

rented housing and social ownership

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contents	1	introduction	1
	2	the Housing Finance Act and the private tenant	10
	3	a new approach	13
	4	social ownership in practice	18
appendix		shared accommodation: tenancy agreements	24



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1. introduction

Housing has always been one of the most important social issues for the Labour Party. The Conservative Government's 1972 Housing Finance Act will do nothing to dampen this interest. For beneath the "fair deal" rhetoric and the promises of hope for those in housing need lies a plethora of measures that add up to the first stage of governmental disengagement from housing.

The section on housing in Labour's 1972 policy programme shows that the Party is not merely reacting negatively to Tory policy; although clearly a great deal of thinking and debate is still required. Out of all the multitude of issues that make up "the housing problem" two deserve particularly close attention: housing costs (including rents and subsidies) and the privately rented sector.

This pamphlet is concerned with the second policy area: the private tenancy. Despite its proportionate decline in importance, privately rented housing is still the only option open to many households.

These will contain many of the most underprivileged and vulnerable members of the community: those on low incomes, the one parent family, the immigrant, the large family and many of the elderly. For their sakes Labour must present a comprehensive policy. This pamphlet argues that such a policy is social ownership: the acquisition by local authorities and other publicly responsible bodies of privately rented accommodation. Labour is now moving towards such a policy. The policy programme states that Labour "... should aim at progressively eliminating private profiteering in rented accommodation." The Party must now work to translate such sentiments into a positive and detailed strategy.

The cry "public ownership of private lettings" will always be popular with socialists. It can be argued that just as medical care and education have largely been taken out of the private market, so too should rented housing. This philosophy will form the background to any social ownership programme. This pamphlet seeks to argue, however, that on a

number of practical grounds social ownership is urgently required.

the Labour Party and the private landlord

The idea of taking privately rented housing into public ownership is not a new one to the Labour Party. In fact "municipalisation" was official Party policy for many years. It is therefore worthwhile to trace briefly the development of this policy in the Labour movement.

We can take as a starting point the Fabian pamphlet by D. L. Munby in 1952 (*The rent problem*, Fabian research series 151). After analysing the problems which resulted from the then existing rent structure, what the aims of a "reasonable" housing policy would be, and possible methods of approach, Munby proposed the municipalisation of a "large part of the low rented housing"—a "solution on socialist lines." The advantages would include the carrying out of repairs, related to a long term programme of development; the rationalisation of rents; the allocation of vacant homes according to need; and the reduction of under occupation. The private landlord would also disappear—"a character who in recent years has often failed to perform any useful function."

In the next few years, the Co-operative Party took a great interest in the problem. In 1953 their National Committee issued a report which proposed that: "Our long term objective should be that every person who is either unwilling or unable to own his own home should have as his landlord either a public authority or a publicly approved non-profit making association."

It was in 1953 that the Labour Party took their first step along the road to the acceptance of a comprehensive municipalisation policy. In *Challenge to Britain*, the National Executive stated that the party would ensure the more sensible utilisation of existing dwellings, but warned that "it is idle to expect private landlords to carry out a policy of this kind. These proposals can be dealt with

only by the extension of municipal ownership of rented dwellings. Labour will therefore instruct all local authorities to submit schemes for gradually taking over and modernising blocks of rent-controlled private properties within their areas."

In the coming years the discussion on municipalisation continued within the Labour Movement. In 1954, a Fabian pamphlet by James MacColl (*Policy for housing*, Fabian research series, 164) stated that the need for repairs and re-conditioning was urgent. The choice was between allowing "substantially" greater rent returns to private enterprise, or making the problem a public responsibility. He said: "There is something to be said for both: what is inexcusable is to do neither." MacColl's choice was public ownership.

Another Fabian pamphlet came out in favour of municipalisation in 1955 (*Rents and social policy*). The author, David Eversley, took the discussion further by considering various issues involved such as compensation and administrative difficulties. He also proposed that local authorities should be encouraged to buy sound owner occupied property suitable for letting.

It was the Labour Party statement *Homes of the future*, 1956, which marked the peak of Labour radicalism towards privately rented accommodation. In the section dealing with rent controlled houses (other than slums) the two problems of repair and improvement were discussed. On both counts the record of the private landlord was analysed and found wanting. The time had come for more "positive action"—"social ownership is obviously the only answer." The Birmingham experiment of municipalisation was favourably cited, and it was proposed that "houses and flats that were rent controlled on the 1 January, 1956, and remain tenant occupied, should be taken into public ownership." The next Labour Government would lay down dates by which time each council would be expected to complete its programme of acquisition. All tenanted rent controlled property (with certain exceptions) would

be taken into municipal ownership, plus certain other types of property. There was also a promise of "safeguards" and "a certain measure of rent control and security of tenure" for council house tenants (see *100 questions asked and answered on Labour's housing policy*, 1958, for clarification in some detail about the plans for public ownership).

Homes of the future was submitted to and passed by, the 1956 Annual Conference of the Labour Party. Introducing the document Anthony Greenwood spoke enthusiastically. He called it "a full blooded socialist policy statement," and he went on to say it would involve "what is probably the biggest socialisation project that has yet been attempted in the democratic world. It takes the profit out of private landlordism; it makes housing a social service; and when it is implemented it will take us a long stride along the road towards socialism in this country." In the following years municipalisation was one of the major planks in Labour housing policy. As such it was used by Labour in the House of Commons during the debates on the 1957 Rent Act and also during the 1959 General Election (see *Britain belongs to you*, Election manifesto, 1959).

Another Fabian pamphlet by James MacColl was published in 1957. This discussed municipalisation in some detail. It is a good illustration of the great amount of thought given to this policy by the Labour movement at the time.

The Labour Party home policy statement *Signposts for the sixties*, 1961, marked the end of Labour's plans for municipalisation. The pledge contained in *Homes of the Future* was replaced by the proposal that: "where private landlords persist in neglecting their property, local authorities must use more freely their powers to take them over for repair and modernisation." Thus the Party's policy was fundamentally altered, and became vaguer and less positive than at any time since the publication of *Challenge to Britain* in 1953. The omission of municipalisation from *Signposts* caused great controversy within the Labour Party. At the 1961 An

nual Conference a resolution was debated which instructed the NEC to include municipalisation in the statement. This was defeated. Despite this the municipalisers were not put off. At the next Annual Conference the battle was resumed. A resolution was proposed which, while not committing Conference to the 1956 detailed formula, "reaffirms its belief that private landlordism has failed, and that private ownership should be replaced by municipal ownership and instructs the National Executive Committee to restore the municipalisation of rented property to the Party's programme, on the basis of a revised formula for the acquisition of privately rented property."

The housing debate was answered by Anthony Greenwood. He argued that decontrol and the resulting increase in rents would mean an enormously increased compensation bill. Consequently the local authorities would have less money available for repairs and improvements. He asked that the resolution be remitted to the National Executive Committee. This was refused and a card vote demanded. The result was as follows: for the resolution: 3,052,000, against: 3,092,000. Thus by 40,000 votes out of six million, municipalisation was defeated. Thereafter Labour lacked a comprehensive policy towards the privately let housing market. Instead problems were tackled piecemeal. One result of this approach was the policy document *Labour's Plan for old houses* which proposed the designation of improvement areas. This policy was included in the 1964 election programme. This also contained the pledge to repeal "the notorious Rent Act, end further decontrol and restore security of tenure," while providing machinery for settling rents on a fair basis. These pledges led to the 1969 Housing Act, the 1964 Protection from Eviction Act and the 1965 Rent Act.

PRIVATELY RENTED SECTOR PROBLEMS

Private landlordism is dying. But it is taking its time doing so. About 90 per cent of the total housing stock was privately rented at the turn of the century.

It accounted for 44.6 per cent of housing in 1950 and 26.6 per cent in 1960 (*Social Trends*, no 2, 1971, p 125). By the end of 1971 only 14 per cent of dwellings were rented privately. Unfortunately the decline has been agonising rather than graceful and, given the continued demand for rented housing, the victims have inevitably been the weak and the poor. What accounts for the passing of the private landlord? The Right would blame rent control. They argue that, once again, there is a price for governmental interference which the private market has had to pay. The obvious corollary for many is that a "freeing" of rent levels would not fail to encourage landlords and a rejuvenation of this sector of housing would result. This was the dominant philosophy behind the 1957 Rent Act. That this legislation failed to halt the decline of the sector is now well known. It failed because rent control is only one of the reasons for the sector's demise.

It is instructive to remember that investment in housing to let had its heyday when there were few other forms of investment opportunities. Short of going into business partnership a good way of investing money was in housing. However, with changes in company legislation—particularly the introduction of limited liability in 1855—the outlook changed. Starting with railways, the development of joint stock companies offered alternative and less arduous ways of making money. These changes started to have effect towards the end of the century. The private landlord in the twentieth century was faced with two institutions, the building society and the local authority, competing for his trade. The building society was a well known feature of the Victorian landscape, but it really started making its mark on housing a little later. In 1913 £9 million was advanced on new mortgages, in 1920 it was £25 million and it rose to £140 million in 1936 (D. A. Nevitt, *Housing, taxation and subsidies*, Nelson, 1966). In 1971 building societies advanced £2,741 million for mortgages (*Housing statistics*, Department of the Environment, February 1972). Today over half of all householders are owner occupiers. The private landlord used to bridge

the gap between those with money to invest and those with a need for housing. For many today the gap is being bridged by the building societies.

The second major development has been the growth of municipal housing. Its origins are to be found in the public health legislation passed in the second half of the last century. At first local authorities could only demolish unfit accommodation and not replace it. Then under the 1890 Housing of the Working Classes Act they were given powers to build, but no exchequer subsidy. The First World War exacerbated the housing problem and in 1919 the Housing and Town Planning Act gave, for the first time, exchequer subsidies to local authorities for house building. The homes that were said to be fit for heroes were the forerunners of many more which today house 31 per cent of the population.

A major discouragement to the private landlord has been his fiscal position. The details and effects of this have been documented by D. A. Nevitt (*Housing, taxation and subsidies, op cit*). A landlord's net income from rents is taxed under schedule D. Miss Nevitt shows that, in practice, tax is paid on the capital which is invested in property. "For the past 160 years . . . the tax laws of the United Kingdom have taken no account of the fact that a dwelling has only a limited life. Taxes are imposed on the assumption that dwellings last for ever and that sinking funds are a luxury which some landlords like to have and some do not." In comparison with the owner occupier the landlord's tax situation is certainly dismal. The owner occupier was relieved from the burden of schedule A in 1963 and tax relief on mortgage interest was worth £64 per head in 1971-72.

The intervention by the state in the field of privately rented housing is a further important factor accounting for its demise. Public health controls have played a part, but it is rent control that has been of most significance. First introduced in 1915, rent control has been a major feature of British housing policy ever since. Today about 1.3 million dwellings

still have their rents controlled. The remaining unfurnished tenancies—those "decontrolled" by the 1957 Rent Act—are now "regulated" under the terms of the 1965 Rent Act. Their rents are "frozen" at the 1965 level and should only be increased after application to the rent officer. By the end of 1971 only approximately 300,000 of the 1.2 million regulated tenancies had had a "fair" rent so determined. Allied to rent control and rent regulation, security of tenure has been a long standing right of unfurnished tenants and has also acted as a disincentive to the investment of capital in private housing to let.

All this helps to explain the decline of the private landlord. It is not at all surprising that in a period of 60 years the occasional pro-landlord Government policy—such as that of 1957—has failed to impress. Indeed such policies, by making it easier for landlords to get vacant possession of their properties, probably speed the decline, as many landlords take the first opportunity to sell to potential owner occupiers. These sales to owner occupiers, together with demolition by the municipal bulldozer in slum clearance areas, account, in physical terms, for much of the disappearance of the private letting. The conclusion is that there are easier ways of making money than by letting housing. This is not to say, however, that some parts of the market are not thriving: luxury flats; furnished tenancies; and multiple occupied housing can all be very profitable. The activities of property companies in London and other conurbations proves this. But for most forms of rented housing, in most parts of the country, Donnison is justified by saying: "The more puzzling question is not 'why are private landlords disappearing?' but 'why do any of them stay in business?'" (*The Government of housing*, Penguin, 1967.)

PHYSICAL CONDITION

The problem of slum and sub-standard housing is concentrated in the privately rented sector. In the autumn of 1971 the second National House Condition Survey

was carried out. The results show that altogether 1.2 million houses are "unfit for human habitation." Of these, 645,000 are privately rented—54 per cent of the total number unfit. The figures mean that 23 per cent of private tenancies are "unfit." The survey shows that after excluding the "unfit" housing, a further 1,872,000 houses lack one or more of the basic amenities. Most of these houses will be privately let.

The position as revealed by this survey is not at all surprising, for 75 per cent of private tenancies were built before 1919 and these have suffered from lack of both repair and improvement.

The bare statistics are, inevitably, difficult to appreciate. The mere recital of numbers cannot illustrate the human problems they quantify. The technical terms, too, can be only too easily taken for granted. The statistics only sink in when one starts to appreciate that lack of basic amenities means people without inside lavatories, baths, wash basins, sinks and hot and cold water, and that "unfit for human habitation" is the description of property that humans *will* inhabit for ten or fifteen years to come. For those lucky ones living in decent housing, the case studies produced by Shelter over the years are an invaluable aid. For those who like to imagine that the individual descriptions relate to only a tiny number, the statistics are equally invaluable. The three descriptions below come from the Shelter reports *Happy Christmas!* (1970) and *Condemned* (1971):

"For the toilet the wife and the children go to neighbours during the day, and I go to the men's toilet in the Gorbals. At

night we have a pail and we empty it in the midden."

"The damp comes running down the bedroom walls by the windows. All the wall's coming down and I can't keep the place tidy. We have to put a bucket down when we want to go to the toilet."

"There's no hot water here. There's nothing for the kids. I have to fill the tub up for them. It takes two hours to bath them. It takes you half an hour to boil all the water. I have to put two in and then empty it and then put another two in. When the big lad wants a bath we have to wait until the others have gone to bed, then my husband goes out. When I have a bath they all have to go out. There's no privacy in these houses."

improvement

Given this appalling situation, governments have offered various carrots to the owners of bad housing. For example, under the 1961 Housing Act landlords were allowed to raise rents by 12½ per cent of the cost of any improvement made. Also, discretionary and standard grants have existed for many years. These policies did not meet with any great success. While improvement grants have been taken up by many owner occupiers, relatively few have been claimed by private landlords. Thus in 1969, while 46 per cent of grants went to owner occupiers and 32 per cent to local authorities, only 22 per cent went to private landlords (*Social trends*, table 95, Central Statistical Office, 1970). The 28,000 grants that did go to landlords in that year obviously made only a tiny impression on the huge

NUMBER OF DWELLINGS IN THOUSANDS: BY CONDITION AND TENURE
SEPTEMBER 1971 ENGLAND AND WALES

	owner-occupied		rented from local authority		other tenures		closed		vacant		all	
	no.	%	no.	%	no.	%	no.	%	no.	%	no.	%
unfit dwellings	355	3.9	58	1.2	645	22.9	24	100	162	39.5	1,244	7.3
dwellings not unfit	8,707	96.1	4,725	98.8	2,176	77.1	—	—	248	60.5	15,856	92.7

source: *Housing and construction statistics*, 1 May 1972, table 23.

number of slums and near-slums. The latest approach to this problem of physical squalor—the 1969 Housing Act—puts its emphasis on area improvement. Much bolder than its predecessors, it is backed up by higher discretionary and standard grants. What effect has it had? Certainly there has been a large increase in the number of grants being claimed. In 1972, 319,000 improvement grants were approved for England and Wales. This compares to 114,216 in 1968, the year before the Act. A particularly encouraging development is that the increase has come in discretionary grants—used to improve houses fully, rather than in standard grants which are used just to install basic amenities. So not only have the number of grants almost trebled but proportionately more of them are now being used to improve dwellings up to a reasonably good standard. But how has this general increase affected the private sector? The table below compares the positions for 1968 and 1971.

The number of grants going to the privately rented sector has increased from 25,067 to 46,174 in 1971—a proportional increase of 84 per cent. But the key point to note is that only 23 per cent of improvement grants are going to private tenancies, despite, as we have seen, that more than 54 per cent of all “unfit” housing is in this sector and that as much as 23 per cent of all private tenancies are “unfit.” Against this background, the amount of use being made of improvement grants by private landlords is still minimal. Clearly the average private tenant living in slum or sub standard accommodation cannot expect anything from the 1969 Housing Act.

It would be a great mistake to consider

the effects of the Housing Act in statistical terms alone. One must also look at who gains most from improvement grants and at how they are affecting the distribution of housing between income groups in the community.

Two major inter-related criticisms of improvement policy in practice can be made. The first is that public money is very quickly becoming private profit. The second is that it is often not the original tenants who gain from the improvements carried out. There is a very strong temptation for landlords to improve their houses and then sell to owner occupiers. Like other policies before that have been designed to help stimulate private landlordism, improvement grants could easily lead to an owner occupier's take over of housing to the severe detriment of private tenants. Areas that are already ripe for a middle class invasion will become even more attractive when improvement policies have considerably improved the dwellings and their environment.

Another danger is that property companies will buy up old tenant occupied houses and convert them with the aid of public funds to the severe detriment of the existing inhabitants.

In a recent article Bel Mooney tells the story of a house in North Kensington at one time a home for several furnished families. “It was bought by a private property developer for around the average price of £50,000 and converted into five luxury flats, on sale now for a total of £83,750.” Assuming improvement grants of £6,000 and conversion costs of £12,000 a profit of almost £28,000 would have resulted. “The families, of course, have gone. Perhaps they are still in the

IMPROVEMENT GRANTS BY TENURE

	1968		1971		increase	%
	no.	%	no.	%		
local authorities	31,031	27.2	61,600	31.0	30,569	98.5
owner occupiers	56,059	49.1	84,924	42.7	28,865	51.5
housing associations	2,059	1.8	6,094	3.1	4,035	195.4
other private owners	25,067	21.9	46,174	23.2	21,107	84.2
total	114,216	100.0	198,792	100.0	84,576	74.1

source: based on tables 26 and 28, *Housing statistics*, no 24, 1972.

area, waiting for the next eviction" (*New Statesman*, 21 July 1972).

With this kind of money to be made the Rent Acts and the rights of tenants are merely minor obstructions to be evaded as easily as possible, or as brutally as necessary. Thus while improvement policy since 1969 has been an undoubted success numerically, it has had catastrophic effects on the social composition of certain areas. The lesson to draw is that in conditions of shortage it is extremely difficult to improve the physical conditions of existing households and still maintain a private market in rented housing.

RENTS

Rents in the private sector were first controlled in 1915, and although since then various decontrol policies have been carried out—most notably in 1957—about 1,300,000 controlled tenancies exist in Great Britain at the present time. However, a large number of rents were decontrolled under the 1957 Rent Act, and certain landlords undoubtedly made use of this legislation to charge extortionate rents. The 1965 Rent Act converted "decontrolled" tenancies into "regulated" ones, which meant that rents were frozen and could only be increased officially if landlords were allowed to do so by rent officers, whose task it was to fix "fair" rents. Similarly tenants of "regulated" premises could apply to the rent officer for rent reductions. In practice most applications have been made by landlords and most rents (77 per cent in 1970) have been increased (*Social trends*, 1971, table 99).

In the last quarter for which figures were available to the Francis Committee—January to March 1970, the average rent registered in England and Wales was, as a ratio of gross value, 1.85. Rents for unregistered tenancies (that is those which were formerly "decontrolled" tenancies where rents have not been determined by the rent officer) were on average lower than for registered tenancies. For example, while the registered rent for a

whole house in Greater London was £4.70, it was £3.35 for an unregistered. Another example from the South Wales coastal belt is an average registered rent for a flat or maisonette of £4.33 compared to £3.68 for a similar unregistered tenancy. However, the 1970 tenants' survey (carried out for the Francis Committee) did show that in certain areas unregistered rents were higher than registered rents for certain types of accommodation. Thus, in the West Midlands conurbation average registered rents for rooms were £2.18 while for unregistered rents the average was £2.83. Therefore tenants of certain rented accommodation would undoubtedly receive rent reductions by going to the rent officer. This is particularly true for accommodation with low gross values. The area of the private rented market where rents are almost consistently high is the furnished sector, and this is considered in a later section.

Private tenants are generally the poorest group of householders in the country. The Family Expenditure Survey shows that whereas 28 per cent of local authority households earn less than £1,000 a year the figure for private unfurnished households is 41 per cent. In the past private tenants received no subsidies from the Government and this was long recognised to be unjust. A national rent allowance scheme has now been introduced for private tenants (including, as from April 1973, some furnished tenants). Events will show how successful this scheme proves to be.

LANDLORD TENANT RELATIONS

The question of "insecurity" has always been an important one in any discussion of the private rented market. Soon after its election in 1964, the Labour Government rushed through Parliament an emergency Protection from Eviction Act, and this was followed by the 1965 Rent Act. Today the position is that no tenant can be legally evicted without a court order. It is exceptionally difficult for a landlord to obtain a court order against an unfurnished tenant, and one can therefore say that such a tenant possesses "security of

tenure." The position of the furnished tenant is, however, quite different. He can only obtain security from the rent tribunal and then only up to a maximum of six months. Although he can reapply for more security later on, experience shows that furnished tenants are forced to leave their homes sooner or later (and normally "sooner"—research done for the Francis Committee shows that, in Greater London, 80 per cent of furnished tenants applying to rent tribunals for security had left their homes within one year). The Greve Report on *Homelessness in London* provides evidence of the uselessness of much legal "protection." "For at least 7 per cent of applicant families, homelessness was probably caused by unsuccessful use of the legal procedures designed for the tenant's own protection."

There are also doubts about the actual position of many unfurnished tenants. Here it is important to remember the difference between the legal regulation and the social reality of landlord and tenant relationships. Many tenants will not know their rights in this field and many more will not make use of them. Particularly if landlord and tenant share the same dwelling it seems likely that a breakdown of the landlord tenant relationship will very often lead to the tenant leaving. In their study of Sparkbrook (*Race, community and conflict*, 1967) Rex and Moore, considering the lodging house, noted "... a landlord asks or tells a tenant to vacate a room, the tenant looks for another room and moves." Later, the authors state: "We are saying, then, that a system of norms, a code of conduct relating to landlord tenant relationships develops outside and apart from the formal law of the larger society." Now, it would, of course, be foolish to generalise from the lodging house in Sparkbrook to private tenancies in general. But what we do need to know is how much the legal relationship between the landlords and tenants, as set out in the 1968 Rent Act and other legislation, is relevant to, and infringes on, the "system of norms" that exists in the actual social situation. The question can be put: given scarcity, and the dynamics of the situation, is it really possible to regulate effectively and

humanely the landlord tenant relationship? If the answer to this question is "no" then we must query the reliance on an approach to the problems of insecurity of tenure, harassment and homelessness by legal protection rather than some more thoroughgoing reform.

FURNISHED ACCOMMODATION

Many of the worse problems of privately rented housing are concentrated in the furnished sector which now amounts to over 600,000 tenancies. Some important studies were carried out for the Francis Committee, the results of which appear in the report (*Report of the Committee on the Rent Acts*, Cmnd 4609, March 1971). These provide valuable information about the furnished rented sector.

rent levels

The average gross rent (excluding rates) paid by tenants of furnished accommodation in the Greater London area was £393 per annum. This compares with £195 per annum paid by tenants of unregistered unfurnished accommodation in the same area. As many as 51 per cent of furnished tenants in Greater London were in fact paying rents of 4 or more times gross value, compared with only 5 per cent of unregistered unfurnished tenants paying so much in the same area. These high rents meant that many tenants were paying a high proportion of their incomes on rent. Median rent as a percentage of median take home pay of heads of households was 33 per cent.

accommodation

Most furnished tenancies are very small. 25 per cent of furnished tenants in Greater London occupy accommodation of only two rooms, and 28 per cent occupy only one room. It is hardly surprising therefore that there is a great deal of overcrowding. Altogether 14 per cent of furnished tenants in Greater London live at more than 1½ persons per room. Furnished tenants also have to make do

with bad amenities. For example 58 per cent of tenants in Greater London have to share a water closet (rising to 78 per cent in the stress areas).

household types

The data produced from the 1970 tenants' survey shows that in the stress areas of Greater London furnished accommodation is often all that is available to families with children. As many as 49 per cent of furnished lettings in these areas are occupied by families with children. The heads of these families will often be in semi-skilled or unskilled jobs (54 per cent in the Greater London stress areas) and consequently earning very low wages (73 per cent of heads of households in these stress areas earned less than £20 a week net). As well as being financially deprived a significant number of these families are socially handicapped as well. As many as 21 per cent of families with children in Greater London (rising to 31 per cent in the Greater London stress areas) are fatherless families.

The picture presented by these statistics shows clearly that furnished tenants are the most underprivileged of all our housing groups. Furnished tenancies provide shelter, which is often inadequate and overcrowded, to the poor, families with children, and the socially deprived at grossly inflated rents. It should also be borne in mind that the furnished sector will become even more important in the future. The Francis Report surveys the evidence: "The 1964 survey showed the furnished share (of the then larger rented total) as 18.4 per cent in London and 10 per cent elsewhere in England and Wales. By 1967 the Family Expenditure Survey showed these figures as 23 per cent London and 15 per cent elsewhere, representing increases of 25 per cent and 50 per cent respectively. A survey carried out in September 1969 produced an estimate that 24 per cent of all private tenancies in London were furnished."

The majority of the Francis Committee clearly took heart from these figures as showing "signs of buoyancy" in an

otherwise depressed and declining rented sector. They stated: "There can be little doubt that there has been a significant 'switch' on the part of landlords from letting unfurnished to letting furnished."

This trend can only be accelerated by the Committee's decision not to recommend that furnished tenants should be granted full security of tenure, and the Government's almost indecent haste in accepting that conclusion. This will mean that more and more families will be forced into furnished accommodation as their only alternative to homelessness. Most will pay extortionate rents for scandalously inadequate housing. Their only method of reducing these rents will be to apply to rent tribunals. Those that do apply, whether for a rent reduction, or for security of tenure, will leave that accommodation within a very short period of time. The vast majority will not apply to tribunals, however, knowing this to be largely ineffective (and sometimes positively dangerous), and will be left largely without rights to wonder at the justice of a report that Mr. Julian Amery has said will "rank among the great state papers of our time."

The report *Homelessness in London* by John Greve and his colleagues clearly shows the desperate situation facing the furnished tenant. Discussing the causes of homelessness the Report states: "There was also a marked difference between the tenants of furnished and unfurnished housing. Only 15 per cent of furnished tenants lost their homes because of rent arrears compared with 40 per cent of families from private unfurnished tenancies. There was a greater tendency, too, for furnished tenants to leave after receiving a notice to quit. In some cases this was probably due to ignorance of the procedure for obtaining further security of tenure but in others it was undoubtedly due to the vigorous policy of 'encouragement' adopted by the landlord."

2. the Housing Finance Act and the private tenant

The Government's plans for a reform of housing finance became law in July 1972 with the passing of the Housing Finance Act. The centre piece of Conservative Government strategy is that all private tenants renting unfurnished accommodation and all local authority tenants should pay a "fair" rent. The concept of a "fair" rent was introduced by Labour's 1965 Rent Act to deal with those private tenancies that had been "decontrolled" by the 1957 Rent Act. The Labour Government had in mind that one day "fair" rents might also be fixed for "controlled" tenancies, and the 1965 Act allows for this. Not surprisingly no Labour Housing Minister used this power. The idea that every council tenant should also pay a "fair" rent is however the brainchild of the present Government. Critics rightly argue that the "fair" rent concept was invented specifically for a special problem ruling in the privately rented housing sector. To relate the rent levels there, which must inevitably allow for a profit, to the public sector, which is a social service and not a business, is illogical and unjust (see Roy Parker, *The Housing Finance Bill and council tenants*, CPAG 1972).

Most of the criticisms made of the Act have focussed on this aspect—"fair" rent levels in the public sector. However, the implication for the controlled private tenant is likely to be just as severe. Indeed as far as rent *increases* are concerned, the controlled tenant will be hit far harder than the average council tenant. Prior to the 1972 Act controlled tenancies could only be brought into the regulated system—and so have a "fair" rent set—if they were brought up to (or were already up to) a satisfactory physical standard, as judged by the local authority. Since the passing of the 1969 Housing Act, which introduced this provision, less than 4,000 controlled dwellings have in fact been brought up to such a level. The Government are unhappy with this rate of progress and the White Paper announced the intention of "bringing controlled tenancies more speedily into the fair rent system."

The Housing Finance Act provides for the conversion of controlled tenancies

into regulated tenancies, by stages, and the phasing of the resulting rent increases. This "phasing" involves two years delay before the full "fair" rent is recoverable by the landlord. (On the date of registration of the "fair" rent the tenant starts to pay one third of the increase, or 50p a week, whichever is greater: one year after registration a further one third is payable (or 50p): and on the second anniversary the final one third is paid.)

The Government estimates that 1.3 million tenancies are still controlled. This section of the Act is therefore of major importance to a large section of the community. It is important to consider the effects of a "decontrol" policy on households' standards of living bearing in mind the new national rent allowance scheme for private tenants.

Controlled rents are clearly low. *Fair deal for housing* stated that the typical rent for such dwellings was 85p a week outside London and £1.50 a week in London. Compared with these rents it is also clear that registered "fair" rents are often high. However, despite these higher rents, the Government argues that the system will be more just. To quote the White Paper: "At the end of the day no tenant whose rent was previously controlled will pay more than the fair rent for his accommodation. Those who cannot afford the fair rent will be helped by a rent allowance from the community instead of a subsidy from their landlord." The following example illustrates how the interaction between higher, "fair" rents and rent allowances will affect many families: A family consisting of a man, wife and two children live in a flat in London with a controlled rent of £1.50. After decontrol this rises, after two years, to £7.50 a week. As the father's income (including family allowance and family income supplement) is only £23.75 a week (which equals the "needs allowance" for a family of this size operating from April 1973) he would have to pay only 40 per cent of the "fair" rent. That is he would be eligible for a rent allowance of £4.50. However the important point to note is that he would still have to pay out £3 a week himself which is a 100 per cent in-

crease in his housing costs over two years. This example demonstrates the importance of the level of the "fair rent," which Roy Parker has discussed in the context of council housing (*The Housing Finance Bill and council tenants, op cit*).

This example will probably leave many people unimpressed. They will consider an outlay of £3 a week on housing a not unreasonable amount. However it is important to look at such a sum in the context of the man's total income. To double the rent paid by someone on poverty wages is a major policy undertaking and should be seen as such. Its implications are as important for a prices and incomes policy as they are for housing policy. It is well known that low income families spend a higher than average proportion of income on housing. For example the 1970 Family Expenditure Survey shows that of those households earning between £15 and £20 a week, 16.6 per cent of their total expenditure goes on housing, compared with 12.6 per cent for all households. Families on such low incomes will have difficulty finding extra money to pay for housing. They are already paying an abnormally high proportion of their income on basic necessities. Thus for those earning between £15 and £20 a week about 55 per cent of their total expenditure goes on just three items: housing, fuel and food. This compares with a figure of 44.6 per cent for all households and 39.2 per cent for those earning between £30 and £60 per week.

For low income families every penny clearly counts and large rent increases will have a devastating effect on standards of living. Such families will be excused for thinking that a Government that gives them a few pounds rent allowance at the same time as adding greatly to their actual housing costs has a strange view of what a "fair" rent is all about.

agreed rents

Prior to the 1972 Act the rents of regulated tenancies were supposed to be increased with the approval of the rent officer. In fact, of course, as is well known,

what actually took place could be very different. Making use of a loophole in the 1968 Rent Act certain large property companies have made nonsense of the law. As the authors of a recent enquiry stated: "Tenants, in a poor position to argue with the landlords after possibly spending weeks trying to find a flat, are agreeing to rents which the landlord has no right to recover under the terms of the Rent Act. And, because of the curious wording of the Act, no prosecution can be brought against the landlords for charging an excess rent" (Peter Hillmore and Charles Raw, "The housing finance of William Stein," *Guardian*, 16 June 1972). The Francis Committee on the Rent Acts agreed with the Freshwater Company and others and recommended repeal of the "freezing" provisions of the 1968 Rent Act—"If a landlord and tenant are able to agree a rent between themselves, it seems reasonable in principle that the agreed rent should be the regulated rent so long as they are both content with it."

The present Government agreed with the view expressed by the majority of the Francis Committee. *Fair deal for housing* states: "It is not the function of the State to interfere in private contracts freely made." It proposed (and the Housing Finance Act puts this into effect) that rent increases between landlords and tenants could be agreed in three situations:

1. When a tenancy comes out of rent control.
2. Where no rent has been registered for a regulated tenancy.
3. Where a "fair" rent for a regulated tenancy has been registered for three years.

In other words, the rents of virtually all privately rented unfurnished tenancies will be "freely" negotiable between landlord and tenant. Only those regulated tenancies with registered rents which have not yet run their full three years will be unaffected. Thus, paradoxically, legislation which is defended as extending the concept of a regulated "fair" rent to all unfurnished private tenancies could well

lead to fewer rents being determined by the rent officer.

Certain safeguards are proposed for the tenant: if he does not agree on the rent, the landlord will have to apply to the rent officer for a higher rent; agreements will have to be in writing; and in the case of tenancies coming out of control, a document in a prescribed form setting out the rent agreement will have to be lodged with the local authority. However, the general disengagement by the Government from the sphere of rent regulation entails dangers for the unfurnished tenant. Based on the idea of a free market, it assumes that landlord and tenant have equal bargaining power. The situation in fact is usually quite different. The landlord letting vacant accommodation knows that if the first comer does not agree to his rent, many others will. Existing tenants also will all too readily agree to an upward revision of their rents, either through ignorance of their right to go to the rent officer, or because of an unwillingness to cross their landlord in a period of housing scarcity. To give tenants certain rights such as written agreements, and appeal to the rent officer, is not enough. Rent increases should be allowed only after careful consideration (including inspection of the accommodation) by the rent officer.

rent allowances

The Housing Finance Act for the first time introduces subsidies for private tenants. This, in principle, is to be welcomed. The private tenant has been the main victim of our existing chaotic and inequitable housing subsidy systems. Help will be given to the poorer private tenant by means of a rent allowance. The allowances are similar to the rent rebates for council tenants. Like any means tested benefit, it is open to a number of fundamental objections (see Frank Field, "Housing and the poverty trap," *Poverty* 22, CPAG 1972). These objections—particularly those concerned with "take up" and marginal tax rates—cannot be countered by piecemeal palliatives. Instead an alternative and comprehensive reform of

housing finance, possibly involving the introduction of a universal housing allowance scheme, is required.

However, given the existence of means tested rent rebates and allowances, private tenants are likely to have more difficulties in getting means tested help than public tenants. Public tenants are, by definition, known to the local authority. It is an easy job to circularise council tenants and the rent collector can help to tell tenants about their entitlement. In the majority of authorities that already operated their own rent rebate schemes, particular attention could be paid to those already receiving a rebate, for they would also be likely to receive one under the national scheme. The private tenant presents the local authority with a different and more difficult task. An authority will not have an up to date estimate of how many private tenants live in their area; they will certainly not know where they all live. Effective publicity about the rent allowance scheme will consequently be difficult. Certain groups of private tenants (particularly some furnished tenants) are relatively mobile, so that the constant up dating of records will be a major task.

An indication of the problems facing councils is provided by Birmingham which has pioneered a rent allowance scheme for both unfurnished and furnished private tenants. The take up of these allowances has been pathetically low. The Housing Committee's chairman has said: "After operating the Birmingham scheme for twelve months, our first reaction is surprise at the small number of people who have taken advantage of it." Birmingham had estimated that of the authority's 60,000 private tenants, 6,000 would benefit from an allowance. In fact, only 1,000 applications had been received, of which 250 were eligible (Freda Cocks, "Housing allowances for private tenants—Birmingham's experience," *Housing review*, January-February 1972).

3. a new approach

As the last chapter showed the major "problem" is the numerical decline of the privately rented sector, which has gone on since the turn of the century. One aspect of this decline is that few new houses for private letting have been built since the end of the first World War. Consequently, today, more than one in five private tenancies is "unfit for human habitation" and most of the remainder are substandard in some respect. Rents still vary tremendously from one tenancy to another for no logical reason. Many of the poorest in the community who take refuge in the sector find it continually difficult to make ends meet. In the furnished sector high rents are paid for appalling accommodation. Here, security of tenure in the legal sense is only minimal, and, in practice, it is less than that. Exercise of legal "rights" can become a hazardous exercise. Even in the unfurnished sector, where security of tenure is guaranteed by law, too often in practice the story is far from satisfactory. The Housing Finance Act's main effect will be very much higher rent levels for the controlled tenant. The granting of a rent allowance to private tenants is a good step forward in principle. In practice the effect of higher rents, the non-take-up of the means tested allowances and the extremely high "marginal rates of taxation," which will affect those households claiming this and other means tested benefits, will mean that many private tenants will be adversely affected by the legislation. All in all the accumulated problems of the privately rented sector add up to what can be called the major disaster area of British housing.

Not that its problems have been neglected by successive Governments. The 1964 Protection from Eviction Act and the 1965 Rent Act were designed to give unfurnished tenants security and the latter put a brake on extortionate rent rises. The 1969 Housing Act sought to mount an attack on physical squalor and decay, much of which occurs in this sector. The latest legislation, the 1972 Housing Finance Act introduces rent allowances for private tenants. But there has been no piece of legislation to cope with, and no government has sought to tackle, the pro-

blems of the private rented sector as a whole. In short a comprehensive strategy has been lacking. From the review of policies presented it is clear that piecemeal approaches will inevitably fail. The Housing Finance Act will underline this fact, rather than disprove it. But what would such a comprehensive strategy entail? There are two possibilities. Policies can be pursued in an attempt to revitalise the privately rented sector or a policy of social ownership of privately rented housing can be followed. There is no doubt that the revitalisation of the private market would entail a whole range of inter-related financial, fiscal and other housing policies. It is not the purpose of this pamphlet to spell out in detail the policies required to achieve revitalisation. However compared with the situation ruling in early 1972 four changes would be essential. First, higher rent levels would be required. This would basically involve the "freeing" of tenancies at present controlled. Regulated "fair" rents would be more popular with landlords than "control," but logically a complete withdrawal by government from the field of rent fixing would be necessary to restore landlord confidence. This would, of course, have implications for security of tenure. As the experience of the late 1950s and early 1960s showed security of tenure without rent control or regulation is meaningless. A second policy would be the granting of housing subsidies to the poorer private tenants. This would help to ensure that the poor and the deprived—increasingly the main candidates for private tenancies—have sufficient incomes to pay the higher rents needed to ensure adequate landlord profits. Thirdly, fiscal reform is required to make certain that the vagaries of the British tax system do not prevent investors from conducting their housing business in a business like way. After the second World War, perhaps even fifteen years ago, these three policies might have succeeded in injecting much needed life into private landlordism. Today, however, more would be needed. A fourth policy initiative would be required to encourage, on the one hand, present landlords to keep at their jobs and, on the other, new investors to put their money

into modern housing to let. Such "encouragement" might involve even bolder fiscal reforms to ensure that not only is the landlord not discriminated against by the tax system, but that he is positively favoured by it. Another possibility would be to pay a grant for every unit of accommodation provided by a landlord.

It can, of course, now be seen that the Conservative Government has adopted some of the above policies, that is the end of rent control and the introduction of rent allowances for tenants. But these two policies alone will not ensure "revitalisation" and the Government knows it. There are no signs that the other policies required for a comprehensive strategy will be forthcoming. In fact it is strongly arguable that even the complete implementation of such a comprehensive strategy would meet with failure. After almost sixty years of direct central government involvement in the affairs of private landlordism that institution is in a sorry state. It is certainly not at the "get set" position waiting for a kindly government to fire the much awaited starter's gun. Indeed one of the most salient features of the situation is the age of the typical landlord. "Revitalisation" policies may make sense if one is dealing with "economic men," but it is known that, typically, private landlords are far from being this. John Greve has shown that 70 per cent of individual landlords were aged 51 and over and 43 per cent were at least 60 years old. Also 41 per cent of all landlords owned only one tenancy. Undoubtedly company landlords owning hundreds of dwellings do exist, and these may well respond to financial inducements to improve their property. The typical private landlord will not respond in such a way. He (or more normally she) will be in her sixties or seventies, owning only one house, which is considered more of a liability than an asset. It is then unlikely that policies to encourage the growth of private investment in housing to let would be successful, even if such policies were ever implemented.

The socialist, of course, will view the problem differently. He will regard housing to let as an inappropriate activity for the

private market. He will basically regard the decline of the private landlord favourably, even though he will recognise that there are many human problems thrown up as a consequence. The socialist will be opposed to the implementation of policies designed to bolster up private landlordism. Rather he will look to policies to put effect to the idea of housing as a "social service," although he is not too sure what that would mean in detail. But the socialist must also realise that to reject revitalisation of private landlordism as a policy goal is not enough. For the decline of the private landlord has brought, and is still bringing, acute misery to many families. The lucky ones escape from private lettings to either owner occupation or council housing. But the escape routes away from the inner city areas are not available to all. More and more people can regard the private letting as a temporary shelter, to be endured in the short term—a stepping stone to better things. For many, however, it is long term housing, the last refuge as well as the first, to be endured for life. And the many, who have to so regard it, are competing with the rest for a scarce commodity. For the poor and the underprivileged, the unmarried mother and her child, the immigrant and the large family the decline of the private landlord is not a cause for ideological satisfaction, rather a grim reality. The alternative to a shrugging acceptance of this situation, and piecemeal attempts to ward off its worst excessive consequences, is a policy of social ownership: the taking in to public ownership of privately rented housing.

SOCIAL OWNERSHIP: THE ADVANTAGES

One of the most important results of a social ownership policy would be the saving of hundreds of thousands of houses and flats for those in the greatest housing need. Between 1966-70 an annual average of 135,000 dwellings have been lost by the privately rented sector. A large number of these go in slum clearance, but many are bought by owner-occupiers—often in the inner city areas where pressures are greatest. This accommodation

would be saved by social ownership and the effect on the housing market would be marked. In addition to this several other specific advantages would result from social ownership. These concern the physical condition of this accommodation ; rents and subsidies ; security of tenure ; distribution and allocation ; and the future role of public sector housing.

improvements

The size of the slum problem as it affects private tenancies has been discussed. Obviously a policy of social ownership would not lead to an immediate, dramatic improvement in conditions. But to put it at its mildest, it can be said that publicly responsible bodies would do an immeasurably better job than private landlords have done in the past. The possibilities of large scale, systematic repair and improvement work are obvious. Determined public bodies could retrieve hundreds of thousands of dwellings from slum and near slum conditions.

In general improvement areas the administrative task would be eased fundamentally with social ownership. At the current time the presence of hundreds of private tenancies, with owners either unable or unwilling to improve their dwellings, is a major factor standing in the way of comprehensive area improvement. Private landlordism is making area improvement a 15-20 year task instead of a 3-5 year task. Between 30 September 1969 and 30 June 1972, 417 General Improvement Areas had been declared. Within these, grants have been approved for only 2,294 privately tenanted dwellings. In less than half of these work had been completed (Parliamentary Written Answer, 27 July 1972). Social ownership would dramatically speed up the process. Just as important, it would also ensure that existing families benefited from the improved houses and environment. The day of the get rich quick speculator, building up his bank balance with public money, would be over. At the moment area improvement often means anxiety, stress and hardship. While not removing all the headaches, a policy of social ownership

would enable urgent improvement to be carried out, with sympathy and responsibility.

rents and subsidies

It is now generally accepted that the system of housing finance is both irrational and inequitable. Many accept the need for reform. The Conservatives have put their faith in higher rents and means tested allowances, while others have called for a national housing allowance. If privately rented housing were to be taken into public ownership, this situation would remain. However, social ownership would be a step nearer a sane and just subsidy and financial policy. In any one area a public authority (or authorities) would be responsible for fixing all rents, and this would certainly lead to fairness when one tenancy was compared to the next. It would also mean, if rent rebates were to be retained, that there would be a better chance of eligible households receiving their entitlement. Although any means tested scheme is bound to be inefficient to some degree, a scheme designed to give allowances to private tenancies will be more inefficient than most as the Housing Finance Act is likely to prove.

It is undeniable that extortionate rents are often paid (particularly in the furnished sector). The "fair" rent machinery may well bring down the higher rents, but most of the tenants paying such high rents do not go to the rent officer. Furnished tenants can apply to the rent tribunal for rent reductions, but they should not be surprised when this leads to a notice to quit. The advantages of government intervention in the fixing of rents seems unquestionable, but recent experience leads to the conclusion that this cannot miraculously bring into being a universal system of fair and just rents. (Even where "fair" rents are fixed by rent officers, there seems to be no guarantee that higher rents will not in fact be paid. Research carried out for the Francis Committee showed that 16 per cent of tenants of "registered" accommodation were paying £25 or more per annum than the registered rent, and 6 per cent were paying £100 or

more than the registered rent.) However, the administration of these tenancies by publicly accountable bodies is more likely to lead to reasonable rents being charged than is the case in the private market. One must not overstate this point. Most local authorities have increased their rents considerably—and some quite dramatically—over the last four to five years. The Housing Finance Act now requires local authorities to pursue a high rent policy. Social ownership would therefore not mean universal rent reductions. Indeed, some rents would go up particularly if repairs and improvements were carried out. What can be said, nevertheless, is that social ownership would result in more reasonable rents being paid than is at present the case. The success of such a programme depends to a great extent on the policies adopted by a future Labour Government in the field of housing finance. Labour is committed to abolishing “fair” rents in the public sector and something must take their place. Possibly more important is the question of subsidies. Having so energetically attacked the massive means testing involved in the Housing Finance Act, a Labour Administration will find it difficult to maintain means tested housing aid, albeit on a reduced scale. Indeed it is arguable that means testing a small minority is more stigmatising and therefore less effective (take up rates will be lower) than means testing large numbers. Attention should therefore be given to the possibility of introducing a universal housing allowance scheme to be administered as part of the fiscal system. Housing allowances should be paid according to need and regardless of tenure. They should be progressive in effect whilst avoiding the indignity and inefficiency of a means test. Existing subsidies would be abolished and thus end the inequality whereby the richest members of our society receive the largest amount of financial support.

security of tenure

Earlier in this pamphlet it was argued that a good deal of insecurity of tenure exists in the privately rented housing market. This is particularly the case with fur-

nished accommodation, but the situation also can arise in unfurnished tenancies in certain circumstances. It was further argued that, regardless of the legal position, insecurity is inherent in the dynamics of the landlord tenant relationship. The transfer of these tenancies to a publicly responsible body would therefore greatly ease the situation—particularly in areas of great housing shortage—literally overnight. This can be fairly definitely asserted despite the inadequate legal rights possessed by the council tenant. Despite tenants’ lack of any real security of tenure, most local authorities in practice carry out their responsibilities more humanely than they are required to do under law. The main point being made, therefore, is not that local authorities are all angelic administrators, many certainly are not, but that, on the issue of security at least, they are significantly more humane and responsible than are many private landlords. However a future Labour Government should legislate to give all public tenants adequate security of tenure, at least up to that currently possessed by private unfurnished tenants. Where appropriate, leases should be given to tenants. These particular points are, in fact, part of a much larger debate about the status and rights of tenants (Della Adam Nevitt, *Fair deal for Householders*, Fabian research series 297). The debate is an important one now: social ownership would make it even more so.

distribution and allocation

At the present time local authorities have no control over the distribution and allocation of private tenancies. The result is that some families live in grossly overcrowded accommodation, while some single people live in relatively large dwellings, two or three rooms of which are never occupied. Given social ownership, this accommodation could be more fairly distributed according to need. Naturally no attempt should be made to move families or others who have no wish to move, but, for example, local authorities might be able to rehouse an old lady from a three-bedroom terrace house to a new old person’s flat, if she was agreeable to this.

This would not only help that old person, but would also enable the authority to rehouse a previously overcrowded family. Perhaps, in the longer term, of more importance would be the local authorities' control over the letting of dwellings that become vacant through death and movement. At the present time many local authorities rehouse more tenants through vacancies than they do through newly constructed dwellings. A policy of social ownership would mean that authorities would be able to rehouse more people each year in this way. The overall effect would be the more equitable distribution of the housing stock. Council housing, today, very largely means three bedroom houses. This presents difficulties when the authorities try to house households which are not the "typical" family with two or three children, who normally are to be found in council accommodation. If authorities were to gain control over the allocation of private tenancies, they would find themselves with a very large number of small units of accommodation, as well as some quite large ones. This would benefit large families and single people whom authorities are sometimes forced to neglect or house inadequately.

a new role for housing authorities

Not least among the advantages of a policy of social ownership, although less direct, would be the resulting change in the image of council housing. At present society often has an image of the "council house" and the "council tenant" which is good neither for housing policy nor social cohesiveness. It is unfortunately an image which makes for social segregation in general and, in particular, makes many households shy away from the thought of becoming council tenants themselves. This "image" is, at least partially, the result of the history of council housing and its planning. Large, segregated council estates on the outskirts of towns have fostered in the minds of some the idea that council tenants are somehow something apart from the normal citizenry. If, as a result of social ownership, local authorities were to become responsible for a whole range of housing units,

this would do much to change society's ideas about housing policy.

Social ownership also would mean local authorities taking on a new housing role. Whereas at present local authorities have no real legal obligation to rehouse anyone, if they were to become the owners and administrators of the vast majority of rented accommodation, they would have to take on a duty to house anyone who required housing. This would not be an easy task, but given their new control over a very substantial proportion of accommodation units, by no means an impossible one. It would necessitate a major revolution in the practice of housing management. But if we really mean it when we say that the problem of homelessness must be overcome and if we really are sincere when we call for housing to become "a social service," then the challenges must be taken up. A great benefit of this approach is that it would make authorities responsible for many underprivileged and vulnerable groups, for example, fatherless families, immigrants and the single, who are very often ignored at present. This would make local authorities take, in the words of the Seebohm Report, "a comprehensive and extended view of their responsibilities to meet the housing needs of their areas."

However, although local authorities would have to meet the housing needs of the least privileged, they would also become responsible for many other groups. Anthony Crosland made this point in a *Guardian* article (16 June 1972), "... local authorities will become the main provider of unfurnished rented housing: and the notion that council housing is a welfare service only for those who cannot afford to buy will seem more and more wrong headed. For people from a variety of occupations, backgrounds, income levels and ages will always positively prefer renting to buying—elderly people too old to take out a mortgage, unmarried professional workers, widowed or divorced people, mobile workers, students, and so on. Local authorities must now take responsibility for meeting the total demand for rented accommodation from whatever source it comes."

4. social ownership in practice

Given the acceptance of a policy of social ownership of privately rented housing what proportion of the stock should be acquired? The recommendation of this pamphlet is that the vast majority of private lettings should become socially owned. Undoubtedly the case made out for this policy will vary in emphasis from one area to the next. In areas of acute housing shortage and stress—where insecurity and harassment are common place—social acquisition would be most urgently required. Inner London is an obvious candidate for such prompt action. However the policy is of as much relevance where the major problem is one of substandard housing. For example, although the problem of shortage is not so important in many parts of the North of England, social ownership is the only real and effective answer to the housing urgently requiring repairs and improvement. It is worth noting in this context that, according to the 1971 House Condition Survey, whereas 4 per cent of all housing in the South East is unfit, as much as 10.1 per cent of the stock in the North is unfit.

Nonetheless, some parts of the country may have no housing problems. The supply of housing will be ample to meet the demand; local authority housing plentiful; and any slums that remain will be cleared in the foreseeable future. Here a policy of social ownership, although preferable to private landlordism by ensuring better management of accommodation for example, may lack the urgency it has in other parts of the country. In these areas, perhaps, private landlordism can continue its inevitable decline without leaving behind social casualties.

In administrative terms a Labour Government, carrying out a social ownership programme, should assume that the vast majority of private tenancies would be acquired. High priority should be given to the programme. Delay would mean the loss of hundreds of thousands of homes that are urgently needed by low income households. A four year programme should therefore be drawn up. Local authority areas should be divided into three groups. First, areas of acute housing stress.

Here local authorities would be required to complete the acquisition of all private lettings within 18 months. Second, those local authorities in areas with major housing problems, typically slum housing, would be required to complete their programmes of acquisition within four years. Third, a list of local authorities in areas lacking major housing problems should be drawn up by the Housing Minister, after consultation with local authorities. These local authorities would then be given the choice as to whether they take over all privately rented housing in their areas; or some proportion of it; or leave the accommodation in private ownership.

service tenancies

The underlying principle when applying the policy of social ownership to service tenancies should be that it is wrong for a man and his family to rely on both a living and a house from the same person. The agricultural tied cottage demonstrates the dangers of the service tenancies most clearly but the problem exists in other industries as well. The experience of losing a home or a job is a bad one for any family to go through. To lose both at once is too traumatic a situation for it to be allowed to continue.

The next Labour Government should divide service tenancies into two groups. The first group would include all those tenancies in which it was not essential for that particular business's employees to live. These should be compulsorily acquired in the normal way. The second group would consist of accommodation where it was absolutely essential that the owner's employees live in them. (This is the case, the National Farmers' Union would argue, with many agricultural tied cottages). In these cases the management of the tenancies should become the responsibility of the local authority in a similar way as is proposed for some "shared accommodation" (see appendix). In the case of service tenancies, the letting of accommodation falling vacant would obviously be the responsibility of the landlord/employer. Service tenants who

left their employment would be rehoused by the local authority. Under these arrangements the link between house and job would be ended and the often semi-feudal relationship that exists between employer and employee would be severely and healthily jolted.

what form of social ownership?

As has been seen, the Labour Party's policy in the 1950s was for "municipalisation"—the public ownership of private lettings by local authorities. This pamphlet has deliberately spoken of "social ownership." A major problem of a straightforward municipalisation policy is that of monopoly. The Labour Movement has traditionally confused public ownership with monopoly. For privately rented housing, at least, this must be avoided. Simple municipalisation would mean one public body controlling all rented accommodation in an area. This would be extremely undesirable. At worst it could lead to grave abuse and the victimisation of individuals who had displeased the local council. It would also give less incentive to innovations in housing management which could well occur given healthy rivalry between different public bodies fulfilling the same role. The absence of a monopoly would better ensure that minority social groups were given their proper consideration.

Social ownership, in practice, therefore, should mean a variety of publicly responsible bodies providing housing. In administrative terms the responsibility of initially acquiring private lettings should rest with local authorities. Under the 1972 Local Government Act the major housing authorities will be the district councils. These (and the London Boroughs) should carry out the major role in the acquisition programme. However, it is arguable that in order to develop a regional strategy and to allow for the diversification of ownership, the county authorities (and the Greater London Council) should acquire some set proportion of property themselves.

The acquiring authorities should not,

however, keep all the accommodation in the long-term. They should seek to hand over a fair proportion to housing associations and co-operatives as soon as possible. Councils should not only look to existing housing associations: they must also actively encourage tenants to form co-operatives to take-over and manage their own homes with the local authority providing professional and technical expertise as required. Local authorities would be wise to restrict the number of voluntary housing bodies with whom they were dealing. Diversification should be the aim but a confusing and inefficient multitude of small organisations must be avoided. Instead of putting the burden on local authorities an alternative approach would be for the Government itself to acquire large amounts of privately rented property. It could set up a Social Housing Authority to carry out the task. The Social Housing Authority would have a dual role: one, to act in the long-term as a substantial provider of rented accommodation in the local community and two, to transfer some of its housing to associations and cooperatives. The urgency it could give to the programme would be the major advantage of such central control.

A Social Housing Authority, or a similar body, would, however, take some time to be fully operational. It would also be necessary to set up local administrative units alongside existing housing authorities. For these reasons, allied to a desire to strengthen local government, it would seem sensible to put the first responsibility for acquisition firmly on to the shoulders of local councils. Nevertheless a Social Housing Authority should be set up immediately on the return to power of a Labour Government. It would have three tasks.

Firstly it would serve as an advisory body to local councils, housing associations and co-operatives on the policies, procedures and methods concerning social ownership.

Secondly, in areas with particular difficulties, it should be ready, at the request of either the local council or the Housing Minister, to step in and help the local authority in its acquisition programme.

Thirdly, where local authorities were either refusing to carry out a policy of acquisition or were delaying its implementation, the Social Housing Authority should be empowered, at the request of the Housing Minister, to itself carry out the policy in that community.

When setting out the advantages of social ownership in different areas—improvement, rents and allowancies, allocation—the implication was that local authorities were to be the sole bodies involved. Having now argued that housing associations and co-operatives could take over and manage some of the accommodation, the criticism might be made that many of the advantages concerned with efficiency and rationality would disappear.

There is perhaps a grain of truth in this, but it should not be exaggerated. For example, when a local authority in the future declares a general improvement area it might contain, apart from owner-occupied dwellings and council housing, housing owned by, say, two or three associations or co-operatives. Discussion and negotiation would obviously be necessary with these bodies. But they would quite naturally be eager to improve their houses. This is a far different situation to one, say, where a local authority is dealing with sixty or seventy different landlords, most of whom are either opposed or apathetic to the prospect of improvement of their properties.

Rent policy and the allocation of housing would pose important questions. Should these housing bodies be able to decide their own rent levels or should central government or the local authority lay down strict guidelines, or even fix rents themselves? It would be wrong for a local authority to allocate all of a co-operative's housing, but should it have a quota? Should the local authority set out legally binding criteria? These, and others like them, are all critical questions and the answers are not obvious. But even if maximum discretion was left to the associations and co-operatives (as some would argue it should be) the resulting situation would be very different, and very much more efficient and rational

than the existing private market situation of thousands of landlords in every locality settling important issues according to no clearly established, and often extremely inequitable, criteria. Social ownership would certainly be less clear and straightforward than "municipalisation," but this small price would be worth paying for the boost to democracy and participation that would follow.

exemptions

In the areas where local authorities and other bodies will be taking privately let dwellings into social ownership, the following categories of accommodation should be exempt from compulsory purchase.

Shared accommodation. It has been said that the most deprived housing group is that living in furnished accommodation. These tenants are often very poor, and yet pay high average rents, many are socially handicapped and most occupy inadequate accommodation. None has full security of tenure. Furnished tenants who occupy lettings owned by landlords who live elsewhere should have their tenancies treated like any other and be taken into social ownership. But often the landlord partially occupies the premises, (for example, a terraced house whose owner lives on the ground floor but lets out the top). This is a situation that affects some unfurnished tenants. It would seem undesirable to take these sort of dwellings into public ownership compulsorily. Rather, three options should be open to the landlord. First, he should be allowed to sell his house to the local authority and remain occupying part of it as a local authority tenant, or (if more appropriate) be re-housed by the authority. This would be a good option for many old persons who would receive a good capital sum in compensation to supplement their often meagre retirement income. They also would be freed from the anxiety of repairs and maintenance. Secondly, he should be able to enter into a tenancy agreement with the local authority whereby the authority take control of the management of the accommodation—

rent collection, allocation when a vacancy occurs, and so on—in return for which the landlord would receive a fee from the local authority. The details and advantages of this proposal are described in the appendix. The third option open to the landlord of shared accommodation would be to retain full control over the letting of the tenancy. In this case, however, furnished tenants should have the full security of tenure possessed by unfurnished tenants.

Temporary landlords. A small proportion of private landlords will be persons who are basically owner-occupiers but who, for varying reasons, have let out their homes for short periods of time. Such persons would include those temporarily working overseas, for example servicemen, but who own homes in this country and those who have bought homes in the country or by the sea for their retirement.

Special circumstances. Some tenants will live in accommodation that is owned by a member of their family. In such cases, providing both landlord and tenant are in agreement, the accommodation will not be taken into social ownership. In any other cases where there are strong personal and other reasons why accommodation should not be acquired, exemption should be allowed.

Independent appeal. The granting of exemptions would be the responsibility of the local housing authority. There must be a right of appeal, however, to an independent tribunal where owners feel dissatisfied by a decision. Members of appeal tribunals should be appointed by the Secretary of State.

cost and compensation

The cost of any social ownership policy, however compensation is calculated, will obviously be high in gross terms. Nevertheless, it needs to be remembered that the housing acquired is an income yielding asset which will pay for itself over a period of years.

The first question to consider is how

many dwellings will be acquired. In December 1971 there were 2,682,000 dwellings being rented from private owners in Great Britain. Assuming that a Labour Government will be returned to power in 1975, and that up till then the sector will decline at the rate of about 110,000 dwellings per annum, there will be approximately 2,300,000 privately let dwellings in mid-1975. Of this total some proportion will be exempt from social ownership owing to special circumstances (like shared accommodation) and other dwellings will be excluded as they exist in areas with no major housing problems where the local authority takes the option of leaving accommodation privately owned.

On the other hand service tenancies, eligible for acquisition, are not included in the above figures. It therefore seems reasonable to assume that in 1975 there will be between 1.5 and 1.75 million dwellings eligible for social ownership. Compensation should be assessed according to whether the dwelling is "fit" or "unfit." For unfit accommodation compensation is presently based on site value. However tenanted houses qualify for larger payments if they have been well maintained. This procedure should be followed in the case of social ownership. We can therefore assume that roughly one-fifth of all acquired accommodation will be taken over relatively cheaply. If the average compensation paid was £1000, the cost of acquiring all the "unfit" housing would be between £300 million and £350 million.

As for the remaining "fit" accommodation, a future Labour Government could here simply use existing methods of valuation and compensation. This might, however, over-compensate owners of certain forms of rented housing, for example multiple-occupied housing. The advantages and disadvantages of the present compensation system would need to be carefully considered. However, alternative proposals should also be investigated. One such proposal is outlined here. The starting point for this proposal is that compensation should be paid for the loss of an income-yielding asset. The landlord's annual income would be rent re-

ceived minus tax, the cost of insurance and repairs and certain other expenses. Rent should mean the "fair" rent as assessed by the Rent Officer. This should apply regardless of whether the "fair" rent was being paid or not (a landlord who is asking for a lower rent than he is entitled to, should not be discriminated against).

Compensation would consist of some multiple of the landlord's annual income. The appropriate multiple to be used would vary from case to case and would depend on the condition of the particular dwelling. A house on the verge of "unfitness" may well merit a multiple of only one or two. Conversely some accommodation will have a very long life ahead of it. There should be a "ceiling" on the compensation paid: in no case should it exceed the market price of the dwelling, with a tenant in possession with full security of tenure.

The calculation of compensation for each dwelling would be a huge task, in which the Rent Officer and the District Valuer would be playing a full part. It is impossible to say precisely what the cost of compensation for the average "fit" dwelling would come to. For the rest of this section, however, the assumption will be made that for the average dwelling a multiple of ten times the "fair" rent will be applicable. Between January 1966 and March 1970 the average "fair" rent in England and Wales was £201 per annum. To use this figure would make no allowance for inflation. Nor, however, does it allow for the fact that, on the whole, registered regulated accommodation has been of a better quality than unregistered (fewer rooms, for example have been registered). Nor does it allow for the probable fact that "fair" rents for the formerly (prior to the 1972 Act) "controlled" tenancies will be lower than for those "regulated" by the 1965 Rent Act, due to their inferior physical condition. On the whole, then, an average annual "fair" rent of £200 seems a reasonable working assumption.

Given all the assumptions that have been made the cost of compensation for the

1,150,000 to 1,450,000 "fit" dwellings to be acquired would be between £2,300 million and £2,900 million. Add to that sum the costs for acquiring "unfit" housing and the total cost would be between £2,600 million and £3,250 million. Given a four year programme of acquisition this means an annual cost of between £650 million and £812 million. Such an amount compares with an annual defence expenditure of over £2,000 million, the £1,000 million spent on the development of Concorde, the £2,500 million advanced annually by the building societies on new mortgages, and the £340 million of subsidies every year to owner occupiers in the form of income tax relief on mortgages. If such sums of compensation could be paid out immediately to owners so much the better. If not, compensation could be awarded in the form of bonds, with interest payable. Those compensated would preferably be given the choice as to whether they cashed in their bonds straight away, or kept them and received interest. If the economic climate made it undesirable to compensate bond holders at once, some incentive, such as tax free interest should be introduced. In any case the aim should be to pay off bond holders as soon as possible, say over ten years. When considering the costs of social ownership, however, it should be emphasised that what has been acquired is an income producing asset. Over a period of, say, ten years the asset will pay for itself. In fact the "cost" of this major advance in social policy will be remarkably little.

CONCLUSION

The privately rented sector is the major disaster area of British housing. The sector has been in decline during the whole of this century, and yet demand for this accommodation is still extremely high. The consequences have been, are, and will continue to be tragic. Greve in his report on homelessness has stated: "As the competition for the diminishing supply of rented housing in the older parts of London intensifies it can be expected that more and more of the weakest, the most poorly equipped, and the most burdened with personal or financial

difficulties will become victims. For many of them this will take the form of homelessness, disruption of family life—possibly resulting in the permanent dissolution of the household—and the transfer of children into care.” His analysis has relevance to other cities.

Governments have offered various piecemeal “solutions” to each of the problems (improvement, security, harassment, rents) but *no* Government has confronted the problem head on, and produced a comprehensive strategy. A logical strategy for a Conservative Government would be a policy to revitalise the private market for rented housing. The Housing Finance Act falls short of such a policy. The equally logical strategy for a Labour Government would be social ownership. To explore future policy concerning one area of housing, while saying little or nothing about others, can be over simplistic at best and misleading at worst. The maintenance of certain existing policies and the introduction of new ones would be required to make social ownership a success: improvement grants; new construction; changes in management practice; security of tenure; and tenants’ participation are some examples. One of the most important reforms required is that of housing subsidies. The possibility of introducing a housing allowance scheme should be explored.

It is also important to consider the owner occupied sector in a future where most rented housing will be socially owned. The Labour Party has always supported owner occupation and encouraged its development. However, unlike some of its political opponents, Labour understands the housing problems facing those for whom the “dream” of owning their own home is merely that. A future Labour Government should seek to extend the opportunities of home ownership to more of those on lower incomes. Once the social ownership programme is under way, local authorities should be prepared to sell some of their newly acquired accommodation to sitting tenants.

A long term goal of housing policy should be to end the social divisions between

owners and tenants. One way to achieve this is to recognise that there are many different groups who, at some time in their lives, will need to rent rather than buy. Local authorities should be increasingly willing to meet this need.

It can now be seen that official Party policy is moving in the direction of social ownership. But little detailed thinking about such a policy has been done. A mere exhortation to local authorities by a future Labour Government would be chronically inadequate. Precise plans will be required and these need to be backed up by meaningful central Government powers. The Party need to start work now on the details of a social ownership programme. The 1972 Housing Finance Act shows that a Conservative Government has the courage of its conviction in housing. Will the same be true of a future Labour Government?

major recommendations

1. The next Labour Government should give high priority to social ownership of the majority of privately rented housing.
2. A four year programme should be drawn up. Local authority areas should be divided into three groups. In areas of acute housing stress, accommodation should be taken over within 18 months. In areas with major housing problems, acquisition should be completed within four years. Areas that lack major housing problems should be exempted from social ownership if the local authority so chooses.
3. Local authorities should initially acquire the rented accommodation. However they should be under an obligation to hand over some proportion to housing associations and co-operatives.
4. A Social Housing Authority should be created. It should serve as an advisory body on social ownership. It should also be empowered to acquire accommodation where either a local council cannot carry out the whole programme itself, or is unwilling to implement the policy.

appendix: shared accommodation: tenancy agreements

A substantial proportion of furnished tenants, as well as some unfurnished tenants, live in accommodation that is shared with their landlord. In the section on shared accommodation three options were set out for such a landlord under a social ownership policy. One of these was that he should be able to enter into a tenancy agreement with the local authority. In practice this would mean that responsibility for the conditions of tenancy—the rent charged, responsibility for maintenance, decoration, the letting of the tenancy when vacant, notice to quit, and so on—would be that of the authority.

In return the owner would receive a reasonable income from the local authority corresponding to a rent judged reasonable for the premises. Such an arrangement will have advantages for both the owner and the tenant. The chief advantage to the owner will be the knowledge that he will receive a steady income for the use by the local authority of part of his accommodation. (Where the owner and local authority enter into such a contract, it would seem right for the owner to receive an income whether or not the premises are occupied—the letting of the premises being the responsibility of the authority.) The arrangement would also protect owners from bad tenants. Where tenants were shown to be irresponsible or undesirable the local authority would have the responsibility to give notice to quit, and be responsible for re-housing the tenant elsewhere. Where possible, local authorities should offer improvement grants and other financial help to owners to make the tenanted accommodation self-contained for the benefit of both tenant and landlord.

The advantages to the tenant of such an arrangement would be enormous. Many rents would be immediately reduced (some quite substantially in the case of furnished tenancies). Tenants would have security of tenure—although subject to the local authorities being able to give notice to quit (which could only lead to an eviction with county court approval). There would be less likelihood of harrassment from landlords, there being no real incentive for the landlords to harrass. Repairs and

improvements would be more likely to be carried out. In more general terms the whole housing future of these tenants would be more secure and hopeful. They would be eligible for transfer to local authority unfurnished tenancies or (because of lower rents) able to save up to buy their own houses.

This policy of landlord and local authority entering into tenancy agreements could lead to an increase of accommodation available for letting. Some house owners who are tired of the responsibility of acting as landlords might continue to let out part of their houses if the local authority would take over responsibility. It is arguable that such a policy, as advocated here, would positively encourage some owners to "let" their accommodation for the first time. The knowledge that they would be dealing with a public, responsible body, who would deal with the selection of tenants, collect rents, look after the maintenance of the accommodation and so on, may prove very attractive to many owner occupiers, who shy away from the idea of becoming true landlords.

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