

CABINET

26th January 2024

REPORT OF THE PORTFOLIO HOLDER FOR HOUSING AND PLANNING

A.5 CONSIDERATION AND ADOPTION OF HOUSING POLICIES ON TEMPORARY ACCOMMODATION, DEPOSIT GUARANTEE SCHEME AND HOMELESSNESS PREVENTION

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To present to Cabinet three new/revised housing policies:

- Temporary Accommodation Policy
- Deposit Guarantee Policy
- Homelessness Prevention Policy

These policies are presented for approval and adoption.

EXECUTIVE SUMMARY

This report presents three housing policies for approval. The policies formalise some of the extensive work that is already undertaken by the Housing Solutions service in assisting those who are homeless or threatened with homelessness.

The adoption of these policies will ensure that the Council has a clear framework in place in respect of activities associated with the prevention and relief of homelessness. The Council, along with other local housing authorities has experienced a year on year increase in homelessness presentations for several years now. The current cost of living crisis means that trend is unlikely to be reversed in the immediate future.

The increase in homelessness presentations places increasing pressure on the Housing Solutions Team as they seek to provide support to our residents at what is likely to be one of the most difficult periods in their life. Sourcing further, suitable temporary accommodation for those that need it is becoming more challenging, especially as we aim not to place outside of the district unless there are no other options.

The Temporary Accommodation Policy sets out how temporary accommodation will be offered, the terms under which it is offered and nature of the accommodation that will be made available. This policy is especially relevant as we draw closer to bringing Spendells House back into use as a dedicated temporary accommodation scheme.

The Deposit Guarantee Policy ensures that we have control over the provision of rent deposits for those persons who we assist into privately rented accommodation. Spending on rent deposits has grown significantly over recent years and a focus on offering a deposit guarantee does not incur the same level of expenditure and will contribute to the operation of a more efficient

homelessness service, making better use of the Homelessness Prevention Grant.

Homelessness Prevention is the approach that should become our priority and this dedicated policy sets out the options available and how the Council will use them to the best effect to support residents of the district when they are threatened with homelessness.

RECOMMENDATION(S)

That Cabinet:

- 1) considers and agrees to adopt the following policies:**
 - a) Temporary Accommodation Policy;**
 - b) Deposit Guarantee Policy;**
 - c) Homelessness Prevention Policy;**
- 2) authorises their direct implementation; and**
- 3) delegates authority to the Corporate Director (Operations and Delivery) to make future updates or amendments to each policy in consultation with the Portfolio Holder with responsibility for Housing.**

REASON(S) FOR THE RECOMMENDATION(S)

The recommendations are to ensure that the policies are appropriately adopted, in accordance with the Council's constitution.

ALTERNATIVE OPTIONS CONSIDERED

The only alternative options considered were to not set in place these policies. Whilst this is a viable alternative option it does leave the Council exposed in the event of a challenge or complaint. The absence of suitable policies also makes the day to day operation of the service more difficult with the potential for inconsistencies in approach.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

These policies contribute to a number of Corporate Plan 2024-28 themes:

- Pride in our area and services to residents
- Raising aspirations and creating opportunities
- Working with partners to improve quality of life
- Financial sustainability and openness

OUTCOME OF CONSULTATION AND ENGAGEMENT

Consultation and engagement has not been undertaken with residents or partners.

The Council is however committed to engaging with and listening to residents as we implement these policies with our partners.

We will:

- Hold an annual Private Landlord’s Forum
- Ensure that current and future service users are fully informed about the implementation of these policies and that we obtain their feedback
- Involve service users in the monitoring and evaluation of these policies

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	Yes	If Yes, indicate which by which criteria it is a Key Decision	<input checked="" type="checkbox"/> Significant effect on two or more wards <input type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	13 November 2023

The primary homelessness legislation is Part 7 of the Housing Act 1996 which confers the statutory duties on local housing authorities to prevent homelessness and provide assistance to people who are homeless or who are threatened with homelessness. The Act was amended by the Homelessness Act 2002, the Homelessness Reduction Act 2017, and the Domestic Abuse Act 2017.

Although none of the legislation mandates the introduction of the policies that are the topic of this report, these policies align with the Council’s Homelessness and Rough Sleeping Strategy 2020-2024 for the prevention of homelessness.

x	The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:
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Whilst I have not reviewed the detail of these policies the Housing service have provided me with assurance that they are drafted in compliance with our obligations under the relevant homelessness legislation and guidance.

FINANCE AND OTHER RESOURCE IMPLICATIONS

There are financial implications associated with the adoption of these policies as they are all associated with homelessness and potential expenditure either through prevention or relief activity.

The intention is that spending, particularly on rent deposits, can be reduced and that temporary accommodation placements can be reduced and effectively managed through application of the new policy.

The Council receives an annual homelessness prevention grant from DLUHC of circa. £800k. The Council added an additional £500k to the homelessness base budget for 2023/24. This highlights the increasing level of expenditure in this area.

For 2022/23, the Council paid a total of £156,927.59 from the Homeless Prevention Grant towards cash deposits. For the same period we committed to £2,959.90 as Deposit Guarantee payments.

Gross spend on temporary accommodation in 2022/23 was £1,054,935 – double what it was five years earlier in 2018/19. In 2023/24 to date spend has been £1,417,350.

X The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:

Homelessness is increasingly becoming one of the most challenging on-going financial risks faced by Local Authorities, with some highlighting that the issue could become the primary reason for them effectively becoming insolvent.

As set out elsewhere on the agenda, an additional budget of £500,000 has been included on an annual basis over the period 2024/25 to 2026/27.

It is acknowledged that the Service remains committed to exploring options to reduce the on-going financial impact on the Council, which the attached policies will undoubtedly help support.

The cost of homelessness will continue to be monitored and reported as part of the regular financial performance reports presented during the year.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	The Council has an adopted Financial Strategy.
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B) Governance: how the body ensures that it makes informed decisions and properly manages its risks,	The Council has a mature constitutional structure and framework of policy for decision-making. It is intended that the appended policies will augment that framework.
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C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	The Council has an adopted Financial Strategy.
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MILESTONES AND DELIVERY

If Cabinet is minded to adopt the policies they will come into immediate effect subject to call-in.

The review of the procedures will be carried out periodically as indicated in each of them with a delegation to the Corporate Director (Operations and Delivery) to make future changes and updates to the policies in consultation with the Portfolio Holder for Housing and Planning.

ASSOCIATED RISKS AND MITIGATION

The policies are intended to set a compliant standard for homelessness services and duties.

Failure to meet the Council’s statutory duties can result potential legal consequences and judicial review along with investigation by the Local Government Ombudsman Service.

The adoption and implementation of the policies is aimed at minimising the risks of non-compliance.

EQUALITY IMPLICATIONS

In line with the Public Sector Equality Duty, within these policies the Council has due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

SOCIAL VALUE CONSIDERATIONS

Creates healthier, safer and more resilient communities: To build stronger and deeper relationships with the voluntary and social enterprise sectors whilst continuing to engage and empower citizens.

IMPLICATIONS FOR THE COUNCIL’S AIM TO BE NET ZERO BY 2030

The implementation of these policies does not present a direct impact on the Council’s target for net zero greenhouse gas emissions from its business operations by 2030. The Council will be mindful of energy efficiency measures present in temporary accommodation that is sourced and the improvements to Spendells House will include more efficient heating and solar panels.

OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	Suitable housing and the prevention of homelessness and rough sleeping is a factor in addressing the causes of crime and disorder.
Health Inequalities	Suitable housing and the prevention of homelessness and rough sleeping is an important progressive factor in terms of health equalities.
Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance).	The Council will follow subsidy control legislation and regulations in the receipt and allocation of any funding received and relating to the content of these reports.

Area or Ward affected	All
PART 3 – SUPPORTING INFORMATION	
BACKGROUND	
<p>Although the adoption of these policies is not of itself mandatory there are legal and regulatory standards for performance that these policies aspire to facilitate compliance with. The proposed policies appended will also augment the Council's policy framework.</p> <p>Temporary Accommodation Policy – As of January 2024, the Council has 99 households in temporary hotel and hostel type accommodation placed under the homelessness legislation. They are placed in temporary accommodation because we have a reason to believe they would be more vulnerable than an ordinary person if they were to be made homeless.</p> <p>Those 99 households are made up of the following vulnerabilities:</p> <ul style="list-style-type: none"> 46 – families (pregnant or with children) 34 – households with mental health 8 – households with physical health 2 – 16 or 17 year olds 7 – households fleeing domestic abuse 2 – care leavers <p>Gross spend on temporary accommodation in 2022/23 was £1,054,935 – double what it was five years earlier in 2018/19. In 2023/24 to date spend has been £1,417,350.</p> <p>Between January and December 2023 the service provided 369 households with temporary accommodation, 155 of which included a child. These households between them spent a total of 24032 days, an average of 65, in temporary accommodation.</p> <p>The policy is a best practice document, it also establishes a framework around compliance matters, information and property standards.</p> <p>Deposit Guarantee Policy - The Council has always offered landlords the option to have a Deposit Guarantee, rather than a cash deposit, because it prevents the need for them to place the deposits in a Deposit Protection Scheme. A cash deposit is an expenditure for the Council. A Deposit Guarantee is still a commitment from the Council to the landlord, but it is not an expenditure unless the landlord wishes to make a claim from it.</p> <p>For 2022/23, the Council paid a total of £156,927.59 from the Homeless Prevention Grant towards cash deposits. For the same period we committed to £2,959.90 as Deposit Guarantee payments</p> <p>There are positives and negatives to cash payments and a Deposit Guarantee, and this policy sets out the detailed arrangements for introducing deposit bonds rather than paying cash up front, provides the process the Council follows and the process for the tenant/landlord to follow.</p>	

Homelessness Prevention Policy – This policy outlines the prevention work that is already being undertaken to prevent households from having to leave their homes, and in some cases, prevents the need for temporary accommodation. It provides the tools and services available to support and deliver the service.

Below are the figures for the number of households who the Council has accepted a homeless prevention duty towards.

Year 2018 – 191

Year 2019 – 314

Year 2020 – 256

Year 2021 – 339

Year 2022 – 392

CURRENT POSTION

The proposed new policies are attached.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None.

APPENDICES

Appendix A – Temporary Accommodation Policy

Appendix B – Deposit Guarantee Policy

Appendix C – Homelessness Prevention Policy

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