

Housing and Planning Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE

[Supplementary to the Marshalled List]

Clause 2

LORD BEST

Page 1, line 13, after “cap,” insert –

“() is subject to a restriction requiring repayment of the 20% discount, reduced by 1% for each year of occupation by the purchaser, for a period of 20 years,”

Clause 3

LORD BEST

Page 2, line 24, after “homes” insert “, or alternative affordable home ownership products as approved by the Secretary of State,”

Page 2, line 24, at end insert –

“() In carrying out its duty to promote the supply of starter homes, a local planning authority in England must take account of its assessment of housing need and local viability, in particular for –

- () those over pension age,
- () those on below average incomes, and
- () those to whom it owes a statutory housing duty.”

Clause 4

LORD BEST

Page 3, line 4, leave out “if the starter homes requirement is met” and insert “where it has regard to the starter homes provision based on an assessment of local housing need and viability”

Clause 4 - continued

Page 3, line 9, leave out subsection (3) and insert—

- “() An English planning authority, in carrying out its relevant planning functions, must identify the starter homes requirement for its area alongside other requirements for housing based on an assessment of local housing need and viability.”

Page 3, line 16, at end insert—

- “() Through regulations the Secretary of State shall require that local planning authorities only allow starter homes on rural exception sites where these are subject to locally agreed “in perpetuity” arrangements and will contribute to delivering a significant increase in the supply of affordable homes to meet local needs, including those for rent.
- () Rural exception sites —
 - () are small sites in or adjoining rural settlements of less than 3,000 people;
 - () are used for affordable housing in perpetuity where sites would not normally be used for housing;
 - () are sites which seek to accommodate households who are either current residents or have an existing family or employment connection with the community where the development is occurring.
- () Affordable rent is defined as a rent at or below 80% of open market rents in the locality of the development.”

Page 3, line 16, at end insert—

- “() The regulations shall take account of the requirements for affordable housing for —
 - () the purpose of renting;
 - () shared ownership;
 - () retirement housing;
 - () supported housing; and
 - () people with disabilities;as specified in the local authority’s Local Plan.”

Page 3, line 16, at end insert—

- “() The regulations shall confer discretion on an English planning authority to exclude starter homes on rural exception sites.
- () Rural exception sites —
 - () are small sites in or adjoining rural settlements of less than 3,000 people;
 - () are sites which would not normally be used for housing;
 - () are sites which seek to accommodate households who are either current residents or have an existing family or employment connection with the community where the development is occurring.”

Clause 6

LORD BEST

Page 3, line 42, after “homes” insert “, or alternative affordable home ownership products as approved by the Secretary of State,”

Clause 67

LORD BEST

Page 29, line 33, at end insert “including –

- () the cost of replacing every high value property sold within the same local authority area;
- () the repayment of capital debt on the high value property sold; and
- () all associated transaction costs.”

After Clause 67

LORD BEST

Insert the following new Clause –

“Additional homes

- (1) The Secretary of State must make a determination for the local housing authority to replace every property sold as a result of section 67.
- (2) A determination should provide for local housing authorities to replace any properties sold with housing of the same tenure, as far as is practical.
- (3) A determination must allow local housing authorities sufficient borrowing capacity and flexibility to provide replacement housing.”

Clause 68

LORD BEST

Page 30, line 17, at end insert –

- “() it is not in a rural area.
- () A rural area is defined as –
 - () any settlement with a population of fewer than 3,000 people at the most recent national census, or
 - () 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 30, line 17, at end insert –

- “() In making a determination under section 67, the Secretary of State must exclude housing in rural areas where the Secretary of State determines that it would not be reasonable to expect the local authority to ensure its replacement with at least one new affordable home in the same parish or adjoining parishes.”

Clause 68 - continued

Page 30, line 18, leave out subsections (3) and (4)

Page 30, line 25, at end insert –

- “() Regulations shall provide that housing shall be excluded where a vacancy has occurred as a result of the transfer of the former tenant to alternative accommodation in the social rented sector.
- () Accommodation in the social rented sector means any accommodation owned or let by a local authority or other registered provider of social housing.”

Clause 72

LORD BEST

Page 31, line 42, at end insert –

- “() Where the agreement is with a local authority outside Greater London, it must require the authority to ensure that at least one new affordable home is provided for each old dwelling.”

Page 31, line 42, at end insert –

- “() If a Combined Authority has agreed to ensure that a number of the new affordable homes are provided, that number is to be deducted from the number for which the local housing authority must be made responsible under subsection (4).”

Page 31, line 42, at end insert –

- “() Where the agreement is with a local authority that includes a rural area, it must require the authority to ensure that at least one new affordable home is provided for each property sold in the parish or adjoining rural area where the dwelling has been sold.
- () A “rural area” is defined as –
 - (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.”

After Clause 77

LORD BEST

Insert the following new Clause—

“Duty to support replacement of housing in rural areas

- (1) This section applies to an authority that is both a relevant authority and a local planning authority within the meaning of the Town and Country Planning Act 1990.
- (2) An authority to which this section applies must co-operate with registered providers holding housing stock in its rural areas to update, on an annual basis, its strategic housing land availability assessment to identify deliverable sites for replacement affordable homes in the parish or rural area adjoining the location of the housing stock.”

Clause 78

LORD BEST

Page 34, line 9, leave out “must” and insert “should”

Page 34, line 11, after “particular,” insert “permit local housing authorities to”

Page 34, line 17, at end insert—

- “() The regulations shall not apply if the Secretary of State determines that the cost for a local authority of assessing the incomes of its tenants would be disproportionate to the additional rental income achievable from this provision.”

Page 34, line 17, at end insert—

- “() The regulations shall apply in a number of pilot areas, as detailed by the Secretary of State, and consideration shall be given to extending the regulations to all local authorities subject to evaluation of the impact of the regulations on tenants and communities in the pilot areas.”

Page 34, line 18, leave out “require” and insert “encourage”

Clause 80

LORD BEST

Page 35, line 6, leave out subsection (2)

Page 35, line 14, leave out subsection (5)

Clause 84

LORD BEST

Page 36, line 41, at end insert “, minus the full administrative costs for the local housing authority.”

Clause 84 - continued

Page 37, line 1, leave out “may” and insert “must”

Schedule 7

LORD BEST

Page 128, line 19, leave out “2” and insert “5”

Page 128, line 20, leave out “5” and insert “10”

Page 128, line 34, leave out from “dwelling-house,” to end of line 35

Clause 141

LORD TRUE

Page 72, line 3, after “etc),” insert “–

(a) after subsection (5) insert –

“(5A) In making regulations under this section the appropriate authority must ensure or allow that, taking one financial year with another, each authority may recover sufficient income from the fees or charges to meet the full cost of performing the function or doing the thing (as the case may be).”; and”

Lord True gives notice of his intention to oppose the Question that Clause 141 stand part of the Bill.

Clause 143

LORD SHIPLEY

Page 72, line 38, after “people” insert “across all tenures”

Page 73, leave out lines 6 and 7

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9 February 2016
