



**BRENTWOOD
BOROUGH COUNCIL**

HOMELESSNESS PREVENTION STRATEGY 2013-18

November 2013

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Introduction – Chairman of Community Services Committee

I am delighted to introduce the our new Homelessness Prevention Strategy.

The Localism Act enacted in November 2011 and other key housing reforms of Government have made a number of changes to national housing policy.

Our revised Homelessness Prevention Strategy must therefore be consistent with other key strategic documents which support the work of the Council's housing service, each of which have been reviewed or established in response to the Localism Act:

- Our Housing Revenue Account Business Plan, the plan that supports the delivery of our self-financed Council landlord service, the latest version of which was published in February 2013.
- Our first Tenancy Strategy, which was published in March 2013.
- Our new Allocation Policy, which was adopted in October 2013 and which will be implemented in early 2014.

This document reviews our plans in the light of the legislation and the Government's latest guidance, and sets out our homelessness prevention strategy for the next five years..

I hope you find this document of interest. We will always welcome your comments. Please write to the Principal Housing Needs Officer at housing@brentwood.gov.uk.



Cllr Jan Pound

Chairman of Brentwood Borough Council Housing & Health Panel
November 2013

1. **Our Homelessness Prevention Strategy for 2013-18**

- 1.1. We believe this plan will help to prevent homelessness in the Brentwood Borough over the next five years.
- 1.2. Section 2 of this document sets out why we need a Homelessness Prevention Strategy for the Brentwood Borough. The key national policy context is set out in sections 3 to 4.
- 1.3. Sections 5 to 20 of this document sets out a detailed profile of the borough and the specific homeless issues that affect us.
- 1.4. In the light of this, we believe that to prevent homelessness in the borough over the next five years, we must:
 - Continue to increase the supply of affordable housing in the Borough
 - Develop major new links with the private rented sector, in order to make full use of our new powers to discharge homeless duties
 - Keep trying to prevent homelessness amongst priority need and vulnerable groups wherever possible, so that there is no need for them to make formal applications to us.
 - Give people clear advice and options to take control of their lives
 - Try to ensure young people avoid homelessness
 - Keep reducing the number of homeless people in temporary accommodation if we can – especially trying not to use bed and breakfast unless we have to.

More specifically, this means:

- 1.5. Private rented sector:
 - We will establish a dedicated resource, preferably through a joint funding arrangement with other authorities, to actively seek out private rented sector partnerships, both within the Borough and in other areas close by.
 - We will provide ongoing support and liaison to private sector placements both client and landlord, to ensure tenancy sustainment.
 - We will continue the rent deposit scheme, seeking to ring-fence and re-invest deposits to maximise self-sustainment
 - Working with other councils in Essex, we will establish a county-wide landlord accreditation scheme to assist our developments with the private rented sector
- 1.6. Homeless prevention:
 - We will continue to offer a homeless prevention service, and ensure this includes written advice to all clients.
 - We will continue to try to maximise homeless preventions and use our homeless prevention funding to achieve this.

- We will continue to work in partnership with the Citizens Advice Bureau (CAB) in provision of housing advice.
 - We will continue to monitor mortgage repossessions carefully and use the Preventing Repossessions Fund to best effect, and the Mortgage Rescue Scheme if it is appropriate.
- 1.7. Rough Sleeping:
- We will ensure all incidents of rough sleeping are immediately investigated and encouragement to emergency shelters is given, to try to ensure no rough sleeper is forced to spend a second night out.
 - We will seek a service level agreement with at least one nightshelter
- 1.8. Young People:
- We will continue family mediation to try to prevent parental evictions
 - We will try to research with our partners the extent and nature of young offending particularly as often the reason for parental ejection is due to the behaviour of the young person.
 - We will explore joint work with local schools to try to improve education about homelessness
 - We will continue joint work with the Essex County Council Social Care Housing Response Teams to work jointly with young people to resolve homelessness.
 - We will continue to support the Foyer joint assessment panels
 - We will continue to support the Railway Meadows project and maximise our available nomination rights
 - We will continue to seek to ensure that no young person aged under 18 is placed in bed and breakfast accommodation
- 1.9. Older People
- We will evaluate any key impacts upon possible homelessness amongst older people as part of our emerging older persons housing strategy
- 1.10. Domestic Violence
- We will continue to work with the Basildon Womens Refuge through a funded service level agreement
 - We will fund Sanctuary Scheme improvements in our own stock through our HRA Business Plan.
- 1.11. Partnerships
- We will establish partnerships or service agreements with all appropriate statutory agencies, other local authorities, voluntary agencies and local groups who can assist with prevention of homelessness within the Borough. We will particularly work with:
 - Floating support services

- Joint referral panels for people with mental health issues or learning disabilities
- Other local authorities to share or jointly commission services
- The emerging Health & Wellbeing Boards
- The Multi-Agency Risk Assessment Conferences
- We will monitor all outcomes of our homelessness prevention strategy and review it annually so that it is responsive to emerging needs. We will seek to establish a homelessness forum of partners to share the outcomes and assist us with the review.

1.12. Temporary accommodation:

- We will investigate the provision of further dedicated temporary accommodation within the Council's housing stock in anticipation of further temporary accommodation pressures.
- We will try to minimise the use of bed and breakfast for families to a period of no more than six weeks.

1.13. The Council as landlord

- We will explore all ways of preventing homelessness arising through breaches of tenancy, and only pursue eviction as a last resort.
- We will seek to acquire properties through the Mortgage Rescue Scheme as part of our Asset Management Strategy.

1.14. More access to affordable housing

- We will aim to maximise the provision of new affordable housing, through:
 - Better use of our own assets as a landlord
 - Working with our housing association partners and the Homes & Communities Agency
 - Ensuring appropriate policies are in place in our new Local Development Plan
- We will allow new powers of flexible tenancies to make better use of our stock, but with the appropriate checks and balances of a clear protocol for providing housing options advice to tenants.
- We will use the opportunity of revised powers to improve our Allocation Policy.

2. Why have a Homelessness Prevention Strategy?

2.1. The homelessness legislation – Part 7 of *the Housing Act 1996* – provides the statutory under-pinning for action to tackle homelessness.

2.2. Broadly speaking, under the homelessness legislation somebody is statutorily homeless if they do not have accommodation that they have a legal right to occupy, which is accessible and physically available to them (and their household) and which it would be reasonable for them to continue to live in.

- 2.3. The homelessness legislation places a general duty on housing authorities to ensure that advice and information about homelessness, and preventing homelessness, is available to everyone in their district free of charge. The legislation also requires authorities to assist individuals and families who are homeless or threatened with homelessness and apply for help.
- 2.4. The Council's statutory duties under the homeless legislation are set out in more detail in Appendix A. In particular, these include:
 - The general duty to provide advice on homelessness
 - The main homelessness duty
 - The interim duty to accommodate
 - Intentional homelessness
 - Reviews of decisions and appeals to county court
- 2.5. The legislation places duties on housing authorities, and gives them powers to meet these aims. But it also emphasises the need for joint working between housing authorities, social services and other statutory, voluntary and private sector partners in tackling homelessness more effectively.
- 2.6. Under the *Homelessness Act 2002* all housing authorities must have in place a homelessness strategy based on a review of all forms of homelessness in their district. The first strategy was required by July 2003 and it must be renewed at least every five years. The social services authority must provide all reasonable assistance.
- 2.7. The strategy must set out the local authority's plans for the prevention of homelessness and for securing that sufficient accommodation and support are or will be available for people who become homeless or who are at risk of becoming so.
- 2.8. Housing authorities need to ensure that all organisations, within all sectors, whose work can help to prevent homelessness or meet the needs of homeless people in their district are involved in the strategy. This will need to include not just housing providers (such as housing associations and private landlords) but also other statutory bodies such as social services, the probation service, the health service and the wide range of organisations in the private and voluntary sectors whose work helps prevent homelessness or meet the needs of people who have experienced homelessness.
- 2.9. Housing authorities also need to give careful consideration to the scope for joint working between social services and the many other key players in the district who are working to meet the needs of people who are homeless or have experienced homelessness.
- 2.10. Since Brentwood Borough Council's last homelessness prevention strategy was published in 2008, a new government has come to power and, in the Localism Act 2011, has published major legislative changes to national housing policy, supporting its national housing strategy *Laying The Foundations*, published in November 2011. The Welfare Reform Act, enacted in March 2012, similarly proposes major changes

to the benefit system, including Housing Benefit. The government has supplemented these changes with:

- Its revision of the statutory guidance on local authority housing allocation schemes, *Allocation of Accommodation - Guidance For Local Authorities in England*, published in June 2012
- Its national strategy for tackling homelessness - *Making Every Contact Count – A Joint Approach to Preventing Homelessness* also published in June 2012

3. The Localism Act and the government’s national housing strategy

3.1. The principal changes to national housing legislation introduced by the Localism Act are as follows:

- Social housing allocations reform – local authorities are being given greater freedom to set their own policies about who should qualify to go on the housing waiting list. The Council has reviewed its Allocation Policy in response to the part of the Act, and a revised Policy for consultation was adopted in October 2013. It is due to be implemented in early 2014.
- Social housing tenure reform – in future new tenancies will be able to be granted for a fixed term (minimum length 2 years) . This interlinks with separate powers already given to housing associations, and in some cases local authorities, to provide newly provided affordable housing at “affordable rents” (rent levels set at 80% of market rents). In March 2013 the Council published its first Tenancy Strategy – a strategic document setting out how we want Registered Providers in the Borough to operate the new social housing tenure powers. The social housing tenure reforms are outlined in greater detail at Appendix B
- Reform of homelessness legislation – the Act enables authorities to meet the homelessness duty by providing good quality private rented homes (in the past such offers of accommodation could be refused). This has been incorporated into the review of our Allocations Policy.
- Housing Self-financing – This is the major review of Housing Revenue Account (HRA) subsidy that from March 2012 required the Council to take on £64m of debt against its HRA but is no longer be required to pay annual subsidy to the government. The Council approved its first HRA Business Plan under self-financing in February 2012. It was reviewed in February 2013 and will continue to be reviewed annually.
- A national home swap scheme has been introduced for people in social housing

3.2. The Government intends that changes in the Localism Act provide local authorities and housing providers with greater flexibility to manage housing need in their area with a range of accommodation options which better meet local circumstances and priorities, and provide quality realistic housing advice for everyone in need regardless of statutory status.

3.3. Local authorities have the opportunity to use this new flexibility to move to a new approach to housing advice and homelessness prevention which provides a tailored

solution for each household and a more joined up approach to identifying and addressing the range of underlying problems that can lead to homelessness.

- 3.4. The Government intends that the Localism Act maintains the protection for the vulnerable provided by the statutory 'reasonable preference' criteria - which ensure that the priority for social housing goes to those in the greatest need. Its new statutory allocations guidance (paragraph 2.10 refers) makes clear that it expects social homes to go to people who genuinely need them, rather than to those who do not, such as people who already own a home that is suitable for them to use
- 3.5. The guidance also encourages councils to adopt the 'bedroom standard' as a measure of overcrowding - so families in crowded housing will find it easier to move into more suitably sized homes.
- 3.6. These reforms are supported by the Government's wider housing strategy *Laying The Foundations* which recognises that a thriving, active but stable housing market which offers choice, flexibility and affordability is central to our economic and social wellbeing. Key elements of the strategy are:
 - A range of initiatives designed to get the house building sector moving again, including an investment fund, the Help To Buy mortgage scheme, and the release of public land
 - Government and providers have together committed £19.5 billion to the Affordable Homes Programme which will deliver 170,000 units. The Government is considering how it can encourage more affordable housing - including through supporting greater innovation and competition between social landlords and encouraging new private entrants into the social housing market.
 - As part of the Affordable Homes Programme, £100 million is being provided to bring empty homes back into use as affordable housing.
 - Reform of the Housing Revenue Account, which the Government believes will provide local authorities with 15% more on average to spend on management, maintenance, and repairs of their housing stock.
 - The Government is also looking at ways to support growth and investment in the private rented housing market. It has already amended the stamp duty treatment of bulk purchases of homes and introduced reforms that remove barriers to entry to the UK Real Estate Investment Trusts regime.
 - Proposals to reinvigorate Right To Buy. There are two elements:
 - The discount "cap" has been raised from £34k to £75k. The impact of raising it will make RTB more attractive.
 - Normally 75% of RTB receipts would be payable to Government, but the Council can retain 100% of receipts if we agree that the balance of receipts will be used to provide new affordable housing. The receipts must be spent within a period of three years of retaining them, such that the retained amount constitutes no more than 30% of the total amount spent on social housing. If we fail to ensure that a sufficient amount has been

spent three years after retaining the receipts, then the paying back of part or all of that amount is compulsory with punitive interest

- 3.7. The Government commissioned Sir Adrian Montague to carry out an independent review into the barriers to institutional investment in private homes for rent. The Government has promised to consider carefully the findings of Montague Report, which reported in August 2012. The Government will issue a formal response late in 2012. Montague's findings are:
- Local planning authorities should specifically recognise the role of the private rented sector when assessing housing demand and planning for housing, using planning tools to ensure the new homes remain in the rental sector for a fixed period of at least 10 years. In such private rental developments, Montague suggests that whilst desirability of affordable housing should not be ruled out, it should be weighed against the benefits already built into market rent development.
 - Public sector land releases already promised by the Government should demonstrate the level of commitment to private rented developments. It suggests some pilots in London, where land values would make it viable.
 - Government should provide some incentives to institutional investors, e.g. equity or debt funding to support schemes.
 - A Government Task Force to stimulate the sector is suggested.
 - Sector lead standards so that consumers who will benefit from the sector will know exactly what they are going to expect.
- 3.8. The Welfare Reform Act enacted on 8 March 2012 has significant implications for the supply and management of affordable housing and also for the private rented sector.
- 3.9. From April 2013, tenants of working age who receive Housing Benefit have had this reduced if they have one or more spare bedrooms. The reduction is expected to be 14% for one extra bedroom and 25% for two extra bedrooms or more. In addition a Housing Benefit 'cap' will be introduced which effectively limits the amount of Housing Benefit payable for accommodation with the stated intention of reducing rental levels.
- 3.10. The local impact of these changes still being analysed fully but it is likely to have an effect on both under occupancy within the Council's own housing stock and on the extent to which letting to tenants in receipt of Housing Benefit within the private sector remains viable. It is also likely to have an ongoing impact of the level of rent arrears in the Council's own stock and that of our housing association partners
- 3.11. The Health and Social Care Act 2012 has revised the commissioning and co-ordination of local health services. Each top tier and unitary authority will have its own health and wellbeing board. Board members will collaborate to understand their local community's needs, agree priorities and encourage commissioners to work in a more joined up way.

- 3.12. Health and wellbeing boards are a key part of broader plans to modernise the NHS to ensure stronger democratic legitimacy and involvement, and strengthen working relationships between health and social care. Consequently they will impact upon the housing options particularly for groups with special housing support and care needs
- 3.13. The Essex health and wellbeing board operated in shadow form during 2012-13, and took on its statutory functions from April 2013.

4. The Government's new national homelessness prevention strategy

- 4.1. In *Making Every Contact Count*, the Government's new national homelessness prevention strategy, the Government's intention is that every contact local agencies make with vulnerable people and families really counts. The plan is based on two guiding principles:
 - Prevention and early intervention throughout the life cycle to stop people 'falling off the track'. Those who are vulnerable should be 'spotted earlier and their underlying problems will be addressed before they reach crisis point'.
 - A 'second chance society' ensuring that no-one is written off and those needing another chance get access to the support they need. Complex homelessness problems need 'locally designed integrated services that step in when things go wrong, to give people another chance'.
- 4.2. The paper highlights:
 - Prevention as the key to making every contact count with 34% of homelessness cases due to eviction by relatives or friends.
 - Family breakdown is critical to address, with 18% of all acceptances in 2011/12 due to relationship breakdown and two thirds of 16/17 year olds taking part in a homelessness survey mentioning parental separation or divorce as a 'trigger' for their situation.
 - Wider housing reforms. With 19% of homelessness cases due to the household being unable to find alternative accommodation when a tenancy ends, flexibilities under the Localism Act and initiatives within the Housing Strategy for England are also cited as important factors in reducing homelessness.
 - Local innovation, integration and collaboration - the Government wants to see better local leadership and new local authority led multiagency partnerships to prevent homelessness; integration of existing local services; and new funding mechanisms.
- 4.3. The statutory responsibilities of District authorities remain unchanged, with the legal definition of homelessness defined under Part VII of the Housing Act 1996. The Plan provides no new guidance other than the Allocation of Accommodation guidance (paragraph 2.10 refers)
- 4.4. The Plan focuses on what the Government considers to be the underlying and wider causes of homelessness, presenting five commitments that give direction to implementation on the ground:

- Improve health - improving outcomes for homeless people and helping ensure medical professionals discharging patients know who to approach for help in meeting housing needs
 - Reduce involvement in crime – supporting new Police and Crime Commissioners; improving offender access to private rented sector accommodation; and measures to help those on short sentences retain their tenancy
 - Tackle troubled childhoods and adolescence – interventions to turn around the lives of the most troubled families
 - Improve skills, employment, and financial advice: help benefit claimants, the vulnerable and those in need to budget and manage rent payments better and improve employment prospects
 - Pioneer social funding for homelessness: support local commissioners to turn social investment propositions into reality
- 4.5. In addition to the five commitments, the Plan sets out common themes of an excellent local approach taken from local strategic responses from across the country. They are:
- Services working together to target those at risk of homelessness
 - Identifying and tackling the underlying causes of homelessness and referring vulnerable clients into support services
 - Local authorities coordinating access to services for vulnerable people and multi-agency action to address
 - Making rented accommodation work by supporting people to remain in their homes, and increasing access to the private rented sector being essential to manage demand
 - A focus on youth homelessness
- 4.6. The plan also sets out ten local challenges to help authorities implement its policy approach. In keeping with the removal of top-down targets, the recommendations are not a central imposition, but the Government thinks that their adoption “could lead to all homelessness services meeting the standards of the best”. They are:
- To adopt a corporate commitment to prevent homelessness which has buy in across all local authority services
 - To actively work in partnership with voluntary sector and other local partners to address support, education, employment and training needs
 - To offer a Housing Options prevention service to all clients including written advice
 - To adopt effective local alternative towards preventing and addressing rough sleeping
 - To have housing pathways agreed or in development with each key partner and client group that include appropriate accommodation and support

- To develop a suitable private rented sector offer for all client groups, including advice and support to both client and landlord
 - To actively engage in preventing mortgage repossessions including through the Mortgage Rescue Scheme
 - To have a homelessness strategy which sets out a proactive approach to preventing homelessness and is reviewed annually to be responsive to emerging needs
 - To not place any young person aged 16 or 17 in Bed & Breakfast accommodation
 - To not place any families in Bed & Breakfast accommodation unless in an emergency and for no longer than 6 weeks
- 4.7. The Government has provided three specific funding streams targeted to local authorities to assist homeless prevention:
- Homelessness Prevention Grant
 - Preventing Repossessions Fund
 - Housing Benefit transitional funding
- 4.8. Homeless prevention grant has been paid to local authorities for a number of years to support local initiatives to prevent homelessness. The Government has undertaken to pay Brentwood £50,000 homeless prevention grant each year for the years 2012-13 to 2014-15.
- 4.9. In February £30,000 was paid to the Council as part of the Preventing Repossessions Funds (PRF). This provides an additional option for local authorities to consider specific measures of a small short term related to prevent repossession. Government suggests this can be achieved by:
- Offering interest free loans to householders to pay off additional secured loans
 - Loans to reduce arrears in exchange for lenders writing down debt to a more manageable level
 - Brokering a three-way agreement between borrower (hardship payment), lender (writing off debt) and Local Authority (interest free loan)
 - Facilitating access to the Mortgage Rescue scheme
- 4.10. Government suggests that a key feature of a Preventing Repossessions Fund is the recyclable nature which will enable a local authority to develop sustainable support over a longer period than one financial year. Local Authorities can also pool their resources to develop economies of scale in delivery.
- 4.11. As part of preparation for the Welfare Reform Act, housing benefit reform transitional funding for 2012-13 includes £8,566 for Brentwood. The Government suggests this can be used to provide targeted support to help to meet the housing needs of claimants affected by HB reforms, for example, preventing homelessness, negotiating with landlords, supporting people who need to move, and giving money advice.

5. Profile of Brentwood

- 5.1. Brentwood is situated in the southwest of Essex. Brentwood is a Borough comprising a main urban area with surrounding rural areas, set in the metropolitan green belt on the fringe of London. Brentwood's character is attractive in terms of its relative position to London, good transport links and the general environment. Land values are comparatively high for residential development, which is also reflected in private house prices and private sector rent levels.
- 5.2. There are 28,767 dwellings within the Borough. Of these 79% are owner occupied, 10% Council Rented, 9% private rented and 2% provided through Housing Associations
- 5.3. The population is estimated at 73,800. This is projected to reach 93,000 by 2033 representing higher growth than that predicted regionally and nationally. It is however consistent with growth projections for the County as a whole
- 5.4. The number of households in Brentwood is projected to rise by 22% between 2011 and 2031. The majority of net growth (50%) is accounted for by single person households
- 5.5. Much of the older housing in the Borough has been renovated and there a very few areas of poor quality housing. House prices are relatively high and many cannot afford to buy or rent property within the Borough, as there is a shortage of low-cost housing. This lack of affordable housing goes part way to explain the population decrease in the 15-29 age group, as they are unable to afford to remain in the Borough.
- 5.6. Employment is influenced in the Borough by its close proximity to London and the good transport networks. Employment within the borough is very much concentrated in the service sector. Over 50% of the resident work force commutes out of the Borough to work, particularly into London and some 40% of jobs in the Borough are filled by residents from outside the Borough. Brentwood has consistently maintained a level of unemployment well below the national and county averages.
- 5.7. The most recent comprehensive study of housing needs for Brentwood was carried out in 2005. An estimated 6% of households in the borough were thought to be living in housing not suitable to their requirements. It was noted the main reasons for unsuitable housing was overcrowding (not statutory over crowding) followed by mobility and /or health problems. The research indicated that around a fifth of households in the Borough were unable to afford market housing if they were to move home. Whilst Brentwood is considered a relatively affluent area the survey showed that 20.4% of households were estimated to have a net weekly income of under £200 whilst 11.3% of households had weekly incomes of over £1000. The research indicated that average house prices (all dwellings) in Brentwood were 50% higher than England and Wales.
- 5.8. The survey estimated there would be a shortfall of affordable housing of 576 units per annum over the next five years.
- 5.9. A more recent Strategic Housing Market Assessment (SHMA) was carried out during 2008. This was commissioned in partnership by Brentwood Borough Council,

Broxbourne Borough Council, East Herts District Council, Epping Forest District Council, Harlow District Council and Uttlesford District Council.

- 5.10. The SHMA reported that between 2007 and 2026 Brentwood has an indicated net need for affordable housing of 3,200 units based on long term house price trends. Of these 78% are considered to be intermediate and 22% social rented.
- 5.11. It further concludes that the existing stock of market housing that can be afforded by households is not large enough to satisfy the majority of the identified demand. In terms of size distribution the report suggests that this additional housing would need to be provided in the following proportions. 21% 1 bed, 47.8% 2 Bed, 31.2% 3 Bed.
- 5.12. This compares to the sub region as a whole as follows, 1 or 2 bed homes (21% and 33% respectively) with 37% being 3 bed properties, 7% being 4 bed homes and 2% requiring 5 or more bedrooms.
- 5.13. A summary of housing need and of those unsuitable housed, taken from the SHMA, is provided in table 1 below:

Table 1: Households unsuitably housed and in housing need – SHMA 2008

Local Authority	% of Households Unsuitably Housed	No of Households Unsuitably Housed	% of Households in Housing Need	No of Households in Housing Need
Brentwood	10.6	3300	1.8	650
Broxbourne	13.4	5100	2.2	850
East Hertfordshire	10.7	6000	1.5	850
Epping Forest	13.4	7100	2.4	1300
Harlow	17.9	6300	2.1	750
Uttlesford	11.1	3300	1.4	400

- 5.14. As with many Boroughs in the South East Brentwood has seen a spiralling in house prices in recent years making it particularly difficult for first time buyers and low-income families. This contributes to the pressures of needing affordable housing in the Borough.
- 5.15. The supply of Council housing stock in Brentwood is reducing. The current stock is 2543 units.
- 5.16. To increase the delivery of new affordable homes, the Council's affordable housing policy requirements in the adopted replacement local plan are 35% on appropriate sites. These policies are currently the subject of review in the emerging Local Development Plan.
- 5.17. Brentwood Borough Council's Corporate Plan 2013-16 contains a number of corporate priorities, including the following four for housing health and wellbeing:
 - Broaden the range of housing in the Borough to meet the needs of our population now and in the future
 - Manage our housing differently to recognise council housing as a valuable and limited resource for those in greatest need.
 - Ensure council tenants are socially responsible and good neighbours
 - Actively implement the Welfare Reform agenda which seeks to ensure that people in receipt of benefits are not better off than those in work

5.18.

5.19. The Council aims to provide equality and fairness in all its dealings with members of the community and employees. The Council revised its Equality & Diversity Strategy in 2010, with a commitment to ensure that we enhance the life chances of all those who live and work in the borough by addressing persistent inequalities.

6. Profile of Homelessness in Brentwood

6.1. The number of statutory homeless decisions taken over the last few years has been proportionate to the size of the Borough.

6.2. Figure 1 highlights the fact that in 2005/6 there was a peak in the number of homelessness decisions. Between 2005-06 and 2011-12, the number approaches and decisions has reduced year on year. The reduction in decisions is based, in part, to the success of the prevention measure that have been established since 2005 (see Section 7). However in 2012-13 there has been a sharp increase in both homelessness approaches and homelessness decisions, almost doubling those in 2011-12. If this trend continues it is estimated that by 2015-16 homeless approaches and decisions will return to 2008-09 levels.

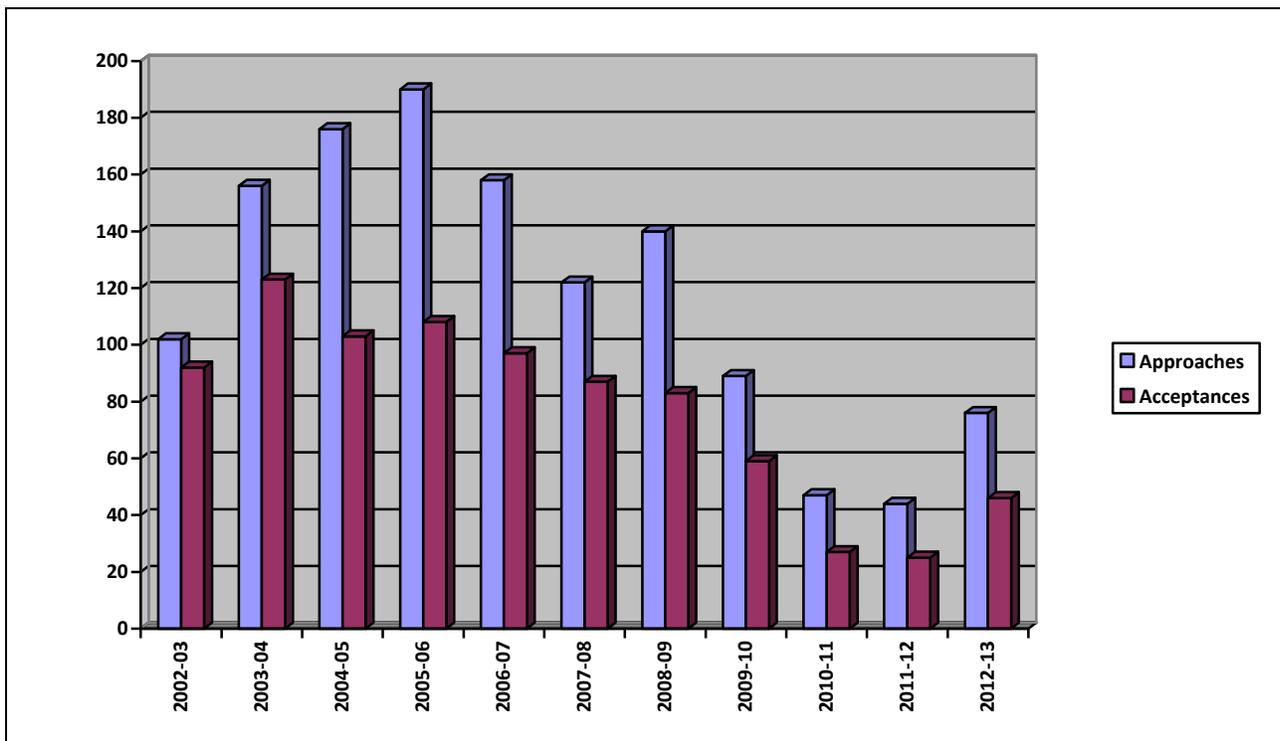


Figure 1: Statutory Homeless Approaches and Acceptances

6.3. Although the number of approaches and acceptances has reduced, there remains a marked consistency of the reason for statutory homeless acceptances – as shown in Figure 2 below between 80% - 90% of acceptances are for one of three reasons:

- Parent and friends unwilling to accommodate
- Relationship breakdown

- Loss of rented or tied tenancies

In 2012-13, there was a marked increase in homelessness arising from parents and friends unwilling to accommodate – up from 30% of acceptances in 2011-12 to 37% in 2012-13. This higher proportion is consistent with higher levels in the 2000s – the proportion was 40% in 2006-07 for example.

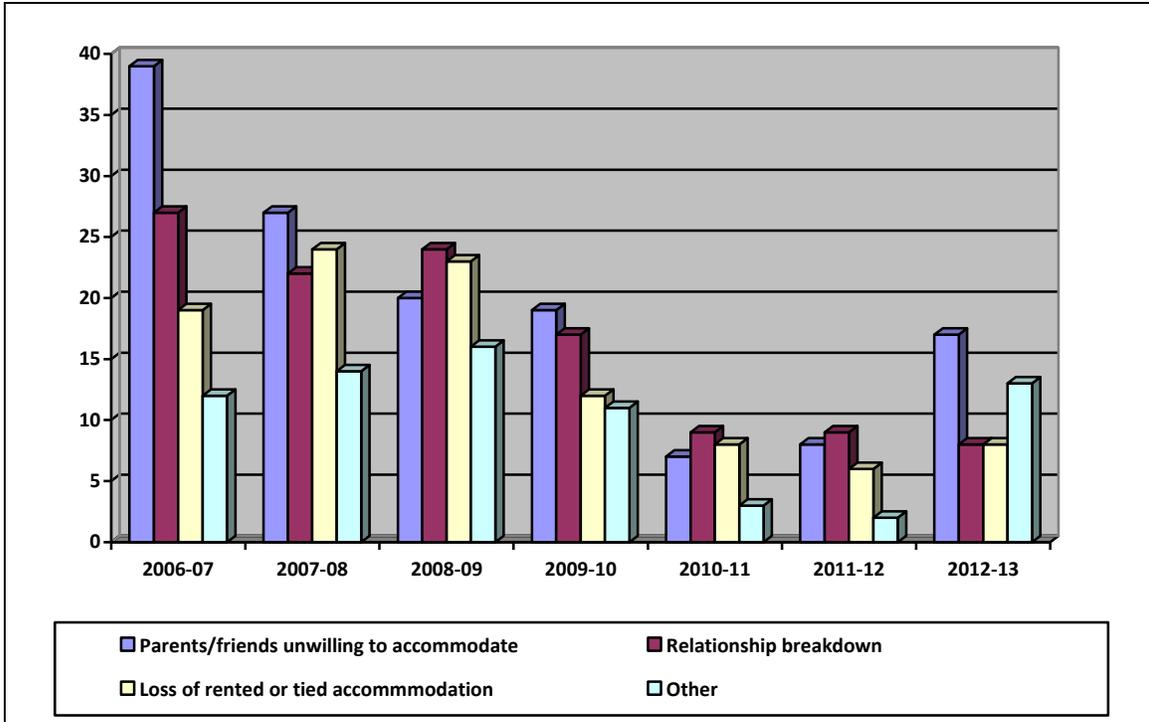


Figure 2: Number of statutory homeless acceptances by cause of homelessness

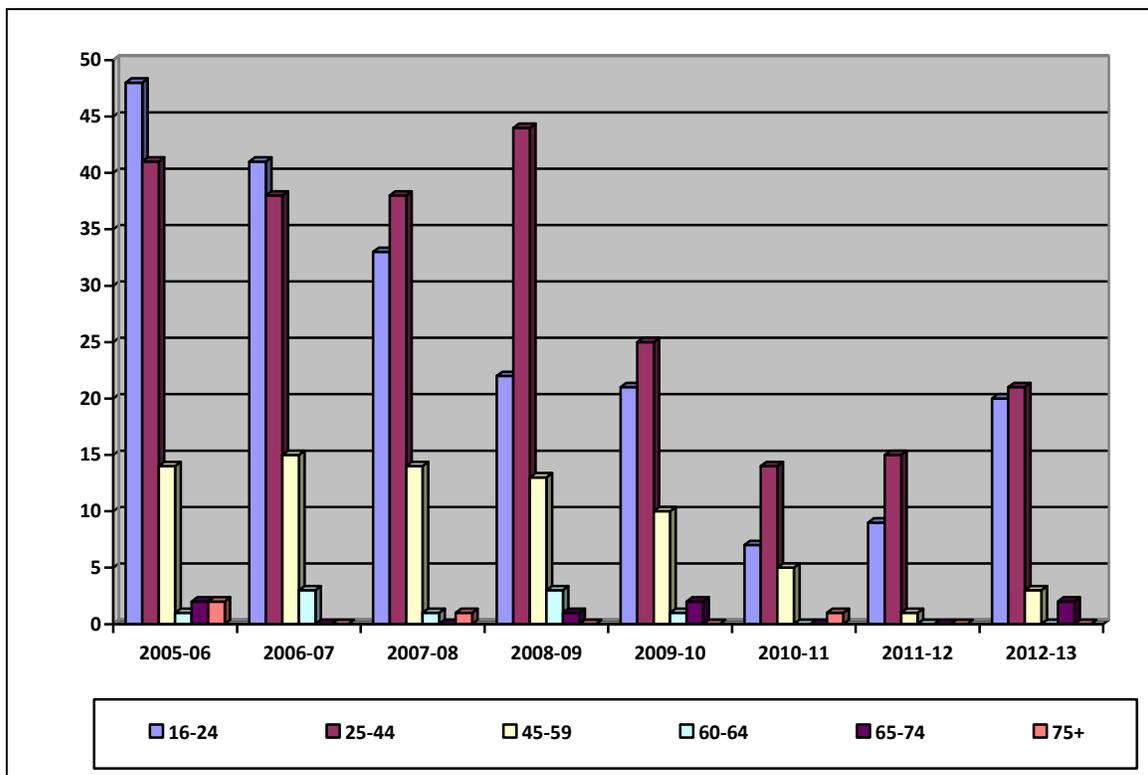


Figure 3: Age of statutory homeless acceptances

6.4. Figure 3 shows the age range of homeless applicants who have been accepted in the last six years. Although at least 80% of accepted applicants under 45 years, (this percentage rose to 96% in 2011-12), there has been a marked shift in the percentage of acceptances in the 25-44 years group, which has risen from 38% of all acceptances in 2005-06 to 60% in 2011-12. This is consistent with the rise in acceptances arising from relationship breakdown (paragraph 6.3 refers). However in 2012-13 there has been a marked shift back to a younger 16-24 age group, again consistent with the increase in parents or friends unwilling to accommodate.

6.5. Table 2 shows the ethnic origin of applicants where a homelessness decision and a homeless acceptance has been made relating to the last five years (2007-12).

Table 2: Homeless decisions by ethnic origin of applicant

	White	Black	Asian	Mixed	Other	Not Stated	Total Non-White	Total
Homeless and in priority need	260 63.7%	13 81.3%	3 42.9%	4 66.7%	1 20.0%	0 0.0%	21 61.8%	281 63.6%
Intentional Homeless	29 7.1%	1 6.3%	1 14.3%	1 16.7%	0 0.0%	0 0.0%	3 8.8%	32 7.2%
Homeless but not in priority need	18 4.4%	1 6.3%	1 14.3%	0 0.0%	1 20.0%	0 0.0%	3 8.8%	21 4.8%

Not homeless	99 24.3%	1 6.3%	2 28.6%	1 16.7%	3 60.0%	0 0.0%	7 20.6%	106 24.0%
Ineligible	2 0.5%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	2 0.5%
Total	408 100%	16 100%	7 100%	6 100%	5 100%	0 0.0%	34 100%	442 100%
	92.3%	3.6%	1.6%	1.4%	1.1%	0.0%	7.7%	100%

6.6. 442 decisions were made of which 34 (7.7%) were from applicants of non-white ethnic origin. 281 (63.6%) of the overall decisions were accepted as homeless and in priority need. 61.8% of the decisions in relation to non-white applicants were accepted as homeless and in priority need.

7. Prevention of Homelessness and tenancy sustainment

7.1. Early intervention and prevention work are crucial in tackling homelessness. Our aim is that people should be empowered to resolve their own problems and choose the best solutions which suit them. This can only be achieved if they have the correct advice and information available to them.

7.2. The Council's Housing Needs service deals with both homelessness and housing advice. The service is operated from a central position in the Borough, and is well known and established as the access point for assistance.

7.3. Table 4 shows the number of residents who have been seen by the team and how many cases where homelessness was prevented. In its broadest terms homelessness prevention is where a local authority takes positive action to provide housing assistance, and as a result the person is able to either remain in his or her existing accommodation or obtain alternative accommodation providing a solution for at least the next six months.

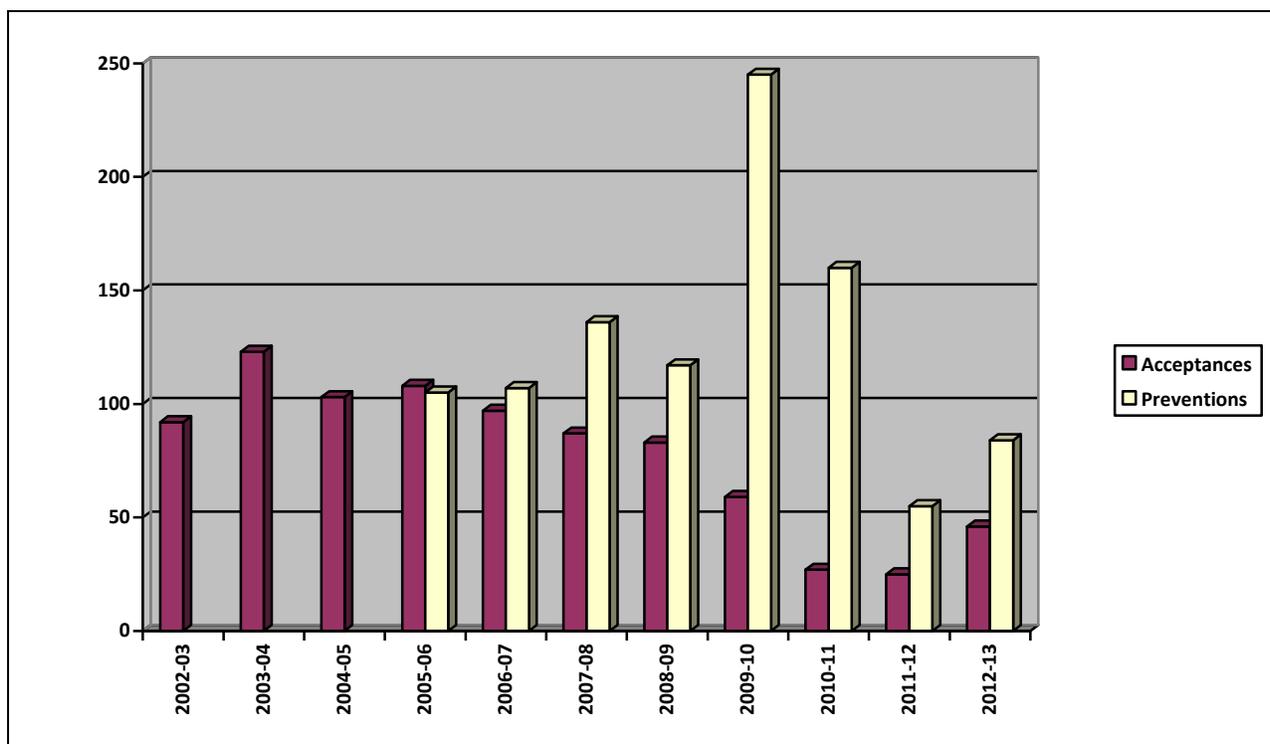


Figure 4: Statutory Homeless Acceptances and Homeless Preventions

- 7.4. The Citizens Advice Bureau (CAB) is an independent advice service which is located in Brentwood. It assists clients with a wide range of issues including housing and homelessness. The Council substantially funds the local bureau and works in close liaison. With the introduction of the National Homelessness Advice Service (NHAS), which is a model of joint working arrangements, there has been even closer collaboration with the local CAB. The NHAS is a partnership between Citizens Advice and Shelter, funded by Communities and Local Government formed to ensure that high quality advice about homelessness prevention is given across the network of CABx.
- 7.5. Despite the early success of homeless prevention, it is becoming increasingly difficult to maintain effective prevention measures, particularly because of the difficulty of accessing the private rented sector. This is discussed further at Section 20.
- 7.6. Resettlement and tenancy support have broad objectives of homelessness prevention and the promotion of social inclusion through practical and flexible support tailored to individual need. Providing floating support not only prevents homelessness but can also resolve a range of other problems at an early stage.
- 7.7. Essex County Council funds the Floating Support service, currently provided by Family Mosaic. It provides short term housing related support. The service helps to prevent homelessness by providing structured advice. The service also helps to support clients while they are in temporary accommodation going through the homelessness process. The Floating Support service is tenure neutral. Agencies are encouraged to refer clients who would benefit from the service and clients can self refer if they wish.

7.8. There are regular meetings between Family Mosaic and the referring agencies to monitor the progress of clients on the scheme and to share information.

8. Reducing homelessness amongst young people

8.1. The mobile nature of homelessness among young people and official means of recording this information makes it difficult to quantify the scale of the issue locally. Often young people who have become homeless rely on a variety of friends and family members, effectively ‘sofa surfing’ to provide temporary accommodation. The Council only become involved if the problem becomes a crisis.

8.2. The Housing Needs Team complete home visits for parental / relative evictions where appropriate. A home visit provides an opportunity to discuss with the family the consequences of them evicting their relative. Mediation is used at the home visit if deemed appropriate. Discussions take place about the prospects of being offered accommodation and the potential waiting time. This provides a basis of negotiation with the family.

8.3. Best practice shows that young people need to be targeted early in terms of giving the message about the reality of housing and homelessness. Early interventions while young people are at school have been identified as a key area by both the Council and Social Care to focus on.

8.4. A multi agency approach is taken when assessing a young person’s requirements. A countywide joint protocol was developed with Essex County Council for 16/17 year olds and those leaving care. Essex Local Housing Authorities now work in partnership with their counterparts in Social Care Housing Response Teams to work jointly with young persons to resolve homelessness. This partnership has been proven to prevent homelessness, very often providing support within the home for both young people and parents or family members to address the issues that created the reason for homelessness (Table 3 refers).

Table 3: Homeless acceptances from 16-17 year olds and care leavers

	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Applicant aged 16 or 17 years	4	2	5	1	0	0
Applicant formerly "in care", and aged 18 to 20 years	0	0	0	0	1	0

8.5. The Foyer in Brentwood offers young people with low to medium support needs accommodation and support to access educational and vocational training. The Foyer has a limited amount of move on flats within the Borough and in addition the Council provide an additional four units of accommodation per year for young people who have demonstrated they are ready for move on accommodation.

- 8.6. The Foyer provides floating support to those residents who are moving into independent accommodation, to ensure a smooth transition into their own accommodation and to prevent an early breakdown of their tenancy.
- 8.7. The government issued guidance stating that Local Authorities should not use bed and breakfast accommodation for 16/17 year olds where possible and where there is no alternative then for not longer for 6 weeks. The Council in partnership with the Housing Response Team have been successful in preventing the use of bed and breakfast accommodation for young persons.
- 8.8. The lack of specific accommodation provision within the Borough for young pregnant women or young single parents was noted in our previous homelessness prevention strategy. This has now been assisted by the opening of Railway Meadows in Ongar, a development by East Thames Housing Group in partnership with Epping Forest DC, Uttlesford DC and Brentwood BC. It is a purpose-built supported housing project designed to help young parents overcome challenges during their pregnancy and the first year of their baby's life. It consists of 13 self-contained flats and communal facilities. Brentwood BC has nomination rights to the scheme along with other partners.
- 8.9. Tenancies are offered to young mothers, fathers and couples aged 16-25. Support is provided in partnership with local services, including colleges and Children's Centres. Along with practical parenting advice, young parents will be supported to complete further education or training to gain qualifications, employment and build their independence.
- 8.10. Railway Meadows supports other facilities offered to single parents at The Gables in Grays and Bartletts in Chelmsford. These facilities offer temporary supported shared housing to young single parents and expectant mothers.

9. Older People

- 9.1. Essex County Council provides services in Brentwood to older people dealing with all residents who are 65+ making assessments on their needs including care and housing needs. The Housing Needs Team see few older people who are homeless (Figure 3 refers).
- 9.2. Due to the fact the Borough has a high level of provision of sheltered accommodation including access to extra care accommodation many older people are rehoused via the Housing Register rather than needing to make a Homeless Persons Application.
- 9.3. The issues which the Housing Needs Team see are more associated with inappropriate housing rather than homelessness. The main housing issues relate to inappropriate accommodation for a clients needs, adaptation problems and location issues.
- 9.4. Nationally the demographic trends are showing an increase in older people. This trend is mirrored in Brentwood. The projections show that the total population aged 65+ is 13,100 in 2008 rising to 16,200 by 2025. Of those aged 65+ as a percentage of the total population they represent 18.27% in 2008 rising to 20.85% by 2025. For those aged 85+ as a percentage of the total population they represent 2.65% in

2008 rising to 3.995 by 2025. This increase in numbers may cause particular stresses in terms of the type of suitable accommodation available for this client group which may then in turn impact on homelessness. The Council is currently undertaking an older persons housing strategy to investigate the longer term housing needs of this client group

- 9.5. Work to enable older people who are not already in social housing to remain in their homes and therefore reducing the potential for homelessness is undertaken by the Council's Environmental Health Service.
- 9.6. The Brentwood Home Improvement Agency, run by Papworth Trust, and funded by the Council and Essex County Council, assists both homeowners and private tenants to remain in their home.
- 9.7. It assists the elderly, disabled or vulnerable with advice and practical assistance. There is a small repairs service which offers practical help with small-scale repairs and improvements.
- 9.8. Disabled Facilities Grants (DFGs) are means tested and available to households containing someone who is disabled. The money contributes towards the cost of providing adaptations and facilities which will enable the disabled person to remain in their home. In addition there is Home Repairs Assistance which is available to assist with small scale defects. There is also an Affordable Warmth Policy which deals with thermal comfort.
- 9.9. The Homelessness Strategy will be aware of the priorities for private sector housing and monitor for any increase in Homeless Persons Application's from older owner occupiers.
- 9.10. In terms of liaison with Health Services it is important to ensure that hospital discharge arrangements ensure that patients are not homeless when they leave hospital. We will continue to review the policies which are in place with other local hospitals to ensure there is planned discharge with appropriate care packages in place.

10. Mortgage repossessions

- 10.1. One characteristic of the recession of the early 1990s was a sharp increase in mortgage arrears. Government initiatives at a national level has tried to ensure that this will not be a feature of this recession, both from the mortgage rescue scheme launched by the previous government, which funded registered providers to buy properties under threat of repossession to allow the household to remain as tenants, to the recently launched mortgage repossession funding by the current government (paragraph 4.9 refers).
- 10.2. After an initial downturn, the local property market is stabilising but sluggish. The lack of mortgage availability is restricting transactions, particularly at the lower end of the market.
- 10.3. As Figure 5 shows, the early part of the recession in 2008-09 saw an increase in homeless acceptances due to mortgage arrears, but this has stabilised, assisted by homeless prevention work, which has prevented as last seven homeless acceptances

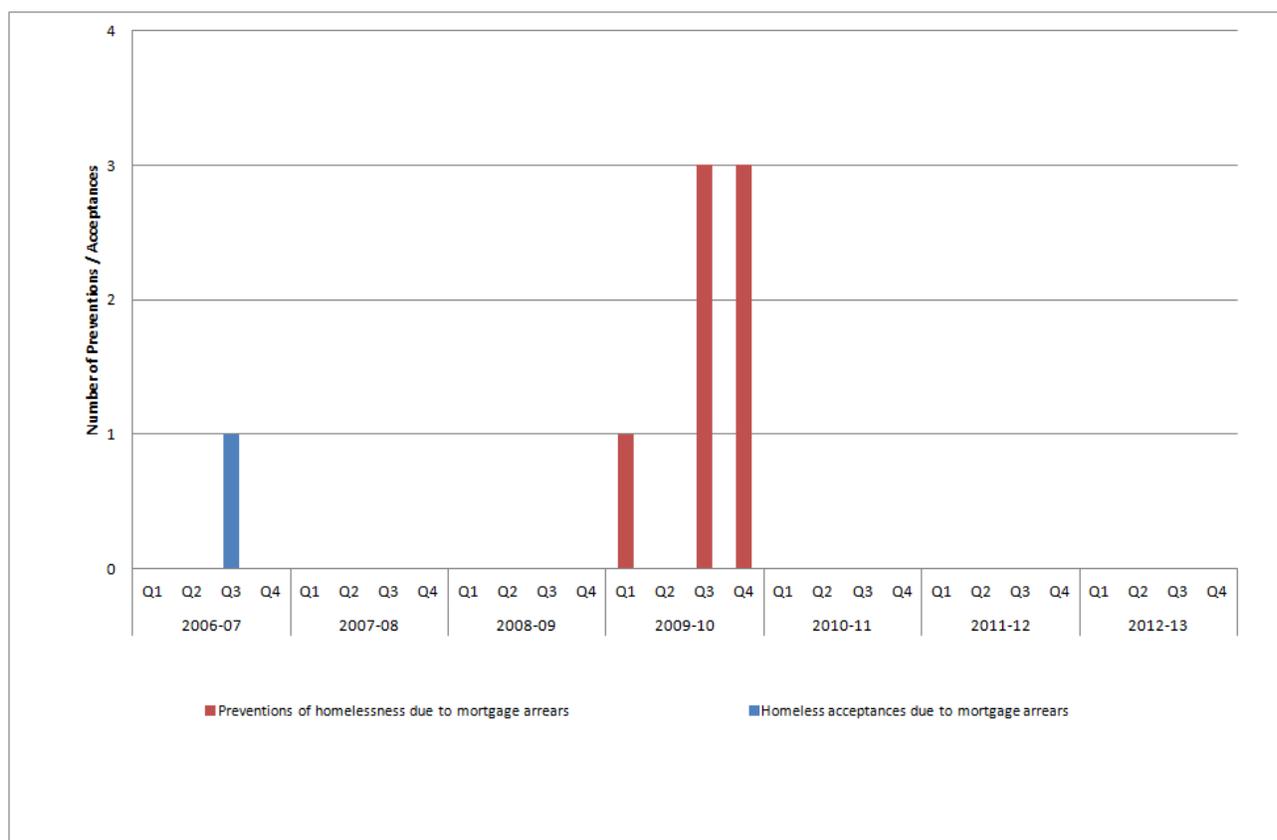


Figure 5: Mortgage arrears: homelessness arising and homelessness prevented

- 10.4. The risk over the course of this strategy is that lenders with properties in arrears may choose to foreclose if there is an upturn in the property market, making sale more attractive.
- 10.5. The Mortgage Rescue Scheme provides vulnerable homeownership households who would otherwise have been entitled to homelessness assistance to convert their property from mortgage to rent. The property is purchased by a Registered Provider of Social Housing with the household in situ, and is then rented back to the household. In our region, there is an income limit of £60,000 per household, and a property market value cap of £200,000. The property must not be too large for the household's needs
- 10.6. Although there are limits to its application, the MRS is an important tool for homeless prevention. In particular, for the right case it is important to prevent putting a household with children through the trauma and cost of repossession, including provision of temporary accommodation. Consequently, our housing needs staff look to apply the Mortgage Rescue Scheme wherever possible. We are also committing resources to acquire properties through the Mortgage Rescue Scheme as part of our HRA Asset Management Strategy (paragraph 18.5 refers).

11. Domestic Violence and Abuse

- 11.1. The definition of domestic abuse we use for the purpose of this strategy is:

“Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality”

- 11.2. While domestic abuse is usually by a male perpetrator against a women, men who may also be victims of domestic abuse.
- 11.3. Our objective when responding to victims of domestic abuse is to work with partner agencies to establish a just, accessible and effective system of help for victims through early identification, appropriate referrals and high level of support and move on.
- 11.4. Reducing domestic abuse remains one of the key current priorities for *Safer Brentwood*, the Community Safety Partnership which provides a strategic and co-operative approach to identifying local priorities and problems within the Borough, and to tackle them. The partnership includes Brentwood Borough Council, Essex Police, Essex County Council, South West Essex NHS, Essex Police Authority, Essex Fire and Rescue Service and Essex Probation Service.
- 11.5. The Housing Needs Service contributes to the work of the Partnership. At the time of the previous strategy, it was noted that the predecessor to the Partnership had developed a *Sanctuary Scheme* which provides increased security to allow the victims of domestic abuse the option of remaining in their home with support. Referrals to the Sanctuary Scheme can be made from members of the Partnership via the Council or a client can self refer to the Council. The scheme is available across all tenures.
- 11.6. The forum provides funding for domestic abuse emergency communication units, provided through the Council’s community alarm service. These units are provided free of charge to victims of domestic abuse to enable them to remain in their homes. Should the alarm be activated, our emergency alarm service provider will listen in and then call the police if necessary. A victim does not have to make a Homeless Persons Application in order to access this service. Additional funding was agreed by the forum to maintain the existing service and to allow for expansion.

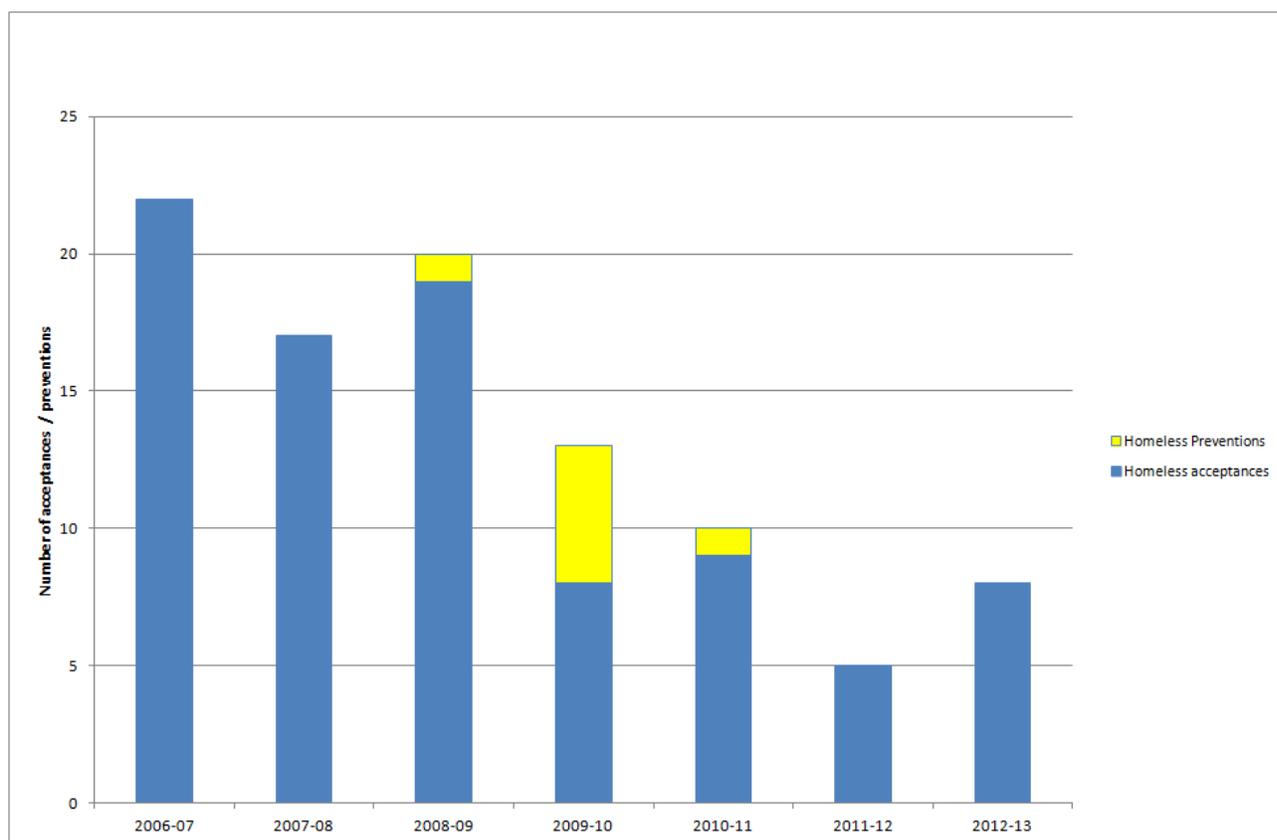


Figure 6: Violent relationship breakdown: homeless acceptances and homeless preventions

- 11.7. At the time of our last strategy, we noted that relationship breakdown due to domestic abuse was a significant cause of homelessness. Since then, as Figure 6 shows, the number of homeless acceptances has reduced considerably, assisted by homeless prevention measures such as the Sanctuary scheme and alarms. In 2012-13, however, there was a sharp upturn in the number of cases accepted as a result of violent relationship breakdown. It is too soon to confirm whether this is the beginning of a longer term trend.
- 11.8. The Housing Needs Service is also involved with the Multi-Agency Risk Assessment Conferences (MARACs) providing information on clients and advice to those who are being supported. There has been a pilot project for Independent Domestic Violence Advisors (IDVA) in conjunction with the new specialist Domestic Violence Court at Grays Magistrates.
- 11.9. There is no specialist provision of accommodation within the Borough for victims and their families fleeing domestic abuse. However the Council continues to contribute to the funding of the Basildon Women’s Refuge which enables women from Brentwood to access support and accommodation in neighbouring districts. The Housing Needs Department works closely with Basildon Women’s Aid. Basildon’s refuge has expanded its outreach programme and provides a specialist floating support service for women fleeing domestic abuse as well as local satellite services. The Housing Needs Department actively promotes these services.

11.10. Victims and their families who face homelessness due to domestic abuse must be advised of their choices, thus enabling them to make informed decisions about their future. Whilst the safety of the victims will be paramount, advice will be given about their right to remain in their home if they choose but this would never be insisted upon. With the development of the sanctuary scheme and the provision of the emergency communication alarm service, choosing to remain in the home can now be a more realistic option.

11.11. If a victim chooses to leave the home, Brentwood Council considers accommodation in a refuge as the most appropriate form of initial temporary accommodation because of the support victims would receive. In cases where victims would prefer to stay with friends or relatives they would not be precluded from making a Homeless Persons Application and ultimately being offered permanent accommodation.

12. People with Mental Health Problems and Learning Disabilities

12.1. Homeless households who are vulnerable due to mental illness/disability show a continuing demand on the service which corroborates the views from the first homelessness strategy of the local psychiatric hospital which predicted a rise in homelessness amongst this group.

12.2. Table 4 shows the number of homeless acceptances for households who had a priority need due to mental health or disability. Despite the reduction in overall acceptances, the percentage of acceptances has remained broadly constant at around 10-15% of overall acceptances, although the figure was particularly low in 2012-13.

12.3. Homeless households who are vulnerable due to mental illness/disability show a continuing demand on the service. These clients form a group who may find it difficult to find and maintain a tenancy without support. For some clients general needs accommodation with the Council may not be appropriate in the first instance.

12.4. The Community Mental Health Team provides a multi-agency service to 18-65 year olds suffering with mental health problems. It will also deal with 16-18 year olds with a serious mental illness. The Council has close links with the team in terms of assisting clients as well as holding joint training sessions for staff to discuss latest issues.

Table 4: Statutory Homeless Acceptances Due to Mental Illness or Disability

. Year :	2005/6	2006/7	2007/8	2008/09	2009/10	2010/11	2011/12	2012/13
Total Homeless Acceptances	108	97	87	83	59	27	25	46
Priority need due to mental illness / disability	16	9	16	9	8	3	3	1
% of Total Acceptances	15%	9%	18%	11%	14%	11%	12%	2%

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- 12.5. The local MIND voluntary group provides support for clients with mental health problems. Given the prevalence of this client group in terms of homelessness the Council's relationship with MIND will be continued.
- 12.6. The provision of supported accommodation in the Borough for this client group is limited. The main resource is Richard House which is run by Carr Gomm Housing Association. The Council has a protocol in place with Carr Gomm to assist with move on accommodation when it is deemed a client is ready for independent living. The available solution to assist this client group is to have Floating Support along side a care package in the clients home.
- 12.7. The Council contributes to housing considerations by the Local Action Group for people with learning disabilities. The Housing Sub Group is made up of representatives from relevant agencies and has assumed the role of assessing housing need in the Borough for this client group.
- 12.8. Incidents of homelessness amongst people with learning disabilities are relatively low. A key priority for this strategy remains to support the sub-group and to provide information to clients, parents and carers on planning future housing options. We recognise the need for specialist housing and special needs units to support those with severe and complex disabilities.
- 12.9. Separate Joint Referral Panels have now been established for both clients with mental health difficulties and clients with learning difficulties to ensure that agencies co-ordinate support to enable tenancy sustainment and to prevent homelessness.

13. Substance misuse

It is commonly recognised that people who have a drug or alcohol dependency are more likely to live chaotic lifestyles and risk homelessness as a consequence. Clients who fall within this group may also have multiple needs such as mental health problems.

- 13.1. The Council accepts very few clients as having a priority need due to drug or alcohol dependency. This could suggest that it may not accurately reflect the numbers who have these problems. It is recognised that there are no providers in the Borough that offer primary support to this group. The nearest support is Synergy in Romford who are a specialist addiction agency working across Brentwood, Billericay, Wickford and Havering. Synergy provides a range of therapy skills and has recently expanded into training towards employment. There are times when Brentwood residents access the Community Drug and Alcohol Service (CDAS) in Pitsea.
- 13.2. It is also recognised that there are practical and legal implications when providing supported accommodation to those who are known to actively misuse illegal substances. The Floating Support Scheme may be able to help a small number of people in this situation. We will consider with our partners whether research should be carried out on how to sign post clients to the relevant support services to try reducing a chaotic lifestyle and improving changes to sustain tenancies.

14. Prisoners and other people in contact with the criminal justice system

- 14.1. National research shows that housing is key to reducing crime and preventing reoffending. Ex-offenders often face housing problems when they leave prison and as such the homeless legislation recognises that some people will be found vulnerable as a result of leaving an institutional background.
- 14.2. In Brentwood over the last five years (2007-12), we have had six applicants that have fallen into this priority need category. This group of clients are more likely to be provided advice by the Council's Housing Needs Team rather than the Council having a full statutory rehousing duty.
- 14.3. The Council continues to work with the Multi Agency Public Protection Arrangements (MAPPA) on appropriate cases.
- 14.4. One of the issues that we hope to consider in the consultation phase of development of this strategy is to consider the extent and nature of young offending particularly as often the reason for parental ejection is due to the behaviour of the young person.

15. Rough Sleepers

- 15.1. In July 2011, the Government published its vision to reduce rough sleeping *No Second Night Out*. The document draws links between improvements to health commissioning through health and wellbeing boards (paragraph 3.11 refers), and encouragement to work through welfare reforms. It also recommends several simple practical measures to immediately tackle rough sleeping:
 - New rough sleepers should be identified and helped off the streets immediately so that they do not fall into a dangerous rough sleeping lifestyle;
 - Members of the public should be able to play an active role by reporting and referring people sleeping rough;
 - Rough sleepers should be helped to access a place of safety where their needs can be quickly assessed and they can receive advice on their options. They should be able to access emergency accommodation and other services, such as healthcare, if needed,
- 15.2. In terms of the true definition of rough sleeping (i.e. sleeping each night on the street), the problem of rough sleepers in Brentwood is limited. The yearly rough sleepers count bears this out. However we do experience intermittent cases with individuals sleeping rough or in their cars.

16. Refugees and Asylum seekers

- 16.1. The Council has no responsibility to house people seeking asylum, which is responsibility of the Home Office. Homeless applications from people granted refugee status are very infrequent – no application has been received in the last five years (2007-12).

17. Temporary Accommodation

17.1. Ensuring that there is sufficient accommodation available for people who are or may become homeless is an integral part of the Homelessness Strategy. While the aim should be to ensure long term accommodation there is a need for temporary and emergency accommodation while long-term housing solutions are sought for priority need households.

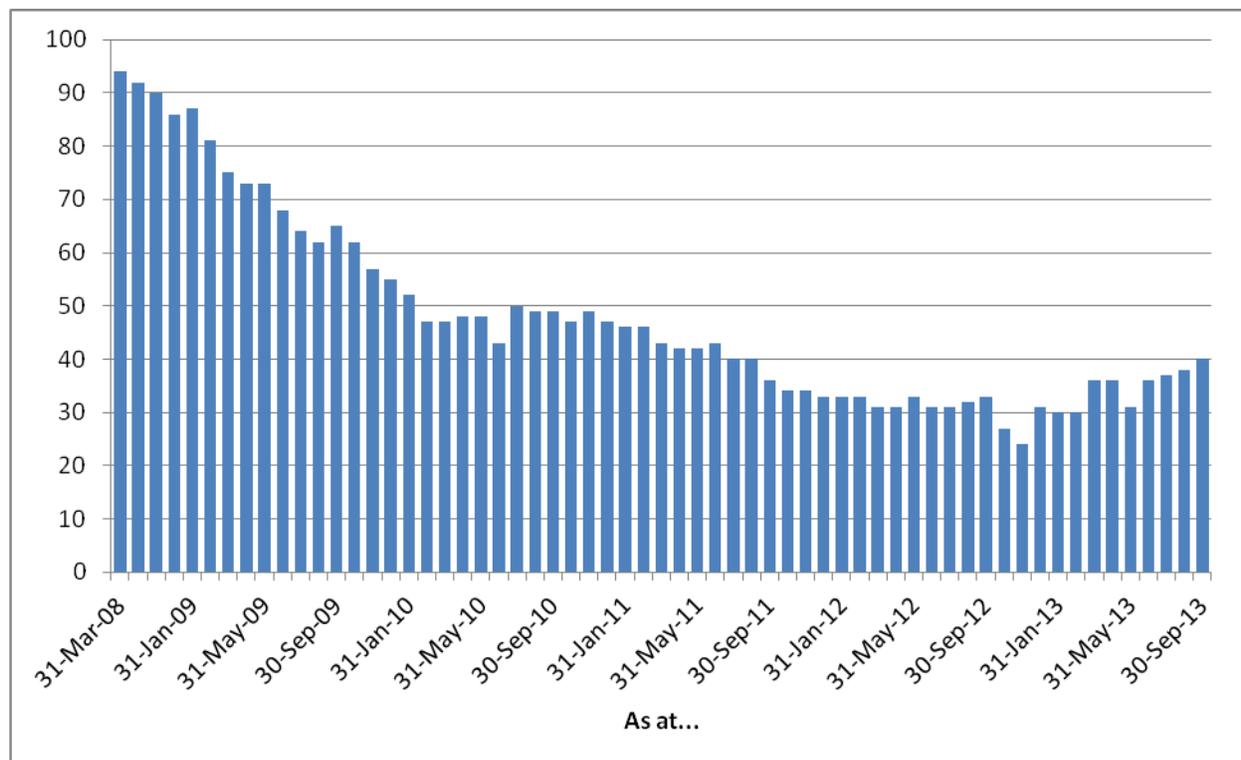


Figure 7: Brentwood Borough Council Number of Households In Temporary Accommodation

- 17.2. It is widely acknowledged that families with children living in bed and breakfast accommodation face an incredibly stressful time. Often bed and breakfast accommodation is away from a family network including relatives, friends, schools and doctor. The Government recognised this problem and set the target since April 2004 to that local authorities do not use bed and breakfast for homeless families except in emergencies and then not for more than 6 weeks.
- 17.3. Within the overall use of temporary accommodation the Council does use bed and breakfast as emergency accommodation. There is only one bed and breakfast establishment in Brentwood that will work with the Council on a regular basis. The lack of access to such emergency accommodation in Brentwood has necessitated the use of placements outside the Borough. The Council will continue to ensure that bed and breakfast establishments meet the minimum statutory standards in terms of health and safety including fire safety.
- 17.4. In November 2006 the Government also set local authorities the challenge of ending the use of Bed and Breakfast accommodation for 16 / 17 year olds by 2010, except in an emergency and then for no longer than six weeks.

- 17.5. At the start of the last Homeless Prevention strategy period, the Council had 94 households in temporary accommodation. The Council, in response to a target the then Government set local authorities to reduce the number of households in any form of temporary accommodation, has reduced this number of households in temporary accommodation by half by February 2010, and by two-thirds by March 2012 (Figure 7 refers).
- 17.6. However since November 2012 the position has begun to change – an inevitable consequence of the impact of the recession, and the increase in homelessness. An increase in temporary accommodation now seems inevitable during the early part of this strategy period

18. The Council as landlord

- 18.1. In February 2012, the Council published its first Business Plan under the self financing regime. The document evidenced our priorities for our landlord service under self financing, and show how the service will remain viable for the foreseeable 30 years. It is intended that the plan will be reviewed on an annual basis, and updated according to circumstances. The plan was updated in February 2013, and will continue to be kept under annual review.
- 18.2. The document demonstrated that the Council's housing landlord service will be viable under self financing, and provides a number of opportunities for further efficiencies that will allow for the growth and development of the service. These include:
- Asset Management – a commitment to maintain all the HRA assets for future housing provision, but recognising that the opportunities of our emerging tenancy strategy and new legislative provisions in the Localism Act allow us to re-provide these assets in different ways. In the first two years of the Business Plan we intend to establish a comprehensive asset re-provision strategy, including making use of redundant assets to provide more affordable housing.
 - New service standards established in consultation with our tenant representatives, that place an importance on efficient and cost effective service delivery in an acceptance that future budgets are likely to be limited.
- 18.3. The Council is a responsible social landlord, and we expect our tenants not to break any tenancy conditions. All new tenants hold an introductory tenancy. If an introductory tenant breaks a tenancy condition, the tenancy may be ended through an accelerated possession procedure. We may also seek possession of secure tenancies for tenancy breaches such as wilful non-payment of rent or anti-social behaviour.
- 18.4. In March 2013, the Council published our first Tenancy Strategy for the Borough, which incorporates the approach to be taken in its own stock with that of all other providers of social housing operating within the Borough. This has been linked to a review of the Council's Allocations Policy, and a review of the Council's own tenancy agreement for our social tenants. As this work is undertaken over the coming year, the tenancy strategy for the Council's stock will be developed and refined as part of the Business Plan process.

18.5. The Council has committed in principle to acquisitions of property through the Mortgage Rescue Scheme (paragraph 10.6 refers) forming part of the HRA Asset Management Strategy. We will consider any urgent acquisitions through the Mortgage Rescue Scheme, subject to resources being available, and have committed £100,000 in 2013-14 for this purpose.

19. Increasing the supply of affordable housing

19.1. A significant number of homeless people have low incomes and access to social housing is likely to be their main aspiration for a permanent home.

19.2. But rented housing through registered providers, either Council as landlord or housing associations remains only available to the very few - we have about 2,000 households registered on the Council's Housing Register, and only about 175 properties become available to allocate each year. The constant challenge that the Council has to address is to make the best possible use of the limited number of housing vacancies that we have, given the very high demand for housing in the Borough. Inevitably this results in us being able only to help a small number of people in housing need.

19.3. The Council's housing is allocated through HomeOption, our choice based lettings system. Properties are advertised on a fortnightly cycle, both through a newsletter and website, and applicants have to express an interest for any vacancies that arise, by phone, post, internet or SMS text. Full details are given to applicants at the time that they register. Properties are offered to the applicant with the highest number of points who has expressed an interest, and, if that applicant refuses, to the next highest pointed applicant until the property is accepted. We publish the points level of successful expressions of interest to ensure the process is transparent.

19.4. On a yearly basis, the proportion of lettings which go to homeless applicants are monitored to ensure an equitable Allocations Policy. On an annual basis approximately 30% of the total lettings, which includes nominations to RSLs are made to homeless people.

19.5. The Council has reviewed our Allocations Policy, and the new policy was approved in October 2013. It will be implemented in early 2014. The review of our Allocation Policy has sought to address the ability of applicants to explore intermediate housing solutions. We need to be able to assess the feasibility of intermediate purchase solutions, including a greater awareness of what lenders are prepared to lend against.

19.6. The Council is currently producing a new Local Development Plan (LDP) for the Borough which, once adopted, will supersede the current Replacement Local Plan (2005).

19.7. The new LDP will update the current planning policies to secure affordable housing, and will include a refresh of the Strategic Housing Market Assessment, land availability and allocation of sites. However, this will need to be considered in the light of the Government's increasing aspirations for the private rented sector, and the emerging ideas of the Montague Report (paragraph 3.7 refers), and the review of the Council's Allocation Policy. How we choose to address the emerging

government reforms may change our approach to new affordable housing that we seek.

- 19.8. Our Tenancy Strategy supports the principle of fixed term tenancies. It takes the view that our affordable housing resources are a precious asset from which demand far exceeds supply. If the circumstances of a household is such that they no longer require affordable housing, it is appropriate that we assist them meet their needs elsewhere. However, in respect of special needs housing meeting long term needs (including sheltered housing), the Strategy considers the fixed term tenancies are generally unnecessary.
- 19.9. At the tenancy sign up stage RPs already provide information, advice and support for their new tenants. An additional element will be the requirement to provide information about the fixed length of the tenancy and highlight to any households moving from assured or secure tenancies the implications of this move.
- 19.10. The need for housing options advice at the renewal of a fixed term tenancy is a new requirement and could be provided or procured by RPs, for example through a service level agreement from the local Citizen Advice Bureau.
- 19.11. The draft Tenancy Strategy proposes standards and a protocol for a minimum level of housing options advice both at the start of a fixed term tenancy and at its end when it is not being renewed, delivered through a joint protocol.
- 19.12. Households will require sufficient information for them to assess at different stages of their housing pathway what is the best choice for them in their current circumstances and the implications of exercising that choice. It will also be necessary to make arrangements for advocacy to be available when a tenant requires representation in appealing a decision which terminates their tenancy.
- 19.13. The provision of adequate housing options advice also clearly links to the Homelessness Prevention Strategy and the Council's statutory homelessness duties.
- 19.14. Establishing a clear protocol for providing housing options advice to tenants, at the point at which their fixed tenancy is not renewed, will achieve clarity for tenants and also for other housing and housing related service providers within the area. It will minimise the scope for the ending of a fixed term tenancy to become a contested area between organisations with different policies and priorities. Proposals for a draft protocol for the provision of housing options advice is attached at Appendix C.
- 19.15. The Tenancy Strategy supports the principal of Affordable Rent, but qualifies its application in larger properties, capping the proposed limit of affordable rent to the housing component of universal credit. This is to prevent future tenants of affordable rent tenancies who are or become benefit dependant from having to supplement their rent from their other benefit elements.
- 19.16. The strategy does not propose to limit registered providers who wish to convert a proportion of their social rent re-lets to affordable rent, although it does seek to encourage them to invest the resources generated in Brentwood Borough.

20. The Role of the Private Sector

- 20.1. The Council's Environmental Health Service deals with private sector housing and health related matters. The Council's Housing Needs and Environmental Health Services work closely together, especially in relation to illegal eviction and harassment. This takes the form of joint interviews and co-ordinated housing advice.
- 20.2. The Environmental Health Service actively encourages private sector landlords to engage with the Council on a regular basis and as part of this drive there is in place an annual private sector landlord's forum. This forum is used to provide information to landlords on the latest issues affecting the sector. The Housing Needs Team attends the forum to encourage closer working relationships and to promote any initiatives it is undertaking which requires local landlords input.
- 20.3. The Housing Needs Team regularly liaises with landlords and letting agents in the private sector to try and assist applicants to take up alternatives to social housing. As part of this the Council operates a rent deposit scheme with the target client group being those applicants who are likely to meet the full rehousing duty under the Homeless legislation.
- 20.4. Figure 8 shows the operation of the scheme over the last seven years.

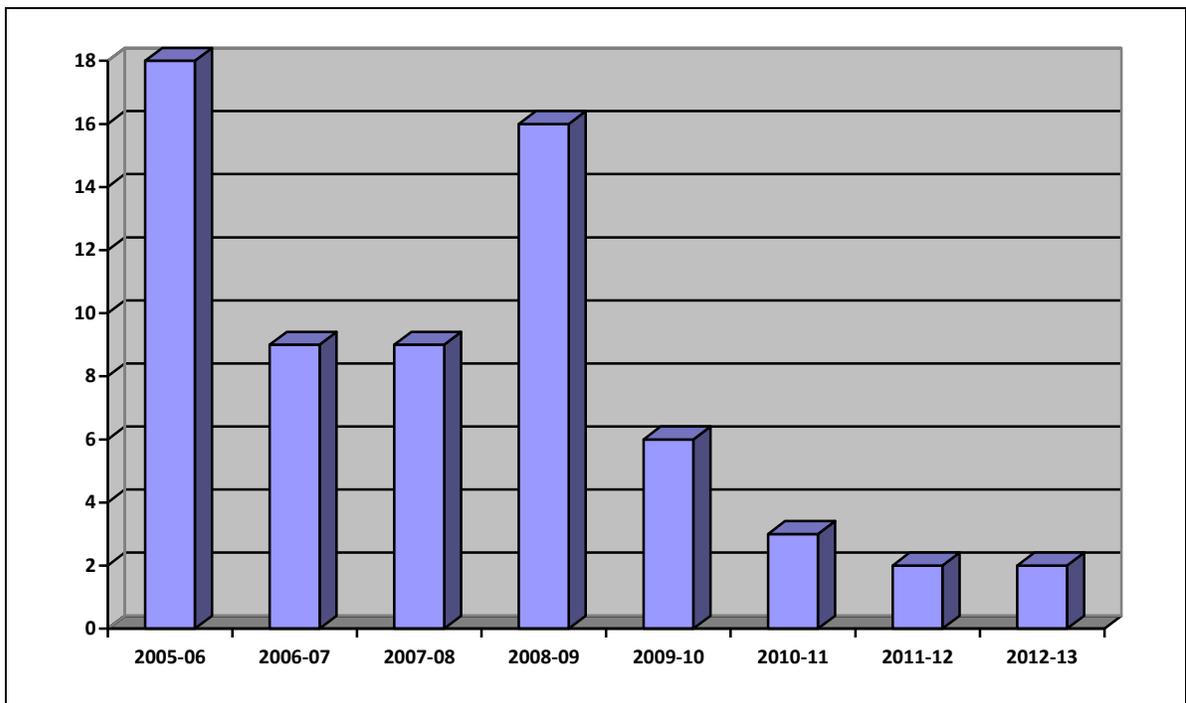


Figure 8: Number of rent deposits provided each year

- 20.5. Although the scheme was initially successful, more recently landlords who are willing to participate in the scheme have sharply reduced. The introduction of the Local Housing Allowance, and the buoyant private rented sector means that the scheme is becoming less attractive to landlords.
- 20.6. The Housing Needs Team has good links with the Council's Revenues and Benefits Service and works closely with them on a number of cases. The Revenues and Benefits Service also administers Discretionary Housing Payments (DHP) which can

be used as a tool to prevent homelessness for those clients who require more than they receive from Housing Benefit to pay their rent. A number of homeless prevention successes have resulted from joint working between the teams.

- 20.7. A recent exercise has identified that there are approximately 50 Houses in Multiple Occupation (HMOs). The area does not contain large numbers of three and more storey properties which are prone to contain the worst problems. HMOs provide a valuable source of accommodation within the Borough as they are often the cheapest form of housing and are suitable for single persons. However, tenants can often comprise of vulnerable members of the community and this sector seems to attract a number of less responsible landlords (although many HMO's are adequately managed).
- 20.8. A proactive HMO inspection strategy has been developed which includes a risk assessment form which allows for a quantitative assessment to be made for each HMO so that an inspection frequency can be set which is appropriate to the level of risk. Since mandatory licensing was introduced by March 2008 14 HMO's have been subject to licensing.
- 20.9. Living in unfit conditions in the private sector can sometimes result in homelessness. The prime responsibility lies with the owners of the property to repair and maintain them. The role of the Council is to provide information and assistance to owner-occupiers to help them meet their repair obligations. For those who cannot meet those financial burdens, the Council can offer a repayable grant or assistance via traditional grants. The Council has an annual discretionary budget of £200,000 for the provision of direct assistance, which is detailed within the Council's Private Sector Renewal Strategy.
- 20.10. The most recent figures show the number of empty homes represents less than 1% of the stock. At present the number of long-term empty properties is relatively low and is prioritised accordingly. In exceptional circumstances the Council will consider using its wide range of powers to intervene statutorily where there is no justifiable reason for the owner allowing the home to remain vacant. This will include compulsory purchase powers with properties being sold on to a RSL partner.
- 20.11. In November 2012, the Government enacted the new powers of the Localism Act to Enable local authorities to meet their homelessness duties by providing good quality private rented homes (in the past such offers of accommodation could be refused). The details of how we intend to use these new powers has been incorporated into the review of our Allocations Policy.
- 20.12. The private rented sector is identified as the top priority for our Homelessness Prevention Strategy. The importance of access to safe reasonable quality private rented sector homes in the lower quartile of the local market is going to be critical to achieve the new opportunities of securing private rented sector homes to discharge our homeless responsibilities, in order to create the new type of framework that the Government envisages for our revised Allocation Policy. However The Welfare Reform Act, coupled with the current buoyant private rented sector market means that this is likely to be a challenge.

20.13. The Council is joining with other Councils in Essex to establish a county-wide private sector landlord accreditation scheme to assist our developments with the private rented sector

20.14.

Appendix A – The Council’s statutory duties under the homeless legislation

General duty to provide advice on homelessness:

- The housing authority can provide advice and information about homelessness – and the prevention of homelessness – themselves or arrange for another agency to do it on their behalf. Either way, the advice and assistance provided will need to be up to date and robust if it is to be effective and help achieve the housing authority’s strategic aim of preventing homelessness.
- The service will need to be wide-ranging so that it offers advice and information about not only housing options but also the broad range of factors that can contribute to homelessness. This might include, for example, advice on social security benefits, household budgeting, tenancy support services and family mediation services. The advice provided should also act as a signpost to other, more specialist advice such as debt management, health care and coping with drug and alcohol misuse, where this is needed.

The main homelessness duty

- Under the legislation, certain categories of household, such as families with children and households that include someone who is vulnerable, for example because of pregnancy, old age, or physical or mental disability, have a priority need for accommodation.
- In 2002, the then Government amended the homelessness legislation through the *Homelessness (Priority Need for Accommodation) (England) Order 2002* to strengthen the assistance available to people who are homeless or threatened with homelessness by extending the priority need categories to homeless 16 and 17 year olds; care leavers aged 18,19 and 20; people who are vulnerable as a result of time spent in care, the armed forces, prison or custody, and people who are vulnerable because they have fled their home because of violence.
- Housing authorities must ensure that suitable accommodation is available for people who have priority need, if they are eligible for assistance and unintentionally homeless (certain categories of persons from abroad are ineligible.) This is known as the main homelessness duty. The housing authority can provide accommodation in their own stock or arrange for it to be provided by another landlord, for example, a housing association or a landlord in the private rented sector.
- If settled accommodation is not immediately available, accommodation must be made available in the short term until the applicant can find a settled home, or until some other circumstance brings the duty to an end, for example, where the household voluntarily leaves the temporary accommodation provided by the housing authority. A settled home to bring the homelessness duty to an end could include the offer of a suitable secure or introductory tenancy in a local authority’s housing stock (or nomination for a housing association assured tenancy) allocated under Part 6 of the 1996 Act or the offer of a suitable tenancy from a private landlord made by arrangement with the local authority.

- Under *the Homelessness (Suitability of Accommodation) (England) Order 2003*, housing authorities cannot discharge a homelessness duty to secure suitable accommodation by placing families with children, and households that include a pregnant woman, in Bed & Breakfast accommodation for longer than six weeks – and then only if more suitable accommodation is not available.

Applications and inquiries

- Housing authorities must give proper consideration to all applications for housing assistance, and if they have reason to believe that an applicant may be homeless or threatened with homelessness, they must make inquiries to see whether they owe them any duty under Part 7 of the 1996 Act.
- This assessment process is important in enabling housing authorities to identify the assistance which an applicant may need either to prevent them from becoming homeless or to help them to find another home. In each case, the authority will need to decide whether the applicant is eligible for assistance, actually homeless, has a priority need, and whether the homelessness was intentional (see below). If they wish, housing authorities can also consider whether applicants have a local connection with the local district, or with another district. Certain applicants who are persons from abroad are not eligible for any assistance under Part 7 except free advice and information about homelessness and the prevention of homelessness.

Interim duty to accommodate

- If an authority has reason to believe that an applicant may be homeless or threatened with homelessness, it must also decide if they also have reason to believe that the applicant may be eligible for assistance and have a priority need for accommodation. It must do this even before it has completed its inquiries.
- If there is reason to believe the applicant meets these criteria, the housing authority has an immediate duty to ensure that suitable accommodation is available until they complete their inquiries and decide whether a substantive duty is owed under Part 7. This is an important part of the safety net for people who have a priority need for accommodation and are unintentionally homeless.

When is someone homeless?

- Broadly speaking, somebody is statutorily homeless if they do not have accommodation that they have a legal right to occupy, which is accessible and physically available to them (and their household) and which it would be reasonable for them to continue to live in.
- It would not be reasonable for someone to continue to live in their home, for example, if that was likely to lead to violence against them (or a member of their family).

Intentional homelessness

- A person would be homeless intentionally where homelessness was the consequence of a deliberate action or omission by that person (unless this was made in good faith in ignorance of a relevant fact). A deliberate act might be a

decision to leave the previous accommodation even though it would have been reasonable for the person (and everyone in the person's household) to continue to live there. A deliberate omission might be non-payment of rent that led to rent arrears and eviction.

Local connection and referrals to another authority

- Broadly speaking, for the purpose of the homelessness legislation, people may have a local connection with a district because of residence, employment or family associations in the district, or because of special circumstances. (There are exceptions, for example residence in a district while serving a prison sentence there does not establish a local connection.)
- Where applicants are found to be eligible for assistance, unintentionally homeless and in priority need (i.e. they meet the criteria for the main homelessness duty) and the authority consider the applicant does not have a local connection with the district but does have one somewhere else, the housing authority dealing with the application can ask the housing authority in that other district to take responsibility for the case. However, applicants cannot be referred to another housing authority if they, or any member of their household, would be at risk of violence in the district of the other authority.

Other homelessness duties

- If applicants are homeless but do not have a priority need, or if they have brought homelessness on themselves, the housing authority must ensure that they are provided with advice and assistance to help them find accommodation for themselves – but the authority does not have to ensure that accommodation becomes available for them.
- The housing authority can provide advice and assistance itself or arrange for another agency to do this. The housing authority must ensure that this includes a proper assessment of their housing needs and information about where they are likely to find suitable accommodation. Again, it will be crucial that the advice and assistance is effective and up to date if the housing authority's strategic aim of preventing homelessness is to be achieved.
- Where people have a priority need but have brought homelessness on themselves, the housing authority must also ensure they have suitable accommodation available for a period that will give them a reasonable chance of finding accommodation for themselves. Sometimes, this may be for only a few weeks.

Intentionally homeless families with children

- So, families with children who have been found intentionally homeless will not be owed a main homelessness duty; they will be entitled to advice and assistance and temporary accommodation for a short period only. If homelessness persists, any children in the family could be in need and the family could seek assistance from the social services authority under the *Children Act 1989*.
- It is therefore important that social services are made aware of such cases as soon as possible. Consequently, where a housing authority are dealing with a

family that includes a child under 18 and they consider the family may be found intentionally homeless, they must make social services aware of the case.

- Where the family are found to be intentionally homeless by the housing authority, and social services decide the child's needs would best be met by helping the family to obtain accommodation, social services can ask the housing authority for reasonable assistance and the housing authority must respond.

Notifications / reviews of decisions / appeals to county court

- Where authorities have reason to believe an applicant may be homeless or threatened with homelessness and make inquiries into the case, they must give the applicant written notification of their decision on the case, and the reasons for it insofar as it goes against the applicant's interests.
- Applicants can ask the housing authority to review most aspects of their decisions, and, if still dissatisfied, can appeal to the county court on a point of law. The county court can confirm or quash a housing authority's decision.

Power to accommodate pending a review or appeal

- Housing authorities have the power to accommodate applicants pending a review or appeal to the county court, and they must consider whether to exercise this power in all cases.
- If the housing authority decide not to exercise this power pending a review, and the applicant wishes to appeal to the courts, he or she would need to seek permission to ask the High Court to judicially review the decision.
- If the housing authority decide not to exercise this power pending an appeal to the county court, the applicant can appeal to the county court to review the decision not to accommodate, and the court can require the housing authority to accommodate the applicant, pending the appeal on the substantive homelessness decision if the court considers this is necessary.

Appendix B – Tenure and rent changes introduced by the Localism Act

Changes to tenure have been introduced by the Localism Act 2011. The effect of the changes is to create two new forms of fixed term tenancies:

- Flexible Tenancies for Local Authorities
- Fixed Term Assured Shorthold Tenancies for Housing Associations

The changes also introduce a new rent model, Affordable Rent, for financing new social homes.

These changes are detailed more fully below.

Flexible Tenancies:

- The Localism Act introduces a new form of local authority secure tenancy: the Flexible Tenancy.
- This form of tenure can be used from 1 April 2012 for new tenants, provided the local housing authority has adopted a Tenancy Strategy or interim policies that allow for it. However, local housing authorities can decide whether to use them or not.
- Flexible Tenancies are fixed-term tenancies with a statutory minimum fixed term of two years, although the RFSHE requires providers generally to grant general needs tenants a tenancy for a minimum fixed term of five years, in addition to any probationary tenancy period.
- The tenant has the right to request a review of the decision as to the length of the fixed term, but only on the basis that it does not accord with the landlord's own policy.
- Generally, tenants with a Flexible Tenancy will have the same rights as other secure tenants, including the Right to Buy and the Right to Repair. The statutory Right to Improve will not apply (although the tenancy agreement can determine whether the tenant has the right to improve their home) and there is no statutory right for tenants to be compensated for improvements.
- During the fixed term, possession will be available on normal Secure Tenancy grounds as long as there is a valid forfeiture clause in the tenancy permitting this.
- A tenant may give four weeks' notice in writing to end a Flexible Tenancy during the fixed term.
- Whether the tenant will be able to remain in affordable housing at the end of the fixed term will depend on the landlord's Tenancy Policy. The procedure for local authorities who decide not to grant another tenancy at the end of the fixed term is set out in the Localism Act.
- If the landlord does not intend to renew the tenancy it must give at least six months' notice of this fact as well as two months' notice seeking possession.

- The tenant has a right to request a review of a decision not to renew. A court can only refuse possession if the correct procedure has not been followed by the landlord or if the court is satisfied that the decision not to grant another tenancy was otherwise 'wrong in law'. This is likely to attract defences under Article 8 of the ECHR and the Equality Act 2010.
- If no further fixed term is granted but no notice of non-renewal is given, the tenancy becomes a periodic Secure Tenancy.

Fixed-term Assured Shorthold Tenancies:

- Housing associations do not need a new type of tenancy to grant fixed-term tenancies. They can already grant fixed-term Assured Shorthold Tenancies.
- However, a change to the RFSHE from April 2012 now allows them to grant such tenancies for general needs housing let at a social rent.
- The previous RFSHE required that social landlords 'offer and issue the most secure form of tenancy compatible with the purpose of the housing and the sustainability of the community'
- However, the new RFSHE requires providers to 'grant tenancies which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of the housing stock'.
- As with Flexible Tenancies, the RFSHE requires providers to grant general needs tenants a tenancy for a minimum fixed term of five years, or exceptionally, a tenancy for a minimum fixed term of no less than two years, in addition to any probationary tenancy period.
- Also as with Flexible Tenancies, whether the tenant will be able to remain in affordable housing at the end of the fixed term will depend on the landlord's tenancy policy. The procedure for housing associations who decide not to grant another tenancy at the end of the fixed term is set out in the Localism Act. If the landlord does not intend to renew the tenancy it must give at least six months' notice of this fact as well as a valid section 21 notice.
- The tenant has no statutory right to request a review of a decision not to renew. However, the RFSHE requires registered providers set out the way in which a tenant or prospective tenant may appeal against or complain about the length of fixed-term tenancy offered and the type of tenancy offered, and against a decision not to grant another tenancy on the expiry of the fixed term.
- Where another tenancy is not being offered, there is also a requirement that the provider offers reasonable advice and assistance.

Affordable Rent:

- Affordable Rent is the new model for financing new social homes in the Homes and Communities Agency's Affordable Homes Programme 2011–2015.

- Homes let on Affordable Rent are a form of affordable housing. Registered providers are only able to let properties at an Affordable Rent as part of an agreement with the HCA.
- Some contracts may be based on the conversion of a proportion of existing re-lets to Affordable Rent. Affordable Rents can be set at up to 80 per cent of market rates.
- Providers can let Affordable Rent homes on a range on different tenures, from a Secure or fully Assured Tenancy, to a regulatory minimum five-year fixed-term (Flexible or Assured Shorthold) tenancy. In unspecified exceptional circumstances, the statutory minimum two-year fixed term can be used.

Appendix C – Draft housing options advice protocol

RP's Responsibilities

- Provide or procure a full housing options service covering private renting, and low cost home ownership to help tenants resolve their own housing needs. This will include up-to-date and in-depth advice on housing options and how to pay for them.
- Ensure that tenants have six months notice that their fixed tenancy will not be renewed and start the housing options advice at this early stage.
- Not to discriminate on the grounds of race, gender, ethnic origin, disability, age or sexual orientation.
- Make it clear what you are able to do and what you cannot do and refer tenants to specialist agencies for debt advice, legal advice and benefits advice as appropriate. Provide personalised referrals to other organisations if unable to help
- Advise in clear and easy to understand language and ensure any information meets 'Plain English' standards and provide relevant leaflets, and/or written information, and clear information about on-line resources
- Provide a named person to work with and provide advice to the tenant. Respond fully and promptly to ongoing tenant requests for advice and information.
- Arrange home visit/s if the tenant is unable to attend your office
- Provide clear information on complaints policy if the tenant is unhappy with the service they have received
- Ensure tenants are aware of a clear and defined independent appeals procedure

Tenant responsibilities

- Attend appointments on time or give notice if unable to attend
- Provide relevant information as soon as possible to help speed up the process of giving advice and assistance
- Provide any relevant changes of circumstances