



# AUTUMN CONFERENCE 2015



## SWANSEA - 14 NOVEMBER

## AMENDMENTS & TOPICAL MOTION



# Amendments to Conference Motions

## PM1: A Better Deal for Renters in Wales

**NB** Amendments 1 to 13 have been accepted into the substantive motion as drafting amendments by the movers of the motion. The Substantive motion as revised by these drafting amendments is reproduced below.

### **Amendment 1**

*National Policy Committee and Cardiff & the Vale Local Party*

Insert new Conference Notes 1 and renumber accordingly:

1. That the 2015 Welsh Liberal Democrat policy paper *Building a Fairer Society and Opportunity for All* included commitments to:
  - a. improve enforcement of standards and training of landlords to ensure better housing quality;
  - b. establish a system of redress for private sector tenants;
  - c. tackle fuel poverty by incentivising private sector landlords to insulate homes.

### **Amendment 2**

*IR Cymru and Cardiff & the Vale Local Party*

In Conference Notes 2:

Replace 'September' with 'November'

### **Amendment 3**

*National Policy Committee and Cardiff & the Vale Local Party*

In Conference Notes 3:

Replace 'Plans were' with 'Legislation was'

Replace 'to require' with 'that required'

### **Amendment 4**

*National Policy Committee and Cardiff & the Vale Local Party*

In Conference Notes 4:

After "has revealed" insert 'in 2015'

### **Amendment 5**

*National Policy Committee and Cardiff & the Vale Local Party*

In Conference Notes 5:

After 'abolishing letting agency fees' insert 'for tenants'

### **Amendment 6**

*IR Cymru*

Delete Conference Notes 6 and replace with:

6. There are varying planning and licensing arrangements for HMOs across Wales and the UK, with Local Authorities in England being given additional powers to manage Houses in Multiple Occupation.
7. Additional powers include the use of Article 4 Directives, which removes permitted development rights in specific geographical areas, and requires planning permission for all new development and any renovations to existing buildings.

### **Amendment 7**

*National Policy Committee and Cardiff & the Vale Local Party*

In Conference Notes 9:

Before 'to Band C by 2027' insert 'to Band E by 2018 and'

## **Amendment 8**

*National Policy Committee*

Delete Conference Supports 1 and replace with:

1. Welsh Liberal Democrat actions forcing the Welsh Labour Government to maintain tenants' rights by keeping six month moratorium in the Renting Homes Bill.

## **Amendment 9**

*IR Cymru*

Replace Conference Calls For 1.a with:

- a. Properties where its Energy Performance Certificate achieves at least a 'C' rating will be identified as exempt through Councils' existing Business Relief Schemes.

## **Amendment 10**

*IR Cymru*

Replace Conference Calls For 1.b with:

- b. The scheme would allow Local Authorities to use additional income to offer funding to landlords to improve the safety standards and the energy efficiency of their properties.

## **Amendment 11**

*IR Cymru*

Replace Conference Calls For 3 with:

3. The Welsh Liberal Democrats to adopt Shelter's Stable Rent Contract that would ensure, among other interventions, that for the duration of a tenant's contract, rent increases can only increase in line with the Consumer Price Index (CPI), to ensure that the sector is an affordable and flexible option for all.

## **Amendment 12**

*IR Cymru*

Delete Conference Calls for 9.a - c and replace with:

9. The Residential Property Tribunal to be given the power to act as a housing court dealing with challenges to rent increases and adjudicate and mediate disputes on fitness for human habitation, succession rights, failure to supply contracts, and discrimination.

## **Amendment 13**

*IR Cymru*

Delete Conference Calls for 10 and replace with:

10. A requirement on local councils to monitor equality issues on evictions.

### **PM1: A Better Deal for Renters in Wales (as amended by **Drafting Amendments #1-#13**)**

*IR Cymru*

#### **Conference Notes:**

1. That the 2015 Welsh Liberal Democrat policy paper, *Building a Fairer Society and Opportunity for All* included commitments to:
  - a. Improve enforcement of standards and training of landlords to ensure better housing quality;
  - b. Establish a system of redress for private sector tenants; and
  - c. Tackle fuel poverty by incentivising private sector landlords to insulate homes.
2. Over the last decade, the private rented sector has expanded rapidly, and currently houses as many people as the social rented sector.

3. The Welsh Government's Housing Act (Wales) 2014 will include a new licensing and registration scheme for all landlords in Wales from **November 2015**.
4. **Legislation was** introduced under the Coalition Government **that required** letting agents to publish full details of the fees they charge.
5. The Citizen's Advice Bureau has revealed **in 2015** that tenants are frequently charged fees on average of around £337, often hidden by letting agents.
6. Evidence by Shelter Scotland demonstrates that after abolishing letting agency fees **for tenants** that landlords in Scotland were no more likely to have increased rents since 2012 than landlords elsewhere in the UK.
7. **There are varying planning and licensing arrangements for Houses in Multiple Occupation (HMOs) across Wales and the UK, with Local Authorities in England being given additional powers to manage HMOs.**
8. **Additional Powers include the use of Article 4 Directives, which removes permitted development rights in specific geographical areas and requires planning permission for all new development and any renovations to existing buildings.**
9. That some tenants in Wales have access to representation and redress through:
  - a. The Residential Property Tribunal Wales, established in 2004, as an independent tribunal set up to resolve disputes relating to private rented and leasehold property, and
  - b. Welsh Tenants which exists to provide a representative voice for tenants in social housing in Wales.
10. The Welsh Government's Renting Homes Bill which seeks to reform the legal basis for renting a home from a private landlord or community landlord, including local authorities and registered landlords.
11. Liberal Democrat plans to reduce carbon emissions emitted by UK households through the Green Deal, the Green Buildings Act, and improving the standard of private rented and social housing, requiring these homes to be upgraded **to Band E by 2018 and Band C by 2027.**

### **Conference Supports:**

1. **Welsh Liberal Democrat actions forcing the Welsh Labour Government to maintain tenants' rights by keeping a six-month moratorium in the Renting Homes Bill.**
2. Plans to clamp down on retaliatory evictions by giving Courts the discretion to refuse to make a possession order.
3. Amendments to add definitions of disrepair to the Renting Homes Bill to ensure the maintenance of standards.

### **Conference Believes:**

1. The Private Rented Sector (PRS) is an important part of a modern housing market and provides homes to a wide variety of households.
2. Tenants should not expect poor-standards, poor-maintenance, and weaker rights than homeowners.
3. Steps taken by the Welsh Government to better regulate the sector are welcome but must go further to achieve real change.
4. Unclear letting agency fees are unfair, and that the Advertising Standards Agency's ruling that advertisers must include all compulsory fees and charges up front is a first step in the right direction.
5. More must be done to protect tenants from unfair practices.

6. Ensuring energy efficiency in the PRS is key in achieving a reduction in carbon emissions emitted by the UK's households by 80% by 2020.
7. Article 4 Directions have the ability to displace certain groups of 'undesirable' tenants, dividing communities, and does not address many of the issues caused by the over development of HMOs.

### **Conference Calls For:**

1. The introduction of a Business Rate category for HMOs and landlords who own more than 3 properties, subject to Valuation Office Agency regulations, while ensuring:
  - a. Properties where its Energy Performance Certificate achieves at least a 'C' rating will be identified as exempt through Councils' existing Business Relief Schemes; and
  - b. The scheme would allow Local Authorities to use additional income to offer funding to landlords to improve the safety standards and the energy efficiency of their properties.
2. All letting agency fees to be capped in Wales, in addition to requiring total transparency.
3. The Welsh Liberal Democrats to adopt Shelter's Stable Rent Contract that would ensure, among their interventions, that for the duration of a tenant's contract, rent increases can only increase in line with the Consumer Price Index (CPI), to ensure that the sector is an affordable and flexible option for all.
4. Planning regulations to be amended to reduce the threshold at which properties require planning permission to be an HMO to five persons or above.
5. The Welsh Liberal Democrats to oppose the use of Article 4 directions, or similar policies, whereby HMOs would only be permitted in specific geographical areas.
6. A review of supplementary Planning Guidance and Best Planning Guidance for HMOs to ensure the maintenance and consistency of standards, and to limit the size of developments.
7. A charter to be introduced setting out obligations for landlords and letting agents under the new registration and licensing process.
8. An independent online resource be developed for tenants and homeowners acting as a one stop advice and information portal, signposting sector agencies.
9. The Residential Property Tribunal to be given the power to act as a housing court dealing with challenges to rent increases and adjudicate and mediate disputes on fitness for human habitation, succession rights, failure to supply contracts, and discrimination.
10. A requirement on local councils to monitor equality issues on evictions.
11. A Wales Housing Survey for all private rented sector tenants and landlords.
12. The Welsh Government to expand the remit of the Welsh Tenants Federation to include representation for private rented sector tenants and to fund the organisation accordingly.

## **Amendment 14**

*National Policy Committee*

At the end of Conference Believes 5:

Insert 'and protecting vulnerable individuals seeking tenancies.'

## **Amendment 15**

*Cardiff & the Vale Local Party*

### **Business rates on HMOs**

In Conference Calls For 1:

Insert at the start 'The National Policy Committee to commission modelling on the impact of' and replace "ensuring" with "exploring".

## **Amendment 16**

*Cardiff & the Vale Local Party*

### **Letting Agency Fees**

Replace Conference Calls For 2 with:

2. Letting agency fees on tenants to be prohibited and replaced with a schedule of set charges for specified services to ensure cost transparency.

## **Amendment 17**

*Cardiff & the Vale Local Party*

### **Rent controls**

Delete Conference Calls For 3.

## **Amendment 18**

*Cardiff & the Vale Local Party*

### **Article 4 Directions**

Delete Conference Believes 7

Delete Conference Calls For 5 and replace with:

5. The Welsh Liberal Democrats to conduct a review to evaluate the use and impact of Article 4 Directions, or similar policies in England and Wales.

## **Amendment 19**

*Cardiff & the Vale Local Party*

### **Duties on Local Authorities**

Insert at the end of Conference Calls For 10:

‘, work with landlords to ensure energy rating targets are met, and work with students’ unions and tenants groups to ensure tenants know their rights.’

# PM5: Fairness, Growth and Accountability

## **Amendment 1**

*20 members*

Add new Conference Notes 4.d:

- d. Cutting Corporation Tax levels to the lowest levels in the G7, resulting in an increased tax take for HM Treasury.

Delete Conference Notes 3 and re-number accordingly

## **Amendment 2**

*20 members*

Delete Conference Believes 1-3 and replace with:

1. Fair taxes are a vital part of funding the public services that are necessary for a functioning society.
2. Simple tax systems are the most effective at combating tax avoidance and tax evasion.
3. Any proposed new tax should be subject to significant modelling before being introduced.

## **Amendment 3**

*20 members*

Delete Conference Calls For 1 and replace with:

1. The scrapping of Land Transaction Tax (formerly Stamp Duty), which is a tax on people seeking to move to an appropriately sized home, and people moving as part of a mobile labour market.

Delete Conference Calls for 2 and 3 and re-number accordingly

## **Amendment 4**

*20 members*

Delete Conference Calls for 4 and 5 and replace with:

4. Income Tax varying powers to be devolved to Wales and for Welsh Liberal Democrats to commission further research on:
  - a. the impact to Welsh public finances of cutting the Basic Rate of Income Tax to 19p from 20p
  - b. the impact to Welsh public finances of cutting the Higher Rate of Income Tax to 35p from 40p

and re-number accordingly

## **Amendment 5**

*20 members*

Replace Conference Calls for 10 with

10. An in-depth review of the Council Tax system to make it fairer and more equitable, including the potential for a shift to a Land Value Tax.

# PM7: Freedom for Schools

## **Amendment 1**

*20 members*

Add new Conference Notes 6:

6. That the existence of English-medium and Welsh-medium schools has provided parents in Wales with an element of choice in where to send their children to school, although full choice is still limited to those parents able to afford to move to the catchment areas of good schools.

## **Amendment 2**

*20 members*

Delete Conference Believes That 6 and replace with:

6. Non-state sector operators have a valuable role to play in the education sector, but state-funded schools must not charge for tuition and should not select pupils on academic ability or faith.

## **Amendment 3**

*20 members*

Delete Conference Calls for 4 and replace with with:

4. A reduction in the size of the curriculum, enabling schools freedom to focus on particular areas of speciality, in particular those that are crucial to the local economy, with a body independent of government created to set curriculum content under Ministerial direction.

## **Amendment 4**

*20 members*

Delete Conference Calls For 7 and Conference Calls For 11 and replace with:

7. Schools in Wales to be given the ability to apply to receive funding directly from Welsh Government, providing them with the freedom to act independently of Local Government interference, giving Head Teachers full control over their budget and gain new powers and autonomy from local and central government.

And re-number accordingly

## **Amendment 5**

*Cardiff & the Vale Liberal Democrats*

Insert at the end of Conference Calls For 7:

This should be done in a way which does not diminish the ability of democratically-elected local authorities to fairly and effectively manage the provision of school places across the areas they serve, or to intervene where necessary to ensure the provision of appropriate educational standards.

## **Amendment 6**

*20 members*

Delete Conference Calls For 12 and replace with:

12. Regional Consortia to be abolished.

## **Amendment 7**

*20 members*

Delete Conference Calls For 10 and replace with:

10. Giving schools greater freedom over term dates, but setting the month of July (from the first Monday in July) as compulsory holiday between school years, enabling Welsh families to book more affordable holidays at home and abroad.

## **Amendment 8**

*20 members*

In Conference Calls, insert new:

14. Parents to be given a broader choice as to where to send their children to school and the Welsh Government to ensure that surplus places are maintained within the education system, allowing a greater number of children to be taught at their chosen school.
15. New powers for communities to open new schools within the state sector, provided they do not select pupils on academic ability or faith.
16. A review of the teaching of English and Welsh within schools in Wales, designed to ascertain whether both languages should be used as first languages in all schools.

# Topical Motion

The following Topical Motion has been selected for debate by the Conference Committee. Amendments may be submitted to the Policy Officer ([policy@welshlibdems.org.uk](mailto:policy@welshlibdems.org.uk)) not later than 11:00am on Saturday, 14 November 2015.

## **TM1: Rough Sleeping**

*Newport Local Party*

### **Conference Notes:**

1. Newport City Council proposed banning rough sleepers through the use of a Public Space Protection Order which successfully passed through the Council's Scrutiny Committee on 15 October 2015.
2. The Welsh Government stopped recording the estimated number of rough sleepers in 2009.
3. Police around Wales have used the Vagrancy Act of 1824 to criminalise rough sleepers.
4. The issues affecting rough sleepers are complex and can include a number of factors not limited to but including mental health issues, addictions, confidence issues, & arrears.
5. That there have been great strides in reducing the number of rough sleepers in certain parts of the world and applauds Utah's reduction in rough sleeping by 93% and Mountain Hat Alberta's ending of rough sleeping earlier this year.

### **Conference Believes That:**

1. It is disappointing that in 2015 there are still people rough sleeping on the streets of Wales' towns and cities.
2. Without knowing the full extent of the rough sleeping problem in Wales, it is hard to fully measure of progress is being made towards ending rough sleeping.
3. Criminalising rough sleepers is dehumanising and does nothing to help get rough sleepers the support they need and back into proper housing.
4. With the right political will Wales can end the need for people to sleep rough within 10 years.
5. Arrears and Finances shouldn't be a barrier to people getting off the streets.

### **Conference Calls For:**

1. The Welsh Government to start recording the number of people sleeping rough in Wales.
2. Police and Councils around Wales to do all they can to support rough sleepers and to avoid using measures and outdated laws to criminalise people.
3. The banning of using arrears as a reason not to support or house rough sleepers.
4. National Policy Committee to help bring forward a plan to end rough sleeping in Wales in 10 years, including looking at the Housing First model used so successfully in the state of Utah and in Mountain Hat, Alberta.