

Subject:	Next steps - Rough Sleeping and Accommodation during Covid 19 Pandemic and Recovery		
Date of Meeting:	3 December 2020 18 th November 2020 – Housing Committee		
Report of:	Executive Director Housing Neighbourhoods & Communities and Executive Director of Health & Adult Social Care		
Contact Officer:	Name:	Sylvia Peckham Martin Reid	Tel: 01273 293318
	Email:	Sylvia.peckham@brighton-hove.gov.uk Martin.Reid@brighton-hove.gov.uk	
Wards Affected	All		

FOR GENERAL RELEASE

1 PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 In response to the Covid-19 emergency and in line with Government guidance we made an accommodation offer during the first lockdown available to all rough sleepers and those assessed as at risk of rough sleeping in the city. We have worked with Ministry of Housing, Communities & Local Government (MHCLG) and Homes England (HE) to secure funding to cover the cost of this accommodation and provide for move on options through our Next Steps Accommodation Programme (NSAP) bid.
- 1.2 The Council's approach to the national requirements were set out in the response to 'Homelessness & the Coronavirus Pandemic' Notice of Motion presented to Housing Committee on 29 April 2020 and the delegation of authority to secure hotel accommodation up to the end of December 2020 outlined in the 'Homeless & Rough Sleeper accommodation – Covid-19 Pandemic Next Steps report' agreed at Policy & Resources Committee on 14 August. It was made clear in these reports that the Council's approach was subject to MHCLG funding being sought through the NSAP bid. Since then the government has repeatedly made clear it will not suspend the legal requirements around rough sleepers who have no recourse to public funds.
- 1.3 As outlined in paragraph 3.6 the NSAP bid process was in two parts: short-term interim accommodation and immediate support; and, longer term, move-on accommodation. The report updates on the bid outcome, including that the council have been awarded NSAP shorter-term/interim accommodation and immediate support revenue funding of £3,428,766 to 31 March 2021. This is the highest sum awarded to any individual local authority in the country. In addition, we have been awarded a capital sum of £1.752m with revenue support of £669,600 (over four years) to deliver 30 Home Purchase Policy, Housing First homes for move on by 31 March 2021, and £609,939 to deliver 20 units of high support accommodation for 3.5 years through partners St Mungo's and Clarion.

- 1.4 While significant, the NASP funding does not cover the full amount bid for to cover our projected costs of accommodation, support and move on from 1 July 2020 to 31 March 2021. The Short-Term/Interim Accommodation bid was only for the period 1st July 2020 to 31st March 2021 and so the expectation was that the council would need to pick up the costs for the first quarter of the year from other resources. In line with the recommendations to Policy & Resources Committee (14th August) this report considers the outcome of the bid, the on-going financial implications and options for future provision. This includes seeking to extend delegation of authority to secure hotel accommodation to 31 March 2021 in line with available funding. The report also outlines the next steps to comply with the terms of the funding and progress the move on of people into suitable sustainable alternative which meets individual's needs.
- 1.5 There are significant bid conditions associated with the Short-Term/Interim Accommodation Bid, (NSAP outcome letter dated 22 September 2020), including: that funding is ring-fenced for those who have been accommodated up until 30 September 2020 and those who are subsequently brought in from sleeping rough; support offered to non-UK nationals who are not eligible for homelessness assistance complies with legal restrictions; and, achieving a speedier reduction in the overall numbers in hotels/TA placements than projected in the bid, with 70% funding allocated initially with remaining funds on condition that Emergency Accommodation use is reduced by at least 40% by 31st December 2020. As at 30th September we were accommodating 369 people and so to achieve a 40% reduction requires 148 people to be moved on by 31st December 2020.
- 1.6 The MHCLG guidance and grant conditions will therefore have a material impact on the council's ability to: continue to support an unconditional offer of accommodation, in particular for those assessed as at risk of rough sleeping who were not accommodated before 30 September 2020, and to accommodate non-UK nationals who are not eligible for homelessness assistance / those with No Recourse to Public Funds.
- 1.7 The total estimated revenue overspend relating to rough sleepers is £9.259m (TBM 5 reports to P&R Committee). This estimate assumes that the unconditional offer ceases after 30th September 2020. The short-term NSAP grant award for £3.429m only offsets some of the costs. The council is still projecting an overspend overall after taking account of a 4th tranche of Emergency Covid 19 funding and therefore any continuation of the unconditional offer will create an additional commitment which will increase the call on reserves that will need to be repaid through the financial smoothing agreed at Policy and Resources committee in October 2020. Continuing this offer will also have material financial impact on 2021/22 budgets as outlined in the financial implications at paragraph 7.5.

2 RECOMMENDATIONS:

- 2.1 That Housing Committee note the Next Steps Accommodation Programme (NSAP) funding allocation with the projected shortfall in funding required, and the conditions set out in the grant award.

- 2.2 That Housing Committee note that NSAP funding is ring-fenced for those who have been accommodated up until 30 September 2020, and those who are subsequently brought in as verified rough sleepers.
- 2.3 That Housing committee note MHCLG guidance dated 22 September 2020 that local authorities must ensure that any support offered to non-UK nationals who are not eligible for homelessness assistance complies with legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002).
- 2.4 That Housing Committee approve proposals (in paragraph 3.10) for officers to work with the local community and voluntary sector organisations to provide clear information for rough sleepers with NRPF who the Council cannot accommodate including sources of support and assistance.
- 2.5 That Housing Committee note that the Co-Chair of Housing has written to the Home Secretary asking that all necessary measures are taken to avoid pushing migrants into homelessness for the duration of the pandemic. This includes asylum seekers and others with no recourse to public funds as well as recently recognised refugees whose asylum support is being withdrawn.
- 2.6 That Housing Committee note the action plan set out in Appendix 3 to deliver progress and meet the conditions of the NSAP funding allocation.
- 2.7 That Housing Committee agree that progress on meeting the conditions of NSAP funding and next steps – ‘Rough Sleeping and Accommodation during Covid 19 Pandemic and recovery’ as outlined in 1.2, be reported to future meetings of Homeless Reduction Board.
- 2.8 That Housing Committee note the assumptions in paragraphs 7.3, 7.4 and 7.5 of costs of continuing to accommodate those assessed as at risk of rough sleeping who do not fall within NSAP funding conditions beyond 30 September 2020 or statutory provisions during the on-going pandemic (excluding those who have NRPFs except those to whom we have a statutory duty as outlined elsewhere in the report).
- 2.9 That Housing Committee agree that officers report back on the implications to the Homelessness Reduction Board and a future Housing Committee on systems and resources needed to enhance the Council’s offer to homeless people including those assessed as at risk of rough sleeping who do not fall within NSAP funding conditions beyond 30 September 2020 or statutory provisions, during the on-going pandemic, subject to funding.
- 2.10 That Housing Committee agree an additional £7.5m expenditure in the HRA capital programme for 2020/21 to be funded by £1.752m grant and £5.748m borrowing and notes that this will be subject to formal approval by the Policy & Resources Committee when it considers the TBM Month 7 report at its December meeting as set out in the recommendation at paragraph 2.17.

That Housing Committee recommends to Policy & Resources Committee:

- 2.11 That Policy & Resources Committee delegates authority to the Executive Director of Housing Neighbourhoods & Communities and the Executive Director of Health and Adult Social Care to secure accommodation up to the end of March 2021, by entering into contracts to extend existing arrangements or alternative arrangements where necessary to extend the provision of shorter-term/interim accommodation acquired in response to the Covid 19 pandemic to 31st March 2021.
- 2.12 That Policy & Resources Committee agree to funding until 31st March 2021 the floating support required to enable people to move on to private rented accommodation who are in need of support to sustain and manage a tenancy so it is a viable option at an estimated cost of £0.086m, as detailed in paragraph 3.14. If agreed, this financial pressure will be reflected in future Targeted Budget Management (TBM) reports to P&R committee.
- 2.13 In line with the NSAP funding allocation, agree to delegate authority to the Executive Director of Health and Adult Social Care to enter into a contract with St Mungo's as a partner to the bid and as set out in the bid to deliver 20 units of high support accommodation as set out in paragraph 3.14
- 2.14 To note the NSAP funding allocation & agree spend in line with grant conditions.
- 2.15 Consider continuing to accommodate those assessed as at risk of rough sleeping who do not fall within NSAP funding conditions beyond 30 September 2020 or statutory provisions (excluding those who have NRPFs except those to whom we have a statutory duty as outlined elsewhere in the report) during the on-going pandemic at a maximum cost of £0.986m for 2020/21, as outlined in paragraphs 7.3 & 7.4 and 7.5
- 2.16 To note that if recommendation 2.15 is approved, this could create a potential commitment in 2021/22 of between £1.4m and £1.9m. This will need to be reflected in the budget process for 2021/22.
- 2.17 Note the MHCLG contribution of £1.752m in capital funding towards the purchase of 30 new homes for rough sleepers and that approval of the new HRA capital budget for this purchase will be brought as part of the TBM 7 report to the December P&R Committee.

3 CONTEXT/ BACKGROUND INFORMATION

Background

- 3.1 At the start of the pandemic the Government issued guidance to local authorities to provide accommodation for all rough sleepers; those assessed as at risk of rough sleeping and those in congregate (shared sleeping spaces) accommodation. The Communities Secretary announced emergency funding for councils to provide such accommodation of £3.2m nationally to enable rough sleepers to self-isolate. The council has claimed back the maximum £0.066m to which it was entitled.
- 3.2 29th April 2020, Housing Committee agreed the notice of motion "Homelessness and the Coronavirus" stating a commitment, subject to funding to:- Declare its

intention to consider how to provide appropriate move-on accommodation and support for all rough sleepers currently housed and supported in hotels/other accommodation in time to avoid them returning to rough-sleeping. Also, to consider how the current unconditional offer of accommodation to rough sleepers can continue once the hotel/other accommodation provided during the coronavirus outbreak is no longer available.

- 3.3 Following the 'Homelessness & the Coronavirus Pandemic' Notice of Motion presented to Housing Committee on 29 April 2020, the response report presented to Committee on 17 June 2020 stated: *The Council is intending to provide appropriate move on support and accommodation for all rough sleepers currently accommodated. However, we currently do not have sufficient resources to meet all of the needs, and therefore have requested additional support from Ministry of Housing Communities & Local Government (MHCLG) if we are to avoid people returning to the streets.*"
- 3.4 Policy and Resources Urgency Committee on 14 May 2020 agreed the next steps and moving to the next phase of accommodation so that people were not at risk of returning to the street when restrictions were lifted and to enter into contract [Licence to Occupy] with the University of Brighton for 222 units of student accommodation as move on from initial accommodation acquired under Covid-19 Urgency Powers. This student accommodation has subsequently been decanted and handed back to the University of Brighton.
- 3.5 14th August 2020, Policy and Resources Committee agreed to the secure the continuation of existing, and acquisition of, additional interim accommodation up to the end of December 2020, that was required to maintain the accommodation offer to all verified rough sleepers and those assessed as at risk of rough sleeping until they were able to move on to more sustainable housing. Since the initial guidance around "Everyone In", the government have made it clear that there are limitations on what local authorities can offer, both on the additional funding and in general as set out below.

Next Steps Accommodation Programme Bid (NSAP)

- 3.6 20th August 2020, the council submitted a bid to the Ministry of Housing, Communities & Local Government (MHCLG) setting out proposals for future funding in response to the Government's Next Steps Accommodation Programme (NSAP), The NSAP bid process was in two parts.
- Firstly, the short-term interim accommodation and immediate support (national pot of £105m). The council bid for £4.317m and has been awarded £3.429m. Details of this bid are shown in paragraph 3.13 below.
 - The second bid was for longer term, move-on accommodation (National Pot of £433m over 4 years, £161m for 2020/21 split into £130m capital funding and £31m revenue funding). The council has bid for £5.797m capital funds and £4.044m revenue for the period September 2020 to end of 2023/24. Partners to the bid include YMCA Downslink and St Mungo's-Clarion to provide specific supported accommodation move on schemes

Our bid proposals related to 391 clients in emergency accommodation at the time of the bid submission (20 August 2020).

3.7 Next Steps Accommodation Programme bid proposal included:

- Ensuring current provision to safeguard rough sleepers and those assessed as at risk of rough sleeping can continue for an appropriate length of time;
- Reconnection where safe to do so;
- Expand Homeless Prevention and Resolution Officers (Brighton & Hove City Council);
- Expanding Housing First coupled with expanded Home Purchase Policy.
- Expand provision of supported move on accommodation and increasing Private Sector Leasing via partners to provide additional supported accommodation;
- Expanding use of private rented sector accommodation;
- Provision of specialist resource to work to secure the settled status of individuals who are EEA nationals without settled status;
- Access to Employment;
- Return Home reconciliation work with young people where this is a safe option.

Next Steps Accommodation Programme Grant and Conditions

3.8 As at 30th September 2020 we were accommodating 369 people. Approximately 100 of these are verified rough sleepers and those from congregate accommodation while the remaining 269 are people who were assessed as at risk of rough sleeping. The NSAP funding is only for those people in accommodation as at 30th September and those who were subsequently verified as rough sleepers. We continue to produce a weekly placement report to monitor our activity. The weekly placement report for week commencing 26th October 2020 is appended to this report, Appendix 2.

3.9 The contracts for existing accommodation that were acquired for rough sleepers and to provide accommodation for other homeless people during Covid are due to end on 31st December 2020. We will need to extend some of these contracts while we move people on as per the conditions of the grant.

Conditions of Short-Term Interim Accommodation and Immediate Support Grant.

3.10 These are specific and are set out below. The following are areas of particular note:

- **Cut-off date**

MHCLG have been clear that the funding is only to meet the needs of people accommodated as at 30th September 2020 and for those who are subsequently verified as rough sleepers.

This means that from 30th September 2020 the funding cannot be used for people who are assessed as *at risk* of rough sleeping i.e. those people who are neither owed a statutory housing duty nor are verified as rough sleepers. We are

working to reduce the risk of street homelessness for this group by further developing our prevention, and advice offer.

- **Providing Accommodation to individuals with No Recourse to Public Funds (NRPF)**

NRPF refers to those who have had a no recourse to public funds condition imposed on their grant of limited leave to remain or enter the UK, or whom are failed asylum seekers. The NRPF condition does not, prior to 31 December 2020, apply those who are exercising an EU right to reside under the Immigration (European Economic Area) Regulations 2016 (as they do not need permission to enter or remain section (7(1) Immigration Act 1988)) or, post 31 December 2020, those that have a retained enforceable EU right through the EU Settlement Scheme

As part of the response to the Covid 19 pandemic people who are EEA Nationals have been sanctioned by the Government to receive 12 weeks assistance until 31st December 2020. For others who are not EEA nationals, the MHCLG has confirmed that the law regarding their status remains the same. In their letter of 22nd September that accompanied the grant, MHCLG stated that:

'Local authorities must ensure that any support offered to non-UK nationals who are not eligible for homelessness assistance complies with legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002).'

The Government's 'everyone in' direction at the time of national lockdown provided a window of opportunity for councils across the country to accommodate NRPF, regardless of immigration status. Under the 'everyone in' approach, and in light of the public health emergency, local authorities were being advised to use whatever powers they could identify to accommodate NRPF, but not what those powers were. The council accommodated 8 individuals with NRPF in the early months of the national lockdown based on this approach as they were rough sleeping

The government did not suspend or repeal elements of the legislative framework which would otherwise have made this approach unlawful. At that time, given the scale of the public health crisis it was assumed that public health reasons and the government's own invitation to act could be relied upon by local authorities to justify delivering an "everyone in" approach. However, failure to suspend the primary legislation has subsequently placed severe restrictions on the powers of local authorities in relation to those with NRPF.

Since the initial "everyone in" instruction the government has significantly changed the advice in relation to NRPF individuals, expressly stating that councils are expected to behave within the law in relation to NRPF clients and that funding announced to support rough sleepers applied only to those eligible for assistance under the Housing Act 1996- so completely excluding NRPF.

This more recent Government advice leaves the council with very limited powers to accommodate those with NRPF. These powers are based on a careful consideration of individual circumstances on a case by case basis. Entitlements

of NRPF individuals accommodated by or approaching the council will vary depending on circumstances such as whether the individuals have children, their nationality, their asylum status, and their eligibility under the Care Act. The council is committed to evaluate individual circumstances and form a judgement as to what is appropriate and available within the envelope of the law, taking into account vulnerabilities and applying this to the circumstances of the individual. Emerging public health guidance, including evaluation into the risks posed by Covid 19, which will include the alert level of the city will be taken into account when considering needs within the envelope of what is available within the law and government guidance at the time.

In addition to very limited powers the council may have, following careful consideration of individual circumstances, it is recommended that individuals consider applying directly to the Home Office for relief and that the council signposts to other specialist dedicated sources of support. It is also recommended that officers work with local community & voluntary sector organisations who support migrants to develop clear information about what help and assistance is available. This should include homelessness prevention support within the constraints of local authority powers and more targeted assistance from third sector agencies.

Full details of the NSAP funding allocation

Funding conditions

3.11 Full details of the NSAP funding allocation conditions are set out as follows:

3.12 “The grant funding is ringfenced and must only be used as set out in the grant allocation. Future awards of rough sleeping funding will be reduced to the extent that funding is not used in line with the ringfencing condition. Funding is being allocated subject to several additional conditions:

- Funding must be used to achieve move-on for those rough sleepers accommodated during the pandemic and a sustained reduction in rough sleeping in our local area
- That funding is ring-fenced is for those who have been accommodated up until 30 September 2020, and those who are subsequently brought in from sleeping rough.
- BHCC to agree with MHCLG advisers an amended NSAP plan that will achieve a speedier reduction in the overall numbers in hotels/TA placements, with at least 50 people per calendar month moved on through offers of alternative accommodation, re-connection or other arrangements.
- 70% of funding to be allocated now, with remaining funds to be allocated on condition that Emergency Accommodation use is reduced by at least 40% by 31st December 2020.
- Support offered to non-UK nationals who are not eligible for homelessness assistance complies with any legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002). Any funding provided for immigration advice is provided on the basis that this is to support individuals to determine or resolve their immigration status - not to challenge immigration decisions made by the Government. Any voluntary reconnections funded should be made if there

is a reasonable prospect of an individual returning to their home country for a sustained period.”

Breakdown of the Short Term/Interim Accommodation NSAP funding allocation.

3.13 The Short Term/ Interim Accommodation Revenue Grant awarded covers the period until 31st March 2020. It also is to reflect spend from 1st July 2020 to date incurred on procurement of short-term emergency hotel accommodation acquired under the Covid 19 pandemic. A breakdown of the grant shown in table 1 below with further explanation is as follows:

- Emergency/ short term accommodation. This covers the cost of the hotel and university accommodation and support costs such as additional security. The amount awarded reflects the conditions of the grant to move on 40% of people by 31st December and so assumes a tapering down of this accommodation accordingly between October and December and then continuing to taper towards 31st March 2021.
- Staff resources. To undertake assessment and develop Personal Housing Plans for the increased number of people accommodated under “Everyone In” and work to move on to a more suitable accommodation option.
- Access to Private Rented Accommodation –for supporting Deposit Guarantees and supporting tenancies (both landlords and tenants) for a period at the start of the tenancy and resolving any issues later so as to ensure the tenancy is sustainable. MHCLG increased the target amount of people to access this type of accommodation. We are exploring how we manage this and work in partnership with another provider to use Houses in Multiple Occupation (HMOs) to contribute to this.
- Support to reconnect people back to where they have a local connection where it is safe to do so.
- Mediation service to enable young people to return to live with family.
- Advice and Immigration support for EEA nationals

TABLE 1 Description in bid	Costs in BID	Grant Allocation	Short fall
Emergency Accommodation costs, assuming tapering to 31/3/21	3,659,758	3,079,920	-579,838
Additional Staff to support move on	261,700	160,000	-101,700
Access to Private rented accommodation	135,000	135,000	0
Support for reconnection	51,000	20,000	-31,000
NSNO building costs to March 21	80,000	0	-80,000
Mediation service	13,846	13,846	0
Advice and immigration support	39,032	20,000	-19,032
Access to employment BEAM	77,000	0	-77,000
TOTAL in NSAP Short Term/Interim bid	4,317,336	3,428,766	-888,570

Details of the Capital NSAP funding Allocation

3.14 The Capital grant covers the capital required until 31st March 2021 and the Revenue required to support the capital until 2024. A breakdown of the grant is shown in the table below with further explanation as follows:

- The bid for expanding Home Purchase Scheme by an additional 50 properties was reduced to 30 as MHCLG thought that would be deliverable by 31st March 2020. These would provide units for Housing First. The estimated cost of purchasing 30 homes is £7.500m. This will be funded by HRA borrowing (supported by the rental stream) and the grant of £1.752M and will be cost neutral to the HRA. The Revenue to cover until 2024 is as set out in the table.
- Preston Road and Castle Street schemes were not agreed on the basis of value for money due to the length of leases.
- Eastergate Road was withdrawn as funding was agreed under a different funding scheme.
- St Mungo's/ Clarion high support scheme will provide 20 units of move on accommodation until 2024
- Floating support from now until 2024 to enable people to move into and sustain private rented accommodation was not successful, The approach to support requests that were not attached to new units of accommodation was not agreed by the MHCLG on the basis that they are a matter for RSI funding. While we will submit a bid for RSI4, that is for 2021 onwards which leaves a gap of support from now until 31st March 2021 of £0.086m. If the council funds floating support to the end of March 2021, but future years is not agreed under RSI4, then the council could be committing to paying for on-going floating support in 2021/22 and beyond for which it has no resources. The shortfall to March 2021 will enable enough officers to support a caseload of 12 people at any one time, enabling a total of 50 – 60 people to be supported into private rented accommodation that otherwise would be unable to manage this type of tenure. This is a significant proportion of the overall number of people we need to move on and therefore will reduce the risk that the council would only retain 70% of the revenue short term grant.

Description in Bid	Bid	Grant Allocated	Shortfall
	£	£	£
Home purchase	2,920,000	1,752,000	1,168,000
Preston Road Capital	206,450	0	206,450
Preston Road Revenue	17,726	0	17,726
Castle Street capital	450,450	0	450,450
Castle Street Revenue	253,990	0	253,990
Eastergate Rd Capital	2,220,000	0	2,220,000
Housing First Revenue	1,116,000	699,600	416,400
Clarion (St Mungo's High Support Revenue)	639,969	609,969	30,000
Floating Support	988,106	0	988,106
Total capital schemes	8,812,691	3,061,569	5,751,122

Move on planning

- 3.15 We are planning the recovery for how people move on from this short term accommodation. There are several work streams being developed into an overarching plan which are broadly:
- Identify the move on requirements of those people accommodated as at 30th September 2020 and timelines to achieve 40% move on by 31st December 2020.
 - Supply of accommodation to enable 40% to move on before 31st December 2020 and then remainder to move on for 31st March 2021.
 - Commissioning strategy to move away from congregate accommodation for rough sleepers.
- 3.16 Details of this weekly data are set out in Appendix 2 which contains the breakdown of move on requirements and monitors progress to meet the conditions of the NSAP funding allocation. Appendix 3 contains the high level project plan which will be updated and reported to the Homelessness Reduction Board. However, progress to the end of October is that of the 148 people required to move on by the end of December, 66 have been successfully moved on.
- 3.17 To Identify the move on requirements of people accommodated Housing Options and St Mungo's have worked jointly to undertake assessments and develop Personal Housing Plans with all people accommodated. Some people who become homeless during Covid 19 are ready to move into private rented accommodation with little assistance while there are other people who have multiple and complex needs. Due to the short timescale to achieve 40% move on by 31st December we will focus on those people who can move on quickly, whilst still enabling more challenging moves on a case by case basis.
- 3.18 The supply of accommodation and support is key to enable move on. We had 369 people accommodated as at 30th September.
- 3.19 One of the central elements of the NSAP funding allocation is to move people to private rented accommodation. We will assist people who are ready to move on from supported housing into private rented accommodation to free up supported housing for those people who are assessed as in need of that type of accommodation.
- 3.20 We will also assist people to move into private rented accommodation from short term accommodation and provide support to ensure tenancies are sustainable in the longer term. In the NSAP grant allocation conditions MHCLG set an enhanced target of 50 tenancies by 31st March 2021. In addition to the 35 tenancies outstanding to achieve under the Rough Sleeper Initiative grant. This brings the total to 85 tenancies to be achieved by 31st March 2021. To achieve this, we are exploring the use of Houses in Multiple Occupation (HMOs) as we believe there is capacity in the market following the development of purpose-built student accommodation. We understand that particularly for people who have just become homeless and who do not need supported accommodation, this may be a good option.

- 3.21 To meet the very challenging targets linked to the funding made available additional staff resources will be required to work with people to assess their needs and enable them to move on and so the additional funding in the grant for staff resources is welcome.
- 3.22 Given the number of people we must move on within a challenging timescale, we are only able to make one suitable offer of accommodation. We will ensure people have a reasonable timescale to decide to accept or reject the offer depending on the type of accommodation offered and the individual needs of the person. If an offer of suitable accommodation is not accepted, the short-term accommodation will be ended, and the person will need to make their own arrangements. Without this robust approach we are unlikely to achieve the target set as condition of the grant. We have safeguards in place by ensuring there is a review process in place where people do not agree with the suitability of the accommodation offered. Following rejection of a suitable offer and ending short term accommodation we will continue to engage with the person to find a solution for their housing situation, but no further short-term accommodation will be made available.

Meeting multiple and complex needs

- 3.23 To provide for the needs of people who have multiple and complex needs we are expanding Housing First. We have recognised that for some people a hostel/ supported type environment is not appropriate and have understood that some people remain rough sleeping as we have not been able to offer appropriate accommodation that meets their needs. We have identified the Housing First is a model that will meet this gap in provision and enable us to help those entrenched rough sleepers move away from the street and get the help they need.
- 3.24 To expand Housing First we are increasing acquisitions under the Home Purchase Policy which forms part of the capital bid. The revenue grant provides funding for the flexible and intensive support necessary to enable people to manage in Housing First. These properties will be used as temporary accommodation so they can be matched to identify people that need to move on from the short-term accommodation.

Safe reconnection

- 3.25 Some of those in emergency accommodation do not have a local connection to the city and so we have funding to reconnect people where it is safe to do so. We will also be undertaking mediation with families to enable young people to be able to return to the family home. For EEA Nationals, we will provide a dedicated advice worker to provide advice and immigration support and specific funding has been awarded for this purpose.

Monitoring

- 3.26 As a condition of the grant Local Authorities will also be required to participate in a research project, organised by MHCLG. The annual snapshot count of rough sleepers will also take place in November. This will be carried out on the same date as councils in East and west Sussex.

3.27 The Homeless Reduction Board will continue to receive highlight reports on performance at each meeting, these will include:

- Number of people rough sleeping
- Number of people accommodated under Covid 19 provisions in short term emergency accommodation
- Move on:
 - To private rented sector
 - To social housing
 - To supported accommodation
 - To Housing First
- Reconnected.

3.28 Appendix 2 contains details of the weekly monitoring report we have developed to track progress.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Without the grant to contribute towards the cost of moving people on to more settled accommodation the options would have been very limited.

4.2 With regard to accommodating people who are outside the scope of the grant we are aware that some local authorities have ceased to do this and there is a risk that we may see a drift in to the city if people can still obtain accommodation here that they cannot obtain in their own area.

4.3 If we continue to have an open-door policy to provide accommodation for this cohort significant financial resources will need to be identified both to provide the accommodation and to casework those people and resolve issues that arise. As this is not offered by all other local authorities there is a significant risk that policy will attract people from other areas, and we will be unable to manage the demand without ever increasing resources. Separately to provide accommodation for people who have been classed by the Home Office as no resource to public funds (NRPF) is unlawful.

4.4 If this provision is discontinued, those people will be entitled to receive advice and develop a Personal Housing Plan to focus on resolving their housing situation, as per the Homelessness Reduction Act, but the council will no longer provide such accommodation. This is returning to our business as usual. We have had and continue to have an opportunity to resolve the housing needs for some of the most vulnerable in the city who are amongst the entrenched rough sleepers. If we spread resources too thinly, we will be limited in what we can achieve for those most in need.

4.5 We propose to undertake further analysis of the costs and other impacts of not accommodating those assessed as at risk of rough sleeping and will include this in our reports to Homeless Reduction Board.

4.6 A new scheme, called the 'Protect Programme' has recently been announced by the Communities Secretary (on 5 November 2020) to support the ongoing efforts to provide accommodation for rough sleepers during the pandemic. The national allocation is £15 million to help areas that need additional support most during

the restrictions and throughout winter. Brighton & Hove is identified as one of the 'top 10' areas to receive funding. We await details of the proportion of the funding to be allocated to Brighton & Hove and will update Homeless Reduction Board when we have this sum confirmed.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 This is a joint report from Housing and ASC Commissioning. The bid was developed in partnership with our advisors in MHCLG.

6 CONCLUSION

- 6.1 The NSAP grant awarded enables the provision of short-term emergency accommodation while we develop more settled move on options. There are very short timescales to deliver which carries risk that funding will be restricted if we do not achieve the set targets. We therefore need to increase the pace to deliver within timescales if we are to maximise the grant awarded and provide settled accommodation for people accommodated as a result of the covid 19 pandemic.
- 6.2 If we continue to provide accommodation for people outside the scope of the grant, there will be a budget pressure to the general fund and the resources required to manage the additional people will dilute the assistance we can offer to those who are the focus of the grant. A focus on homeless prevention, reconnection and earlier move on options will be key to reducing this pressure. Notwithstanding, this will require additional staff resources and funding of move on options. There is also the consideration of availability of sufficient private rented housing that is affordable.

7 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Current Targeted Budget Management (TBM) forecasts at month 5 show total estimated costs of the council housing rough sleepers and those at risk of rough sleeping is £9.259m (£5.0390m net of estimated Housing Benefit for HNC Directorate and £4.220m for HASC). This forecast includes the costs of hotels/guest house accommodation, as well as costs of those housed in other TA accommodation housed under this initiative, support, security, food and laundry services. The revenue grant of £3.429m will reduce the net forecast costs to £5.830m.
- 7.2 The current TBM forecasts also assume that a total of £0.800m in Housing Benefit or rental income will be achieved by 31 March 2020 from this cohort. The service is therefore working to maximise this by focusing on getting all HB claims in place. This has been challenging under Covid 19 restrictions regarding face to face contact. Any under achievement of this income target will increase the forecast overspend for the council.
- 7.3 However, the current forecasts do not include the costs of housing those assessed as at risk of rough sleeping, after the end of September 2020. These are people that the council has no statutory duty to house. Housing officers estimate that they are housing 12 people every week (50 per calendar month) in

this category. If the recommendation at paragraph 2.15 is agreed, the cost of continuing this through October, November and December is estimated to be £0.226m (once the additional staff resource needed to work with these clients is included). To continue this from now to 31 March 2021 would increase forecast spend for the year by an estimated £0.986m. All costings are net of rental income receivable at a collection rate of 50% and assume that there are no move-ons up to 31/3/2021. The council is still projecting an overspend after taking account of the latest allocation of Covid 19 emergency funding and therefore there are no resources identified to meet this level of expenditure.

- 7.4 Costs will vary depending on the rate of collection of HB and the level of move-ons assumed. If the collection rate improved to 70% the figures in paragraph 7.3 would reduce to £0.204m to December 2020 and £0.842m to end March 2021. If people were moved on to more sustainable accommodation (25 per month from January 2021), the costs to 31 March 2021 would reduce to £0.838m at 50% HB recovery rate and to £0.754m at 70%. However, both of these scenarios are very challenging in the current circumstances, given the volume of people currently in temporary accommodation, most with medium or high support needs and the difficulties meeting face to face in the pandemic. Given the current challenges in moving on households from hotels and guest houses, moving on a further 25 people each month is even more difficult as there is a need to find suitable accommodation for a large number of people in a short timeframe in a city with high rents. Therefore, it is prudent to assume the higher cost estimate of £0.986m when making this decision as recommended at 2.15. Should any further government funding be awarded to the authority to fund rough sleeping, this will reduce the overall net pressure of the 'everyone in ' initiative.
- 7.5 If the open offer ceased on 31 March 2021, the current assumptions above would mean that on 1st April 2021, there would still be between 220 and 300 extra households in TA. This would lead to significant financial pressures in 2021/22. If all were moved on within the year, this is estimated to cost between £1.400m and £1.900m and would likely reduce the ability of the council to move on those in TA for which it does have a duty to house, therefore hindering the ability to make cost reductions or budget savings in 2021/22 and beyond. Moving on this many people in a year will also be extremely challenging and therefore there is a risk that costs could be higher than those estimated. These costs will need to be reflected in the budget setting report to Budget P&R and Budget Council in February 2021
- 7.6 The council is still projecting an overspend after taking account of the latest allocation of Covid 19 emergency funding and therefore there are no resources identified to meet this level of expenditure. Additional commitments will increase the call on reserves that will need to be repaid through the financial smoothing agreed at Policy and Resources committee in October 2020. For future years, further budget savings are likely to be required to meet this cost.
- 7.7 The MHCLG have stipulated as a condition of the grant that the council will be given 70% of the grant funding up front and the remaining 30% will be given only if at least 40% of the cohort are moved on to more sustainable accommodation by 31 December 2020. This equates to approximately 148 being moved on by 31 December 2020. This is a challenging target and therefore 30% of the grant funding (£1.029m) is currently at risk. If achieved, however, move-on will also

reduce the costs, reducing the forecast overspend for rough sleepers and/or TA. Hence, it is of paramount importance that this target is met.

7.8 The NSAP bid included a bid for floating support to support those moved into private rented accommodation with low to medium support needs. However, this bid was not successful. The expectation is that the RSI 4 bid will include the costs for floating support from 1 April 2021. However, in order to move people on during 2020/21, the report recommends that funding is made available to cover this shortfall in 20/21. This is currently estimated at a cost of £86,000 but with an underspend on the current RSI 3 grant, the in-year pressure is estimated to be £48,000. Any pressure will be reflected in the Targeted Budget Management report (month 7) to P&R committee. This is a 'spend to save' as this will enable more people to be moved out of temporary accommodation and into the private rented sector, saving the costs of temporary accommodation and also helping to meet the conditions of the MHCLG grant.

7.9 As referenced in paragraph 3.14 (1st bullet), part of the NSAP bid for longer term move on is for the council to purchase 30 properties through extending the HRA Home Purchase policy. These properties will be used for 'Housing First'. The estimated cost of the purchase is £7.500m. The £7.500m will be funded by £1.752m in grant funding (already confirmed by MHCLG) and the remainder will be funded through HRA borrowing. The costs of borrowing and any management and maintenance costs will be supported by the rental income the HRA will receive for these properties. This will be cost neutral for the HRA. The properties will be rented at Local Housing Allowance rents. The report recommends at 2.10 that Housing Committee agree that £7.500m is added to the 2020/21 HRA capital programme for this purpose and recommend that P&R committee approve this new budget being added to the HRA capital Programme.

Finance Officer Consulted: Monica Brooks

Date: 09/11/2020

Legal Implications:

7.10 Any accommodation offered needs to be within the envelope of the law applicable to the individuals concerned, which will vary according to their circumstances, using funds which are available for that purpose in the event of ring fencing. Individual assessments will be required to establish entitlement, particularly in regard to people who have no recourse to public funds. Entitlement and evaluation of needs can take into account the extent of the public health crisis and the implications for the individuals concerned. The report sets out the intention to signpost those needing help to other agencies if the local authority does not have available powers to assist.

Lawyer Consulted: Natasha Watson

Date: 3.11.2020

Equalities Implications:

7.11 An Equalities Impact Assessment will be carried out as part of developing the move on accommodation

Sustainability Implications:

- 7.12 The current short-term arrangements are not sustainable. This is an opportunity to develop more robust accommodation provision for rough sleepers, many of who have compound and complex needs.

Brexit Implications:

- 7.13 There are a number of EU nationals who have become homeless during covid and we are working with them to apply for settled status and to get back into employment.

Any Other Significant Implications:

- 7.14 People sleeping rough are amongst the most vulnerable in the city. Many have compound and complex health needs and in addition are more vulnerable if exposed to Covid. Having suitable accommodation reduces the risks to the individuals and also reduces the public health risks in the event of a second wave, and also reduces the impact on health services in the winter which is generally a pressure time.

Crime & Disorder Implications:

- 7.15 If we are able to ensure adequate accommodation provision, there should be a positive impact on crime and disorder. Rough sleepers are victims of crime on the streets as well as there being anti-social behaviour and perpetration of crime linked to rough sleeping and substance misuse. Helping people off the streets will keep them safe and reduce crime and disorder which has been linked to street activity, and support people to access support services such as treatment for substance misuse which will reduce crime.

Risk and Opportunity Management Implications:

- 7.16 There are financial risks if we do not achieve the required move on for people accommodated within timescale set.

Public Health Implications:

- 7.17 Housing and ASC & Health have worked closely with Public Health in the response to the pandemic and on-going accommodation provision. Rough sleepers have been identified as a particularly vulnerable group which we need to provide accommodation for to protect them and manage infection control.

SUPPORTING DOCUMENTATION

Appendices:

1. Outcome of NSAP Bids
2. Weekly Figures Rough Sleepers & Covid-19 Placements
3. Project Plan

