

Housing and Planning Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE

After Clause 54

BARONESS HAYTER OF KENTISH TOWN
LORD TOPE

Insert the following new Clause—

“Requirement to carry out electrical safety checks

- (1) The landlord of a rental property shall ensure that the following are maintained in a safe condition so as to prevent the risk of injury to any person in lawful occupation of relevant premises—
 - (a) any electrical installations; and
 - (b) any electrical appliances supplied by the landlord.
- (2) Without prejudice to the generality of subsection (1), a landlord shall—
 - (a) ensure that the electrical installation and any electrical appliances supplied by the landlord are checked for safety within 12 months of initial leasing and thereafter at intervals of not more than five years since they were last checked for safety, regardless of whether the check was made pursuant to this Act;
 - (b) in the case of a lease which commences after the coming into force of this Act, ensure that the electrical installation and each electrical appliance to which the duty extends is checked for safety either within a period of 12 months before the lease commences or within 12 months of any electrical installation or electrical appliances being installed; and
 - (c) ensure that a record of any check for safety in respect of an electrical installation or electrical appliance is made and retained for a period of six years from the date of that check, which record shall include—
 - (i) the date on which the electrical installation or electrical appliance was checked;
 - (ii) the address of the premises at which the electrical installation or electrical appliance is installed;
 - (iii) the name and address of the landlord of the premises at which the electrical installation or electrical appliance is installed (or, where appropriate, the landlord’s agent);

After Clause 54 - continued

- (iv) a description of, and the location of, the electrical installation or electrical appliance that was checked;
 - (v) any defect identified;
 - (vi) any remedial action taken;
 - (vii) the name and signature of the individual carrying out the check; and
 - (viii) the registration number with which that individual's firm is registered with a Part P competent persons scheme approved by the Department for Communities and Local Government and certified as being competent in periodic inspection and testing.
- (3) The landlord shall ensure that any work in relation to a relevant electrical installation or electrical appliance carried out pursuant to subsection (1) or (2) is carried out by a firm registered with a Part P competent persons scheme approved for the time being by the Department for Communities and Local Government.
- (4) The record referred to in subsection (2)(c), or a copy thereof, shall be made available upon request and upon reasonable notice for the inspection of any person in lawful occupation of relevant premises who may be affected by the use or operation of any electrical installation or electrical appliance to which the record relates.
- (5) Notwithstanding subsection (4), the landlord shall ensure that—
- (a) a copy of the record made pursuant to the requirements of subsection (2)(c) is given to each existing tenant of premises to which the record relates within 28 days of the date of the check; and
 - (b) a copy of the last record made in respect of each electrical installation or electrical appliance is given to any new tenant of a premises to which the record relates before that tenant occupies the premises save that, in respect of a tenant whose right to occupy those premises is for a period not exceeding 28 days, a copy of the record may instead be prominently displayed within those premises.
- (6) A landlord who fails to comply with this section commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.”

BARONESS MEACHER

Insert the following new Clause—

“Rent arrears

The Secretary of State shall lay a report before Parliament annually about the impact of rent arrears on the health and wellbeing of men, women and children.”

LORD FLIGHT

Insert the following new Clause—

“Requirements relating to tenancy deposits: relevant persons

- (1) The Housing Act 2004 is amended as follows.

After Clause 54 - continued

- (2) In section 213 (requirements relating to tenancy deposits) –
 - (a) in subsection (5) omit “and any relevant person”;
 - (b) in subsection (6) omit “and any relevant person”;
 - (c) in subsection (10) omit all the words after the second “property” to the end of the subsection.
- (3) In section 214 (proceedings relating to tenancy deposits), in subsection (1) omit “or any relevant person (as defined by section 213(10)).”

Insert the following new Clause –

“Requirements relating to tenancy deposits: serving information electronically

In section 213 of the Housing Act 2004 (requirements relating to tenancy deposits), after subsection (10) insert –

- “(11) Where information is required to be given by the landlord as a result of this section, such information can be given by email where the tenant has notified the landlord, or a person acting on the landlord’s behalf, of an email address at which the tenant is content to accept information connected with the tenancy deposit.
- (12) Any requirement to serve information in connection with subsection (4) or (5) which requires a signature will be deemed satisfied in the case of service authorised by subsection (11) by the typing of the name of the landlord or a person acting for the landlord in the space left for such a signature.”

Clause 62

BARONESS ROYALL OF BLAISDON

Page 28, line 8, at end insert “, with the exclusion of dwellings owned by a registered social landlord where –

- (a) the dwelling is in a rural area;
 - (b) planning permission for the dwelling was granted wholly or partly on the basis of a policy for the provision of housing on rural exception sites;
 - (c) the dwelling is in a National Park or in the Broads; or
 - (d) the dwelling is in an area designated under section 82 of the Countryside and Rights of Way Act 2000 (designation of areas) as an area of outstanding natural beauty.
- (1A) In exceptional cases, as set out in regulations made by the Secretary of State, a grant will be paid subject to the proceeds from sale in a rural area being re-invested on a like-for-like basis in the parish where the sale has occurred or in an immediately adjoining rural area.
 - (1B) In this section, “rural area” means –
 - (a) any settlement with a population of fewer than 3,000 people at the most recent national census, or

Clause 62 - continued

- (b) any settlement with a population of between 3,000 and 10,000 people at the most recent national census, and designated as a rural area by the Secretary of State following representations from the relevant local authority.”

Page 28, line 13, at end insert –

- “(4) In rural areas a grant must be paid subject to the proceeds from sale being re-invested in the parish where the sale has occurred, and the Secretary of State must, by regulations, define the process for re-investing the proceeds from sale in a rural area.
- (5) In subsection (4), a “rural area” means –
 - (a) any settlement with a population of fewer than 3,000 people at the most recent national census, or
 - (b) any settlement with a population of between 3,000 and 10,000 people at the most recent national census, and designated as a rural area by the Secretary of State following representations from the relevant local authority.”

Clause 125

LORD GREAVES

Page 59, line 12, leave out “Regulations under subsection (11) may provide that”

Page 59, line 14, leave out “prescribed criteria” and insert “criteria prescribed under subsection (11)”

After Clause 125

LORD GREAVES

Insert the following new Clause –

“Promotion of neighbourhood planning in unparished areas

- (1) A local planning authority which includes unparished areas which have not been designated as neighbourhood areas must, from time to time and by such means as it considers appropriate, take active steps to bring to the attention of persons living or working in those areas the opportunities for neighbourhood planning (a “neighbourhood planning promotion”).
- (2) A neighbourhood planning promotion must include appropriate means to promote and explain neighbourhood planning on a range of local media, including the authority’s website.
- (3) The authority must carry out a neighbourhood planning promotion if it has not done so within the previous three years.
- (4) In addition to the steps required by subsections (1) to (3), the authority must maintain at all times a section on its website explaining neighbourhood planning and in particular how to identify or set up a relevant body in order to make an application for the designation of a neighbourhood area.

After Clause 125 - *continued*

- (5) In this section “unparished area” has the same meaning as in section 87(3) of the Local Government and Public Involvement in Health Act 2007 (constitution of new parish).”

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