

Rossendale Borough Council

Homelessness Strategy Review 2017 -2018

Introduction

The Homelessness Act 2002 places a duty on local authorities to develop and publish a Homelessness Strategy and to review this at least every five years. The Homelessness Strategy is intended to be an active working document with an emphasis on the prevention of homelessness, through relevant advice and support, and on the provision of suitable accommodation for households where homelessness cannot be prevented.

Rossendale Borough Council published a Homelessness Strategy in 2007 which included the following key aims:

- To prevent homelessness
- To develop multi agency initiatives, agreements and protocols that help to prevent homelessness and minimise its occurrence
- To provide a safety net of accommodation and support to help prevent homeless people from becoming homeless again whilst reducing the use of bed and breakfast as temporary accommodation
- To monitor changing needs and add actions as appropriate and to keep partner agencies informed on progress against targets

The political and policy landscape has altered dramatically since publication of this initial strategy.

Review of the strategy is necessary to record progress against these objectives, reflect the changing context of our work around homelessness and demonstrate compliance with the Homelessness Act 2002.

The role of local authorities and their legal duties are defined by:

- Housing Act 1996
- Homelessness Act 2002
- Localism Act 2011

The statutory definition of homelessness is defined by the Housing Act 1996 s.175:

‘A person is homeless if he or she has no accommodation in the UK or elsewhere which is available for his or her occupation and which that person has a legal right to occupy. A person will also be homeless where he or she has accommodation but cannot secure entry to it, or where he or she has accommodation that is a moveable structure (such as a caravan or a house boat) and there is no place where it can be placed in order to provide accommodation. A person who has accommodation is to be treated as homeless where it would not be reasonable for him or her to continue to occupy it’

Also a person is considered to be threatened with homelessness if he or she is likely to become homeless within 28 days.

Under the 2002 Act, local housing authorities must have a strategy for **preventing homelessness** in their district. The strategy must apply to everyone at risk of homelessness, including cases where someone is found to be homeless but not in **priority need** and cases where someone is found to be **intentionally homeless**.

Homelessness prevention refers to positive action taken by the local authority which provides someone who considers themselves at risk of homelessness with a solution for at least the next six months. This is done by either assisting them to obtain alternative accommodation or enabling them to remain in their existing home.

Homelessness relief occurs when an authority has been unable to prevent homelessness but helps someone to secure accommodation, even though the authority is under no statutory obligation to do so.

Priority need groups include:

- Households with dependent children or a pregnant woman
- People who are vulnerable in some way because of mental illness, physical disability or age
- Aged 16 or 17
- Aged 18 to 20 who were previously in care
- Vulnerable as a result of time spent in care, custody, or HM Forces
- Having to flee their home because of violence or the threat of violence (including domestic violence)
- Homeless because of an emergency such as fire or flood

For **unintentionally homeless** applicants with a **local connection**, **eligible** in terms of immigration status, and in **priority need** the local authority has a **main duty** to secure settled accommodation. A further duty is to ensure suitable temporary accommodation is provided until settled accommodation becomes available.

Such individuals or households are referred to as **statutory homeless acceptances**.

In addition to these statutory duties to priority need individuals and households, local authorities also have a duty to provide free advice and assistance to all households threatened with homelessness.

In practice local authorities will often go beyond this to proactively attempt to **prevent** or **relieve** homelessness and this is the role of the **Housing Options Team**.

This approach provides a comprehensive range of advice and assistance for people at risk of homelessness. When homelessness cannot be prevented, the Housing Options approach ensures options for re-housing are fully explored.

Review of Homelessness in Rossendale

The table below shows the breakdown of the causes of threatened or actual homelessness advice cases handled by the Housing Options Team during the financial year 2016 – 2017.

Reason	Number	Percent
Mortgage arrears	4	0.5
Rent arrears	57	7.4
Unsuitable/disrepair	32	4.2
Landlord related debt issues	2	0.3
Relationship breakdown	66	8.6
Notice to Quit	102	13.3
16/17 pregnant	3	0.4
Suffering harassment	15	2.0
16/17 parental eviction	6	0.8
LHA changes/potentially homeless	1	0.1
16/17 friends/relatives unwilling to accommodate	5	0.7
Seeking accommodation	99	12.9
Parents/friends/relatives unwilling to accommodate	66	8.6
Fleeing violence outside of home	4	0.5
Health	17	2.2
Families/parents/relatives/friends unwilling to accommodate	2	0.3
Over 25 friends/parents/relatives unwilling to accommodate	57	7.4
Relationship breakdown with domestic violence	52	6.8
Under-occupancy/bedroom tax	0	0.0
Lost home due to ASB issues	4	0.5
Leaving hospital	13	1.7
Leaving care	4	0.5
Leaving prison	22	2.9
Emergency	5	0.7
Leaving HM Forces	0	0.0
Affordability issues but not actually in debt yet	3	0.4
Child protection issues	11	1.4
Overcrowding	8	1.0
Universal credit/benefit cap	0	0.0
Other	28	3.7
Total cases	767	

An analysis of these statistics indicates that the primary potential causes of homelessness in Rossendale:

- NTQ (end of Assured Shorthold Tenancy)
- Parents/friends/relatives unwilling to accommodate
- Relationship breakdown
- Rent arrears
- Over 25 friends/parents/relatives unwilling to accommodate
- Relationship breakdown with domestic violence
- Unsuitable/disrepair

During the financial year 2016 – 2017 the council accepted the main homelessness duty in 48 cases.

The National Picture

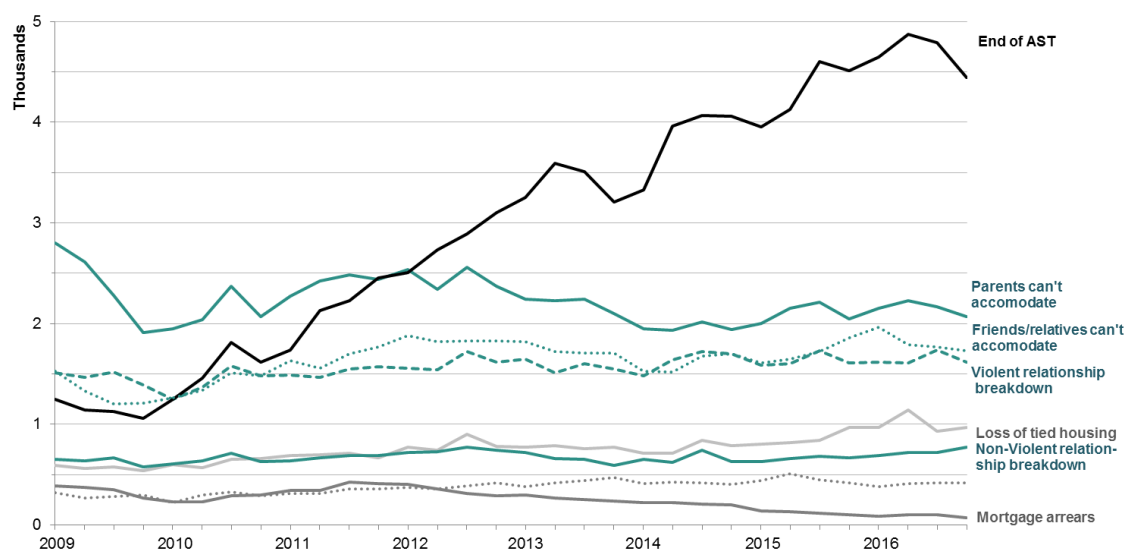
Nationally, the ending of an assured shorthold tenancy with a private landlord was the most common reason for the loss of the last settled home in Q4 2016. This represents 31% of all acceptances in England.

The end of an assured shorthold tenancy (AST) has been an increasingly common cause of loss of last home over the last six years. This indicates that affordability is an increasingly significant issue, as more households facing the end of a private tenancy are unable to find an alternative without assistance.

The increase in the end of tenancies is also related to the expansion of the private rented sector, which has doubled in size (since 2002) and now houses 4.5 million households (2015/16).

The chart below shows a breakdown of acceptances nationally by reason for loss of settled home.

Households accepted by local authorities as owed a main duty by reason for loss of last settled home, Q1 2009 to Q4 2016, England



Nationally, the number of households in temporary accommodation increased by 10% to 75,740 in the last quarter of 2016, according to the official homelessness statistics released by the Department for Communities and Local Government.

Of those households living in temporary accommodation, 5,990 have been placed in bed and breakfasts – an annual increase of 17%. In addition, a total of 21,910 households (29%) were living in temporary accommodation outside their local area, which represents a year-on-year increase of 17%. The majority of those households - 91% - were from London local authorities.

“Making Every Contact Count” - The Gold Standard

Since the 2007 strategy was published further Government guidance has been issued to inform the development of approaches to address homelessness at a local level.

In 2011 the former Coalition Government published “Making Every Contact Count”, in which the Ministerial Working Group on Homelessness set out their vision for a joint approach to preventing homelessness based on early intervention with everyone at risk of losing their home.

In the report the Government set out their commitment to make sure that every contact a vulnerable household makes with a local agency really counts to: tackle troubled childhoods and adolescence; improve health; reduce involvement in crime; improve skills, employment and financial advice; and to pioneer social funding for homelessness.

These commitments provide the context for local authorities and their partners to provide a gold standard level of service rooted in 10 local challenges:

1. Adopt a corporate commitment to prevent homelessness which has buy in across all local authority services
2. Actively work in partnership with voluntary sector and other local partners to address support, education, employment and training needs
3. Offer a Housing Options prevention service, including written advice, to all clients
4. Adopt a No Second Night Out model or an effective local alternative
5. Have housing pathways agreed or in development with each key partner and client group that includes appropriate accommodation and support
6. Develop a suitable private rented sector offer for all client groups, including advice and support to both clients and landlords
7. Actively engage in preventing mortgage repossessions including through the Mortgage Rescue Scheme (*this scheme ended in 2014*)
8. Have a homelessness strategy which sets out a proactive approach to preventing homelessness and is reviewed annually so that it is responsive to emerging needs
9. Not place any young person aged 16 or 17 in Bed and Breakfast accommodation
10. Not place any families in Bed and Breakfast accommodation unless in an emergency and then for no longer than 6 weeks

These good practice standards have informed the development of the Rossendale Borough Council Homelessness Strategy review.

Policy Context

Welfare Reform

Whilst tackling homelessness remains high on the Government agenda it can be challenged by other policy initiatives which can influence individual housing circumstances. The welfare reform agenda has had significant implications for housing and homelessness including:

Local Housing Allowance (reduced levels paid due to the rates being calculated at the 30th percentile of market rents; paid based on a household's size; and the Single Accommodation Rate limit applied to young people up to the age of 34 therefore restricting under 35 year olds to the lower shared occupancy rate).

The Social Sector Size Criteria (commonly known as the bedroom tax) which has reduced housing benefit entitlement to social housing tenants considered to be under occupying their homes by 14% for one spare bedroom and 25% for two or more spare bedrooms.

Introduction of the Universal Credit to provide a single stream-lined benefit paid to residents directly rather than to their landlords.

The total benefit cap which restricts to £20,020 to the amount of benefit that a household can claim and £13,416 for single people (with the benefit above this level removed from housing element towards rent)

Transfer of responsibility for Social Fund payments from DWP to local authorities and the phasing out of Community Care Grants, so now only loans are available

Disability Benefit changes; the phasing out of Disability Living Allowance and introduction of Personal Independence Payment with revised eligibility criteria, meaning many claimants lost entitlement

Replacement of Council Tax Benefit with local Council Tax support, reducing benefit income to a wide range of working age adults

Tax Credit rates and welfare benefit rates, including Housing Benefit, are to be frozen for four years starting from 2016/17

Rents in social housing in England are being reduced by 1 per cent a year for four years starting in April 2016

Benefit support for mortgage interest payments is to be replaced by a loan scheme

Legislative Changes

The Localism Act 2011 introduced significant changes to the Housing Act 1996. The stated policy objective is to enable local authorities to better manage housing demand and access to housing within the context of local circumstances.

The key changes introduced by the Localism Act include:

- Local authorities are given the power to end their homelessness duty with an offer of accommodation in the private rented sector (12 month tenancy)
- Social housing tenure reform to allow social landlords to grant fixed term tenancies with limited security of tenure
- The requirement for local authorities to set out their approach and response in a Tenancy Strategy
- Social Housing allocation reform which allows local authorities to set allocation policies appropriate to the local area

These changes have had very little impact in Rossendale as the largest social landlord in the borough does not use fixed-term tenancies. Also, it has not been possible to implement discharge of duty into the private rented sector as landlords are reluctant to give formerly homeless households a 12 month (rather than the usual 6 month) Assured Shorthold Tenancy.

The Government also introduced the **Homelessness (Suitability of Accommodation) (England) Order 2012** in response to concerns about the standards of accommodation used by local authorities both as temporary accommodation and to end the homelessness duty. The statutory guidance includes requirements about the quality of accommodation and the suitability of the location for a needs and circumstances of an individual or household.

More recent changes resulted from The Supreme Court rulings in 2015 which provided new case law interpretation in how vulnerability is considered when determining whether a homeless applicant is in priority need. This change in interpretation is expected to widen the scope of single persons who will qualify for homelessness assistance. The test local authorities should now apply is whether a homeless applicant is more vulnerable than “an ordinary person if made homeless” rather than an “ordinary actual homeless person”.

There is now an emphasis on preventative work by Local Authorities Social Services departments under the new Care Act 2014 which has introduced a new duty for Social Services, Housing, and Health departments to work together to jointly assess individuals needs in certain circumstances.

Temporary Accommodation

Local authorities have a duty to secure short term temporary accommodation for unintentionally homeless households in priority need under Part 7 of the 1996 Housing Act (as amended).

The circumstances when we will usually place households in temporary accommodation are:

- Pending the completion of inquiries into their homeless application or in priority need but intentionally homeless to allow time to secure alternative accommodation
- When an application is accepted until suitable secure accommodation becomes available
- Under severe weather provisions

Rossendale Borough Council currently uses the following temporary accommodation options:

- Bed and breakfast accommodation
- A dispersed house owned by the council
- Refuges for women fleeing domestic violence (these can be in any location nationally)

When performing duties to homeless households the council are obliged to have regard to the Homelessness Code of Guidance for Local Authorities.

The Guidance states:

“Housing authorities should avoid using B&B accommodation wherever possible. Where B&B accommodation has been used in an emergency situation, applicants should be moved to more suitable accommodation as soon as possible. The Homelessness (Suitability of Accommodation) (England) Order 2003 provides that B&B accommodation is not suitable for families with Children and households that include a pregnant woman unless there is no alternative accommodation and then only for a maximum of six weeks”.

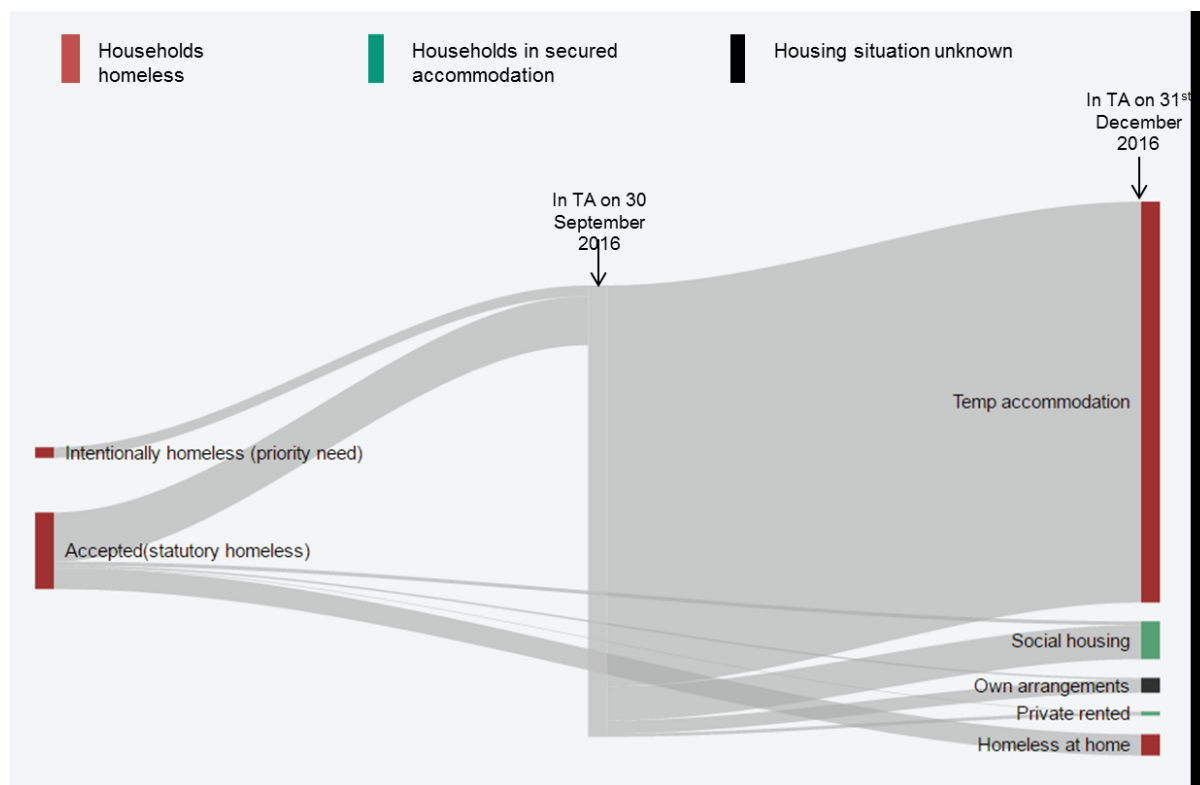
CLG, Homelessness Code of Guidance for Local Authorities July 2006

It is accepted that there will always be circumstances when we need to use temporary accommodation. When this is necessary we will work proactively to move people out of temporary accommodation and into more sustainable long term accommodation as quickly as possible.

Over the coming year, we will conduct a review of our temporary accommodation options and explore more innovative approaches to develop alternative options. Currently, we do not offer any temporary accommodation with support; we will enter discussions with support providers to explore financial models that may allow us to offer this enhanced level of service which will address issues contributing to homelessness and work to prevent repeat homelessness.

The introduction of Universal Credit, and the new monthly payment cycles, will have an impact upon the funding arrangements for short term temporary accommodation and this will need to be factored in to the development of future delivery models.

Flows in and out of temporary accommodation and statutory homelessness, Q4 2016, England



Long-Term Affordable and Sustainable Accommodation

The need for affordable and sustainable housing in Rossendale goes above and beyond homelessness, improving access to permanent accommodation is a much broader priority and meeting the need for more permanent affordable housing is fully addressed in the Pan-Lancashire Housing Strategy.

The provision of adequate affordable housing can reduce the length of time homeless households have to wait for re-housing and in some circumstances can help people meet their housing needs at an earlier stage without having to make a homelessness application.

We will continue to work with registered providers to increase the supply of social housing.

We will also continue to compel private developers to build our required proportion of affordable housing through Section 106 agreements.

The Housing strategy will continue to monitor and inform this area of our activity.

Long Term - A Suitable Private Rented Sector Offer

The private rented sector has an important role to play especially for households who cannot access social housing or afford to buy. Our homelessness review has identified the need for further work to

be delivered in order to better access the private rented sector for households who are homeless or at risk of homelessness.

Our objective is to provide affordable sustainable accommodation as quickly as possible for potentially homeless households, as this will remove the need to provide temporary accommodation.

It is clear that we are no longer able to meet this objective by relying solely on the social rented accommodation in our borough. The pressures on waiting lists for social rented housing mean it is important that we also make the best use of the alternative stock available, especially in the private rented sector.

In some circumstances, The Housing Options team are able to offer a security bond payment and rent in advance to facilitate access to private rented properties. Before a bond payment can be made a property must be inspected by Environmental Health to confirm property condition and safety.

Rosendale Borough Council has a 0.5 FTE Housing Options Officer (Private Sector) to co-ordinate enforcement against unsuitable property conditions or issues such as harassment or illegal eviction.

Partnerships

We work with a wide range of organisations providing services which assist in tackling homelessness including support providers, registered social landlords, advice agencies, the voluntary sector, charities, churches and other faith groups.

The council also works closely with other statutory agencies such as probation, health and social care providers and education also have a pivotal role.

We have built and developed a number of successful partnerships and will continue to strengthen those relationships with particular focus being given to mitigating the impacts of Welfare Reforms and improving the health and wellbeing of the people we support.

Rosendale, Burnley and Pendle Homelessness Forum

Rosendale has recently joined this forum where key stakeholders come together to identify local issues and trends and share good practice and expertise.

The forum has an open membership to any organisation that considers it to be a stakeholder in the prevention of homelessness in the boroughs.

This strategy review has been developed and agreed with all partners whose cooperation will be essential if we are to successfully achieve our objectives.

The Homelessness Reduction Bill

The Bill makes changes to the current homelessness legislation contained in Part 7 of the Housing Act 1996 ("the 1996 Act"), and to the Homelessness (Suitability of Accommodation) (England) Order 2012. It places duties on local housing authorities to intervene at earlier stages to prevent homelessness and to take reasonable steps to help those who become homeless to secure accommodation. It requires local housing authorities to provide some new homelessness services to all people in their area and expands the categories of people who they have to help to find accommodation.

Details can be found here:

<http://services.parliament.uk/bills/2016-17/homelessnessreduction/documents.html>

Measures to Tackle Causes of Homelessness

NTQ (end of Assured Shorthold Tenancy)
<ul style="list-style-type: none">• 0.5 Housing Options Officer to tackle rogue landlords and illegal eviction• Housing Options homelessness prevention advice and assistance for tenants• Payment of bonds• Landlord liaison and negotiation• Payment of arrears• Rubbish clearance (hoarding)• Referral to Adult Social Care• Housing Benefit liaison• Advice to landlords
Parents/friends/relatives unwilling to accommodate
<ul style="list-style-type: none">• Participation in the CLG-funded 14-25 homelessness prevention Trailblazer project• Commissioning of awareness-raising event delivered by voluntary sector consortium• Implementation of the joint 16/17 protocol in partnership with Social Services• Mediation
Relationship breakdown
<ul style="list-style-type: none">• Detailed housing advice to explore housing options• Facilitating access to social and PRS properties
Rent arrears
<ul style="list-style-type: none">• Referral to Citizens Advice Crisis Support Project for debt advice• Negotiation with landlords• Payment of rent arrears

Over 25 friends/parents/relatives unwilling to accommodate
<ul style="list-style-type: none"> • Mediation • Spend to save measures • Initial benefits advice and referral to specialist services • Referrals to accommodation • Bond and rent in advance(Discretionary Housing Payment) • Referral to specialist agencies (substance misuse, health services)
Relationship breakdown with domestic violence
<ul style="list-style-type: none"> • Specialist Housing Options Officer (Domestic Abuse) • Domestic abuse outreach service • Sanctuary measures • Referral to refuge • Liaison with Victim Support • Participation in Multi-agency Risk-assessment Conference • Use of Risk Indicator Checklist • Liaison with police
Unsuitable/disrepair
<ul style="list-style-type: none"> • 0.5 Housing Options Officer to tackle rogue landlords and illegal eviction • Joint-working with Environmental Health to identify hazards and enforce

Progress Against Key Aims of 2007 Strategy (red, amber, green)

To prevent homelessness
<u>Progress:</u>
<ul style="list-style-type: none"> • Rossendale Borough Council now has 3.5 FTE Housing Options Officers providing a specialist homeless prevention service (temporary domestic abuse specialist until April 2018) • The council operates a rent in advance and private sector bond scheme to assist with access to the private rented sector • Referrals can now be made to an accredited mediation service to resolve disputes and family issues • The council is a partner in the delivery of Communities and Local Government thematic projects to prevent homelessness amongst vulnerable groups including young people and people experiencing domestic abuse • Referrals can be made to the Citizens Advice crisis service for debt advice including rent and mortgage arrears • An out-of-hours Housing Options service is provided 24/7
To develop multi agency initiatives, agreements and protocols that help to prevent homelessness and minimise its occurrence
<u>Progress:</u>

- Rossendale is a signatory to the Lancashire Joint Protocol 2016-2017 Joint Working Arrangements for Homeless 16/17 year old
- Rossendale is a partner in a pan-Lancashire DCLG-funded project to enhance domestic abuse services and a Trailblazer project to address homelessness amongst 14-25 year olds

To provide a safety net of accommodation and support to help prevent homeless people from becoming homeless again whilst reducing the use of bed and breakfast as temporary accommodation

Progress:

- Rossendale has a house available for use as temporary accommodation and also uses Hill View Hotel – a support service will be provided at this property in partnership with Calico to offer risk management, support planning and move-on preparation
- Planning is underway with partner agencies to expand the range of temporary accommodation and support available in the Borough

To monitor changing needs and add actions as appropriate and to keep partner agencies informed on progress against targets

Progress:

- Rossendale is now a member of the Rossendale, Burnley and Pendle Homelessness Forum
- Advice, homeless prevention and relief statistics are routinely collated and monitored