

SECURE TENANCIES (VICTIMS OF DOMESTIC ABUSE) BILL [HL]

DELEGATED POWERS MEMORANDUM BY THE DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT

Introduction

1. This Memorandum has been prepared for the Delegated Powers and Regulatory Reform Committee to assist with its scrutiny of the Secure Tenancies (Victims of Domestic Abuse) Bill [HL] (“the Bill”) to be introduced in the House of Lords on 19 December 2017. The memorandum has been prepared by the Department for Communities and Local Government (“the Department”). It identifies the provisions of the Bill that confer powers to make delegated legislation and explains why the power has been taken and explains the nature of, and reason for, the procedure selected.
2. The Bill contains 1 provision containing delegated powers. The Department has considered the use of powers in the Bill as set out below and is satisfied that they are necessary and justified.

Overview of the Bill

3. Schedule 7 to the Housing and Planning Act 2016 “the HPA 2016” amends the Housing Act 1985 to prevent local authorities from granting lifetime tenancies, except in limited circumstances.
4. The Bill will require local authorities, when re-housing an existing lifetime tenant who needs to move or has recently moved from their social home to escape domestic abuse, to grant such a tenant a lifetime tenancy in their new home. The Bill will apply to tenants of local authorities and Private Registered Providers of social housing (housing associations).

Delegated Powers created by the Secure Tenancies (Victims of Domestic Abuse) Bill [HL]

Clause 2: Commencement

5. Clause 2(2) provides for the provisions of the Bill to come into force on such day as the Secretary of State may appoint by regulations. As is usual with such commencement powers, it is not subject to any Parliamentary procedure.