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Cymru

TIME FOR A RIGHTS- BASED APPROACH TO OUR HOUSING CRISIS: THE HOUSING LANDSCAPE IN WALES & UK?

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What I'm going to cover



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The current political context

The current big issues

Delivery

Right to Adequate Housing

Political context



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- 80-seat Conservative Majority
- Brexit?
- Housing policies – divergence between Wales & Westminster?
- Shared Prosperity Fund/Barnett Consequential
- Welfare policies – impact for housing
- 2021 Assembly Elections



Big issues: SUPPLY



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Supply

- WALES – 8,300 new homes needed p.a. of which:
 - 3,900 (47%) social/affordable
 - 4,400 ((53%(- Market sale
- ENGLAND - 340k new homes p.a. of which:
 - 145,000 affordable homes
 - 90,000 social rent

Key Issues:

- More granular understanding of need
- Long-term funding
 - 5-year rent policy
 - 5-year regional partnership grant model
- Scaling up at pace council house building
- Land availability
 - Arms-length body to free up public sector land
- Carbon-Neutral housing
 - Scaling up MMC/OSM
- Underpinned by focus on Affordability/VFM
- English-focus – the new “First Homes” scheme

Big issues: AFFORDABILITY



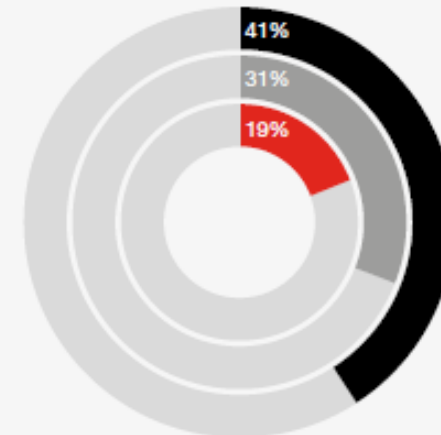
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- full-time workers could expect to pay an estimated **7.8 times their annual earnings** on purchasing a home in England and Wales in 2018
 - 1997 – **3.5 times**
- Housing costs as % of Income in PRS (ONS)
 - Wales - 29%
 - Eng - 32%
 - Scot – 25%
- LHA rates frozen for 3 years
 - Need to restore link with 30 percentile
 - In worst affected areas as low as 5-10%

Figure 2: Private renters pay most: average proportion of joint income spent on housing costs by tenure (including housing benefit)¹⁵

Mean proportion of income

- private renters 41%
- social renters 31%
- owner occupiers 19%



Source: Sneider social housing commission 2019

Big issues: homelessness



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Welsh Stats:

- 60,589 households are on social housing waiting lists
- Over 21,000 households faced or experienced homelessness in 2018
- 2,307 households in temporary accommodation – of which 945 are families with children
- 347 people sleeping rough on our streets
- At least 42% of private tenants do not have a fixed term tenancy in Wales

Factors:

- Lack of social housing – RTB/lack of new building
- Welfare policy: LHA freeze, bedroom tax and benefits cap

Issues:

- Lack of Outreach resource
- Pact to end evictions into homelessness (recommendation of WG Homelessness Action group)
- Priority Need – reform needed
- Reform of PRS – almost 20% of market
 - No-fault evictions
- Roll Out of “Housing First”
- Supporting People funding

Big issues: planning for demographic change



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Ageing

- Number of people aged 85 years and over is projected to nearly double to 3million.
- Many face c.16-19 years of poor health

A hidden housing crisis

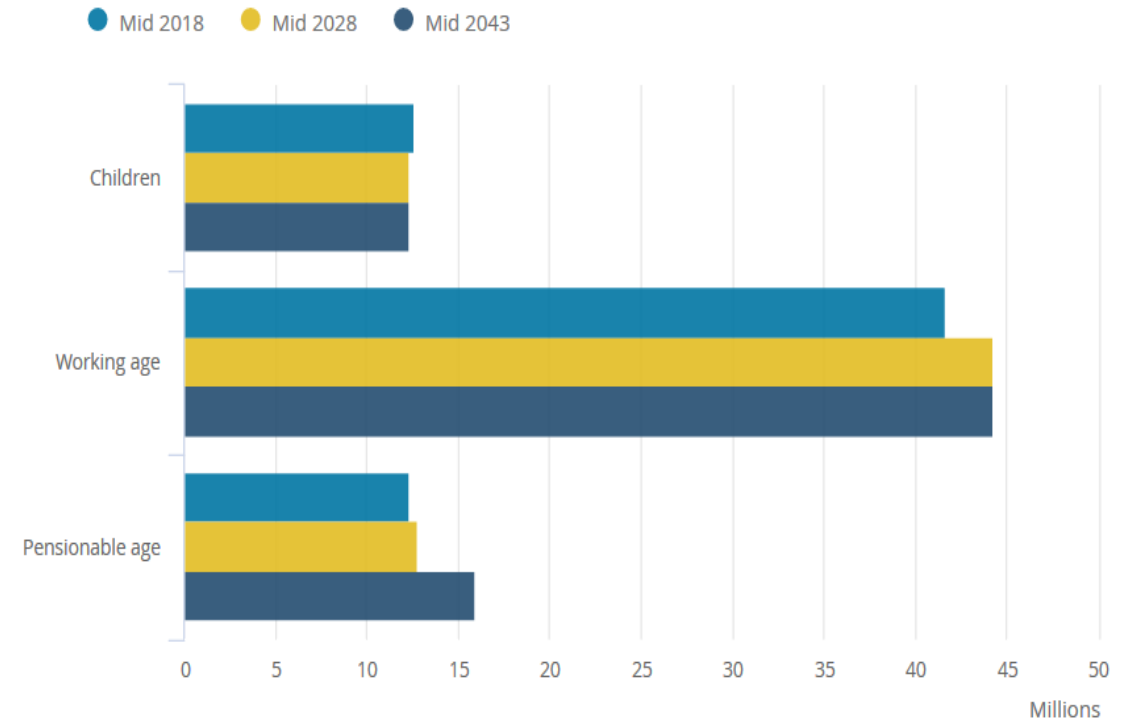
- 13.9m disabled people in UK (Wales has highest proportion of disabled people of any nation/region in the UK – 26%)
- Not enough accessible homes (only 7% in England) – EHRC report
- Only one LA in Wales has set a target for accessible housing

More people of all ages in PRS long term

- 16-24 yrs (68%), 25-34 yrs (44%) and 35-44 yrs (28%)
- What will become of 'generation rent' as they age?

Figure 4: The number of people of pensionable age is projected to grow the most

UK population by life stage, mid 2018, mid 2028 and mid 2043



Source: Office for National Statistics – National population projections

Implementation of Affordable Housing Supply Review

- WG accepted all recommendation of Affordable Housing Supply review
- 5-year rent settlement announced – CPI+1% but linked to VFM
- Work well underway on revised Need measurement – looking at Scottish approach
- New land division set up in WG – awaiting to see plans for proposed arms-length “Land Agency”
- Work on new grant system underway
- CIH hosting piece of work on scaling up council house development

Welsh Government Budget 2020/21:

- Extra £175million for Housing/ £133million of which for Social Housing
 - Extra £48million SHG
 - The Land Release Fund – £5m to look at ways to ensure land in public ownership is used for public policy benefit
 - Social landlords – £108m to ensure housing is of an appropriate standard
 - £25million Innovative Housing Programme
 - £50m for loans to help registered social landlords fund social housing development plans and the decarbonisation of existing homes
 - Housing Support Grant (Supporting People) remains the same

The right to adequate housing in Wales: Feasibility Report

Authored by: Dr Simon Hoffman (Swansea University) for Tai Pawb, the Chartered Institute of Housing Cymru and Shelter Cymru

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‘If there had been a right to adequate housing in the United Kingdom, the Government and the local authority would have had a legal duty to consider seriously and in a timely manner, the safety concerns raised by the Grenfell Tower residents, before the conditions became life-threatening’
Geraldine Van Bueren QC, Professor of International Human Rights Law in Queen Mary, University of London and Visiting Fellow, Kellogg College, Oxford.

Dual Approach



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- Embed the right to adequate housing in the discharge of public housing functions by requiring the Welsh Ministers as well as local authorities to have **due regard** to the right to adequate housing as set out in Article 11 of the ICESCR when exercising their functions under the Housing Act (Wales) 2014(HA). This is sometimes called indirect incorporation.
- Incorporate the right to adequate housing by requiring Welsh Ministers and local authorities not to act in a manner which is **incompatible with the right to adequate housing** (as set out in Article 11 of the ICESCR) when exercising their functions under the HA 2014, which mirrors the approach taken in the Human Rights Act 1998 (HRA). The HRA gives any person who claims an authority has acted unlawfully a right of action against the authority concerned. This is sometimes called direct incorporation.

Case Study



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Homelessness & Intentionality

- Right to adequate housing would remove intentionality test
- LAs have the power to wave intentionality test, to date no LA has taken this step

Security of Tenure

- Under Renting Homes Act (2016) no-fault evictions continue to be available to Landlords in PRS
- although looking to amend RHA to water down - Right to adequate housing would end no-fault evictions
- Under right to adequate housing Ministers would be duty-bound to progress towards greater security of tenure
- End eviction into homelessness

Fiscal Focus

- Will shape the flow of resources towards meeting the right to adequate housing – or at least guarding against challenge

Thank you



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