

SUBJECT:	TEMPORARY ACCOMMODATION STRATEGY
DIRECTORATE:	HOUSING AND INVESTMENT
REPORT AUTHOR:	MELANIE HOLLAND, HOUSING STRATEGY AND INVESTMENT MANAGER

1. Purpose of Report

- 1.1 The Policy Scrutiny Committee is asked to consider the Council's draft temporary accommodation strategy.

2. Background

- 2.1 This report sets out the draft temporary accommodation strategy which provides the framework for moving forward to ensure that temporary accommodation is suitable, cost-effective and meets needs.

3. Draft Temporary Accommodation Strategy

- 3.1 Under housing legislation, the Council has duties to provide interim (or temporary) accommodation to certain households who present as homeless. In the majority of cases, this is when a household presenting as homeless states that they have do not have access to housing and therefore they are placed in temporary accommodation whilst the Council investigates their application.
- 3.2 The Homelessness Reduction Act 2017 widened the Council's duties and means that applicants under the Relief Duty may also be eligible for interim accommodation if required.
- 3.3 In addition to households applying to the Council for accommodation under homelessness legislation, other households can require temporary accommodation. This includes people who are rough sleeping, people who require emergency accommodation due to (risk of) fire or flood etc., and Council tenants who are being decanted due to major repairs or remodelling works to their homes which makes it impossible for them to remain in situ.
- 3.4 Temporary accommodation is an umbrella term and includes housing (both social and private rented), hostels and bed and breakfast accommodation.
- 3.5 The use of bed and breakfast accommodation as temporary accommodation is not only expensive and subject to public sector procurement rules, but is considered unsuitable as it is not designed for residential use. In addition, it is unlawful for councils to allow homeless families with children or pregnant women stay in bed and breakfast accommodation for more than six weeks. Therefore, the draft temporary accommodation strategy seeks to prevent the use of bed and breakfast accommodation except in emergencies for the minimum period possible.

3.6 The draft temporary accommodation strategy at Appendix I sets out the City of Lincoln Council's proposed vision of **ensuring suitable, affordable and cost-effective temporary accommodation is available to all those entitled to it.**

3.7 This vision is delivered by four proposed objectives:

- **Dispersed housing units to meet need**
- **Supported housing to meet need**
- **Emergency accommodation to meet need**
- **Provision of decant accommodation**

3.8 Each objective has priorities for action, which form an action plan.

4. Strategic Priorities

4.1 Let's drive economic growth

The draft temporary accommodation strategy seeks to provide affordable and cost-effective temporary accommodation.

4.2 Let's reduce inequality

The draft temporary accommodation strategy considers special requirements such as disability, pregnancy, age, etc. when providing temporary accommodation.

4.3 Let's deliver quality housing

The draft temporary accommodation strategy seeks to provide suitable and affordable temporary accommodation.

4.4 Let's enhance our remarkable place

The draft temporary accommodation strategy seeks to provide suitable and affordable temporary accommodation, with intensive housing management to ensure homeless households are able to sustainably transition into main stream housing.

4.5 High performing services

The draft temporary accommodation strategy is based on good practice so to ensure that the Council fulfils this element of its statutory homeless function in the most compassionate, effective and efficient way possible.

5. Organisational Impacts

5.1 Finance

The draft temporary accommodation strategy seeks to reduce revenue costs to the Council's General Fund and result in additional HRA capital assets to the Council, with no impact to the HRA income stream. The Council intends to use internal resources to create a post to manage the dispersed units of temporary accommodation. Any specific proposals to increase HRA assets will be subject to individual financial appraisals and Executive approval at such time.

5.2 Legal Implications including Procurement Rules

The Council operates under the provisions of the Housing Act 1996 (“the Act”) Part VII (as amended) in respect of temporary accommodation. Where it decides that a person/household is eligible for assistance, homeless, in priority need and not homeless intentionally, it has a duty to secure suitable accommodation (unless it refers the applicant to another authority under the local connection provisions). The Act, the Homelessness (Suitability of Accommodation) Order 1996 (SI 1996/3204) and the Homelessness Code of Guidance for Local Authorities provide a framework for the suitability of accommodation. In addition, Homelessness (Suitability of Accommodation) (England) Order 2012 governs the private sector. These provisions are taken into account for the provision of temporary accommodation.

It is unlawful for councils to allow homeless families with children or pregnant women to stay in bed and breakfast accommodation for more than six weeks. Therefore, in order to prevent a legal challenge by way of a Judicial Review, it is essential for the Council to provide a range of temporary accommodation provision to meet the needs of those households entitled to it.

In order to be compliant and to mitigate the risk of challenge, all procurement related activity will be undertaken in accordance with the Council’s Contract Procedure Rules and ultimately Public Contract Regulations 2015.

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

A full Equality Impact Assessment has been completed and is at Appendix II.

The draft temporary accommodation strategy seeks to ensure that no persons with protected characteristics are discriminated against. By only using bed and breakfast accommodation in emergencies and providing suitable temporary accommodation with intensive management / support, the draft strategy aims to recognise and meet the needs of persons with protected characteristics, for example, homeless persons with disabilities.

5.4 Human Resources

The draft temporary accommodation strategy places greater emphasis upon an in-house temporary accommodation provision. There may be TUPE implications and the Council is liaising with the current providers to clarify the situation.

5.5 **Land, Property and Accommodation**

The draft temporary accommodation strategy seeks to result in additional HRA capital assets to the Council, with no impact to the HRA income stream.

5.6 **Significant Community Impact**

The draft temporary accommodation strategy seeks to provide suitable temporary accommodation to meet needs, with intensive housing management to ensure homeless households are able to sustainably transition into main stream housing.

5.7 **Corporate Health and Safety implications**

Council staff delivery the temporary accommodation service are subject to appropriate safeguarding training and risk assessment.

6. **Risk Implications**

6.1 (i) Options Explored

Given that the provision of temporary accommodation for homeless households is a statutory function, although the private sector can provide accommodation, the most cost-effective, therefore, preferred option is to provide the service in-house.

6.2 (ii) Key risks associated with the preferred approach

The Council being unable to develop or enable a temporary accommodation scheme for homeless single persons due to lack of opportunities and/or planning policy.

7. **Recommendation**

7.1 The Policy Scrutiny is asked to provide feedback on the draft temporary accommodation strategy prior to its presentation at the Executive on 23 March 2020.

Is this a key decision?

Yes/~~No~~

Do the exempt information categories apply?

~~Yes~~/No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

~~Yes~~/No

How many appendices does the report contain?

One

List of Background Papers:

None

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