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14 January 2014

e-mail response sent to: [CELGCommittee@wales.gov.uk](mailto:CELGCommittee@wales.gov.uk)

Dear Sir/Madam,

**Response to: Housing (Wales) Bill**

Thank you for the opportunity to comment on the above Bill. The Royal Town Planning Institute (RTPI) is the largest professional institute for planners in Europe, representing some 23,000 spatial planners. RTPI Cymru represents the RTPI in Wales, with 1,100 members. The Institute seeks to advance the science and art of spatial planning for the benefit of the public. As well as promoting spatial planning, the RTPI develops and shapes policy affecting the built environment, works to raise professional standards and supports members through continuous education, training and development.

This response has been formed drawing on the expertise of the RTPI Cymru Policy and Research Forum which includes a cross section of planning practitioners from the private and public sectors and academia from across Wales.

The main areas of interest from a planning perspective are set out below.

**Part 1: Regulation of Private Rented Housing.**

The introduction of a compulsory registration and licensing scheme for all private rented sector landlords and letting and management agents and the proposed information as detailed in Schedule 1 would encourage a more joined up approach between housing and planning. In particular in terms of assisting in the collection of up to date and accurate data on the private rented sector and its contribution to the overall housing stock.

It should also assist in the monitoring of this sector in terms of compliance with planning legislation, assisting in initiating control through the planning system's enforcement process where needed, development plan monitoring and evidence base work on Local Housing Market Assessments.

### **Part 3: Gypsies and Travellers**

Under both existing housing legislation (Section 225 and 226 of Housing Act 2004) and planning guidance (Planning Policy Wales edition 5 para 9.2.21 and Welsh Government Circular 30/2007) there is a current requirement for Local Authorities to assess the accommodation needs of Gypsy and Traveller families but then they both fall short in placing a duty on the provision of suitable sites where a need has been identified. The proposed duty should help ensure a more joined up response to this specific issue.

The delivery and financing of sites needs to be considered in the round as part of the overall site assessment process/site selection criteria. Paragraphs 7.125 and 7.142 - 7.145 in the explanatory memorandum refer to funding. However the funds allocated at present appear to only cover the average cost of one new site per year. The Bill itself does not appear to refer to funding, however funding needs to be addressed to ensure deliverability.

Joint working between housing and planning in this area is important to help to reduce the risk of inadequately planning for the needs of the Gypsy and Traveller Community and potentially an increase in unauthorised encampments within an area.

We also note the following:

84(2) of the Bill, as introduced states 'consult such persons as it considers appropriate'. However, Planning Policy Wales appears to be more explicit in terms of who should be consulted. We therefore believe that there is greater scope for joined up thinking and working in this area, along the lines of that set out in Planning Policy Wales.

84(3) of the Bill, as introduced makes provision for review every 5 years. Consideration needs to be given as to how this will fit with Local Development Plan timescales.

The definition of a Gypsy/Traveller in the Welsh Government Circular 30/2007 'Planning for Gypsy and Traveller Caravan Sites' is significantly different to that used in other housing legislation/regulations and in the Bill. It would be helpful if there was a consistent definition shared by both housing and planning legislation and policy.

It would also be helpful if the guidance on the methodology to be used for assessing Gypsy and Traveller need could be updated.

### **Part 4: Standards for Social Housing: rents, service charges and housing standards.**

Paragraph 3.66 – 7 in the explanatory memorandum set out proposals for housing standards. We support higher standards to ensure good quality housing which will meet future needs but we acknowledge that there may be implications for demonstrating deliverability through the Local Development Plan as a result of potential costs, so measures need to be put in place to ensure the standards can be achieved through inclusive design and funding mechanisms.

## **Part 6: Co operative Housing**

Paragraph 3.106 identifies a number of types of co –operative housing categories. We welcome widening the options available for delivering housing.

You may be interested in a winner of the [2013 RTPI Excellence Awards](#) Birmingham Municipal Housing Trust, as a way of delivering high quality affordable housing whilst reducing the financial risk (page 15).

## **Part 7: Council Tax for Empty Dwellings**

This introduces the power for Local Authorities to charge more than the standard rate of council tax on homes empty for over a year.

We believe this is a positive step that can be used where the need arises to encourage the productive use and future occupation of existing empty homes helping to address the current housing demand and housing shortfall.

However it is disappointing to see that this discretionary approach to increasing council tax on certain categories of homes has not been extended to second homes. The issue is mentioned in the consultation section of the explanatory memorandum at paragraph 4.47 but in section 7 covering 'Summary and Preferred Options' there is no reference to its consideration. Using the discretionary approach preferred for empty homes, such a mechanism could be a useful tool to target those areas where second home ownership is having a severe adverse impact on the health and future well being of communities. A discretionary approach is considered most suitable in this case because of the geographical variations in its impact and the Housing Bill appears to be well placed to adopt this discretionary approach to second homes.

If you require further assistance, have any queries or require clarification of any points made, please contact RTPI Cymru on 029 2047 3923 or e-mail Roisin Willmott at [walespolicy@rtpi.org.uk](mailto:walespolicy@rtpi.org.uk)

Yours sincerely,



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