



Report on the Legislative Consent Memorandum for the Housing and Planning Bill: enfranchisement and extension of long leaseholds

Background

1. On 9 December 2015, the Minister for Communities and Tackling Poverty ('the Minister') laid a Legislative Consent Memorandum ('the Memorandum') for the Housing and Planning Bill currently before the UK Parliament.
2. On 12 January 2016, the Business Committee agreed to refer the Memorandum to the Communities, Equality and Local Government Committee ('the Committee') for consideration. In referring the Memorandum, the Business Committee set a reporting deadline of 18 February 2016.
3. A Legislative Consent Motion ('the Motion') relating to the Memorandum is scheduled for debate in plenary on 23 February 2016.

Housing and Planning Bill

4. The Housing and Planning Bill ('the Bill') is sponsored by the Department for Communities and Local Government. The UK Government's policy objectives for the Bill mainly relate to England and are aimed at providing more housing, tackling rogue landlords, recovering abandoned premises, extending the "right to acquire" on the social rented sector and simplifying the planning system.
5. Provisions in Part 5 of the Bill relating to enfranchisement of long leaseholds apply in relation to Wales. These provisions amend the Leasehold Reform Act 1967 and the Leasehold Reform, Housing and Urban Development Act 1993 to change the method of calculating the amounts to be paid by leaseholders in order to exercise their rights under the Acts.¹
6. On introduction, Schedule 5 (introduced by clause 90), provided a power to the Secretary of State to make regulations governing how the formulae will be calculated.

Amendments to the Bill

¹ The current formulae became obsolete following the redemption by the UK Government in July 2015 of the Consolidated Stock (gilt), which is specifically referenced in the formulae. .

7. Brandon Lewis MP, the Minister for State for Housing and Planning at the Department for Communities and Local Government tabled amendments to provide for the above regulation-making powers to lie with the Welsh Ministers in relation to Wales.

8. These amendments were agreed by the House of Commons' Public Bill Committee on 10 December 2015. The Bill has subsequently been amended and the provisions renumbered. At the time of writing this report, the relevant provisions are clause 122 and Schedule 10.

Provisions in the Bill for which consent is sought

9. The consent of the Assembly is sought for clause 122 and Schedule 10 of the Bill as amended.

Committee consideration and conclusion

10. We considered the Memorandum on 21 January 2016. We have no issues to draw to the attention of the Assembly.