

CONFIDENTIAL



W/ JB

Prime Minister:

The business managers have met your wishes: see X and Y below

PRIME MINISTER

HOUSING AND BUILDING CONTROL BILL

JF
4/2

Following the meeting of H Committee on 31 January, I held a meeting on 3 February with the business managers and the Minister for Housing and Construction. We considered further which of the eight proposals listed in H(83)4 by the Secretaries of State for the Environment and Wales could be fitted in as Government amendments to the Housing and Building Control Bill. We had before us your Private Secretary's letter of 2 February. This minute reports the outcome of the meeting.

The Bill has reached Committee Stage in the House of Commons. It is making slow progress and it will probably be necessary to move a timetable motion in the next week or two. The business managers would face great difficulties if all the eight proposals were to be added to the Bill, particularly after a guillotine had been introduced, and we have agreed that those on council tenants' right to exchange and on public service tenancies should be dropped. The proposal that tenants of buildings with special facilities for the disabled should have a right to buy has also been dropped. The arguments in favour of the policy are strong but it would undoubtedly take up a great deal of time in the House of Lords, where it would open up a whole new area of debate.

X/ | Clauses to give public sector tenants a right to repair and to make the proposed technical change on mortgages will be added to the Bill. The Opposition have already tabled New Clauses on these points, but they are defective and we shall have to table New Clauses of our own. We also agreed that the Bill should be amended to give the Secretaries of State power to order councils not to impose onerous restrictive covenants and to start legal proceedings on behalf of tenants in appropriate cases; John Stanley was asked to ensure that these amendments are in a form which is acceptable to the Lord Chancellor and the Attorney General.

The amendments which we agreed should be made present some difficulties of timing for the business managers. They will probably have to be tabled, or at least announced, before a timetable motion is moved. John Stanley will consult further with the Lord President and the Chief Whip about the timing.

We agreed that no Government amendment should be tabled to give public sector tenants the right to information about district heating costs. It is likely that George Cunningham will put down an amendment on Report to do this, and that he will attract support not only from the Labour Party and the Alliance but also from some of our own London backbenchers. So we agreed that a Government amendment should be drafted now on a contingency basis in case George Cunningham's amendment is called.

I am sending copies of this minute to members of H Committee, the Attorney General and John Stanley, and to Sir Robert Armstrong.

W/LS

CONFIDENTIAL

4

February 1983

Housing:



Big Pt 4

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HL

HOUSING

7 February 1983

The Prime Minister has now seen the Home Secretary's minute of 4 February about the Housing and Building Control Bill. She is pleased that the business managers have been able to agree with Mr. Stanley on the handling of the Bill.

TIM FLESHER

Colin Walters, Esq.,
Home Office.

SLC

PRIME MINISTER

H Committee

H Committee discussed two major subjects at its meeting on 31 January.

1. Specific grants for education

You will recall seeing the Education Secretary's paper proposing a new block grant amounting to perhaps 0.5% of overall education expenditure to enable him better to influence local authorities' spending decisions. H Committee approved these proposals in principle subject to negotiations about the level of the grant and the rate at which it should be paid to local authorities. Subject to those negotiations the Committee authorised the Secretary of State to begin preparations for the necessary legislation. As you pointed out in response to the previous paper however, all this is secondary to the resolution of the rates question. The timescale envisaged would mean however that Sir Keith's proposals could not be implemented for some considerable time.

2. Housing and Building Control Bill

You have seen Mr. King's paper proposing amendments to the Bill which were resisted by the business managers at H. I have passed on your views that the "right to repair" and the proposed powers against onerous restrictive ~~conventions~~ covenants should be incorporated in the Bill.

JK

2 February 1983

H Committee: Housing Bill

The attached H paper by the Secretaries of State for the Environment and Wales propose a number of amendments to the Housing and Building Control Bill. These include additions to the Tenants Charter and modifications to the right to buy.

Tenants Charter

1. The paper proposes a "Right to Repair Scheme" for public sector tenants which would give such tenants the right in certain circumstances to carry out repairs, some of the cost of which will be met by the local authority.
2. It proposes a right to exchange under which local authorities cannot unreasonably refuse to give tenants their consent to exchanges.
3. The paper proposes the right to information on district heating costs.

Right to Buy

The paper proposes:-

1. That time spent in public service tenancies should count towards discount entitlement.
2. That the exclusion of accommodation for the disabled from the right to buy should be limited to purpose-built and sheltered accommodation. The effect of this is that tenants who adapt their accommodation can now buy it.
3. A power to set aside the kind of unreasonable restrictive covenants imposed on tenants by councils opposed to the right to buy.
4. A power for the Secretary of State to initiate action

against councils unreasonably refusing a right to buy on the tenants behalf.

5. Modifications to the mortgage arrangements.

17.

26 January, 1983.