Housing, Regeneration and the Credit Crunch – removing legal barriers

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Removing the legal barriers - the task

- The law – and legal mechanisms
- A Housing and Regeneration (Special Measures) Act 2009??
- Some modest proposals

Avoiding regulatory complexity

- Regime change – TSA/HCA/CLG
- Explaining the interlocking roles
- The approvals/consents process

Encouraging prudential borrowing

- Current caution
- CLG/Treasury concerns
- Providing reassurance – through rules?

Generating confidence in local authority powers

- Well-being – ‘all embracing’?
- Removing the uncertainties
- Creating connections

Making limited liability partnerships a mainstream option

- The attraction of LLPs
- Their current use
- Implementing Part 12 of the 2007 Act

Understanding how classification is determined

- ‘Off balance-sheet’
- The new(ish) and changing tests
- The role of ONS

Removing tax anomalies

- Extending RSLs' tax treatment to others
- SDLT – esp to avoid charity restrictions
- VAT

Introducing more flexibility into the planning process

- Supplementing recent changes
- Variations, modifications and material alterations
- The section 106 Agreement process

Helping the mortgage market

- Councils, as mortgagors or guarantors?
- The section 435 problem
- Other mortgage rescue products

Removing the risk of enfranchisement

- ‘Safe havens’ – esp CLTs
- Flats – no difficulty?
- Houses – solutions still required

Extending and simplifying the "pooling" system

- The affordable housing and regeneration 'exemptions'
- Reflecting new models – e.g. local housing companies
- Drafting the resolutions

Removing the legal barriers – next steps

- Extending/reducing the list
- Ongoing dialogue – CLG/HCA/TSA
- A Legislative and Regulatory Reform Order?

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