

**REPORT OF:** HOUSING, HEALTH AND ECONOMIC DEVELOPMENT  
SERVICES MANAGER

**TO:** EXECUTIVE

**DATES:** 15<sup>th</sup> MARCH 2018

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## **HOMELESSNESS REDUCTION ACT 2017**

### **PURPOSE OF REPORT**

To update Members on the Homelessness Reduction Act 2017.

### **RECOMMENDATION**

That Executive note the commencement of the Homelessness Reduction Act 2017.

### **REASON FOR RECOMMENDATION**

To ensure Executive is aware of the new Homelessness Reduction Act 2017

### **ISSUE**

Homelessness legislation derives primarily from the Housing Act 1996, Part VII as amended by the Homelessness Act 2002. The new Homelessness Reduction Act 2017 (the Act), which commences on 2<sup>nd</sup> April 2018, sets out new duties on English local authorities with the aim of preventing homelessness. These duties have been considered along with their potential impact in Appendix 1.

Implementation of the Act itself requires significant changes to the way homelessness will be dealt with by local authorities ie:-

- The process for determining what legal duties may be owed to applicants who are or may become homeless has become considerably more complex. Appendix 2 shows how an applicant can expect to see their case dealt with.
- MHCLG are introducing the Homelessness Case Level Information Collection (H-CLIC) Data Monitoring Specification for the monitoring of the Act. This replaces the current P1e monitoring system and requires much more in-depth case-level data to be collated and submitted. As such, it is anticipated that significantly more officer time will need to be devoted to processing applications. Further, a new database will be required to ensure successful administration of applications and submission of data to MHCLG and in light of

this, presently, a number of database systems are being considered as part of a procurement exercise.

### **B-with-us choice-based lettings allocation policy**

The Council is one of twenty-one partners in the B-with-us Choice-Based Lettings scheme which is used to allocate the vast majority of social rented housing across Pennine Lancashire. The Act is intended to prioritise the prevention and relief of homelessness and as per Appendix 2, awarding a full statutory duty to rehouse an applicant under the legislation, can only happen at the very end of the process. Therefore in order to try and achieve timely prevention and relief of homelessness whilst avoiding applicants using temporary accommodation for longer than is necessary, it has been agreed on a pilot basis to make the following changes.

- Introduce a category entitled **‘HRA Prevention/Relief’ at Band 2**. All applicants who Housing Needs consider to be homeless or at risk of homelessness within 56 days, will receive this banding.
- Abolish the two categories currently at band 3, which are replaced by ‘HRA Prevention/Relief’
  - Households that have been accepted by the local housing authority as homeless, but are either non- priority or intentionally homeless.
  - Households with insecurity of tenure who are threatened with or likely to be threatened with homelessness within 8 weeks.

This banding change is expected to come into effect from 1<sup>st</sup> April 2018 and will be monitored after six months to assess its impact.

## **IMPLICATIONS**

### **Policy**

7. Implementation of the Act will entail considerable changes to the way homelessness applications are dealt with. There are no known internal Council policy changes arising, although the B-with-us choice-based lettings scheme will be altered to reflect the new Act.

### **Financial**

8. New Burdens Funding of £20,126 has been awarded for the period 2017-18, £18,435 for 2018/19 and £23,758 for 2019/20 – total = £62,319. The Council has also been awarded £9,202 as a one-off grant for overhauling statutory homelessness data. It is anticipated that New Burdens Funding will offset any known additional costs in implementing the Act such as procuring a suitable database and its on-running costs, as well as implementing homelessness prevention measures such as help to access alternative accommodation.

Suitable H-CLIC compliant databases are still in the final stages of development with little time left before the commencement of the new Act. It is desirable that all the partners in the B-with-us Choice-Based Lettings scheme use the same database and the preferred choice of all is a system provided by Locata. Therefore under Contract Procedure Rule 5 the Corporate Director and Financial Services Manager have granted an exemption from the requirement to obtain competitive tenders.

### **Legal**

9. The Council has a statutory duty to implement the Act, and failure to do so would risk legal challenge / judicial review.

### **Risk Management**

10. Failure to implement the Act would risk legal challenge / judicial review as well as potential reputational damage.

**Health and Safety:**

11. There are no known health and safety implications arising from this report.

**Sustainability:**

12. Implementing the new Act ensures that the Council is able to meet its statutory duties towards homeless households.

**Community Safety:**

13. There are no known community safety issues arising from the contents of this report.

**Equality and Diversity:**

14. There are no known equality and diversity implications arising from this report.

**APPENDICES**

**Appendix 1** – Homelessness Reduction Act 2017 – New duties

**Appendix 2** – Homelessness Reduction Act flowchart