

BRIGHTON & HOVE CITY COUNCIL
SCRUTINY PANEL ON HOMELESSNESS

2.00pm 25 JANUARY 2013

HOVE TOWN HALL

MINUTES

Present: Councillor Wealls (Chair)

Also in attendance: Councillor Robins and Sykes

Other Members present: Councillors

PART ONE

1. PROCEDURAL BUSINESS

1A Declarations of Interest

1.1 There were none.

1B Exclusion of Press and Public

1.2 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

1.3 RESOLVED –that the press and public be not excluded from the meeting.

2. CHAIR'S COMMUNICATIONS

2.1 The Chair welcomed members, witnesses and the public to the first meeting of the panel, and stressed that the panel was keen to hear from anyone with an interest in the issue of homelessness, particularly people who have had direct experiences of homeless services.

3. EVIDENCE FROM WITNESSES

3.1 Witnesses. The panel heard evidence from **Sylvia Peckham** (SP), Brighton & Hove City Council (BHCC) Head of Temporary Accommodation and Allocations; **Narinder Sundar** (NS), BHCC Supporting People Manager; **Emily Ashmore** (EA), BHCC Allocations Manager; and **Jenny Knight** (JK), BHCC Commissioning Officer for Rough Sleepers.

3.2 Homelessness Duties. SP explained that the local authority have statutory duties to provide accommodation for homeless people, provided that five criteria are met:

- that the person is eligible for services (e.g. they are a British citizen);
- that they are actually homeless (or will imminently be made homeless);
- that they are not ‘intentionally homeless’ (e.g. they are not being evicted due to their anti-social behaviour or failure to pay rent etc);
- that they have a ‘local connection’ (e.g. that they have lived in the area for 3 of the past 5 years, are working in the city, or have close family living in the city etc);
- That they are in a ‘priority need category’ (e.g. they have a vulnerability that means that they are in greater need of secure housing than most people).

3.3 Other Duties to House. Even where people fail to qualify for help under homeless legislation, they may be still eligible under adult social care (ASC) or children’s (CYP) legislation, where the eligibility rules are somewhat different. In past years, accommodation for these clients was generally arranged by the services concerned, but this was not always good value; nor were clients always properly supported in claiming Housing Benefit (HB) etc. (In two-tier local authorities, this split in responsibilities is clear as homelessness duties rest with District Councils whilst ASC/CYP duties lie with County Councils; but BHCC is a unitary authority, responsible for all these duties, and so we are one of relatively few authorities to provide temporary accommodation on a corporate basis.

3.4 Temporary Accommodation. It was formerly the case that the Council just reacted to homelessness and typically sought to discharge its responsibilities under homeless legislation by offering eligible clients secure tenancies. However, recent years have seen a move (here and elsewhere) away from this model, towards one which emphasises prevention, and which typically offers temporary accommodation to homeless clients. The previous model had been flawed in that it had the potential to encourage people to become homeless in order to access social housing tenancies. It also had the effect of placing relatively large numbers of vulnerable people in social housing (since you need, by definition, to be vulnerable to be accepted as homeless by the Council), with a potentially detrimental impact on the cohesiveness of these communities. Placing vulnerable people in temporary accommodation gives the housing service an opportunity to work with them to provide training and support to help them eventually manage their own tenancies, hopefully avoiding a situation where people who have failed to manage a tenancy and have become homeless are granted another tenancy which they will then fail to manage.

3.5 HB rules. Temporary accommodation can be used to provide short term or quite long term support, with a lease running for as much as 10 years in certain circumstances. In general, higher levels of HB are payable for temporary accommodation, reflecting the additional support and management costs involved. Efforts are made to ensure that the right size temporary accommodation is offered to homeless households. However in the case of emergency accommodation this is not always possible.

- 3.6 Powers to House.** Whilst local authorities have specific duties under homeless, ASC or CYP legislation to house only certain groups of people, they are not restricted from offering support to other vulnerable people: councils may have the power to house even when there is no legal responsibility to do so, and may choose to support some particularly vulnerable people (typically rough sleepers) who do not meet the eligibility criteria. This is generally done under the auspices of the Wellbeing Act.
- 3.7 Severe weather service.** JK told the panel that a severe weather service was available for rough sleepers. This was activated when the weather forecast was for two consecutive days of sub zero weather and was contracted to Brighton Housing Trust (BHT). The service was intended to be only temporary – there are severe difficulties entailed in providing open-access emergency accommodation of this type for more than a few days, as some of the client group are very challenging. NS noted that services provided by other parties (e.g. local churches) were additional to this.
- 3.8 Demand for severe weather service.** The severe weather service provides 45 places across two shelters, plus, because of demand this winter, an additional five places in B&B accommodation. The local authority has no powers to compel rough sleepers to use this service, although mental health services may seek to use legislative powers to detain those rough sleepers who lack ‘capacity’ to make sound decisions about their own welfare; and the police may also intervene under vagrancy legislation, although such interventions are rare.
- 3.9 No Second Night Out.** EA told members that “No Second Night Out” is a national initiative aimed at providing rapid support for new rough sleepers, ensuring that they do not become habituated to rough sleeping. The service is funded by the Homeless Transitions Fund, and run locally by BHT and CRI. New rough sleepers are generally housed in private B&B accommodation or hostels, although BHCC commissioned accommodation may sometimes be used. However, they are not housed in the hostels that cater for the most chaotic clients. The local authority has no specific duty to house rough sleepers, although it does need to ensure that it addresses Government targets. Most new rough sleepers have previously not been in contact with council support services before being picked-up; but it is not clear that greater intervention with at-risk client groups would necessarily be helpful: most people at risk of homelessness manage to resolve their housing situation without recourse to statutory services, and there is a risk that early intervention would complicate rather than simplify matters.
- 3.10 Anti Social Behaviour.** SP told the panel that there were particular problems with some hostel users consistently engaging in street drinking/anti-social behaviour and finding themselves stuck in a ‘revolving door’ of being barred from hostels/de-toxing/being given hostel places/being barred again etc. This issue might be best addressed by looking at whether city hostel provision was appropriately banded and supported. The issue is not necessarily about needing more places for high-needs clients, it may be about being able to spread risk more widely – there are particular problems associated with housing very high-needs clients together, as this can exacerbate anti-social behaviour.
- 3.11 Location of hostels.** One particular issue here is the location of hostels. For historical reasons, much of the city’s hostel capacity is along the sea-front or near to London Rd/St James’ St. However, these areas are also hot spots for anti-social behaviour, street drinking, drug dealing etc, and there is an obvious risk in housing vulnerable

homeless people with alcohol/substance misuse issues in such locations. A recent pilot scheme, placing clients in a slightly less central location, has been successful in reducing ASB, even though the hostel is still relatively central. This work is still at a relatively early stage, but the use of more peripheral locations for hostel services is being actively considered.

- 3.12 Support for challenging ASC clients.** In general, the move for housing to offer a corporate housing service (i.e. to ASC and CYP clients as well as to people eligible for support under homelessness legislation) has been positive, with a seamless service saving the council significant sums of money. However, there have been some problems with these arrangements. In some instances, ASC clients have not received appropriate support (e.g. from Learning Disability services) to enable them to maintain their tenancies, which has resulted in severe damage to properties and the placing of people at risk. EA told members that matters had improved recently, but that there was still scope for a better relationship with Learning Disability services at an operational level.
- 3.13 Enforcement.** When an ASC client is housed with appropriate levels of housing-related ASC support, it is also important that this support is not unilaterally withdrawn, as it can be almost impossible for housing services to deal with tenant misbehaviour in these circumstances: courts will very rarely permit tenancy enforcement action to be taken against a client with learning disabilities, for example.
- 3.14 Inappropriate hostel placements.** JK told members that there is also a longstanding problem of some clients with really complex support needs being inappropriately placed in hostel accommodation because there is nowhere else for them. This group might include older people with alcohol problems whose drinking means that they cannot be placed in Sheltered housing; people with a 'dual diagnosis' of learning disabilities and substance misuse issues etc. There is no easy housing solution for these clients (whose vulnerabilities typically mean that they cannot be placed with other very vulnerable people), other than to try and ensure that supported accommodation in the city is as high quality and varied as possible.
- 3.15 Welfare Reforms.** SP told the panel that major service concerns/pressures included the current welfare reforms, both in terms of reduced support for HB etc. and in potential changes to the way that HB is paid – with direct payments to tenants rather than landlords. This may potentially be a major problem for temporary accommodation, as the client group includes many people who will struggle to manage their own finances. It is not currently clear whether temporary accommodation will be excluded from this change (as supported housing has been). Pilots where temporary accommodation has not been excluded have seen a precipitous drop in rent collection rates for this type of property – to around 60%, as against the 98% collection rate currently achieved in the city (a drop to 60% rent collected locally in temporary accommodation would cost approximately £4 million pa). The Department of Work & Pensions (DWP) is currently lobbying for temporary accommodation to be exempt from direct payments, but the decision lies with the Department for Communities and Local Government (CLG), who have to date been reluctant to compromise on their grand vision for benefits reform.
- 3.16 HB changes.** It had been anticipated that changes to HB already introduced (e.g. reductions in the amount that can be claimed by under 35s) would have had an impact

on services, but this has not really been felt to date. It is unclear whether this is because the change has not proved detrimental, or because there has been a lag (e.g. as people use up their savings etc), but there will still be an impact at a later point.

- 3.17 Partnership with NHS services.** In response to a question about partnership with city NHS services, EA told the panel that this was generally very good: an officer from Sussex Partnership NHS Foundation Trust (SPFT) sits permanently with the housing allocations team to ensure that mental health support needs are addressed, and there has been effective co-working on issues such as Dual Diagnosis, and on the recently completed mental health accommodation review. NS confirmed that Housing works closely with health commissioners and/or providers on a number of programme and partnership boards. In fact, co-working with NHS partners is rather more developed than co-working with some internal partners.
- 3.18 Benchmarking.** SP told the panel that BHCC was much larger than, and not readily comparable to, its immediate geographical neighbours, and consequently focused on comparing local services to obvious comparators such as Southampton and to the London boroughs, many of which have similar homelessness profiles.
- 3.19 The local market for housing.** The Housing team works hard to encourage of plurality of accommodation providers across the city. We currently work with around 450 landlords, although much of our accommodation is sourced via several large entities. Brighton & Hove can be a challenging environment in which to source some types of housing, particularly B&B accommodation, where landlords can always opt to cater for the tourist market. Landlords active in this market are generally not eager to extend their services to include homeless people. The temporary/emergency accommodation market is also affected by trends in the general rental market. Currently, high house prices and the difficulties the mortgage market poses for first-time buyers, mean that landlords can achieve good prices in the wider market for their rental properties, making housing homeless people less attractive.
- 3.20 B&B Framework Contract.** The council has recently developed a framework contract for B&B, for emergency accommodation, and for blocks of leased accommodation. This framework, in partnership with Lewes District Council, is intended to attract a wider range of providers to the market. SP offered to involve the scrutiny panel in the development of the detailed specifications of this contract.
- 3.21 Outcomes-Based Commissioning.** In response to questioning about commissioning strategies, JK told the panel that Housing was moving to an outcomes-based commissioning model. This was an ongoing piece of work which would not be completed until 2014/15. NS added that there were clear benefits in working to outcomes rather than process targets, but that agreeing appropriate outcomes with providers was a complex process, as was designing a data collection/monitoring system that was robust but not over-onerous. Housing will seek to involve its CYP and ASC clients in this process as it progresses.
- 3.22 Service Users.** JK told members that hostels are expected to engage service users around their expectations and experiences of the service, and generally do so. Getting feedback from users of unsupported emergency accommodation has proved much more

challenging, although it is not clear why this should be so – there may however be issues with some clients’ literacy or understanding of English.

- 3.23 Housing Support Service (HSS).** HSS provides floating support to people in emergency/temporary accommodation – e.g. to clients with alcohol problems. The support is partly signposting and partly helping with day to day tasks, particularly at the start of a tenancy. Additional funding for HSS has recently been found, with a significant increase in the number of clients being supported. The effectiveness of this support is currently being assessed.
- 3.24 Value for Money.** Maintaining people with very complex needs in accommodation can be costly, and Housing will typically charge its ASC and CYP clients a management fee for their more challenging placements. However, the fees charged do not accurately reflect costs: Housing in effect offers subsidised places to ASC and charges CYP fees for only the first year of placements. This represents a considerable corporate saving.
- 3.25 Local Connection.** Up to two thirds of rough sleepers in the city have no local connection; relatively few are even from Sussex. Brighton & Hove does not typically offer statutory services such as hostel places to people without a local connection (although the cold weather service is open to all), but is nonetheless seen as more welcoming to those without a local connection than many of its neighbours. The city may also have higher levels of non-statutory help which attracts rough sleepers from outside the area – e.g. the charitable provision of meals, sleeping bags etc. If, in the long term, this means that the city will see increasing numbers of rough sleepers, then the relative attractiveness of the city as a rough sleeper ‘destination’ is clearly a problem that will need addressing. However, this traffic is not just one way: there is a predictable drop in the number of locally-based rough sleepers in the winter months as people move to London, where there are more cold weather facilities.
- 3.26 Repatriating those with no local connection.** People who are genuinely homeless, but with no local connection, will typically be encouraged to move back to somewhere where they do have a connection. BHCC will liaise with the relevant local authority to ensure that the homeless person will be able to access appropriate support in their home town. In some instances, people may have no local connection (e.g. for people who have been in the forces or in custody), or it may not be safe for them to be housed in their home towns (people fleeing domestic violence etc), and in these circumstances BHCC will have a duty to house them.
- 3.27 Waiting Lists.** There are always more people without accommodation than there are places. Sometimes this may be because people have been barred from all hostels in the city, so there would be literally no one who would take them even if places were available. In such cases emergency accommodation may ‘bed-swap’ with the rough sleepers’ team. In other instances, people may have very complex physical or mental health needs which makes it very difficult to house them; or people may simply choose to rough sleep. However, even excluding these groups there is generally a waiting list of 20-40 days to accommodate a locally connected rough sleeper.

4. ANY OTHER BUSINESS

- 4.1 There was none

The meeting concluded at Time Not Specified

Signed

Chair

Dated this

day of