

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**CORPORATE LEADERSHIP TEAM'S  
REPORT TO CABINET**

**7 November 2023**

**Report Title:** Temporary Accommodation Policy

**Submitted by:** Service Director – Regulatory Services

**Portfolios:** Community Safety & Wellbeing

**Ward(s) affected:** All

<b><u>Purpose of the Report</u></b>	<b><u>Key Decision</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b>
<p>This Report seeks Cabinet approval of a Temporary Accommodation Policy setting out the principles of how Newcastle-under-Lyme Borough Council will seek to meet its responsibilities to people who are homeless or threatened with homelessness in Newcastle-under-Lyme.</p> <p>The proposed Temporary Accommodation (TA) Policy relates to the placement of homeless households into temporary accommodation under Section 188 of the Housing Act 1996 Part VII, as amended, and longer-term temporary accommodation placements under Section 193 where a main housing duty for households has been accepted.</p> <p>This Report therefore recommends a proposed TA Policy for approval</p>	
<b><u>Recommendation</u></b>	
<p><b>That Cabinet: -</b></p> <p><b>1. Approve the proposed Temporary Accommodation Policy</b></p>	
<b><u>Reasons</u></b>	
<p>The Council has a statutory homelessness obligation and provide suitable accommodation for the most vulnerable and those eligible for interim accommodation. This policy proposes how this will be delivered.</p>	

**1. Background**

- 1.1 Under housing and homelessness legislation, the Council has duties to provide interim (or temporary) accommodation to certain households who present as homeless and are considered to be in priority need. The Homelessness Reduction Act 2017 widened the Council's duties and means that applicants under the Relief Duty may also be eligible for interim accommodation.
- 1.2 The Council's use of temporary accommodation, both in terms of frequency and expenditure has increased significantly over the last couple of years.

- 1.3 In addition to households applying to the Council for accommodation under homelessness legislation, other households can require temporary accommodation. This includes people who are rough sleeping, people who require emergency accommodation due to (risk of) fire or flood etc.
- 1.4 Temporary accommodation is an umbrella term and includes supported housing (both social and private rented), hostels and bed and breakfast accommodation.
- 1.5 The Council's statutory homelessness duties are delivered by the Council through the Newcastle Housing Advice (NHA) team.
- 1.6 Options for temporary accommodation in the Borough are extremely limited because the Council has no accommodation of its own and relies on other arrangements with local providers which can be costly.
- 1.7 Most single person households presenting for assistance are accommodated in short term Bed and Breakfast in the Borough, pending enquiries. There are no hostels for single people in the Borough and the hostels in neighbouring authorities prioritise placements for customers with a local connection to their area, so they are rarely available for Borough use.

## **2. Issues**

- 2.1 The TA policy was last reviewed in 2021. Proposed changes to the TA Policy attached as Appendix 1 to this report, have been made to the following areas, which are updates to the existing policy rather than a significant change in provision or type of temporary accommodation:
  - Section 4 – Types of Temporary accommodation – wording of how to end interim duty.
  - Section 5 – Move on Options – addition of homes and hostel accommodation wording.
  - Section 6 – Suitability and affordability of accommodation – use of B&B and Location.
  - Section 8.2 – Discharge of section 193 – updated wording.
- 2.2 Increasing number of “homeless tonight” presentations are being dealt with by Newcastle Housing Advice. This includes people who are sofa surfing, relationship / family breakdowns, incidents in the home and eviction of individuals and families from private rented sector or social tenancies.
- 2.3 The tables below show numbers being dealt with. Where there are no other housing options and there is priority need individuals and families may be placed into temporary accommodation while the service works with them to find alternative accommodation options. Data is also shown from Newcastle Housing Advice on people presenting as homeless tonight, which are dealt with as an emergency and numbers presenting to the out of hours service.

	Q1	Q2	Q3	Q4	Total
People in TA at the end of the month 21/22	61	31	29	32	153
People in TA at the end of the month 22/23	30	29	28	37	124
People in TA at the end of the month 23/24	43	63			106
Homeless tonight presentations 21/22	95	106	122	96	419
Homeless tonight presentations 22/32	78	155	88	123	444
Homeless tonight presentations 23/24	118	92			210
Homeless now out of hours calls 21/22	29	17	33	37	116
Homeless now out of hours calls 22/23	34	41	35	61	171
Homeless now out of hours calls 23/24	56	72			128

- 2.4 There is a rising demand for TA nationally and, as the data above shows, there is increased demand locally. The TA options available are fully utilised and Officers are reviewing options for further TA provision within the Borough to meet these rising demands and costs.

### 3. Recommendation

- 3.1 **That Cabinet: -**

**Approve the proposed Temporary Accommodation Policy.**

### 4. Reasons

- 4.1 This report seeks Cabinet approval for the proposed TA Policy, setting out the principles of how Newcastle-under-Lyme Borough Council will seek to meet its responsibilities to people who are homeless or threatened with homelessness in Newcastle-under-Lyme. This enables the Council to fulfil its statutory homelessness obligations and provide suitable accommodation for the most vulnerable and those eligible for interim accommodation.
- 4.2 The intended Temporary Accommodation (TA) Policy relates to the placement of homeless households into temporary accommodation under Section 188 of the Housing Act 1996 Part VII, as amended and longer-term temporary accommodation placements under Section 193 where a main housing duty for households has been accepted.

## **5. Options Considered**

- 5.1 Do nothing – with no updating of the TA Policy, the Council could utilise the existing policy, but this would become outdated and not align to current guidance. This option is not recommended.
- 5.2 Update the TA Policy for the Borough. This enables the policy to reflect current legislation, guidance, and TA options available. This option is recommended.

## **6. Legal and Statutory Implications**

- 6.1 The Housing Act 1996, Part VII (as amended) sets out the circumstances when a local authority is required to provide temporary accommodation to homeless households. The expectations for this temporary accommodation are then set out in the Homelessness (Suitability of Accommodation) (England) Order 2012.
- 6.2 Other relevant statutory guidance includes:
  - Homelessness Act 2002
  - Homelessness Code of Guidance for Local Authorities 2006
  - Homelessness (Suitability of Accommodation) Order 1996
  - Homelessness (Suitability of Accommodation) (England) Order 2003
  - Localism Act 2011 (Commencement No 2 and Transitional Provisions) (England) Order 2012
  - Supplementary Guidance on Changes in Localism Act 2011
  - Supplementary Guidance on Domestic Abuse and Homelessness 2014
  - The Homelessness Reduction Act 2017.
- 6.3 Not having a fit for purpose service will leave the Council open to a legal challenge.

## **7. Equality Impact Assessment**

- 7.1 Temporary accommodation placements are made purely on merit and there are no disproportionate outcomes to any cohort.

## **8. Financial and Resource Implications**

- 8.1 The proposed Temporary Accommodation Policy seeks to encourage the Council towards continually improving the options for temporary accommodation in the Borough.
- 8.2 The increased demand for temporary accommodation and the increasing unit costs of such accommodation has meant that costs incurred for temporary accommodation has increased significantly.
- 8.3 The increase in requests is putting additional financial pressure on the Council which resulted in an overspend on the budget of £250k in 2022/23. This is expected to be exceeded in 2023/24 as the demand has increased further during this current financial year. The costs last year (2022/23) amounted to £262k on B&B and £588k on Supported Accommodation, this totalled £850k against a budget of £600k.

## 9. Major Risks & Mitigation

- 9.1 There is a risk that this provision is insufficient to meet rising demand and additional B&B use may be required to assist the Council in fulfilling its statutory obligations.
- 9.2 There is a risk of reputational damage to the Council if it does not deliver its statutory duties lawfully and effectively.
- 9.3 There are financial risks relating from the individual costs of the units rising and the increasing demands, should one or either of these further increase.
- 9.4 There are risks to the service users that demand for temporary accommodation outnumbers supply.
- 9.5 Options to mitigate these risks and expand provision within the Borough are being explored. This includes working with registered providers to increase the supply of temporary accommodation and working with providers of supported accommodation to improve the offers locally. Funding has also been secured through the Shared Prosperity Fund to develop a homeless hub which includes options for temporary accommodation.

## 10. UN Sustainable Development Goals (UNSDG)

- 10.1 The proposal, by achieving (whatever) contributes towards the following UNSDGs (complete...)



## 11. Key Decision Information

- 11.1 This is a key decision as this has a significant effect on communities living or working in an area comprising two or more electoral wards in the borough.

## 12. Earlier Cabinet/Committee Resolutions

- 12.1 Cabinet 13 January 2021  
<http://svmma/documents/s34458/Cabinet%20Report%20for%20TA%20Policy%200-%20December%202020.pdf>

## 13. List of Appendices

- 13.1 Appendix 1 – Draft Temporary Accommodation Policy

## 14. **Background Papers**

### 14.1 Temporary Accommodation Policy 2021