



NORTHAMPTON BOROUGH COUNCIL

SCRUTINY PANEL 3 – HOMELESSNESS (PRE DECISION SCRUTINY)

26 JANUARY 2017

BRIEFING NOTE: PUBLISHED PAPERS - HOMELESS REDUCTION BILL 2016-2017

1 INTRODUCTION

- 1.1 At its meeting held in November 2016, Scrutiny Panel 3 (Homelessness) agreed that it would receive details of the Homeless Reduction Bill 2016 2017 (the Bill).
- 1.2 Detailed below is a summary of the Bill.

2 HOMELESS REDUCTION BILL 2016-2017

Background to the Bill

- 2.1 Conservative backbench MP Bob Blackman introduced a Private Members' Bill aimed at reducing homelessness, based on a report commissioned by the charity Crisis. The aim of the Bill is to reform the homelessness duties placed on local authorities to ensure that at-threat households receive better help quicker.
- 2.2 The Bill was committed to a Public Bill Committee. The Public Bill Committee met on 30 November 2016. The Bill had had its Second Reading debate on 28 October 2016.
- 2.3 Bob Blackman MP welcomed the Government's support for his Bill and said:

"I welcome the government's decision to support my bill to reduce homelessness. Throughout my 24 years in local government prior to becoming an MP, I saw the devastation that can be caused by homelessness first hand, with too many people simply slipping through the net under the current arrangements.

By backing this bill, the government is demonstrating its commitment to an agenda of social justice and also shows that it is willing to listen. I look

forward to working with Ministers going forward in order to bring about this important change in legislation.”

Aims of the Bill

- 23 The reported aims of the Bill is to refocus English local authorities on efforts to prevent homeless. The Bill is seeking to amend Part 7 of the *Housing Act 1996*. Its measures include:
- An extension of the period during which an authority should treat someone as threatened with homelessness from 28 to 56 days.
 - Clarification of the action an authority should take when someone applies for assistance having been served with a section 8 or section 21 notice of intention to seek possession from an assured shorthold tenancy.
 - A new duty to prevent homelessness for all eligible applicants threatened with homelessness.
 - A new duty to relieve homelessness for all eligible homeless applicants.
 - A new duty on public services to notify a local authority if they come into contact with someone they think may be homeless or at risk of becoming homeless.
- 2.4 It is reported that several provisions have financial implications for local authorities for which a money resolution will be required. The Government has stated that an impact assessment and new burdens assessment will be published in due course.

Government support

- 2.5 The Government supported the Bill's progress through Parliament on 24 October 2016. It is reported that Local authorities and their representative organisations had said that they could not support the draft Bill in the absence of an effective long-term national strategy.
- 2.6 The Local Government Association (LGA) said: *“There are further risks that, in areas where council resources are already particularly stretched, legislative change in isolation could affect their capacity to deliver good outcomes for groups of vulnerable people that they are successfully helping now.” The most controversial clauses from the local authority perspective have been removed from the final version of the Bill and, as a result, the LGA is reportedly close to supporting the Bill. There is certainly widespread support in the sector for a preventative approach to homelessness backed by adequate funding.*
- 2.7 The Chartered Institute for Housing (CIH) is reported to have said *“CIH is supporting the campaigning of Crisis and others for a change in the homelessness legislation in England. The campaign has now reached a*

*crucial point with the Homelessness Reduction Bill, a private member's bill, tabled by the Conservative MP Bob Blackman, due to be debated in parliament on 28 October. The Homelessness Reduction Bill will change the current law to make sure that councils have a duty to prevent and relieve homelessness irrespective of someone's priority status, which is the way the current system works. The Bill would extend the time that households are considered at risk of homelessness from 28 to 56 days and would require councils to provide emergency accommodation to people who have nowhere safe to stay to emergency accommodation."*s

Pressure for change

- 2.8 The Government reports that although a statutory framework has been in place to provide a safety net for homeless people in England since the enactment of the *Housing (Homeless Persons) Act 1977*, there has never been a comprehensive duty to secure accommodation for all homeless people.
- 2.9 In the summer 2015 Crisis established an Independent Expert Panel to consider the strengths and weaknesses of the homelessness legislation in England. In [The Homelessness legislation: an independent review of the legal duties owed to homeless people](#) (April 2016) the Panel said that the current safety net has a particular impact on single homeless people who "have no right to accommodation or adequate help to prevent or relieve their homelessness, even if they are sleeping rough." The Panel favoured changes to place more emphasis on preventative work within a statutory framework, particularly in relation to single people and childless couples.

Select Committee inquiry into homelessness

- 2.10 The CLG Committee launched an inquiry into homelessness in December 2015 in response to evidence that homelessness, particularly rough sleeping, was increasing. The Committee concluded that the service offered to homeless non-priority need applicants is "unacceptably variable." The Committee is supporting the *Homelessness Reduction Bill* and has called for a "renewed cross-Departmental strategy" to tackle homelessness.

New approaches in Scotland and Wales

- 2.11 For the Scrutiny Panel's information, both Scotland and Wales have legislated in recent years to address the longstanding lack of support for homeless single people has added to the pressure for change in England. In Scotland, there is a statutory duty on local authorities to find permanent accommodation for all applicants who are unintentionally homeless or threatened with homelessness. In Wales, local authorities have a duty to prevent all those threatened with homelessness from becoming homeless. Statistics covering the first full year of implementing the new

statutory provisions in Wales indicate some success in the prevention of homelessness.

Homelessness is increasing

- 2.12 The Government reports that statutory homelessness in England has increased since 2010. The financial year 2010/11 saw a 10% increase in statutory homelessness acceptances by local authorities, representing the first financial year increase since 2003/4. Homelessness acceptances continued to rise over the next three years but fell by 3% between 2012/13 and 2013/14. The 2014/15 financial year recorded a further increase, with acceptances 36% higher than in 2009/10 (but 60% below the peak in 2003/4). The 2015/16 financial year saw acceptances increase by a further 6% on 2014/15.
- 2.13 The Government goes on to state that the estimated number of rough sleepers in England has also increased each year since 2010. The autumn 2010 total was 1,768 while the autumn 2015 total was more than twice as high at 3,569. The number of rough sleepers increased by 30% between 2014 and 2015, the biggest year-on-year increase since 2011.

Why is homelessness increasing?

- 2.14 The Government reports that the rise in homelessness is due to:
- failure to ensure a sufficient supply of affordable housing.
 - the termination of assured shorthold tenancies in the private rented sector,
 - Housing Benefit restrictions introduced since 2010 which, it is argued, have made it difficult for claimants to secure housing at rents which Housing Benefit will cover.

Tackling Homelessness

- 2.15 On 17 October 2016 the Government announced a £40 million programme to provide an innovative approach to tackling homelessness. 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
 - also announced were 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

2.16 The Government goes on to state that it recognises that homelessness is not just a housing issue, and that for many people complex needs, such as mental health needs, provide a real barrier to improving their life chances. That is why the Government is working across government, including with the Department of Health, through the Ministerial Working Group on Homelessness.

3 RECOMMENDATIONS

3.1 That the information provided informs the evidence base of this Scrutiny Review.