

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	COUNCIL	4 DECEMBER 2017	16
HOMELESSNESS REDUCTION ACT 2018			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

A report was presented to Environment, Health and Housing on the 7th November 2017 summarising the implications arising from the passing by parliament of the Homelessness Reduction Act 2018. The Homelessness Reduction Act (HRA) gained Royal Assent on 27th April 2017 and comes into force with effect from 1st April 2018. The HRA introduces significant reforms to homelessness legislation by placing duties on local authorities to intervene at an earlier stage to prevent homelessness in their communities. It also requires local housing authorities to provide homelessness services to all those people who are affected by homelessness and not only those who have 'priority need'.

The implications for local authorities that the HRA introduces include:

- a. An enhanced prevention duty extending the period that a household is threatened with homelessness from 28 days to 56 days, meaning that housing authorities are required to work with people to prevent homelessness at an earlier stage;
- b. A new duty for those who are already homeless so that housing authorities will support households for 56 days to relieve their homelessness by helping them to secure accommodation; and
- c. Changes to the regime of financial support that is available to local authorities to assist them in supporting the wider statutory responsibilities that are created by the Act.

The report also summarised the initiatives that Fylde Council is proposing to put in place to support its new range of statutory responsibilities in response to the introduction of the HRA.

RECOMMENDATIONS

The Council is recommended:

1. To note the new provisions within the Homelessness Reduction Act 2018 and, in particular the extended range of statutory homelessness duties that the Council is obliged to perform under the new Act;
2. To note the new initiatives Fylde Council is intending to introduce, utilising the additional financial support that has been made available by Government to support Local Housing Authorities in implementing the Homeless Reduction Act 2018; and
3. To approve a fully-funded revenue budget increase in years 2017/18 to 2020/2021 in the total sum of £122,900 of which £96,862 is to be funded by DCLG Flexible Homeless Grant and £26,038 to be funded by DCLG New Burdens Funding. The financial years in which the funded budget increases relate is shown within table 1 at paragraph 14 of this report. An equivalent sum has been confirmed as the central government grant allocations to Fylde Council in respect of these new responsibilities.

SUMMARY OF PREVIOUS DECISIONS

None

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	√
Delivering the services that customers expect of an excellent council (Clean and Green)	√
Working with all partners (Vibrant Economy)	√
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	
Promoting Fylde as a great destination to visit (A Great Place to Visit)	

REPORT

The Homelessness Reduction Act 2017

1. The Homelessness Reduction Act (HRA) 2017 gained Royal Assent on 27th April 2017.
2. The HRA will significantly reform England's homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas. It also requires housing authorities to provide homelessness services to all those affected, not just those who have 'priority need'. These include:
 - a) An enhanced prevention duty extending the period a household is threatened with homelessness from 28 days to 56 days, meaning that housing authorities are required to work with people to prevent homelessness at an earlier stage;
 - b) A new duty for those who are already homeless so that housing authorities will support households for 56 days to relieve their homelessness by helping them to secure accommodation.
3. The new Act places a requirement for local authorities to support everyone to prevent homelessness and/or obtain alternative accommodation (homelessness relief) regardless of 'priority need' as defined by the existing legislation – Housing Act 1996 part 7 as amended by the Homelessness Act 2002. For those not in 'priority need', the current duty is for the authority is to use its best endeavours to provide accommodation but no formal duty to do so.
4. Local authorities will be obliged to agree a personal housing plan with **all** customers threatened with homelessness within 56 days. The plan will set out the action that need to be taken by both the authority and the customer to prevent and/or relieve homelessness. It will need to include an assessment of the applicant's support needs and tailor the plan accordingly.
5. The 56 days before the applicant becomes homeless is badged as the 'prevention phase' of the duty but, depending on what is agreed in the personal housing plan, this does not prevent the local authority and the applicant from agreeing that a homelessness relief option is preferable at this stage. Either way, the agreed solution should have a 'reasonable prospect' of being available for at least 6 months.
6. If, after the expiration of the 56 days, a solution has not been found and the applicant becomes homeless the 'relief' phase of the duty begins. Additionally some applicants will already be homeless when they first present to the local authority. The relief phase also lasts for a maximum of 56 days. For those in 'priority need' the authority will be obliged to provide temporary accommodation at the point of homelessness.
7. The prevention and relief phases of duty represent new statutory responsibilities for local authorities. If homelessness has still not been resolved and the duty has not been discharged by another means following the conclusion of these two phases, then the local authority is obliged to assess the application under the full homelessness duty.

8. The Act places significant additional administrative burdens on local authorities in exercising the new duties. There are potentially 10 to 15 stages in the new process where the local authority is required to issue a written decision and where these decisions are all subject to review.

Funding provided by government to implement the HRA 2018

9. **The Flexible Homelessness Support Grant (FHSG)** is a new source of funding announced by government in 2017. Local authorities have been awarded this grant for a two year period 2017/18 and 2018/19. This grant is not directly designed to cover the costs of implementing the Homelessness Reduction Act, however it will be of assistance in preparing services in readiness.
10. The new grant will empower councils with the freedom to support the full range of homelessness services. Within Fylde this will be used to employ a Tenancy Support Worker to support households facing homelessness, establish a debt advice service and fund two additional units of homeless interim accommodation provided through the YMCA.
11. Fylde Council has been allocated £45,835 in 2017/18 and £51,027 in 2018/19, totalling £96,862.
12. **New Burdens Funding** was announced by Government on the 16th October 2017 at the same time the draft code of guidance was issued for introduction of the Homeless Reduction Act.
13. Fylde Council has been allocated £26,038 over three years from 2017/18. The grant will be used to provide an upgrade to the IT system within Fylde in preparation for the Homeless Reduction Act 2018 and the requirement for personal housing plans with customer portal.
14. The latest estimate of the resources required to deliver the new responsibilities under the HRA, and the financial year in which they fall to be met, is shown in table 1 below. The total funded budget increase of £122,900 that is now requested is in respect of the financial years as shown within the table.

Table 1: Estimate of Resources Requirements for HRA delivery

	£
2017/18	10,026
2018/19	61,347
2019/20	46,885
2020/21	4,642
Total	122,900

IMPLICATIONS	
Finance	This report outlines the implications of the introduction of the 2018 Homelessness Reduction Act and recommends to Council approval of a fully-funded revenue budget increase for the total sum of £122,900 in years 2017/18 to 2020/2021 as detailed within the report, of which £96,862 will be met by the DCLG Flexible Homeless Grant and £26,038 by the DCLG New Burdens Funding.
Legal	Introduction of the Homeless Reduction Act 2018 and Reviews to Statutory prevention, relief and homelessness decisions
Community Safety	None arising from this report
Human Rights and Equalities	None arising from this report
Sustainability and Environmental Impact	None arising from this report
Health & Safety and Risk Management	None arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
DCLG Draft Homeless Code of Guidance and New Burdens Funding	16/10/2017	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/652343/Draft_Homelessness_Code_of_Guidance.pdf
Flexible Homelessness Support Grant	15/03/2017	https://www.gov.uk/government/publications/flexible-homelessness-support-grant-2017-18-to-2018-19