



Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

HB 14

National Assembly for Wales  
Communities, Equality and Local Government Committee  
Housing (Wales) Bill: Stage 1  
Response from: Welsh Language Commissioner

Committee Clerk  
Communities, Equality and Local Government Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

14/01/2014

Dear Sir / Madam

### **Consultation on the Housing (Wales) Bill**

The Welsh Language Commissioner welcomes the opportunity to contribute to the consultation on the Housing (Wales) Bill.

The principal aim of the Commissioner is to promote and facilitate the use of the Welsh language. This entails raising awareness of the official status of the Welsh language in Wales and imposing standards on organizations. This, in turn, will lead to the establishment of rights for Welsh speakers. Two principles underpin the Commissioner's work:

- The Welsh language should be treated no less favourably than the English language
- Persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.

In due course, secondary legislation will introduce new powers allowing the setting and imposing of standards on organizations. Until then, the Commissioner will continue to inspect statutory language schemes through the powers inherited under the Welsh Language Act 1993.

The post of Commissioner was created by the Welsh Language Measure (Wales) 2011. The Commissioner may investigate failure to implement a language scheme, allegations of interference with individuals' freedom to use Welsh in Wales and, in future, complaints regarding the failure of organizations to meet standards.

One of the Commissioner's priorities is to scrutinize policy developments in terms of the Welsh language. Thus the Commissioner's chief role is to provide observations in accordance with this remit, acting as an independent advocate on behalf of Welsh speakers in Wales who might be affected by the proposed amendments. This approach is

Comisiynydd y Gymraeg  
Siambrau'r Farchnad  
5-7 Heol Eglwys Fair  
Caerdydd CF10 1AT

0845 6033 221  
post@comisiynyddygymraeg.org  
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

comisiynyddygymraeg.org

Welsh Language Commissioner  
Market Chambers  
5-7 St Mary Street  
Cardiff CF10 1AT

0845 6033 221  
post@welshlanguagecommissioner.org  
Correspondence welcomed in Welsh and English

welshlanguagecommissioner.org



advocated to avoid any potential compromise of the Commissioner's regulatory functions and should the Commissioner wish to conduct a formal review of the organization's performance in accordance with the provisions contained in the Measure.

### **General comments**

The main purpose of the Housing Bill in general is “help to ensure that people have access to a decent, affordable home and that people at risk of becoming homeless receive the help they need.” There is certainly a close relationship between economic policy matters such as employment and housing and community sustainability and the Welsh language. The Welsh Government, in *A Living Language: A Language for Living*, their strategy on the Welsh Language, has also acknowledged that there is a close connection between the position of the Welsh language and the availability of affordable housing so that people can remain in their communities. Placing the Welsh language on the face of this Bill would enable the Government to demonstrate that it sets out to improve the citizen's experience and that it is serious about seeing the Welsh language thrive.

It should be borne in mind that any additional requirements upon local authorities arising as a result of this Bill will be subject to the individual language schemes and to the standards in due course.

### **Specific comments**

#### **○ Compulsory registration and licensing scheme**

The legislation will place a duty upon private landlords and agents managing private rented property to register and be licensed by their local authority. Consideration should be given to the Welsh language in respect of these registrations and licences. Also, as part of the new Scheme, there will be a training and development provision for private landlords so that they can reach the required standards in order to obtain a licence and this training should be available in Welsh where appropriate.

#### **○ Homelessness**

Increasing emphasis is placed in the Bill on expanding the help available to individuals who are in danger of becoming homeless. There is mention also of an intentionality test which local authorities will undertake in order to decide whether an individual is intentionally or unintentionally homeless. In accordance with this, individuals should receive this help and be assessed through the medium of Welsh if they so wish, especially considering the vulnerable situation in which they are likely to be. It is likely that receiving this service in Welsh will be more of a necessity than a choice for some in such a situation.

#### **○ Gypsy and Traveller Sites**

The Bill proposes the imposition of a new statutory duty upon local authorities to provide new Gypsy and Traveller sites where need has been noted. Reference is made to this consideration also in the Regulatory Impact Assessment in the 'Impact on the Welsh language' section. It is suggested that Gypsy and Traveller sites could mean that more children will go to Welsh medium schools and learn the language which could possibly



Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

increase the number of Welsh speakers. It is unclear on what evidence this is based or how dependable it is. All possible sites will have to be considered individually depending on the specific community that would be affected.

● **Council Tax on empty homes**

The Bill permits local authorities to charge a higher rate of council tax on property that remains empty for 12 months or more. Although this will be a discretionary power, the intention is that it will help make the best possible use of existing homes and that it will, again, help to keep people in their communities and help the sustainability of the Welsh language. The Government will need to consider the implications and side effects of this development on the numbers of new dwellings that will be needed and which are determined via local development plans.

I would like to thank you once again for the opportunity to provide comments on your consultation. We ask that you give full consideration to the observations made above.

Yours faithfully,

**Meri Huws**  
Welsh Language Commissioner