



Abolition of the Right to Buy and Associated Rights (Wales) Act 2018

To: Wales

For info: Contacts from England, Scotland, Wales and Northern Ireland.

Key Issues

- (i) The Abolition of the Right to Buy and Associated Rights (Wales) Bill was introduced on 13 March 2017.
- (ii) The Bill received Royal Assent on 24 January 2018.
- (iii) Right to Buy for New Homes was abolished in May 2018
- (iv) The legalisation will apply to all existing social housing stock on 26 January 2019

Introduction

The National Assembly for Wales introduced the Abolition of the Right to Buy and Associated Rights (Wales) Bill on 13 March 2017 which became law on 24 January 2018. The details of the Bill were outlined in ASPE Briefing 17/21 that can be viewed via the following link: -

[Briefing 17/21 - Abolition of the Right to Buy and Associated Rights \(Wales\) Bill](#)

This briefing outlines the latest position with regards to the legislation.

Background

The National Assembly in Wales has legislative competence to make provision in relation to housing in Wales by virtue of section 108 and Part 1 (Subject 11: Housing) of schedule 7 of the Government of Wales Act 2006 (the Act) and using this competence the Housing (Wales) measure 2011 was introduced. This has allowed local authorities in Wales to apply to suspend Right to Buy and Right to Acquire for five years in their local areas. To date the following Welsh Authorities have applied for the suspension: -

- Anglesey
- Carmarthenshire
- Cardiff
- Flintshire
- Swansea
- Powys
- Denbighshire

The Welsh Assembly introduced the Bill on 13 March 2017 with a view that it would obtain Royal Assent in late 2018 or early 2019 and in introducing the legislation it was recognised that measures needed to be put in place to mitigate the impact to tenants that would no longer be eligible to buy their homes and to ensure compliance with human rights legislation.

These measures included a requirement for the Welsh Government to publish information which social landlords in turn must provide to every affected tenant, within two months of the Bill receiving Royal Assent. In effect giving tenants 10 months to submit their application.

The Abolition of Right to Buy and Associated Rights (Wales) Act received Royal Assent on the 24 January 2018 and the in the subsequent period social landlords have been required to make the information available to affected tenants.

When will the Right to Buy end?

The Welsh Government stated that they were keen to encourage the development of new housing stock and protect recent investment, therefore the Right to Buy and the Right to Acquire ended for 'new homes' two months after the Royal Assent was granted.

The legislation will come into effect for the whole of Wales and will extend to all existing housing stock on 26 January 2019, after which time no further applications from tenants looking to purchase their properties under Right to Buy will be accepted.

APSE Comment

APSE welcomes the aims expressed in outlining the reasons for abolishing the Right to Buy and Right to Acquire in Wales. The reduction of 45% of the social housing stock in Wales is a concern and is impacting on the ability of councils to meet the needs of their communities.

The low-cost ownership products, such as Help to Buy may help some people get a first step on the housing ladder but these will not address the wider issues of undersupply. A clear housing strategy is required that makes provision for decent homes for all and enables mechanisms to be implemented to allow the target of 20,000 affordable homes to be achieved in the current assembly term which ends in 2021, including providing support and training to local authority planning officers and supporting the expansion of the construction industry.

The variances in the impact of RTB and RTA on different local authorities highlight the complexity of the issues relating to the delivery of social housing and is evidence that there is not a one size fits all approach. Local Development Plans represent a key opportunity for the coordinated delivery of high quality social and affordable housing at a local level.

APSE believes that local authorities are pivotal to delivering the housing required for the community. By taking a strong leadership role to develop and maintain plans that meet the needs of the local area, inclusive and sustainable communities can be established with quality social and affordable homes.

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