

**To: City Executive Board**

**Date: 13<sup>th</sup> February 2013**

**Report of: Head of Housing Services**

**Title of Report: HOMELESSNESS STRATEGY AND ACTION PLAN 2013 TO 2018 AND FUTURE POLICY IN RELATION TO SECURING PRIVATE SECTOR TENANCIES FOR HOMELESS HOUSEHOLDS**

## Summary and Recommendations

**Purpose of report:**

**To consider the revised Homelessness Strategy and Action Plan 2013-18 following consultation and to review policy following the commencement of additional powers related to the council fulfilling its duties by securing a private sector tenancy for statutory homeless households**

**Key decision? No**

**Executive lead member: Cllr Scott Seamons**

**Policy Framework: Corporate Plan, Housing Strategy 2012-15,**

**Recommendation(s): That**

- i) the Homelessness Strategy and Action Plan 2013 to 2018 is recommended to council for approval**
- ii) to note the commencement of additional powers introduced by virtue of the Localism Act related to the council fulfilling its duties by securing a private sector tenancy for statutory homeless households**
- iii) to approve the policy as outlined in Appendix D as council policy**
- iv) to delegate authority to Head of Housing to implement the policy together with any minor changes that may come forward due to any subsequent revisions or clarifications to Government guidance and any ensuing case law.**

## **Background**

- 1. Oxford City Council has a duty to carry out a review of homelessness in the area and to publish a specific Homelessness Strategy to meet needs identified including**

- Addressing the causes of homelessness
- Introducing initiatives to prevent homelessness wherever possible
- Securing sufficient accommodation for homeless people or who may become homeless
- Ensuring appropriate support to prevent repeat homelessness

The existing Homelessness Strategy comes to an end in 2013

2. In September 2012, CEB approved a draft homelessness strategy for public consultation. The draft document was evidence based (having regard to data and statistics). It also had regard to the views of partners and stakeholders who were consulted in May 2012.
3. The consultation document noted emerging Government guidance on homelessness and housing needs. This included a Government Consultation document issued in relation to discharge of homelessness duty in the private rented sector and suitability of accommodation on 31 May 2012. It also took into account guidance on allocations policies which may impact on homelessness strategy.
4. Homelessness remains a major issue in Oxford which is one of the least affordable areas of the country to buy or rent housing. The new Homelessness Strategy details the severity of the situation together with the actions to be taken in future years to respond to the challenges ahead.

### **Public consultation**

5. Consultation has now taken place on the draft Homelessness Strategy and details of responses are included at Appendix C Although responses were limited, those who responded considered the draft Homelessness Strategy to be well written, accessible, helpful and comprehensive. Respondents agreed unanimously on the council's future priorities for action but concerns were expressed as to the Council's ability to deliver solutions given the fact that causes of homelessness and current national environment are outside the authority's control.

### **Final Homelessness Strategy and Action Plan**

6. The draft document has been amended and developed to take into account consultation responses. It has also taken into account the 10 local challenges set by Government in August 2012 – 'the national gold standard' for homelessness. A final Homelessness Strategy is attached at Appendix A and a detailed Action Plan at Appendix B
7. The goals of the draft Homelessness Strategy 2013 to 2018 are:
  - Early intervention to prevent homelessness before a crisis point is reached
  - Provision of appropriate accommodation and support if crisis occurs

- Prevention of repeated homelessness

### **Discharge of duty – private sector offer**

8. In November 2012, sections 148 and 149 of the Localism Act 2011 were implemented enabling suitable 'Private Sector Offers' to be used to end the main homeless duty, without requiring the applicants agreement.
9. The use of 'Private Sector Offers' is a new power, not a duty, so local authorities are expected to develop clear policies on the use of these, and to consider the individual circumstances of each household when deciding if to apply this option. The private sector offer must provide a minimum 12 month tenancy and fulfil standards in relation to the quality of accommodation and housing management.
10. It is proposed that Oxford City Council will *consider* a 'Private Sector Offer' to end our main homeless duty in all cases. If it is appropriate to the needs of the applicant and household members and if suitable accommodation can be secured, then such an offer will be made. This will usually be through the Council's existing Home Choice Scheme. This is detailed in Appendix D and is based on detailed Government guidance. Where possible, the Council will endeavour to secure two year tenancies from private landlords, although it is recognised that landlords and agents may only agree to one year tenancies in many cases. It is proposed that this be approved as council policy and that the Head of Housing is given delegated authority to implement the policy,
11. This approach supplements the other provisions in the Homelessness Strategy Action Plan, in terms of developing effective and robust approaches to prevent and relieve homelessness. Through it's Home Choice Scheme, Oxford City Council secures private sector tenancies – predominantly for people threatened with homelessness. There are over 800 current tenancies provided via the Home Choice scheme. However, demand is high and increasing for private rented properties and it is becoming more difficult to secure such accommodation – although the scheme continues to make a major contribution to preventing and responding to homelessness in the City

### **Review of allocations scheme**

12. A separate report to this CEB considers this issue in more detail and the recommended revised allocations scheme has been brought forward having regard to the Homelessness Strategy and supports the aims of the Strategy.

### **Wider impacts**

12. Corporate Plan The Homelessness Strategy will contribute to the delivery of the Council's Corporate Plan Corporate Objective 'Meeting

Housing Needs'. The corporate performance measure relates to the number of households in Oxford in temporary accommodation

13. Level of risk - a risk register is attached as Appendix E

14. Environmental Impact The Homelessness Strategy 2013 to 2018 does not have any explicit environmental impacts

15. Equality Opportunity An equality impact assessment is attached as Appendix .F The Homelessness Strategy is very specifically targeted at meeting the housing needs of the most vulnerable people in Oxford and as such no adverse impacts on any equalities group are expected as a result of this strategy.

16. Financial implications Homelessness has significant financial implications for the council. The net cost of housing needs, which includes homelessness expenditure, is £3, 107,000 for financial year 2012/13. The budget for 2013/14 is currently subject to consultation and, hence, has yet to be approved. The aims of the Homelessness Strategy are to prevent homelessness and thus help minimise the costs of temporary accommodation. The Action Plan that supports the final Homelessness Strategy contains financial and resources implications.

17. Legal Implications:

i) The Local Government Act 2003 requires local housing authorities to have in place a Homelessness Strategy for the district.

ii) Homelessness legislation is principally contained within the Housing Act 1996 (as amended by the Homelessness Act 2002). However, the Localism Act 2011 (sections 148 and 149) has amended the 1996 Housing Act, and new statutory regulations have been produced. These provide a new power that allows suitable 'Private Sector Offers' to be used to end the main homeless duty, without requiring the applicants agreement. This applies to new homeless applicants applying as homeless from the 9<sup>th</sup> November 2012. The regulations require local authorities to take a number of matters into account in determining the suitability of accommodation. Legislation concerning 'Qualifying Offers' has been repealed

Appendices to report:

- A. Homelessness Strategy 2013 to 2018
- B. Homelessness Strategy Action Plan 2013 to 2018
- C. Consultation responses
- D. Policy document - discharge of duty and private sector offer
- E. Risk Register
- F. Equality Impact Assessment

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