our report on Diversity in local government in relation to raising awareness of a scheme of financial assistance for disabled candidates and ensuring that the scheme commences in sufficient time ahead of the next Senedd election</p>	<p>Accept. We will continue to work with stakeholders to build on the current scheme in sufficient time to support candidates in advance of future elections.</p>
<p>Recommendation 27. The Welsh Government should commit to developing and piloting a financial assistance</p>	<p>Accept in principle. The Bill allows for such approaches to be taken, but any schemes will need to be evidence based and targeted appropriately. A flexible approach is required to</p>

<p>fund to support unpaid carers in standing for election. We acknowledge that this would need to consider how to define unpaid carers and how a scheme could target those most in need of financial support.</p>	<p>ensure the rationale for any scheme is robust and the measures put in place address the barriers in a way that does not advantage any particular group of individuals over others.</p>
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Llywodraeth Cymru
Welsh Government

Peredur Owen Griffiths MS
Chair
Finance Committee
Senedd Cymru
Cardiff
CF99 1SN

1 February 2024

Dear Peredur

Thank you for your Report on the Financial implications of the Elections and Elected Bodies (Wales) Bill published on 26 January.

I am grateful to the Committee for its considered Stage 1 scrutiny. I have carefully considered the Committee's report and I am happy to accept all of the recommendations. Please see my response in Annex 1 to the set of recommendations in advance of the Stage 1 General Principles Debate.

Yours sincerely

Mick Antoniw AS/MS

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

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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.

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.

Annex 1: Response to Finance Committee's report on the Elections and Elected Bodies (Wales) Bill

<p>Recommendation 1. The Committee recommends that the Welsh Government commits to providing full and robust Regulatory Impact Assessments to accompany any relevant subordinate legislation made under this Bill.</p>
<p>Accepted. We have committed to this within the Regulatory Impact Assessment for the Bill.</p>
<p>Recommendation 2. The Committee recommends that the Minister provides further information on costs relating to changes to the Electoral Management Systems as they become clear; including details on how the cost effectiveness of individual pilots will be assessed.</p>
<p>Accepted. We will provide further information on costs as it becomes clear. A full and robust evaluation of all pilots will take place including the financial implications and the implications for EMS services. This will be a requirement of any pilot proposals presented to the Electoral Management Board and it will be required to report on the financial implications of proposed pilots in its evaluation.</p>
<p>Recommendation 3. The Committee recommends that the Minister updates the Committee on costs associated with work being undertaken to increase the accessibility of elections to disabled voters.</p>
<p>Accepted. We will set out further information in the Regulatory Impact Assessments accompanying the secondary legislation.</p>
<p>Recommendation 4. The Committee recommends that the Minister provides information on the outcomes of the research it intends to commission to promote diversity in persons seeking elected office including how that information is captured and collated; and how the Welsh Government intends using that information to make targeted interventions.</p>
<p>Accepted. We will provide the outcome of the research undertaken when it is completed. This will primarily focus on barriers to participation in local democracy because of socio-economic circumstances. In broader terms we will continue to work with others to identify barriers to participation for individuals within under-represented groups through engagement, lessons learned from existing initiatives and feedback through wider reports and studies. This approach will inform future interventions and initiatives targeted at barriers identified through this work.</p>
<p>Recommendation 5. The Committee believes that the introduction of an affordability assessment, such as the one provided in this Bill, serves as a good practice model for future legislation and we recommend that the Welsh Government continues with this new approach</p>
<p>Accepted. We are grateful for the Committee's comments.</p>

Agenda Item 4.6

Mick Antoniw AS/MS
Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution



Llywodraeth Cymru
Welsh Government

Huw Irranca Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru
Cardiff
CF99 1SN

CC: John Griffiths, Chair, Local Government and Housing Committee
Peredur Owen Griffiths, Chair, Finance Committee

12th February 2024

Dear Huw,

I would like to thank the Legislation, Justice and Constitution Committee for their scrutiny of the Elections and Elected Bodies (Wales) Bill during Stage 1 and for the report which was published on 26 January 2024.

I have set out responses to the Committee's recommendations at Annex 1. It has not been possible for me to accept all of the committee's recommendations in full. However, I have carried the principles and underpinning reasoning for my decision through as far as possible.

I hope this letter is helpful in setting out responses to the Committee's Report. I have written to the Chairs of the Finance Committee and the Local Government and Housing Committee with respect to their Stage 1 Reports and have copied the letters to all three Committee Chairs.

I look forward to continuing to work with Members as the Bill progresses through the Senedd process.

Yours sincerely,

Mick Antoniw AS/MS

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

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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.

Annex 1: Response to Legislation, Justice and Constitution Committee's report on the Elections and Elected Bodies (Wales) Bill

<p>Recommendation 1. The Counsel General should state whether the Welsh Government's current programme of engagement and collaboration with stakeholders in respect of the Bill is likely to result in the Welsh Government tabling substantive policy amendments at stages 2 and/or 3</p>
<p>Accept. We do not anticipate bringing forward substantive policy amendments at stage 2 nor 3 as a result of our ongoing collaboration with stakeholders.</p>
<p>Recommendation 2. The Counsel General should provide an indication of when the Welsh Government intends to introduce a consolidation Bill in respect of Welsh electoral law.</p>
<p>Accept. As I said in my evidence to the Committee this area of the law is ripe for consolidation. The Committee will be aware I have just laid before the Senedd a revised programme under section 2 of the Legislation (Wales) Act 2019. This makes clear that we will continue to work with the Law Commission on potential projects, and informal discussions on the possibility of consolidating electoral law have already taken place with them. This would be a project requiring significant resource, and therefore we will develop this work with a view to the next Government making decisions on the priorities for their programme to improve the accessibility of Welsh law.</p>
<p>Recommendation 3. The Bill should be amended to provide further details about the types of functions which may be conferred on the Electoral Management Board by the Welsh Ministers using the powers within section 1 of the Bill.</p>
<p>Reject. The proposed functions of the EMB set out in the Bill are consistent with the approach taken in Scotland. The power in section 20E (3) (c) of the Bill is required as Welsh Ministers may need to confer further functions related to electoral administration on the Electoral Management Board in the future and it is important to have this flexibility. An example of where provisions specified in regulations may add to the functions of the Commission is that it is envisaged the Electoral Management Board would take forward the Welsh Elections Information Platform and regulations could confer functions on the Electoral Management Board in relation to that platform.</p> <p>This power does not authorise the creation of new Commission functions, it allows the delegation to the EMB of Commission functions created by other means (whether in primary or secondary legislation).</p>
<p>Recommendation 4. The Bill should be amended to provide that section 3 may only be brought into force following the completion of a pilot under section 5(4) of the Bill</p>
<p>Accept. The Government will table an amendment.</p>
<p>Recommendation 5. The Bill should be amended to provide that the Welsh Ministers, at the time of laying pilot regulations in the Senedd which are to be made without a principal council's consent, must also lay a statement to explain the decision to proceed without that consent being obtained.</p>
<p>Accept. The Government will table an amendment.</p>
<p>Recommendation 6. The Bill should be amended to provide that regulations made under section 5 which amend primary legislation will be subject to the affirmative procedure</p>
<p>Reject. The framework established by the Bill will require the Welsh Ministers to involve external stakeholders in the development of the pilots. These factors, coupled with the time-limited nature of pilots and the broader electoral timetable, mean that it is often necessary to legislate for pilots swiftly. Any permanent changes to primary legislation arising out of a successful pilot will be subject to the affirmative procedure.</p>
<p>Recommendation 7. The Bill should be amended to leave out section 8.</p>
<p>Accept. This section was intended to ensure the pilots regime can adapt to reflect the changing nature of electoral practice. On the basis that section 5 provides a rounded</p>

description of potential pilot areas, the Government will table an amendment to remove this section.
Recommendation 8. The Bill should be amended to provide that electoral reform regulations made using the power in section 19 may not create, remove or modify any criminal offences.
Reject. In some circumstances it may be necessary to create, remove or modify criminal offences when making electoral reform regulations. In these cases, the Regulations would be subject to the affirmative procedure (see section 20(3) and (4)), but the Senedd would, in addition, be able to seek enhanced affirmative procedures around the regulations ensuring stringent scrutiny for any proposed amendments.
Recommendation 9. The Bill should be amended to provide that electoral reform regulations may not confer, remove or modify power to make subordinate legislation.
Reject. In some circumstances it may be necessary to confer, remove or modify power to make subordinate legislation when making electoral reform regulations. In these cases, the Regulations would be subject to the affirmative procedure (see section 20(3) and (4)), but the Senedd would, in addition, be able to seek enhanced affirmative procedures around the regulations ensuring stringent scrutiny for any proposed amendments.
Recommendation 10. The Bill should be amended to require the Welsh Ministers, where they decide not to accept in full or in part a Senedd committee’s recommendation in respect of draft electoral reform regulations, to lay a statement to explain their decision.
Accept. The Government will table an amendment.
Recommendation 11. The Bill should be amended to specify which body will be responsible for maintaining the Welsh elections information platform.
Reject. The existence of the Elections Information Platform should not be tied to the establishment and ongoing existence of the EMB. To tie the platform to the EMB reduces flexibility to respond to ongoing developments in this area.
Recommendation 12. The Bill should be amended to specify the functions which may be conferred on persons or categories of person specified in regulations made under section 27 of the Bill.
Reject. Putting the detail in regulations rather than on the face of the bill is a balanced approach to enable greater flexibility to ensure the operational needs of the platform, its users and the host are met and developed with time. It takes account of the fast-moving legal and technological context, with the appropriate scrutiny in place.
Recommendation 13. If recommendation 12 is not accepted, the Welsh Government should, in advance of the first day of Stage 2 of the Bill, publish a statement of policy intent to outline the functions which may be conferred on persons or categories of person specified in regulations made under section 27 of the Bill.
Accept. I have written to the Committee stating the policy intent.
Recommendation 14. The Welsh Government should, in advance of the first day of Stage 2 of the Bill, publish a statement of policy intent to outline the functions which may be conferred on persons within regulations made under section 29 of the Bill.
Accept. I have written to the Committee stating the policy intent.
Recommendation 15. The Bill should be amended to replace references to the Legislation, Justice and Constitution Committee with references to “appropriate Senedd committees”, or similar such wording, to provide certainty in law.
Accept. The Government will table an amendment.
Recommendation 16. The Bill should be amended to provide that regulations made under sections 41 and 51 of the Bill are to be subject to the affirmative procedure.
Reject. Welsh Government guidelines set out that a factor that may tend to suggest the application of the affirmative procedure is that the power may be used to substantially affect provisions of primary legislation. These narrow powers to amend primary legislation are limited to amending the review period in each case which is a relatively minor detail in the overall legislative scheme. Welsh Ministers already have power to alter the review period by making regulations which are subject to the negative procedure – see sections 138(6) and 174(6) of the Local Authorities (Functions and Elections) (Wales) Act 2021 – the use of

the negative procedure is considered both appropriate and proportionate and in accordance with Welsh Government guidelines.

**Legislation, Justice and
Constitution Committee**

Welsh Parliament

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Julie James MS

Minister for Climate Change

22 February 2024

Dear Julie,

Legislative Consent Memorandum - Renters (Reform) Bill

On Monday 19 February 2024 we considered the above Legislative Consent Memorandum laid in the Senedd on 30 January 2024.

There are a number of important issues arising from this Memorandum that we would like to raise with you directly in an evidence session.

We would therefore like to invite you and your officials to attend our meeting on Monday 11 March 2024 so that we may discuss the Memorandum and its implications in detail. We would be grateful if your officials could respond to the Committee Clerk so that appropriate arrangements can be put in place.

In order to accommodate this evidence session, we will be writing to the Business Committee seeking an extension to the current reporting deadline of 15 March 2024. In our view, any change to the timetable should not be problematic for the timing of any subsequent legislative consent motion because the Renters (Reform) Bill is currently at Report Stage in the House of Commons and has yet to start its passage through the House of Lords.

I am copying this letter to the Chairs of the Local Government and Housing Committee and the Finance Committee.

I look forward to hearing from you soon.

Yours sincerely,

Huw Irranca-Davies

Huw Irranca-Davies

Chair

Agenda Item 4.8

**Y Ffynhysur Dechreuwyd
Cyfiawnder a'r Cyfansoddiad**

Legislation, Justice and Constitution Committee

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The Rt Hon Elin Jones MS
Y Llywydd
Chair, Business Committee

22 February 2024

Annwyl Lywydd,

Legislative Consent Memorandum - Renters (Reform) Bill

On Monday 19 February 2024 we considered the above Legislative Consent Memorandum laid in the Senedd on 30 January 2024.

We consider that there are a number of important issues arising from this Memorandum that we would like to raise directly with Julie James MS, the Minister for Climate Change.

In order to accommodate an evidence session, we are seeking an extension of the reporting deadline to 26 April 2024 (which will include a 3 week period for the Easter recess). The existing deadline of 15 March 2024 was agreed by the Business Committee on 6 February 2024.

In our view, any change to the timetable should not be problematic for the timing of any subsequent legislative consent motion because the Renters (Reform) Bill is currently at Report Stage in the House of Commons and has yet to start its passage through the House of Lords.

I am copying this letter to the Chairs of the Local Government and Housing Committee and the Finance Committee.

Yours sincerely,



Huw Irranca-Davies
Chair

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