

HOUSING CABINET MEMBER MEETING

Agenda Item 45

Brighton & Hove City Council

Subject:	Severe Weather Emergency Protocol (SWEP)		
Date of Meeting:	8th September 2010		
Report of:	Director of Housing, Culture and Enterprise		
Contact Officer:	Name:	Richard Denyer-Bewick	Tel: 29-2933
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Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Within its duties as a local authority, Brighton & Hove City Council aims to ensure that vulnerable people are protected and provided for during the winter cold season, when extreme cold temperatures for extended spells can threaten the safety and wellbeing of some people living in the city.
- 1.2 The Homelessness & Housing Support Directorate of the Department for Communities & Local Government (CLG), recommends that local authorities ensure that there are a range of provisions in place to address the needs of rough sleepers in their area during winter. These provisions are commonly termed 'Severe Weather Emergency Protocols' or SWEP. *[Appendix C. CLG SWEP Letter January 2010]*
- 1.3 Housing Strategy have apportioned some funds each year from the CLG Homelessness Grant to ensure that provision exists to protect rough sleepers from sub zero temperatures and ultimately to ensure as far as possible that people do not die while sleeping on the streets during winter.

2. RECOMMENDATIONS:

- 2.1 That the plan for delivering of the Severe Weather Emergency Protocol (SWEP) during the winter 2010/11 be noted and the protocol agreed.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Guidance around the establishment of SWEPs comes from CLG and Homeless Link, a charity which supports local authorities and the community & voluntary sector to deliver against the central government strategies and agendas. *[Appendix D. Homeless Link SWEP Good Practice Guidance]*

- 3.2 The City Council first implemented a Severe Weather Emergency Protocol in line with Government policy in the winter of 2005/06 and has been implemented each winter since.
- 3.3 The current approach to SWEP, which has been developed and tested with our third sector partners since its launch, is reviewed each year with key teams and partners that are involved. *[Appendix A. Draft 2010-11 SWEP Protocol]*
- 3.4 The protocol ensures that any verified rough sleeper with a local connection is found accommodation, and that those who have no connection or are not entitled to receive services are given shelter and assistance in reconnecting to an area that they can receive services and accommodation to meet their needs.
- 3.5 The aims of the protocol are:
1. To prevent loss of life
 2. To reduce rough sleeping to as near zero as possible by:
 - i. Using SWEP to engage with entrenched rough sleepers with a local connection who would normally be resistant to coming inside
 - ii. Using SWEP to engage rough sleepers who do not have a local connection with relocation services
- 3.6 The protocol is triggered by a weather forecast from the Met Office predicting three consecutive nights, or more, of a temperature of zero degrees Celsius or lower.
- 3.7 The protocol contains detailed information of the responsibilities of partner agencies including Brighton Housing Trust, First Base Day Centre, Crime Reduction Initiative and Brighton YMCA.
- 3.8 Under SWEP the Council uses Wellbeing Powers to provide two forms of accommodation:
1. Emergency Temporary Accommodation
 2. Emergency Cold Weather Shelters (normally 1 x 20 bed shelter)
- The budget allocation covers the opening and running of the emergency shelter for approximately 20 nights.
- 3.9 At the Housing Cabinet Member Meeting held on 3rd March 2010 when the allocation of the CLG Homelessness Grant for 2010-11 was agreed, a request was made that a full briefing of the Severe Weather Emergency Protocol in 2009/10 was presented to a future Cabinet Member Meeting for consideration.

4. CONSULTATION

- 4.1 The protocol was developed in consultation with
- Department for Communities & Local Government
 - Homeless Link
 - Rough Sleepers, Street Services & Relocation Team (CRI)
 - Brighton Housing Trust (BHT)

- Sussex Central & Brighton YMCAs
- Day & Street Services Working Group (Single Homeless Strategy)
- Head of Housing Needs & Social Inclusion (BHCC)
- Head of Temporary Accommodation & Allocations (BHCC)

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

"The Homelessness Grant is £856k 2010/11. Within the grant, £10k has been allocated for this scheme; therefore there will be no additional cost to the council. The running costs of the scheme will be managed within existing resources"

Finance Officer Consulted: Neil J Smith

Date: 21/07/10

5.2 Legal Implications:

"The significant legal implications arising from the Severe Emergency Protocol - the council's duties under the Civil Contingencies Act and commissioning of the service in accordance with the Council's procurement rules - are addressed elsewhere in the report."

Lawyer Consulted: Liz Woodley

Date: 30/07/10

5.3 Equalities Implications:

The Council has an equalities and inclusion policy. The "priority equality strands" include groups that are covered by statutory provision as a result of age, gender, ethnicity, disability, sexual orientation & religion or belief. It also covers a number of social inclusion "key groups" including the homeless, unemployed, ex-offender and people with mental health and substance misuse issues.

Whilst the data collected shows us that rough sleepers in the City are male and predominantly white it is clear that the majority are homeless, unemployed and suffer from a range of mental health and substance misuse issues and clearly fit within those key socially excluded groups who we need to take every opportunity to engage with and support.

SWEP is considered to be one such opportunity; allowing the contracted CRI Rough Sleepers Team and other professionals to engage with people that are sometimes very entrenched rough sleepers and unwilling to speak with services during the rest of the year.

5.4 Sustainability Implications:

The commissioning of the SWEP service is in accordance with BHCC sustainability objectives and the process follows BHCC procurement, Contract Standing Orders and Financial Regulations.

5.5 Crime & Disorder Implications:

Street based behaviour and lifestyles can be closely linked to antisocial behaviour. The delivery of SWEP ensures that clients who have been living on the streets who would not normally engage with the Council and its partner providers are linked in to support, housing, health and relocation services. The SWEP intervention is a key way to engage with hard to reach and vulnerable individuals and leads on to improved outcomes for all parties; reducing street based activity and thus potential crime and disorder implications.

5.6 Risk and Opportunity Management Implications:

5.6.1 The Civil Contingencies Act 2004 places a statutory duty on councils to have in place documented, tried and tested Business Continuity Plans which they could activate should there be any form of emergency. These need not necessarily be 'disaster' status but might mean any situation which poses a threat to the health and wellbeing of citizens or service users. SWEP forms part of the Business Continuity Plan for Housing Strategy, Housing Needs & Social Inclusion.

5.6.2 Prevalence of weather conditions is unpredictable. In some years severe cold weather occurs in short spells however in the 09/10 winter the freezing weather remained for a long time and a decision was taken to extend the opening of the night shelter in excess of 20 nights. If this happens this year there may be a resulting pressure generated on the Homelessness Grant budget, however we are developing contingency plans to meet a pressure of an extra 10 nights.

5.6.3 In previous years the premises for hosting the emergency shelter has been 1st Base, a Brighton Housing Trust building. In the 09/10 season 1st Base closed for refurbishment and will not be available this year. We are currently liaising with our partners across the city to source suitable accommodation from which to run the shelter. We are confident we will have premises in confirmed before the cold weather sets in as we currently have a high number of contingency options to follow up.

5.7 Corporate / Citywide Implications:

The delivery of SWEP for this client group is aligned with the Sustainable Community Strategy, the Local Area Agreement and Single Homeless Strategy 2009-14. Specific outcomes and objectives that it meets are to:

- Improving Housing Support
- Preventing Homelessness
- Reducing the number of rough sleepers to as near to zero as possible
- Reducing health inequalities

6. **EVALUATION OF ANY ALTERNATIVE OPTION(S):**

6.1 **Choosing not to provide a SWEP**

This is not a recommended option. Our plans ensure there is a humanitarian response to prevent rough sleepers dying from the cold while there is prevailing

severe weather. Not providing a SWEP service would put people at risk because for some service users there would be no other option than to sleep out in cold weather extremes.

It is expected that rather than limiting the offer of support, all rough sleepers (including those who would normally have no recourse to public funds) will be made an emergency offer with arrangements being made outside the usual eligibility/entitlement framework that governs access to housing.

Fatality during the winter season due to cold and exposure is potentially very high profile for any local authority. Even with SWEP in place and all our partners working together, there remains potential for fatality and sometimes this tragically does happen. Failure to provide a plan for this eventuality may mean the Council fails to meet its duties under the Civil Contingencies Act 2004 and the best practice arrangements specified by the Department for Communities & Local Government.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 At the Housing Cabinet Member Meeting held on 3rd March 2010 when the allocation of the CLG Homelessness Grant for 2010-11 was agreed, a request was made that a full briefing of the Severe Weather Emergency Protocol in 2009/10 was presented to a future Cabinet Member Meeting.
- 7.2 The grant allocation for SWEP this financial year is £10,000. and this report outlines the strategic relevance and methodology of discharging these funds through our third sector partners in order to ensure as far as possible that people do not die if rough sleeping this winter in Brighton & Hove.
- 7.3 The Civil Contingencies Act 2004 places a statutory duty on councils to have in place documented, tried and tested Business Continuity Plans which they could activate should there be any form of emergency.

SUPPORTING DOCUMENTATION

Appendices:

- A. BHCC Sever Weather Emergency Protocol 20010/11 (SWEP)
- B. CLG SWEP Letter October 2008
- C. CLG SWEP Letter January 2010
- D. Homeless Link SWEP Good Practice Guidance
- E. GLOSSARY of terms

Documents in Members' Rooms

None

Background Documents

None

