

# Healthy Homes Bill [HL]

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## EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by Lord Crisp, have been ordered to be published as HL Bill 133—EN.



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[AS INTRODUCED]

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[AS INTRODUCED]

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# B I L L

TO

Make provision about the targets, plans and policies for the delivery of healthy homes and neighbourhoods; to set out the principles that define a “healthy home”; to make provision for statements and reports about healthy homes; to establish the office of the Healthy Homes Commissioner; to make provisions to ensure local housing needs are met; and for connected purposes.

**B**E IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## 1 Duty on the Secretary of State

It is the duty of the Secretary of State to secure the health, safety, wellbeing and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings in England.

## 2 Policy statement on healthy homes principles

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- (1) The Secretary of State must prepare a statement in accordance with this Act (the “policy statement on healthy homes principles”).
- (2) The statement must explain how the healthy homes principles are to be interpreted and applied by Ministers of the Crown in making, developing and revising their policies. 10
- (3) The statement may explain how the principles will be implemented and adhered to in a way that takes account of a building development’s urban, suburban or rural location.

## 3 Meaning of ‘healthy homes principles’

In this Act “healthy homes principles” means the principles—

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- (a) all new homes must be safe in relation to the risk of fire;
- (b) all new homes must have, as a minimum, the liveable space required to meet the needs of people over their whole lifetime, including adequate internal and external storage space;
- (c) all main living areas and bedrooms of a new dwelling must have access to natural light; 20

- (d) all new homes and their surroundings must be designed to be inclusive, accessible, and adaptable to suit the needs of all, with particular regard to protected characteristics under the Equality Act 2010;
- (e) all new homes should be built within places that prioritise and provide access to sustainable transport and walkable services, including green infrastructure and play space; 5
- (f) all new homes must secure radical reductions in carbon emissions in line with the provisions of the Climate Change Act 2008;
- (g) all new homes must demonstrate how they will be resilient to a changing climate over their full life time; 10
- (h) all new homes must be built to design out crime and be secure;
- (i) all new homes must be free from unacceptable and intrusive noise and light pollution;
- (j) all new homes must not contribute to unsafe or illegal levels of indoor or ambient air pollution and must be built to minimise, and where possible eliminate, the harmful impacts of air pollution on human health and the environment; and 15
- (k) all new homes must be designed to provide year-round thermal comfort for inhabitants. 20

#### 4 Policy statement on healthy homes principles: process

- (1) The Secretary of State must prepare a draft of the policy statement on healthy homes principles.
- (2) The Secretary of State must consult such persons as the Secretary of State considers appropriate in relation to the draft statement. 25
- (3) The Secretary of State must lay the draft statement before Parliament.
- (4) If, before the end of the period of 21 sitting days beginning with the day after the day on which the draft statement is laid –
  - (a) either House of Parliament passes a resolution in respect of the draft; or
  - (b) a committee of either House, or a joint committee of both Houses, makes recommendations in respect of the draft,
 the Secretary of State must produce a response and lay it before Parliament.
- (5) The Secretary of State must lay before Parliament, and publish, the final statement, but not before – 35
  - (a) if subsection (4) applies, the day on which the Secretary of State lays before Parliament the response required by that subsection; or
  - (b) otherwise, the end of the period of 21 sitting days beginning with the day after the day on which the draft statement is laid before Parliament. 40
- (6) The Secretary of State may revise the policy statement on healthy homes principles at any time (and this section applies in relation to any revised statement).

- (7) “Sitting Day” means a day on which both Houses of Parliament sit.

## 5 Policy statement on healthy homes principles: effect

- (1) A Minister of the Crown must have regard to the healthy homes principles when making, developing or revising policies dealt with by the statement.
- (2) Relevant responsible authorities must have regard to the policy statement on healthy homes principles when discharging their duties under the planning, building, and public health acts. 5
- (3) “Relevant responsible authorities” include but are not limited to—
- (a) local planning authorities;
  - (b) public health authorities; 10
  - (c) urban development corporations;
  - (d) new town development authorities;
  - (e) the planning inspectorate; and
  - (f) Homes England.

## 6 Annual monitoring 15

- (1) The Secretary of State must prepare a progress report for each annual reporting period.
- (2) A progress report for an annual reporting period is a report on progress made in that period about the extent to which all new homes approved and completed during that period have met the healthy homes principles under section 2. 20
- (3) A progress report must include specific consideration of how the approval and creation of new homes has met the needs of those with protected characteristics under section 4 of the Equality Act 2010.
- (4) A progress report will include consideration of how progress could be improved. 25
- (5) The Secretary of State must—
- (a) arrange for the progress report to be laid before Parliament, and
  - (b) publish it.

## 7 Establishment 30

There is to be an office of the Healthy Homes Commissioner.

## 8 Primary function: securing healthy homes

- (1) The Healthy Homes Commissioner’s primary function is ensuring the promotion and implementation of the healthy homes principles.
- (2) The primary function includes promoting awareness of the healthy homes principles in England. 35

- (3) In the discharge of the primary function the Healthy Homes Commissioner may, in particular—
- (a) advise persons exercising functions or engaged in activities affecting the delivery of homes on how to act compatibly with the healthy homes principles; 5
  - (b) advise the Secretary of State on the effective implementation of healthy homes principles;
  - (c) consider the potential effect on the healthy homes principles of government policy proposals and government proposals for legislation;
  - (d) bring any matter to the attention of either House of Parliament; 10
  - (e) investigate the availability and effectiveness of complaints procedures so far as relating to the healthy homes principles;
  - (f) investigate any other matter relating to the implementation of the healthy homes principles;
  - (g) publish a report on any matter considered or investigated under this section. 15

## 9 Duty on local planning authorities to plan for affordable housing needs

In section 19 (Preparation of local development documents) of the Planning and Compulsory Purchase Act 2004 after paragraph 19(1E) insert—

- “(1F) Development plan documents must (taken as a whole) include policies designed to meet the housing needs of the local planning authority’s area in such a way as to secure the long-term health, safety and wellbeing of residents. In meeting such needs planning authorities must have particular regard to ensuring that housing is affordable to those on average and below-average household incomes.” 20  
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## 10 Short title

- (1) This Act extends to England and Wales only.
- (2) This Act may be cited as the Healthy Homes Act 2022.





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*Lord Crisp*

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