

<b>Report of:</b>	<b>Head of Housing &amp; Partnerships</b>
<b>Contact Officer:</b>	<b>Janet Baldasera</b>
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<b>Portfolio Leader:</b>	<b>Housing</b>
<b>Key Decision:</b>	<b>No</b>
<b>Report Track:</b>	<b>Cabinet: 25/01/18</b>

**CABINET**  
**25 JANUARY 2018**  
**HOMELESSNESS REDUCTION ACT 2017 - HOMELESSNESS FUNDING**

**1 Purpose of Report**

- 1.1 To consider the use of the New Burdens Funding and Flexible Homelessness Support Grant to discharge the Council's new duties under the Homelessness Reduction Act 2017.

**2 Recommendations**

That:

- 2.1 The contents of the report are noted.
- 2.2 Delegated authority be given to the Head of Housing and Partnerships following consultation with the Portfolio Leader for Housing to approve expenditure of the New Burdens and Flexible Homelessness Support Grant Funding as set out in paragraphs 5.5 and 5.11, and in accordance with the delivery of the Council's homelessness priorities as set out within the Council's Housing and Homelessness Strategies.

**3 Key Issues and Reasons for Recommendation**

**Homelessness Reduction Act 2017**

- 3.1 The Homelessness Reduction Act (HRA) was passed by Parliament in 2017 and will be commenced in April 2018. The Act is designed to significantly reform England's homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness, irrespective of whether or not an applicant has 'priority need' or may be 'intentionally homeless'.
- 3.2 Preparations are being made to ensure the Council will be in a position to discharge the new duty including attending DCLG briefing sessions, undertaking training of staff, further developments of the Housing IT System (Northgate), and assessment of the new duties and their implication for future service delivery.

### New Burdens Funding

- 3.3 Department for Communities and Local Government (DCLG) modelling estimated that there will be initial costs associated with the Act, namely from additional people presenting to authorities for assistance with homelessness.
- 3.4 The DCLG have therefore estimated that the Council will face new burdens as a result of the following duties:
- Duties to help secure accommodation
  - Duty to provide advisory services
  - Right to request a review
  - Suitability of accommodation
  - Providing accommodation for cases being reviewed
  - Providing assessments and personalised housing plans

As a result of the DCLG estimation the total of New Burdens Funding for the Council is:

2017-18	2018-19	2019-20	Total
£26,641	£24,403	£34,719	£85,763

### Flexible Homelessness Support Grant

- 3.5 The DCLG has advised that the new 'flexible homelessness support grant' is a radical replacement of the tightly controlled funding currently given to source and manage temporary accommodation for homeless individuals and their families under which the Council would have received £978.43 for 2017-18
- 3.6 The Flexible Homelessness Support Grant allocation has been issued as follows:

2017-18	2018-19	Total
£70,160.84	£76,904.80	£147,064.8

- 3.7 It is considered that there will be a significant increase in demand for homelessness services and prevention support work. It is therefore proposed that the New Burdens funding for the years 2017-18 to 2019-20 be allocated to ensuring the Council discharges its new duty through the provision of Homelessness Services and Prevention Support work as discussed above.
- 3.8 Cabinet on 7 April 2005 agreed that delegated authority be given to the Head of Regeneration (now Head of Housing and Partnerships) following consultation with the Portfolio Leader for Social Inclusion and Housing (now the Portfolio Leader for Housing) to approve expenditure in relation to Central Government Homelessness Prevention Grant allocations, in accordance with the delivery of

the Councils homelessness priorities as set out within the Councils Housing and Homelessness Strategies. It is proposed to further extend the scope of this delegation to include New Burdens and Flexible Homelessness Support Grant Funding.

- 3.9 Therefore it is recommended that delegated authority be given to the Head of Housing and Partnerships following consultation with the Portfolio Leader for Housing to approve expenditure of the New Burdens and Flexible Homelessness Support Grant Funding as set out in para 5.5 and 5.11, and in accordance with the delivery of the Council's homelessness priorities as set out within the Council's revised Housing and Homelessness Strategy 2018-23. (attached as an item elsewhere on the agenda).

#### **4 Relationship to Corporate Priorities**

- 4.1 The use of Homelessness Funding outlined in this report would contribute to the More and Better Housing PDP for 2017/18.

#### **5 Report Detail**

##### **Homelessness Reduction Act 2017**

- 5.1 The Homelessness Reduction Act (HRA) was passed by Parliament in 2017 and will be commenced in April 2018. The Act is designed to significantly reform England's homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness, irrespective of whether or not an applicant has 'priority need' or may be 'intentionally homeless'. The new duties include:
- i) Providing free information and advice on preventing and relieving homelessness and the rights of homeless people, to all residents, to include information tailored to the needs of particularly vulnerable groups.
  - ii) An enhanced prevention duty extends the period a household is threatened with homelessness from 28 days to 56 days, meaning that local authorities will intervene to prevent homelessness at an earlier stage.
  - iii) A new duty for those who are already homeless will mean that local authorities will work with them for 56 days to help secure accommodation to relieve their homeless.
- 5.2 A revised Code of Guidance is to be issued to Local Authorities prior to the implementation date of 1 April 2018. The consultation on a draft version closed on 15 December 2017.
- 5.3 Preparations are being made to ensure the Council will be in a position discharge the new duty including attending DCLG briefing sessions, undertaking training of staff, further developments of the Housing IT System (Northgate), assessment of the new duties and their implication for future service delivery.

5.4 The Government has announced additional funding to assist with implementing the new duties as set out in the letter dated 19 December 2017 from Marcus Jones MP Minister for Local Government (Appendix 1).

**New Burdens Funding**

5.5 Department for Communities and Local Government (DCLG) modelling estimated that there will be initial costs associated with the Act, namely from additional people presenting to authorities for assistance with homelessness. In time they estimate that the measures will lead to an increase in homelessness prevention and thus a reduction in more costly acceptances to the main housing duty.

5.6 The DCLG have therefore estimated that the Council will face new burdens as a result of the following duties:

- Duties to help secure accommodation
- Duty to provide advisory services
- Right to request a review
- Suitability of accommodation
- Providing accommodation for cases being reviewed
- Providing assessments and personalised housing plans

As a result of the DCLG estimation the total of New Burdens Funding for the Council is:

2017-18	2018-19	2019-20	Total
£26,641	£24,403	£34,719	£85,763

**Flexible Homelessness Support Grant**

5.7 The DCLG has advised that the new ‘flexible homelessness support grant’ is a radical replacement of the tightly controlled funding currently given to source and manage temporary accommodation for homeless individuals and their families under which the Council would have received £978.43 for 2017-18.

5.8 Under the existing ‘temporary accommodation management fee’, funding can only be used for expensive intervention when a household is already homeless, rather than on preventing this happening in the first place.

5.9 The DCLG further advises that the new grant is:

“to empower councils with the freedom to support the full range of homelessness services. This could include employing a homelessness prevention or tenancy support officer to work closely with people who are at risk of losing their homes.”

- 5.10 The Flexible Homelessness Support Grant allocation has been issued as follows:

2017-18	2018-19	Total
£70,160.84	£76,904.80	£147,064.8

There is no indication of the level of funding for further years.

- 5.11 Currently, investigations are in progress to assess the requirements of the new Act and the implication on the existing resources available to provide the necessary level of Homelessness Services and Prevention Support Work. Investigations to date have resulted in the development of the Shared Accommodation Project (included as an item elsewhere on the agenda) and currently, investigations are being made with a view to extending the Council's existing Tenancy Sustainment Service to provide additional support to homelessness cases in the discharge of the Council's new duties.
- 5.12 It is considered that there will be a significant increase in demand for homelessness services and prevention support work. It is therefore proposed that the New Burdens funding for the years 2017-18 to 2019-20 be allocated to ensuring the Council discharges its new duty through the provision of Homelessness Services and Prevention Support work as discussed above.
- 5.13 Cabinet on 7 April 2005 agreed that delegated authority be given to the Head of Regeneration (now Head of Housing and Partnerships) following consultation with the Portfolio Leader for Social Inclusion and Housing (now the Portfolio Leader for Housing) to approve expenditure in relation to Central Government Homelessness Prevention Grant allocations, in accordance with the delivery of the Council's homelessness priorities as set out within the Council's Housing and Homelessness Strategies. It is proposed to further extend the scope of this delegation to include New Burdens and Flexible Homelessness Support Grant Funding.
- 5.14 Therefore it is recommended that delegated authority be given to the Head of Housing and Partnerships following consultation with the Portfolio Leader for Housing to approve expenditure of the New Burdens and Flexible Homelessness Support Grant Funding as set out in paragraphs 5.5 and 5.11, and in accordance with the delivery of the Council's homelessness priorities as set out within the Council's revised Housing and Homelessness Strategy 2018-23. (attached as an item elsewhere on the agenda).

## **6 Implications**

### **6.1 Financial**

There are no direct financial implications arising from this report. It is envisaged that any additional spend will be contained within the additional grants allocated by government as detailed within the report

**6.2 Legal**

The legal implications are set out in the report

**6.3 Human Resources**

None

**6.4 Section 17 (Crime Prevention)**

None.

**6.5 Human Rights Act**

Article 8 provides that:-

1. Everyone has the right to respect for this private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

In considering the use of New Burdens and Flexible Homelessness Support Grant funding, the Council is complying with legislation which empowers it to do so, and at the same time is considering the needs of the residents of the district as the proposals will assist in preventing homelessness.

For the above reasons the Councils actions are considered to be compatible with the Human Rights Act.

**6.6 Data Protection**

None

**6.7 Risk Management**

The use of homelessness funding to assist the Council in discharge of its new duties under the Act reduces the risk of challenge for maladministration.

**6.8 Equality & Diversity**

Distribution of the Communities and Local Government grants to homelessness prevention initiatives contributes to meeting the needs of specific groups who are vulnerable and therefore contributes positively to equality and diversity.

**6.9 Best Value**

The use of homelessness funding to assist the Council in discharge of its new duties under the Act will contribute towards achieving best value for the funding.

Adherence to the Council's Procurement Policy will also contribute towards achieving best value.

**7 Appendices to the Report**

None

**Previous Consideration**

None.

**Background Papers**

None