

PRIME MINISTER

H Committee: Housing and Building Control Bill

H Committee discussed the paper by the Environment Secretary proposing further extensions to the right to buy. The Committee agreed that the qualification period should be reduced from three to two years but did not agree that the maximum discount should be raised to 70%. They wanted further discussions on the proposal that time spent in other public sector accommodation should count towards the right to buy. Finally, they did not think that the Government should table an amendment to introduce a right to buy for tenants of charitable housing associations but need not oppose an attempt by backbenchers to do so.

6 July 1983



FROM THE PRIVATE SECRETARY TO THE LEADER OF THE HOUSE
AND THE CHIEF WHIP

MR RICKETT

GOVERNMENT DEFEATS IN THE LORDS ON 26 APRIL 1983

1. On Tuesday 26 April 1983, the Government were defeated twice in the course of the first day of the Committee Stage of the Housing and Building Control Bill in the House of Lords.

2. The first defeat was on the question that Clause 2 Standpart of the Bill. The division came at 6.05 pm, and the Government were defeated by 182 votes to 96.

The second defeat was on an amendment in the name of Baroness Seear (Liberal) to insert a new Clause giving protection to "elderly orphans". An "elderly orphan" means someone who continues to live in the parental home to look after elderly and infirm parents, and who on the death of those parents has no right to possession, not having been the nominal tenant. The Government were defeated on a division which took place at 6.50 pm by 101 votes to 95.

In the only other division of the day, on a Government amendment increasing the maximum discount available to tenants under the "right to buy", the Government had a majority of 25 (69 - 44).

3. Clause 2 of the Housing and Building Control Bill extended to tenants of charitable housing associations the "right to buy" conferred by the Housing Act 1980 on other public-sector tenants. The extension applied only where the property in question had been built with Housing Association Grant. It has been known for a long time that this Clause gave rise to serious reservations among many of the Government supporters in the House of Lords. Their basic objection is that the charitable housing associations in question accepted Housing Association Grant without any idea that they might subsequently have to sell the properties that were built with it. Clause 2 was thus retrospective in nature and liable to disrupt the work of charitable housing associations, some of which (notably the Guinness and Peabody Trusts) had connections with members of the House.

4. All possible steps were taken to explain the Government's case to wavering supporters. Mr John Stanley addressed the weekly meeting of backbench Conservative peers. Briefs and Notes on Clauses were made available, and peers were encouraged to study them. A special meeting with Mr Tom King, Mr John Stanley and Lord Bellwin was arranged for certain influential Conservative peers, with a view to explaining fully the Government's case.

As regards whipping, special steps were taken to ensure that all Lords Ministers took part in the division and they did so. In addition, all Conservative peers created since the beginning of 1981 were contacted and asked specially to attend. The strongest form of two-line whip was issued, and the whips worked hard behind the scenes in the days leading up to the vote to ensure a maximum turn out.



FROM THE PRIVATE SECRETARY TO THE LEADER OF THE HOUSE
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5. In the event, 36 Conservative peers voted against the Government. The full break-down was as follows:

For the Government:	Conservative	94
	Crossbench	<u>2</u>
		96
Against the Government:	Conservative	36
	Labour	65
	Liberal	25
	Social Democrat	15
	Crossbench	<u>41</u>
		182

6. The defeat in the second division was due less to rebellion by Conservative peers (of whom only 5 voted against the Government) than to the failure of Conservative peers who had voted in the first division to stay for the second. Thus 12 of the Conservative rebels in the first division did not stay for the second, and 29 Conservative peers who supported the Government in the first division did not do so. This may have been in part attributable to the fact that, having been pressed in the strongest terms to be present for the first division, peers failed to appreciate the importance of staying thereafter.

7. Finally, it must be said that all the Opposition parties mustered their supporters very strongly indeed. Deliberate abstention by some Government supporters who felt unable to support the Government must also have contributed to the size of the majority. Thus it is not true that simply by bringing out more supporters it would have been possible to win the division: many, if not most, of the Conservative peers who did not take part in the division would have voted against the Government had they been pressed.

DRB -

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27 April 1983

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QUEEN ANNE'S GATE LONDON SW1H 9AT

27 February 1983

Pinehurst

Dear John,

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HOUSING AND BUILDING CONTROL BILL

will request is required.

Thank you for your letter of 22 February in which you seek H Committee's approval for an amendment to the Housing and Building Control Bill to extend the right to buy discount scheme.

Now that the Family Policy Group has identified this way of maintaining the impetus of our right to buy policy we ought to find a way of making the amendment. I understand that it would cause great difficulties for the business managers in the House of Commons if, now that we have had a guillotine, you were to table the amendment on Report. It would be preferable for it to be made in the House of Lords, and I would be grateful if you could consult Janet Young about that.

As to which of the two forms of discount scheme you describe should be adopted, I note that you favour raising the maximum discount to 60% and I think the Committee can leave this matter of detail to you, though no doubt you will first ensure that Leon Brittan is content.

I am sending copies of this letter to members of H Committee, to First Parliamentary Counsel and to Sir Robert Armstrong.

M. Young

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John

John Stanley, Esq, MP

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