

Towards  
the  
Future

**PUTTING PEOPLE  
FIRST  
IN  
HOUSING**

**UNIONIST  
RESEARCH  
DEPARTMENT**

# Foreword

This discussion paper on housing is one in a series of examinations of current political, social and economic problems planned by the Unionist Research Department. Some of these have already been published.

It is hoped that the examination of past and present problems in this province will stimulate discussion and influence thinking towards the future. For far too long there has been a tendency throughout this community to spend too much time looking with myopic vision at history and in reflecting on past glories.

There can be little prospect of a peaceful, prosperous future as long as this attitude prevails. It is time to look towards the future and the Unionist party fully realizes the need for positive constructive thinking. This community in the past few years has had more than enough of destruction.

Housing its people is one of the most pressing problems facing Northern Ireland. In common with many countries this province has a housing problem: a problem exacerbated by the turbulent events since 1969.

Much has already been done by successive Unionist governments in Northern Ireland to improve the standards of living conditions, and attempts have been made to reach the goal of a decent home for every family. In 1971 for example the Northern Ireland house building rate was 40% better than the United Kingdom rate. Nearly half the population of Northern Ireland are living in new houses: achievements often deliberately obscured by political opponents of the Unionist Party.

Much has been done but a great deal more remains to be done to improve the conditions of life for everyone in Northern Ireland. It is hoped that this paper will present some suggestions for consideration of housing policy in Northern Ireland.

January, 1973

# Contents

1. The Problems of Past and Future . . . . .	5
2. The Housing Executive . . . . .	8
3. Sectarian Fortresses . . . . .	11
4. Development Advice Centre . . . . .	13
5. Old Homes into New . . . . .	14
6. Rent Restriction on Tenure and Tenancy . . . . .	15
7. Planning and Home Ownership . . . . .	20
8. Recommendations . . . . .	26

# 1. Problems of the Past and the Future

Northern Ireland has had a housing problem of large dimensions since the inception of the State in 1921. A crucial housing shortage, large waiting lists, an old and decaying housing stock and the lack of basic amenities were problems that faced successive Governments in the Province. These, however, are not the only aspects of our local housing problems. There is a tradition of separate development in housing estates of Catholic and Protestant communities that is reflected in current sectarian divisions; the destruction last year of several hundred houses and the creation of an emergency homeless list of several thousand families has been a feature of the current troubles that has added other critical problems to those already facing the Government and housing authorities.

\*This study, commissioned by the Unionist Research Department, tries to assess some of the major problems that exist in the housing field to-day and the value of recent developments in both public and private housing. It also makes some suggestions for ways in which these problems might be better tackled and presents Unionist Party Policy for the future of housing in the Province.

## THE HOUSING SHORTAGE

Leaving aside the recent troubles, the worst housing problem has, strangely, not been the shortage of homes. Northern Ireland's total stock of housing units amounts to over 450,000—almost one for every three persons in the Province. This, however, disguises the real problem which is the shortage of homes of adequate condition for all families. One family, one decent home is an object which we are still some distance from achieving.

Indeed it may well be impossible — even in a housing utopia — to satisfy completely the housing shortage. Even where there are enough houses of the right size and quality in the right places to ensure that every family has the chance of a decent house to live in, there will still be a housing problem, if only because of the steady rise in standards of living and the even faster rise in the costs of property. The development plan forecast the achievement of one dwelling for every householder by 1975, but without further consideration of geographical availability and of cost, this may not mean that the true housing shortage has been met. The fact that the number of dwellings in the country equals the number of house holds is not the most satisfactory yardstick to measure housing provision.

To do this effectively careful study must be given to \*the location of houses, i.e., local shortages can be critical even where there is an overall surplus.

\***The Margin** of houses necessary to ensure the proper working of the market in various areas, i.e., the need to keep proper price conditions and to avoid avid property speculation - a problem less acute here than it is in England.

\***The Type** of housing unit that is required, i.e., different sections of the community have different preferences and needs; old people, young married couples, large families and key workers who tend to travel frequently.

\***The Proper Distribution of Effort** in the public and the private sections and the proportion of houses available for owner occupation.

\***The Age, Quality and Condition** of the housing stock, i.e., mere shortage figures give little indication of the conditions in which people are living.

## THE UNIONIST GOVERNMENT RECORD

Unionist Government development programmed since the war have rightly laid great emphasis on the provision of new housing, particularly in the public section. It is a record to be proud of. Shortly before Christmas, 1971, the 200,000th new post war house was built. In other words well over 40 per cent. of the Province's housing stock is less than 25 years old.

The recent development programme published in 1970 estimated new housing need as follows:—

### NEW HOUSING NEED:

	Per annum 5 years	
New Households Created . . . . .	6,250	31,000
Loss of fit housing stock by Redevelopment and Public Works plus Mobility Housing	1,000	5,000
Existing Shortage . . . . .	—	20,000
	7,250	56,000

(The existing shortage is, of course, hard to estimate and the figure of 20,000 tries to make allowance for some duplication in housing authorities waiting lists. Additionally the planners in 1969 would, perhaps, have needed exceptional powers of prediction to foresee the loss of housing stock by riot and civil commotion. This loss is still hard to assess — direct loss of housing probably amounts to several hundreds but many, many more households in Ulster's peculiar "Twilight Areas" are for many reasons no longer inhabitable).

To meet this need extraordinary measures were recommended. An accelerated programme of house building was proposed that would produce 73,500 houses by 1975 — in other words one sixth of the total housing stock was to be built in five years. Such an effort if achieved would, the planners argued, not only eliminate the hous-

ing shortage but go some way to meeting the most critical problem—the replacement of slum dwellings.

That was the task set-a target far in excess of the already record breaking figures established since the war. Now, after two years, how far has the Government followed the development plan targets? In the year ending 30th September, 1971, 14,622 new houses were built — an increase of 30 per cent. on the previous period that made 1971 the best year for housing progress.

Equivalent house building rates per thousand of population.

	1969	1971
Northern Ireland . . . . .	7.62	9.11
England and Wales . . . . .	6.75	6.38
Scotland ... ..	8.18	7.79
United Kingdom ... ..	6.90	6.58

Therefore in 1969 and 1971, the Northern Ireland rate was better than the United Kingdom rate by 10 per cent, and 40 per cent. respectively.

**On the 6th January, 1972, the Minister of Development, Mr. Roy Bradford announced the expenditure by the New Housing Executive of £227 million to build 50,000 more houses in the public section alone.**

## HOUSING CONDITIONS

**Yet the picture is far from rosy. Slums have been for too long a way of life in Northern Ireland, A third of all our houses are still over 80 years old, one hundred thousand have celebrated their hundredth birthday. These are appalling proportions partially a result of the lack of urgent measures by both Government and local authorities in the inter-war years and partially the consequence of the fact that Belfast was largely spared the blitz.**

The neglect in the inter-war years and the slow start to the replacement of slum dwellings have resulted in an immense backlog that is only now being effectively tackled. Of the 73,500 houses to be built in the five year development plan, a substantial amount would be for replacement dwellings. Despite this, an appallingly large number of houses are going to remain unfit for human habitation.

Even assuming a reduction of 25,000 in the number of unfit houses in the next five years there are still going to be 75,000 houses classified as unfit by the standards of 1970 — a figure which will not, of course, remain static. Many more will lack basic amenities or require substantial repairs to bring them up to suitable standards. There is, therefore, going to be a substantial and acute shortage of reasonable housing - a shortage that could be accentuated by any future credit restriction and by the growing demand for better accommodation. The difficulty of obtaining a building society loan for a house built prior to 1914 is well known.

There is, of course, no easy solution. A massive imaginative

though somewhat late scheme of redevelopment has been commenced in Belfast, while in other centres development commissions, and some local councils have made some strides in replacing unfit houses. Nonetheless, in 1969 it was obvious that radically new measures were necessary.

In 1969, the then Minister of Development, Brian Faulkner, said:—

“Slum clearance is very much more difficult than building houses on virgin sites, and unfortunately, existing arrangements have worked deplorably slowly and the progress has just not been good enough. Although we have had legislation on the statute book now for 13 years, nevertheless we have dealt with less than 1,500 unfit houses a year on average: it can be readily calculated that at this rate we will have to put up with our 100,000 outworn houses for quite a little while longer.”

## 2. The New Housing Structure

A major feature of the restructuring of major services and of the attempt to tackle the Province's housing problem was the inception of a central housing authority. The Northern Ireland Housing Executive was appointed on 6th May, 1971, and assumed the functions of the Northern Ireland Housing Trust in October, 1971, and those of Belfast Corporation in January, 1972. By April, 1972, all of the Province's public housing authorities had their housing functions transferred to the Housing Executive.

The Executive oversees not only the control of public housing for the Province including future planning and development but also the responsibility for most functions ancillary to house building—for instance estate management and planning.

\*The benefits of one central authority with overall responsibility and control for the Province's public housing must be used to the full. Such an organisation must have the capability and the opportunity to assemble experienced and qualified staff in all the various fields - estate management, planning and development, legal and administrative—necessary for the revolution of the Province's housing strategy.

**THE INEVITABLE BENEFIT OF INCREASED CO-ORDINATION BETWEEN DIFFERENT REGIONS MUST BE DEVELOPED TO THE FULL. INCREASED MOBILITY OF POPULATION IS VITAL; IT IS THE KEY TO THE FUTURE PROSPERITY AND GROWTH IN FIELDS QUITE DIVORCED FROM HOUSING. THIS OBVIOUSLY WILL NEED THE CLOSEST CO-OPERATION WITH THE NEW DEVELOPMENT ADVICE CENTRE WHICH IS DISCUSSED LATER IN THIS PAPER.**

## AN EQUITABLE RENT STRUCTURE

A common rent structure to replace the disparate levels that exist in all areas of the Province is essential. It is a little short of ludicrous that a tenant fortunate to obtain his council house in 1945 should pay 75p per week while more recent tenants are charged figures well in excess of £2.50.

The evolution of a common rent structure, provided it is accompanied by a fair and equitable scheme of rent rebates for those in genuine need, is not only sensible but essential if we are to erase the striking anomalies that exist today and also to ensure that the greatest effort is directed to the areas of most urgent need.

Belfast Corporation had already initiated such a scheme which involved the raising of many rents from levels that bore no relationship to the quality of housing provided together with substantial reductions at the upper end of the scale. To prevent any sudden unexpected rise in tenants rents these increases must be phased in while a wide and generous rebate scheme must be introduced to ensure no hardship to those unable to pay. Indeed, if properly introduced such a scheme should result in the much more equitable distribution of rents:—

**\*Those who can afford to pay, do so at a standardised rate that does not become outdated by price increases while those who cannot afford to pay have in most cases their rent substantially reduced.**

## SUBSIDIES TO PUBLIC HOUSING

These now run at a generous scale and enable rents to be at a level well below the economic value of the house—even after any equitable levelling out of rent structures. Obviously this is the form in which the major amount of Government help to the public sector has been given but it can be questioned whether it is the right way. Subsidies do not discriminate or distinguish between those able to pay and those in need. There may well be a case for directing help towards the geographical and social area in which it is most needed rather than using indiscriminate subsidies that relate merely to lots of construction and the number of persons who will occupy the house.

**LEGISLATIVE DEVOLUTION PERMITS RADICAL EXPERIMENTS AND IT MAY WELL BE THAT A SYSTEM WHICH GIVES A BLANKET SUBSIDY IS TOO SWEEPING AND CLUMSY TO MEET GENUINE CASES OF HARDSHIP. AN URGENT REVIEW OF THE BEST METHODS OF PROVIDING PUBLIC MONEY FOR HOUSING SHOULD BE CARRIED OUT WITH FULL DISCUSSION WITH ALL THE INTERESTS INVOLVED.**

## ECONOMIES OF SCALE

The Executive has a further opportunity that few of the previous housing authorities had, to re-organise contracting practices, to secure the most economical unit prices and to standardise house design. The location of estates can be geared to the future development prospects of different areas while design and construction can be so closely linked that substantial costing advantages should result.

These advantages applied on a lesser scale to the former Housing Trust. The Housing Executive is a logical development.

\*But perhaps the most vital improvement that can come with increased professional staff and services lies in estate management and planning. For too long the provision of effective layouts for modern estates has been inadequate. Indeed only now are we seeing some of the catastrophic results of naivety in estate planning. Lack of recreational space on estates is a social evil causing severe problems for young people who have little to exercise their leisure hours.

While the consequences of this can be exaggerated-it must be remembered that the social problems of the old back to back tenements were even greater-the opportunity of ensuring the best possible opportunities for young people must not be missed. **The provision of adequate community centres, play spaces and other recreational facilities is an urgent social necessity that requires high priority; efforts should be made to ensure that all future projects are not marred by the lack of provision of amenities that has been the feature of past planning.**

Landscaping, road safety planning, the effective provision of shopping facilities, public houses and cinemas are all part and parcel of giving new housing areas a sense of community responsibility. The advantages that the Housing Executive will allow by virtue of its scale should permit greater resources to be allocated to the provision and planning of these facilities.

\*Nor should this be sufficient. The type of housing, the estate lay-out and its amenities are not the sole concern of those people who live in the estate. There is no reason whatever why the wishes of the future tenants as to these matters should not be obtained beforehand. It may well be that space, and expense dictate the style of housing unit in a way that future tenants will not want. It may be that their wishes cannot be accommodated but this is still no reason why their wishes should not be obtained, considered and discussed. Apart from the changes that might result in planning, such a process could help reduce the gap between planned and unplanned. Close consideration should be given to the pre-planning research already conducted in England. **To believe that an estate can be best built in isolation from the people who will eventually live in it is naive and shortsighted.**

Another matter of concern that applies to housing in Northern Ireland revolves round the sometimes inferior standard used in

public housing. Whilst it is appreciated that in the past the most urgent priority has been the provision of new homes, the reduction of overall finishing standards must be resisted. It is, when viewed in the long term, self defeating. The problems of future maintenance incurred as a result could well out-weigh the benefits of faster building rates in the short term. The advantages of lower rents are not worth the disadvantages of the creation of inferior housing conditions that would result in the rapid deterioration of the standard of life in new housing projects. (The Ministry of Development adopted the minimum Parker-Norris standards in 1970 and standards of house building have been immensely improved).

## **PARTICIPATION**

We have mentioned already the “new” ideas that tenants of public housing projects should have the right to a voice in their own housing conditions and amenities. This could well be extended further. **It is our belief that official encouragement should be given to tenant associations, to ensure they are listened to and that they are representative.**

This can be done in many ways. The establishment of a means of consultation, and of a right to be heard is fairly crucial but additionally the provision of a community centre could provide a focus for the interest of estate tenants. Such developments would foster a better community spirit and ensure future development is related to tenants’ needs. Further than this they might well ensure that such organisations, being officially recognised, do not become dominated by socially disruptive organisations. The benefits of bringing the management of the estate and the tenants closer together might also help to avoid the existing dichotomy between the rent collector and the rent payer becoming too great — perhaps a rather sanguine hope!

## 3. Sectarian Fortresses

High level housing has been perhaps the most consistent bone of contention (after rents) between those in authority and those who are to live in replacement housing. Multi-storey flats are not popular particularly to those with young families. Their objections are probably understandable. The change from the friendly back to back housing of the slums must be considerable.

Little study has been made in the United Kingdom of the implications of such a change on social conditions and family life. Such a study is crucial. Superficially at least there is reason to suppose that the high level housing complexes being raised throughout Ulster are in effect becoming sectarian fortresses that accentuate

rather than ameliorate community divisions. **It is vital that the alarming tendency for new housing projects, especially multi-storey housing, becoming religious strongholds be checked.**

\*There is a strong case to be made for extra special allocation of space if it is found that high level flats accentuate the separate development of the two communities. A joint survey by the executive in co-operation with the community relations commission should be immediately undertaken with a view to finding the ways in which the increasingly sectarian nature of housing development can be checked.

We would also suggest that since the unit cost of multi-storey flats is substantially higher than that of ordinary council houses more attention should be paid to opposition to such replacement housing.

If this be the case then greater consideration should be given to they desire it is impossible to do this without high density housing.

It is often argued that in order to resettle people in the areas they desire then greater consideration should be given to moving displaced persons outside their areas. To allow this to be done, sufficient land for housing development should be made available to the executive as an urgent social priority.

Every effort must be made to break up the current pattern of religious distribution in housing. As was perhaps inevitable considerable population movement has taken place particularly in Belfast as a result of terrorist activity. The publication "Flight" by the Northern Ireland Community Relations Commission chronicles an appalling record of human suffering and tragedy. Formerly mixed estates like Suffolk and New Barnsley have seen an almost total outflux of Protestants, while some Belfast suburban estates have seen large reductions in Catholic population. The Lenadoon and New Barnsley confrontations show clearly the emphasis the Provisional I.R.A. puts of using modern planning as a weapon in its campaign.

Recently in Belfast a further alarming development has taken place — those formerly mixed community areas which lay between Catholic and Protestant areas have become "Twilight Zones" where most of the houses are uninhabited, blocked up or being squatted in. There is, in addition, the wider problem of squatting—many displaced families in their urgent need for a home were forced to take illegal possession often on the basis of direct swaps.

All this adds up to an appalling social problem of huge dimensions. This must be effectively tackled if there is to be any hope of achieving a decent society in Northern Ireland.

To say this is of course far too easy. It is a very difficult task to propose ways in which effective measures can be taken. People's preferences, schools, churches, chapels, youth clubs, dances—their whole way of life have encouraged separate development particularly in lower income brackets. To this has now been added the peoples desire for security — the fear of trouble encouraging families only to feel safe when they are "with their own."

Yet to leave these problems untackled really means that mod-

ern planning would have to allow for areas of effectively segregated housing — a prospect too dismal to bear much thinking about. **New housing developments must be planned as mixed communities as far as possible while efforts to desegregate already established estates should be made.** These perhaps could centre on job location and the new population mobility centre. All three agencies concerned - the Executive, the Community Relations Commission, and the new Development Advice Centre—have definite roles to play. The essential thing is that they co-ordinate their efforts to ensure maximum co-operation to desegregate housing. To ensure this scheme a good chance of success on the ground, a task force of trained and experienced community relations officers will be needed.

## 4. Development Advice Centre

A logical extension of the establishment of development areas, this advice centre which operates from Belfast has the function of resettling families from the traditional residential area of Belfast to the newer developing areas like Antrim-Ballymena-Craigavon and so on. It has at its disposal a range of incentives and resettlement grants.

Already it has been a success not merely due to the demand for a new life but also to the desire of many families to move from troubled areas. Here, perhaps is the most ideal organisation to help alleviate community divisions. **A greatly strengthened mobility agency that can encourage population migration and co-ordinate housing and job location could well be used to tackle the great problem of segregated housing.**

A variety of measures of course exist to assist resettlements—the assistance given to those who have to move house because of slum clearance or redevelopment who can receive £85. Assistance is also available for those who have to move to new jobs (mobility grants). This is a crucial aspect of both the employment and the housing problem. The facilitation of housing programmed in areas of chronic unemployment like Londonderry can have a counter-productive effect. It can provide a disincentive to travel further afield for work. Grants in our opinion are not adequate in the face of recent inflation and should be increased.

This - the creation of a static unemployed population, albeit well housed - has problems of its own rooted in the dangers of a well housed but idle population. **Every incentive should be provided for the prospective worker to move to where jobs exist and the development advice centre should have a vital role to play in this in conjunction with the schemes operated by the Ministry of Health and Social Services.** One of the bad tendencies of small local authority housing agencies was to anchor people in small villages where no jobs were available, where no potential employment was likely and where community facilities were poor. Now there is an

excellent opportunity to tie housing development to regional development strategy and job availability.

Every effort should be made to concentrate housing effort at new job points, to deal effectively with the Belfast overspill and to overcome the traditional inertia in labour movement in the Province—where in the past moving from Londonderry to Limavady was regarded as akin to emigrating. The movement from the farm to the city would also be more affectively channeled by the linking of jobs and housing. Resettlement grants should be considerably increased to facilitate easier movement.

The Building Design Partnership Plan for Belfast estimated that only 17,000 of the 29,000 displaced by redevelopment could be rehoused in the same areas. Movement in this sense is essential and as we point out it is essential to use this displacement to the best advantage - both regards community relations as well as development areas and job opportunities. Considerable difficulties have to be overcome in this. Family ties and local culture make people reluctant to move from traditional areas while often community spirit and facilities like pubs, cinemas and shops are lacking in the development area allowing boredom and an alien atmosphere to be created for those used to the busy life of the back street.

A Central Mobility Office linked to the Ministry of Development and the Ministry of Health and Social Services (together with more successful planning techniques) could provide a partial answer to this. Good liaison, professional publicity and generous financial inducements are important. Consideration could be given to the implementation of a voucher system to provide for resettlement grants and disturbance allowances.

The problem of high rents making development areas unattractive would be reduced with the introduction of an equitable rent structure for public housing and the easing of rent restriction as advocated elsewhere in this paper.

## 5. Old Homes Into New

It is an urgent necessity, if we are to ensure that housing conditions are radically improved in the shortest time possible to secure the improvement of the existing stock of houses. Many houses, not unfit but unsuitable by to-day's standards for family accommodation, could be substantially improved to provide reasonable homes. In the areas where housing is beginning to decay badly it often would be possible — with fairly substantial expenditure — to make improvements that could save the district from becoming a slum.

To do this effectively one needs powers to improve not just single homes by the existing grant system but whole areas of housing—this should be treated on a different footing since by the improvement of an area public money is essentially being saved.

The Housing Act (N.I.) 1971 makes provision for grants for general improvement areas. This should be put into operation on a wide scale.

Consideration should be given to the provision of powers to improve housing on an area basis involving up to 100 per cent, grants. The resultant saving as regards increasing housing stocks would well justify such expenditure. In Belfast alone Building Design Partnership estimated 30,000 twilight houses suitable for modernisation existed.

Meanwhile the current improvement system for the modernization of old houses, conversion grants and standard amenity grant systems are still far from adequate. The limits while vastly improved are still being increasingly outstripped by rising costs. Even a limit of £1,000 will soon become inadequate. These should be strengthened.

The most important criticism however, is not of the schemes or their limits but of the way the system is operated. The totally unimaginative way in which the scheme is advertised combined with a reluctance on the part of the householder or owner ensure that no striking advances have been made in the improvement of older houses. Over 90 per cent. of the houses in many of the older working class areas of Belfast are still without basic amenities.

The commissioning of a high powered advertising agency could well be part of the answer and it is to be hoped that the housing executive would take positive steps in this direction. With local offices solely concerned with housing the process of obtaining a grant should be much easier for a potential applicant who, since 1967, can be a tenant as well as a landlord. In England a vastly improved publicity campaign by the Conservatives resulted in an 83 per cent. jump in improvement grants — this could be much greater here where the hidden demand is much higher.

The emergency services and the new advertising for them provided by the housing executive are welcome. Yet even here we feel there is room for improvement.

## 6. Rent Restriction Tenure and Tenancy

The modern law of rent restriction in the private sector began during the First World War when a general shortage of housing led to the passing of the Increase of Rent and Mortgage Interest (War Restrictions) Act 1915. This Act and some subsequent Acts were consolidated in the Increase of Rent and Mortgage Interest (Restrictions) Act 1920. The purpose of this legislation was (a) to provide security of tenure to tenants of certain houses and (b) to prevent landlords from charging excessive rents. These two principles have been at the core of all subsequent rent restriction legislation.

It had been originally thought that the need for rent restriction would be a temporary war-time expedient. However, it has been found necessary to continue this control until the present day. The 1920 Act was amended and extended by legislation in 1925, 1928, 1932 and 1936.

The Second World War again brought a worsening in the housing position and a second important Act, the Rent and Mortgage Interest (Restrictions) Act (N.I.) 1940, was passed. This was amended by Acts in 1943, 1944, 1951, 1956, 1961 and 1967.

All houses over which rent restriction operates are, therefore, either governed by the 1920 Act and its amending Acts or the 1940 Act and its amending Acts. These are normally known as 'Old' Control and 'New' Control.

In general control operates as follows:—

'Old' Control—Houses erected before 2nd April, 1919, with a rateable value on 3rd August, 1914 (or when first assessed after that) of £26 or under.

'New' Control—Houses erected either before or after 1939 with a rateable value on 1st September, 1939 (or on the date of first valuation, if later) of £50 or under. Any house which was covered by 'Old' Control did not come within 'New' Control.

It has at various times, been possible for property to become decontrolled. Between 9th June, 1925 and 12th April, 1932, if a landlord took possession of a house (rateable value exceeding £8) when it was vacated by the tenant, the property became decontrolled. A similar provision has operated since 6th November, 1956, for houses with a rateable value exceeding £26.

The Rent Restriction Legislation have not, in general, applied to furnished dwellings. However, furnished dwellings with a rateable value of £8 or under can be covered by 'Old' Control while 'New' Control extends to such dwellings if their rateable value is £13 or less.

No property built since 6th November, 1956, is controlled.

## **RENT RESTRICTION**

One of the two main purposes of all the legislation described above is the prevention of excessive rents. In both cases, therefore, a 'Standard Rent' for any particular property is calculated. For houses subject to 'Old' Control the standard rent is the rent at which the house was let on 3rd August, 1914, or the first rent at which it was let after that date. In the case of 'New' Control the standard rent is the rent at which the house was let on the 1st September, 1939, or the first rent at which it was let after that date.

The intention of the 1920 and 1940 legislation to maintain rents at their pre First or Second World War level. It is obvious that the standard rents soon became unrealistic as the value of property soared. For this reason some additions to the standard rent were

allowed. Rents subject to 'Old' Control could be increased by the amount by which the rates exceeded their 1914 level plus 12\* per cent. of the net rent plus an additional 15 per cent. if the landlord was responsible for repairs. If property was subject to 'New' Control the rent could be increased by the increase in rates plus 12\* per cent. of the net cost of improvements. In addition, legislation in 1951 and 1956, allowed a landlord to increase the rent of any controlled house built before 1939 by a certain calculable amount.

Despite any additions which have been allowed all rents on controlled houses are calculated by reference to rents which were payable as long ago as 1914. One difficulty of this system is that accurate records of the original rent must be available. It is also often difficult to decide whether a property is subject to 'Old' or 'New' Control and it is extremely doubtful if there is any advantage in such a dual system. The most important iniquity of the present system is, however, that landlords cannot obtain realistic rents for the property that they own. This obviously causes hardship to landlords but it also causes as much, if not more, hardship to tenants.

The rents which are allowed on controlled properties are not adequate to provide landlords with any reasonable return on the property they own. This means that they have not got the money available to carry out repairs. In many cases a landlord who carried out necessary repairs would find his expenditure on his property exceeding the rent which he was receiving. It is not difficult to see that this situation results in a deterioration in the standards of rent-controlled housing. Many older houses have fallen into disrepair simply because their owners cannot afford to maintain them properly. In any area with a housing shortage this is not a situation which can be treated lightly.

**Some system, therefore, must be devised whereby landlords receive a reasonable rent for their property and tenants are provided with reasonable living accommodation. It is no longer satisfactory that rents charged in the 1970's should depend on rents paid in the dim days before the First World War. At the same time tenants must be able to afford to live in decent accommodation.**

In England and Wales an attempt to remedy this situation in the Rent Act 1965 which introduced the concept of the 'Fair Rent.' A 'Fair Rent' is the likely market rent that a house would demand if supply and demand for rented accommodation were roughly in balance in the area concerned. At the moment less than half of the private rented dwellings in England and Wales are inside this system. The Franks Committee reported recently, however, that the system was working effectively albeit in a restricted area. It is felt that an adaptation of this scheme would prove equally efficient in Northern Ireland.

The calculation of the 'Fair Rents' would be done by a number of assessment officers who would operate in every area of Northern Ireland. Either the landlord or tenant of a controlled tenancy should be able to apply to such an officer to fix a 'Fair Rent' for their property. No application should be considered for

any property which has been declared unfit. When an application has been made and the officer has made his decision, the new 'Fair Rent' will, for all purposes, replace the old controlled rent. It may be wise to stagger the switch from controlled to 'Fair' rent over a period. If neither the landlord or tenant makes any application then the tenancy will remain controlled under the old law. The landlord or tenant may decide to make their own agreement with reference to an assessment officer. They should be free to do so but there should be some control over such agreements so that the tenant's interests are protected. Of course a tenant who makes such an agreement is always free to make a later application to the assessment officer. Any provision in an agreement which prevented a tenant from doing so should be void.

**After a 'Fair Rent' has been fixed circumstances may change so as to make the rent decided distinctly unfair. In particular, the property may fall into disrepair and the tenant may feel that the 'Fair Rent' is too high. In this case, the assessment officer, on the application of the tenant, should be able to reduce the rent payable until the landlord has carried out repairs.**

The scheme outlined above has obvious advantages to landlords of controlled property but many tenants may feel that they will not be able to afford the 'Fair Rent' which is assessed for their houses. Some assistance must be given to tenants who are unable to pay a reasonable rent for suitable accommodation. If the tenants are receiving supplementary benefits they will receive a rent allowance, but if they are employed they will get no such help. This is a symptom of the once rigid distinction between those who were unemployed and received benefit and those who were employed and received no State assistance. This principle has caused hardship to those in the lower income brackets and has acted as a powerful disincentive for an unemployed man with a large family to look for a job. Happily, the position is now less rigid and the family income supplement has provided assistance for those in lower paid employment. **Such a scheme should be used to ease the burden of 'Fair Rents' for those who would find it difficult, if not impossible, to retain their homes if there was any increase in the present controlled rent.**

It would be necessary, if such a scheme was introduced, to calculate the level of income for any particular size of family, at which no assistance for rent would be given. If any family's income fell below this standard level then that family would be entitled to a rent allowance. **This allowance would be on a sliding scale so that families whose income is furthest from the standard receive proportionately more allowance than families who approach the standard income more closely.** The poorest families will get the greatest amount of allowance but, since the allowance will not be 100 per cent. of the rent, all families will have an incentive to earn more. It is envisaged that payments of allowances will take the form of direct cash payments to the tenant with the proviso that they may be stopped if the tenant falls into arrears with his rent.

The B.D.P. team estimated 100,000 houses in Belfast were subject to rent restriction, a substantial number of which were unfit. Pegged rents in these cases militated against repairs and improvements. They too recommended an easing in restriction to allow more flexibility with phased increases to allow the gap between real value and legal rent to be narrowed without putting an unexpected demand on the tenant.

## SECURITY OF TENURE

The Rent Restriction Laws have always provided tenants of controlled property with security of tenure. A Landlord cannot evict his tenant unless he makes an application to the County Court for an Order to do so. The court will only give such an order if the landlord shows that (a) the tenant has failed to pay his rent, (b) the tenant has been in breach of a tenancy obligation other than payment of rent, (c) the tenant or someone residing with him has been guilty of a nuisance, (d) the landlord has been prejudiced by the tenant giving notice to quit, (e) the tenant has assigned or sublet the premises without the consent of the landlord, (f) if the premises are licenced, that the tenant has committed a licencing offence, (g) the house is the principal dwelling on agricultural land which the landlord wishes to sell or (h) that the landlord requires the house for himself, any member of his family, anyone staying with him or for an employee. In this last case, the landlord must show that his need is greater and that alternative accommodation is available for the tenant.

**Under a scheme of 'Fair Rents' tenants should still be guaranteed security of tenure and should not be made to leave their homes unless the landlord can show one of the reasons that would enable him to determine a controlled tenancy at the moment. Eventually it may be possible to replace application to a County Court by a less expensive application to a specially constituted tribunal who would have the power to make any order determining the tenancy.**

## TRANSMISSION OF TENANCY

When the original statutory tenant of a controlled house dies his widow, or if he leaves no widow, any member of his family who has been residing with the tenant for six months may become tenant without the house becoming decontrolled. When the new tenant dies his widow or any member of his family who has been residing with him for six months may take over the tenancy. This means that a tenancy may be held by three successive generations of a family without it passing out of control. At the moment these provisions are very important as landlords are anxious to see their houses decontrolled as quickly as possible. When 'Fair Rents' are introduced the importance of transmission of tenancies should be greatly reduced.

## MORTGAGES

The Rent Restriction Acts apply in general to mortgages if the mortgaged property is a house to which they would apply if a rent, rather than mortgage repayments were payable. **The 'Fair Rent' provisions should also apply to mortgaged property.**

## FURNISHED DWELLINGS

The present legislation does not control furnished dwellings unless these have a very low rateable value. **Furnished dwellings should be outside the 'Fair Rent' scheme since they should only provide temporary, rather than permanent accommodation.** Great care should be taken, however, that such accommodation is actually furnished and that landlords are not merely evading their obligations.

There are an estimated 100,000 houses in Northern Ireland subject to rent restriction so the practical problems involved in implementing a new scheme of rent control are likely to be enormous. In particular it will be difficult to train sufficient rent assessment officers to handle the flood of enquiries that will come their way. One possible solution is to phase the introduction of 'Fair Rents' in some way, e.g., by rateable value. **At any rate, the problems posed by the recent rent control system affect so many people that notwithstanding the difficulties, an improvement must be attempted.** Already we are substantially behind in these matters.

## 7. Planning

As the pace of development increases there is a greater need than ever before for such development to be carefully planned. Planning on the large scale has been the subject of governmental study and a number of reports dealing with area development in Northern Ireland have received wide publicity. However, planning control at the more immediate level is equally important if we are to make the best use of our available resources and last year there were some 14,000 planning applications made to local authorities in Northern Ireland. It is often thought that planning controls are an irksome restriction on the individual but the mistakes of the past, including ribbon development and the spoiling of much of our coastline scenery by indiscriminate building, show just how necessary such controls are. The land available for development is limited, therefore it must all be used to best advantage. The areas of great scenic beauty which abound in Northern Ireland must be preserved or else we have lost the most important asset of our tourist industry. Equally some effort must be made to protect build-

ings of outstanding architectural importance from the devastation which many seem certain to suffer.

Planning controls came late to Northern Ireland and it was not until the **Planning and Housing Act (Northern Ireland) 1931** that local authorities were given power to control development. This Act allowed the local authorities to prepare planning schemes for the development of land in their areas. In fact, no local authority ever prepared such a scheme so in 1944, the Planning (Interim Development) Act (Northern Ireland) deemed that all local authorities had passed a resolution to adopt a planning scheme. Therefore all land in the country came under planning control.

It is possible that the provision in the Government of Ireland Act which prevented the Northern Ireland Government from taking any property without compensation caused a nagging fear in official minds that planning control was, in fact, illegal unless accompanied by compensation. In 1960 the House of Lords decided that such a fear was unfounded and the Northern Ireland Act 1962 finally clarified the matter by amending the Government of Ireland Act. (The Act of 1944 had made provision for compensation in appropriate cases).

The next major landmark in planning law was the **Lands Tribunal and Compensation Act (Northern Ireland)** which set up the lands tribunal. The Lands Tribunal is the body which adjudicates on questions of compensation for compulsory acquisition of land or for planning decisions which adversely affect the value of land.

In 1965 the **Land Development Values (Compensation) Act (Northern Ireland)** gave owners of property in any part of the country the opportunity to register the 'Development Value' of their land. This 'Development Value' is the difference between the value of property if there were no restrictions on its development and its value if only certain restricted development was allowed. The date on which the 'Development Value' had to be assessed was the day before the Matthew Report, setting up the 'Stop Line' around Belfast, was published (viz. 25th February, 1963).

Although an owner of land had to register the 'Development Value' of his land within a certain period he is not paid any compensation until he is refused planning permission for a scheme which he submitted to his local planning authority. If planning permission is allowed, or if it is refused on very limited grounds, then no compensation will be payable.

The advantage of the seemingly complicated scheme introduced by the 1965 Act is that the price of planning, in compensation terms, is permanently fixed. This means that the Ministry of Development (also formed in 1965) will be able to estimate accurately the amount they will have to pay in compensation to landowners affected by any of their schemes.

(1) Planning (Interim Development) Act 1944.

In recent years many landowners have found that the value of their property has been reduced by a proposal that it will be compulsorily acquired sometime in the future.

**The Planning and Land Compensation Act (Northern Ireland) 1971**, introduced in the last session of Parliament, now affords protection for those affected by such a "planning blight." In essence the landowner can now force a local authority to purchase his property at any time they announced their intention to acquire it in the future. This is compulsory purchase in reverse and the local authority will not be able to wait until they actually acquire the property. Local authorities should now be forced to consider very carefully the time scale of any proposed development and landowners should no longer face insecurity and depreciation in the value of their property from a scheme which is still vague and ill-formed.

The 1971 Act also introduced the principle that planning decisions should have a limited life of, in general, five years. This should help to ensure that planning permission is only sought for development which the landowner actually hopes to undertake. At the moment there can be two or three planning permissions attaching to the same piece of land and the owner may have no intention of carrying out any development in the foreseeable future.

What then is the future of planning law in Northern Ireland? The Minister of Development, during the second reading of the **Planning and Land Compensation Bill (1971)**, indicated that we could expect a new comprehensive Planning Bill. Much of this will probably be a modification of the present law but there may be some innovations, such as a scheme to ensure that future development proposals will be open to objection at a public enquiry. The most fundamental changes, however, in planning are liable to be in the method of making a planning application. At the moment there is a two-tier system with the initial application being made to the local authority, and an appeal being made to the Ministry of Development. When the re-organisation of local government is completed all planning decisions will be made by the Ministry.

There are some areas of specialised planning control which have received special attention during the last decade. The most important of these has been an attempt to protect areas of outstandingly beautiful countryside. Seven areas of outstanding natural beauty have been already designated. When a planning permission is sought for development inside any of these areas the planning authority must consult the Ulster Countryside Committee. This Committee was set up by the **Lands Act (Northern Ireland) 1965**. Another Committee established by this Act, the Nature Reserves Committee, advises on the establishment and management of Nature Reserves and areas of scientific interest. The Ministry of Development can also designate some areas as National Parks and will be responsible for the development of facilities within the Parks.

The Ministry has decided to safeguard some areas of natural beauty, either by buying them outright or by entering into restrictive covenants on agreements with the owners of the land. Nature

Reserves may also be established by these methods. In certain circumstances grants may be paid to landowners wishing to restore or improve the appearance of their land.

**It is vitally important that our countryside should be preserved and that amenities for those who wish to visit it should be improved. The Ministry of Development have made an impressive start to this vast task but it may be necessary to strengthen the power of the Committees established by the 1965 Act beyond a merely consultative function**

Just as we must preserve our countryside we must also preserve the beautiful and historic buildings of our towns and villages. Despite the attempts of the Ulster Agricultural Heritage Society and other voluntary bodies too many fine buildings have disappeared. Legislation for the preservation of such buildings has now been introduced<sup>1</sup> in the near future and the Ministry of Development have already appointed architects to compile lists of buildings of architectural or historic interest throughout Northern Ireland. This must be speeded up.

## **ENCOURAGEMENT OF HOME OWNERSHIP**

From 1944 to 1971, 73,000 (approximately) houses were completed or were under construction for owner occupiers in Northern Ireland. The total number of houses built or under construction in the Province during this period was 220,000. This means that roughly one-third of the houses built were for owner occupation and this figure compares unfavorably with England and Wales where about half of the houses built are for owner occupation. The advantages of home ownership can be summarised under two main heads. First most people want to own their own homes and, secondly, greater home ownership reduces the burden on public housing. This discrepancy is accepted by the development plan — where it is accepted one-third of new housing will be publicly owned.

Having accepted the desirability of greater owner occupation we must look at ways of encouraging it to a greater degree. Since 1946 Northern Ireland has had a scheme of subsidies for houses of a certain size for owner occupation. This, in its way, has been successful and of the 72,113 owner occupied houses built since 1946, 62,493 have been built to subsidy specifications.

One problem of the subsidy scheme for private owners, is that the value of the subsidy in real terms has fallen in recent years. There should be an increase in the actual amount paid. It may also be advantageous to pay the subsidy to the purchaser of the house rather than to the builder as at present. This would help an intending purchaser provide a deposit for his mortgage.

- (1) Planning (Northern Ireland) Order 1972 which established an Historic Buildings Council.

In England the Option/Mortgage scheme is used to encourage home ownership. This provides a lower rate of interest on mortgage repayments in exchange for tax relief. There is no subsidy system in England.

An advantage of the Option/Mortgage scheme is that it applies to existing houses and not just to new housing. It is limited in its advantages to those paying tax at less than the standard rate. This has the advantage of helping those with greatest need. The subsidy scheme in Northern Ireland helps, equally, all those who want to build a house and also leaves untouched tax relief on mortgage repayments. Perhaps this assistance which takes no account of individual needs is somewhat unfair. At the same time it has the advantage of encouraging everyone to build a home.

**\*The ideal solution may lie in some combination of the Option/Mortgage or subsidy schemes.** There should be subsidy offered for all houses built for owner-occupation excepting the very largest. This would encourage house building. At the same time the Option/Mortgage scheme should be introduced so that those with lower income would be able to obtain mortgages for the houses which have been built. Tax relief on mortgage repayments should be retained.

**\*The Housing Executive Act (Northern Ireland) 1971** allows the Housing Executive to provide mortgages. This power should be used liberally and could be used to provide purchase money for the older houses that building societies are disinterested in. The Housing Executive should also be willing to help those who are unable to provide a deposit.

It is essential that a strong private sector be encouraged. The Housing Executive despite checks such as the required consultations with the Housing Council and local authorities, could well become a bureaucratic monolith controlling by far the greater amount of housing to the detriment of the free market. There is also the danger that the huge allocation of public money will use up the building industry's capacity to eclipse the private sector. **This must be met by strong competition from private developers encouraged by subsidies or different types of public grant** — perhaps to assist innovation and the development of new techniques. **The scale of Executive Houses can also add to the privately owned housing stock.** Small builders additionally could well be allowed to utilise the planning facilities of the Housing Executive and perhaps to benefit from bulk buying arrangements.

## **PURCHASE OF FREEHOLD**

The most secure, and the most satisfying, way to have a home is to own it. To many people this feeling also extends to the land on which the house is built. Until this year there was no way for a householder to acquire the freehold of his land from his ground landlord if the landlord was not willing to sell. This position has

been changed by the **Leasehold Enlargement and Extension Act (N.I.) 1971** which came into operation on 1st July.

The Act, in general, applies to anyone whose house is held on a lease of more than 21 years. At any time during the continuance of the lease the tenant has the right to require his landlord to sell the freehold to him. Alternatively the tenant may apply for a fifty-year extension to his lease but such extension can only be granted if the application is made within the last five years of the lease. If the landlord and tenant cannot reach agreement then the matter can be taken to the Lands Tribunal for a decision.

This legislation is designed to help householders and does not apply to business premises or agricultural land. It will be of the greatest advantage to those who hold land under 99 years leases. This is quite a common form of tenure in Northern Ireland as, towards the end of the last century a considerable number of houses were built on 99 year leases in various parts of the Province. Anyone who holds such a lease was previously in a very weak position as they had to come to an agreement with their landlord for an extension or else they had to hand over their house with their land. Landlord and tenant can now bargain from positions of equal strength.

## **SALE OF PUBLIC HOUSING**

**The Housing Executive Act (Northern Ireland) 1971** includes a provision which allows the Executive, with the consent of the Ministry, to sell or lease any house under their control. They are also allowed to provide mortgages.

Some 31 per cent. of the population of Northern Ireland live in housing which, until October, 1971, was provided by the Housing Trust, local authorities and the Development Commissions and which will all come within the jurisdiction of the Housing Executive. **Many of the tenants living in this "public authority" housing are able and anxious to purchase the house they live in. It is desirable that they should be allowed to do so.**

The idea of selling public authority housing has often been criticised on the grounds that it reduces the number of houses available for letting. This argument fails on two grounds. Firstly a house is not destroyed when it is sold to a tenant. The problems of housing cannot be put into watertight compartments and one more family living in their own home means one less family requiring a house from a public authority. Secondly the number of houses is not reduced as, in fact, few tenants move from publicly owned houses to private housing. Therefore if the house was not sold to the tenant he would remain in it and it would not be available for letting anyway. When the house is sold to the tenant money is available to provide more public authority housing.

Although a tenant may be very happy in his public authority house he still realises that no matter how much rent he pays, he

comes no closer to ownership. During a long tenancy he may make payments for rent which exceed the value of the house. If he is allowed to buy his house the mortgage repayments may be only slightly greater than the rent but he is now acquiring an asset which he can sell or leave to whoever he pleases when he dies. He will also receive tax relief on his mortgage repayments.

When a tenant buys a house the public also benefits. It no longer has any liability for repairs and experience has shown that owner occupiers take greater care of their property. Perhaps the greatest advantage to the public is the money which will be made available for other housing purposes. Apart from the money actually paid by the tenant for his house there are other advantages. The rents paid for public authority housing are subsidised and this indirect payment by the public will not be made once a house is sold. In fact the tenant who buys a house will have to pay interest on any mortgage given to him by the Housing Executive. The money which is made available by these savings can be used to provide more houses and to provide greater subsidies for those whose housing requirements exceed their financial resources.

**The scale of publicly owned housing should be at its market value but certain reductions must be made as the sale is to a sitting tenant. There should be an additional reduction in price dependent on the length of time that the tenant has been in occupation of his house. This means that a tenant is given some reward for the rent which he has paid throughout the time of his tenancy. 100 per cent. mortgages should be provided by the Housing Executive if the tenant requires such a loan. If the tenant can provide a deposit then a lower rate of interest should be charged.**

## SUMMARY OF RECOMMENDATIONS

### 8. A Future Government Should

\* Initiate a Province wide study of housing problems by the new Executive. The study should pay particular attention to types of housing required, the nature of the housing shortage, and the age, quality and fitness of existing housing stock.

\* Continue the accelerated housing programme announced by the then Minister of Development, Roy Bradford, on 6th January, 1972.

\* Pay greater attention to replacing slum housing. At present slum clearance projects (25,000 by 1975) are inadequate. Even by the most optimistic forecast this only amounts to 25 per cent. of our worn housing stock.

\* Ensure that the housing executive uses the advantages of central control and combination of resources to the full — both in the employment of senior staff and in the development of new housing techniques.

These will include estate management, regional planning, legal and administrative techniques. Location of estates must be carefully co-ordinated with the other agencies responsible for development including the development advice centre.

\* Introduce regionally a fair rents scheme for housing executive tenants. This would be similar to that operated by Belfast Corporation. Its introduction would be phased and there would be a sliding scale for different parts of the Province.

\* Review the effectiveness of the present subsidy system for public housing to ensure that assistance goes to areas of most geographical and social need.

\* Ensure greater provision of community centres, play spaces and other environmental amenities in estates. Planning will also take into account more than has been the case in the past the need for shopping and recreational facilities.

\* Place much greater emphasis on involving the future tenant both in the planning and in the subsequent running of his estate. Tenant Associations if officially recognised and given a proper role would not be prey to the influence of socially disruptive organisations.

\* Commission a study into the standards to be used in public house building.

\* Take urgent action to ensure that housing estates are not used as pawns in a chess game of political warfare as has been the case with the New Barnsley and Lenadoon.

\* Ensure that new housing developments are planned as mixed communities whenever possible. These estates should also have the type of housing unit that would be most suitable to this — if necessary more building space being made available.

\* Tackle the problems of existing segregation by the pursuit of regional development, in conjunction with the development of good community relations. Close co-ordination and a task office of community officers will be necessary.

\* Establish a central mobility office with generous financial inducements, professional publicity and good liaison with the government agencies responsible for housing and employment. This would be the key to a co-ordinated labour, development and housing programme.

- \* Improve existing housing stock by increasing the limit of standard and improving grants and also by making provision for outstanding assistance on an area basis.
- \* Undertake a massive review of rent control legislation.
- \* Introduce a fair rents system together with major changes in facilities at present available to assist poorly off tenants pay their rents.
- \* Safeguard the tenants' present security tenure and his right to transmit his tenancy.
- \* Introduce immediately a new and comprehensive planning bill that will reduce the vast number of Acts at present concerned with planning and ensure that the system of planning applications and objections is improved and simplified.
- \* Co-ordinate the efforts of voluntary and statutory bodies to maintain areas of natural beauties and buildings of architectural merit.
- \* Introduce an option/mortgage scheme to help foster land ownership.
- \* Provide a scheme by which the housing executive gives generous mortgage facilities.
- \* Encourage the private building sector to compete with the public—if necessary by financial help.
- \* Permit the sale of houses by the housing executive.

This is a publication of the Unionist Research Department, and as such is a contribution to discussion of pressing social problems. It does not necessarily represent party policy.

Further copies can be obtained from the Publicity Department,  
3 Glengall Street, Belfast.

**Price 15p**