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Housing Update Paper July 2019

Purpose of report

For information.

Summary

An update of the housing policy work that has recently been carried for the Environment, Economy, Housing & Transport Board.

Recommendation

That members note the contents of the report.

Action

Officers to take forward any member comments for future policy work.

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Planning

1. Compulsory purchase and land value capture– We have undertaken a joint LGA/Shelter survey with local authorities to identify challenges around the use of compulsory purchase powers to acquire land for residential development. Further interviews are now taking place with councils and a report will be published in the Autumn. We are also planning a masterclass for local authorities on compulsory purchase.
2. Accelerated planning green paper – we have recently written to the Minister of State for Housing with a series of suggestions to help inform the development of the green paper. We still expect the green paper to be published later this year which will discuss what improvements can be made to accelerate the end-to-end planning process.
3. Building better, building beautiful commission – we submitted a response to the Building Better, Building Beautiful commission which focused on ensuring that councils have the right level of oversight and influence in shaping places through a properly resourced, local plan-led system. This included our calls to scrap permitted development rights and a need for renewed national leadership on standards for new homes.
4. Probity in planning – we will shortly be commissioning an update to the 2013 Probity in Planning guide for councillors and officers. This useful resource will support councillors to get involved in discussions on plan making and on applications, on behalf of their communities in a fair, impartial and transparent way.
5. Community Infrastructure Levy (CIL) – the government has now laid regulations which will make a number of changes to the way CIL is implemented by local authorities. In particular, they will remove the section 106 pooling restrictions for all councils, something the LGA has been advocating for some time, and streamline consultation requirements for the introduction and revision of a CIL.
6. Future Place programme – we are continuing to work with the RTPI, CIH, RIBA, Homes England and now Local Partnerships to provide capacity support to the 5 Future Places that were announced in March 2019. Future Place is a joint programme to unlock local potential for place-shaping.
7. Permitted development rights (PDR) – We have continued to work with civil servants to influence the terms of reference for the government's [review](#) of permitted development rights for conversion of buildings to residential use. Following LGA lobbying the regulations removing the permitted development right and associated advertising deemed consent in respect of new telephone kiosks are now in force. Planning permission will now be required for new kiosks and any associated advertising. This will enable local planning authorities both to consider the need for such kiosks, as well as their acceptability in a given location.

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8. Housing, Planning and Infrastructure Conference – following the success of our annual Housing, Planning and Infrastructure Conference earlier this year, we are now starting to plan for the 2020 conference on 17 March 2020.

Social housing

9. Social housing regulation and rents policy- MHCLG has confirmed a change to rent regulation. Councils with housing stock will have their rents regulated by the Social Housing Regulator. The LGA argued against this change as contradictory to the principles of self-financing, but will be working with the Regulator and councils to understand the implication of the change and any new burdens arising. The Regulator has [issued a consultation paper](#) on the new Rent Standards and the implementation of rent regulation for local authority landlords. The Regulator is running a [separate consultation](#) on the use of powers and intervention in regards to registered providers.
10. Right to Buy (RtB) reform – We are still awaiting the Government’s response to the RtB consultation which closed last year. The consultation proposed a number of helpful reforms which the LGA have been advocating for some time, for instance for councils to be able to recycle greater proportions of RtB receipts into replacements, and to have more time to build replacements. While we’re hopeful some of these proposals will be taken forward the LGA expressed a concern that they did not go far enough and has continued to make the case for 100% per cent receipt retention and ability for councils to set discounts locally.
11. Social Housing Green Paper – an update is still awaited from the Government on the next steps from the Green Paper.
12. Joint work with the National Housing Federation – Following a meeting between the LGA Chairman and Chief Executive with the National Housing Federation (NHF) the LGA is working with the NHF to develop and share good practice in partnership working between councils and housing associations in developing new housing supply. A joint event will take place on 12 July.

Homes England

13. Homes England (HE) local government capacity work – We continue to work with HE which is looking into how it might support councils to build their capacity to enable the delivery of new housing. We share an ambition on raising capacity with Homes England and partner organisations in the housing and planning sector. We will collectively take action to ensure that there are the right skills, capacity and resources in place in the public and private sector, at national and local level, to meet the challenge of building 300,000 new homes each year.

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Private Rented Sector

14. Private rented sector improvement project - A research project with councils will investigate good practice approaches to improving the quality of private rented housing, and how councils can secure sustainable sources of funding.
15. Selective licensing schemes – MHCLG has published the findings of an [independent review](#) into the effectiveness of selective landlord licensing schemes. The review concluded that selective licensing is achieving positive outcomes, but works best as part of a strategic approach to improving the private rented sector. The requirement for Secretary of State approval for larger selective licensing schemes was excluded from the scope of the independent research. Next steps will be announced in the Autumn, when the Government is also expected to consult on proposals to reform eviction powers.

Homelessness

16. Homelessness Reduction Act - The LGA continues to work with MHCLG and councils to ensure that councils' concerns around the implementation of the Act are reflected in its review, in particular the concerns that councils have not been sufficiently funded to deliver the new duties. As part of this, have joined the Government's HRA working group, which is providing oversight of the delivery of the review.
17. Homelessness prevention project – Work continues on our research into how central government can help councils to prevent homelessness, which is led by researchers at Heriot-Watt University's I-SPHERE. A survey will shortly be going out to all local housing authorities, which will explore the enablers and barriers to successful prevention, and ask about the changes needed to central government policy and funding. The report is due for publication in Autumn this year. In parallel, the LGA's cross-policy analysis of the fragmentation in central government funding is also underway, with results due in July.
18. Tackling homelessness together – The Government has set up a working group looking at structures that support partnership working and accountabilities in homelessness. The LGA sits on this working group, and will be looking to influence reforms that support local authorities to strategically tackle homelessness in partnership, while retaining local flexibility.
19. Intentionality judgement – In June, the Supreme Court made a ruling in *Samuels vs. Birmingham City Council* that families could not be judged as "intentionally homeless" where applicants have not used non-housing benefits to cover shortfalls in their rent payments, on the basis that these other benefits are meant for other essential purchases. We are working with MHCLG to understand the implications for guidance to local authorities. Through the LGA Resource Board, we are also working with colleagues in the voluntary sector, private landlord sector and in London Councils to call for a review of Local Housing Allowance rates, and this judgement will have implications for the DWP's decision regarding this review.
20. Out of area placements – The LGA has undertaken work into the circumstances of out of area placements and the engagement between councils in the movement of a household from one council area to another. We have now commenced work with a steering group,

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comprised of local housing authorities and children's services, to develop an approach whereby the LGA can add value in supporting positive working between councils regarding this matter in a way that best supports families and services.

Building safety

21. Hackitt Review – MHCLG have now published their consultation on the new building safety regulatory framework, entitled "Building a Safer Future". The consultation, which closes on 31 July, seeks views on the scope of the new regime, new building owner responsibilities, residents' voice, a new building safety regulator, and strengthened enforcement and sanctions. We will be responding to this consultation, and continue to work with the National fire Chiefs Council, Local Authority Building Control, and the Health and Safety Executive to advise Government on detailed proposals, as part of our role in the Joint Regulators Group.
22. Remediation work – A Written Ministerial Statement has now been laid in Parliament relating to the Joint Inspection Team (JIT). This is the LGA-hosted, MHCLG-funded multi-disciplinary taskforce which will support councils to enforce the removal of ACM cladding. We expect this Team's work to commence in August. The Government has also announced additional funding for private sector building owners to remove Aluminium Composite Material cladding (ACM), and is currently conducting tests into other forms of potentially dangerous cladding. We have also been working closely with the Ministry, the National Housing Federation, councils, and the fire doors industry to shape the remediation plan for fire doors.

Housing Improvement

23. Housing Adviser Programme (HAP) update - The LGA Housing Adviser Programme is a direct response to the challenge of the housing crisis and the need to build new homes and increase housing supply. The 2018/19 funded projects are nearing their completion. We are in the process of receiving case studies from all 45 funded projects (directly supporting over 60 councils) which we will publish to share best practice and learning across the sector. We are also planning an event in the Autumn to share learning from the 2018/19 programme and to look ahead to HAP 2019/20. HAP 2019/20 HAP will be launched in July.
24. Housing Business Ready Springboard programme – A final fringe event for this programme was held at the LGA annual conference. This joint programme with the Housing Finance Institute and Cheyne Capital has supported 16 councils through an intensive masterclass programme to explore and develop their potential to enable housing delivery.
25. Understanding local housing markets – Following our work with leading housing analysts we have now published advice and guidance for councils wanting to use data in ways to best inform their decisions for intervening in the local housing market. This includes

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advice to councils on different data sets, options for matching data or using other techniques to gain more understanding, and where there might be particular gaps. There is also a tool that generates a report for individual councils summarising what the latest data reveals at a local authority level, and a more specific look at what data can reveal below local authority level.