

# Housing and Planning Bill

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE

*[Supplementary to the Fourth Marshalled List]*

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Amendment  
No.

**After Clause 89**

LORD BASSAM OF BRIGHTON

**82AA★** Insert the following new Clause –

**“Community cohesion**

- (1) Upon the coming into force of this Act, the Secretary of State must undertake a review into the effect that Chapters 3 and 6 of Part 4 will have on community cohesion within all local authority areas.
- (2) A report on the review must be published, and laid before each House of Parliament, no later than six months after the coming into force of this Act.”

**Schedule 7**

LORD BASSAM OF BRIGHTON

**82BB★** Page 128, leave out lines 19 and 20 and insert “12 years”

LORD KENNEDY OF SOUTHWARK  
LORD BEECHAM

**82FA★** Page 128, line 34, leave out “and” and insert “;

- ( ) the prospective tenant of the dwelling-house, or in the case of prospective joint tenants, at least one of the tenants, has attained pension credit age;
- ( ) the dwelling-house has been or is to be adapted for the needs of a disabled member of the household or contains features which are designed to make it suitable for occupation by a disabled person; or”

**82GAA★** Page 131, line 24, at end insert –

- “(3A) A review under this section must be carried out in accordance with a clear and accessible policy that outlines –
- (a) the circumstances in which the landlord may and may not grant another tenancy,

**Schedule 7 - continued**

- (b) the advice and assistance the landlord will give to the tenant in the event they decide not to grant another tenancy,
  - (c) the way the landlord will address the needs of households who would be at risk of homelessness in the event they decide not to grant another tenancy, and
  - (d) the way the landlord will tailor advice and assistance to meet the needs of vulnerable groups.
- (3B) The Secretary of State shall be responsible for preparing, publishing and updating as necessary the policy under subsection (3A).”

LORD BASSAM OF BRIGHTON

**82GAB★** Page 132, line 4, at end insert –

- “( ) consider the effect that a decision not to grant another tenancy would have on family life and community cohesion, and
- ( ) consider whether a decision not to grant another tenancy would result in a child living as a current tenant having to change schools.”

LORD KENNEDY OF SOUTHWARK  
LORD BEECHAM

**82GAC★** Page 132, line 4, at end insert –

- “( ) consider whether a decision not to grant another tenancy may result in homelessness and, where this is a possibility, provide advice and assistance on finding alternative accommodation.”

**82GAD★** Page 132, line 4, at end insert –

- “(7) Where, having advised the tenant under subsection (6)(a), the landlord is satisfied that buying a suitable home is not a realistic option for the tenant, the landlord shall implement Option 1 or (subject to the other dwelling-house being suitable) Option 2.
- (8) In subsection (7), a property is a “suitable home” if it is reasonably suitable to the means and needs of the tenant and members of his or her family, including proximity to place of work, schools, amenities, medical facilities and sources of personal support.”

**After Clause 114**

LORD KENNEDY OF SOUTHWARK  
LORD BEECHAM

**82GAE★** Insert the following new Clause –

**“Incidence and prevention of homelessness**

- (1) Upon the coming into force of this Act, the Secretary of State must undertake a review of the incidence and prevention of homelessness and rough sleeping.
- (2) The review should include consideration of the effect that Chapters 3 and 6 of Part 4 will have on levels of homelessness and rough sleeping in each local authority area.

**After Clause 114 - continued**

- (3) A report on the review must be published, and laid before each House of Parliament, no later than six months after the coming into force of this Act.”

**After Clause 124**

LORD YOUNG OF COOKHAM

84G★ Insert the following new Clause—

**“Rights of tenants with respect to information**

- (1) A relevant person may by notice in writing require a landlord or superior landlord to supply him or her with the relevant information.
- (2) The landlord or superior landlord shall, within the period of 21 days beginning with the day on which he or she receives the notice, comply with it by supplying the relevant information to the relevant person.
- (3) For the purposes of this section—  
“relevant person” means a person who is the registered long leasehold owner of a dwelling in the premises to which the request relates; and  
“relevant information” means—  
(a) the name of the registered owner of each long leasehold interest of a dwelling in the premises to which the request relates;  
(b) the full postal address of that dwelling; and  
(c) the electronic and/or postal address(es) to which service charge and ground rent demands are sent.
- (4) Any agreement or arrangement relating to the relevant information is void to the extent that it would, apart from this subsection, have effect to entitle the landlord or superior landlord to withhold the relevant information.
- (5) The right to information under subsection (1) may only be exercised in relation to the exercise of, or a proposal to exercise—  
(a) the right to seek and/or maintain recognition of a tenants’ association under section 29 of the Landlord and Tenant Act 1985;  
(b) the right of first refusal under Part 1 of the Landlord and Tenant Act 1987;  
(c) the right to apply for the appointment of a manager under Part 2 of the Landlord and Tenant Act 1987; and  
(d) the right to acquire the right to manage under Chapter 1 of Part 2 of the Commonhold and Leasehold Reform Act 2002.
- (6) Subsections (7) to (9) apply where, at a time when a duty imposed on a landlord or superior landlord by virtue of any of subsections (1) to (5) remains to be discharged by him or her, the landlord or superior landlord disposes of the whole or part of his or her interest as landlord or superior landlord.
- (7) If the landlord or superior landlord is, despite the disposal, still in a position to discharge the duty to any extent, he or she remains responsible for discharging it to that extent.
- (8) If the person to whom the interest has been transferred is in a position to discharge the duty to any extent, he or she is responsible for discharging it to that extent.

**After Clause 124 - continued**

- (9) Where the person to whom the interest has been transferred is responsible for discharging the duty to any extent (whether or not the landlord or superior landlord is also responsible for discharging it to that or any other extent) –
  - (a) references to the landlord or superior landlord in subsections (1) to (5) include the person to whom the interest has been transferred so far as is appropriate to reflect his or her responsibility for discharging the duty to that extent, but
  - (b) in connection with its discharge by that person, subsections (1) to (5) apply as if the reference to the day on which the landlord or superior landlord receives the notice were to the date of the disposal referred to in subsection (6).
- (10) The assignment of a tenancy does not affect any duty imposed by virtue of subsections (1) to (5), but a person is not required to comply with more than a reasonable number of requirements imposed by any one person.
- (11) Failure to comply with a notice requiring a landlord to supply the relevant information shall be enforceable by way of civil action.
- (12) In this section, “registered long leasehold owner” means the registered leasehold owner of a long lease within the meaning of section 7 of the Leasehold Reform, Housing and Urban Development Act 1993.”

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*7 March 2016*

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