

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE LEADER OF THE COUNCIL

Decision Made: 13 December 2023

Cap on Safe and Legal Routes Government Consultation

Issue for Decision

The Government has asked all local authorities in England to respond to a consultation on the figure they consider to be a suitable cap on the number of refugee households that can be accommodated after 2025 in their district.

Decision Made

That a zero cap response to the Government consultation be approved (as set out at Appendix A to the report).

Reasons for Decision

The Minister for Immigration recently wrote to all local authorities in the United Kingdom explaining that the Illegal Migration Act places a duty on the Home Secretary to set a cap on the number of entrants to the UK arriving via safe and legal routes. The Home Office launched the consultation to inform the level at which the cap on safe and legal routes is set. The consultation ends on 15 December 2023.

The letter acknowledges the 'considerable burden' that has been placed on local authorities resulting from the 'largest number' of persons entering the UK in its history. Workshops have been hosted by the Home Office to help inform the consultation response and the one for South East local authorities was held on 16 November 2023.

The Illegal Migration Act makes it an offence to attempt to enter the UK illegally and those that do so will be removed. Government has stated that the Act is intended to 'put a stop to illegal migration into the UK by removing the incentive to make dangerous small boat crossings. As part of its migration control the Government will introduce the concept of safe and legal routes into the UK and the Secretary of State will be required to place a cap on the number of people coming to the UK each year.

Safe and Legal Routes includes:

UK Resettlement Scheme – those refugees entering through an UNHCR route.
Community Sponsorship Scheme – for those being supported by family or organisations through the above UKRS.

The Mandate resettlement scheme – similar to the above.

Existing Afghan, Ukrainian and Hong Kong refugees schemes.

The consultation is aimed at local authorities who provide housing or support to resettled individuals in the UK. There is an expectation that local authorities will consult with a range of non-government organisations who provide support to

asylum and refugee households, and that in two-tier areas the upper and lower authorities should come to an agreed figure.

In an area the size of Kent having a meaningful discussion with the relevant groups was not a realistic proposition in the timescale allowed. The number of NGO providing specialised support to relevant households in the Maidstone Borough Council is negligible. Conversations have taken place with officers from Kent County Council, which have informed this response. Kent County Council will be replying to consultation separately and are likely to reference their continued concerns relating to the number of unaccompanied asylum seeking children that they are required to accommodate and support.

A resettlement tariff is proposed 'on a per capita basis to local authorities to help the families they have pledged to resettle and support into life in the UK. It is comprised of a core tariff of £20,520 per person, provided over a period of five years for UKRS arrivals and over three years for ACRS and ARAP; as well as additional tariffs in the first year of up to £4,500 per child to cover education costs, and £850 for adults requiring English language support. An additional tariff of £2,600 is made available to local health bodies to cover healthcare costs in the first year.' It is unclear whether in two-tier areas the funding will be provided in whole or part to the upper-tier or district council.

Importantly, the new cap will not be retrospective. The cap does not apply to the vast number of persons who have entered the UK and then claimed asylum and are currently accommodated in hotels and short-term accommodation across the UK. Nor does the cap impact on those persons who enter the UK through legal routes and then make a claim for asylum.

The cap has no relevance to the Asylum Dispersal Programme previously imposed by the Home Office, which set the level of asylum seekers to be accommodated in Maidstone Borough Council at 126 persons. There is tacit acceptance now at the Home Office that the 'fair distribution' figures are unlikely to be achieved in the way set out and that some districts will receive more households than their original allocation.

The consultation comes at a time of national crisis within the housing market, with record levels of households being accommodated in temporary accommodation and homelessness on the rise. Maidstone Borough Council is not immune from these challenging factors, and receives more applications for assistance with housing than any other district in Kent. Our current level of demand includes over 270 households in temporary accommodation, some of whom have had to be placed out of area due to the lack of suitably sized accommodation in the Maidstone area.

Our local housing market is impacted by other local housing authorities and agencies acquiring accommodation in our private housing sector. This exasperates an already over-heated private market that means it is almost impossible for local residents to acquire private rented accommodation at a reasonable rate.

Our experience is that those placed into our area by external organisations receive little or no support. Indications are that support agencies are stretched to meet existing need. The severe lack of school vacancies and General Practitioner capacity means that people coming into the area, the Town Centre in particular,

are forced to travel significant distances to access the most basic of essential services.

Health Services in the Maidstone area are under immense pressure. According to the West Kent Health & Care Partnership's own statistics, Maidstone General Practitioner Practices have the worst GP to patient ratios in Kent. One GP Practice in the Town Centre has a ratio of one GP to 7,328 patients. Feedback from Kent Health colleagues with experience of asylum seekers elsewhere in Kent is that they often have long-term and untreated illnesses that place a significant burden on Health Services.

Kent County Council has confirmed the position in MBC as follows:
Primary and Secondary schools are generally full, some primary capacity in rural areas.

Special Schools West Kent: All over capacity but individual needs of children would need assessment and placement as with all children moving into the area.

It has been helpful to have funding for Afghan and Ukrainian refugees, but unhelpful that this is not consistent for asylum seekers and the nonhomes for Ukraine families.

The Housing, Health and Environment Policy Advisory Committee considered the matter on 12 December 2023 and it was recommended that the Leader of the Council approve a blank response to the consultation so as not to be drawn into the national government's politics on this issue.

In considering this decision the views of the Housing Health and Environment Policy Advisory Committee were taken into account. One of the key consultation questions asked specifically about our capacity and the Committee did not offer advice on this other than to avoid the question. It is important to take this opportunity to inform Government directly that we have zero capacity whilst mindful of the risk set out in 5.1 of the report.

Alternatives considered and why rejected

Option 2 - The Council could have decided not to respond to the consultation but this was not recommended as the Council would lose the opportunity to express its concerns about the proposed initiative and a non-return might be interpreted as permitting the Government to set a cap for Maidstone.

Option 3 - The Council could have provided a figure above zero but this was not recommended as it remains unclear how this would be funded by Government and how accommodation would be secured for those households at a time when the Council is facing extreme difficulty in placing those residents it owes a housing duty.

Background Papers

None.

I have read and approved the above decision for the reasons
(including possible alternative options rejected) as set out above.



Signed: _____
Councillor David Burton, Leader of the Council

Full details of both the report for the decision taken above and any consideration by the relevant Policy Advisory Committee can be found at the following area of the [website](#)

Call-In: Should you be concerned about this decision and wish to call it in, please submit a call-in form signed by any three Members to the Proper Officer by: **5pm on Wednesday 20 December 2023**