

ASHFIELD DISTRICT COUNCIL



Council Offices,
Urban Road,
Kirkby in Ashfield
Nottingham
NG17 8DA

Agenda

Scrutiny Panel B

Date: **Tuesday, 8th November, 2016**

Time: **6.30 pm**

Venue: **Committee Room, Council Offices, Urban Road,
Kirkby-in-Ashfield**

For any further information please contact:

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SCRUTINY PANEL B

Membership

Chairman: Councillor Helen Hollis
Vice-Chairman: Councillor Cathy Mason

Councillors:
Lee Anderson
Rachel Madden
Lachlan Morrison
Sam Wilson

Chris Baron
Lauren Mitchell
Christine Quinn-Wilcox

FILMING/AUDIO RECORDING NOTICE

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SUMMONS

You are hereby requested to attend a meeting of the Scrutiny Panel B to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



R. Mitchell
Chief Executive

AGENDA

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1. **To receive apologies for absence, if any.**
2. **Declarations of Disclosable Pecuniary and Non Disclosable Pecuniary/Other Interests.**
3. **To approve as a correct record the minutes of a meeting of the Panel held on 20th September, 2016.** 5 - 8
4. **Scrutiny Review - Access to Homelessness Services.** 9 - 14

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SCRUTINY PANEL B

Meeting held in the Committee Room, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Tuesday, 20th September, 2016 at 6.30 pm

Present: Councillor Helen Hollis in the Chair;

Councillors Lee Anderson, Chris Baron,
Helen Hollis, Lauren Mitchell (Vice-Chair),
Jason Zadrozny and Christine Quinn-Wilcox and
Jason Zadrozny (substitute for Rachel Madden).

Apologies for Absence: Councillors Rachel Madden, Cathy Mason and
Lachlan Morrison.

Officers Present: Jacqui Harvey, Mike Joy, Julie Robinson and
Pam Wharfe.

In Attendance: Councillor Paul Roberts.

SB.4 Declarations of Disclosable Pecuniary and Non Disclosable Pecuniary/Other Interests

There were no declarations of interest.

SB.5 Minutes

RESOLVED

that the minutes of the meeting of the Panel held on 6th July, 2016 be received and approved as a correct record.

SB.6 Selective Licensing Scheme

The Chairman reminded Panel Members that at the last meeting the Interim Service Director – Housing and the Senior Environmental Health Officer had outlined the concept of selective licensing and its objectives for raising the standard and management of privately rented properties within a designated area.

At that time a consultation exercise was underway in respect of a proposed Selective Licensing Scheme for two designated areas at Stanton Hill and Sutton Central, Sutton in Ashfield. Having taken advice from other local authorities it was agreed that the data would focus on crime and anti-social behaviour within the allocated areas.

The Interim Service Director – Housing reported that the public consultation was carried out with landlords, tenants and local business owners within the designated areas from 6th May to 29th July, 2016.

The exercise which was very comprehensive incorporated a variety of consultation methods including:-

- A dedicated webpage launch on 6th May, 2016 listing a proposal document and all ancillary advice and documentation was made available;
- An online questionnaire was set up for the 3 main stakeholder groups, landlords, tenants and businesses;
- A street level leaflet drop to all affected properties and local businesses was carried out on the 14th, 15th and 17th May, 2016;
- Officers attended a number of public drop in sessions to offer advice and provide information;
- A stakeholders pre-launch event was held on 14th April, 2016.

She briefly summarised the results of the online questionnaire exercise as follows:-

- 27 landlords responded, 16 of which were full responses and 11 partial responses;
- 6 tenants responded with 5 full responses and 1 partial response;
- 6 businesses responded with 3 full responses and 3 partial responses.

Members were further informed that from the responses received the following information was captured:-

- Out of the 16 full responses received from landlords, 3 were in agreement with the implementation of selective licensing, 6 were not and the remaining 7 did not answer this specific question;
- Of the 5 full responses received from tenants of the Stanton Hill and Sutton Central area 3 agreed with the implementation of selective licensing, 1 did not and 1 did not answer the question;
- Of the 3 business owners who responded 2 disagreed with the implementation of selective licensing and 1 did not answer the question.

The Interim Service Director – Housing was also pleased to report that a number of key stakeholders, including the Nottinghamshire Police Force and Fire and Rescue Service, had expressed their full support for the implementation of a selective licensing regime in the proposed areas.

To conclude, the Interim Service Director – Housing informed the Panel that at the Cabinet meeting scheduled for 22nd September, 2016 Members would be updated on the results of the statutory consultation and asked to consider the concept of a designated selective licensing scheme.

The Scrutiny Manager added that in light of the consultation feedback and other relevant information received relating to the proposed scheme, the Panel should now be in a position to formulate a set of recommendations to be presented to Cabinet for their consideration.

Members considered many aspects of the Scheme and in doing so discussed the following:-

- The requirement for landlords to obtain an Energy Performance Certificate (EPC);
- The proposed fee for a 5 year licence and discounts for accredited landlords;
- The importance of early discussions and engagement with Ward Members prior to any further roll out of the scheme;
- Broomhill area in Hucknall identified as a potential designated area for selective licensing;
- Breaches of conditions and the fines imposed;
- An update report to the Panel in 12 months time would be beneficial.

It was acknowledged by the Panel that the main priority for the Scheme was to endeavour to alleviate the poor living conditions that many vulnerable families endure due to unscrupulous public sector landlords. Members agree that the Selective Licensing Scheme therefore remained a viable proposal for the Authority and through the Scheme the Council would be able to act more proactively (instead of reactively) and encourage investment to the area. Furthermore, tenants would feel more secure and landlords could be offered ongoing support and advice.

RESOLVED

that the following recommendations be submitted to the Cabinet for consideration:-

- (a) Scrutiny Panel B supports the principles of the scheme in driving up standards of rented accommodation and reducing anti-social behaviour;
- (b) Ashfield District Council explore the possibility of carrying out Energy Performance Certificate (EPC) tests for landlords as part of our commercialisation drive;
- (c) any financial surplus generated (within the 6% designated as part of the scheme specifications) is added to the Members Environmental Improvements Budget to enable them to support improvement schemes in their own areas;
- (d) subject to the success of the pilot scheme, this be used as a template to replicate in other areas to drive improvements to rented accommodation, landlord responsibility and a reduction in anti-social behaviour;
- (e) Ward Members are consulted, engaged and kept informed on the selection of any sites and boundary lines for the further roll out of the scheme in the future;
- (f) the topic to come back to Scrutiny in approximately 12 months time.

The meeting closed at 7.04 pm

Chairman.

Report To:	SCRUTINY PANEL B	Date:	8 NOVEMBER 2016
Heading:	INTRODUCTION TO NEW SCRUTINY REVIEW – ACCESS TO HOMELESSNESS SERVICES		
Portfolio Holder:			
Ward/s:	ALL WARDS		
Key Decision:	NO		
Subject To Call-In:	NO		

Purpose Of Report

As part of the Scrutiny Workplan consultation, Members approved the topic of considering access to homelessness services and how we work with our partner agencies in addressing and preventing homelessness at the earliest possible stage.

This report provides Members with an overview of the topic, including how our homelessness service works, national legislation and requirements and details of the current Homelessness Reduction Bill 2016/17.

As this is the first meeting of the Panel on this topic, Members will need to clarify a clear terms of reference and it would be prudent as part of this process to set out the information required and the officers and partners that Members would like to see at a future meeting of this Panel.

Recommendation(s)

Members are requested to;

- **Note the information set out in this report;**
- **Specify and agree a clear terms of reference for the review;**
- **Identify the expert witnesses required to progress the review;**

Reasons For Recommendation(s)

Reviewing access to homelessness services and understanding how we work with partner agencies was added to the Scrutiny Workplan in 2016.

Alternative Options Considered (With Reasons Why Not Adopted)

No alternative options have been considered as part of this review to date. All options considered will be detailed in a final report to Cabinet in due course.

Detailed Information

Homelessness Definition

Homelessness is the problem faced by people who lack a place to live that is supportive, affordable, decent and secure. Whilst rough sleepers are the most visible homeless population, the vast majority of homeless people often live in hostels, squats, bed and breakfasts or in temporary and insecure conditions with friends and family.

People who experience homelessness are often amongst the most vulnerable people in our society, suffering from a combination of poor housing, unemployment, low income, bad health, poor skills, loneliness, isolation and relationship breakdown. Whilst there is some debate over the precise definition of homelessness there is a widespread acceptance that homelessness is about more than rooflessness. A home is not just a physical space; it provides “roots, identity, security, a sense of belonging and a place of emotional wellbeing” It is also a practical pre-requisite to living and working in modern society, with a permanent address often being a basic requirement for employers and other essential services.

Most statistics on homelessness relate to the statutorily homeless, ie those households which meet specific criteria of priority need set out in legislation, and to whom a homelessness duty has been accepted by a local authority. Such households may not be homeless in the literal sense of being without a roof over their heads, but are more likely to be threatened with the loss of, or are unable to continue with, their current accommodation.

Statutory homelessness

Each local housing authority is required to consider housing needs within its area, including the needs of homeless households, to whom local authorities have a statutory duty to provide assistance.

The Housing (Homeless Persons) Act 1977, Housing Act 1996, and the Homelessness Act 2002, placed statutory duties on local housing authorities to ensure that advice and assistance to households who are homeless or threatened with homelessness is available free of charge. All households that apply for assistance under the Housing and Homelessness Acts are referred to as ‘decisions’. However, these do not include households found to be ineligible for assistance (some persons from abroad are ineligible for assistance).

A ‘main homelessness duty’ is owed where the authority is satisfied that the applicant is eligible for assistance, unintentionally homeless and falls within a specified priority need group. Such statutorily homeless households are referred to as ‘acceptances’.

The ‘priority need groups’ include households with dependent children or a pregnant woman and people who are vulnerable in some way e.g. because of mental illness or physical disability. In 2002 an Order made under the 1996 Act extended the priority need categories to include applicants:

- aged 16 or 17
- aged 18 to 20 who were previously in care
- vulnerable as a result of time spent in care, in custody, or in HM Forces
- vulnerable as a result of having to flee their home because of violence or the threat of violence

Where a main duty is owed, the authority must ensure that suitable accommodation is available for the applicant and his or her household. The duty continues until a settled housing solution becomes available for them, or some other circumstance brings the duty to an end. Where households are found to be intentionally homeless, or not in priority need, the authority must make an assessment of their housing needs and provide advice and assistance to help them find accommodation for themselves.

Ashfield District Council

Ashfield and Mansfield District Council have been operating a shared service delivering their front line homeless services since March 2015. Officers and other resources are shared to enable greater resilience and to ensure that access to advice and emergency accommodation is available at the point of need. The joint working allows schemes to be replicated across both districts to offer benefits to service users in addition to the statutory homeless obligations of the Council.

The Council have assisted 41 homeless households in the last 3 years through the bond scheme to secure accommodation in the private sector and prevented a further 215 households from becoming homeless through early intervention, mediation and negotiation with landlords and parents. During 2015/16, a total of 1107 households approached the Councils reception for assistance and advice.

Although many households have been prevented from losing their home, it is recognised that some groups are particularly at risk of homelessness and the Council are therefore working in partnership with other agencies to assist the following vulnerable groups;

- Young people (18 – 21) who are unable to remain living in the family home. Although 16 & 17 year olds are accommodated through the rapid assessment team, 18 – 21 year olds who are unable to return home are finding it increasingly difficult to access housing. This is largely due to recent changes to the benefit system although more young people are now presenting as homeless with a range of complex support needs in addition to their housing situation.
- Women escaping domestic violence. Women who wish to remain in the district.
- People losing their home due to addiction. These cases are usually picked up when the applicant is discharged from hospital with no suitable accommodation to return to. Housing Options staff are often required to refer cases with alcohol and substance misuse for support and liaise with GP's and hospital staff.
- People with mental health issues who may have previously received floating support to sustain their tenancy.
- Rough sleepers – Although the SWEP (Severe Weather Emergency Provision) scheme is there during winter for non-priority need cases, the Council contributed £10k so that rough sleepers can access the winter shelter service based in Mansfield that provides accommodation and meals for rough sleepers from December until February each year. At the most recent count in Autumn 2015 there were 8 people sleeping rough in the district.

Current Statistics

The table following shows the number of statutory homeless households who approached the Council for assistance in the last 3 years and the main reasons for becoming homeless.

Number of statutory homeless households who approached the Council for assistance 2013 – 2016

<u>Year</u>	Loss of private rented – tenancy ended	Parent no longer willing to accommodate	Domestic Violence	Other	Total
2013/14	19	14	31	21	85
2014/15	6	16	28	37	87
2015/16	17	15	28	33	93

Homelessness priorities for 2016 – 2020

- Develop debt and money advice services for people at risk of losing their home - dealing with impending welfare reforms – promotion of financial inclusion, signposting to debt / support services and assistance with accessing private rented sector housing
- Improve partnership working with health and social care to tackle the increasingly complex needs of homeless households
- Work with private landlords to increase access to shared accommodation / HMOs for single person households under 35 who will be affected by the reduction in housing benefit entitlement from April 2017
- Increasing prevention activity specifically for single people under 35
- Improve the support and assistance offered to victims of domestic abuse
- Increased use of the private rented sector to discharge homeless duty and to secure accommodation for non-priority need households with the use of Discretionary Housing Payments where necessary
- Adopt the principles of the ‘no second night out’ promise to rough sleepers
- Completion of the Gold Standard Programme
- Expand the existing prevention service to incorporate ‘rent in advance’ scheme, the use of mediation and increased use of the private rented sector
- Secure additional funding to sustain the 6 refuge units past the end of December 2016 when the pilot project ends
- Work with Community Safety to gain the Domestic Abuse Housing Alliance (DAHA) accreditation

Homelessness Reduction Bill 2016

On the 28 October 2016, a new bill, called the Homelessness Reduction Bill, was passed through to the next stage of parliament. The bill, which has cross-party support, enhances the legal duties on councils to prevent homelessness.

Amongst the bill's measures is a legal duty on councils to help all those who are homeless, not just those who fall within the current priority categories. Moreover there is a proposed extension of the period in which councils must intervene to stop a household becoming homeless.

Currently, councils must act if a household is at risk of becoming homeless within 28 days, however the bill will double this period to 56 days, placing a duty on councils to recognise earlier those who are at risk of becoming homeless.

A new £40 million programme to provide an innovative approach to tackling homelessness, with prevention at its heart, was recently announced by the Prime Minister and Communities Secretary. A new government approach to tackling homelessness has been announced by focusing on the underlying issues which can lead to somebody losing their home.

This includes a new £10 million rough sleeping prevention fund to help individuals who might be struggling to get by from ending up on the street. It will also provide rapid and targeted interventions for new rough sleepers, such as helping them to access employment and education opportunities.

The Prime Minister and the Communities Secretary have also announced details of £20 million for local authorities to trial new initiatives, responding to the specific needs in their communities and focusing on prevention at an earlier stage. These areas will work with a wider group of at risk people to help families and individuals before they reach crisis point – including through new resident advice services and outreach work with landlords and private sector tenants.

A further £10 million Social Impact Bond programme has also been launched to help long-term rough sleepers who may be bouncing chaotically through the housing system – to address underlying issues such as poor mental health or substance abuse to help stop them from living on, and returning to, the streets.

Next Steps

This is the first meeting of the Scrutiny Panel on this issue. It is recognised that Members of the Panel will need to work with expert officers and partners to gain an understanding of the issues of homelessness and how the council can work with its partners to provide earlier assistance as set out in the bill, in the event that the new bill receives Royal Assent.

Implications

Corporate Plan:

The Corporate Plan for 2016-2019 reflects the Council's corporate priorities in addressing homelessness by ensuring that we understand the reasons for homelessness and adopt measures to assist those affected and prevent where possible.

Legal:

The Housing (Homeless Persons) Act 1977, Housing Act 1996, and the Homelessness Act 2002, place statutory duties on local housing authorities to ensure that advice and assistance to households who are homeless or threatened with homelessness is available. The Homelessness Reduction Bill had its second reading debate on 28 October 2016.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	N/A
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	Financial implications relating to this review are not yet known. Advice will be sought from finance before any recommendations are made to Cabinet (likely to be in early 2017).
Housing Revenue Account – Capital Programme	Financial implications relating to this review are not yet known. Advice will be sought from finance before any recommendations are made to Cabinet (likely to be in early 2017).

Human Resources / Equality and Diversity:

Further advice on equality and diversity implications relating to homelessness, particularly in light of the implications of the Homelessness Reduction Bill, will be sought during consideration of this topic.

Other Implications:

Not applicable.

Report Author and Contact Officer

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Rob Mitchell
CHIEF EXECUTIVE