

FINAL REPORT

Item No.	Classification: Open	Date: 17th June 2019	Meeting Name: Individual Decision Making Cabinet Member for Housing and Modernisation
Report title:		Temporary Accommodation Allocation, Procurement and PRSO Policies	
Ward(s) or groups affected:		Electoral ward(s); All	
From:		Michael Scorer Strategic Director of Housing and Modernisation	

RECOMMENDATION(S)

To agree to publish and implement the following change to homelessness policy:

1. The *Accommodation Procurement Policy for Homeless Households* (Appendix 1).
2. The *Private Rented Sector Offers Policy for Homeless Households* (Appendix 2).
3. The revised *Temporary accommodation lettings framework* (Appendix 3).

To note:

4. That homeless households in temporary accommodation placed outside of the borough will retain their rights to bid for Southwark's permanent social housing.

Introduction

5. This report aims to deliver better quality services and more affordable housing solutions for homeless families and individuals. The report outlines the proposed personalisation of service for homeless people to ensure all families and individuals have a bespoke solution that meets their needs.
6. The quality of services provided to homeless people over the last five years by Southwark Council has seen satisfaction increase from 15% to 90%. The service achieved a "Very Good" quality status from the 2018 Shelter mystery shopping exercise, during 2018 the council obtained a Customer Service Excellence award for its homelessness services, became the first Housing Needs service in the United Kingdom to achieve the Domestic Abuse Housing Alliance accreditation in 2018 and also obtained the Gold Standard accreditation one of only 12 council's in England to obtain this accreditation.
7. The council can be proud of recognition as the national best practice example for the services offered to homeless people which include the 2017 elimination of the use of bed and breakfast accommodation recognition. However, the alternative nightly charged accommodation has seen an unintended consequence, as homeless people who are now falling further into financial hardship due to expensive rents. Consequently, this report aims to eliminate the use of expensive nightly paid accommodation in favour of more affordable private rented homes.
8. The Local Housing Allowance rates set by central Government now make it almost impossible to re-house people into private rented accommodation locally in Southwark and combined with the reduction of lettings of council and housing association homes reducing from almost 4,000 lettings 5 years ago to less than 1,300 lettings during 2018, therefore the challenge for the council is to secure affordable housing solutions for homeless people.
9. The traditional service offer for homeless households which the council currently operates requires homeless people to negotiate their way through a number of complicated steps to obtain temporary accommodation only to spend several years in expensive temporary accommodation they are unable to afford.

FINAL REPORT

10. The proposed new approach to helping homeless people will be based on a thorough and realistic appraisal of housing options and prospect, enabling people to make realistic if tough choices about their housing future taking into account the things that are important to them. Homeless people will still receive housing advice, assistance and support when needed and the new service offer will always be designed to ensure the best accommodation is offered to homeless people in need, but the offer will not be expensive temporary accommodation.

BACKGROUND INFORMATION

11. The Council has certain duties towards homeless persons as set out in the Housing Act 1996 Part VII as amended (HA96), and the Homelessness Reduction Act 2017 (hereafter referred to as HRA17), including the duty to carry out enquiries to establish the level of duty owed to a household. If the Council has reason to believe that a homeless applicant may be eligible, homeless and in priority need, it has a duty to ensure that suitable temporary accommodation (TA) is available to the household.
12. The Homelessness Reduction Act 2017 (HRA17), introduced relief duties, following on from new prevention duties, requiring councils to take reasonable steps to help secure accommodation for any eligible person who is homeless for up to 56 days.
13. Where a main housing duty is accepted then the household remains in TA until they are permanently rehoused or until the duty ends for any other reason. In recent times this has meant waiting for a Part 6 offer of social housing. Supply is being outstripped by demand in this respect and causing an increase in TA numbers.
14. Housing Solutions is redesigning its service with the aim of making PRSO to households, as an option, where appropriate, at an earlier stage in homelessness prevention activities. This re-design will follow the best practice examples all ready adopted by council's in London.
15. The Procurement Policy (Appendix 1) is required to demonstrate Southwark's procurement and allocations following the Supreme Court decision in *Nzolameso v Westminster City Council*. The Private Rented Sector Offer policy (appendix 2) is required to give effect to existing provisions in Southwark's Housing Allocation Scheme to discharge housing duty to statutory homeless households by making a PRSO, subject to suitability and compliance with the Homelessness (Suitability of Accommodation) Order 2012. The Lettings framework (Appendix 3) is required to evidence compliance with the 1996 Housing Act and the Localism Act 2011.
16. A large number of recent reports have demonstrated the negative effects of homelessness and temporary accommodation on people's physical and mental health and more stable, settled accommodation available in the private rented sector may contribute to resolving this.¹
17. Demand for housing and homelessness has grown rapidly both in Southwark and across London as a whole over the last two years. The number of households approaching as homeless in Southwark has risen from 1,013 in 2011-12 to 1,493 in 2017-18, and the figure for accepted cases reflects this demand, rising from 522 in 2011-12 to 911 in 2016-17, although this dropped to 505 in 2017/18. There are now over 2,500 households in TA, whereas in April 2011 there were under 1,000.

1

https://www.local.gov.uk/sites/default/files/documents/22.7%20HEALTH%20AND%20HOMELESSNESS_v08_WEB_0.PDF

FINAL REPORT

18. Housing in Southwark is becoming increasingly unaffordable. Housing Benefit levels are likely to continue to fall behind actual rents. Table 1 shows, there is a significant difference between the LHA rate and local market rents and this is continuing to widen.

Table 1 – LHA cap compared to lower quartile and average median rents in Southwark (quarter 3, 2017/18)

Size of accommodation	LHA cap - April 2018 (pcm)	Average lower quartile rent (pcm)	Average median rent (pcm)
Room (in shared accommodation)	£425	£646	£719
1 bed	£911	£1,340	£1,538
2 bed	£1,184	£1,675	£1,950
3 bed	£1,433	£1,998	£2,449
4 bed	£1,807	£2,600	£2,925

Source: Southwark Market Trends Bulletins (based on advertised rents for self-contained properties in Southwark, unless stated)

19. Temporary accommodation continues to present a significant budget risk due to the simultaneous challenge of increasing homeless demand and the reduction in the supply of affordable housing. Whilst action is being taken to manage demand, it remains a constant and enduring pressure.

Medium term financial plan

For 2019-20, the Gross Cost of TA is estimated at £30.403m. The Southwark medium term financial plan included an additional £5.2m for budget pressures arising from increased costs of TA, mitigated by £2m estimated to be the potential net savings arising from changing the TA procurement policies. This increased the approved General Fund budget for TA to £9.399m for 2019-20.

KEY ISSUES FOR CONSIDERATION

Impact

20. The net cost of temporary accommodation in 2016/17 was £3.7m. This is because the actual cost of providing nightly rate and leased accommodation for an average of 730 homeless households per month in 2016/17 was not fully covered by the subsidy provided through central government's subsidy formula². In 2017/18, the net cost of temporary accommodation rose to £4.8m, mainly due to the increased numbers of households receiving support – an average of 1,097 per month in nightly paid and leased accommodation, rising costs of rent and increased length of stay.
21. Homeless households are spending an increasingly long period of time in temporary accommodation waiting for social housing. Between the start of September 2018 and the end of December 2018 the average waiting time in TA for social housing increased from 36 months to 38 months. The average length of stay in TA has more than doubled (increased by 104%) between March 2016 and June 2018). Depending on the size of property required, some of these waits can be very lengthy – and they are likely to become longer. Table 4 shows the correlation to the reducing number of social lets available.

² The income the council received to cover temporary accommodation costs was through a formula set by government: 90% of 2011 Local Housing Allowance plus a management fee of £40 subject to bed size caps

FINAL REPORT

Table 3: Length of stay in temporary accommodation

Average length of stay (cal. days)			
	as of June 2018	as of March 2016	% increase
Regeneration estate properties	508 (1 year 5 months)	226	124%
Hostels	229 (8 months)	162	41%
Private Rented Sector	736 (2 years 1 month)	309	138%
Nightly paid	233 (8 months)	158	47%
Total (average)	406 (1 year 2 months)	199	104%

Source: internal records

Table 4: Supply and Demand for social housing in Southwark

Financial year	Households in temporary accommodation	Council and RSL lets
11/12	671	2,453
12/13	705	2,385
13/14	772	2,212
14/15	943	2,106
15/16	1,341	1,701
16/17	1,778	1,176
17/18	2,332	1,489

Source: DCLG P1E statistics and internal records.

22. These long waits have a considerable impact on homeless households due to the temporary nature of this housing, which is likely to make it difficult for households to feel able to settle in an area and build up local links. This is exacerbated by the fact that households typically have to move several times within temporary accommodation, due to contracts with providers ending, or the household's circumstances changing, or the availability of 'second stage temporary accommodation' such as estate voids.
23. A national survey conducted by Shelter of 2,000 people in temporary accommodation³, found that more than half said that they were suffering from depression, and that depression and other mental health problems were two of the most common health conditions reported.

Options

Option 1: Continue with the existing policies

24. As the table below shows, if no new approach is taken, the cost of temporary accommodation to the council could increase from £4.8m in 2017/18 to £7.6m in 2021/22 due to ongoing high demand, impact from the HRA17, projected reduction in hostel and regeneration estate units, aspirations to reduce usage of shared nightly rate TA, market conditions and national welfare and housing policy changes. Households would also continue to spend long periods of time in temporary accommodation waiting on a successful bid for a falling supply of social housing (Table 4). Current trends in long-term affordability for homeless households will continue to decline and the scope to allocate resources for homelessness reduction would be limited. Given the wider medium-term budgetary challenges faced by the council this approach would be

³ http://england.shelter.org.uk/data/assets/pdf/file/0012/40116/Living_in_Limbo.pdf

FINAL REPORT

financially unsustainable and significantly limit the ability to resource wider Council priorities.

	2017/18	2018/19	2019/20	2020/21	2021/22
Gross TA costs	£18.8m	£26.1m	£30.4m	£32.5m	£35.8m
Base cost (after income from households in TA)†	£7.7m	£8.4m	£10.4m	£11.1m	£12.3m
Numbers of Households in TA (funded from the General fund) at end of year.	1,096	1,550	1,868	1,900	2,082
Increased funding available for homelessness prevention activities via the FHSG funding ^	-£2.9m	-£2.6m	-£2.5m	-£2.5m*	-£2.4m*
Net cost of TA	£4.8m	£5.8m	£7.9	£8.6m	£9.9m

† For 2018/19 onwards - assumes current numbers, tenures and costs as at month six with an increase of 200 homelessness households per year, and a continued increase in usage of estate voids of 18.5% per year.

^ Assumes almost full use of FHSG after £1.2m used to support proposed staff structure. The 'do nothing' option has an increased risk of reduced FHSG because funding is linked to the number of preventions and relief activities as well as acceptances and it could be anticipated there will be less preventions without utilising more PRS accommodation.

*There has been no confirmation of FHSG and New Burdens funding beyond 2019/20.

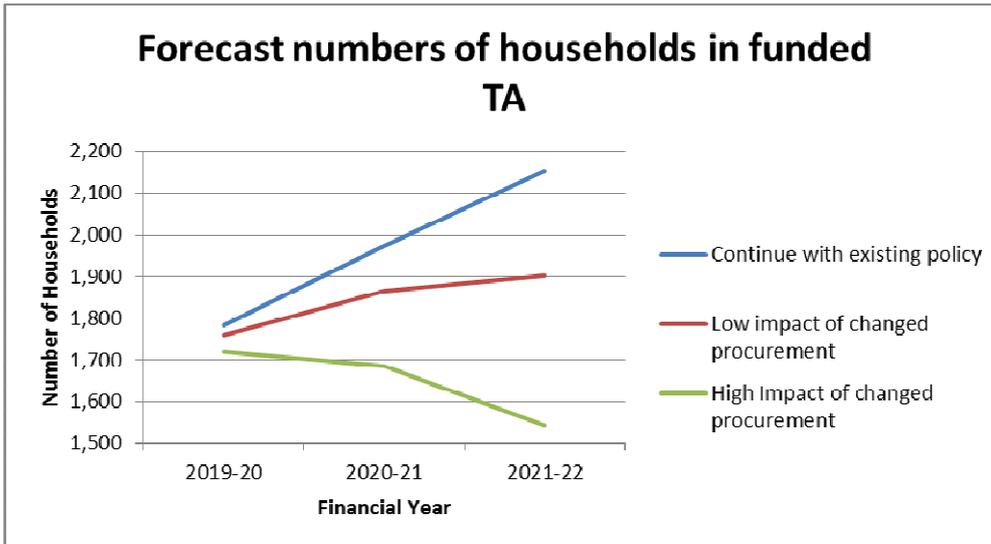
Option 2: Proposal to implement a new policy framework

25. In addition to continuing with the existing policies, two further scenarios have been prepared, one based on a moderate impact of the policy changes, one with a high impact as detailed in the following table

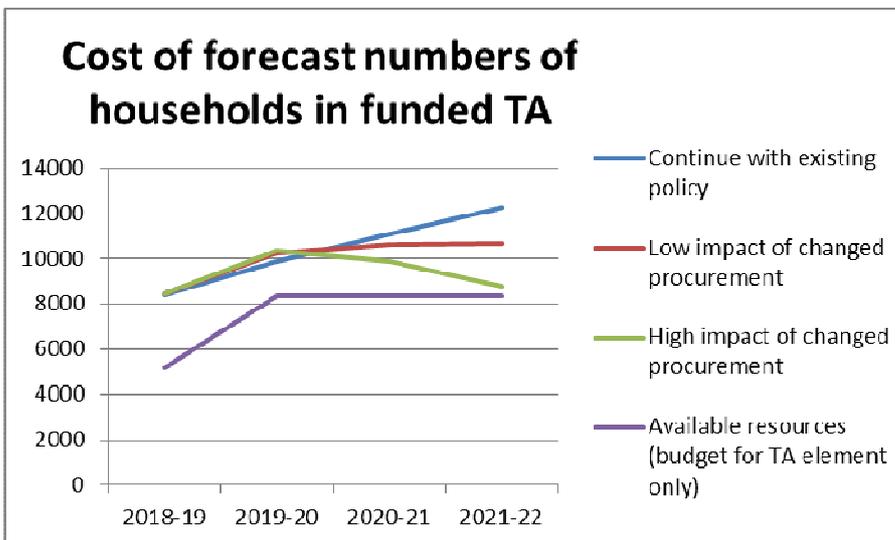
		2019/20	2020/21	2021/22
Annual number of households reduced in TA at the end of each financial year from this policy \$	Low	50	150	335
	High	150	400	785
Further number of households in reduced cost TA at the end of each financial year from this policy		128	254	354
Forecast number of households in TA (funded from General fund)	Low	1,818	1,900	1,888
	High	1,718	1,650	1,438
Forecast Gross cost of TA	Low	£28.5m	£29.7m	£29.8m
	High	£27.8m	£26.4m	£23.0m
Change between Low and High forecast Gross TA Costs	Change	-£0.7m	-£3.3m	-£6.8m

The projected numbers of households in GF funded TA:

FINAL REPORT



The projected costs of both scenarios compared to continuing with the existing procurement policy and available resources are:



This modelling clearly shows that a lower level of procurement stabilises the budget at potentially £2m over approved resources (e.g. the £2m savings plan is not made).

In order to achieve the savings plan of £2m (after growth in numbers of households receiving funded TA support), a high level of changed procurement would be necessary. Modelling suggests that, given assumptions on the number and size of new households requiring TA, a reduction of 785 households being funded for TA and a further 354 households in lower cost TA.

The new homeless policy framework

26. A suite of new policies is to address the issues involved:
27. **(1) Private Rented Sector Offers Policy (Appendix 2)**
28. This sets out that an offer of a suitable private rented tenancy may be made to any homeless household where the law allows. The policy acknowledges that a private rented sector offer is not appropriate for everyone. It excludes households which the council determines would be unable to manage a private rented sector tenancy and for

FINAL REPORT

- households needing sheltered or wheelchair accessible housing. In these cases social housing will continue to be offered.
29. In order for private rented offers to be affordable to homeless households within benefit levels (or as close as possible), many of these offers are likely to be outside London. Support will be offered to households relocating outside London and to other households where needed, in order to minimise adverse impacts and to enhance the prospects of relocated families integrating into the new area.
 30. *Aims of the policy*
 31. The policy aims to reduce temporary accommodation use and contain costs by offering homeless households private rented housing, as an alternative to them spending many years in temporary accommodation waiting for social housing. The policy also aims to help to improve outcomes for homeless households in that they will receive a quicker permanent offer of housing, in an area where they are able to settle and put down long-term roots. There are already cases where households have been moved successfully into private rented properties by the council on a voluntary basis of which examples are given below; this experience will be built on in implementing the proposed new policy.

Household A

A single mother with a six year old daughter spent a considerable time in temporary accommodation. The mother was keen to find a stable home for her daughter and asked to be considered for a private tenancy. She expressed her interest in the Croydon area as she had family members living there. Southwark referred to her a private landlord who had a two bedroom flat available to rent at the LHA rate. The household viewed the property, liked it and signed a tenancy agreement the following day.

Household B

An extended family of three generations held a secure Housing Association tenancy but had to leave for personal safety reasons. The family had a five bed need and were provided with temporary accommodation in Southwark. They indicated that they were keen to be permanently rehoused swiftly, so Southwark offered two tenancies for private accommodation; a three bed home for the parents, grandmother and teenage daughter and a two bed home for their adult son and his two children. The properties were managed by the same agent and near to each other. Applicants were very happy with the arrangement and the tenancies commenced within one week of viewing.

32. Every effort will be made to find affordable properties in Southwark or as close to the borough as possible and the evidence in the Accommodation Procurement Policy (Appendix 1) supports this by assessing availability and affordability in Southwark and exploring incrementally outwards from the borough.
33. Accommodation will normally only be procured if it is affordable. Under the existing welfare reform conditions, it is necessary to ensure that households are not placed in accommodation that will result in them enduring avoidable financial hardship. Equally, it is not the intention of the policies for the council to have to provide ongoing financial support to cover housing costs for large numbers of households as this would be financially unsustainable given the significant financial pressures on public services.
34. Between January and March 2017 in England, 530 private rented sector offers were accepted by households, making up 5% of all outcomes for leaving temporary

FINAL REPORT

- accommodation in that period. 80 refusals were also recorded during this period. Refusals equate to 15% of offers in this period, however, the temporary accommodation placements service currently receives a high caseload of daily enquiries and complaints relating to the quality, timescales and location of nightly rate accommodation, which this policy is aiming to contribute to eliminate the usage of. In the first eight months of 2017/18 the placements service received 16 formal complaints and 38 Members Enquiries.
35. Independent research⁴ has also shown in June 2017 that 23 London local authorities are now discharging duty into the private sector, up from 18 two years ago. The research found that nearly 2,500 households were given offers of private sector discharge across London in 2016: 20 per cent of these offers were in another London borough to where the homeless duty was owed and 15 per cent of the offers were for private tenancies outside London.
36. Due to this shortage of affordable accommodation, out of borough placements into more affordable areas have become more prevalent particularly across London and the South East generally. In London, the data shows that 37% of households placed in temporary accommodation are placed in a different borough to the one which owes them a duty⁵. In comparison, in quarter one, 2010/11; the equivalent proportion was only 13%.
37. **(2) Accommodation Procurement Policy (Appendix 1)**
38. This policy responds to the current acute difficulties in procuring sufficient temporary accommodation within Southwark and London for homeless households. It provides an action plan for meeting demand and sets out procurement principles that will be followed for sourcing properties, both for temporary accommodation and for private rented sector offers. Legal and procurement advice will be sought and provided as required.
39. *Aims of the policy*
40. The policy aims to provide enough housing for homeless households to meet demand. It aims to contain temporary accommodation costs by ensuring that supply is affordable to the council and within subsidy levels and this is a key procurement principle. The policy also aims to ensure that housing, for both temporary accommodation and for private rented offers, is affordable to low income households and within benefit levels, so it is sustainable in the longer term. This means that some properties procured will be outside London.
41. The policy also aims to ensure that locations where properties are procured are suitable for homeless households.
42. A wrap around support service will be provided to households that are being made private rented offers where they are relocating outside London and where they are moving within London where this is needed.
43. **(3) Temporary Accommodation lettings framework (Appendix 3)**
44. One of the outcomes described above is that, while the council will continue to seek accommodation within Southwark wherever possible, more housing for homeless households are likely to be outside London. This policy sets out how households will be prioritised for properties, both for private rented sector offers and for temporary accommodation, in different locations.

⁴ www.lag.org.uk

⁵ Statutory homelessness and prevention and relief live tables: October to December 2016 (Table 775)

FINAL REPORT

Conclusion

45. Southwark Council is working within a housing and homelessness crisis
46. Southwark Council is no longer in a position to re-house all of the homeless people who approach the Housing Solutions service for housing advice, assistance and support within council and housing association homes due to the severe reduction in available lettings. Lettings six years ago totalled over 3,500 lettings, but today it is anticipated that lettings will be less than 1,200. The customer satisfaction is at an all time high and the statutory framework and local intelligence indicate that our customers are willing to use alternative forms of tenure, in so long as it is relatively settled and a place to call home.
47. The current framework of rehousing homeless people in nightly paid temporary accommodation is causing extreme financial hardship for homeless people due to the expensive nature of this type of accommodation. If these homeless people could be rehoused into private rented accommodation at the Local Housing Allowance rates then the family's financial well-being would greatly be improved.
48. The current framework of rehousing homeless people into expensive nightly paid accommodation is placing severe financial pressure on the council.
49. The council will work in partnership with Shelter and Crisis to review the policy implications of this report following the 12 month anniversary/implementation of the policy.
50. The council will provide honest, transparent support and services to all homeless customers designed around the fairer futures principles. Treating customers as we would treat an important member of our own family and providing better start in life for children.

Policy implications

51. The proposed policies take account of the existing overarching Council policies:
 - Achieve budget savings over the next three financial years to achieve the council's Housing Investment Strategy.
 - Provide clear leadership and management to ensure the council is able to deliver commitments as set out in the Housing Strategy 2013 – 2043 and the action plans contained therein.
 - 'Look for housing solutions that consider how children will have the best start in life', taken from 'Our vision: a fairer future', The Housing and Modernisation Plan 2018/19-2021/22 which is tied in with the Council Plan 2018. In the same plan, the mission aim is stated as 'Manage homelessness and temporary accommodation effectively, leading to better outcomes for residents'.
 - Southwark's Homelessness Strategy 2018-22 stated under the strategic priority of vulnerability and health "to reduce the number of households in temporary accommodation, particularly in nightly rate (B&B style) by developing suitable offers of private rental sector accommodation."

Community impact statement

52. Equality Impact Assessment (EIA) is attached at Appendix 4. Overall the EIA concludes that not all of the potentially negative impacts on households can be mitigated, but that equality implications have been fully considered and that the policy approach does not constitute direct discrimination. It is required to consider the

FINAL REPORT

potentially negative impacts on protected groups and whether these impacts are justified by the council's wider objectives in implementing the policies. The impact of the policies and in particular the equality impact of the policies will in any event be kept under regular review.

Legal Implications

53. Where the council determines under the provisions of the Housing Act 1996 Part VII (as amended) that a person/household is eligible for assistance, homeless, in priority need and not homeless intentionally, it has a duty to secure suitable accommodation (unless it refers the applicant to another authority under the local connection provisions): s193(2), s206(1). The suitability of accommodation is governed by s210 of the 1996 Act, the Homelessness (Suitability of Accommodation) Order 1996 (SI 1996/3204) and by the Homelessness Code of Guidance for Local Authorities.
54. When discharging their housing duties under Part VII, an authority must, so far as reasonably practicable, secure that accommodation is available for the applicant's occupation in their own district: s208(1) of the 1996 Act. In all circumstances the homeless people would have the right to request a review of an offer of private sector offer and this would be reviewed by senior officers of the Council that had no involvement in the original decision to offer PRS accommodation.
55. The council is also under a general duty, pursuant to s11 Children Act 2004, to have regard to the need to safeguard and promote the welfare of children within their area. The council embraces the ethos of joint working between housing, care and support services in the Care Act 2014 and seeks to support and promote the needs of homeless households with vulnerable persons and/or carers.
56. In discharging its functions to homeless persons, the council must also have due regard to the Public Sector Equality Duty in s149 Equality Act 2010.
57. *Nzolameso v Westminster City Council case law* (April 2015). The Supreme Court suggested that, whilst it is lawful to provide accommodation outside an authority's boundaries in proper observance of its housing duties, it must be able to explain, preferably by way of published policies, how allocations of temporary accommodation outside of district are made and outline the council's approach to procuring accommodation. The policies seek to afford transparency to accepted homeless applicants as to the process the council shall engage in order to lawfully discharge its accommodation duties, whilst noting that it shall in each case make specific assessments of the needs of individual applicants/households.

Financial Implications

58. The net cost to the council of providing temporary accommodation for homeless households in 2017/18 was £4.8m, against a budget of £2.9m, the overspend of £1.9m being met from corporate reserves. For 2019-20 an additional £3.2m (net) is being invested in TA, bringing the total TA budget to £9.399m.
59. TA is demand driven and nationally, homeless levels have steadily increased over the last five years and continue to do so (an increase of 488 households in the general fund over an annual period). This is partly due to the impact of the welfare reforms and rising cost of the private rental market, becoming a significant pressure on the council's resources. These factors were exacerbated in 2017/18 by the change in direct offers since the urgent works required on the Ledbury estate as well as the shift away from the use of inexpensive shared nightly rate accommodation.
60. A further challenge for 2018/19 is the newly introduced Homelessness Reduction Act, bringing about additional statutory responsibilities and costs, such as increased staff to carry out the requirements of the act, and also increasing the relief duty period from 28 to 56 days. This means the Council is required to temporarily accommodate those with

FINAL REPORT

priority need for 28 days longer while a decision is made, which may have a detrimental impact on the budget by those households who are then considered not eligible under the homelessness act.

61. Within increased demand and other financial pressures within the council, other options for delivering these statutory services, in a more cost effective manner must be considered, such as out of borough placements in the private rented sector where charge rates are lower and supply more readily available, need to be considered as part of the council's response to this growing problem.
62. Whilst additional investment in TA has been necessary for 19-20, the costs are being mitigated through the use of voids properties awaiting development. Through the use of these properties, the impact of the rising costs of TA has been reduced by £3m from the Aylesbury site alone.

Risk Management Implications

63. There is a risk that there will be limited affordable private rented properties to meet the needs of homeless households. While the research gave an indication of different locations where properties may be available, market changes can happen quickly and the actual availability of properties depends on the willingness of landlords to let accommodation to homeless households. To mitigate this risk, incentives will continue to be offered to landlords to secure properties in line with local market intelligence. The supply and availability of properties will be kept under review but it needs to be noted that building up supply to meet demand is likely to take time.
64. There is a risk of legal challenges where offers are outside Southwark and London. To minimise this, an individual suitability assessment will be carried out before an offer is made in line with legislation and statutory guidance. Counsel's advice has been taken on the preparation of the policies. Implementing and publishing the policies (appendices 1, 2 and 3) may also reduce complaints.

Consultation

65. No consultation is scheduled to take place as the 3 policies provide the framework required to give effect to existing provisions contained in the housing allocation scheme at paragraphs 1.1.13 section (b) and (c) for the discharge homelessness duties with an offer of PRS accommodation which, following statutory consultation, was approved during 2013 and the consequential procurement of accommodation.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

66. The report recommends the adoption and implementation of 3 policies, Appendices 1, 2 & 3 which have been prepared to support the Council's discharge of legal responsibilities in the provision of suitable accommodation for homeless households by way of private rented sector offers in accordance with the Housing Act 1996 as amended by the Localism Act 2011 and the Homelessness Reduction Act 2017 and for the procurement of such accommodation.
67. The provisions of Section 166A (13) of the Housing Act 1996 require consultation before an alteration is made to the allocation scheme that reflects a major change in policy and it is noted that the current allocation scheme already provides for the discharge homelessness duties with an offer of PRS accommodation.
68. Persons offered PRS accommodation in discharge of an accepted duty under Part VII will have the statutory right of review and the report notes the potential challenges that might arise.
69. The report recognises the duty to provide accommodation in area, 'so far as

FINAL REPORT

reasonably practicable' under section 208(1) Housing Act 1996 and that the accommodation must be suitable. Location is a relevant suitability consideration as set out in the Homelessness (Suitability of Accommodation) (England) Order 2012. The report notes the likelihood of PRS accommodation being outside the City and states the policy will aim to ensure locations are suitable. Reasonable steps should continue to be made to secure that accommodation is made available in borough whenever possible.

70. When considering the recommendations and the policies members must have regard to the public sector equality duty under S.149 of the Equality Act 2010 which requires the council, when taking decisions, to have due regard to the need to:
71. Eliminate discrimination, harassment, victimisation or other prohibited conduct;
72. Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
73. Foster good relations between those who share a relevant characteristic and those that do not share it.
74. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The duty also applies to marriage and civil partnership, but only in relation to (a) above.
75. The report refers to an Equalities Impact assessment at Appendix 4 to this report.
76. The Council is entitled to formulate policies by which it will exercise its duties. Where this includes the exercise of discretion care must be taken when formulating any such policy to avoid fettering the council in the exercise of its discretion which may be subject to challenge.
77. Consideration will need to be given as to whether any property transactions referred to in the policies fall outside the scope of the EU Regulations or whether they may result in procurement implications. Legal services and procurement advice will be required on the various procurement options so that these can be considered and the necessary approval sought in a separate Gateway 1 report when needed.

Strategic Director of Finance and Governance

78. The Strategic Director for Finance and Governance notes the significant financial risks contained within this report, arising from uncertainty on the future numbers of households that will be entitled to TA, and the scale of the procurement changes that will be required to achieve the revised budget and savings targets. It is also noted that there is a significant hidden cost of TA outside of the general fund through the use of HRA properties awaiting redevelopment.
79. Services will continue to monitor the costs of TA against available resources and bring necessary updates alongside the formal budget reports during 2019-20.

APPENDICES

No.	Title
Appendix 1	Accommodation Procurement Policy for Homeless Households
Appendix 2	Private Rented Sector Offers Policy for Homeless Households
Appendix 3	Temporary Accommodation Lettings Framework
Appendix 4	Equality and Health Analysis
Appendix 5	PRSO and TA Procurement modelling -.xlsx

AUDIT TRAIL

FINAL REPORT

Cabinet Member	Cllr Stephanie Cryan – Cabinet Member for Housing Management and Modernisation	
Lead Officer	Michael Scorer Strategic Director of Housing and Modernisation	
Report Author	Strategic Director of Housing and Modernisation	
Version	Final version	
Dated	2 nd April 2019	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
List other officers here		
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		