

HB 45

National Assembly for Wales

Communities, Equality and Local Government Committee

Housing (Wales) Bill: Stage 1

Response from: Age Cymru



Consultation Response

Consultation on the Housing (Wales) Bill

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17 January 2014

Introduction

Age Cymru is the leading charity working to improve the lives of all older people in Wales. We believe older people should be able to lead healthy and fulfilled lives, have adequate income, access to high quality services and the opportunity to shape their own future. We seek to provide a strong voice for all older people in Wales and to raise awareness of the issues of importance to them.

We are pleased to respond to the Communities, Equality and Local Government Committee's Consultation on the Housing (Wales) Bill. We are not specifically a housing organisation and have commented on general principles and policy aspects on which we have a view. We are not qualified to comment on some of the financial or detailed regulatory aspects of the Bill.

1. The general principles of the Housing (Wales) Bill and the need for legislation in the following areas -

General principles of the Bill

We welcome the Housing (Wales) Bill and its proposed contribution to the Welsh Government's three strategic priorities for housing in Wales: more homes and more choice, better quality homes, and better housing-related services.

The impact of people living longer on the availability of homes and the management of improvements and services are key issues. It is vitally important that older people are supported to continue to live independently and in safety in communities across Wales for as long as they choose to.

For effective delivery, we would agree with the importance of coherence with other Welsh Government frameworks and strategies (4.9, Explanatory Memorandum), and deem that the Welsh Government's Strategy for Older People in Wales 2013-2023, which includes policy in relation to housing, should be added to this list.

Given that 'more homes' is one of the Welsh Government's key strategic priorities for housing in Wales, we believe the Housing (Wales) Bill should provide a key opportunity to ensure that all new homes in Wales, including private developments, are built to Lifetime Home standards¹, making them suitable for people of all ages. We believe that the provisions of the Bill should be strengthened in this respect, to ensure that all new homes built in Wales meet Lifetime Home standards. This is especially important given the forecast demographic changes facing the country.

- **a compulsory registration and licensing scheme for all private rented sector landlords and letting and management agents;**

We welcome the compulsory registration and licensing scheme for landlords, with the intention of improved standards in the private rented sector. We deem that this would be a step forward in terms of ensuring fair treatment for tenants and improved standards of housing.

We believe the Housing (Wales) Bill provides a key opportunity to make a major contribution in the fight against fuel poverty through ensuring that homes being privately rented meet a minimum standard of energy efficiency, to help protect the most vulnerable in society. Statistics from the Welsh Government² demonstrate that a greater proportion of households in the private rented sector are in fuel poverty than in other tenures. 36% of households that rent privately are fuel poor in comparison with 25% of owner-occupiers and 24% in housing association properties. We urge the Welsh Government to include provisions in the Housing (Wales) Bill to make it illegal for landlords to re-let properties which do not achieve a SAP rating of at least band D for energy efficiency. This would make a significant contribution to reducing fuel poverty with no significant cost implication for government. This would also be consistent with the Housing Health and Safety Rating System (HHSRS).

The explanatory memorandum of the Bill itself notes that 'Tenants in the private rented sector are expected to experience improved management of their accommodation, with reduced heating bills if better insulation is installed' (8.18 Explanatory Memorandum).

- **reform of homelessness law, including placing a stronger duty on local authorities to prevent homelessness and allowing them to use suitable accommodation in the private sector;**

We welcome the proposed reform of homelessness law, including placing a stronger duty on local authorities to prevent homelessness.

We welcome the inclusion of vulnerable older people in the 'priority need' category with reference to local authority assessments of homeless people. We feel that further interventions by local authorities to prevent older people becoming homeless could include

¹ Lifetime Homes <http://www.lifetimehomes.org.uk/>

² Welsh Government (2010) Living in Wales 2008: Fuel Poverty. National Statistics SDR 205/2010.

proactive help and support to cope with bereavement or to resolve debt problems that may result in homelessness.

We believe that more needs to be done to ensure that housing and support services are informed by the views of older homeless people themselves to ensure that services provided meet their needs. Furthermore, isolated and vulnerable people who have been resettled into housing schemes should get help to access social and leisure activities to ensure that they are integrated into their local community.

With reference to Section 43 ('It is not reasonable for a person to continue to occupy accommodation if it is probable that it will lead to the person, or a member of the person's household, being subjected to domestic abuse or abuse from a person with whom the person being abused is not associated') we welcome the updating of 'domestic violence or other violence' to 'domestic abuse or abuse'.

Most adult abuse referrals concern people aged 65 or over, and the main category of vulnerability of people referred continues to be older persons. The place of alleged abuse for most of the completed referrals in Wales continues to be people's own home in the community³. We seek assurances that the definition of 'abuse' in the Housing (Wales) Bill would encompass the abuse of older people in their own homes.

Advocacy is an important service for older people suffering abuse, or who have been abused. Age Cymru's research⁴ into advocacy provision for older people in Wales found that 84% of respondents (advocates) had supported an older person who had been abused. Respondents rated someone's own home as the most common place of abuse.

With reference to Section 50 'How to secure or help to secure the availability of accommodation', we note that '(f) advocacy or other representation', and '(h) information and advice' are listed as 'examples of what may be provided or arranged [...]'. We stress the importance of older people being able to access independent advocacy, information and advice services.

- **a duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified;**

We are supportive of the proposal in the Housing (Wales) Bill for a duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified. We believe it is important to ensure that local authorities meet the accommodation needs of Gypsies and Travellers in terms of adequate site and transit site provision and take up of grant opportunities.

We note that this new duty 'will be of particular benefit to children and young people, disabled people and older people who may have greater need to access community services'. With reference to the expected social benefits arising from this duty, it is vitally important that there is better access to, and uptake of, preventative healthcare among older residents of these communities. Gypsies and Travellers are one of the most

³CCSIW (2013) Care and Social Services Inspectorate Wales. Adult Protection Monitoring Report 2010-2012.

⁴Age Cymru (2013) *Advocacy Counts 4*.

disadvantaged groups in Welsh society, experiencing high levels of poverty and low life expectancy.⁵

- **standards for local authorities on rents, service charges and quality of accommodation;**

We welcome the strengthening of the legislation to ensure that all local authorities must achieve compliance with the Welsh Housing Quality Standard to improve and maintain the quality of local authority housing stock, and the achievement (and maintenance thereafter) of the Standard - which also sets a minimum rating for energy efficiency.

We welcome the setting of standards for rents and service charges, and improved transparency in the system through the separation of rent and service charges. We see this as a step forward in terms of ensuring fair treatment for tenants.

- **reform the Housing Revenue Account Subsidy system;**

We would be supportive of the proposed reform of the Housing Revenue Account Subsidy system and the introduction of new self-financing arrangements to enable local authorities in Wales to further invest in, and improve, their housing stock, including improvement in the progress to achieve the Welsh Housing Quality Standard.

- **the power for local authorities to charge more than the standard rate of council tax on homes empty for over a year;**

We support the bringing of empty homes back into the housing market. However, with reference to the proposed discretionary power of local authorities to charge more for Council Tax on homes empty for over a year, we believe that the Welsh Government must ensure that older people staying in care/nursing homes or other convalescence are exempted from this across all local authorities in Wales. We believe that the current exemptions from council tax should remain.

- **the provision of housing by Co-operative Housing Associations;**

We would be generally supportive of legislation that would facilitate the further development of co-operative housing as another option of providing additional homes.

As a general point, there is the need for accessible and easy to understand information and advice on housing options and housing related issues. Older people must be offered appropriate housing options and have access to the information, advice and, in some cases advocacy support, they need to assist them to make informed housing choices. One of the challenges for the housing sector is to increase awareness of the different housing models and products available to people. Unfortunately, much of the language used within the sector does little to assist here with terminology such as 'sheltered accommodation', 'extra care schemes', 'home buy schemes', 'rent to buy', 'shared ownership', 'co-operative housing', 'intermediate renting' which are well understood within the sector but are less

⁵ Welsh Government (2013) Programme for Government Annual Report June 2013.

familiar amongst the general public. As a result people are often unaware of potential housing options available to them. As new products are developed the provision of clear explanations of the available options are essential and must remain a key consideration in the Housing (Wales) Bill.

Other comments

As a general point, with reference to Recommendation 22 of the Communities, Equality and Local Government's Committee's Report on its Inquiry into Home Adaptations, we believe that housing registers that include all social housing and private rented accommodation would improve the Housing (Wales) Bill.

We hope these comments are useful and would be more than happy to provide further information if required.