

The Procurement and Allocation of Temporary Accommodation for Homeless Applicants Policy

1. Contacts

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2. Recommendation

That Cabinet: -

- 2.1 Recommends to Council the adoption of the Procurement and Allocation of Temporary Accommodation for the Homeless under Part VII of the Housing Act 1996 and Related Legislation Policy.**

3. Background

- 3.1 The Council is required to have a policy which sets out how Chichester District Council as the local housing authority for the Chichester District procures temporary accommodation and allocates this to people who present themselves as homeless. The intention is and continues to remain to provide temporary accommodation on a short-term basis.
- 3.2 The Council has always looked ahead to forecast the need for services and temporary accommodation for homeless households. Homelessness reviews have been undertaken in 2015 and 2020. These reviews have in the past led to the identification of the need for additional temporary accommodation which in turn led to the purchase of the bungalow in Freeland Close. This was converted into temporary accommodation and then demolished in 2021 to make way for the development of 17 new additional short stay flats on the site.

4. Outcomes to be achieved

- 4.1 The outcome required is a compliant policy adopted by council and implemented by officers.

5. Proposal

- 5.1 The proposal is to adopt an appropriate policy (attached as the appendix) which complies with the requirement to set out the Council's approach to the procurement and allocation of temporary accommodation for the homeless. It confirms that the

Council understands that resources available for use are limited but recognises the need to provide sufficient units of temporary accommodation to meet the need.

- 5.2 The policy includes the Council's aim to accommodate homeless people within the local authority area as far as is reasonably practicable or as close to where they were previously living. The policy also recognises the shortage of accommodation locally and the need to procure accommodation in other areas i.e., in an emergency the council may need to place households outside of the district in bed and breakfast accommodation or other nightly paid accommodation.
- 5.3 The policy covers temporary accommodation provided under sections 188, 189B, 205(3) or 193 of the Housing Act 1996. The policy applies to both Council-owned temporary accommodation, any accommodation used in partnership with other bodies and the use of bed and breakfast accommodation. The Council seeks to ensure that the standard of the accommodation it provides is in accordance with Chapter 17 of the Homelessness Code of Guidance for Local Authorities 2018 (as amended periodically) as appropriate.
- 5.4 The policy complies with all relevant primary (statutes) and secondary (regulations and orders) legislation, national guidance (notably the Homelessness Code of Guidance for Local Authorities 2018) and the Council's own strategies and policies. The policy is intended to explain the Council's approach to procuring sufficient units of temporary accommodation to meet the anticipated demand during the coming year(s) and to explain how decisions are reached when allocating those units to individual homeless households.
- 5.5 As required, the policy will be kept under periodic review and revised or updated as required.

6. Other options considered

- 6.1 As it is a requirement for the Council to have an appropriate policy on the procurement and allocation of temporary accommodation no other options have been considered.

7. Resource and Legal Implications

- 7.1 The policy has been written and reviewed in conjunction with a barrister from Pallant Chambers. The relevant legislation and guidance are set out in section 5.4 above.
- 7.2 In addition the need for a policy is due to the decision in the Supreme Court case of *Nzolameso v Westminster City Council* [2015] UKSC 22, which held that where a local authority is unable to accommodate homeless households in its own local authority area it must have a policy agreed by elected members that outlines the process of allocating housing out of the local authority area.

8. Consultation

- 8.1 Consultation has been undertaken with staff in the Housing Service and colleagues involved with assisting homeless households. An update will be provided to all members via the members bulletin and there will be a more detailed awareness session at the forthcoming Housing and Communities Panel.

9. Community Impact and Corporate Risks

- 9.1 The primary aim of the proposal is to have a positive community impact and to ensure that the council is meeting its statutory duties.

10. Other Implications

	Yes	No
Crime and Disorder		√
Biodiversity and Climate Change Mitigation		√
Human Rights and Equality Impact This proposal is designed to help those with less life chances and who are experiencing homelessness and who have less equality in life than others.	√	
Safeguarding and Early Help The housing service works closely with colleagues at West Sussex County Council and understand and recognise safeguarding, self-neglect and early help issues. The homeless and temporary accommodation teams make appropriate referrals under the West Sussex safeguarding and self-neglect policies for those accommodated in temporary accommodation.	√	
General Data Protection Regulation (UK GDPR) The policy document itself does not itself involve the processing of personal data; the implementation by Housing Services of the policy once adopted will comply fully with all GDPR principles and practices		√
Health and Wellbeing This proposal is designed to improve residents' health and wellbeing by accommodating them into suitable temporary accommodation.	√	
Other (please specify)		

11. Appendices

- 11.1 The Procurement and Allocation of Temporary Accommodation for the Homeless under Part VII of the Housing Act 1996 and Related Legislation.