

# LONDON BOROUGH OF CROYDON

<b>REPORT:</b>	<b>Health and Well Being Board</b>
<b>DATE OF DECISION</b>	<b>19<sup>th</sup> November 2024</b>
<b>REPORT TITLE:</b>	<b>Homelessness &amp; Rough Sleeping Strategy 2024-2029</b>
<b>CORPORATE DIRECTOR</b>	<b>Susmita Sen Corporate Director of Housing</b>
<b>LEAD OFFICER:</b>	<b>Beatrice Cingtho-Taylor, Director of Housing, Homelessness Prevention and Accommodation</b>
<b>LEAD MEMBER:</b>	<b>Councillor Lynne Hale, Cabinet Member for Homes and Deputy Mayor</b>
<b>WARDS AFFECTED:</b>	<b>All</b>

## 1 SUMMARY OF REPORT

- 1.1 This report introduces the Homelessness and Rough Sleeping Strategy 2024-2029 to the Health and Well Being Board. As well as setting out the statutory requirement to produce a 5-year plan, the report sets out the methodology used in its development and a summary report of the process used to consult residents and partners to inform the key themes identified in the strategy's priorities.

## 2 RECOMMENDATIONS

- 2.1 That the Health and Well Being note that the following was agreed by Full Council on the 17<sup>th</sup> of July 2024.
- 2.1.1 the Homelessness and Rough Sleeping Strategy 2024- 2029 as detailed in Appendix A.
- 2.2 Note within the report an assessment of progress since the Homelessness and Rough Sleeping Strategy was approved in July 2024.

## 3 REASONS FOR RECOMMENDATION

- 3.1 Under the Homelessness Act 2002 all local authorities are required to produce a Homelessness Strategy every five years. From 2018, the Government extended this and included a responsibility for Council's to consider rough sleeping as a part of the overall strategic objectives. Croydon last produced a Homelessness and Rough Sleeping Strategy between 2019-22 (please see 4.8.3).

- 3.2 Together with the Housing Transformation programme agreed at Cabinet in December 2022, it sets out the pathway as to how the Council will improve its Homelessness and Rough Sleeping services and produce better outcomes for Croydon residents at risk of being made homeless or homeless.
- 3.3 With a number of other strategies such as Resident Engagement and Asset Management, the Homelessness and Rough Sleeping Strategy 'sits under' Croydon's five-year Housing Strategy agreed at Full Council in December 2023.
- 3.4 The Mayors Business Plan sets the overall direction of the Council, and the Homelessness and Rough Sleeping Strategy links into the following core objectives:
- Outcome 4, Priority 3 of the Mayor's Plan*
- Prevent homelessness by providing advice, guidance, and appropriate support.
  - Review procurement of nightly paid temporary accommodation for homeless people to obtain Value for Money
- 3.5 To achieve the above Mayoral target, a review of the Housing Needs and Homelessness service has also been carried out to enable the Council to deliver a more responsive homelessness service.

## **4 BACKGROUND AND DETAIL**

### **Drivers for developing the Homelessness and Rough Sleeping Strategy 2024-2029.**

- 4.1 As outlined above under the Homelessness Act 2002 (and Homelessness Reduction Act 2017), the Council has a statutory duty to produce a Homelessness and Rough Sleeping strategy for the borough. In the short term, London Councils are experiencing a significant rise in homelessness with Croydon now having over 3,000 households in temporary accommodation. Combined with escalating numbers of those who are rough sleeping, the need for a joined-up approach with Statutory and Voluntary Sector partners to reduce these pressures is essential. In the longer term, in a Borough with one of the youngest populations of under 19-year-olds in London combined with a projected 58% rise in over 65's means a planned approach working with housing association partners is needed to respond to the increase in demand for general needs housing and elderly accommodation that this will entail.
- 4.2 The Executive Mayor's Business Plan (see 3.4) has identified the prevention of homelessness as a priority and the strategy sets out the Executive Mayor's intent to improve the Council's services to those in housing need.
- 4.3 The Council accepts concerns raised by residents about the quality of its housing services. The need for improvement has led to the re-organisation of the Housing Needs & Homelessness Service to create a structure which is better able to respond to and prevent the causes of homelessness such as private rental evictions, family & friend evictions, mental health issues, drugs and alcohol problems and incidents of domestic

abuse. The production of the Homelessness and Rough Sleeping Strategy provides the focus for what the new service is trying to achieve over the next five years.

4.4 In a time of rising homelessness and rough sleeping, when the use of temporary accommodation is proving particularly costly to London Boroughs, the strategy sets out the intention to work preventatively to stop homelessness from occurring and to reduce the reliance on temporary accommodation. In doing so, the Council will achieve better outcomes for residents as well as better value for money.

4.5 The Improvement and Assurance Panel (IAP) was commissioned by the Secretary of State for Levelling up, Housing and Communities to advise and assist on the Council's financial recovery strategy and report on the progress of service improvements. In the remit given to the Panel, housing was identified as one of the priority areas for improvement.

4.6 The Exit Strategy (October 2023) devised by the Improvement and Assurance Panel and produced in conjunction with the Council sets out the progress required by 2025. Within the document, it sets out the necessity to produce a Housing Strategy to provide necessary direction for the service. As stated above, the objectives of the Homelessness and Rough Sleeping Strategy contributes to the Housing Strategy.

#### **4.7 Methodology used in developing the Homelessness and Rough Sleeping Strategy 2024-2029**

4.7.1 In order to develop this strategy, the Council firstly conducted a review of homelessness and rough sleeping in the borough from July to October 2023. This included the use of homelessness statistics collected for the Ministry of Housing, Communities and Local Government (MHCLG), and the Combined Homelessness and Information Network (CHAIN), the London Mayors statistics for rough sleeping.

4.7.2 In addition, a review of how Croydon's performance benchmarks with London Local Authorities was conducted using the information set out in 4.7.1 above. The process identified gaps or learning and projected future trends for homelessness and rough sleeping in Croydon.

4.7.3. The outcomes of the previous Homelessness and Rough Sleeping Strategy 2019-2022 were also considered. This set the following targets.

- Build 2,000 homes for Croydon residents.
- Extend the Landlord Licensing Scheme after the first 5 years.
- Buy 250 homes for families in need to be let at truly affordable rents.
- Develop a strategic partnership with Crisis to develop our 10-year strategy to end homelessness.
- Continue with our Housing First approach to get our most vulnerable rough sleepers off the streets.
- Build on our Social Lettings Agency pilot to both encourage good landlords and to sustain tenancies.

During this period, the Council's financial position and the confinement of the Covid period meant that these objectives were not delivered and from May 2022 the Executive Mayor undertook to carry out a review of this service and produce a revised strategy with a greater emphasis on the prevention of homelessness as required by the Homelessness Reduction Act 2017.

4.7.4 The preliminary findings from the review were used to seek comments and views on homelessness and rough sleeping in Croydon from residents and partners and whether the initial findings identified the right priorities for the next five years. This involved a consultation exercise which included a user survey, meetings with residents, voluntary groups, and statutory agencies.

The feedback from well over 340 residents (of whom 20% had at some stage been threatened with homelessness) and the majority of our key partners is that the Council is not responsive enough to residents seeking assistance from the Housing Needs & Homelessness Service. Additionally, many of the Voluntary and Statutory Sector were of the view that the Council had withdrawn from carrying out its co-ordinating and facilitating role in tackling homelessness in the Borough.

4.7.5 A short Consultation report was then produced summarising these views and to ensure that the finalised Strategy incorporates this feedback and sets out a clear path for improving services for residents and re-instating partnership work in the borough

4.7.6 The finalised Homelessness Strategy is attached in appendix one and a summary of key priorities outlined in 4.9.5

## **4.8 Progressing the Homelessness and Rough Sleeping Strategy 2024- 2029**

4.8.1 The strategic priorities of the Homelessness and Rough Sleeping Strategy 2024-2029 is aligned with the following principles:

- The Homelessness Reduction Act 2017 and the requirement for Local Authorities to prevent homelessness from occurring by early intervention.
- The Government's ambition to eliminate Rough Sleeping by 2027
- The Regulator of Social Housing has recently expanded the consumer standards to encompass the accessibility of services to prospective tenants as well as those with a secure and assured tenancy.

4.8.2 In terms of delivery, the Homelessness and Rough Sleeping Strategy 2024- 2029 is underpinned by a plan which details the key actions and milestones to be achieved by 2029 to ensure our strategic priorities and objectives are delivered.

4.8.3 In a climate where the cost of homelessness is rising, a responsive and effective Housing Needs & Homelessness Service will require more integrated solutions in partnership with others. We understand that we need to do more for those people in greatest need and take a fresh look at how we can respond better to those groups that draw a disproportionate level of resources from the Council and other public service providers – such as families with multiple and complex needs. This will involve working much more closely with other voluntary and statutory partners in a spirit of partnership, sharing knowledge and expertise, and finding ways to better co-ordinate and integrate our approach.

4.8.4 Set out below is a summary of the strategic priorities, the actions to be taken and progress to date. Progress on delivery will be monitored by the Homelessness Partnership Board being established to include representation from the Statutory and Voluntary Sector partners-see Priority six.

4.8.5 The report sets out how each Homelessness and Rough Sleeping strategic priority aligns with the objectives in **the Health and Well Being Strategy**

*Priority One- Good Mental Health and Well Being for all*

*Priority Two -Cost of Living-supporting our residents to eat, sleep and have heat*

*Priority three-Healthy, safe and well-connected homes and communities*

*Priority Four- Supporting our children, young people and families*

*Priority Five- Supporting our older population to live healthy independent and fulfilling lives.*

4.8.5.1 **Priority One - Listen to our residents and provide good and responsive services.**

***Improved Customer Care for residents (Priority 1 Health and Well Being Strategy)***

The feedback from residents during the consultation carried out between October and December 2023 identified dissatisfaction with the customer service which was described as unresponsive by many who had used the service. The principles of the Residents Charter with Council tenants are therefore being adopted to the Housing Needs Service to ensure that all applicants are treated with courtesy and respect particularly as there are considerable life stresses and uncertainty during a period of homelessness. All staff are therefore receiving customer care training to ensure they and have the skills to cope with the challenges of the role, in a time of increasing demand.

In terms of changes to the service;

- An average of 500 residents a week are seen at Access Croydon. An in-person initial assessment service is offered to all applicants and those who are homeless and can't wait for an appointment are now seen on the day by an Officer in person.
- The waiting period for initial assessments following contact from residents at risk of homelessness has now reduced from six months to two months. The aspiration remains to assess 90% of the applications within 14 days
- Improved working relationship with voluntary and statutory partners such as the sharing of weekly rota, providing details of named officer contacts, regular meetings, joint decision-making panels, and escalation pathways.
- Cleared a backlog of complaints and significantly reduced the number of overdue Member Enquiries.

4.8.5.2 **Priority Two- Act at the earliest possible stage to prevent homelessness from occurring (Priority 1 and 4 Health and Well Being Strategy)**

Our review of the service found that the Council was not doing enough to prevent homelessness from occurring. By not fully implementing the Homelessness Reduction Act 2017 which extended the duty to prevent homelessness to 56 days, the Council was placing proportionately more households into temporary accommodation than many other London Boroughs. This is costly to the Council and not in the best interests of applicants many of whom have presenting needs and are unlikely to thrive in this environment.

The revised Housing Needs service has put the resources in the right places to tailor service response to the multiple needs of homeless applicants (including drug and alcohol, mental health, domestic abuse). We are working more closely with Partners such as Crisis Skylight and the Family Justice Service and have a dedicated Officer to work with residents following hospital discharge. In addition, effective demand management controls has resulted in a reduction in new placements into temporary accommodation at 25% of new presentations which is below the London average.

#### ***Care Experienced Young adults (Priority 1 and 4 Health and Well Being Strategy)***

Through the Joint Housing and Children protocol approved by Cabinet in June 2023, we have implemented a Joint Housing and Children Service panel to assess the housing and support needs of every Care Experienced Young Adults to determine the right housing option. Where their housing need can only be met through social housing, the proposed changes to the Housing Allocation Policy will mean a higher priority is awarded to them from 'Band 3' to 'Band 2'.

#### ***Household Support funding (HSF)(Priority 1,2 and 4 Health and Well Being Strategy)***

*Since the inception of the HSF in October 2021 the Council has supported 153,888 people with essential costs, such as food, water bills, electric and gas meter top ups. In administering the fund, the service works closely with schools, health and wellbeing practitioners and voluntary and community sector organisations to deliver targeted funding to those most in need, ensuring it reaches the maximum number of people possible. This includes tackling holiday hunger among school children by providing meal vouchers.*

Discretionary Housing Payment is also used to support those in housing need. Between April 2022 and March 2024, 1,477 residents were supported using the funds to secure and move to alternative accommodation (e.g. rent deposit); help with short term rental costs while the resident seeks employment; help with on-going rental costs for any other reason (such as waiting for Personal Independence Payment and Benefit capped

#### **4.8.5.3 Priority three -Reducing the reliance on temporary accommodation (Priority 1, and 4 Health and Well Being Strategy)**

With homelessness increasing rapidly across London, and households facing longer spells in temporary accommodation, the Council recognises the impact that this can

have on the well-being of households particularly children and strategy sets out the following actions:

#### *Improving the quality of temporary accommodation*

To ensure a good standard of accommodation is procured, an Approved Landlord List contract is in place for nightly paid accommodation providers which clearly outlines the Council's requirements and the obligations of the landlords. This includes the requirement for landlords to have safeguarding and health & safety policies.

#### *Ensuring the suitable placement of households*

We have also developed a Temporary Accommodation & Private Rented Sector Placements Policy which is considered sector good practice, as it provides transparency and context to the Council's approach to accommodating homeless households, particularly with regard to out of area placements. Although the Council will always try and place households locally, the lack of available and affordable accommodation means that more families are having to be placed outside of the borough. The policy sets out a criterion which determines where households are placed. When placed outside of the borough, the housing needs service provides support and information with regards to key services such as doctors and schools

Due to the demand and supply imbalance has meant that the Council has had to place families into bed and breakfast with shared facilities for more than six weeks, which is the statutory limit.

There are currently 71 families in such accommodation. 7 out of the 22 London boroughs who submitted data returns to the government had more than 100 households in such accommodation on 31 March 2024. The Council recognises the impact this has on families and will continue to prioritise this issue.

#### *Review of supported accommodation*

The service currently commissions a number of supported housing contracts at a cost of £2.5m per year. The services provide circa 313 bed spaces across various accommodation types. There are additional floating support contracts for victims of domestic abuse, young people and a rough sleeping outreach contract.

The Council has appointed Homeless Link, a national homeless charity, to carry out a full review of existing services & support in the retendering of new contracts to ensure improved service outcomes and value for money. The new service with updated service specifications will be commissioned in 2025 following a procurement process involving Children, Adult Services and the Family Justice Centre.

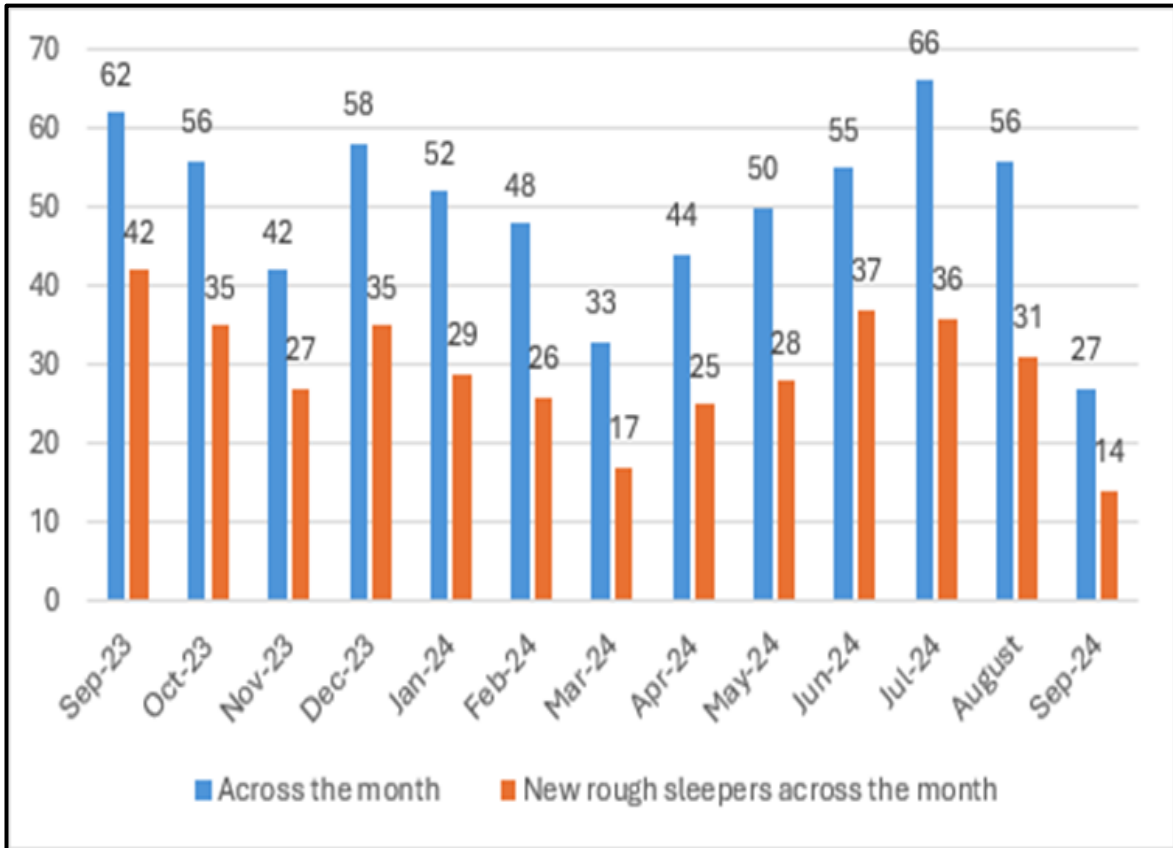
#### *Communication with those in temporary accommodation*

Where it is possible, we will seek a dialogue with groups of residents in temporary accommodation as we accept the need for better information and support for those spending longer periods awaiting permanent rehousing. For instance, we have started holding regular surgeries with the residents living in council owned hostel accommodation (Windsor House and Concord House) to provide information and support.

**4.8.5.4 Priority Four - Reduce the numbers of people who are rough sleeping in Croydon (Priority 1,2 and 4 Health and Well Being Strategy)**

**Numbers Rough Sleeping**

The table below sets out rough sleeping numbers for Croydon and shows the number of those who are new to rough sleeping



Croydon consistently see an average of 30 people every month new to the street, which is approximately 70% of all rough sleepers. Work is being done to understand the cause and who the individuals are to address this increasing trend in rough sleeping.

However, the number of entrenched rough sleepers is low at 8. 50% (4) have accommodation but keep returning to the street

We also know that 80% of the rough sleepers have one or more support teams. Highest support needs are mental health, alcohol and substance use (drugs) often requiring dual diagnosis professional support.

**Joint working**

Addressing the housing and support needs of rough sleepers is challenging and is reliant on multi-disciplinary working with partner agencies such as Community safety, Crisis Skylight, the Start team and Change, Grow, Live who provide a range of services centred around support for mental health and addiction. As a part of a national research trial, funding is expected to employ a Nurse practitioner who will provide medical services on site for rough sleepers.



Service offers for rough sleepers.

**Accommodation Support:**

- **28-day assessment hub:** A rapid assessment service for those coming directly off the streets, with 15 bed spaces in the "Somewhere Safe to Stay" hub.
- **Emergency Accommodation:** Dedicated accommodation for rough sleepers, including a guesthouse with 18 bed spaces for vulnerable female rough sleepers.
- **Housing First service:** A dedicated service focused on supporting entrenched rough sleepers, providing 8 properties.
- **Severe Weather Emergency Protocol (SWEP):** Provision to protect rough sleepers during extreme weather conditions.
- **Private Rented Sector procurement service:** Assisting rough sleepers in securing private rented accommodation.

**Staffing delivering targeted support to rough sleepers:**

- **Street Outreach Service:** A Housing-Led Outreach and Casework Service providing support to help rough sleepers secure employment.
- **Rough Sleeping Coordinator**
- **Anti-Social Behaviour Officer**
- **Housing Needs Officer**
- **Project Delivery Officer**

**4.8.5.5 Priority Five- Manage our stock and encourage new affordable, private rented and social housing (*Priority 2 to 5 Health and Well Being Strategy*)**

With over 8,000 people on the Council's housing waiting list and an average of 800 social housing properties available per annum, available, only one in every 10 households on the Council's housing register has a realistic prospect of securing social housing.

The recent Strategic Housing Assessment 2023 (SHMA) has identified the need for 1,817 additional 'low cost' rental homes per annum above current supply between now and 2040. It recommends the following mix of dwellings to meet future need within this category.

Bedroom size	%
1	15%
2	30%
3	35%
4	20%

In addition, with a projected 58% increase in the over 65 population between now and 2039, it is anticipated that up to 3,800 affordable sheltered and extra-care accommodation will be needed.

Besides improving the performance in managing our stock in areas such as void property turnaround and tackling unauthorised occupation, the Council has developed a Homes and Regeneration Strategy to set out its aspirations to increase housing supply and has formed a partnership with leading housing associations in the borough to map out future opportunities to increase affordable accommodation. With one of the youngest

populations in London combined with a rising population of over 65's there is a need to plan ahead for provision of generic and special needs accommodation

#### **4.8.5.6 Priority Six - Re-instate partnerships with the Voluntary and Statutory Sector and deliver a more integrated approach to tackling homelessness. (Priority 3 Health and Well Being Strategy)**

Feedback received from Voluntary and Statutory Sector has shown that the Council has lost sight of its co-ordinating role in combating homelessness through partnerships. In response, in collaboration with our partners the Council is proposing to form a Homelessness Partnership Board who will oversee the delivery of the action plan by working with a number of themed operational groups led by partner agencies. This governance structure will enable all partners to get involved in addressing homelessness and rough sleeping.

## **5 ALTERNATIVE OPTIONS CONSIDERED**

5.1 The following alternative options were considered ahead of developing the Homelessness and Rough Sleeping Strategy 2024- 2029:

- Do not produce a new Homelessness and Rough Sleeping strategy.
- Delay the development of a Homelessness and Rough Sleeping strategy.

5.2 The alternative option of not producing a new homelessness strategy was rejected for the reasons listed in 3.1- 3.7. Additionally, the Strategy is a statutory requirement which was due for completion in 2023. The Department of Levelling Up, Housing and Communities agreed to delay the new Strategy on the basis that it was produced by Spring 2024. Asking for a further extension is unnecessary and might therefore damage the Council's credibility.

## **6 CONSULTATION.**

6.1 We consulted on the key themes of the Homelessness and Rough Sleeping Strategy 2024- 2029 through an online survey questionnaire. The survey asked respondents whether they agreed or disagreed with the draft priorities. The online survey was live from 6<sup>th</sup> October to 15<sup>th</sup> December 2023 and received 188 responses and showed broad support for all original five draft priorities and underlying objectives. As a result of the feedback, a further objective on the delivery of a good and responsive service was added.

6.2 Survey responses regarding the draft priorities and objectives and a snapshot of the responses are listed below.

**Priority One: Listen to our residents and provide good and responsive services.** This has been included as an additional target as an outcome of the consultation where many respondents complained about the poor customer experience they had received.

**Priority Two: Act at the earliest possible stage to prevent homelessness from occurring.** Data provided to the Department of Levelling Up, Housing and Communities shows that Croydon Council currently prevents homelessness from occurring in 35% of occasions against the 45% average in other London Boroughs suggesting that more can be done to prevent homelessness.

**Priority Three: Reduce the reliance on the use of temporary accommodation.** Homelessness is on the rise nationally and particularly across London with some Councils experiencing 15% increases in those needing temporary accommodation. The cost of temporary accommodation and bed and breakfast is high, and residents are often housed in such accommodation for extended periods of time. We will use every endeavour to reduce the reliance on the use of temporary accommodation to ensure residents are provided with stable homes. *94% agree or strongly agree with this priority.*

**Priority Four: Reduce the numbers of people who are rough sleeping in Croydon.** Approximately 15% of the rough sleepers assessed in the borough remain living on the streets, and it is key that we continue to provide them with support services. We will also work with partners such as Safer Streets to deter those who refuse an offer of accommodation and cause anti-social behaviour. *79% agree or strongly agree with this priority.*

*Reasons for 15% disagreeing or strongly disagreeing:*

- *Some respondents were of the view that support should be withdrawn or that people could not be helped.*
- *Others wanted stronger action against anti-social behaviour.*
- *Comments were also received about the impact that staying in temporary or hostel accommodation can have upon mental health.*

**Priority Five: Manage our stock and encourage new affordable, private rented and social housing.** We need to manage our own stock effectively to ensure properties are re-let swiftly, as well as intervene to maintain tenancies in the social and private sectors. In addition, we will work with our housing association partners to increase access to the supply of new affordable and social housing in the borough *87% agree or strongly agree with this priority.*

*Reasons for 9% (23 people) disagreeing or strongly disagreeing:*

- *'Better management and maintenance of existing homes was needed.'*
- *'More social than affordable housing was needed.'*
- *'Rehouse out of Croydon as it is over-crowded.'*

**Priority Six: Re-instate partnerships with the Voluntary and Statutory Sector and deliver a more integrated approach to tackling homelessness.** We know that often residents with additional vulnerabilities are at a higher risk of homelessness and we need to work effectively with partners to assist vulnerable residents so as to prevent homelessness. *87% agree or strongly disagree.*

*Reasons for 11% disagreeing or strongly disagreeing:*

- *'Need to invest more in Mental health prevention.'*
- *'Council should be leading and not assigning responsibility to others.'*

- 6.3 18% of those responding had experienced homelessness or a threat of homelessness.
- 6.4 Meetings were held with Croydon Communities Consortium in which 26 residents attended and the Private Landlords Forum where about 60 landlords attended over 2 sessions.
- 6.5 A further 160 comments were received in the Housing Strategy consultation that related to homelessness.
- 6.6 One to one meetings also took place with key partners including the Family Justice Centre, Evolve Housing, St Mungo's Housing Association, Croydon University Hospital, South London and Maudsley Hospital Trust, Thames Reach, Nightwatch, Crisis Skylight, Southwest London Law Centres and Southern Housing.
- 6.7 In summary, key concerns raised in the Consultation related to the lack of responsiveness from the Housing Needs and Homelessness Service. The voluntary and statutory partners were also concerned that the Council was no longer carrying out its co-ordinating and facilitating role in tackling homelessness in the Borough.
- 6.8 There have also been two All Member Briefing Sessions with one occurring at the beginning of the process and another to comment on the finalised Strategy.

## **7 CONTRIBUTION TO EXECUTIVE MAYOR BUSINESS PLAN.**

- 7.1 The development and implementation of the Housing Strategy 2023- 2028 and the Homelessness and Rough Sleeping Strategy 2024-2029 is key to ensuring the Council delivers against the following priorities within the Executive Mayor's Business Plan 2022- 2026:
- Get a grip on the finances and make the Council financially sustainable.
  - Become a council which listens to, respects, and works in partnership with Croydon's diverse communities.
  - Strengthen collaboration and joint working with partner organisations and the voluntary, community and faith sectors.
  - Develop our workforce to deliver in a manner that respects the diversity of our communities.
  - Ensure children and young people have opportunities to learn, develop and fulfil their potential.
  - Invest in council homes to drive up standards and develop a more responsive and effective housing service.
  - Work with partners and the VCFS to promote independence, health and wellbeing and keep vulnerable adults safe.

## **8 IMPLICATIONS.**

### **8.1 FINANCIAL IMPLICATIONS**

The Homelessness and Rough Sleeping Strategy sets out the priorities of the Housing Needs services across 2024-2029. Priority one may involve financial implications depending on the outcome of feasibility work around data management. Priorities 2,3,4 and 5 align with business-as-usual priorities and planned improvements to service delivery and will contribute to improvements in efficiency and effectiveness. Priority 6 will require resources in the form of staff time, but this will be managed within existing budgets. Implementation of the strategy as described should ensure that homelessness costs are minimised as effective demand management results in fewer households needing high-cost housing support.

Comments approved by Allister Bannin, Director of Finance (Deputy s151 Officer), 10/04/24.

### **8.2 LEGAL IMPLICATIONS**

- 8.2.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Legal Services and Monitoring Officer as follows.
- 8.2.2 Part 7 of the Housing Act 1996 sets out the definition of homelessness, and the duties owed by local authorities to applicants who become homeless or are threatened with homelessness.
- 8.2.3 The Homeless Reduction Act 2017 requires local authorities to intervene at an earlier stage and take reasonable steps to prevent homelessness (to those threatened with homelessness within 56 days) and/ or relieve homelessness (through sustaining or securing accommodation) for eligible applicants who become homeless or are threatened with homelessness.
- 8.2.4 The Domestic Abuse Act 2021 amends Part 7 of Housing Act 1996 and now provides a new definition of domestic abuse. The Act extends priority need to all eligible victims of domestic abuse who are homeless as a result of being a victim of domestic abuse and requires local authorities to assess whether an applicant is homeless as a result of domestic abuse.
- 8.2.5 The legislation concerning homelessness reviews and strategies is set out in sections 1 to 3 of the Homelessness Act 2002 ("the 2002 Act").
- 8.2.6 Section 1 of the 2002 Act provides that a local housing authority may from time to time carry out a homelessness review for their district and formulate and publish a homelessness strategy based on the results of that review. The authority must exercise that power so as to ensure that a new homelessness strategy for their district is published within 5 years of the date of publication of their last homelessness strategy.
- 8.2.7 Section 2 of the 2002 Act sets out the meaning and scope of a homelessness review.
- 8.2.8 Section 3 of the 2002 Act, defines a homelessness strategy as a strategy for preventing homelessness in the district, securing that sufficient accommodation is and will be

available for people in their district who are or may become homeless, securing the satisfactory provision of support for people in the district who are or may become homeless, or who have been homeless and need support to prevent them becoming homeless again.

- 8.2.9 In formulating or modifying a homelessness strategy, the authority must have regard to its current allocation scheme, its current tenancy strategy, the current London housing strategy, and the extent to which objectives can be achieved by other public bodies, voluntary organisations etc.
- 8.2.10 Before adopting or modifying a homelessness strategy, the authority must consult such public or local authorities, voluntary organisations, or other persons as they consider appropriate. The consultation that has taken place is set out in section 6 of the report.
- 8.2.11 In carrying out a homelessness review, and in developing the revised Homelessness and Rough Sleeping Strategy, under Section 182(1) of the Housing Act 1996 the authority must have regard to the code of practice issued by the Secretary of State under Section 214A of the Housing Act 1996, namely the Homelessness code of guidance to local authorities 2018 as updated. Chapter 2 of the Code of Guidance relates to homelessness strategies and reviews.
- 8.2.12 The authority must keep their homelessness strategy under review, and may modify it from time to time, and the modifications or the strategy as modified must also be published.
- 8.2.13 A copy of the strategy must be available for inspection at the council's principal office, or a copy provided to member of public if asked for, and under the Code of Guidance the Council should publish the strategy and review documents on its website.
- 8.2.14 A public authority, the Council must always take account of the provisions of the Human Rights Act 1998 and not act in a way which is incompatible with a Convention right. Under Article 8, any interference with the right to respect for a person's private and family life and home must be proportionate and Article 14 requires that there must be no unjustified discrimination within the scope of human rights on any grounds, such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.2.15 Approval of the Homelessness and Rough Sleeping Strategy 2024-2029 following consultation is a function reserved to Full Council by Article 4.2 of the Council's Constitution unless otherwise delegated in accordance with Article 4.1.

Under paragraph 4.55 of Part 3 of the Council's Constitution, the Corporate Director for Housing is responsible for discharging the Council's duties, powers and functions in relation to homelessness.

- 8.2.16 The Homelessness and Rough Sleeping Strategy meets the overall requirements of the Homelessness Act 2002 and the Code of Guidance chapter 2, and there is no legal reason why Cabinet should not agree the recommendations in this report, and to make a recommendation to Full Council to adopt the Strategy.

*Approved by:* Sandra Herbert Head of Litigation and Corporate Law on behalf of Stephen Lawrence-Orumwense Director of Legal Services and Monitoring Officer (05/04/2024)

### **8.3 EQUALITIES IMPLICATIONS**

Under the Public Sector Equality Duty of the Equality Act 2010, decision makers must evidence consideration of any potential impacts of proposals on groups who share the protected characteristics, before decisions are taken. This includes any decisions relating to how authorities act as employers; how they develop, evaluate and review policies; how they design, deliver and evaluate services, and also how they commission and procure services from others.

8.3.1 Section 149 of the Act requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.
- Protected characteristics defined by law include race and ethnicity, disability, sex, gender reassignment, age, sexual orientation, pregnancy and maternity, and religion or belief.
- Having due regard means there is a requirement to consciously address the three tenets of the Equality Duty within decision-making processes.
- By law, assessments must be carried out throughout planning and delivery and contain sufficient information to enable the local authority to show it has paid 'due regard' to the equality's duties; and identified methods for mitigating or avoiding adverse impact on people sharing protected characteristics.

The Equalities Impact Assessment undertaken shows the outcome for protected groups is being positive.

Comments Approved by Felisha Dussard Senior Communities Officer 06/03/2024.

### **8.4 CRIME AND DISORDER IMPLICATIONS**

8.4.1 The Strategy alludes to the problem of anti-social behaviour caused by a minority of those who are rough sleeping and the need to co-ordinate work with safer streets to tackle this problem.

8.4.2 The Council also recognises the rising levels of homelessness attributable to Domestic Violence and will continue joint working with the Family Justice Centre to tackle this issue as well as liaising with the Police and the Council's Community Safety team.

## **8.5 RISK MANAGEMENT IMPLICATIONS**

8.5.1 Housing has been identified as an area of key concern by the Government and the progress of the Transformation Programme is monitored by the Improvement and Assurance Panel appointed by the Secretary of State. Failure to progress the Homelessness and Rough Strategy and a successful re-organisation of the service may therefore impact on the ability of the Borough to achieve an exit from intervention in July 2025.

## **8.6 DATA PROTECTION IMPLICATIONS**

There are no data protection implication with regards to this report

## **9 APPENDICES**

Appendix A - Homelessness and Rough Sleeping Strategy